

**ONE DAY SEMINAR FOR SUPERIOR COURT JUDGES ON WORST FORMS OF CHILD
LABOUR AND CHILD TRAFFICKING HELD AT THE JUDICIARY TRAINING INSTITUTE,
CANTONMENTS, ON 18TH JULY 2009**

AN ADDRESS BY SYLVIA HINSON-EKONG, EXECUTIVE DIRECTOR, FURDEV

Chairman, Justice Akamba,

Your Ladyship, Mrs Justice Georgina Wood,

Your Ladyships,

Your Lordships,

It is exactly nine years ago this year when Ghana signed a Memorandum of Understanding (March 2000) with the International Labour Organization to put in place interventions to eliminate the growing menace of Child labour and child trafficking in our land, and to ensure that all children born in Ghana are assisted and given an opportunity to for education and proper development. As a result of the MOU, the Child Labour Unit was established in the Labour Department.

Child labour is work that is exploitative and affects the education, health, safety, morals and general development of a child.

From the Ghana Child Labour Survey Conducted by Ghana Statistical Service in 2003, it was reported that out of 6 million children living in Ghana at that time (2000 Census), 1.27 million were found to be engaged in child labour. Sadly, over one million of this number was found to be below 13 years, a critical time in a child's life when he/she should be in school. The survey report indicated that there was circumstantial evidence to show that there are slavery practices with children forced into bonded labour and children trafficked for labour exploitation. However, the report stated that survey methods were not adequate in detecting these hidden forms of child labour and that there was the need to use special quantitative methods to document such practices.

In 2001, the global press descended heavily on cocoa producing countries when a boat was found on the West African Coast carrying trafficked children bound for Cote D'Ivoire for work on cocoa farms. This discovery led to protests by chocolate consumers in America and Europe and to the signing of the Harkin- Engel Protocol. One of the requirements of the protocol was Cocoa Certification to which was later added Cocoa Verification.

As a result of the Harkin-Engel Protocol, Ghana has developed a Plan of Action for the Cocoa Sector and established a programme called the National Programme on the Elimination of Child Labour in Cocoa (NPECLC) based in the Ministry of Manpower. The NPECLC has conducted a Pilot Survey, the report of which was published in 2007 and a scale-up survey in 2008. These surveys have revealed that there are many children engaged in hazardous work in Ghana's cocoa sector, majority of whom are children working for own families. Again the survey methods used could not detect the presence of trafficked children and children in bonded labour in the cocoa sector.

Children trafficked for farming, for illegal mining, fishing, domestic servitude, trokosi are invisible. Children in these sectors work in very remote places or, in the case of domestic servants, are locked in individual homes where they work from dusk to dawn. The more visible forms of child labour are children working on the streets either as kayayei, hawkers, truck pushers or prostitutes.

A mapping out of trafficking routes in Ghana has shown a north to south push and then from central to East and West and out through the Ivorian and Togolese borders. Most of those trafficked are girls and women sent into prostitution and domestic servitude. They may be engaged in country or across our borders.

The US State Department publishes a report annually called the " Trafficking in Persons Report". This report has consistently shown that Ghana is a source, transit and destination country for human trafficking. Ghana is in Tier 2 and has remained there for a while because since we promulgated the law on trafficking there has not been enough action directed at prosecution and sanctioning.

A lot has been achieved in Ghana since 2000 to accelerate the protection of children against worst forms of child labour. Notable among these are:

- Eliminating worst forms of Child Labour has been made an integral part of government policy for a long time as enshrined in GPRS 1 and GPRS 2.
- We have a good legal framework in place to combat the menace.
- In the cocoa sector a Hazardous framework has been developed to guide the type of work children may do or may not do. Plans are under way to develop similar guidelines for work in other sectors
- A strong partnership to fight the menace is in place and implementing interventions.
- Many researches have been conducted to give better understanding and to inform action.
- Many children have been withdrawn and assisted to have an education.
- There is a National Plan of Action to eliminate Child Labour in the cocoa Sector and a National Programme for the elimination of Child Labour is in place.
- A draft Time Bound National Plan of Action is also in place and will soon to become policy.
- The backbone of cultural practices like trokosi is broken.
- Many children themselves are now aware of the dangers of child labour and benefits of education
- Training of Police, Immigration, Customs and Social Welfare officers has been on going since 2006 but needs to be accelerated.

Child labour perpetuates poverty, ignorance, illiteracy, teenage pregnancies, HIV/AIDS, high fertility rates, high population growth rates, low productivity and high crime rates etc. We need to fight it.

ILO global reports show that efforts at child labour elimination have had some impacts, in the sense that the number of children engaged in hazardous work has decreased around the world. This gives us hope that our efforts will not be in vain.

Unfortunately, when it comes to trafficking of persons the situation is rather getting worse. Last month as Mrs Hilary Clinton launched the TIP report in the US, she announced that due to the economic crunch trafficking in humans is on the ascendancy. Indeed, it is not only due to the economic crunch alone but rather criminals find it easier, for several reasons, to traffic human beings compared to drugs. Thus trafficking in humans has become a multi-billion dollar business across the world.

The factors that account for trafficking of children are many and complicated. These include culture, poverty, ignorance, illiteracy, gender inequalities, broken homes, high fertility rates etc. In fact, most of the factors that perpetuate child labour are also effects of child labour thus creating a vicious cycle.

We need to break this vicious cycle by ensuring sound education for all children.

Effective law enforcement has been identified as a very important intervention. Yet ,as at today, it remains a huge gap in the efforts at eliminating the menace.

The purpose of this seminar is to sensitize the superior court judges and bring them on board to ensure that perpetrators of the crime of trafficking in humans, especially the trafficking of children for Labour exploitation, is eradicated from our society. This will be followed by training of Judges of the lower courts and also the training of District Attorneys.

But considering the numerous complexities of worst forms of child labour and human trafficking including cultural factors, family involvement, poverty and the like, how can we ensure that the criminals do not escape the law with their tricks and manipulations? Will it be appropriate for the Judiciary to collaborate with Assessors from the Trafficking Unit and with NGOs and others? I implore you to give serious consideration to this.

Future Resource Development is a consulting firm engaged in strategic planning, project design, capacity building, research, monitoring and evaluation. We have trained various groups to equip them with knowledge and skills to work effectively in this sector of child labour elimination. We have trained all the staff

of COCOBOD and Cocoa Licensed Buying Companies (LBCs), NGOs working in the sector, Media personnel in over 30 media houses, Police, Immigration, Customs and Social Welfare personnel etc. We have also carried out research and evaluated several projects in this sector. We are happy to collaborate with the Judiciary to train judges on this issue.

As the Coordinator for this seminar, and with great humility, I wish to welcome you, the superior judges of Ghana to this one day seminar. It is my hope that the seminar and the subsequent training workshops for judges of the lower courts will lead to an improvement in the lives of the vulnerable children in our country.

Thank you.