

Committee on the Application of Standards

Date: 19 May 2021

Governments appearing on the preliminary list of individual cases have the opportunity, if they so wish, to supply on a purely voluntary basis, written information before 20 May 2021.

► Information on the application of ratified Conventions supplied by governments on the preliminary list of individual cases

Ghana (ratification: 2000)

Worst Forms of Child Labour Convention, 1999 (No. 182)

The Government has provided the following written information.

Article 3. Worst forms of child labour

Clause (a). All forms of slavery and practices similar to slavery. Sale and trafficking of children

A total of 556 human trafficking cases have been investigated, out of which 89 accused persons have been prosecuted and 88 convicted. Out of the convictions, 41 were under the Human Trafficking Act, 20 under the Children's Act, 1998 (Act No. 560), and 27 other related offences; 65 out of the 88 convicts were given jail terms ranging from 5 to 7 years and the remaining 23 convicts fined up to 120 penalty units each (a penalty unit is 12 Ghanaian cedis).

Clause (b). Use, procuring or offering of a child for the production of pornography or for pornographic performances

The Government wishes to draw the attention of the Committee to section 101A(b) of the Criminal Offences Act, 1960 (Act No. 29), as amended by the Criminal Offences (Amendment) Act of 2012, which covers the use of children in pornography and pornographic performances, and establishes penalties for offenders.

101A(2)(b): A person who sexually exploits another person who is a child commits an offence and is liable on summary conviction to a term of imprisonment of not less than seven years and not more than twenty-five years.

Clause (d) and Article 7(2)(a) and (b). Hazardous work in cocoa farming and preventing children from being engaged in and removing them from such hazardous work

The Government wishes to assure the Committee that its effort to prevent children under 18 years of age from being engaged in hazardous types of work in this sector

continues relentlessly. The Government has taken measures to improve access to education in its efforts to implement the constitutional provision of free compulsory universal basic education (FCUBE) through the expansion of school infrastructure, continues training of competent teachers, and Capitation Grant and School Feeding Programmes. The Government has progressively reduced the average distance to schools from 4.5 km in 2010 to about 2.1 km in 2020. As a result of these interventions, school enrolments at the primary and junior high school stands at 98 per cent and 95 per cent, respectively. The Government introduced the Free Senior High School policy in 2017 and through this intervention, around 300,000 children who could not have accessed secondary education due to financial and other factors have accessed secondary education. In addition to these interventions, the Government, in collaboration with partners has intensified child labour awareness-raising and sensitization activities throughout the country. The Government has, since 2000, implemented interventions in the cocoa sector with the aim of improving cocoa productivity and ensuring that children do not engage in hazardous work. These include mass cocoa spraying, mass pruning, fertiliser subsidies, artificial pollination, and extension services. The Government and the cocoa and chocolate industry players have initiated a public-private partnership arrangement aimed at accelerating the elimination of child labour in all cocoa-growing areas.

Article 4(1) and (3). Determination and revision of the list of hazardous types of work

The Government wishes to bring to the attention of the Committee that it has since 2008 developed, in accordance with Article 4(1) and (2) of the Convention, comprehensive a Hazardous Activities Framework (HAF) for the Cocoa Sector in 2008 and a General HAF for 17 other sectors in 2012. The HAF, which was validated by the National Steering Committee on Child Labour, became the reference point for child labour-related surveys including the 2014 National Survey conducted by the Ghana Statistical Service and the UCW report of 2017, entitled “Not Just Cocoa: Child Labour in the Agricultural Sector in Ghana” which was reference by the Committee of Experts in the 2020 Report. In accordance with Article 4(3) of the Convention, the Ministry has commenced the review of the HAFs. The Ministry will liaise with the Ministries of Gender, Children and Social Protection and the Justice and Attorney-General Department will discuss how to adopt the HAF into law after the review.

Article 7(2). Effective and time-bound measures. Clauses (a) and (b)

The Government has taken note of the Committee’s request and will continue to intensify its efforts towards the elimination of human trafficking, particularly child trafficking. Under the Child Protection Compact Agreement in 2018, the Government renovated, refurnished and commissioned one children’s shelter which has since been in operation. The Government is also working with ten private shelters. There are 71 children in the shelters; 14 in government and 57 in private shelters. The Government has also recruited six professionals and four non-professionals to run the children and adult shelters and four psychologists and mental health workers are on call 24/7. The Anti-Human Trafficking Secretariat, the Human Trafficking Unit of the Ghana Police Service and the Anti-Human Smuggling and Trafficking in Persons Unit of the Ghana Immigration Service have strengthened their collaboration with CSOs as well as international partners, particularly the International Organization for Migration in this course. The Human Trafficking Secretariat and the Human Trafficking Units of Police and Immigration Services collaborate with CSOs to undertake monitoring and rescue exercises on the Lake and in Central Region. The Human Trafficking Secretariat, the

Human Trafficking Unit, the Anti-Human Smuggling and Trafficking in Persons Unit and partners undertake awareness-creation and sensitization activities in the targeted areas. Stakeholder groups including CCPCs, Child Rights Clubs, Farmer Co-operatives and Associations, etc. were formed to create awareness and monitor child trafficking and child labour.

The Ghana Police Service has introduced child-friendly policing in all training institutions for all levels of officers who go for training at the Institute to ensure effective management of child victims and children in conflict with the law. The Service has developed curriculum and standard operating procedures on child trafficking. The Government and partners over the period 2017–20 have rescued a total of 1,088 child labour victims, comprising 1,017 males and 71 females.

Trokosi system

Trokosi has been outlawed in Ghana and there are no known official data on it by public institutions responsible for data collection. All forms of servitude which include the trokosi system have been prohibited in the Human Trafficking Act and its related legislations such as the Children's Act. Again, the engagement of children in hazardous work on cocoa farms and in fishing has been prohibited in the Children's Act.

The Government, in partnership with stakeholders, has been sensitizing and educating stakeholders such as fetish priests/priestesses, family heads, traditional rulers, religious bodies and indigenes on the abolition of trokosi.

Article 3(c). Use, procuring or offering of a child for illicit activities

The Government wishes to state that the provision under section 200B(4) of the Criminal Offences (Amendment) Act, 2012 (Act No. 849) covers the procuring or offering of a child for illicit activities.

Article 6. Programmes of Action. 1. National Plan of Action for the elimination of worst forms of child labour (2017–21)

As part of implementation of NPA2, the Government, in partnership with stakeholders, has undertaken interventions aimed at preventing, protecting, prosecuting and fostering partnerships. Various stakeholder groups have been formed, provided sensitization and capacity-building to help prevent the WFCL and protect victims.

Formation of groups for sensitization

Fourteen groups have been formed in 1,023 communities and the groups have been able to sensitize about 7,357,170 individuals. The groups formed included the Community Child Protection Committee (CCPC), Child Right Clubs, Civic Education Clubs, SCREAM Clubs, Farmers Groups Cooperative, Farmers Associations, Faith-Based Organizations, etc. The awareness-creation and sensitization activities have been carried out in all the 260 districts of the country through durbar, campaigns, radio programmes and through community information centers.

Capacity building to identify and remove child labourers

The Government in partnership with the social partners provided capacity-building for 4,474 representatives from various institutions and groups to enhance their capacity to identify and remove children in child labour and make referrals for rehabilitation,

where necessary. Beneficiaries included: members of Parliament; labour inspectors/labour officers; GAWU field coordinators and regional officers; community leaders/facilitators CCPC members/operational agents; community-based CLMRS data collectors, teachers; COCOBOD field officers (extension agent); associations and or heads of associations; ECOM franchise holders and regional managers; Cargill farmer coaches and managers; journalist; and law enforcement agencies.

The Ghana Police Service has introduced child-friendly policing in all training institutions for all level of officers who go for training to ensure that cases involving child victims and children in conflict with the law are effectively managed. The Service has developed curriculum and standard operating procedures on child trafficking.

The Government, through social partners and other stakeholders, identified and withdrew a total of 1,088 children from the worst forms of child labour for the period 2017–20; 1,017 of the children were males while the remaining 71 were females. A total of 783 victims were rescued and cared for. Out of the number, law enforcement agencies rescued 611 and NGOs rescued 172 victims.

Prosecutions

Some 556 human trafficking investigations were conducted, 89 accused persons prosecuted and 88 convicted; 65 out of the 88 convicts were given jail terms ranging from 5 to 7 years and the remaining 23 convicts fined up to 120 penalty units each (a penalty unit is 12 cedis/US\$2.5).

Implementation of NPA for human trafficking

As part of the implementation of the Human Trafficking Act, 2005, (Act No. 694), the Human Trafficking Fund as provided for under section 20 of the Act has been established. Since the establishment of the Fund, the Government has deposited an amount of 1,500,000 cedis to support the fight against human trafficking. The Human Trafficking Management Board visited Kete Krachi in connection with the CNN documentary on trafficking on the Volta Lake. The Board visited some communities and together with the member of Parliament for the area organized a community durbar to educate and sensitize the people on the dangers associated with child exploitation, child labour and child trafficking. The Human Trafficking Secretariat and the Units of the Police and Immigration Services collaborate with CSOs to undertake awareness-raising and sensitization as well as regular monitoring and rescue exercises on the Lake and in the Central Region. To intensify efforts at prevention, a community dialogue was instituted as part of the Honorable Ministers actions to engage community members to understand the issues of vulnerability and 28 community dialogues and engagements were organized. All High Court and Appeal Court Judges nation-wide were sensitized on issues and modern trends in human trafficking in Ghana and globally 78 judges were trained to strengthen child protection and child-friendly courts.

ILO-IPEC Project

The CCPCs are the fulcrum around which the Child labour Monitoring System revolves. They monitor and identify child labourers and children at risk and refer them for remediation services. A total of 2,612 CCPCs have been formed and as a result, 7,543 children at risk and in child labour cases have been identified through the routine monitoring exercises.

CARING Gold Mining Project

The project created a platform for stakeholders in mining, notably the organized labour and CSOs to engage in preventing child labour in mining. It enhanced the knowledge of stakeholders in programme management and occupational safety and health. It strengthened law enforcement at the local level through community regulations and support for district assemblies' subcommittees. It facilitated the linkage of project communities to social protection interventions, notably the National Health Insurance Scheme and the Ghana School Feeding Programme.

Article 7(2)(d). Identifying and reaching out to children at special risk. Child orphans of HIV/AIDS and other vulnerable children (OVCs)

Orphaned and vulnerable children (OVCs) continue to be one of the three main criteria for benefiting from LEAP. Child victims and orphans of HIV/AIDS are continuously protected through free medical care, and free education, among others, in addition to the cash transfer. Currently, there are 335,015 households benefiting from LEAP. Out of this, 150,765 are OVC households, with a total household membership of 362,562, comprising 190,438 males and 172,124 females.