

A JOINT REPORT
THE SITUATION OF GHANAIAN CHILDREN, 2022

List of Organizations

- **Ghana NGOs Coalition On the Right Of the Child – www.gncrcghana.org**
- **Resource Link Foundation – www.rlfgh.org**
- **Youth Development and Voice Initiative – www.yovighana.org**
- **Youth Entrepreneurship and social advancement Centre –**
- **International Child Development programs -**
- **Progressive Excellence Youth Organization – www.peyorgghana.webs.com**

A. Introduction / Methodology:

1. The Ghana NGOs Coalition on the Rights of the Child (GNCRC) was established in 1996 and registered in 1997. Taking its mandate from the UNCRC which enjoins NGOs to participate in the implementation and reporting on the UNCRC, through the formation of National Coalitions, the organization has membership of over 70 NGOs across Ghana, fostering networking and information sharing with NGOs working to promote the rights of Children in Ghana. The Government of Ghana (GOG) made a promise to optimize the realization of children's rights when it ratified the Convention on the Rights of the Child (CRC) in 1990. Ratifying the Convention set the stage for improving the general conditions of children in Ghana through legislation, policy formulation, programme/project implementation, research, monitoring and evaluation with respect to quality care.
2. To the start the process, the GNCRC organized series of meetings with stakeholders such as community members, the ministry of Gender, children and social protection and children to gather data and allow them to make inputs into the report. The team also analyzed data from News items, reports from national and international organizations.
3. This report reveals modest achievements made and challenges encountered by government and its partners to address important needs and gaps of children in the enjoyment of their rights in Ghana. It also responds to certain important observations made by the UNCRC on Ghana's previous reports submitted to the Committee.
4. More than thirty years ago, following the adoption of the International Convention on the Rights of the Child by the United Nations on 5 February, 1990, Ghana was the first country in the world to ratify the treaty, thus committing to integrate it into national law. The African Charter on the Rights and Welfare of the Child, inspired by the Convention, was adopted by several African countries, including Ghana, in the 1990s and came with force in 1999. More specifically, the rights of the child are defined in the Ghanaian Constitution of 1992 and were reinforced by the Children's Act of 1998, thus providing a legal basis for working for the respect of children's rights in Ghana.

B. KEY ISSUES TO BE ADDRESSED:

1. VIOLENCE AGAINST CHILDREN:

a. Previous Recommendation:

- i. 147.33 Deepen efforts to prevent and sanction harmful traditional practices, such as female genital mutilation, the tradition known as trokosi, early forced marriage and accusations of witchcraft and polygamy, guaranteeing the protection and rehabilitation of victims (Argentina); **Source of position:** A/HRC/37/7/Add.1 - Para. 147.
- ii. 146.4 Promptly ratify the Optional Protocol to the Convention on the Rights of the Child on the sale of children, child prostitution and child pornography (Guatemala); **Source of position:** A/HRC/37/7 - Para. 146

Ghana considers a person to be a child until the age of 18. The minimum age for work is 15 years old. Light work is, however, permitted from the age of 13. By this we mean work that does not endanger the health and development of the child. In addition, forced child marriage is prohibited and the official minimum age for marriage is 18 years old.

On paper, the Constitution gives Ghanaian children the rights that every child should have, but the reality is still too far away from legal guidelines.

Violence against girls, women and boys takes many forms, including physical, sexual, gender-based, domestic and emotional abuse, and may involve neglect or deprivation. Violence occurs in many settings, including the home, school, community and over the Internet. Similarly, a wide range of perpetrators commit violence against children and women, such as family members, intimate partners, teachers, neighbors and strangers. Such violence not only inflicts harm, pain and humiliation on women and children; it also kills. All women and children have the right to protection from violence, regardless of the nature or severity of the act. Without addressing violence against girls, women and boys and eliminating human trafficking, Ghana will not achieve some of the SDG targets related to gender equality mostly SDG 5.2, 5.3, 16.2.

The adverse effects of violence, including Sexual and Gender Based Violence (SGBV) against women and children, are devastating for survivors of violence and their families and entail high social and economic costs. A study by the Institute of Statistical, Social and Economic Research (ISSER) of the University of Ghana, revealed that Ghana lost \$18.9 million (GHC73.5 million) as economic costs of violence against women and girls in 2016.

Further, a costing study conducted by Ministry of Gender, Children and Social Protection in 2015 estimated that the cost to Ghana of child abuse is in the order of GH¢ 926 million to GH¢ 1.442 billion per year. In both Ghana-based studies, the highest cost resulted from the loss of productivity. Based on international research, it is estimated that abuse victims will, on average earn 5 per cent less than other children over their lives. **(Ref UNICEF- Budget Brief Ending Human Trafficking & Violence Against Women and Children 2020).**

Despite the legal bases to protect children's rights and the progress made regarding infant mortality and education, significant obstacles still stand in the way of the accomplishment of children's rights. The hardships and difficulties faced by children in Ghana include slavery and forced labour, poverty, physical and moral violence, sexual abuse, poor quality education as well as certain ancestral rites.

On Child marriage and related issues, Ghana has one of the highest child marriage prevalence rates in the world. Several regions in Ghana are recording high prevalence rates related to this harmful practice. On average, 27% of girls (1 out of 4) between ages 20-49 years are married before their 18th birthday. For girls living in the three Northern Regions of Ghana, this percentage increases to 34% (1 out of 3 girls). Also, 20.9% of girls (1 out of 5) between ages 20- 24 are married before 18 years. Recent data on child marriage in Ghana reveals that Upper East Region (39.2%), Western Region (36.7%), and Upper West Region (36.3%) have the highest prevalence rates in the country. Between 2006 and 2011, the following regions have seen considerable increase in prevalence: Eastern Region (+ 6.6%), Central Region (+8.3%) and Western Region (+ 9.3%)¹. In 2014, the Ministry of Gender, Children, and Social Protection (MoGCSP) created an "Ending Child Marriage Unit", which intervenes in communities to address CEFM in Ghana and in 2016, launched the 2017-2026 National Strategic Framework for ending child marriage in Ghana.

The UNICEF (2020) budget brief on ending human trafficking and violence against women and children in Ghana showed that 38% of girls between 15 and 19 have experienced some form of sexual violence in Ghana and this must be attended to.

2. CHILD EDUCATION

a. Previous Recommendation:

- i. 146.120 Continue its efforts to deliver free education to all, and to ensure that women, children, persons with disabilities and other vulnerable groups are at

the forefront of its efforts (State of Palestine); **Source of position:** A/HRC/37/7 - Para. 146.

- ii. 146.123 Enhance education and awareness-raising to ensure maximum respect for the rights of girls (Japan); **Source of position:** A/HRC/37/7 - Para. 146

Over the years education in Ghana has gone through several reforms geared towards quality education and accessibility from school feeding programmes, free SHS education, Technical and Vocational Education (TVET), and now introduction of some form of technology and other social protection interventions. In 2020, the gross enrollment ratio for primary school pupils in Ghana reached 103.44 percent, showing a slight decrease which was as a result of the COVID 19 pandemic compared to the 104.84 percent reported in the preceding year. From 2008 to 2020, the gross ratio of primary school enrollment fluctuated between a low of 100.29 percent in 2009 and a high of 108.34 percent in 2015.

Enrollment in Senior high schools has seen dramatic increments since the introduction of free SHS, according to **statista.com**, in 2008 a gross secondary school enrollment ratio of 47.35 enrollments were recorded against 77.67 in 2020. Nevertheless, though Ghana is on the path of achieving accessibility of education for all, both rich and poor the issue of quality still remains a challenge, this includes lack of text books, desks, infrastructure and teacher to student ratio.

As of March 2020, there were nearly 405 thousand-second cycle students enrolled under the Free Senior High School (SHS) policy, as against 512,083 applicants at the same date. This policy was launched by the government of Ghana in September 2017 to provide free and accessible education to people at this educational level. Enrollment in secondary schools increased significantly since the institution of this educational policy. Pupil-teacher ratio in primary schools in Ghana was 26.99 as of 2019. Its highest value over the past 45 years was 35.39 in 2006, while its lowest value was 23.24 in 1986.

The issue of lack of national educational policy for basic and senior high public education has led to ad-hoc change of educational systems, policies and structures that have over the years had significant negative effects on pupils, students' performance, mental and psychological health and overall development of young people and its affects on lifestyles and invariably on productivity .

Currently, the quality of education is a growing debate in Ghana. The decision of Government to purchase past questions for candidates of secondary schools when it is time for the students to write the West African Senior High School Final Examination has heightened the debate on quality of secondary education. As at December 2021, the government has not supplied text books to basic school pupils more than two (2) after the introduction of a new basic educational curriculum. This has, and might have implication for quality basic education due to lack of textbooks.

Furthermore, Free SHS and its accompanied logistics and the Basic school feeding program are facing serious timely release of funds and other logistics which affect school curriculum and running of academic calendar. The school children who are at the center of all these are greatly affected in academic performance, psychological and health of these children in schools.

3. SPECIAL PROTECTION MEASURES

a. Previous recommendation:

- i. 146.159 Encourage the Ministry of Gender, Children and Social Protection to end the practice and harmful effects of child marriage and related cultural practices (Kenya);
Source of position: A/HRC/37/7 - Para. 146.
- ii. 146.160 Make the Ending Child Marriage Unit operational within the Ministry of Gender, Children and Social Protection (United Kingdom of Great Britain and Northern Ireland);
Source of position: A/HRC/37/7 - Para. 146.

Despite a comparatively strong social protection framework, less than one percent of the nation's Gross Domestic Product (GDP), since 2015, is spent on such interventions, a recently-released mirror report by SEND Ghana, has found.

The Mirror report, which follows a study conducted in partnership with the Ghana Civil Society Partnership on Social Accountability for Social Protection including some Ghana NGOs coalition on the Rights of the Child seeks to provide a complementary and comprehensive evaluation of official government reports with the view to promoting mutual accountability in the implementation of social protection intervention.

It showed that Ghana falls behind its Lower-Middle Income peers in Sub-Saharan Africa (SSA) who spend approximately 2.2 percent of GDP in this regard. Unsurprisingly, the nation's social protection expenditure pales in comparison to the middle-income range, which the United Nations Children's Fund (UNICEF) indicates is between 6.7 percent and 8.7 percent (**Source-<https://thebftonline.com/>**)

It is truism that, of all children in Ghana aged 5 to 17 years, about 21 per cent are involved in child Labour and 14 per cent are engaged in hazardous forms of Labour as well as witnessing as twice as common in rural areas. For poorer households, child Labour is a negative coping mechanism and most of the children are involved in Agriculture (especially cocoa), mining and fishing industries as well as some commercial and service sectors.

In all regions, the vast majority of working children are unpaid family workers between the ages of 5 and 7 years. While usually boys are more likely to be doing manual work, this could be due to the household interpretation of what constitutes child labour. Thus, the heavy domestic workload for girls, including childcare, is not considered as labour. There are no reliable figures on the number of children affected by the worst forms of child labour (including sale of children, pushing or forcing girls to Early Marriage by Parents, child prostitution and trafficking) and children living and working on the streets of Ghana

While accurate numbers of human trafficking cases don't exist since all these are done behind the scenes, it is believed that the large majority of all cases involve children, mainly girls. In spite of the progress, the findings on the worst forms of child labour in Ghana by the U.S. Department of labour indicates that children suffer child labour in fishing and cocoa farming due to human trafficking (U.S. Department of Labour, 2020)

It has been estimated that 21.8% of Ghanaian are child labourers with about 6 in 10 children doing hazardous work (Government of Ghana, 2017). Ghana is yet to ratify the U.N. Convention on the Rights of the Child's Optional Protocol on the Sale of Children, Child Prostitution and Child Pornography (U.S. Department of labour, 2020)

Again, teenage pregnancy affects the girl child in Ghana in many ways, it affects the girl child emotionally, Psychosocially and healthily. Teenage Pregnancy also affects the education of the girl child. The below table shows the distribution of the prevalence of Teenage pregnancy from 2011 to 2018.

Data on CEFM & Teenage Pregnancy

Region	2011	2014	2018
National	27%	27.2%	19%
Northern	27.4%	39.6%	28%
Upper East	39.2%	36.1%	28%
Upper West	36.3%	37.3%	22%
Brong Ahafo	29.1%	23.9%	17%
Western	36.7%	32.9%	23%
Central	31.2%	29.5%	22%
Eastern	27.2%	27.5%	23%
Greater Accra	12.2%	18.5%	8%
Ashanti	30.5%	25.9%	17%
Volta	29.3%	25.9%	24%

Source: National Strategic Framework on ending child marriage and the 2017/2018 MISC report.

In 2008, teenage pregnancy in Northern Ghana was 22.6% (GSS,2009) and reduced to 10.8% in 2011 (MICS, 2012)

4. Cyber Security

a. Previous recommendation:

- i. 146.5 Expedite the ratification of the Optional Protocol to the Convention on the Rights of the Child on the sale of children, child prostitution and child pornography (Hungary); **Source of position:** A/HRC/37/7 - Para. 146.

In the context of child online protection, multi-stakeholder cooperation is a necessity. Internet developments are increasingly reaching rural areas, including internet access in schools and homes, making it easier for children to access a wide variety of content. If development of the internet is not accompanied by structured, continuous, and measurable e-literacy education programs and policies, then a wide range of problems are created, and children are left vulnerable.

Today, Children are also exposed to content that are harmful. A report from UNICEF indicates that more than 13,000 images and videos of child sexual abuse were reportedly accessed or uploaded from Ghana in 2020. As a consequence, it is imperative to develop an approach to deal with online safety in the country.

Ghana NGOs coalition on the Rights of the Child (GNCRC) and allied Civil Society Organizations (CSOs) play multiple vital roles in the protection of children online, by way of awareness creation, supporting victims and survivors.

Others member CSOs work to build better tools to identify and track illegal and abusive materials. Even though the government of Ghana has put some measures in place for the country, more collaborations with CSOs is needed to guarantee a comprehensive strategy for child online protection. The passage of the landmark Cybersecurity Act, 2020 (Act 1038) provides the legal basis for cybersecurity development in the country. Section 2 of Act 1038 establishes the Cyber Security Authority (CSA) with the mandate to regulate cybersecurity related activities in Ghana. Sections 60, and 62 – 66 of the Cybersecurity Act, 2020, directly impacts the works of civil society organizations who play a crucial role in the effective implementation of Act 1038 including the protection of children (Section 62 – 66)

The Cyber Security Act 2020 (Act 1038) (Government of Ghana, 2020), provides for the protection of children online. Section 62 of Act 1038 deals with indecent images or photographs of the child. This Act is in its early stage and implementation is being keenly observed. Non censorship of the use of children's images on TV, radio, and social media is still a challenge. Children who might have committed crimes have their images splashed all over the media. A recent murder case - involving teenagers witnessed widespread showing of the images of the children involved in some media outlets (Newsghana.com, 2021).

It is realised that, defilement continues to be the worst form of sexual exploitation and abuse in Ghana. Section 63 to 66 of the Cyber Security Act (Government of Ghana, 2020), deals with issues of sexual exploitation and abuse. The ACT 1038 (Cyber Security Act) is yet to gain ground and its implementation is keenly being observed.

5. DISABILITY, BASIC HEALTH AND WELFARE

a. Previous recommendation:

- i. 146.19 Amend the Persons with Disability Act of 2006 in line with the Convention on the Rights of the the
Persons with Disabilities (Turkey); **Source of position:** A/HRC/37/7 - Para. 146.

Despite being a Lower-Middle Income Country with impressive social protection schemes, Ghana's spending on social protection as a percentage of GDP is less than 1%, which is even lower than average spending in Low-Income Countries. In Middle-Income Countries, social protection spending as a percentage of GDP is between 6.7% to 8.7%. Ghana's spending on social protection is also below the sub-Saharan African average. In addition, current budget allocations and forecasted allocations will not enable Ghana to reach national targets for the number of Ghanaians to be covered as outlined in the National Social Protection Policy and the Medium-Term National Development Planning Framework, nor global and regional targets such as SDG 1.3

In order for the sector to meet national targets, allocations in the multi-year budget need to increase significantly.

Acknowledging that the economic impacts of COVID-19 and interest payments on government loans

are creating fiscal pressures, it is nonetheless critical to invest in social protection both to protect Ghana's gains in poverty reduction over the past two decades and as a counter-cyclical measure to enable economic recovery. This requires increasing social protection spending to 2% of GDP in 2022, and gradually up to 4.5% of Ghana's GDP by 2025 in line with global benchmarks and commitments.

This allocation should be reflected in the MDA's MTEF (2022-2025) as well as allocation in the 2022 national budget. (Ref - **SOCIAL PROTECTION BUDGET BRIEF 2021**- [link here](#))

Social neglects and negative attitudes towards PWDs still prevail as some people make fun of them and their needs neglected or are not always prioritized .

The allocation of funds from the District Assembly Common Fund where they offered 2% of the District Assembly common fund is always in arrears, sometimes for up to one year and therefore unable to access it regularly to meet their fair share of the National Resources .

Also recognised that, The Percentage of District Assembly Common Fund for PWD's are not paid as planned due to lack of reliable source or special funds allocation from regular sources or inflows- probably due to Covid-19 and related issues or no priority on resource allocations

OUR RECCOMENDATIONS:

- The Government of Ghana through the department of children should give priority to child sexual abuse cases, when seeking redress in the value chain of stakeholders so that evidence is not compromised on issues like child marriage, FGM and related Gender based violence.

- Ghana Police Service (DOVVSU) should be adequately resourced to enforce the law.
- Government must adequately increase budget allocation to cater for the vulnerable children who fall out of their families because of abuse and violence.
- Department of Social welfare must track every abuse case and give feedback report on quarterly bases to the Department of Children.
- The State or the Government should intensify the enforcement of the National Plan of Action Phase II for the Elimination of the all-Worst Forms of Child Labour in Ghana - (Government of Ghana, 2017)
- Government to Provide alternative livelihoods and sources of income including social security and National trust fund to ensure sustainability flow of income to reduce poverty driven parents and intensify child Rights education in schools and also to fast-tracking of the Social Protection Bill by the Ministry of Gender, Children and Social Protection for submission to Parliament.
- Ministries of interior and communication should put in place clear road map and responsibilities for collaborative engagement between the cyber security Authority and the CSOs to integrate and cover all forms sexual exploitation and abuse (OCSEA) and use of appropriate information Technology means for effective monitoring publication on censorship.
- The Ministries of Education and information to integrate cyber security education in all schools and put in place all safe guarding principles and monitoring mechanisms on the use of Technology for the best interest of the child.
- The Government to establish an emergency Preparedness fund as percentage of the social security and national insurance trust(SSNIT) for all social protection interventions and for emergency Preparedness fund in support of children and parent with disability including Mental health in the mist of post covid 19 era and for any Pandemic.

REFERENCE:

1. . (<https://www.corteidh.or.cr/tablas/r27682.pdf>)
2. Realizing Children's Rights in Ghana <https://www.humanium.org/en/ghana/>
3. Gross primary school enrollment ratio in Ghana <https://bit.ly/3Ny5ldB>
4. Ghana - Pupil teacher ratio <https://bit.ly/3AgjgSM>
5. Source- <https://thebftonline.com/>

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