

Committee on the Application of Standards

CAN/Ghana/C.182

Commission de l'application des normes

07.06.21

Comisión de Aplicación de Normas

109th Session, Geneva, 2021

109^e session, Genève, 2021109.^a reunión, Ginebra, 2021**Ghana (ratification: 2000)****Worst Forms of Child Labour Convention, 1999 (No. 182)**

Convention (n° 182) sur les pires formes de travail des enfants, 1999

Convenio sobre las peores formas de trabajo infantil, 1999 (núm. 182)

Written information provided by the Government**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, fertilizer 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 centres.

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 Honourable 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.

Discussion by the Committee

Government representative (Chief Labour Officer) – Ghana's commitment to the international labour standards and such opportunities to provide further clarification on this core Convention cannot be underestimated. The country has never relented in its effort to provide responses to all direct requests and observations. It is important to note that Ghana has ratified 51 ILO Conventions of which eight are fundamental Conventions.

The Government of Ghana, recognizing that child labour has adverse effects on children's rights, health and education and constitutes a serious hindrance to the achievement of national education and human resource development goals, has developed a legal and policy regime to address child labour comprehensively. In this regard, we have ratified key international instruments and enacted the relevant national laws to deal with child labour. It is important to mention that Ghana has ratified the Minimum Age Convention, 1973 (No. 138) and Convention No. 182. Beyond these, Ghana has enacted various legislations which also find their root in the 1992 Constitution of the Republic of Ghana. These laws include the Children's Act; the Human Trafficking Act; the Criminal Offences Act; the Juvenile Justice Act; the Labour Act; and the Labour Regulations. These laws are aimed at providing effective protection to children and preventing them from being victims of child labour.

There is a robust institutional framework which has the National Steering Committee on child labour as the apex body providing for effective networking of stakeholders and partners. The Child Labour Unit, under the Labour Department of the Ministry of Employment and Labour Relations, is the National Secretariat of the National Steering Committee and coordinates all child labour interventions in the country. This arrangement provides for lead agencies to implement specific activities towards the elimination of child labour. It also provides for the identification of collaborating partners which is an embodiment of private sector, development partners, CSOs and NGOs, in complementing the efforts of the lead agencies and the National Secretariat. The institutional arrangement provides for various subcommittees that handle specific thematic issues which include policy planning and implementation; monitoring and evaluation; resource mobilization; advocacy and communication; and importantly child labour, social protection and labour inspections. Ministries, departments and agencies have desk officers who coordinate child labour interventions in their various institutions.

It is important to note that the Government's role in the fight against human trafficking is commendable. Available data gathered indicates that 556 human trafficking investigations were conducted, 89 accused persons prosecuted and 88 convicted. Out of the 88 convicts, 65 were given jail terms ranging from five to seven years and the remaining 23 fined up to 120 penalty units each.

The Government wishes to draw the attention of the Committee that section 101A(b) of the Criminal Offences Act, 1960 (Act 29), as amended by the Criminal Offences

(Amendment) Act 2012, covers the use of children in pornography and pornographic performances, and establishes penalties for offenders. Thus, section 101A(2)(b) states as follows: "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 (7) years and not more than twenty-five (25) years." Article 28(5) of the 1992 Constitution of the Republic of Ghana and section 1 of the Children's Act 1998 define a child to mean a person below the age of 18 years.

The Government assures the Committee that its efforts to prevent children under 18 years of age from being engaged in hazardous types of work continues relentlessly. To address child labour and prevent children from indulging in any hazardous activity that will ruin their health, safety and education, 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, continued training of competent teachers, Capitation Grant covering over 5 million pupils in all public basic schools from kindergarten to junior high school and school feeding programmes covering about 10 000 basic schools with a student population of over 2 million. Also, the technical vocational educational system is undergoing reforms to create further opportunities for the youth in terms of skill development and job creation.

Again, between 2010 and 2020, the Government progressively reduced the average distance to schools from 4.5 km to about 2.1 km, thus increasing school enrolments at the primary and junior high school to 98 per cent and 95 per cent, respectively. The Government introduced the free senior high school policy in 2017 and this has facilitated over 300,000 children who hitherto could have ended in child labour now have access to free secondary education.

The Government has collaborated effectively with social partners, the private sector, development partners (including ILO, UNICEF, USDOL, EU) to take pragmatic measures through prevention, protection, prosecution and partnership in the design and implementation of the National Plan of Action for the Elimination of the Worst Forms of Child Labour between the years 2009 and 2015, and the second phase spanning the period 2017 to 2021. It involved awareness-raising, monitoring, removal and reintegration of child labourers and children at risk and ensuring their enrolment into schools and vocational training institutions.

To help prevent children from engaging in hazardous work on cocoa farms, the Government has, since 2000, implemented mass cocoa spraying, mass pruning, fertilizer application and subsidies, artificial pollination, extension services undertaken by adults and farmer groups. These interventions further contribute to improving cocoa productivity and incomes of farmers, hence reducing poverty and vulnerability, which are known to be the main causes of child labour.

In 2010, the Governments of Ghana and Côte d'Ivoire, representatives from the International Chocolate and Cocoa Industry and the USDOL, signed a Declaration and Framework tied to the Harkin-Engel Protocol to take action towards the goal of achieving 70 per cent reduction in the worst forms of child labour in the cocoa sectors of the two countries in the aggregate by 2020. This effort resulted in tremendous improvement in the fight against child labour culminating in a public-private partnership initiative.

In the 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)(2) of the Convention, a comprehensive

Hazardous Activities Framework (HAF) for the Cocoa Sector in 2008 and in 2012 a General HAF on 17 other sectors. These include: fishing in open waters; fish processing; mining and quarrying; livestock; domestic; street hawking; and many others.

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 referenced 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 HAF. The Ministry is collaborating with the Ministries of Gender, Children and Social Protection and Justice and the Attorney-General’s Department to discuss how to adopt the HAF into law after the review exercise.

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. It is important to note that under the Child Protection Compact Agreement in 2018, a total of 11 government and private shelters are in place. 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 Organisation for Migration in this discourse. These institutions collaborate with CSOs to undertake monitoring and rescue exercises on the Volta Lake and in the Central Region. These secretariats undertake awareness creation and sensitization activities in the targeted areas. Stakeholder groups including CCPCs, child rights clubs, farmer cooperatives and associations, 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 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 1,088 child labour victims comprising 1,017 males and 71 females. Interestingly Ghana has been upgraded from Tier Two watch list to Tier Two on the Trafficking In Persons (TIP) Global Report since 2018.

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*.

The Government wishes to indicate that Ghana will intensify labour inspections all over the country and especially in areas around the Volta Lake region to address child labour in fishing and other child related matters.

We will also intensify community sensitization programmes of the public and community leaders to desist from unlawful traditional cultural practices and their negative impact on the child.

The Community Child Protection Committees (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. Some 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 systems.

The CGM Project created a platform for stakeholders in mining notably Organized Labour and CSOs to engage on 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.

Child orphans of HIV/AIDS and other vulnerable children (OVCs) continue to be one of the three main criteria for benefiting from the government LEAP programme. Child victims and orphans of HIV/AIDS and over 2,145,018 indigents are continuously protected through free medical care (NHIS), free education among others, in addition to the cash transfer. Currently, there are over 335,015 households benefiting from LEAP. Out of this, 150,765 are vulnerable households with total household membership of 362,562 comprising 190,438 males and 172,124 females.

As I bring my remarks to a close, I wish to state that Ghana was the only country that subjected itself to the ECOWAS peer review in 2013 on nine different areas in our effort spanning from substantive issues including the legal framework to activities undertaken. Ghana has further demonstrated her commitment to eradicate all forms of child labour by joining Alliance 8.7 as a pathfinder country.

Ghana wishes to mention that the Government will continuously require technical assistance from the ILO to enhance its reporting system through capacity-building, resources and outreach programmes in collecting information from stakeholders. This will go a long way to assist other agencies and social partners to understand child labour and the need to timeously submit input to facilitate the reporting system.

Worker members – This is the first time our Committee is examining Ghana's application of Convention No. 182 and we are examining this Convention as a double-footnoted case, given the seriousness and persistence of the problem and the inexcusable absence of responses to the issues raised by the Committee of Experts.

We note that in 2015, 2017, 2018 and 2019, the Committee of Experts raised serious concerns with Ghana's application of the Convention and between 2004 and 2020 addressed 12 direct requests to the Government. We deplore the repeated failure by the Government to prioritize the supply of information to the Committee of Experts in response to its observations and direct requests on such a serious matter as the worst forms of child labour.

In particular, we deplore the failure of the Government to provide information on the actions taken to address the urgent situation of children trafficked for exploitation in the fishing industry, domestic servitude, the coco industry and those exploited in harmful practices such as the *trokosi* system of servitude and debt bondage.

You recall at the very essence of the ILO supervisory system is the dialogue between its constituents at the national and international level, and this dialogue is based on information provided on the application of the Conventions in law and practice. Failure to submit reports, comments or replies undermine the supervisory system and the very functioning of the ILO. The Government of Ghana, as a matter of urgency, must seek ILO technical assistance to build the necessary capacity to live up to its reporting obligations.

The Committee of Experts has raised a number of very serious concerns with regard to the Government of Ghana's application of the Convention. With respect to Article 3 of the Convention, we welcome the Government's information that an anti-human trafficking unit has been established and that in November 2015 the Human Trafficking Legislative Instrument was adopted together with a national plan of action for the elimination of human trafficking. We also welcome the information that a total of 556 human trafficking cases have been investigated, following which 89 accused persons were prosecuted and 88 convicted and punished with various jail terms and fines. We are, however, deeply concerned that whereas it appears that the Government has made some progress in adopting legislation and an action plan, in practice there has been not much progress in prohibiting and eliminating the worst forms of child labour.

Regrettably, according to reports, over 2 million children between 5 and 14 years of age are engaged in some form of economic activity for pay, profit or family gain with over 78 per cent of them working in agriculture, forestry and fishing and under circumstances that harm their health, safety and morals. It is alarming that Ghana continues to be a source, transit and destination country for trafficking of persons, in particular the trafficking of boys and girls for labour and sexual exploitation. Children engaged in street hawking, begging, portering, artisanal goldmining, couriering, herding and agriculture is on the rise, heightening the risk exposure of these children to exploitation in trafficking of illicit drugs. This situation requires urgent, continuous and focused attention of the Government in consultation with the social partners in order to meet its obligations under the Convention. The Government must step up investigation and prosecution of persons engaged in the sale and trafficking of children and ensure that in law and practice, sufficiently effective and dissuasive sanctions are imposed.

Regarding the use, procuring or offering of a child for the production of pornography or for pornographic performances, we note that the Government has indicated in its latest response that section 101a/B of the Criminal Offences Act of 1960, as amended, protects children from being used in pornography and pornographic performances, providing penalties for offenders. However, the Government's response does not address the question of whether the Criminal Offences Act expressly defines a child as one under the age of 18 in line with the Convention.

The Government must work in consultation with the social partners to amend the legislation in accordance with the observations of the Committee of Experts. Also, the Government must provide information on the application of section 101A of the Criminal Offences Act in practice, including the number of infringements reported, investigations, prosecutions, convictions and penalties applied in this regard.

We are deeply concerned with reports that an estimated 10 per cent of children working on cocoa farms are engaged in hazardous activities. According to the report, the incidence of child employment in cocoa appears to be rising faster than elsewhere. Over 200,000 children in the principal cocoa-growing regions are exposed to hazardous work and suffering serious injurious. Cocoa brings in about 40 per cent of Ghana's total earnings and has a prime place in the economy of Ghana. Child labour in its worse forms in Ghana also has implications for Ghana's cocoa supply chains in the global economy.

We note that since 2000, the ILO has been providing technical assistance to the social partners in Ghana to eliminate child labour and its worst forms.

The Government must take advantage of the assistance of the ILO in this direction to ensure that it doubles up its efforts to prohibit and eliminate the worst forms of child labour in the cocoa industry. Similar challenges exist in the fishing sector, which children engaged in hazardous work under very poor working conditions and suffering serious injuries.

The other pernicious issue here is that many of these children are victims of trafficking and forced labour and are exposed to sexual slavery. The Government must urgently and seriously intensify its efforts in consultation with social partners to prevent children under 18 years of age from being exploited and engaged in hazardous types of work in this and any other sector. More efforts need to be put into rescue, rehabilitation and social reintegration of child victims. The Government must provide information on the measures taken in this regard, as well as the measures taken to ensure that child victims have access to education, training and skills development, including measures to enforce and monitor the effective implementation of policies and programmes to eliminate and prohibit the worst forms of child labour.

The Government has provided latest information indicating that it adopted a list of hazardous types of work in line with Article 4, paragraphs 1 and 3. We request the Government to provide to the Committee of Experts at its next sitting the list including its road map and action plan for its urgent review.

In the same direction, in compliance with Article 7, paragraph 2 of the Convention, the Government must, in consultation with the social partners, and as a matter of urgency, design an effective comprehensive and time-bound plan to prevent the engagement of children in the worst forms of child labour in all areas, providing the necessary and appropriate direct assistance for the removal of children from the worst forms of child labour and for their rehabilitation and social integration.

With respect to the traditional practice of *trokosi*, the Government's response indicates that the system has been outlawed in Ghana and there are no known official data on it. In our view it is not enough for the Government to proscribe the practice in law. The Government must ensure that, in practice, children are not subjected to this very harmful practice of servitude and debt bondage. The Government must put in place measures to monitor the enforcement of the law in practice and to submit a report to the Committee of Experts on progress.

Employer members – The present case is a double-footnoted case dealing with the application in law and practice of a fundamental Convention, Convention No. 182, in Ghana. Convention No. 182 is the first ILO Convention to achieve universal ratification by all its 187 Member States. This is a historic achievement that the Employers' group praises and has always supported. Furthermore, the year 2021 marks the International Year for the Elimination of Child Labour. However, the universal ratification does not mean automatic implementation in law and in practice. It is the first time the Committee has discussed the application in law and in practice of the Convention by Ghana. Ghana ratified the Convention in the year 2000. Unfortunately, the Government did not submit its report on the application of the Convention to the Committee of Experts, so the latter's comments are based on previous government submissions and other sources of information. The Committee of Experts made prior observations, noting gaps in the compliance of Ghana with the Convention in 2015, 2017, 2018 and 2019, and more recently in the reports issued in 2020 and 2021.

We thank the Government of Ghana for having submitted additional information to the Committee, while we find some issues regarding the application of this Convention. We regret the information was not transmitted in time for its analysis by the Committee of Experts. The Committee of Experts' observations outline very serious elements of inadequacy with the implementation of the Convention in Ghana. These elements have finally been backed by government information. Let me summarize them around three issues.

First, regarding Article 3(a) and (b) of the Convention, which prohibits all forms of slavery or practices similar to slavery, such as the sale and trafficking of children, and using, procuring or offering of a child for the production of pornography or pornographic performances. The Committee noted that Ghana continues to be a source, transit and destination country for trafficking of persons, as trafficking of persons both for labour and sexual exploitation are more prevalent within the country than just national trafficking, and urged the Government to submit further information on the issue.

We again thank the Government for providing information on the application of the Human Trafficking Act, and the Human Trafficking Legislative Instrument adopted in 2015, and for shedding light on the extent of the conduct described in section 101(a) of the Criminal Offences Act, as amended in 2012. Despite this new information, and considering the prevalence of these practices, the Employer members request the Government to redouble its efforts and take measures to ensure that in practice thorough investigations and robust prosecutions are carried out in all cases regarding children under the age of 18, and that sufficient effective and dissuasive sanctions are imposed.

Second, as for provisions in Articles 752(a) and (b), on prevention, removal, rehabilitation and social integration of children engaged in the worst forms of child labour, the Committee of Experts expressed deep concern regarding the situation of victims of worst forms of child labour, including: the significant number of children engaged in hazardous conditions of work in the agricultural sector, and in particular in the cocoa-specific hazardous activities. The prevalence of activities where children are trafficked into are fishing activities or they are otherwise engaged in hazardous fishing activities, or in the domestic sector in the Lake Volta region. There is the persistence of the *trokosi* system, notwithstanding its prohibition by law and despite the Government's efforts to withdraw children from *trokosi*.

The Government submitted and shared today some relevant information regarding the measures taken in this regard. We welcome these efforts and commitment to combat these extremely serious issues. We encourage the Government to continue working as a matter of urgency with international development partners and the social actors to tackle the socio-economic circumstances that either lead to or result in the exploitation of children. In particular, we commend the programmes developed within the cocoa sector, ensuring that children do not engage in hazardous work.

The Employer members encourage the Government to continue adopting, as a matter of priority, the measures concerning child labour awareness and community sensitization, as well as capacity-building for district labour inspectors, social workers and the private sector. Also, taking into consideration the role of education in preventing children from being engaged in the worst forms of child labour, the Employer members suggest that the Government should intensify its efforts to facilitate access to free basic education for all children, especially girls, increasing the school enrolment rates and decreasing their dropout rates.

We request the Government to continue reporting on the national plan of action for the elimination of the worst forms of child labour, and the other programmes concerning measures to prevent and remove children from these worst forms of child labour, providing for their rehabilitation, social integration and providing, if possible, data disaggregated by gender and age.

Third, regarding Articles 4(1) and 4(3) on the determination and revision of a list of hazardous types of work, the Committee of Experts noted the lack of information regarding the state of the review process on the Ghana hazardous child labour list and requested what measures are being taken to adopt and conclude the list into the Children's Act? According to the submission by the Government, the Ministry has commenced a review of the hazardous activity framework for the cocoa sector and will later liaise with the Ministry of Gender, Children and Social Protection and Justice, and the Attorney-General's Department to discuss how to adopt the hazardous activities framework into law after the review.

It is not yet clear whether there has been any advances made regarding other economic sectors on the list, or the role of the consultation with organizations of workers and employers in this process. Against this background, we request the Government to ensure the finalization and adoption of the list to submit information on any progress made in this regard to the Committee of Experts, and to provide a copy of the list once it has been adopted.

The Employer members thank once again the Government for the written and other information submitted to the Committee. We note that the ILO is already providing its precious assistance under the framework of the European Union–ILO Trade for Decent Work project implemented as for 2021, and we encourage the Government to seek further technical assistance from the ILO to increase capacity of tripartite constituents in order to implement effective strategies to eradicate the worst forms of child labour, built upon timely and effective consultation with the social partners.

To conclude, we want to emphasize that until the last case of the worst forms of child labour exists on the planet, more work needs to be done by governments, employers and workers' organizations and the ILO itself.

Worker member, Ghana – Ghana's application of Convention No. 182, in law and in practice, raises serious concerns. Child labour and its associated phenomena continues to be a challenge in Ghana. According to the Ghana Living Standard Survey (GLSS) round seven of 2017, over 2 million children aged between 5 and 14 are engaged in some economic activities for pay; 78 per cent of these children are in agriculture, forestry and fishing. Children are also found in wholesale and retail trade, mining, quarrying, manufacturing, construction, transportation, storage, accommodation and food services.

Child labour deny children their childhood and their future. They miss educational opportunities, they are exposed to exploitation, including commercial, sexual exploitation and early marriages. Children engaged in child labour are denied social mobility, thus denying them gainful employment opportunities to access higher incomes in future earnings and in some cases remain trapped in a cycle of poverty. Ghana will ultimately be the worst of it, since by implication, the country loses the much-needed human resource capacity for development.

We also note that with the growing participation of children in the labour market, adults are denied employment opportunities and their negotiated rights also undermined.

In spite of the fact that Ghana was the first to ratify the United Nations Convention on the Rights of the Child and has ratified many regional, continental and international instruments and have passed laws at the national level, the bane of Ghana's child labour phenomena in Ghana is ineffective implementation of its own laws and policies.

The setting up of the National Steering Committee on Child Labour and the development of the National Plans of Action (1 and 2) aimed at developing holistic strategies including promotion, implementation and monitoring of Child Labour Free Zones.

We recognize this and other initiatives targeted at dominant sectors such as agriculture (cocoa/fishing), mining, quarrying, construction, transport and services (street hawking, begging and portering) have led to mixed successes. These interventions have resulted in the withdrawal of a total of 1,088 children from the worst forms of child labour for the period 2017 and 2020. Other results include a total of 556 human trafficking cases investigated out of which 89 accused persons prosecuted and 88 convicted. However, these direct interventions have not been widespread given the magnitude of child labour especially in areas such as cocoa, Lake Volta/marine fishing, oil palm, construction, mining, among others. On the Volta lake fishing, for example, which has over 12 districts, the direct interventions have focused on three of the districts leaving 9 out of the 12. This is unattended to and in the Volta lake fishing we have much work to do. The Government will have to intensify efforts to ensure that districts and municipal assemblies prioritize the issue of child labour in their medium- to long-term planning processes and provide adequate resources.

Social partners have played a key role in the progress that has been made so far. We are working together to include child labour clauses in collective agreements at workplaces. The evidence is overwhelmingly clear: where social partners effectively collaborate, child labour is either absent or totally eradicated. Within the last decade, for instance, the General Agricultural Workers' Union (GAWU) of the Trades Union Congress-Ghana, using the Child Labour Free Zone concept have identified, removed, reintegrated and resettled over 6,000 children in child labour within fishing, cocoa, oil palm and rice-producing communities. These children were either put in formal schools or provided with employable skills.

The Government must redouble, scale-up and accelerate its efforts towards eradicating child labour and complying with its obligations under the Convention .

The Government must ensure that section 101A of the Criminal Offences Act, 1960 (Act 29), as amended by the Criminal Offences (Amendment) Act of 2012 is further amended, in consultation with the social partners to align with the Convention No. 182. In relation to the hazardous work list, we urge the Government, in consultation with social partners, to ensure that the list is without delay finalized and a progress report sent to the ILO. With respect to *trokosi*, we are concerned that being linked to culture and tradition, the practice could be going on underground and it is important that the Government monitors to ensure that *trokosi* is not only proscribed in law but also in practice.

In conclusion, as Workers' delegates, we will request for ILO technical assistance in ensuring we have the necessary support, capacity and resources to tackle all forms of child labour, especially the worst forms, in accordance with the tenets of Alliance 8.7 and Ghana's obligations under the Convention

Government member, Portugal – I have the honour to speak on behalf of the **European Union and its Member States**. The Candidate Countries the **Republic of**

North Macedonia, Montenegro and Albania, and the EFTA country **Norway**, member of the European Economic Area (EEA), align themselves with this statement.

The EU and its Member States are committed to the promotion, protection, respect and fulfilment of human rights, including labour rights, together with freedom of association and the abolition of forced or compulsory labour and child labour. We actively promote the universal ratification and implementation of fundamental international labour standards, including Convention No. 182.

We support the ILO in its indispensable role to develop, promote and supervise the application of international labour standards and of fundamental Conventions in particular. We thank the Office and give our full support for its constant engagement in promoting labour rights in Ghana.

Ghana is a major partner of the EU in the region including on security matters. Ghana has a commendable track record on democracy, as demonstrated once again with the December 2020 elections. Ghana and the EU have a close and constructive relationship under the Cotonou Agreement, enhanced by Economic Partnership Agreement (EPA) covering trade and development cooperation. The recent negotiators' deal on a new Post-Cotonou EU/Africa-Caribbean-Pacific Partnership Agreement reaffirms not only our joint commitment on trade aspects of sustainable development but in general to protect, promote and fulfil human rights, fundamental freedoms and democratic principles and to strengthen the rule of law and good governance.

Ghana has ambitions for its economic transition "Ghana beyond Aid", implying significant reforms of its economy and governance, which include serious measures to reduce child labour.

Based on the observations of the Committee of Experts, we note with regret that there is a significant number of cases of sale and trafficking of children, and that offences related to the use, procuring or offering of children for the production of pornography and for pornographic performances, are still being reported, as well as practices under the *trokosi* system despite their prohibition by law.

Furthermore, the EU and its Member States are concerned by the enduring practice of children being engaged in hazardous work. We urge the Government to continue their efforts in implementing and strengthening effective and time-bound measures to prevent children from becoming victims of trafficking and to remove child victims from all forms of child labour, in particular worst forms of child labour, and ensure their rehabilitation and social integration. We also ask the Government to promptly take the necessary measures to incorporate the list of hazardous works into its legislation.

We welcome the written information provided by the Government. We also note the progress made in investigations and prosecutions of trafficking cases and the advancements in the implementation of the National Plans of Action for the elimination of worst forms of child labour and for the elimination of human trafficking.

We encourage the Government to pursue its efforts and engagement with the Office and seek further technical assistance from other relevant actors, including within the Alliance 8.7. We support these efforts, including through close cooperation with the Ministry of Employment and Labour Relations, and encourage the Government to strengthen their engagement through initiatives such as the partnership for sustainable cocoa production including multi-stakeholder dialogue and operational support, as well as the EU-ILO Trade for Decent Work Project. In the context of the latter, the ILO Office is providing technical assistance to the tripartite constituents. We also can expect that

Ghana's efforts to eliminate child labour will be further amplified by additional support under the EU's 2021–27 programming of cooperation, specifically targeting the abolition of child labour, trafficking and abuse.

The EU and its Member States remain committed to their close cooperation and partnership with Ghana to promote decent work worldwide, and the abolition of child labour, especially in its worst forms, and child trafficking and abuse in particular.

Membre gouvernemental, Mali – Je prends la parole au nom du gouvernement du Mali pour appuyer la République du Ghana au regard des efforts fournis et pour l'encourager à poursuivre les réformes qui sont en cours dans le sens de l'application de la convention(n° 182) .En outre, le gouvernement de la République du Mali voudrait demander au Bureau international du Travail de continuer à accompagner le gouvernement du Ghana en vue d'une pleine application de la convention.

Government member, United Kingdom of Great Britain and Northern Ireland
The UK and Ghana have a strong and historic partnership. We are working together to support the vision of Ghana Beyond Aid, tackle inequality, and create the foundations for future, mutual prosperity. Progress to remove children from the worst forms of child labour is essential, and we urge the Government of Ghana to continue their efforts to tackle this issue.

Children are one of the most vulnerable groups exploited by perpetrators of forced labour and require specific solutions to protect them from harm. The UK Government continues to push for elimination of the worst forms of child labour from global supply chains.

Cocoa production is important for Ghana's economy, supporting millions of farming households but we are concerned that there has been an increase in hazardous child labour within the sector. We welcome the measures that the Government of Ghana is taking, in particular, access to education.

The impact of COVID-19 includes the increased risk of child labour. We welcome the commitments by the Minister of Education to keep schools open, and that the vast majority of children have now returned. COVID-19 has had a disproportionate impact on women and girls, and ensuring girls return to school is important in tackling child labour.

We were pleased to see the commitments by the Minister for Gender, Children and Social Production to tackle child trafficking and the information from the Government on the number of cases investigated, prosecuted and convicted. We hope the Ministry can strengthen social protection systems, including cash transfers to reduce the risks of trafficking and child labour.

We welcome the number of children withdrawn from the worst forms of child labour and urge the Government to share further information relating to cases of children drawn into pornography. Furthermore, while it is important that the *trokosi* system has been outlawed and the Government is engaging with communities to support its abolition, we urge the monitoring of continued suspected incidences.

We urge the Government of Ghana to continue its important efforts.

Worker member, Norway – I will speak on behalf of the trade unions in the Nordic countries. Human trafficking is modern-day slavery, a crime and a grave violation of human rights. Ghana continues to be a source, transit and destination country for trafficking in persons. However, the worst forms in the internal trafficking of children in the hazardous labour is in children. Many Ghanaian children up to the age of 4 are trafficked from their homes, home villages to work in fishing activities on Lake Volta. For

most of us, they are just stories and statistics we read in ILO publications. In March 2019, CNN, through their "Freedom Project" programme, brought into our homes heart-breaking documentaries on the reality of children engaged in fishing on Lake Volta. Each day they go down that lake to retrieve nets, they do not know if they will come up alive or become another anonymous corpse at the bottom of the lake. To the "master", as the slave owner is commonly called, these are not human beings but simply tools of production. CNN made us realize that these children are visible human beings, they have dreams, they also have names. One of them is Adam, he would like to be in school but he is forced to fish for up to 12 hours a day, 7 days a week with no break.

The Nordic trade unions are deeply concerned about these violations. We urge the Government to take immediate action towards the elimination of the worst forms of child labour. The Government should further improve access to free basic education for all children. Ghana has a relatively good legal framework for combating trafficking, The challenge lies in its application. This calls for close collaboration with social partners, traditional rulers and local communities to isolate and address the root causes of these forms of child labour and why they still persist today. Ghana, as the pioneer of colonial freedom on the African Continent, is expected to take the lead in eliminating any form of servitude on its soil. All it takes is political will.

Membre gouvernemental, Suisse – L'éradication des pires formes de travail des enfants, à laquelle participe la convention n° 182, est le principe universellement applicable à tous les enfants de moins de 18 ans, et constitue l'un des objectifs les plus importants de l'OIT. La Suisse attribue une très grande importance à cette convention fondamentale.

Tout en reconnaissant les efforts déployés par le gouvernement du Ghana pour éliminer le travail des enfants et pour rendre l'éducation primaire obligatoire, de nombreux enfants, en particulier dans le secteur agricole (y inclus le cacao et la pêche), le travail domestique, mais aussi dans l'exploitation artisanale de l'or continuent d'être exploités et exposés aux pires formes de travail. En outre, les enfants de moins de 18 ans continuent d'être exposés à des formes de travail pornographiques.

La Suisse estime que la mise en œuvre du Plan d'action national pour l'élimination de la traite des personnes est lacunaire. Or, la lutte contre la traite d'êtres humains qui implique des enfants doit être la plus intense possible, pour tous les pays.

Plusieurs lacunes sur le plan législatif et dans la pratique persistent. Dans cette perspective, la Suisse encourage le gouvernement du Ghana à prendre les mesures nécessaires pour mettre sa législation en conformité avec la convention. Elle recommande notamment de prendre au plus vite toutes les mesures nécessaires pour améliorer son dispositif de reporting sur le nombre de procédures pénales, concernant la traite de personnes de moins de 18 ans, ainsi que sur le nombre de victimes de la traite. Les cas d'infractions pénales doivent faire l'objet de sanctions suffisamment dissuasives et strictement appliquées aux auteurs dans tous les cas.

La Suisse continuera, en collaboration avec le secteur du cacao au Ghana, de lutter contre le travail des enfants. Le nombre d'enfants astreints à des travaux dangereux reste trop élevé. Enfin, la Suisse incite le gouvernement à éliminer le système *Trokosi* aussi dans la pratique, et à sensibiliser les peuples autochtones à ses dangers et ainsi, intensifier ses efforts pour éliminer toutes les formes de travail des enfants.

Interprétation de l'arabe: **Membre gouvernemental, Algérie** – La délégation algérienne aimerait appuyer et soutenir les efforts de la République de Ghana dans le cadre de la mise en œuvre des recommandations de la commission d'experts au sujet

de la convention n° 182. La délégation algérienne aimerait saluer les efforts et le travail accomplis par le gouvernement du Ghana et l'implication étroite du gouvernement dans la consultation de tous les partenaires intéressés, en particulier les syndicats et les employeurs, afin de renforcer la protection des enfants contre toutes les formes d'abus et d'exploitation.

Comme nous avons pu le constater, la mise en place d'un comité directeur national de lutte contre le travail des enfants, comme organe suprême fournissant un réseau efficace et un partenariat institutionnel, est un signe fort de la volonté du gouvernement ghanéen d'échanger les bonnes pratiques et de renforcer la coopération.

Finalement, la délégation algérienne aimerait encourager le Ghana à renforcer les actions de contrôle ainsi que les investissements dans le domaine de l'éducation et de la formation afin de s'attaquer aux pires formes de travail des enfants de façon durable, afin de gagner le combat qui s'inscrit dans différents niveaux de développement de la société, tout en tenant compte de la complexité des problèmes socio-économiques et culturels au Ghana.

Government member, United States of America – The United States Government has worked closely with the Government of Ghana for over 20 years to eliminate the worst forms of child labour. Through this cooperation, we have also engaged with the Government, social partners and civil society to reduce the prevalence of child labour in the country, particularly in the cocoa, goldmining and fishing sectors. We are encouraged by the political will demonstrated by the Government to combat child labour in the country, including the Government's coordination efforts on child labour and its significant increase in investigations and convictions of those who violate child labour laws.

Still, significant challenges remain. We strongly urge the Government to fully implement the Committee of Experts' recent observations, including by taking immediate action to revise the list of hazardous occupations and activities for children. It is also imperative that the Government address issues related to the absence of information in its reports to the ILO. To that end, we note that the US Department of Labor's 2019 findings on the worst forms of child labour report urges the Government to implement the following key recommendations: ensure that laws criminally prohibit all forms of commercial sexual exploitation of children, including by prohibiting the use of child and pornographic performances; ensure that laws criminally prohibit the use of children in all illicit activities, including in the production and trafficking of drugs; strengthen the labour inspectorate by authorizing inspectors to assess penalties for labour violations and providing adequate resources to carry out their mandate; and to replicate, create and expand effective models for child labour.

The United States remains committed to collaborating with the Government of Ghana, in particular through our ongoing technical assistance projects that aim to combat forced labour and labour trafficking of children, economically empower adolescent girls and strengthen the capacity of cocoa cooperatives to address child labour issues. We encourage the Government to continue to work closely with the ILO and other international stakeholders.

Interpretation from Arabic: **Government member, Egypt** – We took note of the statement made by the Government of Ghana with reference to the application of Convention No. 182. We have also read the information about the efforts undertaken by the Government of Ghana. We see that its legislative institutional, political framework

has now been adopted and this sends a strong signal that they wish to combat all forms of exploitation in the country and ensure that children can develop as they should.

We also note the work done by the Government in seeking to enhance access to education and to prevent children being involved in any hazardous work. We have seen that the school system has been strengthened and that competent teachers are now being hired. School programmes have also been enhanced. We also note that the Government of Ghana has made secondary education free of charge and obligatory. This is something that started in 2018. Measures have been taken by the Government in seeking to improve productivity in the cocoa sector with a view to increasing the income of farmers in that sector, this is intended to overcome the problem of poverty which does result in child labour.

The Government of Ghana and social partners have also sought to make the country more aware of child labour and efforts have been undertaken at national level to that end. We see that a lot of societal work is now being done and different groups are involved in trying to get children out of labour and to support their families and to ensure that the children can be directed to education and other activities. All of this within a legislative framework that seeks to fight against human trafficking.

We wish to commend all of this work. In conclusion we wish to express our support for all that has been done by Ghana in seeking to implement the Convention.

Membre gouvernementale, Canada (M^{me} TOUS) – . We thank the Government of Ghana for the updated information provided on its implementation of Convention No. 182.

Canada strongly believes that all children, particularly girls, have the right to reach their full potential through safe and equitable access to education, which is a critical element in eradicating child labour. In this regard, we commend the Ghanaian Government's efforts to provide, and improve access to, free compulsory universal basic education to its citizens.

However, we are deeply concerned of continued reports of the worst forms of child labour in Ghana, including in the procurement of children for use in pornography, hazardous child labour in cocoa farming and goldmining, trafficking in children for the purposes of forced labour in fishing and domestic service, and lastly ritual servitude under the *trokosi* system.

The Government of Ghana must act to protect its children from the worst forms of child labour and rehabilitate its youth. We therefore urge the Government to take immediate action to:

- adopt a law prohibiting the procurement or offering of children under 18 years of age for use in pornography or pornographic performances;
- adopt the necessary hazardous activities frameworks to prevent children from working in hazardous sectors;
- intensify all measures to investigate, arrest, and prosecute cases related to the worst forms of child labour, including trafficking in children;
- provide multisectoral services such as psychosocial support, education, and family economic empowerment and invest in child protection systems, particularly for children removed from the worst forms of child labour;
- finally, track and provide annual gender-disaggregated statistics to the ILO.

We sincerely hope that the next report of the Government of Ghana to the Committee of Experts will highlight positive developments and we wish the Government every success as it moves forward.

Government member, Ethiopia – We would like to thank the Chief Labour Officer of Ghana, Mr E. Korletey for this presentation. Ethiopia would like to take due note of the several measures taken by the Government of Ghana in reviewing its legislative frameworks towards complying with the Convention. These measures in our view are positive steps in the right direction as the legal instruments will assist the eradication of child labour, forced labour and human trafficking in Ghana. The Government of Ghana has also informed this august body that it is working closely with social partners and other stakeholders in reviewing its legal system. We applaud the readiness of the Government of Ghana to continue working with social partners and indeed with the ILO to give effect to the principles enshrined in the Convention in point.

The efforts undertaken by the Government of Ghana in the advancement of the application of the Convention is commendable. We would like to therefore encourage the ILO to avail technical assistance to complement the Government's efforts to strengthen the labour inspectorate system in the country and ensure the full application of the Convention. Finally, we hope the Committee in its conclusions will take into consideration the efforts taken by the Government of Ghana.

Observer, International Union of Food, Agricultural, Hotel, Restaurant, Catering, Tobacco and Allied Workers' Associations (IUF) – 2021 is the International Year for the Elimination of Child Labour. It was declared as such with the aim of encouraging legislative and practical actions to eradicate child labour worldwide. We know that most of child labour happens in Africa and most of it in agriculture. No progress will be possible globally, if we fail to provide support to the African countries in addressing this problem.

Ghana was one of the first countries to ratify Convention No. 182. This happened over 20 years ago and it was an encouraging sign of the commitment to take relevant action. The ratification campaign laid the ground for several important initiatives proposed by the trade unions and civil society of the country. These initiatives are carefully studied and critically evaluated by the international experts of the ILO and other UN agencies, including the FAO (Food and Agriculture Organization) for agriculture and fisheries. The conclusion is that they deserve serious support and multiplication.

At IUF, we are well aware of the efforts to end the use of child labour undertaken in Torkor, one of the Volta Lake settlements. Children were massively used there in lake fishing and there were numerous accidents, also fatal. This came to an end when local inhabitants, authorities, moral leaders inspired by activists of the GAWU (General Agricultural Workers' Union) of the Trades Union Congress-Ghana joined forces and with the support of State removed children from the fishing boats. But Torkor is only one out of more than 1,000 villages around the Volta Lake where children are still being trafficked and exploited. The Torkor example should be replicated 1,000 times, which is only possible with the adoption of a relevant state policy and action programme. There are other initiatives that require immediate support from the Government with the Child Labour Free Zones being one of them.

Today, 2 million children are still desperately waiting for the Government to act. The Committee of Experts produced a soldierly-grounded report and straightforward recommendations. The Government of Ghana should be encouraged to make full use of the provided expertise and cooperate with trade unions in the development, adoption,

and implementation of the urgently needed measures. This, of course, will require technical assistance from the ILO.

Membre gouvernemental, Cameroun – La lecture du document soumis par le gouvernement ghanéen montre bien les efforts entrepris par les pouvoirs publics du Ghana pour faire appliquer et respecter la convention. Le Cameroun, prenant en compte tous ces efforts louables, félicite le gouvernement du Ghana pour tous les efforts et démarches entrepris. Le Cameroun prie la commission de bien vouloir prendre en compte les efforts du Ghana et considérer que ce pays est résolument engagé dans la lutte contre les pires formes de travail des enfants. À cet effet, le gouvernement du Cameroun prie le pays frère du Ghana de bien vouloir continuer à solliciter l'appui du Bureau pour mener à bien la lutte contre le travail des enfants.

Government member, Zimbabwe – Zimbabwe has taken note of the statement made by the representative of the Republic of Ghana and the interventions by other delegates, especially the Workers' and Employers' groups.

Eradicating child labour, especially the worst forms, is a goal that we collectively undertook to pursue when the International Labour Conference adopted Convention No. 182. Zimbabwe is pleased to learn that Ghana is precisely working towards eradicating the worst forms of child labour. The representative of the Republic of Ghana informed this august house about several interventions that are addressing the worst forms of child labour in different sectors including in the communities. Zimbabwe therefore urges the Office to continue supporting Ghana's efforts to address in full the worst forms of child labour.

Government member, Namibia – Namibia takes this opportunity to join this discussion on the Convention, on the six observations and five direct requests which were made by the Committee's 2020 report on the Republic of Ghana. Namibia notes the progress made by the Republic of Ghana on the Convention brought forward by the Committee, notably, the total number of 556 human trafficking cases that have been investigated and of which 89 accused persons have been prosecuted and 88 persons convicted. This is indeed a commendable progress.

Namibia also notes that the Republic of Ghana's laws and policies conform to the purpose and spirit of Article 3(b) of the Convention in highlighting the prioritization of the fight against child exploitation by ensuring that cases are investigated and minimum sentences are set in policy for the conviction and the term of imprisonment. In our view, this stance underpins the seriousness with which the Government is tackling the worst forms of child labour.

Namibia further notes the progress made and measures taken by the Government of Ghana insofar as preventing children from being engaged in and removing them from hazardous work is concerned, by improving access to education, training of competent teachers, capitation grant and school feeding programmes. This has ultimately resulted in an improved enrolment rate at primary and junior high school level at 98 per cent and 95 per cent, respectively.

In conclusion, Namibia takes this opportunity to thank the Committee for its constructive observations and direct requests and, in the same spirit, we call upon the International Labour Organization to continue supporting the Government of the Republic of Ghana with the full technical assistance they may require to ensure that they effectively eliminate all forms of child labour as they build forward better.

Government representative – Thank you for the opportunity given me to do a summary and let me take this opportunity to thank all those who have contributed to the debate. I also thank the Committee of Experts for the exhaustive analysis of the situation in Ghana.

I want to reiterate the point that Ghana is a champion of human rights, and as a champion of human rights we will not relent in our efforts to get every Ghanaian free, especially children until we get a zero case of child labour. We are never going to relent in our efforts to make sure that we succeed in our war to reduce or to eliminate all forms of child labour.

We will continue to improve on our legislation. No doubt a deeper cooperation especially with all of our development partners to make sure that at least we explore all avenues and new techniques in making sure that this menace of child labour is eradicated from our soil.

By this I am trying to say that the already extensive cooperation between Ghana and institutions like the ILO, UNDO, EU, UNICEF, GIC and many other organizations will continue. We will also explore the possibility of making sure that we add on to so many of these development partners, that who have equal responsibility of making sure that we work to eradicate child labour.

We will continue to extend an open invitation to any organization that is prepared to work with Ghana in the area of making sure that children are not exploited. We believe strongly that our children are our future. Our children are the next generation, so if we do not take very good care of them, if we do not prepare for them, if we do not give them the liberties to be able to develop themselves, perhaps we will not be able to bequeath to them a future that would be worth dying for.

We will continue to work with our tripartite partners to ensure that we reach our collective aim of eradicating child labour from Ghana. Yes, the Ghana labour survey in 2014 indicated that some 1.9 million children are involved in productive work. But between 2014 and now, together with our collective efforts, we have made quite a strong effort. We have 95 per cent of our schoolchildren, especially in the junior high level in school and even for primary school we have 98 per cent, but our commitment is that the 5 per cent and the 2 per cent rates, what is happening to them? It is possible they are being exploited. We will work to ensure that we have a 100 per cent enrolment and 100 per cent retention, being subjected to quality teaching and quality services at the school level.

May I at this juncture also plead that yes Ghana on its part together with its development partners have done a lot that we can, but we also need the cooperation of actors that we will work with.

The number one exports of Ghana have been gold and cocoa. Cocoa is predominately an agro-based product, which is grown not on a plantation basis in Ghana but on a small agro-wide system. Most of these farmers who engage in cocoa farming are poor. Their products are bought at very low prices and many of them do not make enough income to be able to cater for themselves as well as even cater for their farms. It is my plea that going forward, I will want to plead with all those who are involved in the cocoa global chain to also make sure that at least the cocoa farmer gets that which is worth his efforts so that they will also not involve their children in the cocoa production.

To wind up, I once again want to reiterate the point that Ghana is committed to making sure that the least child is removed from all forms of child abuse and we will continue to cooperate and collaborate with any organizations, with the ILO being the lead organization to make sure that this goal is reached, especially having in mind our own targets of eradicating child labour by the year 2025. I am confident that we will be able to break that and I need your support to join us.

Employer members – In its concluding remarks on this case, the Employer members would like to recall that the global estimate, as mentioned in a publication of 2018 of the ILO entitled *Ending Child Labour by 2025: A Review of Policies and Programmes* indicate that 152 million children, 54 million girls and 88 million young boys, are in child labour globally, accounting for almost one in ten of all children worldwide.

These numbers have certainly been exacerbated by the COVID-19 pandemic, which has pushed vulnerable groups towards increased poverty levels. We have some extremely serious allegations regarding this case and we cannot turn a blind eye on child labour practices, not least the persistence of cases on the worst forms of child labour.

It has been indeed good to hear that the Government of Ghana is taking this case seriously, working in partnership with national and international stakeholders, and receiving the ILO's technical assistance. The Employer members would like to thank again the Government and Workers for the useful information, especially on the implementation in practice of the Convention. We would like to thank also all delegates for their presentations and insights.

We are pleased to hear all the measures that have been undertaken by the Government of Ghana to deal with this persisting and serious problem. There is a real, urgent need to act and the Employers' group hopes that the Government's efforts will be equal to the task. Ghana must take prompt action to ensure concrete impact on children's lives. The Employer members certainly hope that the Government will continue to develop in terms of the concrete measures to ensure the protection of a significant number of boys and girls who remain vulnerable to being trafficked and being subject to commercial sexual exploitation and that we can soon witness some progress regarding the state of affairs described.

Once more the Employer members recall the importance of submitting the report to the Committee of Experts in due time because this is the only way the ILO supervision can work properly and provide adequate information prior to the case discussion. In the light of the debate, the Employer members invite the Government to redouble its efforts and explore new ways to fight child labour and its worst forms and deal with the root causes of the problem. Moreover, the Employer members would like to recommend the Government to: intensify its efforts to ensure that any practice of child labour and the worst forms of child labour are no longer a reality in the country; ensure that the scope of section 101A of the Penal Offences Act, amended in 2012, extends to young boys and girls under the age of 18 and 16 years old and that offences are properly prosecuted also for this age range; ensure that the political review of the list of hazardous types of work contained in section 91 of the Children's Act of 2008, in line with Articles 4 and 3 of the Convention, is conducted, approved and communicated by the Government in its periodical report and provide detailed information on the programmes of action, especially on the national action plan for the elimination of human trafficking and its actual impact.

Worker members – We listened carefully to the very interesting discussion and we note the comments of the Government of Ghana. Everyone will agree to the very serious

and deleterious effects of child labour on the social mobility of the children and the curtailed development they suffer. In many cases, this sentences them to a life-cycle of poverty and delinquency.

We share the deep concerns and regrets expressed by the Committee of Experts in this report and, in particular, we highlight the failure of the Government to provide reports to the requests of the Experts, the resurgence of child labour in cocoa and the terrible conditions of slavery under which children work especially in the Volta Lake area. We highlight also the increased risk of exploitation of children engaged in street hawking, portering, artisanal mining and agriculture, noting that the exploitation of children is also rife in the oil-production region in Ghana.

The Government therefore must urgently institute effective and timely measures, including true and updated and comprehensive national plan of action on the elimination of the worst forms of child labour to prevent children from becoming victims of trafficking and to remove child victims from the worst forms of child labour.

Resourcing labour inspectors will be important. The Government must ensure that children who are rescued are rehabilitated and reintegrated into society. We urge the Government to continue to work with the ILO, including under the ILO-IPEC and the EU-ILO Trade for Decent Work Project to effectively monitor and remove child labour in the supply chains and address the comments of the Experts.

The Government must take immediately all effective measures to prevent the engagement of children into *trokosi* servitude and to put an end to this practice as a matter of urgency. It is a matter of deep concern that the Government does not have information on the current state of the practice, including whether or not the practice has been eradicated or gone underground.

The Government has indicated that, in partnership with stakeholders, it sensitized and educated traditional authorities on the abolition of the practice. The Government must provide a report on these activities; the response of the traditional authorities and any progress made, including information on the number of children under 18 years of age who are affected by the *trokosi* system in Ghana; and on how many have been removed from this system, rehabilitated and reintegrated.

The Government must put unrelenting effort and focus to addressing the rising incidence of the worst forms of child labour in Ghana. We welcome the ongoing ILO assistance through the EU-ILO Trade for Decent Work Project, implemented as of 2021, and call on the Government to accept an ILO technical mission within the context of the current technical assistance provided by the ILO to help expedite its efforts to eliminate the worst forms of child labour without any delay.

Conclusions

The Committee took note of the written and oral information provided by the Government representative and the discussion that followed.

The Committee noted with serious concern the Government's failure to make progress on eliminating the worst forms of child labour in the country and deplored its repeated failure to provide detailed information to the Committee of Experts.

The Committee deeply deplored the current situation where a high number of children continue to be involved in hazardous work in the cocoa and fishing industries and in domestic servitude. It further noted with grave concern information relating to the trafficking of children for labour and sexual

exploitation, as well as the unacceptable conditions experienced by teenage girls trapped in the *trokosi* system. The Committee also expressed serious concern that protection from offences related to the production of pornography or pornographic performances only applied to children under the age of 16 in breach of the Convention.

Taking into account the discussion, the Committee urges the Government of Ghana, together with technical assistance, to take effective and time-bound measures to:

- eliminate the worst forms of child labour, notably in the cocoa industry, fishing sector and domestic services, and to ensure that child victims of such hazardous work are removed from these situations and rehabilitated, particularly through access to free education and vocational training;
- adopt the *Ghana Hazardous Child Labour List* and incorporate it into the Children's Act without delay and provide a copy to the Committee of Experts once it has been adopted;
- effectively enforce the Human Trafficking Act and Human Trafficking Legislative Instrument, 2015 and provide information to the Committee of Experts before its next session on the progress made in this regard, including the number of investigations, prosecutions, convictions and penal sanctions applied since 2015;
- prevent children from becoming victims of trafficking and to remove child victims of trafficking from these situations, including through the National Plan of Action for the Elimination of Human Trafficking;
- protect children from the practice of *trokosi* as well as to withdraw child victims of such practices;
- provide for the rehabilitation and social integration of child victims of human trafficking and the *trokosi* system and to provide information on the measures taken in this regard and on the results achieved; and
- amend section 101A of the Criminal Offences Act, 1960 (Act 29), as amended, to ensure that all persons under the age of 18 are protected from offences related the production of pornography and pornographic performances in conformity with the Convention.

The Committee calls on the Government to accept an ILO Technical Advisory Mission, within the context of the current technical assistance provided by the ILO, to help expedite its efforts to eliminate the worst forms of child labour without delay.

Government representative – Ghana acknowledges the conclusions of the Committee in relation to its submission on the implementation of Convention No. 182, and thanks the Committee for taking action on the subject. We also have taken note of the concerns raised in the conclusions, as well as the five recommendations of the Committee to support Ghana in this case to eliminate child labour in all its forms.

Ghana has also noted with great concern the Committee's non-acknowledgement of all the information concerning country interventions repeatedly mentioned in our submission. Notably among them are the robust legal framework, strengthened law enforcement, prosecution, time-bound programmes, opportunities offered to over 300,000 children who, hitherto, would not have had access to high-school education.

Ghana, however, wants to repeat its unfailing commitment in upholding respect for human rights, including the abolition of child labour in all its forms as presented in the previous mitigating intervention put before this august Committee. Ghana's efforts were supported by a number of governments and other formidable partners. Ghana will continue to engage its tripartite constituents and partners on the Committee's conclusions and recommendations, especially in relation with the legal reforms, notably the review of the Ghana Hazardous Child Labour List.

Ghana welcomes the Committee's recommendation for an ILO technical advisory mission within the context of the current technical systems provided by the ILO to help expedite its efforts to end the worst forms of child labour.