



**UNIVERSIDADE ESTADUAL DE CAMPINAS**  
**INSTITUTO DE ECONOMIA**

**MARY AWOTWE**

**Child labour in Ghana: Descriptions and Recommendations**

**Trabalho infantil em Gana: Descrições e Recomendações**

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**Prof. Dr. Magda Barros Biavaschi – Orientadora**

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**Defendida em 24/07/2020**

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## DEDICATION

This dissertation is first and foremost, dedicated to God Almighty, for giving me divine protection, grace, strength, wisdom and understanding throughout my studies and writing of my dissertation. To my lovely parent, family and spiritual father for their prayers and support both, spiritually, financially and mentally throughout my stay in Brazil.

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## RESUMO

O trabalho infantil, tais como crianças trabalhando na agricultura comercial, pesca, transporte de carga na cabeça (kayaye), mineração ilegal de ouro (galamsey), prostituição, e atividades de extração de pedra tornaram-se uma preocupação na maioria dos países em desenvolvimento, incluindo o Gana. O trabalho infantil tem aumentado no Gana, particularmente na maioria das zonas rurais e isoladas, onde as crianças estão envolvidas no trabalho de rua, na direção de veículos, no sector das pescas etc. O efeito do trabalho infantil nas crianças é uma preocupação. Este estudo baseia-se nas informações primárias da Constituição do Gana, da Lei da Criança do Gana, e de várias leis sobre trabalho infantil, juntamente com convenções internacionais e regionais ratificadas pelo governo. Além destes, obtiveram-se informações secundárias de livros académicos, de bases de dados de revistas eletrônicas, artigos de vários autores, websites, OIT, e também do Serviço de Estatística do Gana.

A dissertação estuda a gênese do trabalho infantil, o seu efeito sobre as crianças e o quadro regulamentar necessário para um trabalho mais estável e sem ameaças para as crianças. O objetivo desta dissertação é abordar algumas causas do trabalho infantil, as razões pelas quais as crianças trabalham e os efeitos do trabalho infantil sobre o crescimento e desenvolvimento da criança. Analisam-se também os esforços feitos pelas leis internacionais e legislação nacional que procuram eliminar as piores formas de trabalho infantil no Gana. Além disso, abordam-se possíveis causas para as falhas na implementação efetiva das leis internacionais sobre trabalho infantil ratificadas pelo Gana, e da legislação nacional aprovada para proibir as piores formas de trabalho infantil. Finalmente, algumas estratégias e mecanismos são sugeridos, que poderiam eliminar as piores formas de trabalho infantil no Gana.

Palavras-chave: Trabalho infantil, Gana, Educação, Pobreza.

## ABSTRACT

Child labour such as children in commercial agriculture, fishing, head portage (kayaye), galamsey, prostitution, and stone quarrying activities have become the concern in most developing countries, including Ghana. Child labour has become an increased rate in Ghana, particularly in most rural and isolated areas, where children involved in street work, motor riding, in the fishing sector et.al. The effect of child labour on children is a concern. The study draws on primary information from the constitution of Ghana, Children's Act of Ghana, and several child labour laws together with international and regional convention ratified by the government. Secondary information from other academic books, electronic database journals, articles, and data from several authors, websites, ILO, and also data from Ghana Statistical Service.

The thesis studies the genesis of child labour, its effect on children and the shape of the regulatory framework required to have more stable non-hazardous work on children. This thesis goal is to address some causes of child labour by aiming at why children work as child labourers and the effects of child labour on the growth and development of the child. It will also analyse the efforts made by the International laws and National legislation that eliminate the worst forms of child labour in Ghana. It will further, determine what accounts for gaps in the effective implementation of international laws on child labour ratified by Ghana and national legislation passed to prohibits the worst forms of child labour. Finally, it will suggest possible ideas in the form of strategies and mechanisms, which could eliminate the worst forms of child labour in Ghana.

**Keywords:** Child labour, Ghana, Education, Poverty



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## LIST OF ABBREVIATIONS

ACRWC	African Charter on the Rights and Welfare of the Child
AIDS	Acquired Immunodeficiency Syndrome
CA	Children's Act
CCT	Conditional Cash Transfer
CFWP	Child and Family Welfare Policy
CPP	Convention People's Party
CRC	Convention on the Rights of the Child
ECCD	Early Childhood Care Development
ERP	Economic Recovery Programme
FCUBE	Free Compulsory Universal Basic Education
GCLS	Ghana Child Labour Survey
GER	Gross Enrollment Rate
GLSS	Ghana Living Standards Survey
GMMYE	Ghana Ministry of Manpower, Youth and Employment
GNCC	Ghana National Commission on Children
GSS	Ghana Statistical Service
GOG	Government of Ghana
HIV	Human Immunodeficiency Virus
HTA	Human Trafficking Act
ILO	International Labour Organisation
ICT	Information and Communications Technology
IMF	International Monetary Fund
IPEC	International Programme on the Elimination of Child Labour
LEAP	Livelihood Empowerment against Poverty
MESW	Ministry of Employment and Social Welfare

MGCSF	Ministry of Gender, Children and Social Protection
MWCA	Ministry of Women and Children's Affairs
NPA	National Plan of Action against Child Labour
NGO	Non-Governmental Organisation
NCCE	National Commission for Civic Education
OVC	Orphans and Vulnerable Children
PAMSCAD	Programme of Action to Mitigate the Social Cost of Adjustment
PHD	Doctor of Philosophy
UN	United Nation
UGCC	United Gold Coast Convention
SSSCE	Senior Secondary School Certificate Examination
SAP	Structural Adjustment Programme
SFMP	Sustainable Fisheries Management Project
SSA	Sub-Saharan Africa
UNICEF	United Nations Children's Fund
WACAP	West Africa Cocoa/Commercial Agricultural Project
WASSCE	West African Senior School Certificate Examination
WFCL	Worst Forms of Child Labour

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## INTRODUCTION

Millions of kids still suffer from dangerous work and abuse in the community, home, or at school, the exact localities that are to give protective environs for these kids. This issue is not anything new within the world and, its existence comes from socioeconomic of patterned relation. In Sub-Saharan Africa, there has been a higher rate of children who participate in various forms of work (Admassie, 2002). According to UNICEF (2007), an estimation of 37% of kids from five to fourteen years involved in economic activities in sub-Saharan Africa. The involvement of children into economic activities in the late 1800s during the industrial revolution began in three reasons. These are; children are easy to be influenced, but grown adults call for strikes; children do not need abundant salary because they needed work, and children had to assist their family if they needed to eat.<sup>1</sup> Most children in Ghana struggle as they mature up owing to hostile surroundings where their childhood is influenced by causes that strictly limit their emotional, physical, mental, and social growth and development. Lack of parental motivation and the high opportunity cost of schooling also contributes to the worsening of the problems of child labour. Poverty forces a child to drop out of school and look for employment to add-on their family income. According to Canagarajah and Coulumbe, (1997), children support one-third of their income to household higher than the family income and their source of income, cannot be seen as not useful by the families (Takyi, 2014). Even though child labour is spreading, it hard to have correct data on total children participating in child labour because there is mistrust when it comes to reporting of cases of that sort. The lack of data has become a challenge to the idea of implementing laws and policies in addressing the global issue of child labour (Adeleye, 2014).

Reacting to the increasing rate of child labour there has been an implementation of international, national laws and policies of many Sub-Saharan African countries as a means of eliminating the worst forms of child labour which have succeeded in providing a solution to the problem. The impact of these laws and policies on child labour has attracted more attention and concern from all over the world because children are the most valuable asset of a nation's development. The

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<sup>1</sup> <http://child-labor-industrial.weebly.com/essay.html>

worrying aspect of children in labouring work that can affect their education, health or growth made the Ghanaian Government, identifies the nature of the child labour issues and its effect on the rights and wellbeing of children. To put in some laws and policy measures to understanding the constitutional provisions and moral obligations for the protection of children from labouring and exploitation. The significant progress that Ghana has made in addressing the hindrance that stands in understanding child protection are United Nation on the Rights of the Child, African Charter on the Rights and Welfare of the Child, ILO conventions, Constitution of 1992 and among others are brief in chapter two. Other efforts made, comprising the improvement of particular policies and programmes to touch on specific rights, like capitation grant for public schools, free school uniforms, free bus rides for school children, National Health Insurance Scheme, school-feeding programme, Livelihood Empowerment against Poverty (LEAP) programme et al. Collectively, they provide the main structure for producing a tangible legal, policy, institutional and social planning for safeguarding children and their development.

The Government and stakeholders who have the authority to address children issues are conscious that the problem at hand is necessary and, the need to curb it. The main challenge is in the implementation of the existing laws and policies that relate to child rights. Even though the legal framework in Ghana frowns on child labour, the problem till date is on the increase, and improvement towards the success of the underlying aims has been insufficient in many regions. There is now a crucial need to get the different measures together within the organized framework for the effective and appropriate realization of these national aims.

Child labour in Ghana is a multidimensional problem and, the job of many actors, whose origins are rooted (Admassie, 2002) in the cultural, social, and economic structures of societies. In addressing the various causes and protect children, there is the need to make sure leaders promote and strengthen the organized and distinct component of child protection method in the regions. It is the responsibility for everyone to be vigilant in addressing the concern of children. The Constitution of the Republic of Ghana, 1992, specified in Article 28(a) that children have the same right to be safe, loved, be supported and care. Article 28(2) provides that “every child has the right to be protected against engaging in work that constitutes a threat to his health, education or development”. Gaining access to quality primary education is the right reaction to child labour. Its importance to the process of national development is showed in Article 25. The best way to protect



children is to prevent child labour and hazardous work. Child labour consists of children employed in different economic activities. Children who often involve in labouring activities include but not limited to the following (adopted children, living with their parents, orphan) (GLSS6, 2014). Child labour termed by long hours, low wages, and most often in physical and sexual abuse. There are forms of child work that are unacceptable (bonded labourers, child prostitution et al.) and acceptable (household chores, farm work that is not hazardous et al.). It is difficult understanding child work when the same may be beneficial and harmful to the same children.

According to the Children's Act of 1998 (Act 560), children under the age 15 years, are expected to be in school and banned from any form of work. Nevertheless, children aged 13 to 14 years are allowed to engage in 'light' family work. Irrespective of this legal provision, children in these age ranges can be found in several forms of work, some of which are hard, dangerous and abusive. In a 2014 survey by Ghana Statistical Service, the percentage of children who involved in economic activities amongst 15-17 years of age group was 42.9% while that of 5-7 years was 9.9%. Children who participated in economic activities while attending school constituted 26.3% while non-schooling counterparts constituted 41.6% (GLSS6, 2014).

Concern within the west led to some action in the form of a legislative initiative to eliminate abusive child labour and slave labour in the chocolate industry in West Africa: the producing countries of Cote D'Ivoire, Cameroon, Ghana, and Nigeria that use children in cocoa production (Harkin, 2005). There were acts of demonstration and threats to reject products from developing countries such as chocolates and cocoa products. These products often are the source(s) that directly provides foreign exchange for the state. This threat brought fear to Ghana for the possible reject of cocoa and cocoa products, which contributes a highly significant amount to state revenue. The Government of Ghana took a preventive effort for the first time, launched a Child Labour Survey, which was conducted in 2001 and published in 2003 to investigate children in labour activities. This survey reveals much of the situation of child labour in the country. It conducted in the framework of the Children's Act, 1998, a statutory document that makes child labour illegal and brings together all legal provisions concerning the welfare of the child from a perspective context and outlines disciplinary remedies for breach of the statutory duties that it imposes (George Clerk, 2008).

The ILO documented that 152 million children are victims in the world, and about 73 million of these children work in hazardous labour. Globally, there are 64 million girls and 88 million boys who participate in child labour. Among this, almost half of the child labour (72.1million) comes from Africa, 10.7 million in the Americas, 1.2 million in the Arab States, 62.1 million in Asia and the Pacific, and 5.5 million in Europe and Central Asia. The occurrence of child labour in Africa is 1 out of 5 children, and the age for the 152 million child labour victim is 5-11 years (ILO 2017).

The concern of child labour is a very touching matter, and when arguments of such arise, people have the desire and interest to be involved for a good outcome (Jafari and Lahiri 2001). This issue has inspired most institutions and NGO's to join the fight against child labour in Ghana. Children are protected from all practices of violence, abuse, neglect, and exploitation. These institutions put in efforts that enhance the well-being of children by drawing attention to their current predicament. This dissertation discovers the reason for the prevalence of child labour, especially in its worsts forms in Ghana. It also looked at the legislative framework and policy that protects children, the problems in implementing the legal framework and suggest an idea that could help address the problem to save the lives of children from hazardous activities that affect their health. Child labour has become a dangerous problem in the lives of children because it is difficult for issues or cases of that nature to report to institutions in charge, and this always makes children vulnerable.

### **Statement of the Problem**

Child labour and its consequences on children in Ghana and international ground have become a focus of attention in recent years. Research has shown that there is a recurring use of children in illegal and hazardous activities that hinders their education and childhood rights. These activities comprise carrying of heavy loads on their heads, the use of machete, prostitution and among others (NPA2, 2017-2021). Children's participation in these situations certainly exposed them to various types of physical and emotional damages of the body. Children's engagement in labouring activities is generally at the cost of their education. Also, there is an effect on their active participation in these activities that is harmful to their school admission, contribution and finishing rates. Although Ghana constitution is against child labour, the practice and its adverse effects on children are found in both rural and urban areas of Ghana. Child labour has given rise to a lot of concern among governing bodies, policymakers and international actors within the field of

development and social policy, as worldwide concern for child labour, has full-grown over many decades, mostly in Europe and North America, through the growing strength of the rights of children agenda (George Clerk, 2008). The consequences of child labour often deprive them of enjoying their childhood right.

There has been a set of legal framework that protect children from hazardous work. Despite the establishment of these laws, their importance is not mostly put into practice but only to publicize. There are more laws created, but enforcing it becomes the problem since the policymakers cannot put measures in place to deal with the violators, therefore, allowing most people to abuse it and only take little effort in correcting. The research will discuss the above subject and come up with a suggestion on how it can integrate or adjust to the existing policies protecting children in Ghana.

### **Concepts of Child Labour**

For this study, the concept of **‘child labour’** will be defined according to the International Labor Organization (ILO), as work that deprives children of their childhood, their potential, and their dignity, and that is harmful to their physical and mental growth. It refers to work that interrupts their childhood benefit: interfering in their schooling. Also work that affect children mentally, physically, socially, or morally risky and dangerous to children or demanding them to combine school attendance with excessively long and heavy work. It implies a child will work before attending school and result in tiredness which leads to sleeping during the class hour with no attention.

**Child**, defined by Article 28(5) of the Constitution of Ghana (1992) is a person below the age of 18 years. But in the part of child labour, it is described by law as a person below the age of 15 years in the Children’s Act 1998 (Section 89), Ghana.

For this research child labour is to be considered as children in the age group 5-17. This means vulnerable children below 18 years who engaged in any form of activities that affect their wellbeing should be given special protection and care.

**Worst forms of child labour** defined by Article 3(d) of the ILO Convention (1999) No. 182 as work by the conditions within which it carried out, is possible to harm the health, safety or morals of children.

**Minimum age** defined in Article 2(No.3) of the ILO Convention (1973) No.138, as an age that will not be less than the age of finishing compulsory schooling and, in any case, shall not be less than 15 years.

**Economic activities** can include working in the household enterprise, farming, stone query, street vending, or wage work. Attempts to classify home care is hard to distinguish between household chores and taking care of siblings from idle time (Canagarajah and Nielsen, 1999). Also, it is common to have different practices of economic activities agreed by a person under the legal minimum age 13 and are harmful. These economic activities are measured as child labour because child labourers are open to illegal activities found employed under hazardous and dangerous working situations, and that denies them from contributing fully in school (Adeleye, 2014).

**Economically Active Children:** A child is economically active if he/she has worked for at least one hour on any day in a seven-day reference period.

It occurs in changes amongst the various kinds of work children do. Thus, the elimination of child labour should not target every work done by children and classified as child labour. Children's partaking in work that does not put their health and personal development at risk or hinder their schooling is mostly considered positive. It includes activities such as house chores (Victoria Sam, 2016).

## **Research Objectives**

The main objective of the study is to consider how child labour can be mitigated, thereby giving contributions and recommendations that can help to eliminate it, especially in its worst forms, in Ghana. The study will describe the situation of child labour in Ghana. By revealing the significance of the problem.

To reflect on the causes of child labour in Ghana that promote the use of children to engage in this problem.

To reflect on the negative impact of failing to address the problem such as hazardous work, sexual exploitation, long working hours and others.

It will explore the laws that have been effective in eliminating child labour, recommend a framework as a reference for protecting children in Ghana.

## **Relevance**

The study proposed to be of great importance to several institutions (formal and informal sector) and NGOs in Ghana by creating awareness to workers on the existence of these problems on the ground affecting children and the need to update their strategies in the fight against child labour.

It will also act as a wakeup call for institutions, government, trade unions, and amongst others, the need to improve fighting on behalf of children and for the public to be vigilant in reporting any child abuse case.

It is to be of importance to the state and, other policymakers as it will provide vibrant information to improve and redesign the laws protecting these children and ensure that these inhumane conditions children subjected to are halted. And to also prevent the atrocities these children go through for easy access to equal rights to children in Ghana.

It will act as a reference to researchers and add to the knowledge base and skills in fighting child labour by emphasizing on the related problem that promotes children engagement in labouring activities.

## **Methodology**

In achieving the above objectives, data will be collected from several sources such as legal instruments on child labour, which comprise the constitution of Ghana, Children's Act of Ghana, and several child labour laws together with international and regional convention ratified by the government. Secondary sources of data will be books, electronic database journals, articles, and data from several authors, websites and also data from Ghana Statistical Service.

## Chapter Outline

The dissertation is organised into three chapters. The **first chapter** focuses on the history of Ghana basing on the political and economic aspect. Will lay emphasis on child labour in Ghana; causes, and effect. It further gives an example of the different types of child labour activities that most children engage themselves, and lastly, the chapter offers the situation of child labour in Ghana.

The **second chapter** discusses the various shape of the regulatory framework in Ghana. This set of international and regional legal frameworks led Ghana to pass laws and policies to be implemented and enforced. The ILO Convention No. 138 on Minimum Age (C138) is the effective ending of child labour which is work that is dangerous to children's health, safety or morals, work that restricts compulsory education or for which they are just too young. Section 87 of Ghana's children Act(1998) prohibit the exploitative of child labour, in section 89 gives the minimum age for admission of a child to employment as fifteen years. Section 28(1) (d) in Ghana's 1992 constitution pledge that children will receive special protection against exposure to moral hazards and clause. The laws intended to offer an answer to the issue of child labour by attaining a complete abolition. Therefore, this chapter analyses the challenges to effective implementation and enforcement of the legal framework in Ghana. Notwithstanding the presence of a significant number of international and national legal instruments, there is still child labour.

The chapter will further discover the way forward and suggests a framework as a reference to address the issue of child labour in Ghana. It stresses that the related realities and the particular conditions of Ghana need to take into account in revising or integrating policies to fight against child labour. The strategy for the new design are necessary not only for the general concern of child labour but also for child abuse and child protection.

**Chapter three** will conclude the study with recommendations and conclusions on the research.

## **CHAPTER ONE**

### **CHILD LABOUR IN GHANA**

#### **1.0 Introduction**

Child labour is a continuing phenomenon in Ghana, and the nature of the practice has made it a challenging issue for both Ghana and the West African sub-region. Every child has the right to enjoy the childhood benefit, it is, therefore, the responsibility of a parent to raise their children and ensure that these rights are protected. The best way to prevent the occurrence of child labour is to protect the child. The meaning of a child and its legal restrictions of the age at which a child is allowed to work is the structure for this study(s). The Ghana Child Labour Survey (GCLS) by the Ghana Statistical Service (GSS) generally estimates that although the majority of children in Ghana do not work, about 2,474,545 children were involved in usual economic activity, which is around 2 in every 5 children aged 5-17 years. Half of the rural children and one-fifth of the urban children were in economic activity. Most of the working children are engaged in agriculture in rural areas (GLSS, 2003). The main focus of this chapter is to discuss child labour in Ghana. It begins with the history of Ghana because the effects of child labour involve an understanding situation in which a child grows. It could require the different economic, social and political structure of Ghana, particularly in globalization. Further continues with the case of child labour in Ghana. It deliberates on the type of work child labourers in Ghana do, what causes them to work and the effect of child labour, also some data on the occupational distribution of the working children in terms of age, sex, locality of residence and regions and the situations of child labour in Ghana.

The chapter ends by deliberating on the school attendance rate in Ghana over time.

## 1.1 The Economy of Ghana

The geographical location of Ghana is in the western part of the African continent of which its neighbouring countries are: Burkina Faso in the north, Cote D'Ivoire to the west, Togo in the east and to the southern boundary is the Gulf of Guinea and occupies an area of 238, 540, square kilometers. (Gocking, 2005) It has two major lakes, which are Lake Volta and Lake Bosumtwi. The current population of Ghana is 30,735,000 million. The country's capital city and the seat of government is the coastal city of Accra.

The official language spoken is English which there are several languages and dialect spoken and each connected with a specific ethnic group, there are languages like Akan, Mole Dagbon, Ewe, and others.

Ghana was one of the countries in West Africa to have had early contact with European in the fifteenth century when the Portuguese first arrived. Between the seventeenth and eighteenth-century other European followed because they got attracted by the gold, ivory, pepper, and slaves. By the nineteenth century, the British gain possession over all the European and established themselves as the main dominant European power of the Gold Coast. (Berry, 1994)

The colonial-era became stronger in Ghana as a result of a military clash between Asante and Fante that brought about the expansion of British influence on the Gold Coast. The cause was about the Asante possessing the Coast, this force the Fante states to sign the Bond of 1844 because they were not in support of that. <sup>2</sup> The British therefore administered the British law to amend the customary practices of the people such as murder and robbery cases so that the country would abide by the principles of British. The Gold Coast was governed by the British until 6<sup>th</sup> March 1957, when the Ghanaian people gain their freedom from Britain and then changed the name to Ghana. (Berry, 1994)

In 1947, the United Gold Coast Convention (UGCC) became the first nationalist movement formed to oppose the colonial rule with the aim of self-government "in the shortest possible time". Nkrumah was made the general secretary in the party for the movement. He made a massive campaign for the struggle of independence which ended his arrest and imprisonment in 1948 with other members of the party for political action. After arrests, the rest of the members were called

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<sup>2</sup> Agreement signed between the British and some Fante chiefs



to make a draft constitution to the Coussey Committee, which advised the governor on the way to independence. Nkrumah disconnected from the UGCC after his release and formed the Convention People's Party (CPP) with his aim "self-government now" because he was dissatisfied with the gradual guided self-government. In early 1950 the CPP began a campaign of progressive action, which its intention was to initiate general strikes and peaceful confrontation. When some violent disorders happened, Nkrumah and his lieutenants were quickly arrested and imprisoned for treason. (Berry, 1994)

The new constitution in 1951 ushered in Executive Council with a majority of African ministers. The first elections held for the Legislative Assembly under the new constitution. There was a remarkable victory won by the CPP while Nkrumah was in jail, won a seat with a two-thirds majority and Nkrumah was released to form a government. In 1952 Nkrumah became Ghana's first prime minister, and Ghana finally gained its independence. (Ibid)

Ghana's history of post-independence described by long stages of military rule, which was marked by human rights abuses excluding the first republic under Nkrumah (1960-1966). (Dartey-Baah, 2015)

Three decades after independence, the economy of Ghana declined steadily. This decline badly affected families into economic difficulties (Schandorf et al, 1996). These made poor households encouraged their young children into work mainly in the informal sector. (Acheampong, 2001) Ghana has experienced five successful coup d'état<sup>3</sup> under the second (1969-72) and third republic (1979-81) since it attained independence. It made it hard for a political regime with clear policies to successfully implement its development programs. (Acheampong, 2001) In late 1980 there was internal and external pressure on the government which led to a liberal constitution in 1992 and return to multi-party democracy in the same year that led Ghana into the Fourth Republic.

Under the current constitution, the president is the head of both state and government. The president upon election serves a four-year term. Ghana has held seven successful democratic elections since the initiation of the 1992 Fourth Republic of Ghana. There has been a peaceful transfer of power from one government to the other to date (from 1993-present). (Dartey-Baah, 2015)

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<sup>3</sup> From 1. 1966-69 (Joseph Ankrah), 2. April 69-September 69 (Afrifa), 3. 1972-78 Acheampong), 4. 1978-79 (Akuffo), 5. June 79-September 79 (Rawlings)

Agriculture is the backbone of the economy through minerals mining and cocoa production during the colonial rule. Ghana is among the world's top producer of cocoa, with a well-built infrastructure to service trade and advanced education system. (Berry, 1994) The economy after independence became a mixed economy of the private sector and state own where economic activities, through state-owned enterprises were controlled by the government sector. Agriculture production, small scale manufacturing, and crafting were own by local people who were in the private sector. During that period, the economy was a centralized economy where formal economic activities were in urban areas. (Amoh, 2016)

The persistent weakening of the Ghanaian economy has been part of the effect of this unstable environment created by the continuous overthrow of governments and their constitution (Acheampong, 2001). The changes in the regime, however, did not bring about any improvements in the lives of the majority of the people in the country. These resulted in an increased number of child labourers as parents drive children out to work to help improved family incomes because unemployment was high. (Ibid)

The incidence of child labour is the nature of a country's economy. Ghana's economy, mainly agriculture, has been affected by the government's implementation of the structural adjustment programme aimed at improving the economy and enhancing its development. (Ibid) This economic reforms involved a cut in social spending, public sector employment, devalued the currency and privatization of state-owned enterprises, amongst several other measures. (Baah and Akorsu, 2007) The economic situations of households, resulting in the economic reforms, made a large number of Ghana's children engaging in child labour to assist families. (Acheampong, 2001)

In 1983 there was a severe weakening of the economic and financial performance of the Ghanaian economy. It as a result of the unstable policies and shocks such as famines from 1975 to 1977 and a decline in terms of trade from 1981 to 1983 (Ibid). This economic shock and changes in family situations determine if a child will attend a school or drop out temporarily or permanently.

In halting the decline and generating a good growth of the economy began its liberalization. The government of Jerry John Rawlings turned to the Economic Recovery Programme (ERP) and Structural Adjustment Programme (SAP) in 1983 recommended by World Bank and International Monetary Fund (IMF) to revive the economy and return to productivity. (Berry, 1994) These opened Ghana's market, and farmers exposed to the global market competition. These reforms had

a different effect on Ghana. In some parts, the economy was better, in other parts the people suffered in that the government and its advisors did not expect that to happen. (Acheampong, 2001) By 1991 the economy has improved positively and much has been stable than before. Exports increased, government debt reduced, and inflation fell. (Berry, 1994) The question asked was that if the structural adjustment benefited all Ghanaian or just a few sectors of the economy, why was the social cost gap between the rich and poor so widened in that it was difficult for vulnerable social and economic groups to survive. These small rural farmers, urban unemployed and underemployed, limited public sector employees, women, and children were left awfully (Acheampong, 2001). The side effects of the reforms made the government initiate a programme on education, health and social welfare services under an external financed assistance program called PAMSCAD (Ibid). The main aim was to reduce the social problems caused by the Economic Recovery Programme amongst, was poverty. By providing training, work, and income through community development projects for targeted groups such as retrenched workers, poorly housed holds, and women.<sup>4</sup>

Ghana's economic reform effort had both a direct and indirect outcome on the access and welfare of the subsequent generation of children in the country. The difficulties that most parents experienced incidentally affected children in Ghana. Poor households are the most to encourage their young children to work mainly in the informal sector to earn an income. (Acheampong, 2001) There has not been much change in the situation of Ghana today, the verandah boys<sup>5</sup> who hung around and sleeps on the roadside and verandahs of trading houses because of poverty and deprivation are the new set of street children. (Clerk, 2008)

The economic situation affected the quality of education as mass teachers move to neighbouring Nigeria, as there was a lack of funding in educational facilities and infrastructure at the same time. There was a fall in primary enrollment of 100,000 between 1984/85(1,464,624) to 1985/86(1,325,485) and remain same till 1986/87(1,467,074) when it increased (Acheampong 2009).

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<sup>4</sup> <https://www.termpaperwarehouse.com/essay-on/The-Programme-Of-Action-To-Mitigate/107638>

<sup>5</sup> Verandah boys are described as a criminal group of independent youngsters involved in a theft.

## 1.2 Child Labour

Notwithstanding the legal framework implemented to curb child labour in Ghana, children are still found operating in the labour market and are very common to identify. Thus at the beach where these children are either assisting their father to work or mending broken nets, kayayoo's head loading heavy items, and selling by the roadside. However, the occurrence of this situation is not new. Its incidence seems to be very noticeable because of the involvement of children in the informal labour market across the country. Children involve several forms of activities that are part of the social practice, which is essential for their integration into society. These forms are not child labour. Child labour does not involve all economic activity taken by children. It signifies the employment or work engaged by children that do not conform to the requirements of national legislation, such as the Children's Act, 1998 (Act 560), and international instruments (NPA2, 2017-2021). The government in addressing the issue of child labour, established the Ghana National Commission on Children (GNCC), which is currently the Department of Children under the current Ministry of Gender, Children and Social Protection in 1979 to protect children. The GNCC charged with the concern of seeing to the overall welfare and development of children in Ghana. Other measures aimed towards the protection of children in Ghana contain early ratification of the Convention on the Rights of the Child (1990) and passage of the Children's Act, 1998 (Act 560) by Parliament. All these supported by the development and implementation of the National Plan of Action on Child Labour. This framework guides the implementation of Child Labour in all sectors of the economy. Children under the working-age bracket are not to be involved in any form of work that is harmful and dangerous to their health. This guarantee a favourable environment for healthy child development. The government should, therefore, strengthens and adjust the implementation, enforcement, and mechanism for positive policy outcomes.

The incidence of child labour in Ghana continues to be rampant where more than one-in-ten (14.2%) children engaged in the worst forms, mainly hazardous work. Child labour is in every region of the country. There are more than 20% of children who fall as victims in each region. The risk is prevalent in many local communities mostly, in deprived areas where opportunities are declining. It is common to find children in urban areas in the streets, selling wares and begging

(assisting adults with disabilities or for themselves) or involved in the markets as carrying of heavy loads or manual control (Kaya/ kayayo). Many children in rural communities are engaged in agriculture such as fisheries and livestock, doing work which by its nature or situation is harmful to their health. It is not all work that children engage in is child labour. But most cases working children are child labourers (NPA2 2017-2021). On 27 of April 2019, there was an existence of 24 trafficked children of which 16 children were rescued between the ages of 5-13 years to engaged in hazardous child labour in fishing at Afram Plains in the Eastern region of Ghana<sup>6</sup>.

ILO introduced a criterion in identifying child labour in order to eliminate it. These are:

- Children 5-11 years are economically active.
- Children between 12-14 years, in economic activity for at least fourteen hours per week.
- Children between 15-17 years engaged in economic activity for forty-three hours per week, participate in activities that are hazardous and unconditional worst forms of child labour.

These criteria conformed to the ILO Convention Number 138 and 182, which highlight hazardous activities that destroy the health and safety of a child (Edmonds, 2008). In a study by the International Cocoa Initiative (2018), revealed that there was an estimation of 2000 children in Cote D'Ivoire and 1400 children in Ghana who were victims of forced labour in 2013 and 2017. According to the studies the causes of this forced labour are poverty, price volatility in cocoa, low levels of education, migratory and seasonal workforce seen in the region, and limitations on effective law implementation in isolated, rural areas (International Cocoa Report, 2018). According to a report by the daily graphic cited in 2018 on international cocoa stakeholders reveals that there were 708 working children in cocoa between August 2016 and August 2017, out of which 668,000 were in child labour (which include 632,000 doing hazardous work) (Graphic, 2020).

Child labour in Ghana has been there during the colonial era in the Gold Coast, where official statistics on the incidence, extent, and magnitude of child labour were not existing. Van Hear made

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<sup>6</sup> <https://www.graphic.com.gh/news/general-news/16-children-rescued-from-child-trafficking.html>

a trace into the history of child labour in Ghana. According to him the movement of child labour in Ghana started in three phases, namely; the integration of children into the cocoa economy during the colonial period, pawning and fostering for the employment of children into labour, and lastly, recruitment of children in capitalist agriculture that begun in Northern Ghana from the late 1960s. This era saw growth in several aspects of the economy; but, the most significant was in cocoa production that was controlled mainly by African farmers who sold-out the produce to trading companies based mostly in Europe (Hear, 1982). The degree of cocoa produced was very successful during the period of prosperity, this demanded labourers to work on the cocoa farms, and this came from the regions in Ghana, mostly from the North. Hence, Northern Ghana referred to as the reserve for labourers. With an increase in cocoa production, there was a demand for people to head-load cocoa from the manufacturing point to the transport depots. It began with young unmarried men, but later, women and children became concerned, and children found to be appropriate for the job. As the cocoa trade began to grow, so were children employed also increased. (Ibid)

Family members of children who lived in major cities such as Tamale, Kumasi, and Salaga were involved in the trading of children from the North to the southern part of the country. Most often, these children transported to the South without their knowledge to work, they only notice when they reach their destination, before realised their purpose and do not have an option to the situation. According to White (1982), the rate at which children around 13 and 14 years transported was terrible. As most of these children had experienced in the trade, thus 10 and 11 years, they involved themselves in the labouring activities, which money stolen from their parents to travel. However, this could also be that children got tempted by the success stories told by other children who had been to the South (Ibid).

Surprisingly, this practice has lived on to date. There are still issues of girls below eighteen years being transported from the North to Kumasi to work mostly in the local restaurants (known in Ghana as 'chop bars'), which is operated by Kumasi women. Their male counterparts are involved in truck pushing (Ibid)/ The Children's Act, 1998 reveals local notions but more importantly official thinking in Ghana, because while it reflects the global idea of childhood and children's right it does not reflect customary law and practice of the masses. The existence of interrelationships between child work and child labour is the key current features in the labour

market. Examining these interrelationships requires the various types of work that children do and its effect on them.

According to Casely-Hayford, (2004), there are five classifications of children described as involved in labouring practices. Listed below are:

1. Children who never been to school before and are involved in cocoa farming.
2. Children in school but involved in cocoa farming in their off-school hours carry out dangerous activities on the farm but are not out of school.
3. Dropped out school children before the end of finishing education (JSS 3) due to lack of economic provision by parents or death in the family among others; these children engaged in full-time cocoa farming with their families.
4. Most children, from the North, engaged in cocoa farming with a relation, family friend, neighbour, or cocoa farmer for farming purposes.
5. School children who are taken out of school occasionally, to carry out farming work on the cocoa farms in the peak seasons as harvest time (Casely-Hayford, 2004).

### **1.3 Activities that Child Labourers Engage in the Most**

Child labourers are involved in many various sorts of works that comprise risks and hazards. These children are exposed to physical pain and injury, particularly health hazards (Levison et al, 2005). According to ILO (2012), the majority of child labour are involved in hazardous works such as agriculture, mining, manufacture, construction bonded child labour, domestic and fishing (ILO 2012). Some of the worst forms of child labour identified to be prevalent in Ghana as kayaye (head porters), exploitation, the trokosi system (ritual servitude), stone quarrying, galamsey (small scale mining), fishing, cash-crop agriculture, commercial sex, and child domestic labour (Takyi, 2014 cited in Asuming-Brempong et al. 2007). The following are the types of activities child labourers in Ghana engage in the most.

### 1.3.1 Agricultural Sector



Figure 1. A child lifting sack of cocoa

Ghana is one of the major exporters of cocoa within the world with most of it full-grown on small independently owned farm, owing to the spread of chronic poverty. Children are often required to assist their family by working and earning an income.<sup>7</sup> Due to the costs involved in hiring labour, the farmer will try to limit the need for this by engaging the entire household, relatives, and friends. Commonly, children of the family work on the farm when needed, although most of them attend school. Children work on the farm after school, on weekends, holidays and parents also keep them out of school for some weeks during the harvest (Boas and Huser, 2006). Agriculture functions as the highest income earner for the country which according to the Ghana Child Labour Survey (2013), the sector has the very best proportion of child labourers within the country: (62.5%) of working children was involved in agriculture, hunting and forestry. It gives an overall estimate of

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<sup>7</sup><https://legatum.org/initiative/Ghana-Child-Labour>



1,239,680 kids in that industry, consist of 308,841 kids aged 5-9 years, 601,902 kids aged 10-14 years and 328,937 aged 15-17 years.

Agricultural/forestry/ fishing is the main work in all regions, except Greater Accra, where sales work dominates. Agricultural and related work is also more prevalent in rural areas (69.4%) than urban (17.9%). (GSS, 2003) In rural areas, every nine in ten (90.8%) males aged 5 to 14 years are engaged as skilled agriculture and fishery workers. (GLSS6, 2014)

### 1.3.1.1 Fishing Industry



Figure 2. Children working on the high sea for fishing

Fishing is another area of concern in agriculture that has received a lot of attention owing to the involvement of the International Organisation on Migration (IOM). It is one of the worst forms of child labour that mainly employs young male children to work in fishing villages, especially along the Volta River (Clerk, 2008).

Lake Volta's fishing which is the world fourth largest reservoir accounts for 90 per cent of the total fisheries output for Ghana and about 20 per cent of the country's overall fish catch. Communities beside this lake are known for trafficking children (Graphic, 2019). It exposed to helpless children,

most of whom are younger than 10. The trafficking of these children go through dangerous and hard jobs; exposed to more strong violence; work longer hours and their food and pay withheld.<sup>8</sup> The working group of people around the lake for fishing activities involved the fishermen children in the community, children in bonded or forced labour; children in slavery (bought outright with money), and children who are orphans in the custody of guardians. Boys paddle canoes, pull fishing nets, drains water when the boat leaks; carry loads, run errands, and cook for adult fishers as well. Other activities are diving into deep waters to remove entangled fishing nets and to observe fish movement. Girls, on the other side, engaged in the picking of fish, sorting, packing, transporting as well as smoking and selling of fish. (ILO-IPEC, 2013)

### **1.3.2 Head Porters and Truck Pushers**

In Ghana, female head porters are called “kayaye” whiles their male coworkers referred to as “kaya”. It is generally children who migrated from the northern part of the country to the south, such as Accra and Kumasi who engage in this type of business. The girls are usually between 7 and 16 years, who involve in carrying heavy loads on their heads to a stated destination to receive meager payment. They loiter about at market places in the big towns like; Kantamanto Madina Agbogbloshie and Maamobi markets in Accra. Some influence by the fortune of the returnees and also are inspired to acquire the same sophistication. This practice has become a belief for these young northern girls. The older girls get involved because of peer pressure or follow friends without their parent’s knowledge. They live and travel in ethnic groups. On the other side, the “kaya” boys carry the weighty loads on trucks and push them to their destination. They walk some kilometers before their final destination.

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<sup>8</sup> <https://www.compassionuk.org/blogs/child-slavery-lake-volta/>



Figure 3. Children pushing truck of loads

### 1.3.3 Sales (Hawking)



Figure 4. Children selling in the market



Selling is another form of employment for many children in Ghana and is the main occupations in the urban economy, which is mainly for girls. An estimation around 17.8% of 5 - 9 year-old, 22.1% of 10 -14 year old and 20.7% 15-17 year-old (GCLS, 2003). A lot of working children are either full time or part-time as petty traders selling in the open markets, a common feature of Ghana's urban areas. The majority of child labourers in sales are found in areas such as Accra the capital of Ghana, Central, Western and Ashanti region (Ibid).

According to the Ghana Child Labour Survey (2013), the majority of working children in Accra has the highest percentage of 39.4%. In the retail trade, child labour estimated to be higher amongst females, around 30.4% related to males of 11 %. The economic activity in urban areas employing children in Ghana is retail trade. (Ibid)

#### 1.3.4 Mining Sector



Fig 5: Children in the mining field

Children are involved in numerous kinds of work in Ghana, some from the age of five, including mining. According to the Ghana Ministry of Employment and Social Welfare, there are children

engaged in the worst forms of child labour in the mining business (Ministry of Employment and Social Welfare, 2009).

Estimates from the GCLS show that there are relatively fewer children in mining and quarrying than there are in other sectors and further display that mining as an area of work is dangerous to children (Ibid). Section 91 of the Ghana Children's Act (1998) provides that the minimum age for a person in quarrying and mining should be 18 years. Assessing the total of children working within small scale mining is problematic due to the informal nature of the sector. Children with no requisite skills are made to undergo crude mining which involves carrying dirt or rocks, digging tunnels, washing dirt, crushing ore, or processing gold dust with mercury. Some of the children participate in different forms of work at the mining sites, such as prostitution, selling of food, and water (Johannisson, 2013).

Young boys among the ages of 10 to 16 are convinced of diamond winning areas to involve in illegal diamond mining. Small-scale illegal mining, well-known as “galamsey” comprises the removal of minerals such as gold and diamond from the earth. Children are used to discovering minerals in deep holes of about 40 – 70 feet down, as well as straining of gold dust. Mining areas mostly found in the Western, Ashanti, and Eastern Regions. Some children are found hawking at the mining sites, while some are used as task boys for the foreign worker's. Children used in stone quarrying break stones into smaller pieces for long hours within the hot sun which invariably affect their health. The particles sometimes get in the eyes of these children and pose as great challenge to their long-term health. There are numerous reports of “galamsey” operators, being stuck in collapsed pits and many deaths have resulted out of this (Owusu, no date).

### **1.3.5 Child Domestic Work**

According to Innocenti Digest, Child ‘domestics’ or ‘domestic workers’ are defined as children below the age of 18 who work in other people's homes, doing domestic chores, baby sitting and running errands and may be expose to physical, sexual and emotional abuse. Girls are found in domestics. In Ghana, 80% of girls employed as domestic were between the ages of 10 and 14 years (Digest, 1999). Domestic work is a highly unregulated area of employment, hidden, dispersed and of informal nature, with no agreed hours of work and no minimum wage. Furthermore, many child domestics are not paid salaries and cannot claim any rights, although they had duties and obligations (Clerk cited in Admassie, 2002).

### 1.3.6 Customary or Ritual Servitude (Trokosi)

Trokosi is an African religious practice that exists in Ghana, Togo, Nigeria and Benin. In Ghana, this cultural practice has been observed for several centuries in the Volta region and the Dangme's in the Greater Accra region. Trokosi means 'the slaves of the gods'. Young virgin girls, generally amongst the ages of six and eight years, are sold into servitude to the gods, as a form of amends for the crimes committed by their relatives (Asomah, 2015).



Figure 5. Trokosi (female ritual slavery). Retrieved from. <https://maameasaakode3.wordpress.com/>

They become sacrifices, protecting their families from the god's anger. Some remain at the shrines for a few years; others for life.<sup>9</sup> The trokosi method is not seen as a crime but rather a justice system that obliges that a virgin girl offered to serve and appease the gods for a crime (such as murder) that a family member has committed (Asomah, 2015).

<sup>9</sup> V Mistiaen 'Virgin wives of the fetish gods – Ghana's trokosi tradition' (2013) <http://news.trust.org/item/20131003122159-3cmei>

### 1.3.7 Street Children



Figure 6. Children working on the street. Retrieved from: [childvision.org.uk/wp-content/uploads/2013/09/StreetKids.jpg](http://childvision.org.uk/wp-content/uploads/2013/09/StreetKids.jpg)

Street children commonly work in the street for economic gains. The children are seen in the street of Accra range in ages between 4 and 15 years old. The majority are in the most vulnerable ages of 7-15 years. A large percentage of the children were born, bred and live in an urban environment (Ham et al, no date). Whiles only 18 percent were born in rural areas both within and outside Accra.

The Inter-Non-Governmental Organisation (NGO) gives a definition of street children as a boy or girl who has not reached adulthood where the street has become their real homes more than their family homes. A condition in which they are not under any protection, supervision or direction from responsible adults (Panter-Brick, 2004). Demographic information collected from the CLS shows that the 15-17 age group constitutes more than half (54.4%), with the 10-14 constitute a little over a third (37.6%) and the 5-9 age group making less than a tenth (8.0%). It confirms that the phenomenon of “street children” is a falseness; it is more of an adult than a child phenomenon. The Greater Accra Region recorded the highest proportion of street children (49.7%), followed by the Ashanti Region, (26.5%) of street children in the country, which are mainly females (GCLS, 2003).

## **1.4 Causes of Child Labour**

Lots of factors have recognized by several scholars as to the causes of child labour. Some of these included poverty, socio-cultural factors, poor access to education and parental absence due to death, illness, divorce or separation.

### **1.4.1 Poverty**

Different situations, affect child labour and the most notable cause according to studies is poverty (Nagar and Roy, no date). There are, of course, other contributing factors for not all children, are from poor households, engage in child labour, and some poor societies manage to keep the incidence of child labour low (Ministry of Employment and Social Welfare, 2009). Poverty is multiple problems, and like all problems, there is no uncertain answer (Pinzani and Rego, 2014). The 2015 Ghana Millennium Development Goal Report shows that while the rate of poverty is reducing because of improvements in the urban area, the poverty gap is increasing because of little progress made against rural poverty. The depth of poverty is worsening, which the rural poor are becoming poorer. According to the Child Labour Report from the Ghana Living Standards Survey Round 6 (2012/2013), child labour is prevalent in rural areas, and the survey endorses that child labour should be one of the signs of poverty reduction (NPA2, 2017-2021). In most of the literature, poverty has been agreed to be the determinant of child labour supply and increases the income and the possible survival of the family (Chatterjee and Ray, 2019)

According to media reports, children are sold into numerous forms of involuntary bondage for either dangerous work, sexual exploitation or both. Boys aged ten to twelve year work for fishermen in exchange for yearly remittances to their families, this practice often involves the consent of their poor parents (SFMP, 2014).

Basu and Van (1998), establish that though adult hates child labour, they have no alternative to enduring it for survival. So if a family income level is very high, these families will not supply child labour (Ibid, cited in Basu and Van, 1998). They examined the economic effect of child labour which revealed that there is a mutual connection between child labour and parental poverty.



According to them, child participation in work activities occurs in instances where there is a multiplicity of equilibriums in the labour market. It was showed in two axioms: Substitution Axiom which proposes that child and adult labour are perfect substitutes and the Luxury Axiom offers that household chooses not to cause children to work if income from non-child source is high enough. (Sam, 2016)

In their model, the substitution approach implies that entry into the workforce by children is a result of a decrease in adult's income. According to Khanam and Rahman (2012), because of weak legislation and its poor implementation, children are given specific work with low wages, which they end up working for more hours, with no medical insurance, low bargaining power, and no pension payment. Basu and Van propose in the luxury axiom that a child can either work or not, and this only happens when a parents sacrifice for the child. Only wealthy parents can afford this luxury (Sam 2016, cited in Basu and Van, 1998). Therefore families with a situation of poverty or extreme poverty are likely to send children to work which they cannot afford the risk. (Blunch et al.2000). The poor are more vulnerable to the kind of abuse that is found in child labour because poor households often need the income earned by their children. There are higher levels of poverty in deprived areas because there are no reliable transport, market, financial, product and other productivity-enhancing services. Such deprivations can lead to dangerous behaviour by parents and children from poor households, such as engaging in the WFCL (Ministry of Employment and Social Welfare, 2009). Hence this problem leads to an increase in child labour in several places as it undermines the rights of the child.

In a research conducted at Pokuase in the Greater Accra Region of Ghana, most children narrated that although they enrolled in school, they had to sell on the highway. It as results of their basic needs at home and their school materials which could not be provided by their parents/guardians. (Hamenoo et al. 2018)

There have been several studies that discuss poverty in Ghana, which is a problem in the rural areas than urban of the country where the majority of people depend on agriculture and fishing (GSS, 2003) to get foods for their daily survival. In a situation where a parent cannot afford to pay for causal labourers (by-day boys), they use their children as the only alternative and cheaper source of labourers (Nyavor, 2011).

Researchers like Ranjan (2001), Amin, Quayes and Rives (2004), Rogers and Swinnerton (2004), Grootaert & Kanbur (1995), and Rahman (1999) et al. state that poverty is the cause of child labour. In cases where parent's income is low, they send their children to work for survival. But Tzannatos (2003) stated that the intergenerational transmission of child labour is also widely noticed. That is, the type of work parents do is most likely that their children will also inherit that work rather than going to school. Poverty, therefore, cannot play a role base on this condition.

According to Dunlop (1912), there was a time where it was only natural for children to assist their parents in the kind of work they do. Children, therefore, had been recognized in the labour market even before the factory days. Those times seemed like a spell placed upon them as children who were young and immature expected to contribute to the household budget (Clerk cited in Dunlop, 1912).

According to a position paper submitted to the European parliament, on stop child labour campaign (2005), it shows that child labour is far more a cause than the effect of poverty. To eliminate child labour does not mean poverty must end first, but on the contrary, there is the need to address child labour if one need to fight poverty. It argues that poverty can create difficulties condition of a family who wants to send their children in school. But studies and practical knowledge confirm that poor children can have access to full-time school when education is free, sufficient quality and building social norms. It will strictly see to it that children should not engage in any activities but rather attend school.

Poverty forces millions of children out of school and into paying jobs, and this affects school enrollment negatively. Many poverty situations cause learning disability amongst school children, which interrupts the normal schooling process. Sherman (1994) stated that living in poverty increases the probability of children having a learning disability by 30%. This is where a child can acquire a learning problem and may become learning disabled. A survey of reading and math was conducted from a farming district in the Central region of Ghana, among 62 child labourers and 62 non-child labourers. Farming communities in Ghana mostly use child labourers, and most child labour experts propose poverty as the sole culprit of child labour. Both children received remedial lessons in reading and math with aged 9 to 15, with both groups living under the poverty limit of less than \$2.00/day (Taylor and Ed, 2017).

The result showed that for both reading and math, the average scores of child labourers were significantly lower than the average scores of children who did not work. The study was analyzed to know if child labour is directly related to the learning problems in school (Ibid).

In Naryan et al. (2000) studies, they explain that poverty to the poor does not center on only low income and consumption but it a multifaceted concept which involves lack of basic needs (access to food, health care, shelter and education), to contain lack of basic human rights, the absence of basic infrastructure, involves psychological aspects (humiliation, insecurity and feeling of powerlessness,) and lack of accessibility to assets and exposure to risk instead of income (Agbenya, 2009).

Béné et al (2004) summarized poverty in terms of Monetary Poverty Profile and the Human Poverty Profile (Ibid).

#### **1.4.1.1 Monetary poverty profile / Quantitative indicators**

Monetary poverty profile seeks to measure poverty based on certain defined minimum welfare functions that are essential for an individual to meet basic food, clothing and shelter requirements, which is termed as the poverty line (Ibid). The poverty line can be well-defined either biologically (involves expenses incurred in attaining the daily calories essential for the existence of individual), needs-based (includes expenses needed to satisfy other necessities in life like housing, clothing, health etc. apart from food) or normative which has to do with choosing a certain sum of daily expenses such as the daily threshold of \$1 and \$2 (ibid). The formation of a predetermined poverty line makes it easier to distinguish between the poor and non-poor. Individuals with mean per capita income below the poverty line are categorized as the poor or deprived in society or community.

Further monetary poverty indicators contain, the incidence of poverty (shows the percentage of the total population living below the poverty line), the severity of poverty (establish the differences in income among the poor), the extent of poverty (specifies the distance of the poverty line lies the average income of the poor), the capacity to overcome poverty (indicates the section of the population living close below the poverty line) and the vulnerability to poverty (the segment of the population just above the poverty line). Using the monetary poverty method in Ghana, the Ghana Statistical Services in 2000 explains two nutrition-based poverty lines which are the upper poverty line of 900,000 cedis and a lower poverty line of 700,000 cedis per adult per year (ibid).

The upper poverty line contains essential food and essential non-food consumption whilst the lower poverty line was built on only what was required to meet the minimum nutritional necessity of household members. Based on the upper poverty line, the poverty level in Ghana was said to have dropped from 51.7% in 1991/1992 to 39.5% in 1998/1999 and similarly a decline was also witnessed in the percentage of Ghanaian living below the lower poverty line from 36.5% in 1991/1992 to an estimate of about 27% in 1998/1999 (ibid).

#### **1.4.1.2 Human poverty profile / Qualitative indicators**

According to the UNDP (1997), the human poverty profile is the absence or lack of basic capabilities to function such as access to proper health care (infant mortality rate, life expectancy rate), education (the ability to read and write), and living conditions (access to potable water, access to roads and access to other infrastructures). It also includes vulnerability which refers to the exposure to risks and stress and the ability of the individual to deal with them, lack of political voice and low social status. The human poverty profile dwells mostly on social and physical indicators rather than monetary (ibid).

According to the Human Development Report, Ghana (2007), the projected average life expectancy in Ghana is around 59 years. Infant and the under-five mortality rate is high at 62% and 102 per 1000 births respectively (ibid, cited in GDHS, 2004). The proportion of admission of children in the primary school in terms of education is 83% (ibid, cited in MESS, 2008) and an estimate of 53% of the rural population has access to potable water (Ghana Partnership Results Matrix, 2008). Both monetary and human poverty indicators show an extent of the poverty level in Ghana in rural areas (ibid).

In summary, poverty has gone through a lot of redefining and it is multifaceted. According to Béné et al. (2004), there is a cause and effect relationship between poverty as low income or lack of reliable income can lead to lack of access to quality and formal education and training. This affects the empowerment of an individual by denying the individual to be gainfully employed to achieve a reliable source of income.

Though poverty may not be the main cause of child labour, it is an important cause that influences most children into child labour. Other reasons may have an equal influence on child labour than the normal believe.

#### **1.4.2 Socio-cultural Factors**

Ghanaian children grow up in closely linked extended family networks, with strong cultural traditions governing their birth, upbringing and socialisation. In several communities, mostly in rural areas, members of the extended family have a significant role and are expected to contribute to the upbringing of children. Their involvement is seen as necessary to ensure that children grow up into responsible and respectful individuals (MGCSP, 2014).

There are socio-cultural norms and values which transferred from one generation to another in a family. A study conducted in Ghana suggests that the family and kinship sustain their social values in order to have continuous process of the socializing pattern (Casely-Hayford, 2004). In Northern Ghana, for example, studies propose that parents give their children training in the traditional values, norms and occupations for survival in difficult surroundings when they face problems before becoming an adult (Ibid cited in Oppong, 1971).

Deep-rooted traditions explain the prevalence of child labour which drives most children into the labour market. Difference culture of many societies makes children start work at a very young age. They presumed that children must learn skills that can be worthy of their future (Osment, 2014). Most studies conducted on child labour by researchers do not focus much on culture in most cases. Which has made most interventions that study these researches fail to address the issue of culture, which could be the root cause (Takyi, 2014).

In the socio-cultural context of Ghana, children are expected to work, (Clerk, 2008) and fighting a risk that is culturally in-built in that child labour practices are rooted in tradition is not an easy task (Takyi, 2014). UNICEF (1991), stated that changing an ethical climate in which thoughts flourished every day without a change is the difficult part of the struggle for a more just society. Changing a pattern that society sees to be normal, acceptable, and right is an issue that is serious in the struggle of economic assigned interest. Changing the idea of child labour have been a

problem in educating society. Child labour believed to have a different meaning, in that educating most turns to be a problem and refrained from listening since it does not suit their culture. When people hear about child labour, they have the assumption that children shouldn't work at all. That's why they resist hearing (Bruscino, 2001). And there is a belief that children who do not engage in any house chores activities are seen to be lazy and do not have a good upbringing (Casely-Hayford, 2004).

Traditional African ideas influence the act of child work. Parents see child work as a way of preparing kids for future purposes. Whiles, it is illegal for children to work at the sea unless they are 18 years old, most of the fishermen believe that boys need to start training before they reach adulthood, so they prepare their minds and bodies for fishing, (Bruscino 2001, interviewed Paul Amegee).<sup>10</sup> It understood that the right way to learn is to practice; therefore, children are made to engage in most occupation and domestic work that their parents do. Traditionally, working on family business is seen as part of the procedure by which children are trained into adulthood (Takyi, 2014 cited in Asuming-Brempong et al. 2007). Having more children in the olden days means having more hands to support on the farm. In examining the economics process in tradition, parents turn to use their kids as the only option when they cannot afford to pay workers employed.

Also, most children engaged in child labour are driven by the status and high lifestyle those labourers enjoy (Nsohbono, 2013). It happened with the mindset of becoming rich because of what they heard and seen their friend's achieved, due to difficulty in living conditions from homes. Children in a rural area believe that the life of urban is easy and cheap, so they migrate to cities like Accra, Kumasi, and this sometimes ended in hazardous and labouring activities (Mashaka, 2018). Boyden et al. (1998) stated that most children see work as a means to have a value and respect for their life. This explains the reason why most advanced economies have large numbers of middle-class children who seek part-time work (Agbefu, 2010).

Parents' education attainment plays a significant role in whether a child will go to school or work. Majority of child labourers are under illiterate families (Khanam and Rahman, 2012) with low education believed to contribute little in their children's education as compared to educated parents (Nyarko, 2013). Educated parents know the worth of educating their children; illiterate parents

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<sup>10</sup> (Author interviewed Paul Amegee, Principal Labor Officer in charge of Legal and International Relation, 4 May2001).

consider schooling as a wastage of time and money. So there is an inverse relationship between a parent's education and supply of child labour. Most parent's education especially, mother's is important to keep a child in school. (Khanam and Rahman, 2012)

### **1.4.3 Poor Access to Education**

Schooling problems also contribute to child labour. Many times children seek employment simply because there is no access to schools (distance, no school at all, pupil-teacher ratio) (Siddiqi and Patrinos, no date). Lack of access to compulsory and free education is most common in remote rural areas because of the shortage of numbers of schools (Ibid). Most teachers are not willing to live in such a community to assist children, and where there are teachers, there is absenteeism in school, this makes the quality of education an issue and lack of teachers. In such instances, parents are likely to take their kids out of school and use them on farm work (Casely-Hayford, 2004).

The empirical literature has mostly been engaged with the schooling choice, simply observing child labour as the lack of schooling. Access to primary education in Ghana was examined by Chao and Alper (1998) amongst children between 10-14 years of age. There are two supply-sides by participation known as (1) the distance to primary school and (2) pupil-teacher ratio at the primary level. Also, demand-side limitations that affect enrollment and school dropout rates are access to drinking water and roads. Lastly, family income, demand for child labour, and parental education are the factors in determining the likelihood of kids attending primary school. (Blunch et al 2000).

Regardless of education being free, many parents have to pay some amount for tuition and other direct costs in terms of uniforms and books. This has pushed many parents in pulling their children out of school and sending them to work as they cannot afford (Sudharshan and Harold, 1997). Furthermore, poor quality of education also enlarged school dropout and the reason why some children quit studying (Mashaka, 2018). In recent times, there has been a joint decision on work that examines schooling and child labour together. Nielsen (1998) examines child labour and schooling in Zambia. In his studies, he established the gender gap as boys have more chance of attending school than girls. Blunch and Vener argue that gender-related differences do not seem to happen in the working decision. The costs of transport in the form of walking distance to school

affects schooling. It negatively affects the supply constraints of secondary school. It is in agreement with the view in Lavy (1996), who proposes that completion of primary schooling can serve as a ticket to secondary school. According to Nielsen, there is no positive relationship between poverty and child labour, therefore increases the doubts to the claim of poverty being the main cause.

In Canagarajah and Coulomb's (1997) study, they analyze 1991-92 data on child labour in Ghana and discover similar to Nielsen, proof of a gender gap in schooling, as boys have a higher chance of attending school than girls. Again, there are no differences in favoritism to work, including expenditure per capita of households as a substitution for welfare. It appears to agree with Nielsen's outcomes, to deny the traditional claim of poverty being the cause of child labour.

There was an argument that the failure of the education system is the main reason for the incidence of child labour. Once parents think there is a need for children to learn much in school, they decide to give them informal education in terms of work experience (Sudharshan and Nelson, 1999). In the rural areas in Ghana, it has observed that there is a great distance between school and household. Most schools in the rural area are scattered and of no good quality, and where a school has accepted as not quality, it leads to poor school attendance. (Clerk cited in Canagarajah and Coulombe, 1997)

The GNCC recognize these cultural barriers to societal acceptance of recent thought concerning child labour. While the Convention reveals the importance of a "first call" for children, the traditional Ghanaian culture is adult-oriented and the norm 'first call' has very little or no meaning. Though there is legislation that prevents exploitative child work, child protection laws hardly raised, because culturally, it believed that issues on abuse and neglect need to deal with at a family and community level (Bruscino, 2001).



#### **1.4.4 Parental absence due to death, illness, divorce or separation**

The study of (Rosati, Cigno, and Tzannatos, 2001) reveals that there are exceptional cases where there are lost children or separated from their family of origin because of some natural disasters or war and have no option than to work (Khanam and Rahman, 2012). Since the finances of the family become miserably and insufficient to take care of the household, (Hamenoo et al, 2018) children provide for themselves and their close family. It forces a child to sacrifice his or her education for the sick person or as a means of supporting the household, especially in situations where they are to take care of younger siblings. In the study of Foster and Williamson (2000) debate that parent's sickness allows children to accept their new role before becoming orphaned. These responsibilities comprise of taking care of younger siblings, fetching firewood, cooking, toileting, and bathing, taking relatives for treatment and giving medication. (Agbefu, 2010)

Anker (2000), Khan (2003) notes that child labour prevails mostly among vulnerable families, who have low income, cannot afford the injury or illness of an adult member, disability or death of any parent, and unemployment of adult member. Distraction and pain that result in divorce or abandonment also force children to work (Khanam and Rahman, 2012). Broken homes also have devastating effect on children.

#### **1.5 Effects of Child Labour**

The study has recognized the inherent hazards and risks that children are open to when working in abusive industries. In the global economy and society, child labour is considered as prevalent. It has many harmful effects concerning children's education, physical and mental development.

Child labourers who are not mature and have no experience perhaps never realize the risks related to their work. Their work steals their childhood and very often denied a basic school education, social interaction, playtime, emotional support from their family and personal development and love (Khanam and Rahman, 2012). The hazardous work children engage in affect society and the economy. Below are some effects of child labour;

### **1.5.1 Damaged Physical, Mental or Social Development**

Child labour badly affects the physical, mental or social development of children. Children in poverty already suffer from malnutrition because of poverty. Physically when children engage in strenuous activities, it can lead to underdeveloped growth. They end up becoming shorter and of little weight than non-working children. This growth deficiency also has effects on their adult life. Most children have lost their vital organs because of accidents at work and been handicapped for the rest of their lives as a result. (Ibid)

These physical consequences range from malnourishment, disease, musculoskeletal disorders from heavy labour, physical and sexual abuse (Nyarko 2013, cited in Kathleen, 1998), injuries, and exposure to toxic agents (Ibid cited in Korbin 1983, Rummell & Hansan 1993).

Child labourers exposed to sexual abuse, health deterioration and exploitation, deprived them of their right to school and vulnerable to violence. They are often victims of risky exploitation in terms of working for long hours for little pay. The working situations of child labourers damage their health, physical and mental development. Many child labourers endure living in pure denial (Nyarko, 2013) in situations like construction, mining, and manufacturing, the risks may be noticeable and visible than in cases where there is contact to dust, pesticides, chemicals, toxins, and lifting heavy objects. (Clerk in Guarcello et al, 2004)

Most often abused children in their work place become emotionally weak. As they do not have adequate time to be around their peers, have proper socialisation. This result in lack of education that hinders their intellectual and mental development.

According to ILO (fact sheet, 2004) reports, children are involved in cocoa production in West Africa, including Ghana. Most of these children uses machetes to clear field; apply pesticides, harvest pods, and slice them open to take out the beans without using gloves and masks for protection. These sometimes expose them to health hazards; as heat exhaustion from factories, snake bite, high level of sun exposure, and injuries from sharp object, stress, and long working hours (IPEC, 2004). Further, there is life threatening event as most of these children die in fishing villages because they work in the river to help salvage fishing nets stuck in deep water by tree stumps (Clerk, 2008).

### **1.5.2 Intergenerational Poverty**

Child labour continues to be an inter-generational poverty. It is perceived that the parents of child labourers were child labourers themselves; which they grew up as semi-skilled, unemployed or underemployed, illiterate or semi-illiterate adults. Because of poverty, it became mandatory to send their children to work prematurely, which endangers the future of their children to grow up as an educated and expert person (Khanam and Rahman, 2012).

### **1.5.3 Effects on Educational Achievement**

Child work harmfully affects children's educational attainment at school. Children who combine work and school can experience a negative effect on their educational progress and performance (lower attendance rate and poor academic performance). Other deliberating effects of child labour include the increased proportion of child illiteracy which attributed to children's economic involvement (Basu & Van, 1998).

Ghana's 2000 population also shown that child work had a negative effect on learning attainment in the areas of mathematics and reading. As this may be because of, tiredness. (Khanam and Rahman, 2012)

### **1.5.4 Adult Unemployment and Reduced Bargaining Power**

Employers prefer to hire children as a cheap source of labour because they are easy to manipulate, more obedient and less aware of their rights as compared with adults. Children hardly demonstrate against the employer's choices about wages, working hours and work environment. As adults work are exchanged for children, it increases adult unemployment and in turn, reduces the ability of adults to bargain for fair wages. This decrease the overall wage rate as a result. (Ibid)

## **1.6 The Situation of Child Labour in Ghana**

Child labour occurs in the developing world (Takyi cited Canagarajah & Coulumbe, 1997), which according to ILO's estimation (2017), children age 5 to 11 years old forms the highest part engaged in child labour. According to the Ghana Living Standards Survey Report of the sixth Round (GLSS 2014), estimated that 28.5 per cent of Ghanaian children aged 5 to 17 years are involved in economic activity. It further reported that 89.3% of the economically active children in Ghana are in agriculture (Ibid). Asuming-Brempong et al. (2007), surveyed on a pilot labour programme conducted by Ghana's Ministry of Manpower, Youth and Employment (GMMYE) in 2006 with six cocoa districts, the study presented that children who engaged in several forms of cocoa activities are within the age groups. Such activities include drying of beans, carrying of dry beans to sale centers, weeding, carrying water for spraying, pod plucking, scooping of cocoa beans et al (Takyi, 2014). This section talks about Education, Child labour and school participation and Health on the Ghanaian child.

### **1.6.1 Education system in Ghana**

In addressing the issue of child labour, it is good to take a critical look at the educational system. Section 89 of the Children's Act of Ghana specifies that the minimum age<sup>11</sup> for child labour should be the same age at which a child expected to complete junior secondary school.

Ghana became one of the advanced educational systems in Sub-Saharan Africa (SSA) after independent in 1957. Its education system expanded over the years to provide places for most, but not all, of its children (Acheampong, 2009). The importance of education was recognized in Ghana by the Education Act of 1961 and the Constitution of 1992 (Article 25 (1.a), giving the right for free and compulsory primary education. According to Quaidero, the word "free" is relative,

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<sup>11</sup> Minimum age for child labour is 15 years

because telling a boy that education is free, but still has to pay for books, supplies and even pays for the furniture (Bruscino, 2001).

It has also shown previously that the ideas of traditional and poverty mostly drive children to work rather than attending school. In the Northern part of Ghana, boys are mostly needed as farmworkers, which affect the enrollment and attendance of the child, while domestic work is on the girls (Ibid). In a report by UNICEF (1997), it stated the conflicting effect between working and schooling, how important is schooling to the working child. Too much work on children keeps them away from school. Also, children participating in exploitative and hazardous work are sometimes maltreated, become traumatized, and unable to focus or be active in class (Bruscino, 2001).

The two main competitors here of a child's time is work and school. Most children generally spend their childhood years in school to gain some form of skills, knowledge, values and attitude to develop their capacities for societal wellbeing. Others only work without attending school, and some spend their childhood years combining work and school. For instance, an estimate from the child labour report of the sixth round of the Ghana Living Standards Survey (GLSS6) revealed that 20.1 percent of children were economically active while still in school.

Education and child labour are interlinked, and understanding how both interact is serious in attaining the universal education as required by Ghana's 1992 constitution under the Free Compulsory Universal Basic Education (FCUBE) programme (GLSS, 2014). When children occupied in education, the use of their time is focused on studying and so, they become less expected to be open for other activities, including labour activities (Ibid).

The government is the main financier of education in Ghana while the rest of the cost met by Parents, donors, and civil society. The high costs of the standard of living have made parents finding it difficult to fund their wards education or are incapable of sending their children to school.

The structure of the education system in Ghana covers 6 years of primary education comprise of 3 years lower primary, and three years upper primary. The curriculum of primary school stresses on reading and writing, arithmetic, and the development of problem-solving abilities. Amongst the subject offered are English and the indigenous language, music, biology, dance, citizenship and

handicrafts education. The age for completion of primary school is 12 years with no certificate obtained upon completion. (Education system, 2015)

The secondary education system in Ghana is for 6years, comprising of 3years junior phase and 3years senior phase. At the junior secondary level, there are free and compulsory school-age years. Usually, children who attend are 15 years of age. The subject taught in the junior secondary level are English, integrated science, mathematics, social studies, religious and moral education, basic design and technology, French and ICT. An exam is conducted at the end of the junior level to acquire the Basic Education Certificate (Ibid).

The subject taught in senior secondary education are English, mathematics, social studies, and integrated science. In addition to the above courses, pupils get the chance to choose from some electives groups: Vocational (visual arts or home economics), science, business, technical, general arts, agricultural, technology and trade. Pupils sit for final examinations conducted by the West African Examinations Council, Ghana National Office. The West African Senior Secondary School Certificate Examination (WASSCE), has since 2007 changed the Senior Secondary School Certificate Examination (SSSCE). To gain the West African Senior Secondary School Certificate exams, pupils need to take in four compulsory subjects, namely English, social studies mathematics, and integrated science. In addition to the core is three or four electives (in the specializations listed above). To gain admission to undertake undergraduate programmes at the Ghana universities. The age for completion is usually 18 years old (Ibid).

Ghana education system at the higher level is structured in two folds, the universities on one side and the professionally-oriented polytechnics on the other side. University Education in Ghana is in three cycles, bachelor's degree, master's degree, and PhD programmes. Tertiary education lasts four years, but in the specialized field of surgery or dental surgery and medicine have a nominal duration of 6 years. (Ibid)

The language used in the Ghana education system is English, except for the first year of primary education where the most common indigenous language in each region used as the language of teaching.

The 1961 Education Act gave the responsibility for increasing primary education to local education authorities; this brings about the fast expansion of access to primary education. Grade 1

admissions improved from 139,000 to 231,000 in the first year, and over-all primary school enrolment increased from 664,332 in 1960 to 1,413,517 in 1965. It led to a rise in the Gross Enrolment Rate (GER) from 59% in 1960 near to a 200% rise in 1965. (Ekundayo, 2018)

According to Tengey and Oguaah (2002), 60 percent of the number of children of school-going age went to school, but when children finished primary school, (primary class 6), about 45 percent drop out. There is a high rate for girls than for boys (Agbefu, 2010 cited in Tengey and Oguaah, 2002). Educational opportunities, therefore, vary across the different sexes. Whereas boys often enrolled in schools, girls are always at a disadvantage, because they expected to take care of the home and do domestic chores such as fetching water, cooking, washing of dishes and clothes, and taking care of younger siblings. Because the belief amongst some communities, as a waste of resources in sending a girl child to school since she will eventually end up in someone else home. (Agbefu, 2010)

Access to education also differs across rural and urban areas. The lack of basic educational set-up in rural areas means that children have less access to education than those in urban areas. It has noticed that school attendance is related to the seasonality of economic activities such as farming, fishing, and herding of livestock (Ibid). This problem occurs mostly in the North than other parts of the country<sup>12</sup>

### **1.6.2 Child Labour and School Participation in Ghana**

In an assessment based on the GLSS 1992 survey, 28 per cent of children amongst the ages 7-14 years were engaged in child labour in Ghana. It generally sums to about 800,000 children in child labour. But the three-round survey changed from 30.5 percent in 1987 to 22.4 per cent in 1988 and 28 percent in 1992. Which links to the trend in the agricultural income from 1987-92 (Canagarajah and Coulombe, no date). In 1992, 66 percent out of the total number of children were working and also going to school, while 90 per cent were in household tasks. There was 20 percent of boys and 17 percent of girls perceived to engage in both work and school. The main change was in those who did nothing; 14 percent of boys and 22 percent of girls. The participation of labour force for boys between 7-14 year age group was 33.4 as linked to 27.6 for girls, although if

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<sup>12</sup> The North as used refers to the three Regions situated in the Northern part of Ghana, which are the Upper East, Upper West and Northern Regions.

domestic work were to be involved the rates of participation will change to 88 for girls and 75 for boys. (Ibid)

A survey on child labour in 2003 indicated that 1,590,765 children were certainly attending school while working. It constitutes two thirds (64.3%) of children who engaged in some form of economic activity. 97.7% of these children also stated that they were in housekeeping activities. The data further display that children in the age group 10-14 years are probable to combine schooling with economic activity (GCLS, 2003). It shows that a percentage (71.5%) number of children in the urban areas combined work with school compared to 62.4 percent of children in the rural areas; and is true for both males and females. In terms of regions, about one- third of children in the three northernmost were attending school/training and also working. (Ibid)

On the other hand, school attendance rates have changed over time in Ghana. Estimates from the GLSS6 (2013) shows that nine out of every ten children (88.9%) attend school, while 5.9 percent have never attended school. 5.2 percent of the remaining had attended school in the past. School attendance by sex of children shows that the majority of the kids attend school, with a percentage of 89.4% of boys a little increased than girls (88.3%). The percent of females (5.6%) who have never been in class is greater than males (5.7%). Whiles on the other side, the percentage of females (5.6%) who had ever attended school is higher than males (4.9%). (GSS, 2014)

Table 1 shows the distribution of the population by age and sex. Of the total population of 26,347,424, there was 13.0 percent aged 0-4 years while 33.0 percentage are of the age group 5-17 years. The sharing of the population by sex for several age groups follows a similar pattern. The majority of the population (54.0%) are aged 18 years and older.

**Table 1.** Percentage distribution by population age group and sex

Sex	Age group			Number
	0-4	5-17	18+	
Male	13.8	34.6	51.6	12,689,648
Female	12.2	31.5	56.3	13,657,776
<b>Total</b>	<b>13.0</b>	<b>33.0</b>	<b>54.0</b>	<b>26,347,424</b>

Source: Calculation from Ghana child labour report 2014



Table 2 below shows the age-sex distribution of children aged 5-17 years. The table displays the total number of children aged 5-17 years, 24.4 percent are aged 5-7 years, while 31.6 percent, of the majority, are within the age group 8-11 years. 1/5 (19.8%) of the kids are aged 15-17 years, showing that about 4/5 (80.2%) is within the dependency age group.

**Table 2.** Percentage distribution of children 5-17 years by age group and sex

Sex	Age group			
	5-7	8-11	12-14	15-17
Male	24.8	31.6	24.3	19.2
Female	24.0	31.6	24.0	20.4
<b>Total</b>	<b>24.4</b>	<b>31.6</b>	<b>24.2</b>	<b>19.8</b>

Source: Calculation from Ghana child labour report 2014

Table 3 displays the school attendance of children by sex and age group. Almost nine out of every ten children (88.9%) are attending school, while 5.9 percent have never attended school. The outstanding 5.2 percent attended school in the past.

Amongst the different age groups, 93.9 per cent of children 8-11 years were presently attending school compared to 91.9 percent of those 12-14 years and 76.1 percent of the 15-17 year-olds. It shows a decrease in present school attendance with increasing age. The highest proportion of children who had ever attended school in the past was (17.8%).

**Table 3.** School attendance status of children 5 – 17 years by sex and age group

Characteristics	School attendance status			Total
	Never attended School	Attending school	Attended in the past	
5-7	10.4	88.5	1.0	100
8-11	4.7	93.9	1.4	100
12-14	3.8	91.9	4.3	100
15-17	4.7	77.5	17.8	100
<b>Total</b>	<b>5.9</b>	<b>88.9</b>	<b>5.2</b>	<b>100</b>

Source: Calculation from Ghana child labour report 2014

Table 4 presents data on children aged 5-17 years who contributed to economic activity. By age category, it demonstrates that involvement in economic activity rises with age, thus the older the child, the more possible he/she is to participate in economic activity. The proportion of children who involved in economic work amongst 15-17 year age group is 43.7 per cent while the 5-7 year age group is 10.0 per cent.

**Table 4.** Distribution of kids 5 – 17 years who participated in economic work.

Age group	Total children 5-17 years		Children in economic activity	
	Population	Percent	Population	Percent of population
5-7	2,122,390	100	212,278	10.0
8-11	2,749,046	100	704,212	25.6
12-14	2,101,282	100	805,423	38.3
15-17	1,724,884	100	754,263	43.7
<b>Total</b>	<b>8,697,602</b>	<b>100</b>	<b>2,476,176</b>	<b>28.5</b>

Source: Calculation from Ghana child labour report 2014

Table 5 below shows the percentage distribution of children 5-17 years in economic activity and non-economic activity who are attending school. The table shows that more than four out of every five children (82.1%) involved in economic activity and attended school, while for those not engaged in economic activity, 91.6 percent attended school. In terms of area of residence, there is a percentage of economically active children (83.1%) in urban areas attending school compared to those in rural areas (81.7%). The percentage of children who are not in any economic activities but only attend school constitutes 94.6 percent in urban areas and 87.8 percent in rural areas.

**Table 5.** Per cent distribution of children 5-17 years attending school by working status

Characteristics	Children in economic activity		Children not in economic activity	
	School attendance		School attendance	
	Number	Percent	Number	Percent
<b>Total</b>	<b>2,033,082</b>	<b>82.1</b>	<b>5,696,491</b>	<b>91.6</b>
Urban	578,771	83.1	2,874,352	94.6
Rural	1,454,312	81.7	2,822,140	87.8
5-7	173,824	81.9	1,705,376	89.3
8-11	637,117	90.5	1,944,137	95.1
12-14	696,712	86.5	1,234,555	95.3

15-17	525,430	69.7	812,122	83.7
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Source: Calculation from Ghana child labour report 2014

Table 6 below shows data on the occupation of the children who were engaged in economic activity. As displayed in the table, the majority of the children (76.8%) functioned as skilled agriculture and fishery workers while 14.9 per cent worked as service and sales workers. Less than five percent worked in elementary occupations (3.9%) and as craft workers (4.2%).

A percentage of boys (83.2%) involved skilled agriculture/fishery workers compared to girls (69.8%). On the other hand, the percentage of girls involved as service and sales workers (21.4 %) is higher than boys (8.9%).

With concern to urban localities, 50.7 percent of the children in these areas were engaged as skilled agriculture and fishery workers while 35.4 percent were into service and sales. More than four out of five kids (86.9%) were involved as skilled agriculture/fishery workers while those who were in service and sales accounted for 6.9 per cent in the rural localities.

**Table 6.** Percentage distribution of working children 5-17 years by occupation, sex, locality and age group

Characteristics						
	Services/ sales workers	Skilled agriculture /fishery workers	Craft and related trades workers	Elementary Occupation	Other occupations	Total
Total	14.9	76.8	4.2	3.9	0.1	100.0
Urban	35.4	50.7	8.3	4.9	0.1	100.0
Rural	6.9	86.9	2.5	3.5	0.1	100.0
Male	8.9	83.2	3.6	3.9	0.1	100.0
Female	21.4	69.8	4.8	3.9	0.1	100.0
5-7	9.9	84.2	2.1	3.7	0.1	100.0
8-11	13.7	81.1	2.0	3.1	0.0	100.0
12-14	16.2	76.4	3.2	3.9	1.0	100.0
15-17	15.9	71.1	7.7	4.6	0.1	100.0

Source: Calculation from Ghana child labour report 2014

Table 7 presents the sharing of working children 5-17 years by the industrial grouping of economic activities. Three-quarters (77.2%) of the working children were engaged in agricultural, forestry, and fishery industries, with another 12.4 percent engaged in wholesale and retail trade. Only 3.8 percent were in manufacturing.

The percentage of males (83.7%) who worked in the agriculture, forestry, and fishing industry were higher than females (70.0%). Also, the proportion of females who were involved in wholesale and retail trade (17.3%) was higher than males (7.9%). A proportion of females (4.4%) higher than males (3.2%) were engaged in manufacturing. The percentage of females in the accommodation and food service industry was 5.2 percent compared to 1.5 percent of males.

The proportion of kids at the local level who were engaged in agriculture in rural was (87.5 %) higher than in urban (50.8%).

**Table 7.** Percentage distribution of working children 5-17 years by industry, sex, locality and age group

Characteristics	The industry of the main occupation							
	Agriculture and Forestry and industry	Mining and quarrying	Manufacturing	Construction	Wholesale Retail trade	Accommodation And food services	Other industry	Total
<b>Total</b>	<b>77.2</b>	<b>0.3</b>	<b>3.8</b>	<b>0.7</b>	<b>12.4</b>	<b>3.2</b>	<b>1.9</b>	<b>100.0</b>
Male	83.7	0.4	3.2	0.9	7.9	1.5	1.7	100.0
Female	70.0	0.1	4.4	0.3	17.3	5.2	2.5	100.0
Urban	50.8	0.1	7.1	1.8	28.3	7.5	3.3	100.0
Rural	87.5	0.3	2.5	0.2	6.2	1.6	1.6	100.0
5-7	85.7	0.0	2.8	0.1	7.3	2.0	1.9	100.0

8-11	81.4	0.2	2.0	0.0	11.8	2.0	1.9	100.0
12-14	76.7	0.2	3.7	0.3	13.8	3.5	1.5	100.0
15-17	71.5	0.5	5.7	1.8	12.8	3.9	3.0	100.0

Source: Calculation from Ghana child labour report 2014

In Table 8 below the majority (76.3%) of the economically active children were employed in the private informal sector, followed by agri-business (14.6%) and the private formal (8.0%) sectors. The private sector (both informal and formal) employed about 84 percent of the children 5-17 years involved in economic activities.

The prevalence of the informal sector detected in both urban and rural areas. A higher percentage of the female (81.8%) employed children were working in the private informal sector compared to males (72.5%).

**Table 8.** Percentage distribution of working children 5-17 years by sector of employment, sex, locality, and age group

Characteristics	Sector of employment				
	Private sector and formal	Private sector informal	Agriculture business	Other employment	Total
<b>Total</b>	<b>8.0</b>	<b>76.3</b>	<b>14.6</b>	<b>1.1</b>	<b>100.0</b>
Male	9.1	72.5	17.3	1.2	100.0
Female	6.5	81.8	10.7	1.0	100.0
Urban	8.7	86.1	3.9	1.4	100.0
Rural	7.4	66.6	25.2	0.8	100.0
5-7	0	53.7	46.3	0.0	100.0
8-11	2.5	64.0	33.5	0.0	100.0
12-14	1.0	80.3	18.7	0.0	100.0
15-17	10.9	77.3	10.2	1.6	100.0

Source: Calculation from Ghana child labour report 2014

Statistics on table 9 below shows the involvement of children 5-17 years in economic activity, child labour, and hazardous forms of child labour. It displays that 28.5 per cent of the kids contributed to economic work, out of which boys constituted 29.2 per cent and girls, 27.7 percent. The percentage of children in economic activity was (39.0%) in rural areas higher than urban (16.8%). In terms of age, is seen from the table that the percentage of children engaged in economic activity was higher (43.7%) for the grown-up age group (15-17 years) than for children 5-7 years (10.0%).

With concern to child labour, the table displays that 21.8 percent of persons 5-17 years were involved in child labour. The percentage of male children in child labour was a little higher (22.7%) than females (20.8%). The proportion of rural children engaged in child labour (30.2%) was two and a half times the percentage in urban areas (12.4%).

Amongst the age groups, kids from 12-14 years recorded the top level of child labour (26.9%). But, per the child labour notion, all children in the younger age group (5-7 years and 8-11 years) who participated in economic activity also involved in child labour. The table further shows that 14.2 percent of children 5-17 years were in hazardous forms of child labour. The percentage of males involved in hazardous forms of child labour (15.4%) is higher than in females (12.9%). One-fifth (20.0%) of children in rural areas were involved in hazardous forms of child labour compared to 7.7 percent in urban areas.

The table added that, amongst the age groups, 4.5 percent of children 5-7 years and 12 percent of those aged 8-11 years were in hazardous forms of child labour. Nearly one-quarter (23.9%) of the children aged 15-17 years and 18.8 percent of those aged 12-14 years were involved in hazardous forms of child labour.

**Table 9.** Population distribution of working children 5-17 year by children in economic activity, child labour and hazardous forms of child labour.

Sex/Locality/ Age group	Total population	Children in economic activity		Child labour		Hazardous forms of child labour	
		Population	Percent	Populatio n	Percent	Populatio n	Perce nt
<b>Total</b>	<b>8,697,602</b>	<b>2,476,177</b>	<b>28.5</b>	<b>1,892,553</b>	<b>21.8</b>	<b>1,231,286</b>	<b>14.2</b>
Male	4,393,748	1,284,619	29.2	996,510	22.7	677,962	15.4

Female	4,303,855	1,191,558	27.7	896,042	20.8	553,324	12.9
Urban	4,134,743	695,863	16.8	513,221	12.4	320,179	7.7
Rural	4,562,859	1,780,314	39.0	1,379,332	30.2	911,107	20.0
5-7	2,122,390	212,278	10.0	212,278	10.0	94,655	4.5
8-11	2,749,046	704,212	25.6	704,212	25.6	330,161	12.0
12-14	2,101,282	805,423	38.3	564,500	26.9	394,908	18.8
15-17	1,724,884	754,263	43.7	411,562	23.9	411,562	23.9

Source: Calculation from Ghana child labour report 2014

Table 10 shows that 20.1 percent of the children attending school were involved in child labour. More than one-tenth (12.4%) of the children were also in hazardous forms of child labour. Amongst those who were not attending school, 35.4 percent were involved in child labour, with 28.3 percent in hazardous forms of child labour. Nearly two-fifths of the males (39.9%) and 31.2 percent of the females who were involved in child labour were not attending school. About 31.2 percent of males and one-quarter of females (25.6%) were also in hazardous forms of work.

In the locality, the distribution shows that the percentage of children in rural areas who were attending school and engaged in child labour (28.8%) was higher compared to those in urban areas (11.2%). Also, 6.3 percent of children in urban areas and 18.4 percent in rural areas who were attending school engaged in hazardous forms of child labour. Also, about one-quarter of children in urban areas (26.2%) who did not attend school were involved in hazardous work compared to 29.5 percent in rural areas.

**Table 10.** Proportion distribution of kids (5 - 17years) who are involved in child labour by School attendance, sex, locality age group

Sex/Locality/Age group	Attending school		Not attending school	
	Child labour	Hazardous forms of child labour	Child labour	Hazardous forms of child labour
Total	<b>20.1</b>	12.4	35.4	28.3
Male	20.6	13.6	39.9	31.2
Female	19.4	11.2	31.2	25.6
Urban	11.2	6.3	28.0	26.2

Rural	28.8	18.4	38.7	29.2
5-7	9.2	3.8	15.8	9.6
8-11	24.7	11.2	40.1	23.9
12-14	24.3	16.9	55.9	40.2
15-17	20.1	20.1	36.7	36.7

Source: Calculation from Ghana child labour report 2014

**Table 11.** Enrollment and Dropout figures (2010-2015) for Asunafo South District-Ghana

Year	Categor y	P1	P2	P3	P4	P5	P6	JHS 1	JHS2	JHS 3	Total enrollm ent	Total dropou t
2012/ 2013	Boys	1,671	1,561	1,516	1,486	1,386	1,322	1,124	1,120	900	12,086	391
	Girls	1,594	1,401	1,405	1,345	1,109	1,088	1,008	877	622	10,449	789
	Total	3,265	3,062	2,921	2,831	2,495	2,410	2,132	1,997	1,522	22,535	1,180
2013/ 2014	Boys	1,546	1,494	1,511	1,323	1,324	1,177	1,088	1,011	892	11,346	740
	Girls	1,469	1,396	1,293	1,167	1,048	1,003	961	803	652	9,792	757
	Total	3,015	2,890	2,804	2,490	2,352	2,180	2,049	1,814	1,544	21,138	1,497

Source: Journal of education and practice

Table 11: shows enrollment and dropout from 2012-2014 for Asunafo South District. The data indicates dropout in 2012/2013 and 2013/2014 academic years. Elementary school gross enrollment dropped from 22,535 in 2012/2013 academic year to 21,138 in 2013/2014 academic year, following 1,497 dropouts.



Table 12 shows the percentage of changes in trends of child labour over the years. The data reported shows there was 38.6 % child employment in 2001 which declined to 12. 9% in 2005, the number again fell slightly to 11.6% in 2010 then increase to 28.5% in 2012. The highest record of children in employment was 38.6% and 11.6% low. The percentage of children in the age range doubled more from 2010 (11.6%) to 2012 (28.5%) it means there has been an increase of 16.9%. With these results provided, it is of importance to revise or adjust policies protecting children in Ghana.

**Table 12.** Percentage changes of children's (5-14) involvement in employment, 2001-2012

Year	Children in Employment (%)
2001	38.6
2005/6	12.9
2010	11.6
2012/13	28.5

Sources: Calculations from Ghana Statistical Service; 2010 Population and Housing Census, Ghana child labour survey (2003), GLSS5, GLSS6.

### 1.6.3 Health System in Ghana

Health care delivery for children drowned with several problems leading to a lot of excess results. The two main difficulties identified are incapability to get access to health care and the high cost of health services in the country (Agbefu, 2010). According to the Ghana Child Labour Survey (2001), there are two systems of health delivery in the country; the traditional and the orthodox health care systems. The traditional health specialists deliver health care for about 70 percent of Ghanaians, mostly those inhabitants in rural areas. Quite a large number of people also combine the traditional and modern systems of health care; the choice depends on the type of illness and the personality involved (GSS, 2003). Health care services in rural areas are unfairly distributed, with most of the people having to walk many kilometers to seek medical care. Where there is the

availability of health care centers, there is unavailable qualified personnel. Not only are they absent, but the facilities, resources, and supplies needed to care for the sick are just not enough. (Agbefu, 2010)

Unlike an adult, children are prone to numerous health problems due to their weaker strength. Living on the street exposes the children to many dangers and makes them vulnerable to several illnesses and injuries. The analysis results revealed that 53.5 percent of the street kid's, sustained one kind of injury/illness or other within the course of their work. The health hazard facing these working children are cuts and wounds, by 2 out of 5 children. About 2 percent had respiratory disorders, with fire burns and skin diseases accounting for less than 2 percent each while about 9 percent suffered from other diseases. Usually, a higher percentage of males than females sustain injuries/illnesses, apart from those sustaining fire burns and another disease. With regards to age, the rate of work-related injuries and illnesses, is higher among older children, ranging from 30.3 per cent for children aged 5-9 and 55.8 per cent for 15-17 year-olds. (GCLS, 2003)

In summary, child labour in Ghana has accepted to be part of society and practices in everyday life in the country. Working children have been there for long and refraining from that social pattern is not an easy task since it has been accepted that children need to work to assist the family. Therefore changing such patterns and practices requires a better understanding behind the causes and reasons for such practices. Also, interviews need to carry out to know the various issues down the grassroots that influences such practices and develop a solution that can be dealt with in order to curb these practices gradually for good. Children who stop work need assistance in various areas so they can feel protected and loved. Some children get hurt for been bonded, working and living on the street and involving in prostitution without protection from families or social assistance, which sometimes suffer from psychological and emotional pain. This chapter has outline some of the types of child labour which amongst were agriculture, sales, mining et al. it discussed the causes of child labour in it multifaceted as poverty, poor access to education, sociocultural behaviour, and parental absence due to death, illness and divorced. It further discusses the health effect on

children, the situation of child labour and lastly its school participation in Ghana. As the prevalence of child labour has shown in Ghana, the next chapter outlines the legal framework backing these children.

## **CHAPTER TWO**

### **INTERNATIONAL LAWS, PROGRAMMES, AND NATIONAL LEGISLATION REGULATING CHILD LABOUR IN GHANA.**

#### **2.0 Introduction**

Child labour includes an adult relationship with children in illegal work which causes harm to the well-being of the child and denies them from school. These labour involve the continued struggle children go through in their effort to improve the living conditions of their family and basic needs in school. There exist rules governing these labouring activity in Ghana. However, these rules or framework is not known in areas where child labour is prevailing. The control of child labour has several foundations: Constitutional rights, as set out in-laws and regulations, rights set by collective agreements, and labour acts.

Enactment of these laws prohibiting child labour or defining the situations in which a child is involved in economic activities is in almost every country. Ghana is one of the countries that have united the principles of prevention of child labour in their legislation (Sam, 2016).

The dissertation has so far given a brief idea about the issue of child labour in Ghana. In conformity with the legal framework, a lot of effort has made in improving the situation of children in labouring activities. Yet there is no clear picture if the rate of child workers is decreasing, neither is there an understanding between adults and children about the laws/policies protecting kids from labour because most of these laws are unknown to them. To a large extent, things remain as before when kids below fifteen years engaged in labouring activities under a very scorching sun and yet still officials hold unto policies and laws which one way or the other have not been too successful in addressing the issue. There is now the need to put in more effort in other to bridge the gap that occurs between local practice and international/national law and policy (Acheampong, 2001). In tackling the issue of child labour, there is a need for legal responses through the legal framework. This chapter discusses the international and national laws, and the policies implemented to enforce these laws. Law is not static; it is dynamic and keeps on changing as societal need change these needs changes (Thuita, 2016), the institutions to carry out these laws also keeps on changing in other to fixed in new ideas in promoting the well-being of children.

## **2.1 Convention on the Rights of the Child (1989)**

The UN Convention on the Rights of the Child is a world agreement on childhood. It has become the most certified human rights agreement in the past and has change children's lives across the world. It expresses the human rights of children and the values to which all governments must aim in understanding these rights for all children (Archampong, 2001) to be recognized in society (Diriwari, 2016). Rather than only protecting the child's well-being, the conventions demand respect for the child as a human being (Ibid cited in Quennerstedt 2009). The convention defined a child as a person with rights and dignity like everyone else (Ibid). The CRC has placed children's problems at the center of the mainstream human rights plan (Ibid cited in Fottrell 2001).

It explains a child in 'Article 1' as a person under the age of 18 years (CRC, Article 1). A country, however, may set an age that is much below eighteen years, to make legal practices on child labour. CRC also spelt out more noticeably the human rights that children over the world should have, including the right to health and health service (Ibid 24), right to education (Ibid 28), right to leisure, recreational and cultural activities (Ibid 31) and the right to protection from economic exploitation which includes any work that is likely to interfere in the development of the child. (Ibid 32)

Also, state parties must ensure appropriate hours and conditions of work. In keeping of the above duties, state parties to the CRC are to set measures of implementation to give a minimum age or minimum ages for admission to various kinds of employment. They are also to control hours and conditions of employment and to apply proper fines or other sanctions to ensure effective implementation (Ibid 32{2a, b}). The CRC is the international opening point for state parties to defend children against child labour, by its condition that national laws be passed and enforced to forbid child labour. After decades of including children's rights under human rights provisions in international laws for all persons, the United Nations took a step to set out precisely the rights of the child, which comprise the right to be secure from child labour (Archampong, 2001).

The CRC has progressed as far as the rights of the child is concerned. It has offered an international standard on children's rights to which parties to the convention are to adapt. The relevance of the CRC is that it forbids child labour. The CRC requires that parties endorse national laws to ensure that child labour is limited. (Ibid)

Regarding all this, not every child gets to enjoy the full childhood benefit. The generation now has to demand leaders to fulfil their promise and make sure they take action against child labour. The UN Convention on the Rights of the Child is the complete international agreement so far enacted worldwide. It expresses the human rights of children and the morals to which all governments seek in understanding these rights for all children. The subsequent section also discusses the ACRWC, which detects how children occupy a unique and fortunate position in African society.

## **2.2 The African Charter on the Rights and Welfare of the Child**

In 1990, the Organisation of African Unity presently known as the African Union agreed to develop the African Charter on the Rights and Welfare of the Child, otherwise known as the Children's Charter was enforced in 1999. Like the United Nations Convention on the Rights of the Child (CRC), the Children's Charter is a complete mechanism that sets out rights and outlines universal principles and rules for the status of children. It established to highlight the specific issues, cultural values, and experiences impacting on the African Child (UNICEF). Unlike the CRC, this sees the welfare of African children at the regional level.

The African Children's Charter preamble recognizes that due to the needs of the mental and physical development of the child, there is an involvement particularly, care regarding physical, health, moral, and social development and needs legal protection in situations of freedom, dignity, and security. It regarded that the protection and promotion of the rights and welfare of the child entail the performance and duties for everyone.

State parties to the African Children's Charter are to ensure that all Africans have appropriate methods to eradicate harmful social and cultural practices affecting the welfare, dignity, growth, and development of the child (ACC Article 21). Parties are to make provision for the education, health care, and leisure for the African child like the requirements in the CRC (Ibid Article 11 and 12). The African Children's Charter adopts the CRC's definition of a child as being a person under 18 years. Article 15 of the Children's Charter deals specifically with child labour by ensuring that every child is protected from all forms of economic exploitation and from performing any work that interferes with the child's wellbeing just like in the provision of the CRC.

Adding to the CRC and ACRWC, the ILO has set down standards for the protection of children. The following section deliberate on the ILO standards, IPEC programmes, and their relevance to child labour in Ghana.

### **2.3 The International Labour Organisation Convention on Child Labour**

Not only is the CRC and the ACRWC that aim to protect the best interest of children, but also is the ILO which has approved the Minimum Age Convention to avoid children from involving in hazardous work.

In 1919, the ILO was founded and became the UN specialized agency devoted to promoting social justice and internationally recognized human and labour rights. Since the beginning of the ILO, it has adopted 189 conventions, the majority of countries have approved the legislation to ban the employment and work of children. ILO's presence of implementation in its first year was Convention Number 5 on the Minimum Age for the Industrial Sector. It has since then continued to be a leading international forum for tackling child labour issues.

The minimum age for admission covers a wide range of economic activities such as manufacturing, mining, quarrying, electricity, gas and water, sanitary services, transport, construction, storage and communication, plantation, and other agricultural undertakings. (ILO, C005)

By 1932, the ILO had created a broad set of conventions establishing minimum ages of employment. The criteria of these conventions described as not being understood or much care not put into it by current standards (Archampong cited in Smolin, 1999). An example being the Agriculture Convention's failure to create any minimum age for employment outside the hours fixed for school attendance, so long as school attendance not affected (ILO, C010). These Conventions also gave exclusions for work within a family business (Ibid C005). And for domestic work in the family done by members of that family. (Ibid C033)

Fighting child labour across the globe became supreme on the ILO's program. The ILO's fight against practices that end in child rights abuses and engaged through forming of minimum standards and labour rights concerning: freedom of association and the effective recognition of the right to collective bargaining; the effective elimination of child labour; the abolition of all forms of forced or compulsory labour; and elimination of discrimination in respect of employment and occupation. It is important to note that working below the minimum age affects negatively on the wellbeing and best interest of the child. Upon endorsement of the conventions, State parties expected to raise the minimum age outlined in article 1 of the Minimum Age Convention.

Another sign of the ILO Convention on child labour, which also notifies the nature of an organization's approach to child labour, is the Minimum Age Convention (Convention No.138) 1973. It is a concern with the minimum age for admission into employment. According to the preamble, each party must adopt the minimum age for employment by noting the following terms of the Minimum Age (Industry) Convention, 1919, the Minimum Age (Trimmers and Stokers) Convention, 1921, the Minimum Age (Sea) Convention, 1920, the Minimum Age (Sea) Convention (Revised), 1936, the Minimum Age (Agriculture) Convention, 1921, the Minimum Age (Non-Industrial Employment) Convention, 1932, the Minimum Age (Fishermen) Convention, 1959, the Minimum Age (Industry) Convention (Revised), 1937, and the Minimum Age (Underground Work) Convention, 1965 and also the Minimum Age (Non-Industrial Employment) Convention (Revised), 1937. According to the conventions, states that ratify it must fix a minimum age for admission and also link with national policies aimed at ensuring the abolition of child labour effectively.

Accompanying recommendation to Convention 138 is the Minimum Age Recommendation, 1973 (No.146) which provides a policy framework and policy measures to prevent and eradicate child labour. There are five areas of policies to be taken under Recommendation 146. Amongst this are the minimum age, national policy, hazardous employment or work, conditions of employment, and enforcement.

To successfully meet the target of the national policy to the Minimum Age Convention 138, parties must prioritize its planning and decision to meet the needs of kids and youth in national development policies and programmes. (ILO R 146)

Convention No. 138, examined work which by its nature or the conditions in which it carried out is likely to risks' the safety, health or morals of young individuals. And should not be less than 18 years except when it occurs at sixteen-year-olds where it should be on a condition that their health, safety, and morals can be fully secured and provided with the training.

It further permits that the minimum age of light work should be 13-15 years and should not be harmful to their health and development.

ILO Worst Forms of Child Labour Convention, adopted in June 1999 (No.182) promote the act against certain forms of child labour. These worst forms include:



- (a) forms of slavery or practices, such as debt bondage, sale and trafficking of children, serfdom and forced or compulsory labour, including the employment of children for use in armed conflict;
- (b) Using a child for prostitution, for the production of pornography.
- (c) Using a child for illicit activities, in particular for production and trafficking of drugs as defined in the related international treaties;
- (d) Work by circumstances or nature which done is likely to damage the health, safety or morals of children.

The preamble state that the school is an effective elimination of child labour that will demand immediate action taking into consideration the significance of free education and the need to take off the thought, idea, and decisions from various work. The ILO identifies that the long-term answer to ending child labour will contain access to universal quality education. (ILO, 2007)

Presently, the ILO, through the IPEC has the total goal of the advanced eradication of child labour, which achieved through strengthening the capacity of countries to deal with the issues and supporting a worldwide movement to fight child labour. Despite ILO efforts in prohibiting child labour in Ghana, it continues to occur sometimes in terrible conditions. Child labour cannot disappear simply by the stroke of a pen. Therefore, the need for a new approach conforming to this framework in addressing the occurrences in Ghana is necessary.

## **2.4 International Programme on the Elimination of Child Labour (IPEC)**

The IPEC was institute within the ILO in 1992. The setup of IPEC is to strengthen the ability of individual countries in fighting the incidence of child labour.

IPEC offers policy instructions and technical support to governments with certainty that educational policies pay special care to children at the danger of child labour. IPEC tries to make child labour policy importance in socio-economic, development, and poverty reduction policies of member countries, encouraging partnership and mainstreaming of child labour problems. (ILO 2007)

There has existed great success eradicating child labour in countries that have merged IPEC and have endorsed the ILO two core Conventions on child labour. Such countries have the running programme of IPEC. Its purpose reflects on the countries government policies, budget and programmes to ensure agreement with the laws eliminating child labour. (Adeleye, 2014)

Ghana became a member of ILO-IPEC in 2000 (Refworld, 2003). Ghana being an active member in IPEC established the National Plan of Action for the Elimination of Child Labor in Ghana 2001-2002 as a result of a National Steering Committee, the government created to address child labour in 2000. The committee comprised members representing the government, Trade Union's Congress, the Ghana Employer's Association, the media, NGOs, and international organizations (Ibid). Ghana also implemented the West Africa Cocoa/Commercial Agricultural Project (WACAP) to fight the worst forms and exploitative child labour introduced by ILO-IPEC.

Adding the international agreement and IPEC programmes place in Ghana to defend children from all forms of child labour, particularly hazardous and worst forms of child labour. The Ghana government passed national legislation to forbid a child under the legal minimum age from the worst forms of child labour.

The subsequent section deliberates on the Ghana legal system, its relevance and its effects on child labour. This section will further deliberate on the national laws against child labour in Ghana.

## **2.5 Ghana Legal Framework on Child Labour**

Being a party to the International Child Labour System, the Ghanaian government has placed together a collaboration of legislation and programmes for the elimination of child labour in its zone. A discussion of the Ghana legal framework on child labour is below;

### **2.5.1 The Constitution of Republic Ghana (1992)**

At the peak of Ghana's legal framework for understanding the rights of children is the 1992 Constitution. It makes available the basis and direction for improving all other laws of the state for the safety of children (UNICEF, 2016). It made provision for every Ghanaian to enjoy the fundamental human right and freedoms to live as citizens, including children. Most children in Ghana are victims of the different forms of abuse and violations, which include Child Labour. The

1992 Fourth Republican Constitution establishes the rights of the child and provides the framework for performing appropriate laws to protect the rights of children. The Ghanaian Constitution came into existence on January 7, 1993 (Ofori, no date). The constitution as enshrined in chapter five gives full protection of the fundamental human rights and freedoms for all Ghanaians. The constitution talks about respect for the dignity of all persons. There is the prohibition of slavery or servitude and forced labour; neither does the law only provide right but also protects against discrimination on the purpose of exercising that right; there is an enactment of law on educational rights. The attention and care for children to develop on the rights of children have specifically, dedicated to children (1992 Constitution of Ghana). Also, the article demands parliament to pass laws to guaranty every child, the right to the same degree of special care, aid and maintenance as is essential for its growth. Each child, whether or not born out of wedlock, shall be entitled to the provision of the estate of its parents. It demands parents to embark on right and responsibility of care, maintenance and upbringing of their children in such a manner that, in all cases the best interest of the child is supreme; that children and the young person receive special protection against exposure to physical and moral hazards. This article further identifies that every child has the right to be protected from involving in work that constitutes a threat to his education, development, or health. There is also a recognition that no child shall subject to torture or other cruel, inhuman or degrading treatment or punishment. It also states that a child, shall not be denied by any person of medical treatment, education or any other social or economic benefit by reason only of religious or other beliefs. (Ibid)

To provide adequate protection to children's rights in Ghana, the Children's Acts 1998 was passed into law. The Children's Acts is the first law to integrate all rights and responsibilities of children in CRC. (Adeleye, 2014)

### **2.5.2 The Children's Acts 1998 (560)**

There are several laws protecting children's rights and eliminating the occurrence of child labour in Ghana. The CA, on the other hand, is the broad law on children's rights in Ghana.

In 1998 there was a passage of children's acts (560) in Ghana to support the legal protection of children (Zdunnek et al 2008). The country's main provisions have reflected in the Children's Act. In this, there are child-related laws from earlier national legislation and also contains

amendments planned to meet the principles of the United Nations and the ILO. The Children's Act disallows exploitative child labour, explained as labour that denies children of health, education and development (Ibid). It is an act to change and join the law relating to children, to provide for the rights of the child, adoption and maintenance. Control child labour and apprenticeship, for providing necessary support concerning children, and related issues (CA, 1998). Section 1 defines a child as a person below the age of eighteen years. The act prohibits the employment of children in labour that is exploitative. It explains exploitative work as work that denies the child of its health, education, or development. Furthermore, the Acts explained hazardous work as work that creates a risk to the health, safety, or morals of a person. The example given contain going to sea; mining and quarrying; portage of heavy loads and work in manufacturing industries with the use of chemicals. The remaining are workplaces with machines, work in bars, and other entertainment centers which possibly exposes children to corrupt behaviour. (Ibid)

Light work, however, is defined as any work that is not dangerous to the health or growth of a child and does not affect school attendance or a child's ability to profit from schoolwork (Ibid). In line with ILO conventions, the Children's Act explains that the minimum age for admission into light work is 13 years, employment as 15 years, and 18 years for hazardous work. Further, this section discusses human trafficking act.

### **2.5.3 Human Trafficking Act, 2005(694)**

Human trafficking act was endorsed for avoidance, decrease, and punishment of human trafficking, for the restoration and recovery of trafficked persons and associated matters.

The Acts prohibits the trafficking of all persons, including children. The Acts specifies that the best interest of the child should be made paramount in an attempt to rescue, restore, and reintegrate into the main stream society. Also is the labour acts that control labour practices in Ghana and provides for the situation of employment. In a report by the Anti Human Trafficking Unit (AHTU), the labour-related issues in trafficked cases reported are 61 percent whiles 31 percent were sexual exploitation cases<sup>13</sup>. The next section discusses the Labour Acts 2003 on how it protect and prevent children from child labour.

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<sup>13</sup><https://www.graphic.com.gh/news/general-news/16-children-rescued-from-child-trafficking.html>

#### **2.5.4 The Labour Acts 2003(651)**

The Labour Act 651 of 2003 controls employment and labour problems in Ghana. The Act merges all laws that involve employers, trade unions, and industrial relations. The minimum legal age for the labour market is 16 years (ILO). The labour Act prohibits the employment of young persons in hazardous work, which is defined to include work likely to expose the person to physical or moral hazard. The Minister for Labour may decide the precise types of work, with a specification that an employer must not employ a young person in underground mine work.

There are several laws eliminating child labour in Ghana, yet, the occurrence of child labour keeps rising. Therefore, this reveals that the effort put in place to curb child labour successfully in Ghana is not enough.

The socio-economic difficulties which are related to weak institutions, poor-funding, insufficient human and material resources and lack of will to implement laid down legislation are also the curses of these laws and policies in Ghana (Adeleye 2014). Given this, there are also child-related policies that protect children from labouring activity to acquire quality education with positive health and growth. The next section discusses policy in Ghana.

### **2.6 Policies in Ghana**

Several policy methods put in place to understand the constitutional provision and the responsibility for the protection of children from abuse and exploitation. This purpose is to make sure that every child has the right to education, health, and opportunity for self-development.

This policies plan of action include:

The National Plan of Action against Child Labour (NPA), which is a broad framework that seeks to promote effort towards the elimination of the Worst Forms of Child Labour (MESW, 2009). The child and family welfare policy which are laws, policies, programmes and services design to promote the wellbeing of the children by ensuring protection and safety from harm (MGCSP, 2014).

Besides, the government in 2005 established the National Policy Strategies on Orphans and Vulnerable Children (OVC) by HIV and AIDS in 2005. It is to complement and support existing

rules and other social policies for vulnerable groups. It is also a framework for providing care and assistance to vulnerable children in care institutions (MESW and UNICEF 2010). OVC 3 year National Plan of Action (2010 - 2012) supported with social protection measures like cash transfers, improved access to education and health that save parents lives and support families to stay together and care for their children (Ibid).

Also is Early Childhood Care and Development (ECCD) which is the provision of a series of services that support the survival, growth, development, and protection of the young child which began in 2004 and other national legal mechanisms which address several forms of child labour. However, this is not different, as, by tradition, Ghanaians have always devoted care to child upbringing (MWCA 2004).

There have been numerous social protection initiatives that have been developed, in seeing to the difficulties that most children and families experience. These are the capitation grant for public schools, free school uniforms, free bus rides for school children, the National Health Insurance Scheme, and the school-feeding programme. The flagship amongst these strategies is the Livelihood Empowerment against Poverty (LEAP) programme. (MGCSP 2014)

### **2.6.1 LEAP Social Grant Scheme**

The Livelihood Empowerment Against Poverty (LEAP) is a conditional cash transfer programme introduced in Ghana in 2008 that aims at improving the health consequences of OVC through healthier nutrition and use of prenatal care. Leap offers cash and health insurance to extremely poor households across Ghana to ease short-term poverty and encourage long-term human capital development. The programme provides a cash transfer to ultra-poor households with OVC, elderly and the disabled to leap out of poverty (Daidone et al. 2015).

LEAP, like most social cash transfers programmes in most Countries, comes from Brazil's Bolsa Familia programme and also based on the Growth and Poverty Reduction Strategy II (GPRS II) of Ghana. LEAP is a conditional and unconditional social cash transfer programme which targeted extremely poor elderly above 65 years with no productive capacity and assistance, care givers grant scheme for Orphans and Vulnerable Children (OVC) particularly Children Affected By AIDS (CABAs) and children with severe disabilities, caregivers grants for injured /extremely poor

persons living with HIV and AIDS (PLWHA) and social grants for pregnant women/ lactating mothers with HIV/AIDS. (GOG, 2007; MMYE, 2007)

LEAP assists selected families with monthly cash transfer determined by the total poor people living in the home. The cash transfer is unconditional to the people with disabilities or the old people above 65. To receive the cash transfer for Orphan/ Vulnerable Children, households have to follow conditions as listed below:

- (1) Sending children to school (2) not allowing child labour (3) enrolment of family members on the National Health Insurance Scheme (NHIS) (4) birth registration of all children.

Government of Ghana (GoG) budget is used to fund for the cash transfer. The total cost of LEAP lies between 0.1% and 0.2% of total government expenditure (4.2 million US-Dollar). Because of the increase of the food and fuel prices in 2008, the World Bank decided to support the GoG in providing cash transfers to additional 28,000 households to protect them from the negative aspects (Abebrese no date).

Eligibility is built on poverty and having a household member in at least one of three demographic categories: single parent with orphan or vulnerable child (OVC), elderly poor, or person with an extreme disability unable to work (PWD). (Handa and Park 2012) The extreme poor are the target of the LEAP programme. The eligible social categories include:

1. Aged sixty-five years (65) and above without any form of support
2. Severely disabled without productive capacity
3. Orphaned and Vulnerable Children (OVC)
4. Extremely poor or vulnerable households with pregnant women and mothers with infants (MGCSP)

Looking at the LEAP policy in protecting children need to be revised to help eliminate child labour. Using Bolsa programme as a reference will not only see to the welfare of the child but also address the problems of the family. The next section will talk about the child and family welfare programme.

## **2.6.2 Child and Family Welfare Policy**

This policy is amongst the contributing factors, to successfully help eradicate child labour in Ghana. Its practices seen at the community level conforms to most of the traditional view of unity and community support. In Ghanaian communities, a family perceived as more than the biological mother, father, and children. Naturally, children grow up with several relatives, mother, father, brothers, and sisters, who have more concern for their care and to whom they are grateful throughout life. At some point, the support of the child is provided by the community when the need arises.

The policy focus is on the prevention of violence, exploitation and abuse of children. The policy also protects and react to children and their families who are involved in problems that affect the child and offer support to mitigate dangers for vulnerable families. (MGCSP, 2014)

Effectively it integrates the formal service provision with informal, community-based processes and, in doing so, joins families, communities and state institutions to work together as a unified national system for the welfare of children. It improves coordination between all actors contributing to more effective use of resources and improve data. The overall goal of this Child and Family Welfare Policy is to establish an effective child and family welfare system. (Ibid)

The system has identified three areas of particular concern as priorities: These are:

1. Child Protection issues halting family-related challenges, comprising parental responsibility, children deprived of family care, and domestic violence. (Parental responsibility includes custody, maintenance and parentage issues while children deprived of adequate family care consist of children in child care institutions, orphans, and children living or working on the street).
2. Maltreatment of Children includes all forms of abuse, violence, exploitation and neglect of girls and boys, within the family, as well as in schools, in workplaces, in institutions caring for children, and in community.



3. Other protection problems regarding children, particularly older children, that are not brought about by a third party but result from individual risk-taking behaviour. These include but are not limited to illegal abortion, drug trafficking, unsupervised or risky use of the Internet, unwanted pregnancy and substance abuse, and gambling. A priority is also children in conflict with the law. (Ibid)

The set of laws and policies that protect kids from exploitation, violence and ensure that the best interest of the child is protected when violations occur is listed above. This prove that there are more laws and social policies programme protecting the welfare of children. Upon all this, there are still gaps in its operation which sometimes make children vulnerable without any protection when they become a victim. The next section discusses the problem of implementation of legislation eliminating child labour in Ghana.

## **2.7. What accounts for the problems in the implementation of legislation eliminating child labour in Ghana?**

The above stated proves that some laws and policies promote and protect the well-being of the Ghanaian child. Efforts put in place by the government and policymakers in achieving its goals is by ensuring the safety of the welfare, right, and protection of the child throughout the regions of Ghana. However, the occurrence of child labour keeps increasing. Therefore, it shows that the effort made needs to be improved to help eliminate the issue of child labour in Ghana.

There is weak enforcement of the legislation and a cooperative agreement in eliminating child labour as discussed. The socio-economic problems linked to, poor-funding, weak institutions, inadequate human, and material resources are the reason why the incidence still occurs in Ghana. Putting legislation aside, the issues of enforcement, of merging policy and practice is a problem. Although there is a policy regulatory and legal framework, there is still a problem between the written law and the law in practice that deals with child labour issues. In practice, it does not

perform out smoothly as stated in the law and policies that protect the rights of children in engagement with the law.

The laws and policies should employ both issue-specific and joint approach aimed at strengthening and protecting the right of the child from child labour issues. There is no connection between the family (extended family) and the community since they hold the uppermost decision when it comes to the welfare of children. The concerns and needs of the suspected victims need to be addressed in the grassroots on the situation based on what the child and family face to curb child labour because they hold an integral part of the child.

The method of services and programmes is focused on the individual child and not on the family as a whole. As a result, the essential factors contributing to the problem within the family structure not addressed effectively.

Lastly, the lack of monitoring and effective checks on the implementation of enforcement laws on child labour is a major barrier to the effective implementation of legal frameworks. It makes the child go through all forms of hazardous activities since the stakeholders involved to ensure regular information on the occurrence, services and response of the safety of the child is unavailable to monitor the progress.

Given the above-stated problem in executing legislation and policies on child labour in Ghana, the next section will, therefore, give a suggestion that the Ghanaian government could implement or adjust in decreasing the worst forms of child labour in Ghana.

## **2.8 Suggestion to help in Eliminating the Worst Forms of Child Labour in Ghana.**

### **2.8.0 Introduction**

Reports about child labour in the global context often show that the occurrence is declining, but down the grassroots, it is on the rise. However, all state parties involved in eliminating this occurrence must make more efforts in dealing with it at national levels to meet the accurate reports that come up.

Identifying child labour from the human rights point of view is an effort to underline the critical nature of the issue not only in the Ghanaian environment but also worldwide. Hence the fight against child labour demands frequently approach which should rest upon a thorough examination of the contributing factors.

Child labour has a possible damaging impact on a child's physical, development, and intellectual when especially it is above an agreed level. Children involved in dangerous work is a hindrance to the child's school attendance (Hindman, 2009) and also deprives them of enjoying their childhood benefit (ILO-IPEC). The health implications and absent in school are some of the effects on the child. Government and stakeholders, especially those that are in positions to enforce the law and implement programmes can affect the lives of working children positively thereby improve on its measures or adapting new strategies that can change the lives of children in hazardous work. Their attitudes regarding child labour depend on issues, broader plans and actions that are greatly influenced by the social norms, economies, and political institutions of their countries. This section talks about clear suggestions directed toward curbing child labour in Ghana. (Hindman, 2009)

As the section above has presented the legislation that eliminates child labour, it has shown that there are enough laws that protect child labour in Ghana and a lot of effort by the government for ensuring the rights, welfare, and protection of children in Ghana. Apart from the legislation, the problem of enforcement, policy integration, and practices to adapt to international law remains a serious issue within the governmental space.

The question now is why these laws are failing in protecting children under the minimum age of work from involving in hazardous activities that affect the health and growth of the child.

There is a need for attention from authorities and all stakeholders. The lack of contributing factor that involves the spread of the occurrence needs identification and a matter of urgency.

As this research is not the first to talk on eradicating child labour, of course, there have been several studies on child labour. But this research seeks to raise an idea that the policy built solely for children should be address down the grassroots to know the solution in addressing these illicit labouring activities. This section will focus on the suggestion that can be merged to the existing legislation or in revising the child labour policies to achieve an effective result with due recognition of the import of elimination of child labour to help protect children in hazardous or worst forms of

work. Below is the public policy in Brazil that will suggest in to help eliminate the worst forms of child labour.

### **2.8.1 Brazilian Bolsa Familia to Help Eliminate Child Labour in Ghana**

Brazilian Bolsa Familia is a public policy programme which fights against child labour. This programme provides a good result that helps to solve the issue of child labour in the country. This programme will be a reference guide for child labour policies in Ghana. There are already existing laws fighting this menace but these laws and policies as shown at the beginning of this chapter can be revised or integrate with the Bolsa policy because there are still children below 15 years who still engaged in hazardous and illegal forms of work. As a reference, it will aid in enforcing and providing tools that can stimulate family not allow kids to drop out of school and continue education to realize the importance of acquiring knowledge in school.

The Brazilian Bolsa Familia is a social welfare programme of the Government of Brazil. Bolsa Familia gives financial assistance to poor Brazilian families; on a condition that if they have children, families must make sure that the children be in school and also get vaccinated. If they overpass the total of allowed school absences, they removed them from the policy and their funds are suspended (Gomez et al, 2018). The conditional cash transfer (CCT) implemented by the federal government of Brazil since 2003 focused on health and education. The CCT programme is not a credit scheme neither a loan, but it aims to assist citizens to meet their most basic needs for survival. It focused mainly in rural areas where the issues are more than those in the urban areas. The purpose of this is to develop the skills of future generations (Berg 2009). Education constitutes a large part, which targets families with children age 7-15.

Women in this programme received the benefits to care for the children; and this has had a positive effect by motivating women's autonomy, strengthening their position in the home and community, increasing their bargaining power in the family circle, and boosting their self-esteem. 93% of beneficiaries in 2005 were women, and 27% were heads of households (Ibid). With its significance, there was an increase in the number of beneficiaries from 3.2 million families in 2003, to 13.8 million in 2012 (Coelho & Fernandes 2017). Below are what constitute the policy to become a success; the legal framework, conditionality, requirement, and monitoring system.

### 2.9.1 Legal Framework of Brazilian Bolsa Familia

The policy created through a presidential provisional measure which later transformed into law (Britto & Soares 2008). Amongst the following is the law that gives effect to the Bolsa Familia programme:

Article 1 of the law protecting the programme state that The Bolsa Família Program created within the scope of the Presidency of the Republic, designed for income transfer actions with conditionality.<sup>14</sup>

Article 2 state that the financial benefits of the Program subject to the provisions of the regulation are:

- I - Basic benefit, proposed for family units that are in extreme poverty;
- II - the variable benefit, destined to family units that are in a situation of poverty and extreme poverty and that have in their composition pregnant women, nursing mothers, children between 0 (zero) and 12 (twelve) years old or adolescents up to 15 (fifteen) years old, paid up to the limit of 5 (five) benefits per family;
- III - the variable benefit, linked to the adolescent, destined to family units that are in a situation of poverty or extreme poverty and that have teenagers between 16 (sixteen) and 17 (seventeen) years old, being paid up to the limit 2 (two) benefits per family.

In Article 2 of Decree 2, the benefit amount will be R \$ 58.00 (fifty-eight reais) per month, granted to families with a per capita monthly family income of up to R \$ 60.00 (sixty reais).

Also, Decree 3 is granted to families with a monthly family income per capita of up to R \$ 120.00 (one hundred and twenty reais), depending on their composition.

Furthermore, Article 3 of the law provides a grant of benefits that depend on an agreement, where applicable, with conditionality related to prenatal examination, nutritional monitoring, health

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<sup>14</sup> Presidency of the Republic Civil House Sub-branch for Legal Affairs. Law No. 10,836, of January 9, 2004. Retrieved from: [http://www.planalto.gov.br/ccivil\\_03/\\_Ato2004-2006/2004/Lei/L10.836.htm](http://www.planalto.gov.br/ccivil_03/_Ato2004-2006/2004/Lei/L10.836.htm)

monitoring, school attendance of 85% (eighty-five percent) in a regular school, without prejudice to others provided for in the regulation.

### **2.9.2 Eligibility**

To be entitled to Bolsa Familia payments, households must have their names in a registry, the Cadastro Unico, which contains self-reported information on household income, household demographic characteristics, and prior involvement in transfer programs. All families are free to roll into the Cadastro. (Brau et al. 2014)

Also, families with monthly per capita income between R\$ 60, 00, and R\$ 120, 00, with children between 0 and 17 years old will receive the benefit.

Further, Families with monthly per capita income of up to R\$ 60, 00, irrespective of the household composition will also receive the benefit.

### **2.9.3 Conditions of the Bolsa Familia Programme**

Conditions applied to the transfer schemes with the motive of improving their effectiveness and ensuring the use of the benefits. (Rosati 2016)

Beneficiaries selected through joint records of a register evaluate their profiles and social needs. Also, families in the Bolsa Família Programme must meet the programme conditions in the areas of health and education. These conditions include keeping school-age children in school and complying with basic health care requirements, such as keeping the vaccination schedules for children and attending medical appointments for pregnant women and nursing mothers. The object of the abovementioned conditions is not to punish families but to lay responsibility jointly on beneficiaries and the public authorities, the latter bound to recognize the motives for possible non-compliance conditions and implement public policies to help such families (Berg 2009). In the event of non-compliance with the rules, families receive a notice with no penalty, and benefits continue. Upon the second notice, the benefits are blocked for 30 days and maybe unblocked if the case returns to normal. The third notification causes deferment of benefits for 60 days. Benefits get cancelled on the fifth notice, and the family are removed. There were 1.5 million cases in 2007 of non-compliance or 14% of all beneficiaries. Benefits cancelled was 34,050 cases (2%). (Ibid)

The Bolsa Família conditionality is assurances made by the government and beneficiary families within the areas of Health and Education.

The Constitution guaranteed access to those rights. It is the government's responsibility to ensure access, additionally to quality services. The monitoring of conditions permits public authorities to observe results, identify causes that stop families from accessing the basic social services, and act to ensure access.<sup>15</sup>

### **2.9.3.1 HEALTH**

- Children below the age of seven need to have their vaccination schedule up to date and have intensive care of growth and development;
- Pregnant women must make prenatal consultations, in line with the Ministry of Health calendar.

### **2.9.3.2 EDUCATION**

- All children and adolescents aged six to fifteen from beneficiary families must be enrolled within the school and have a minimum frequency of 85% of classes.
- Young people aged 16 to 17 must be enrolled in school and have a minimum frequency of 75% of class attendance.

Failure to comply with the conditions does not end the programme immediately but a gradual process. First, the family get notified, and if the issue continues, the benefit is blocked and suspended. Only in cases of repeated non-compliance, the family may have the benefit cancelled. Before, the government, through Social Assistance, identify the reasons for non-compliance and offer support to assist the family, to solve the issues that caused the situation. Besides, the monitoring of conditionalities to identify insufficient service offerings and difficulties in accessing them. Families who do not meet the required conditionalities are monitored to have agenda between the Bolsa Família program and also the Unified Social Assistance System (USAS).<sup>16</sup> The conditions may raise the awareness of parents the importance of schooling and therefore reduce child work.

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<sup>15</sup> Department of Conditionalities (SENARC/MDS). Conditionalities of the Bolsa Família programme conception, Design and Results. Brasília, 2014. Retrieved from [https://wfp.org.br/wp-content/uploads/2016/12/presentation\\_conditionalities\\_bolsa\\_familia\\_program\\_conception\\_design\\_results.pdf](https://wfp.org.br/wp-content/uploads/2016/12/presentation_conditionalities_bolsa_familia_program_conception_design_results.pdf)

<sup>16</sup> Ibid

### **2.9.4 Monitoring School Attendance**

Formal responsibility and implementing the education conditionality remains with the ministry of education. Teachers in each school gather daily attendance for school children, which is then combined by school directors, corresponding to a list of Bolsa Familia beneficiaries given to the school by the municipality, and sent to the municipal education secretariat regularly. Every two months, there is a combine attendance data, with the calculations of the percentage of absences each month for each schoolchild. After which the data goes to the ministry of education. Although monitoring conducted for effectiveness, few households dropped from the programme due to compliance with the education conditionality. (Brau et al. 2014)

In summary, the power to eliminate the worst forms of child labour in Ghana now depends on the legislature of which is the law-making body. If this policy can integrate and conform to the existing that take care of children in Ghana, it will help solve most issues as poverty is a result of child labour.

### **Conclusion**

The suggestion in this section is some of the ways of dealing with child labour to help eliminate or reduce the worst forms in Ghana. The CCTs offer household with an income transfer that is conditionally listed above. As stated, the LEAP programme operates within the framework of the Brazilian Bolsa Familia to assist the extremely poor household. But like the Bolsa Familia, Leap target is mostly on the aged from 65 years and above and it focus on children in labouring activities is limited and only seen by a stroke a of pen. This policy can be revised to fully see to the welfare of children of which the Bolsa can be a reference to protecting children from hazardous work. Policymakers find it hard to identify better-controlling choices and decision when dealing with issues of child labour. Therefore, the government should not limit their enactment of the protective legislature but also examine the suggested programme stated above as the framework already exists in the LEAP programme and revise it to fully cover for the child's welfare.

Regular monitoring of these policies will address any shortcomings very quickly. This will help reduce the occurrence and the rate at which children work. There should also be community meetings and counselling of parent of these children in all regions for awareness creation about compulsory education for all children in Ghana.



As Cash transfers have been a witness from the above mentioned, the government in Brazil took to help eliminate child labour as well as solving the issue of poverty in the country. This Bolsa Familia programme can have different effects on family behaviour through two strategies. They can affect child labour by improving children's likelihood of attending school. First, cash transfers can bring a change in how households see the worth of children's use of time, by encouraging them to send children to school, reduce their work or not at all. Second, the family can use part of the cash transfer to invest in assets that make the child work more productive. As it provides incomes for families in exchange for kids going to school and getting a regular checkup (Rosati 2016). As a result, it will release the burden of economic vulnerability in most family by increasing their income. There should be workshops and discussion forum in every community to provide information and discussions on child labour to know the inhuman situations these children go through in most cases. This program cannot resolve the issue of poverty just by direct monetary payments but can offer importantly, a concern to the partial solution (Pinzani and Rego 2014). There should be a survey once in a year to know the outcomes of these policies if it is benefiting the vulnerable and any shortcomings.

The next chapter will give the recommendation and conclusion of the above thesis on child labour in Ghana.

## **RECOMMENDATION AND CONCLUSION**

The dissertation, as shown above, have laid down the causes and effects of child labour, especially in its worst forms, in Ghana. It showed the laws and policies that protect children and the gap between why child labour still exists. And has also suggested a public policy that can be used as a reference to the existing ones to help eliminate child labour in Ghana. This chapter recommends regulatory developments and policy interventions for eliminating the worst forms of child labour in Ghana

### **3.1 Recommendation**

The following are recommendations concerning the impact and effect identified from the above on children. There should not be any delay when it comes to the issue of children in labouring activities.

As it has deliberated in the earlier chapter appropriate framework are in place, which is the right way in improving the understanding and have equal protection of children in society.

Nonetheless, this cannot be merely achieved through these legal developments only. For society to achieve in protecting their children from labouring activities, several guidelines for regularity needs to be in place to have accurate data on children in labour work.

Firstly, there should be strong stakeholders to understand this objective. These ranges from formal and informal employees representatives and policy-making bodies that assist in building a great nation. Although Ghana has a great and reliable institution, it is of importance to improve their effectiveness to ensure that these objectives are achieved. As poverty has shown as a cause of child labour in the country, it is important to improve the poverty reduction programme as stated above, to avert children in labour activities. Also, to ensure that household poverty is decreasing

and pave the way for children to enjoy their childhood benefits. National programmes on child labour must link to particular programmes on poverty alleviation and other socio-economic growth. A lot of policy with possible efforts in reducing child labour have implemented without any linked in decreasing the impact on children.

Also, laws and policies that have instituted to protect children must be taken seriously by the government. And effective monitoring or measures need to be put in place to make sure the rightful beneficiaries benefit from all the policies established, especially in rural areas to enroll and retain school-going age children in public schools. The CCT programmes that mainly support the poor in society and importantly for curbing child labour must be revised and focus on dealing with children.

Most often, when there is a change in leadership, it brings about failure in implementing policies that have been put in place by the past administration. This has been the main issues facing the country and continues to be in poverty. It is the responsibility of the Ghana government and policymakers to focus attention on the strategy stated above to continue its enforcement when there is a change in administration to possibly reduce or curb the involvement of children in the workforce across all regions in Ghana.

In addition to this, if parents breach the law and policy set up to protect the children by not enrolling them, they need to be questioned, and if there is a need for them to be sanction, the law should do so because most parents have a mindset, supported by some people that it is too cruel to sanction parents and other family members who send their kids into work at an early young age or who give their kids out to be engaged in work. Some also felt it is more proper to settle any abuse cases at the family or community level than taking it to the appropriate bodies. But if the law deals with perpetrators, it will pave the way for those who genuinely are unable to send their children to school be relieved or reduces some of their burdens on children with the policies the government has to revise or integrate with existing policies.

Although there have been several programmes set up by the government and other policy-making bodies to aids in school fees, school uniforms, and the cost of textbooks for school-going children, it is centered in some regions only, whiles leaving others out. Meanwhile, rural and urban in most deprived areas need special care in achieving the goals in possible time in improving their levels

of education. Therefore, there is a need for government and other law-making body to solve the core problems which end most children in the deprived areas to be vulnerable to labour work and exploitation. By examining the existing policies, there is a need to advocate and implement change by integrating the Bolsa Familia Programme since its framework already exist to allow an equal share. It will be of importance to examine the LEAP programme or in any other alternative that can solely take care of children and the problem their family faced as this will aim at enhancing justice for children. There is a need to make it a national concern for kids in the remote area to get equal rights to education. For this to be successful, there should be a quota scheme to help the children. And by doing this, the government must ensure that all the deprived communities have access to quality education and adequate resources to bring joy to the kids.

Further, there must be continuous programmes put in place for parents, farmers, communities, and the children themselves in their preferred language of understanding on the danger involve in child labour and be well-informed in overcoming this problem. As this will improve the awareness and existence of this law that they are not aware of its protecting children in society. There is support for children's rights and education on the laws eliminating child labour in the country. Yet it is still not enough, and requires more effort particularly, in the rural parts of the country. Community centers or watchdog committee must set up to monitor the attendance and participation of school activities so that if a family or anyone who defaults the measures implemented will be sanction by the law.

Ghanaian government have a responsibility to ensure an enabling environment for children not only in hazardous work but extend it to all forms of illegal practices that most children are involved. If there is a lack of implementation and enforcement of the legal framework, then it is, however, of no essence if these laws are not obeyed and enforced. The minister in charge of children needs to monitor how these frameworks are followed and take serious action no matter the cultural and religious influence that relates to children. Parent and society at large must stop using children as a source of income in the work children do to help stop the menace.

### 3.2 Conclusion

Child labour constitutes a violation of children's rights, and its elimination will bring about the awareness of protecting these rights, which is the concern of growth in any nation.

Protecting children out of dangerous activities or from the workforce without supporting and providing the needs and concerns of the family will not be a useful approach. And in the situation where the family faces financial problems, it ends children into labouring activities although there is access to free and compulsory education.

It is sad to find intelligent and smart children who are supposed to be enrolled in school, to assist family and the nation, are found in hazardous work and loitering on the street which they end up picking a lifestyle that most often brings negative effect in the community.

It may be impossible to eliminate child labour if the government refuses to deal directly with the grassroots to adhere to their problems because that is where most of the issues start. This dissertation has come up or suggested new idea or strategy that the Ghanaian government can use to help in eliminating or reducing the worst forms of child labour and effectively save the lives of most children in the country. If institutional reforms do not evolve to keep pace with innovation that will protect these children in hazardous activity, it is more likely to be repeated. In a book written by Pinzani and Rego (2014), which said, receiving a monetary income does not change the condition of being poor but rather have the assurance of being able to feed a family. Successful control of child labour will lead to the evolution of more intelligent graduate in future. Citizens should contribute their quota positively in reporting child labour issues. Business must also ensure child labour free environment to stop illegal practices.

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