

# Gender Inequalities in Rural Employment in Ghana

## *Policy and Legislation*



Prepared by the Gender, Equity and Rural Employment Division of FAO

2012



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## Acknowledgements

The preparation of the country profile was possible thanks to the research and data analysis carried out by the Country Profile Team in the Gender, Equity and Rural Employment Division (ESW) of the Food and Agriculture Organization (FAO) of the UN, namely Martha Osorio, Maria Adelaide D’Arcangelo, Ana Paula de la O Campos, Federica Di Battista, Joseph Ssentongo and Elisenda Estruch. The completion of the Country Profile would not have been possible without the valuable support of Marcela Villarreal, Director of ESW and Eve Crowley, Principal Advisor of the same division. Other FAO staff members who played a significant role in the review process were Libor Stloukal, Bernd Seiffert, Monika Percic, Ileana Grandelis, Elisabeth Garner, Diana Tempelman, Athifa Ali and Sophie Tatria. The provision of data and relevant information from national institutions, such as the Ghana Statistical Service, the Ghana Ministry of Labour, the Ghana Ministry of Agriculture, the RIGA team of the FAO Agricultural Development Economics Division as well as the FAO Ghana Country Office were essential in rendering possible the completion of the report.

## Table of Contents

List of Acronyms .....	5
Introduction.....	6
I. Political Framework.....	7
II. Gender Equality Legal and Policy Framework.....	9
2.1 Treaties and Conventions.....	9
2.2 Relevant Legislation for Gender Equality.....	9
2.3 Relevant Policies and National Plans for Gender Equality.....	10
III. Rural Employment Legal and Policy Framework, from the Perspective of Gender.....	15
3.1 Conventions.....	15
3.2 Relevant Legislation for Rural Employment.....	15
3.3 Relevant Policies and National Plans for Rural Employment.....	17
3.4 Worker’s Social Security Schemes .....	19
Endnotes.....	20
References.....	22

## List of Acronyms

CAADP	Comprehensive Africa Agriculture Development Programme
DWCP	Decent Work Country Program
ESW	Gender, Equity and Rural Employment Division of FAO
FAO	Food and Agriculture Organization of the United Nations
FASDEP	Food and Agriculture Sector Development Policy
GAR	Greater Accra Region
GDP	Gross Domestic Product
GNI	Gross National Income
GPRS	Growth and Poverty Reduction Strategy
GSGDA	Ghana Shared Growth and Development Agenda
GSS	Ghana Statistical Service
GSWG	Gender Statistics Working Group
HPI	Human Poverty Index
ILO	International Labour Organization
LEAP	Livelihood Empowerment Against Poverty Programme
MDG	Millennium Development Goal
MoWAC	Ministry of Women and Children's Affairs
NGO	Non-Governmental Organization
NPP	New Patriotic Party
SADC	Southern African Development Community

## Introduction

Poverty in Ghana continues to be extensive, particularly for farming households. Low agricultural productivity and the lack of decent work opportunities, along with a poorly educated workforce pose great challenges for poverty eradication.

In the data analysis presented as part of this *policy kit*, we identify areas of special concern in respect to achieving social and gender equality. One is the fact that rural women face greater difficulty translating their labor into paid work and their paid work into higher, more secure incomes. Low education attainment, limited access to resources (i.e. land) and credit, and concerning workloads, are impediments for increasing their productivity.

Another area of concern is Ghana's young population's inability to join the labor market, especially outside the agricultural sector. Despite the progress in youth education, there is increasing migration in search of higher-paying jobs. In principle, migration is not a negative phenomenon; however, the sustainability of rural livelihoods depends on a more educated and dynamic population.

The lack of comprehensive policy formulation and legal mechanisms hamper efforts to promote social and gender equality in rural labor markets. Policies that take into account the multiple dimensions in which social and gender inequalities interact, particularly in rural areas, will support decent employment initiatives and income generating activities. The Ghana *profile on policy and legislation* developed by the Gender, Equity and Rural Employment Division (ESW) of the Food and Agricultural Organization of the United Nations aims to improve the understanding of the available policy and legislation mechanisms that are relevant for addressing gender and social inequalities in rural labor markets.

## I. Political Framework

Ghana became the first sub-Saharan country in colonial Africa to gain its independence in 1957. Before Lt. Jerry Rawlings took power in 1981 and banned political parties, the country underwent a long series of coups. Since the restoration of democracy in Ghana and the promulgation of the 1992 Constitution, the country has maintained continuous progress towards strengthening multiparty democracy.

Elections are held for the President of Ghana, who is both head of state and head of government, as well as the 230 parliamentary members who hold four year terms in single member constituencies. Elections are on the basis of universal suffrage and have taken place consistently since 1992. The last presidential and parliamentary elections were held in 2008, and were the fourth fully competitive general elections since 1996.

The two largest political parties are represented by the New Patriotic Party (NPP) and National Democratic Congress (NDC). These parties have both enjoyed two consecutive terms in presidential office and majorities in parliament: the NDC from 1992-2000, and the NPP from 2000-2008.<sup>1</sup> Between the two candidates who received the most votes, - Nana Afuko-Addo and John Atta Mills - Mills was certified as the victor and took office on January 3, 2009. In his address to the Nation, the newly elected President committed to bold austerity measures for 2009 and 2010 with aim to put Ghana's fiscal stance onto a sound and sustainable track. He also committed to protecting the development objectives set forth in Ghana's Second Growth and Poverty Reduction Strategy (GPRS). In this, the President emphasized the centrality of private-led growth to reduce poverty, along with human development and governance efforts to promote equity.<sup>2</sup>

The Constitution establishes the following branches with relative division of power:

**Executive branch:** The President of Ghana is popularly elected for a maximum of two 4-year terms and is assisted by a Vice-President who is nominated before the election. The president also appoints the Ministers and Deputy Ministers of State as part of the executive arm of government. Since 2009, the position of President has been held by John Atta Mills, and that of Vice President by John Dramani Mahama. On the ministerial level, there are four female ministers out of 30, and 14 female deputy ministers out of 49.

**Council of State:** A presidentially appointed consultative body of 25 members is required by the constitution. At the time of research, the Council State has only three female members.<sup>3</sup>

**Legislative branch:** The unicameral Parliament of 230 members is popularly elected for a 4-year term by the people from all constituencies in the country. The Legislature examines and passes laws laid in the House on behalf of the President. Only 20 women (8.7 percent) were elected to parliament during the last parliamentary elections of 2008.

**Judicial branch:** A body of independent Supreme Court justices, including the head of the Judiciary, the Chief of Justice, is nominated by the President with the approval of the Parliament. The Chief of Justice plays a strategic role in reviewing the judicial reforms proposed to the national government. A significant step forward in the integration of gender issues in the national political sphere has been the recent nomination and election of a woman, Georgina Theodora Wood, as Chief of Justice.<sup>4</sup>

Although the Constitution guarantees all persons the opportunity to participate in decision-making at every level,<sup>5</sup> socio-cultural structures and traditional practices still hinder women's participation in the spheres of political and public life. There have been some initiatives targeted at promoting the participation of women in public life with the development of the Women's Manifesto starting in 2003.<sup>6</sup> There have also been other activities to increase votes for female candidates to parliament, but in terms of real representation in political life in Ghana participation of women remains marginal. In the 2008 Parliamentary elections, of the 1,060

contesting parliamentary candidates only 103 were women, representing less than 10 percent of all candidates while none of the eight presidential candidates were women. Three of the presidential running mates, were however, female.<sup>7</sup>

Women are also noticeably underrepresented in election administrative structures. Throughout the entire Northern region, few women hold senior government positions. For example, at the time of research only one female held a senior position in the Regional Ministry of Women and Children.

**Table 1: distribution of women parliamentary candidates and winners in the elections between 1996 and 2004**

Distribution of Women Parliamentary Candidates and Winners 1996-2004			
Year	1996	2000	2004
<b>No. of Women Contestants</b>	53	95	104
<b>Proportion Elected</b>	18 (31%)	19 (20%)	25 (24%)

*Source: Department of Women, MoWAC*

In 2008, the number of women in Parliament reduced significantly from 25 to 20 in a 230 member Parliament. Currently, with the demise of one of the female members, there are only 19 women (8 percent) in Parliament, reducing the proportion of female representation to less than 10%. This put Ghana below the international average of 13 percent. At the district assembly level, women constitute 10 percent of assembly members, while in Public Service there are only five female chief directors. Strong male domination at senior and mid-level management of most district assemblies and the absence of women at the regional and district levels of decision-making are major concerns. The development of the decentralization process in 2001 means key decisions over projects, budgets, monitoring and evaluation are increasingly made at these lower levels.<sup>8</sup> Furthermore, the trend of decreasing women in administrative and political leadership, may require specific affirmative action programs to be reversed.<sup>9</sup>

**Table 2: Women in Key Political and Administrative Positions**

Position	Total (2008)	% Female	Total (2009)	% Female
<b>Chief of Justice</b>	1	100	1	100
<b>Chief Director</b>	25	24	25	24
<b>Supreme Court Judges</b>	14	29	N/A	N/A
<b>High Court Judges</b>	27	25	N/A	N/A
<b>District Assembly Appointee</b>	1956	28	164	7.3
<b>District Assembly Elected</b>	4830	11	N/A	N/A

*Source: Ghana Human Development Report 2007*

Since 2001, there has been a steady increase in the appointment of females in leader positions: for the first time in the history of Ghana, a woman, Mrs. Joyce Bamford Addo, a retired Supreme Court, judge has been appointed Speaker of Parliament.<sup>10</sup> Moreover, mention can be made of the Deputy Inspector General of Police, Mrs. Elizabeth Mills-Robertson, and recently the Vice Chancellor of the University of Cape Coast, Professor Jane Naana Opopku-Ageymang.<sup>11</sup> The Ministry of Women and Children's Affairs (MoWAC) plays a role of paramount importance for advancing women issues to the forefront and in making sure women are integrated into decision making and leadership positions. The role of MoWAC is particularly crucial in the context of a decentralized system, and can therefore contribute to bringing gender equality to national policies, programmes and projects, with a strong focus on the rural setting.



## II. Gender Equality Legal and Policy Framework

### 2.1 Treaties and Conventions

Relevant signed treaties and conventions include the following:

- Convention on the Elimination of All Forms of Discrimination against Women (CEDAW) 1979 (Signed 17 July 1980 and Ratified 2 January 1986);
- Beijing Platform for Action 1994;
- Optional Protocol to the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW-OP) 1999 (Signed 24 February 2000);
- International Covenant on Economic, Social and Cultural Rights (ICESCR) 1966 (Ratified 7 December 2000);
- International Covenant on Civil and Political Rights (ICCPR) 1966 (Ratified 7 December 2000);
- African Charter on Human and Peoples' Rights (ACHPR) (Ratified the 24 January 1989 and Signed 3 July 2004 and);
- Declaration on the Rights of Indigenous People (Voted in favour as a member 13 of September 2007);
- International Convention on the Elimination of All Forms of Racial Discrimination (CERD) (4 January 1969);
- International Convention on the Rights of the Child (CRC) 1991 (2 September 1990);
- International Convention on the Protection of the Rights of all Migrant Workers and Members of their Families (MWC) 1990 (1 July 2003);
- International Conference on Population and Development 1994.

### 2.2 Relevant Legislation for Gender Equality

**2.2.1 The Constitution of Ghana** was adopted in 1992 and came into effect on January 7, 1993. Consisting of 26 Chapters, the Constitution features an elaborate and comprehensive human rights regime: Chapter five is entirely devoted fundamental human rights and freedoms consistent with the International Bill of Rights. These include political and civil rights as well as economic, social and cultural rights:<sup>12</sup>

- Article 17 states that all persons are equal before the Law.
- Article 17(2) states that “a person shall not be discriminated against on grounds of gender, race, colour, ethnic origin, religion, creed, social or economic status.”<sup>13</sup>
- Article 17(4) makes provision for special legislation or policies to address discriminatory socio-cultural, economic or educational imbalances in the Ghanaian society.
- Article 18 guarantees every citizen with the right to property.
- Article 22 provides that spouses shall have equal access to property jointly acquired during marriage, and that assets which are jointly acquired during marriage shall be distributed equitably between the spouses upon dissolution of the marriage.<sup>14</sup> Article 22 also prohibits the deprivation of a reasonable provision of a spouse’s estate upon death or dissolution of marriage.

Overall, the concrete implementation and enforcement of constitutional provisions face many constraints. First of all, the provisions explicitly emphasizing the fundamental human rights of both women and men together, and exclusively those of women in relation to their role as mothers and care providers, lack of positive discrimination within. This gives way to a misconstrued application of the constitutional laws. In addition, although statutory provisions afford women a fair measure of protection, they are often compromised by the existence and predominance of discriminatory customary practices. These practices, compounded with a lack of

sufficient and timely support by the judiciary to effectively implement formal regulations, significantly limits women's ability to claim the rights, especially those in rural areas.<sup>15</sup>

**2.2.2 The Intestate Succession Law of 1985**, amended in 1991, aims at providing a uniform intestate law applicable throughout the country. More specifically, it stipulates that in the absence of testamentary wills, two-thirds of the deceased's estate passes to the spouse and children; the rest passes onto the remaining family members.<sup>16</sup> However in practice, despite the formal legal provisions, women's property rights and access to resources tend to be less secure and dependent on their male relatives. Inheritance to property is significantly based on kinship and lineage arrangements. There are three customary systems which determine inheritance and access to social services: the matrilineal, the patrilineal, and the double descent system in which a child can inherit property from both of the parents' lineages.<sup>17</sup>

**2.2.3 The National Land Policy of 1999**, amended 2002, was released by the Ministry of Lands and Forestry, to improve the management of land in the country. The objective is to reinforce the Land Title Registration Law by increasing the security of land tenure through land registration. Under the National Land Policy, the *Land Administration Project* was launched in 1999 in order to improve the land administration system. It established an administrative structure to ensure women, landless and vulnerable population with tenure security. As of 2009, the Institute of Local Government Studies (ILGS) has designed a gender strategy for the land sector to enable development interventions that mainstream, as well as, address gender related problems at the traditional and the Land Sector Agencies (LSAs) level.<sup>18</sup>

It is estimated that about 80 percent of rural land is regulated by customary law. Community decision-making, with regards to the distribution of land plots, is under the responsibility of lineage chiefs.<sup>19</sup> According to customary law, all members of lineage are entitled to usufructuary rights or customary freehold regardless of their sex. In practice, however, male family heads of household are in charge of establishing land ownership.<sup>20</sup> Hence, women's access to and use of land is mediated through their male counterparts.<sup>21</sup>

## 2.3 Relevant Policies and National Plans for Gender Equality

**2.3.1 The National Gender and Children's Policy** was released by MoWAC in 2004. Its main objective is to mainstream gender concerns into the national development process in order to improve the social, legal/civic, political, economic and cultural conditions of the people of Ghana, particularly women and children.<sup>22</sup> The policy framework recognizes the critical role of other stakeholders – state institutions and organizations, civil society, non- governmental organizations as well as international organizations – and envisages the establishment of a Multi-Sector Steering Committee to be coordinated by MoWAC and led by the Ministry of Finance and Economic Development.<sup>23</sup>

Specific Objectives of the National Gender and Children's Policy include the following:

- To redress imbalances from existing gender inequalities through policy review, legal reforms and enforcement of existing legislation;
- To provide a national framework from which policies are derived;
- To implement activities designed to strengthen women and children's role in the economic development;
- To promote women's equal access to, and control over, economically significant resources and benefits;
- To enhance the survival, development and protection of children.<sup>24</sup>

Most importantly, the policy framework emphasizes the cross-cutting nature of gender equity issues and aims at integrating these in all development efforts on national, sectoral, district and local levels, particularly in the rural areas.<sup>25</sup>

**2.3.2 Sector Medium Term Development Plan (SMTDP) 2010-2013**, the four-year development plan developed by MoWAC consists of the following objectives:

- Promote Gender Mainstreaming and Gender Responsive Budgeting (GRB) through capacity building;
- Improve the socio-economic status of women and children through targeted interventions;
- Enhance evidence-based decision making on gender equality and women empowerment by supporting the collection of gender-disaggregated data;
- Foster the rights of women and children through effective awareness raising and implementation of policy and legal frameworks;
- Monitor and evaluate the progress of programs measuring the impact on gender mainstreaming;
- Support government's development policies affecting women and children in Ghana.<sup>26</sup>

Other relevant policies and strategies are the following:

**2.3.3 Ghana Shared Growth and Development Agenda (GSGDA), 2010-2013.** Under the Growth and Poverty Reduction Strategy (GPRS) I and II, substantial progress was made towards the realization of macroeconomic stability and the achievement of poverty reduction goals. While the GPRS-I focused on poverty reduction programs and projects, the GPRS-II focused more on the implementation of growth, inducing policies, viewed as catalysts to wealth creation and sustainable poverty reduction. More specifically, the GPRS-II aimed at the realization of macroeconomic stability, private sector-led growth, vigorous human resource development and good governance and civic responsibility. However, structural challenges also emerged, characterized by large fiscal and balance of payment deficits.<sup>27</sup>

The GSGDA was prepared in the context that oil and gas development in commercial quantities marked a transition in Ghana's development as a petroleum producing and exporting economy.<sup>28</sup> With the consideration that oil revenues alone will not guarantee immediate development for the country, the GSGDA fosters the structural transformation of the economy through industrialisation. Particular emphasis is on manufacturing based on modernised agriculture and sustainable exploitation of natural resources. The process will be underpinned by rapid infrastructural and human development, as well as, the application of science, technology and innovation.<sup>29</sup>

The GSGDA is anchored on the following themes:

- Ensuring and sustaining macroeconomic stability;
- Enhanced competitiveness of Ghana's private sector;
- Accelerated agricultural modernisation and natural resource management;
- Oil and gas development;
- Infrastructure, energy and human settlements development;
- Human development, employment and productivity; and
- Transparent and accountable governance.

Within the chapter on "Human Development, Employment and Productivity", the document outlines objectives and strategies for addressing the equity gaps, quality, infrastructural, human resources, regulatory and management issues associated with the delivery of social services. More specifically, it looks at education, health, - including HIV/AIDS, nutrition and food security- employment, productivity, sports development and population management, especially the mainstreaming of population into development planning. It gives special

attention to the issues of children, youth, aged people, and people with disabilities, and the reduction of poverty and income inequalities through special pro-poor interventions and social protection.<sup>30</sup>

Nevertheless, the document does shed light on the challenges yet being faced by the country; gender inequality figures as one of the major ones:

- Accelerating progress towards the achievement of the Millennium Development Goals, especially those relating to maternal mortality, child mortality, gender equality and environmental sanitation;
- Major regional inequalities with the north experiencing significantly higher levels of poverty than the rest of the country; and
- Major gender inequalities with women and girls performing worse across all the main social indicators.<sup>31</sup>

The GSGDA document also contains a specific clause concerning the national policy evaluation framework, where “efficiency in the development process and judicious use of limited resources at all levels” need to be improved.<sup>32</sup> Strategies suggested include the following: (1) strengthening the coordinating function of the National Development Planning Commission (NDPC) to enhance evidence-based decision-making and resource allocation at all levels; (2) strengthen capacity of NDPC, Ministries, Departments and Agencies (MDAs), Regional Coordinating Council (RCCs), and Metropolitan, Municipal and District Assemblies (MMDAs) in development planning, including monitoring and evaluation; (3) institute a training program for all MDAs and MMDAs in gender sensitive policy making and gender responsive budgeting; (4) develop management information systems for tracking spatial investments to facilitate resource allocation and investment decision-making; and, (5) enforce planning laws and regulations at all levels.<sup>33</sup>

The Annual Progress Report (APR) serves as a key instrument in monitoring and evaluating the progress of the GSGDA; the first was issued in 2010. The APR document assists in identifying weaknesses and constraints to reaching the goals and objectives of the GSGDA; it also makes recommendations in addressing the bottlenecks. The APR presents the status of indicators and targets, which were adopted in 2010 by stakeholders for tracking the achievements of key policy and program interventions.<sup>34</sup>

**2.3.4 Medium-Term National Development Policy Framework (MTNDPF) 2010-2013.** The MTNDPF aims at achieving a structural transformation of the economy by 2020.<sup>35</sup> In this regard, the MTNDPF focuses on directing national efforts towards industrialization, modernized agriculture and sustainable exploitation of Ghana’s natural resources.<sup>36</sup> The framework introduces a whole section specifically devoted to the reduction of the “feminisation of poverty”. The key strategies in achieving this are equitable access to land, labour, credit, markets, information, technology, business services, as well as, social protection, including property rights.

Moreover, the social protection of women is recognized as interdependent with access to education. Most importantly, this requires mechanisms for continuing secondary and vocational/training education and avoiding drop-outs. The framework also reiterates the paramount importance of promoting a minimum of 40 percent female representation in decision-making and leadership positions.<sup>37</sup> The framework explicitly underlines the importance of implementing gender-sensitive policy-making together with gender-responsive budgeting.<sup>38</sup> The document also calls for the review and enforcement of existing laws protecting women’s rights with the potential integration of new legislation to address existing gaps. Possible interventions include the review and strengthening of on-going awareness campaigns on existing laws and practices, together with the overall expansion of the institutions dealing with women’s rights.<sup>39</sup>

**2.3.5 Food and Agriculture Sector Development Policy (FASDEP II) 2007.** FASDEP II emphasizes that gender inequality in the agriculture sector has undermined the achievements of sustainable agricultural development. Dissemination of new and improved technologies through extension services often remains unbalanced between women and men farmers; only 20 percent of services reach women.<sup>40</sup> Moreover, the document explicitly mentions that the lack of harmonized gender-disaggregated statistics, and its accessibility to all development planners and policy makers, hampers gender-sensitive planning.<sup>41</sup> Another issue is the low level of

female representation within the Ministry of Food and Agriculture (MoFA), where women make up just 16 percent of total staff, and only 9.5 percent are in a position of decision-making.

FASDEP-II advocates a closer focus on the formulation of policies and programmes from a gender perspective. This will enable the government to work towards greater gender equality in the agriculture sector. The main strategies suggested include the promotion and formation of viable and gender equitable farmer groups and farmer-based organisations, to enhance knowledge, skills, and access to resources along the value chain, and to strengthen bargaining power in marketing.<sup>42</sup>

Overall, FASDEP-II recognizes the need for partnerships with other national institutions and with the private sector to improve sectoral policy responses. However, when pointing to national policies with a direct impact on the food and agriculture sector, gender policies and employment policies are not mentioned. This is despite the fact that the agricultural sector employs the bulk of the labour force and often manifests high levels of inequalities, such as child labor.<sup>43</sup> With regards to youth employment, the document states how the government “will facilitate the mentoring of the youth by establishing agribusinesses, especially those engaged in high value markets.”<sup>44</sup>

There has not been an evaluation on the implementation of the FASDEP-II, however, on October 2009, Ghana became the 10th African country to sign the Comprehensive Africa Agricultural Development Programme (CAADP) and since 2008, has been in consultation with the relevant national stakeholders and development partners in the design of a sector-wide approach (SWAP).<sup>45</sup> In the case of Ghana, the CAADP implementation process has sought to add value to the ongoing agenda and processes under FASDEP as part of the GPRS and National Medium and Long Term Development Plans.<sup>46</sup>

**2.3.6 Medium Term Agriculture Sector Investment Plan (METASIP 2011-2015).** METASIP 2011-2015 was developed by MoFA and mirrors the objectives set out in the FASDEP-II document, which include the following: food security and emergency preparedness; increased growth in incomes; increased competitiveness and enhanced integration into domestic and international markets; sustainable management of land and environment; science and technology applied in food and agriculture development; and, improved institutional coordination with a specific target for agriculture sector. The Plan seeks to improve agricultural performance by focusing on investments to address identified constraints in the agriculture sector and to improve agricultural productivity and enhance market access. In addition, the Plan focuses on attaining a GDP growth of at least 6 percent per annum and a government expenditure allocation of at least 10 percent of the national budget over the plan period.

Although not directly included within the main objectives, the document underlines the need to integrate gender equity issues in all activities along the value chain in order to ensure equitable participation. In this regard, the directorate for Women in Agricultural Development (WIAD) is assigned a lead role. There is some mention as to issues concerning income-generation, namely reference to smallholders and the need to support livelihood diversification in both their production systems and in off-farm income-generating activities. The section Programme 2, “Increased growth in incomes”<sup>47</sup>, gives noticeable attention to the necessary support of income-generating activities of poor farmers by taking into account the regional diversity and recognizing the role of farmers’ organizations.

Despite the significance of its objective, the METASIP document does not consider the nuances underlining the labor sector, or other rural income-generating activities. For example, the document fails to address gender issues.<sup>48</sup> Nor does METASIP provide specific support for rural labor markets or to take into account the sex, age, regional, and rural/urban dimensions.<sup>49</sup> This constitutes a major gap, considering that self-employment is a significant portion of the labor sector and total population in Ghana. Specifically, in the agriculture sector almost fifty percent of the population is self-employed.

METASIP does not reference the powerful synergies between labor and the agriculture sector. These connections create invaluable potential for sustainable linkages between the ministry of labour, MoFA and MoWAC. A more in depth consideration of the employment dimension of investments within the METASIP document would strengthen the link between investment, as a crucial means for better livelihoods, and employment as a the major source of income generation.

**2.3.7 Gender Statistics Working Group (GSWG).** In view of the increasing demand for gender statistics at the national, regional and global levels, the Ghana Statistical Service (GSS), in collaboration with United Nations Economic Commission for Africa (UNECA), is proposing that Ghana set-up a local experts group on gender statistics. This group will generate data for national use, and to feed into regional and international databases for analysis and comparison. The main objectives of the proposed group are the following: (1) to identify gender gaps in the production of statistics; (2) to develop a conceptual and analytical framework for integrating a gender perspective, particularly women's non-market work (unpaid work), into the national accounting systems; (3) to outline how gender statistics should be produced and used in Ghana; and, (5) to outline how to promote the use of gender statistics by government, planning bodies, the media, research institutions and other stakeholders. The stakeholders involved in the initiative include government institutions, Parliament, civil society organizations, research/academic institutions, gender advocates, and UN agencies, among others.

Starting from the construction of a gender-aware model using a gender-aware Social Accounting Matrix as a database, the GSS conducted a Time Use Survey, which will lead into the production of Household Satellite Accounts. The 2012-2013 GSWG work-plan foresees the development of a gender manual and of a database on gender indicators. Most importantly, the GSWG focuses on ensuring that gender considerations are included in methodologies and data collection instruments in order to support the formulation of gender sensitive policies and programmes.<sup>50</sup>

**2.3.8 Education Strategic Plan (ESP) 2010-2020.** This plan provides the strategic framework for the development of the national education sector and strongly focuses on the achievement of equitable access to good quality education. It guarantees improving opportunities for all children in the first cycle of education at the kindergarten, primary and junior high school levels.<sup>51</sup> This is a clear indication that the country aims at progressing towards the MDG goal of primary education in terms of enrolment. If this is indeed the case, there are various constraints that need to be tackled. Among those constraints are the inclusion of the more vulnerable children, the possibility of retention in and completion of basic education, as well as the effective monitoring and evaluation of all aspects related to the quality of education.<sup>52</sup>

**2.3.9 The National Adolescent Reproductive Health Policy (2000).** The policy, developed by the National Population Council, is another important document that recognizes the interdependence between gender and health. It provides a context for addressing teenage pregnancies, adolescent sexuality and early marriage. Other related health issues tackled in the document include: infant mortality, maternal mortality, fertility rates, family planning and sex education. Specific strategies for the implementation of the policy, particularly with regards to the rural and marginalized areas, where effective enforcement is often limited due to the scarce availability of funds and awareness raising, are not included within the policy.<sup>53</sup>



## III. Rural Employment Legal and Policy Framework, from the Perspective of Gender

### 3.1 Conventions

Ghana joined the International Labour Organisation (ILO) in 1957. The following are the main ILO Labour Conventions ratified by Ghana to this day<sup>54</sup>:

- Forced Labour Convention, 1930 (No. 29) (ratification: 1957)
- Underground Work (Women) Convention, 1935 (No. 45) (ratification: 1957)
- Labour Inspection Convention, 1947 (No. 81) (ratification: 1959)
- Abolition of Forced Labour Convention, 1957 (No. 105) (ratification: 1958)
- Worst Forms of Child Labour Convention, 1999 (No. 182) (ratification: 2000)<sup>55</sup>
- Hours of Work (Industry) Convention, 1919 (No. 1) (ratification: 1973)
- Weekly Rest (Industry) Convention, 1921 (No. 14) (ratification: 1973)
- Minimum Wage-Fixing Machinery Convention, 1928 (No. 26) (ratification: 1959)
- Minimum Age (Industry) Convention (Revised), 1937 (No. 59) (ratification: 1957)
- Freedom of Association and Protection of the Right to Organise Convention, 1948 (No. 87) (ratification: 1965)
- Night Work (Women) Convention (Revised), 1948 (No. 89) (ratification: 1959)
- Right to Organise and Collective Bargaining Convention, 1949 (No. 98) (ratification: 1959)
- Equal Remuneration Convention, 1951 (No. 100) (ratification: 1968)
- Maternity Protection Convention (Revised), 1952 (No. 103) (ratification: 1986)
- Indigenous and Tribal Populations Convention, 1957 (No. 107) (ratification: 1958)
- Discrimination (Employment and Occupation) Convention, 1958 (No. 111) (ratification: 1961)
- Social Policy (Basic Aims and Standards) Convention, 1962 (No. 117) (ratification: 1964)
- Recruiting of Indigenous Workers Convention, 1936 (No. 50) (ratification: 1957)
- Contracts of Employment (Indigenous Workers) Convention, 1939 (No. 64) (ratification: 1957)
- Labour Administration Convention, 1978 (No. 150) (ratification: 1986)
- Labour Relations (Public Service) Convention, 1978 (No. 151) (ratification: 1986)

### 3.2 Relevant Legislation for Rural Employment

Labor rights and obligations are emphasized in the Constitution, the Labor Act 2003, Social Security Act No. 247 1991, Social Security Regulation Unemployment Benefit No 777 1972, Children's Act 1998, Human Trafficking Act 2005, Domestic Violence Act 2007, Juvenile Justice Act 2003. In addition, Ghana has ratified the major ILO Conventions promoting the fundamental principles and rights at work.

#### 3.2.1 Constitution of Ghana 1992:

- Article 24 states that every person has the right to safe and healthy conditions, with the guarantee to receive equal pay for equal work without the distinction of any kind. The article states that all workers have the right to be assured rest and a reasonable limitation of working hours, periods of holidays with pay, as well as remuneration for public holidays. Moreover, every worker has a right to form or join trade unions for the promotion and protection of economic and social interests.
- Article 28(2) of the Constitution provides that every child has the right to be protected from engaging in work that constitutes a threat to his or her health, education or development, with a clear specification that the term child refers to a person below the age of 18 years.
- Chapter Six on "The Directive Principles of State Policy", addresses the State's obligations towards all citizens, to guarantee all necessary actions for the development of the national economy in such a manner so as to secure the maximum welfare, freedom and happiness of every person, providing adequate means of livelihood and suitable employment.<sup>56</sup>

#### 3.2.2 Labour Act No. 651 2003:

- Part III elaborates that the employer has the right to employ a worker, discipline, transfer, promote and terminate the employment of the worker. The main duties of the employer include providing work and appropriate raw materials, paying the agreed remuneration and taking all steps to ensure that the worker is free from risk of personal injury or damage to his or her health. At the same time, the worker has the right to work under safe and healthy conditions, to receive equal pay for equal work without distinction of any kind, have rest and reasonable limitation of working hours and period of holidays with pay as well as remuneration for public holidays.
- Article 11, states that the worker works conscientiously, reporting work regularly for the overall enhancement of productivity, exercising care in the execution of the assigned work.
- Part IV of the Labour Act is entirely dedicated to the “Employment of Women”.
- Article 55 elaborates on “night work or overtime by pregnant women”, establishing that unless consented to by the worker, an employer shall not assign or employ a pregnant woman worker or a mother of a child less than eight months old to do night work or engage for overtime. Here, night work is defined as work which is carried out any time within a period of eleven consecutive hours; that includes the seven consecutive hours occurring between ten o’clock in the evening and seven o’clock in the morning. If this provision is not respected by the employer, the woman worker has the right to file a complaint to the National Labour Commission.
- Article 57 specifically stipulates that a woman is entitled to a period of maternity leave of least 12 weeks in addition to any period of annual leave she is entitled to after her period of confinement.<sup>57</sup>
- Article 58 of the Labour Act on the prohibition of employment of young persons in hazardous work, a young person, defined as of or above 18 years but below 21 years of age, shall not be engaged in any type of employment or work likely to expose the person to physical or moral hazard, which can be further determined by the Minister by legislative instrument. Paragraph 3 prohibits the employment of a young person in an underground mine work. Any person who contravenes these provisions commits an offence and is therefore liable to conviction.
- Article 59 elaborates that an employer shall not employ a young person on any work unless a medical practitioner certifies that the young person is in good health and medically fit for said work.
- Part Ten deals with special provisions related to temporary workers and casual workers. The casual worker is entitled to: equal pay for work of equal value for each day worked, access to any necessary medical facility, paid overtime.<sup>58</sup>

### 3.2.3 Children’s Act No. 560 1998:

The Children’s Act defines a child as a person below the age of eighteen years.

- Article 3 of the Act, clearly states that no person shall discriminate against a child on the grounds of “gender, race, age, religion, disability, health status, custom, ethnic origin, rural or urban background, birth or because the child is a refugee.”<sup>59</sup>
- Article 8 envisages that every child has the equal right to access education, immunization, together with an adequate diet, shelter and medical attention.
- Section 87 explicitly elaborates on the prohibition of exploitative labour, where labour is defined as being exploitative when it deprives a child of its health, education or development.<sup>60</sup> In addition, children cannot be engaged in night work, where night work constitutes work between the hours of eight o’clock in the evening and six o’clock in the morning.
- Article 91, stipulates that the minimum age for the engagement of a person in hazardous work, or work that poses a danger to health, safety or morals of a person, is eighteen years.

**3.2.4 National Education, Vocational Guidance and Training Act No. 351 1970.** The Act enjoins companies to introduce apprenticeship schemes when there is a technical business attached to the establishment. Hence, employers have the obligation to provide training for their employees for the attainment of the level of competence required for the performance of their jobs and to enhance their career. No explicit distinctions are provided with regards to the application of the Act in the different sectors of the economy. Moreover, the act



remains gender neutral and does not specify on the equal rights of both female and male employees to access vocational guidance and training.<sup>61</sup>

### 3.3 Relevant Policies and National Plans for Rural Employment

**3.3.1 The National Employment Policy.** Ghana does not have a comprehensive Employment Policy. The final presented in September 2010, is yet pending and currently awaiting final approval.

#### **3.3.2 National Plan of Action for the Elimination of the Worst Forms of Child Labour in Ghana (2009-2015).**

The commitment to support the elimination of child labor activities and mainstream them into institutional action plans has led to the development of the National Plan of Action (NPA) through the Ministry of Employment and Social Welfare (MESW) with support from the International Programme on the Elimination of Child Labor (ILO/IPEC).<sup>62</sup> The NPA aims to serve as a concrete and coordinated platform for implementing both national and international regulations which address the various forms of child labor.

With regards to the implementation of the NPA, three types of agencies are to be involved in the process: (i) Ministries, Departments and Agencies (MDAs) at the central level; (ii) Metropolitan, Municipal and District Assemblies (MMDA); and, (iii) civil society organizations, including employers' and workers' organizations. Within the scope of the NPA, community participation is considered to be crucial at both the detailed planning and implementation stages.<sup>63</sup> With the overall objective of reducing the worst forms of child labour to the barest minimum by 2015, the NPA focus includes the following major areas:

- enforcement of laws;
- broad-based sensitization and mobilization to promote attitudinal and behavioral change;
- protection of children and their rights with the fostering of universal basic education and generalization of post-basic education;
- withdrawal of children below the age of 15 from child labor and the protection of working children aged 15 and above from exploitation and hazardous work;
- development of institutional capacities at all levels of government and within civil society to ensure the effective application of legal mechanisms.

The document recognizes the urgent need to tackle forms of exploitation against girls, since girls form the majority of children in the worst case of child labor, specifically the commercial sexual exploitation of children and domestic servitude. Nevertheless, the hidden and informal nature of these cases hampers the effective examination of the consequences and potential remedies.<sup>64</sup>

**3.3.3 West African Cocoa and Commercial Agriculture Program to Combat Hazardous and Exploitative Child Labour (WACAP).** This initiative's main objective is the prevention and elimination of hazardous child labor in the cocoa and other agricultural sub-sectors in Ghana, Cote d'Ivoire, Guinea and Nigeria. Ghana participated between 2003 and 2006. With the support of the ILO/IPEC and the United States Department of Labor, the Ministry of Manpower, Youth and Employment coordinated activities, such as: awareness raising for families and communities; capacity building for farmers, labor inspectors and workers; pilot interventions to remove children from work and facilitate their enrolment in education; pilot projects to improve income generating activities of families; and, the development of a child labor monitoring system (ILO/IPEC 2005).<sup>65</sup>

**3.3.4 National Program for the Elimination of the Worst Forms of Child Labour in the Cocoa Sector (NPECLC) 2006.** The five year program launched by the Ministry of Manpower, Youth and Employment has an overall goal to eliminate the worst forms of child labor in the cocoa production by 2011 and in all other sectors by 2015. The Ministry of Manpower is responsible for the coordination of the program, and there is strong cooperation with other partners, namely the Ministry of Economic Planning, UNICEF, the World Cocoa Foundation, the

International Cocoa Initiative, the International Cocoa Industry as well as several civil society groups. The program is funded by the government, as well as multi and bilateral donors.<sup>66</sup>

**3.3.5 Livelihood Empowerment against Poverty Program (LEAP).** Carried out by the Ministry of Manpower, LEAP aims to reach those who are in extreme need through direct cash transfer; payments are between 8 and 15 Ghana Cedi per household per month (about 7 and 13 USD). In March 2008, the payments started in 21 pilot districts with the objective to expand to 164,370 households in 138 districts over five years (by 2012). Households with income below the poverty line qualify for LEAP, if all the children of schooling age are enrolled, and none have been trafficked or is engaged in any of the worst forms of child labor.<sup>67</sup>

### **3.3.6 ILO Decent Work Pilot Programme (DWPP) and Decent Work Country Programme (DWCP) for Ghana.**

The preparations for the ILO DWPP for Ghana started in April 2002, with the establishment of a steering committee which included representatives from the Ministry of Manpower, Youth and Employment, the Ghana Employer's Association, and the Trades Union Congress. The pilot program began in 2003 focusing on policy formulation and advocacy, and the development and testing of approaches and policy tools. An additional focus was to build national capacity through partnerships and alliances between relevant national institutions. On the national level, the main focus of the DWPP is building national ownership with regards to the development of the socio-economic policy environment for poverty reduction. On the local level, the DWPP focuses more specifically on integrating a strategic approach for the reduction of poverty in the informal economy.

In March 2005, a national delegation headed by the Minister presented the work of the DWPP to the ILO Governing Body. Its success set a precedent for the implementation of an integrated ILO program for poverty reduction, and landmarked the launch of the DWCP for 2006-2009. In consultation with the constituents and representatives of women workers, the DWPP for Ghana examined the gender dimensions of poverty, particularly the informal labor sector. The following Gender Mainstreaming Strategy was the result: rather than presenting gender-specific activities, ensure that gender dimensions are integrated throughout the DWPP's core activities.<sup>68</sup>

The ILO DWCP will build on the work and advances of the DWPP, focusing its agenda on local economic development and women's entrepreneurship to support the youth employment program.<sup>69</sup> Follow-up actions to the Ghana DWCP are underway. Consultations between the constituents and relevant national bodies are ongoing since the end of October 2010 and the agenda of the program is being defined.

**3.3.7 Savannah Plan for Accelerated Growth.** The Savannah Accelerated Development Authority (SADA) is an independent agency that coordinates a comprehensive development agenda for the northern savannah ecological zone. This zone includes the three Northern regions of Ghana: Upper East, Upper West and the Northern Region. The Savannah Plan for Accelerated Growth acknowledges geographical disparities and seeks to support disadvantaged areas; it aims to provide opportunities for poor peasants, especially women, to own assets, sustain their food crop production and protect the fragile eco-system of the northern savannah by managing the flood-prone river-beds. The northern savannah economy is expected to grow and provide a competitive market to cover the Sahel – Burkina Faso, Togo and Ivory Coast - by opening-up the northern savannah zone through investments in strategic roads, rail transport and alternative sources of energy. The main objective is to mainstream SADA programs within existing institutions. The collaboration with civil society organizations will facilitate the generation of proposals for innovative programs, notably at the Regional Coordinating Councils and the District Assemblies.

The SADA does not sufficiently consider the question of gender disparities in the rural and more marginalized areas. The strategy fails to recognize the importance of female agricultural producers along the value chain, and how their vulnerability and high exposure to risk limits their empowerment and their ability to undertake long-term investments in agricultural modernization.<sup>70</sup>

## 3.4 Worker's Social Security Schemes

**3.4.1 Social Security Scheme 2008.** The national Social Security Scheme is based on the recent National Pensions Act No. 766 of 2008, which amends the previous Social Security Act No. 247 of 1991. The National Pensions Act applies to the following categories:

- Every employer and every worker or employee employed by its establishment including expatriate employees;
- Any other employer, worker and self employed addressed in the Social Security Act, 1991;
- Self-employed persons who opt to join the social security scheme.

The Act establishes a contributory three-tier pension scheme with a Pension Regulatory Authority. The first tier, basic national social security scheme, incorporates an improved system of Social Security and National Insurance Trust (SSNIT) benefits and aims at being mandatory for all employees in both the private and public sectors. A person may join the social security scheme between the ages of a minimum fifteen and a maximum forty-five years. Workers who are fifty-five years or above and are entitled to retirement benefits under a pre-existing scheme are exempt, but are free to join the new scheme. The second tier, occupational or work-based pension scheme, is mandatory for all employees but privately managed. It is designed primarily to give contributors higher lump sum benefits than presently available under the (SSNIT)<sup>71</sup>. The third tier, voluntary provident fund scheme and personal pension scheme, is supported by tax benefit incentives for workers in the informal sector and is also designed to provide additional funds for workers in the formal sector who want to make voluntary contributions to enhance their pension benefits.<sup>72</sup>

The document remains gender neutral in its entirety and makes no specific mention to the social security of rights of mothers on maternity leave or to housewives who are not formally active in the labor force as such but who engage in domestic and care labor. The document also fails to make any reference to the informal labor sector. As underlined by the GLSS 2005, wage employment accounts for only 17.5 percent of the population, compared to 55 percent in self employment, and 20.4 percent contributing to family livelihood; 37.5 percent of women are self-employed in the informal non-agricultural sector.<sup>73</sup>

**3.4.2 National Health Insurance Scheme 2003.** The National Health Insurance Act No.650 of 2003 provides that all residents of Ghana join one of the following three schemes:

- district mutual insurance scheme
- private mutual insurance scheme
- private commercial health insurance scheme.

The policy framework aims to provide the general guidelines for the establishment of the National Health Insurance Scheme; all Ghanaians are obligated to join a health insurance scheme in Ghana. The scheme attempts to address the provision of safe and affordable healthcare to all residents of Ghana.<sup>74</sup> The idea is for every district to be divided into Health Insurance Communities so that health insurance can be brought to all households.<sup>75</sup> All contributions are paid in line with one's ability to pay; for the informal sector, community health insurance committees are to identify and categorize residents into social groups so that individuals in each group pay what they can afford. By law, the poor or indigent who are considered as adults and unemployed and receive no consistent financial support from identifiable sources are exempted from contributing to any District Mutual Health Insurance Scheme. Children under 18 years, whose parent(s) or guardian(s) pay their own contributions, are exempted from paying any contribution.<sup>76</sup>

- <sup>1</sup> Judicial Service of Ghana. Historical Development of the Courts. Official Website available at [http://web.archive.org/web/20071006085801/http://www.judicial.gov.gh/history/before\\_indp/page\\_2.htm](http://web.archive.org/web/20071006085801/http://www.judicial.gov.gh/history/before_indp/page_2.htm).
- <sup>2</sup> Modern Ghana. June 2009. Ghana Economic Governance and Poverty Reduction Credit. World Bank Ghana Office. (available at <http://www.modernghana.com/news/223430/1/ghana-economic-governance-and-poverty-reduction-cr.html>).
- <sup>3</sup> Pathways of Women's Empowerment. July 24 2008. Hearing Women's Voices in Politics. (available at <http://pathwaysghana.blogspot.com/2009/03/hearing-womens-voices-in-politics.html>).
- <sup>4</sup> Judicial Service of Ghana. Historical Development of the Courts. Official Website (available at [http://web.archive.org/web/20071006085801/http://www.judicial.gov.gh/history/before\\_indp/page\\_2.htm](http://web.archive.org/web/20071006085801/http://www.judicial.gov.gh/history/before_indp/page_2.htm)).
- <sup>5</sup> Republic of Ghana. 1992. Constitution Article 35.
- <sup>6</sup> The Women's Manifesto of Ghana is a political document that sets out critical gender issues with clear demands for addressing them. To ensure that a broad constituency participated in the drawing up of the Manifesto, a series of consultations with different stakeholders were organised to seek their mandate and solicit their ideas and views on critical issues of concern to women. This took place from June to December 2003. The manifesto covers areas such as "Women in Politics", "Decision making and Public Life", "Women's Economic Empowerment and Women", "Human Rights and the Law" among others, clearly laying out the issues and demands that can guide government's efforts. For further information, refer to the "Women's Manifesto for Ghana. 2004. The Coalition on the Women's Manifesto for Ghana (Hosted by ABANTU for Development) Accra, Ghana.
- <sup>7</sup> European Union. Election Observation Mission; Ghana, Presidential and Parliamentary Elections, 7 December 2008. (available at [http://ec.europa.eu/external\\_relations/human\\_rights/election\\_observation/ghana/preliminary\\_statement\\_en.pdf](http://ec.europa.eu/external_relations/human_rights/election_observation/ghana/preliminary_statement_en.pdf)).
- <sup>8</sup> African Development Fund. Ghana Country Gender Profile. October 2008. pp. 28 (available at <http://www.afdb.org/fileadmin/uploads/afdb/Documents/Project-and-Operations/ADF-BD-IF-2008-237-EN-GHANA-COUNTRY-GENDER-PROFILE.PDF>).
- <sup>9</sup> UNDP. April 2010. 2008 Ghana Millennium Development Goals Report. (available at <http://www.undp-gha.org/docs/GhanaGhanaMDGReport-2010.pdf>).
- <sup>10</sup> Betty Mould-Iddrisu. November 29, 2010. 'Towards Increased Women's Participation and Representation in Parliament'. (available at <http://bettymould.wordpress.com/2010/11/29/%E2%80%98towards-increased-women%E2%80%99s-participation-and-representation-in-parliament%E2%80%99/>).
- <sup>11</sup> Pathways of Women's Empowerment. (2008) *ibid*.
- <sup>11</sup> Judicial Service of Ghana. Historical Development of the Courts. Official Website (available at [http://web.archive.org/web/20071006085801/http://www.judicial.gov.gh/history/before\\_indp/page\\_2.htm](http://web.archive.org/web/20071006085801/http://www.judicial.gov.gh/history/before_indp/page_2.htm)).
- <sup>12</sup> UNDP. (2007) *ibid*.
- <sup>13</sup> Republic of Ghana Constitution. (1992) *ibid*.
- <sup>14</sup> UNDP (2007) *ibid* p 120
- <sup>15</sup> CEDAW. (2005). *Ibid*.
- <sup>16</sup> African Development Fund (2008) *ibid*.
- <sup>17</sup> UNDP (2007) *ibid* p. 60
- <sup>18</sup> FAO Gender and Land Rights Database (2010) *ibid*.
- <sup>19</sup> African Development Fund (2008) *ibid* p15
- <sup>20</sup> African Development Fund (2008) *ibid* p15
- <sup>21</sup> FAO Gender and Land Rights Database (2010) *ibid*.
- <sup>22</sup> Republic of Ghana. 2004. National Gender and Children Policy. Ministry of Women and Children's Affairs.
- <sup>23</sup> African Development Fund (2008) *ibid*.
- <sup>24</sup> National Gender and Children Policy (2004) *ibid*.
- <sup>25</sup> The Ministry of Health released a Gender Policy in 2009. At the time of publication of the Country Profile, relevant information regarding this policy was not available.
- <sup>26</sup> Republic of Ghana. Ministry of Women and Children's Affairs. Official Website <http://www.mowacghana.net/programs.html>
- <sup>27</sup> MOFEP. 2010. *The Ghana Shared Growth and Development Agenda (GSGDA)*. Ghana Consultative Group. [http://www.mofep.gov.gh/documents/Fact\\_Sheet\\_MTNDPF1\\_LR.pdf](http://www.mofep.gov.gh/documents/Fact_Sheet_MTNDPF1_LR.pdf).
- <sup>28</sup> Dr. Adutwum, R.O. May 2011. *Draft 2010 Annual Progress Report of the GSGDA, 2010 -2013*. 2011 Multi-Donor Budget Support Review Venue: Kofi Annan ICT Centre of Excellence. [www.mofep.gov.gh/documents/FINAL\\_APR\\_PRESENTATION.ppt](http://www.mofep.gov.gh/documents/FINAL_APR_PRESENTATION.ppt)
- <sup>29</sup> MOFEP. 2010. *The Ghana Shared Growth and Development Agenda (GSGDA)*. Ghana Consultative Group. [http://www.mofep.gov.gh/documents/Fact\\_Sheet\\_MTNDPF1\\_LR.pdf](http://www.mofep.gov.gh/documents/Fact_Sheet_MTNDPF1_LR.pdf).
- <sup>30</sup> National Development Planning Commission. September 2010. Medium-Term National Development Policy Framework: Ghana Shared Growth and Development Agenda (GSGDA), 2010-2013. <http://ghana.um.dk/en/~media/Ghana/Documents/GSGDA.ashx>
- <sup>31</sup> National Development Planning Commission. *Ibid*.
- <sup>32</sup> National Development Planning Commission. September 2010. Medium-Term National Development Policy Framework: Ghana Shared Growth and Development Agenda (GSGDA), 2010-2013. <http://ghana.um.dk/en/~media/Ghana/Documents/GSGDA.ashx>. Pg102

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- <sup>33</sup> National Development Planning Commission. September 2010. Medium-Term National Development Policy Framework: Ghana Shared Growth and Development Agenda (GSGDA), 2010-2013. <http://ghana.um.dk/en/~media/Ghana/Documents/GSGDA.ashx>.
- <sup>34</sup> Dr. Adutwum, R.O. May 2011. *Draft 2010 Annual Progress Report of the GSGDA, 2010 -2013*. 2011 Multi-Donor Budget Support Review Venue: Kofi Annan ICT Centre of Excellence. [www.mofep.gov.gh/documents/FINAL\\_APR\\_PRESENTATION.ppt](http://www.mofep.gov.gh/documents/FINAL_APR_PRESENTATION.ppt)
- <sup>35</sup> The framework identifies seven areas: ensuring and sustaining macroeconomic stability; enhancing competitiveness within the private sector, accelerating agricultural modernization and sustainable natural resource management, supporting oil and gas development, developing infrastructure, energy and human settlement, fostering human development, employment and productivity, ensuring transparent and accountable governance.
- <sup>36</sup> UNDAF. 2010. Unpublished: Ghana Country Analysis. p. 85-87
- <sup>37</sup> Republic of Ghana. July 2010. MTNDPF 2010-2013. Volume I: Policy Framework. National Development Planning Commission (NDPC). Pp 118-119.
- <sup>38</sup> MTNDPF 2010-2013. (2010) *ibid*.
- <sup>39</sup> MTNDPF 2010-2013. (2010) *ibid*.
- <sup>40</sup> Republic of Ghana. September 2002. Food and Agriculture Sector Development Policy (FASDEP). Ministry of Food and Agriculture. pp. 17 (available at: <http://www.mofa.gov.gh/FASDEP%20II>).
- <sup>41</sup> Food and Agriculture Sector Development Policy (FASDEP) (2002) *ibid*. p. 17
- <sup>42</sup> Food and Agriculture Sector Development Policy (FASDEP) (2002) *ibid*. p. 17
- <sup>43</sup> Food and Agriculture Sector Development Policy (FASDEP) (2002) *ibid*. p. 18; p 50.
- <sup>44</sup> Food and Agriculture Sector Development Policy (FASDEP) (2002) *ibid*. p. 44
- <sup>45</sup> CAADP focuses on providing a longer term strategic framework for the implementation of the investment programs in the agriculture sector. For the period 2009-2015, the following six programmes, are defined: food security and emergency preparedness, improved growth in incomes and reduced income variability, increased competitiveness and enhanced integration into domestic and international markets, sustainable management of land and environment, science and technology applied in food and agriculture development, enhanced institutional coordination.
- <sup>46</sup> CAADP. October 28, 2009. Ghana Signs CAADP Compact. (available at <http://www.caadp.net/news/?p=407>).
- <sup>47</sup> Medium Term Agriculture Sector Investment Plan (METASIP) 2011 – 2015 (2010) *ibid*. p 34-41.
- <sup>48</sup> Medium Term Agriculture Sector Investment Plan (METASIP) 2011 – 2015 (2010) *ibid*. p 34-41.
- <sup>49</sup> Government of Ghana. September 2010. Medium Term Agriculture Sector Investment Plan (METASIP) 2011 – 2015. Ministry of Food and Agriculture. pp. 23- 29.
- <sup>50</sup> GSS. Gender Statistics Working Group: Concept Note and Workplan 2012-2013. Accra, Ghana.
- <sup>51</sup> The amended Education Act of 2008, assented in January 2009, establishes that the first cycle of education, consisting of the two years in kindergarten, the six years of primary education and the three years of junior high school education, are free and compulsory. Where a child does not attend a course of instruction in compliance to these provisions, the parent in first instance is expected to appear before the social welfare committee of the District Assembly for appropriate action.
- <sup>52</sup> UNDAF. (2010) *ibid*.
- <sup>53</sup> African Development Fund (2008) *ibid*.
- <sup>54</sup> In 2000, the Government signed a Memorandum of Understanding (MOU) with the ILO for technical support in building national capacity to eliminate the Worst forms of Child Labour (WFCL). This marked the commencement of activities under the International Programme on the Elimination of Child Labour (ILO/IPEC) in Ghana. Since then, several MDAs, Employers' and Workers' Organisations, local and international NGOs, the ILO and other international agencies such as the UNICEF and the IOM have contributed significantly to the development of policy and legislation and the implementation of small-scale direct actions in identifying, withdrawing and rehabilitating children in various WFCL. For more information, refer to the National Plan of Action 2009-2015 for the Elimination of the Worst Forms of Child Labour in Ghana.
- <sup>55</sup> The ILO Convention 182 on the Worst Forms of Child Labour also sanctions all forms of slavery or practices similar to slavery such as the sale and trafficking of children, serfdom and forced or compulsory labour including forced or compulsory recruitment of children for use in armed conflict, the use, procuring or offering of the child for prostitution or for the production of pornography or for pornographic performances; and the use, procuring or offering of a child for illicit activities, in particular for the production and trafficking of drugs.
- <sup>56</sup> Republic of Ghana Constitution. (1992) *ibid*.
- <sup>57</sup> Republic of Ghana. 2003. Labor Act No 651, 2003.
- <sup>58</sup> Republic of Ghana. 2003. Labour Act No 651, 2003.
- <sup>59</sup> Republic of Ghana. 1998. The Children's Act of 1998.
- <sup>60</sup> The list of hazardous work includes: going to sea, mining and quarrying, carrying heavy loads, working in manufacturing industries where chemicals are produced or used and working in places such as bars, hotels and places of entertainment where children may be exposed to immoral behaviour (Parliament of the Republic of Ghana 1998).
- <sup>61</sup> ILO. 2006. National Labor Law Profiles: Ghana. (available at <http://www.ilo.org/public/english/dialogue/ifpdial/info/national/ghana.htm>.)
- <sup>62</sup> In accordance to the ILO Convention 182 on the Worst Forms of Child Labour, the Government of Ghana implemented, supported by the ILO/IPEC, the Project of Support to the Time- Bound Programme under which over 25,000 children were withdrawn and prevented from entering into child labour.

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<sup>63</sup> The elimination of child labour is also an important component of the GPRS II, which closely looks into education and skills training, employment creation, microfinance, rural development, the deepening of decentralisation and the provision of increased resources to District Assemblies. Similarly, recent policies and programmes such as the introduction of capitation grants for children in basic public schools, the Government of Ghana/NEPAD school feeding programme, and the National Health Insurance Scheme (NHIS), also represent significant contributions.

<sup>64</sup> Republic of Ghana. November 2009. National Plan of Action for the Elimination of the Worst Forms of Child Labour in Ghana 2009-2015. Ministry of Employment and Social Welfare.

<sup>65</sup> SLE on behalf of FAO. December 2008. Child Labour and Children's Economic Activities in Agriculture in Ghana. SLE Publication Series – S233. Pp.10

<sup>66</sup> SLE on behalf of FAO. December 2008. Child Labour and Children's Economic Activities in Agriculture in Ghana. SLE Publication Series – S233. Pp.11

<sup>67</sup> SLE on behalf of FAO. December 2008. Child Labour and Children's Economic Activities in Agriculture in Ghana. SLE Publication Series – S233. Pp.14-15.

<sup>68</sup> ILO. April 2005. Ghana DWPP: Highlighting the Gender Aspects of the Ghana Decent Work Pilot Programme. A country brief for the inter-regional Consultation Meeting, Turin, April 27-29, 2005.

<sup>69</sup> ILO. May 2006. Decent Work Pilot Programme Country Brief: Ghana. (available at <http://www.ilo.org/public/english/bureau/dwpp/download/ghana/countrybriefgh.pdf>).

<sup>70</sup> Presidency of the Republic of Ghana. Official Website. Savannah Accelerated Development Authority. (available at <http://www.presidency.gov.gh/our-government/agencies-commissions/savannah-accelerated-development-authority>).

<sup>71</sup> By approved Trustees licensed by the Pensions Regulatory Authority with the assistance of pension fund managers and custodians registered by the Authority.

<sup>72</sup> Republic of Ghana. 2008. National Pensions Act No. 766 of 2008. (available at [http://www.ssnit.com/pdf/Pension\\_ACT\\_766.pdf](http://www.ssnit.com/pdf/Pension_ACT_766.pdf); [http://www.primeattorneysgh.com/news\\_02.php](http://www.primeattorneysgh.com/news_02.php)).

<sup>73</sup> For more detail on the employment data, refer to PART III of the Country Profile.

<sup>74</sup> Republic of Ghana. 2003. National Health Insurance Act of 2003. (available at <http://www.nhis.gov.gh/Uploads/dbsAttachedFiles/Act650original2.pdf>).

<sup>75</sup> Modern Ghana. National Health Insurance Scheme, (available at [http://img.modernghana.com/images/content/report\\_content/NHIS.pdf](http://img.modernghana.com/images/content/report_content/NHIS.pdf)).

<sup>76</sup> Republic of Ghana. 2003. National Health Insurance Act of 2003. Ibid.

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