

SPECIALISED RESEARCH INTO EXPLOITATIVE CHILD LABOUR IN THE FISHING INDUSTRY: LIVELIHOOD AND SURVIVAL VERSUS HUMAN RIGHTS

2014

ABBREVIATIONS AND ACRONYMS

CCPC	Community Child Protection Committee
CHRAJ	Commission on Human Right and Administrative Justice
DCD	Department of Community Development
DCE	District Chief Executive
GES	Ghana Education Service
ILO	International Labour Organization
ICT	Information Communication Technology
IOM	International Migration Organization
JHS	Junior High School
LEAP	Livelihood Empowerment Against Poverty
MESW	Ministry of Employment and Social Welfare
NGO	Non-Governmental Organization
NHIS	National Health Insurance Scheme
NSEP	National School Feeding Programme
SPIP	School Performance Improvement Program

SSSC	Social Service Sub- Committee
STDs	Sexually Transmitted Diseases
TLMs	Teaching and learning materials

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SECTION 1: EXECUTIVE SUMMARY

Introduction

This research study was commissioned by the Commission on Human Rights and Administrative Justice (CHRAJ) on the basis of the CHRAJ's mandate to protect the fundamental human rights of persons in Ghana including children engaged in labour and its worst forms. Child labour is defined as any work that threatens the development of a child, whereas its worst forms constitute slave-like conditions, illicit activity or any work that is likely to harm the health, safety and morals of a child. Child labour and its worst forms violate the fundamental human rights of a child. This study commences one of a series of similar research initiatives as regards children's involvement in fishing activities in communities along the Volta Lake, that the Commission intends to embark upon in the next couple of years.

ILO global child labour statistics estimate that the number of child labourers has declined by one third since 2000, (from 246 million to 168 million). The number of children in hazardous work stands at 85 million, (down from 171 million in 2000). Most of these strides were chalked between 2008 and 2012, when the global number fell by 47 million (from 215 to 168 million), and the number of children in hazardous work fell by 30 million, (from 115 to 85 million). Globally children are found to be working in the agriculture, industry and service sectors.

Despite the encouraging global statistics, a substantial number of children continue to engage in child labour and its worst forms; the informal economy being a significant employer.

In Ghana, children are identified to be in activities including domestic work, small scale mining, quarrying, kayaye, commercial sex work, cash crop agriculture and fishing.

Internationally, data on the incidence of child labour in fishing and aquaculture is not readily available. Reliable data that differentiates children's involvement in agricultural work from child labour classified as harmful, is lacking. However, studies of child labour with a focus on fisheries have found evidence that child labour in the fish and aquaculture sector may be higher than other agricultural sectors. Other studies have shown that child labour in the fisheries

sector, is most common in informal and small-scale operations of fishing, aquaculture and post-harvest fish processing, distribution and marketing (ILO/IPEC Ghana, 2013 ; CHRAJ 2010, 2013). Studies carried out by CHRAJ in 2013 also established that approximately sixty-five percent (65%) of heads of institutions who were interviewed indicated that the highest level of engagement of working children was in the fishing sector.

Fishing is considered by ILO as a potentially hazardous occupation (ILO 2007), because it is a physically demanding work often carried out for long working hours in precarious conditions. Yet, despite the prevalence of child labour and its worst forms in the fishing sector, as well as the everyday hazards that confront working children, not much has been done to address child labour and its worst forms in this sector as regards research, advocacy and related interventions. Efforts, within the context of the implementation of the National Programme for the Elimination of Worst Forms of Child Labour in Ghana, have primarily been devoted to other sectors, such as cocoa farming sector. Yet, children work under risky and perilous conditions in fishing communities, and child trafficking is ubiquitous to such communities.

Child labour and its worst forms in the fishing sector therefore has critical human rights underpinnings, requiring that human rights-based approaches, characterize any intervention that seeks the advancement of working children in fishing communities. Such perspectives must go beyond rhetoric and debates, to efforts supported by empirical grounding. Some useful studies have been carried out, with respect to the situation of children subjected to child labour and trafficking in fishing communities in Ghana. Such studies span a wide range of thematic issues across a number of fishing communities in Ghana and Africa. However, specific socio-economic human rights violations and abuses of working children in particular communities, do not constitute the preoccupation of such broad-based studies.

Supported by empirical evidence, this research study complements previous efforts, as well as contributes a practical and conceptual human rights perspective, to the understanding of the social, economic and cultural conditions encountered by working children in fishing communities, from the viewpoints of formal and informal actors. This objective is in line with

the Commission's endeavors over the past years, to promote the social and economic rights of vulnerable populations.

Consequently, the main thrust of this research report is that the abuse and violation of the socio-economic rights of vulnerable populations, such as working children engaged in fishing, must engage all relevant state actors as well as civil society organizations. Failure to do so does not only result in the further marginalization of vulnerable groups such as child workers, but also undermines attempts to advance any reform, in terms of the governance and economy of small scale fishing industries in Ghana, since children constitute a substantial working force of such fishing communities.

1.1 Methodology and Scope of Research

A team of officers, in the month of September, 2014, interviewed formal and informal actors from both the district and municipality. Formal actors constituted officials from the respective District Assemblies, the Ghana Education Service, Department of Community Development and Social Welfare, the Media and Youth Clubs. Informal actors included parents and guardians of working children, fisherfolks, chiefs and opinion leaders as well as working children

The methodology or the philosophy underpinning this research recognizes various interviewees including working children, as rights holders, as well as social actors who are capable of processing their everyday fishing activities and experiences differently at different times. Such actor perspectives, give due regard to variations that are likely to arise from interview responses, on account of the varying working contexts of children. For instance, interviews with working children at the lakeside, may elude different responses, as compared to a child at home or in school. Such rich differences which connote the 'hows' of everyday analysis and processing by actors by themselves would have been lost if there was sole reliance on quantitative methods.

In the selection of interviewees, non-probability (non-random) sampling methods were employed. Convenience sampling was inevitable as the success of the research process depended on whether or not respondents were in easy reach or would be available. Prior

arrangements were made through the requisite gate keepers, but not all actors were willing to participate in the research activity. The research targeted certain specific respondent groups such as state (formal) and non- state (informal) actors- primarily for the purposes of triangulation, thus purposive sampling was also employed.

Structured and semi-structured focus group discussions, as well as observations on specific conditions and situations were undertaken, so as to elicit requisite information regarding the subject matter of the research activity. Interviews with both formal and informal actors took a longer time than expected.

Working children who were interviewed were primarily pupils and students from primary and junior high schools. The children were assured of the confidentiality of their views and responses, in order to avoid victimization by their employers. The use of pseudonyms was employed for the various respondents in order to protect their identities. Interviews with formal actors were conducted primarily in the English language, whereas those with informal actors were conducted in the local languages of the various districts. In all, the views of 176 respondents in both districts were sought. This number comprised 129 participants from 10 different focus groups and 47 respondents from one-on-one interviews. Out of the 176 respondents, 31 were working children and 145 were adults.

Given the suitability of qualitative methods to the type of research embarked upon, triangulation was employed to guarantee reliability across various sources. The essence of such triangulation was not merely about reaching consistency across the requisite sources, on the contrary, the variedness and differences on the same or similar themes provided in-depth information that enriched the data.

The key objective of this research study, from preceding discussions, is to unearth children's own views, as well as that of other formal and informal actors, in terms of their actual realization of human rights, relative to normative human rights provisions and principles. The study was undertaken in 2 fishing districts along the Volta Lake in 2 regions: Three (3) communities in the Dangbe East district (Ada) in the Greater Accra region and three (3) communities in Kpando district (Kpando) in the Volta region.

1.2 Findings

1.2.1 Socio economic background of families of working children

The local language of the people in the Dangbe East district is Dangbe though Twi and Ewe are also widely spoken. The predominant occupation is fishing, supported by trading, crop and livestock farming. In the Kpando Municipality, the indigenous inhabitants are mainly Ewe-speaking people. The main occupation of the people in the municipality is agriculture, animal husbandry, fishing and hunting.

Principally, children who reside overbank or on island communities are catered for by their relatives who double as their employers. Working children residing within inland communities are orphaned, live with their parents (some of whom are polygamous) or catered for by single parents as well as step parents. Some guardians are also grandparents who are physically frail and poor and are unable to care for their children.

Parents also offer their children to relatives or trade their children for money because they are unable to cater for them. The only work that comes handy once children are in custody of relatives, is fishing. Household sizes are very large with as many as 26 members residing in an average-sized single room. Interviews reveal that some children also live independent of adults, and rent their own rooms and fend for themselves; some of these children assume responsibility for their younger siblings. These children found mostly in Torkor Tornu migrate from island¹ communities where there are either no schools or the few established schools do not have adequate facilities and personnel.

While working children in Kpando Municipality reportedly migrate together with their families from communities along the Volta Lake and the beaches including Winneba, Akatsi, Dambai, Mefe, Bator, Agave, Ningo, Sogakofe, and Gomoa mainly to fish in the Kpando municipality. On the other hand those found in the Ada East District are mainly Ga Dangbes, Ningos, and Krobos, who migrated from other communities from within and outside the district to engage in fishing.

¹ Islands are communities that are completely surrounded by river or lake

1.2.2 Nature of work and related hazards²

Children of different ages and sexes do various kinds of work. Interviews reveal that boys who are aged between 6-7 years often scoop water from the canoe; 9-10 years often paddle and cast net for fish; those beyond 10 years operate boats and direct canoes to their destinations. Children who are ten years and above also dive into the lake to remove nets that are entangled with tree stumps. Others go on the lake in the evening to position their fish traps. The majority of working children are therefore involved in fishing related activities such as casting nets, disentangling nets, paddling canoes, diving, scooping water, mending nets, preparing bait and laying hooks. The average age of the oldest child on the lake according to a formal actor, is fifteen (15). Children above fifteen (15) years are usually self-employed, who fish by themselves.

On the average, working children spend more than 8 hours fishing. Children engage in fishing activity anytime of the day, morning, afternoon, evening or night. Primarily, children work before and after school, whilst others work overnight from 11 pm till the following day. Many of these children also work during weekends. Those who work on Saturdays work from six in the morning to six in the evening. Thus, the majority of working children interviewed combine fishing with schooling.

Working children often do not break or rest while working. Children either eat after work while others eat on the job. Children work under all kinds of weather conditions. They work in rainy, sunny, cold and windy weather conditions. The majority of children work bare-chested, naked or in just underpants, and they are not provided with life jackets or other safety gears.

² Act 560 of 1998 Section 87.

Prohibition of exploitative child labour

(1) No person shall engage a child in exploitative labour.

(2) Labour is exploitative of a child if it deprives the child of its health, education or development.

Section 88. *Prohibition of child labour at night.*

(1) No person shall engage a child in night work.

(2) Night work constitutes work between the hours of eight o'clock in the evening and six o'clock in the morning.

Section 89.

Minimum age for child labour. The minimum age for admission of a child to employment shall be fifteen years.

Section 90.

Minimum age for light work. The minimum age for the engagement of a child in light work shall be thirteen years.

(2) Light work constitutes work which is not likely to be harmful to the health or development of the child and does not affect the child's attendance at school or the capacity of the child to benefit from school work.

Children usually dive into the Lake to remove entangled or trapped nets, and in the process, water enters their eyes, noses and ears predisposing them to infections and disorders such as hearing and sight problems. Children are also exposed to diseases such as bilharzia and others suffer headaches as a result of the long exposure to direct rays of the sun on the Lake. Some children are not good divers and so get drowned or suffocate in the process.

In the event of a windstorm, fishing becomes wearisome, demanding more energy to paddle and direct the boat. Boats do capsize during a windstorm and the lives of people on the boat are endangered when they are unable to paddle fast. During the dry season, children often loose bearing on the lake and cannot be traced; such children are later found dead or alive on the shores of the lake in other communities.

On the nature of payment, majority of children said they were paid daily by their masters and payment was dependent on the quantity of fish caught. Most children were dissatisfied with the amount received. Kwesi, a working child commented on his meagre wages:

“There is no agreement. I fish with my senior brother who gives me GhC10.00 for a great catch and GhC5.00 for a lesser catch. However I have to use this money for a number of days because we don’t fish every day”

Torkor Tornu, 25th September, 2014.

Yaw, another working child shares a similar view:

“I get money upon fishing and selling. My father gives me 50p after every fishing activity. My dad cheats me because he only gives me 50p. It is not enough. Meanwhile when we obtain a great catch we get sales of about GhC50- 60 but on very bad days, we don’t get any catch”

Awatey Tornu, 26th September, 2014.

1.2.3 Gender-based discrimination³

Pursuant to local cultural norms, girls engage in gender typed related work such as scaling and marketing of fish. Their source of cash income relative to boys is therefore generally scanty. Consequently some girls are compelled to rely on fishermen for additional income and in the process tend to trade fish for sex in order to survive.

Families that migrate to island and overbank communities for fishing purposes, invest in large families, with sizes as large as 26, for the purposes of a good labour force. Reproduction plays a crucial role in this productive labour force and so, strategically, early marriages as well as large families could deliberately be promoted. Early marriages as well as large families also characterize families of inland communities. Whereas girls are seldom independent economically, given the scanty incomes they derive from fishing related activities, they contribute crucially, by virtue of their reproductive role to a productive force and also to the economy of such fishing communities. Domestic and sexual discrimination constitute a culturally accepted means of sustaining the economy of fishing communities as well as enforcing female subordination, where girls may seldom have a voice in any decision that concerns them.

1.2.4 Reasons for engaging children in fishing: Child labour is better and inexpensive

According to interviews with informal actors, there is a preference for child labour as against adult labour. Children are easy to employ and offer cheap labour; they are smart, energetic, dutiful, malleable and seldom complain under bad working conditions. Besides, they are better skilled than adults at diving and paddling and can paddle for long distances.

Working children expressed ambivalent views about the fishing work. Most working children interviewed said they derived fulfilment from fishing activities when there is great catch, they

³

Discrimination on the basis of gender can renders one susceptible to 'gender-based violence'.

state: “fishing is fun particularly when we obtain a great catch” (Dafor Tornu. 24th September, 2014). Other working children thought otherwise. Kwesi, a working child said:

“I do not like the job I do but I do it because I need money for school and my personal needs. My grandparent whom I live with farm to put food on the table whiles I also fish to support the family”.

Dafor Tornu. 24th September, 2014.

Parents consider their children’s engagement in fishing as a means of skills acquisition. They maintain that parents ought to pass on relevant skills to their children so they could grow up to become professional fishermen. Such parents considered it normal to employ children’s assistance in whatever work they did, given that their livelihood was dependent on it.

Fisherfolk in the Dangbe East district were emphatic that fishing constituted their main source of livelihood; they therefore taught their children to swim and fish at a tender age. A child who failed to learn the trade was considered block-headed. Fishing, according to fishermen, constituted a source of pride and prestige for fishing communities as it fulfilled an ancestral and cultural obligation.

Other actors attributed children’s engagement in fishing to the general poverty in the communities. They claim without the children’s involvement, they cannot pay their school fees of their children or take proper care of them.

Interviews reveal that parents also trade their children for money because they are simply unable to cater for them. The supposed relatives who ‘buy’ these children, reside on island and overbank communities. Given that virtually no schools are established on these Islands, the only work that comes handy, once children are in the custody of such relatives who are not parents, is fishing.

Families that migrate to other communities for fishing purposes have very little regard for education and do not promote the education of the children they employ in fishing. Such migrant families have very large household sizes and consider their numerical strength advantageous to their fishing vocation.

1.2.5 Formal educational provision in fishing communities⁴

A number of factors influence children's involvement in fishing according to interviewees. These factors include; proximity to school, school infrastructure, attendance, teaching and learning materials and implementation of relevant policies and programmes such as School Feeding, Capitation Grant etc.

A. Proximity of Schools to fishing communities

In the Dangbe East district, children on islands and overbank communities cover a distance of about 7 kilometers by foot to nearby schools. Pupils therefore become very exhausted and since the sea is closer to them, they rather would prefer to go fishing. Islands and overbank communities are not easily reachable and so are more deprived in terms of infrastructure as well as human and material resource than schools inland.

It was observed, on the other hand that schools located very close to the lakeside or the sea also encounter regular disruptions while lessons were in progress. A formal actor stated that upon hearing the shout 'lobaooo', children run uncontrollably from the classrooms to the lake side to pull fishing nets.

B. School Infrastructure and other material resources

Interviews with relevant educational actors reveal at least one primary school has been established in each of the fishing communities visited. In some of the communities visited,

⁴ The right to education is a fundamental human right. This right is explicitly stated in the United Nations' Universal Declaration of Human rights(UDHR), adopted in 1948:

"Everyone has the right to education. Education shall be free, at least in the elementary and fundamental stages. Elementary education shall be compulsory. Technical and professional education shall be made generally available and higher education shall be equally accessible to all on the basis of merit. ..." (Article 26)

The right to education imposes three levels of obligation on States. The obligation to respect (avoid measures that hinder or prevent the enjoyment of the right) , protect (prevent third parties from interfering with the enjoyment of the right) and fulfil (take positive measures that enable and assist individuals and communities to enjoy the right) the right to education in respect of the following: Availability (FCUBE), Accessibility (Non-discrimination), Acceptability of Education (Quality), Adaptability (responds and adapts to the best interest of the child).

The role of parents:

Act 560 of 1998, Section 47: Duty to maintain a child

(1) A parent or any other person who is legally liable to maintain a child or contribute towards the maintenance of the child is under a duty to supply the necessities of health, life, education and reasonable shelter for the child.

(2) For the purpose of this section, education means basic education.

schools do not have the full complement of all the stages at the basic level. For instance in the Kpando Municipality the only school at Awatey Tornu ends at primary five and those in Dafor Tornu and Awatey Tornu do not have any provision for a Junior High School (JHS). Pupils, on completion of their primary education, are compelled to migrate to other communities in order to further their education.

Basic facilities in most schools, in the communities visited in both districts are inadequate. Interviews with teachers reveal that some schools were overcrowded; it was observed that the sizes of classrooms are generally very small. For instance in Azizanya D/A Basic School, 437 pupils were enrolled last year and this was seen as a major challenge confronting the schools, considering the limited number of buildings as well as class room sizes.

Teachers in Torkor Tornu lament about inadequacy of tables and chairs for the pupils. This was confirmed by Kwame, a pupil during an interview:

“The school building is okay but there are only few tables and chairs.

We sometimes have to stand or sit with someone on a single desk.

This makes us feel uncomfortable”

Torkor Tornu, 25th September, 2014.

Teaching and learning materials are in short supply, this has made teaching less attractive for teachers. Most teachers resort to improvisation and do so at their own expense.

Also, textbooks for use by children are equally inadequate. The supply of textbook to children in some schools is in the ratio of 1:3 instead of 1:1. Pupils neither have access to textbooks in their homes.

In the Kpando Municipality, all schools in the communities visited with the exception of Torkor, are without toilet facilities. Teachers in Torkor Tormu lamented about inadequacy of tables and chairs for the pupils.

None of the schools had an infirmary. Children are often sent home when they fall sick. Neither did the schools have an ICT unit at the time of visit. In spite of that, pupils had to be taught and examined on ICT without access to computers. Some children interviewed, however said the lack of amenities or otherwise did not affect their decision to go to school.

C. Implementation of relevant policies and programmes

None of the schools visited is a beneficiary of the National School Feeding Programme (NSFP) and the majority of parents do not provide their wards with feeding allowance during school hours. Some parents are made to believe that schools are beneficiaries of the NSFP and yet in practice they are not. Majority of the teachers indicated that hunger is a major problem that pupils encounter.

The majority of schools are expected to receive the Capitation Grant, but the grant which is woefully inadequate never arrives on time as the process for accessing it is too cumbersome. All the schools at the time of field visit had not received the grant for the 2013/2014 academic year. The Awatey Tormu primary school, for instance, has never accessed the Capitation Grant since its establishment.

The provision of free school uniforms in some schools has led to an increase in school enrolment. This increase however places high demands on an already feeble educational infrastructure.

D. School Attendance and Retention rates and Performance

Primarily, both formal and informal actors in all the communities visited indicated that working children combine schooling with fishing. These children fish at midnight through 3am until 10am. On return, such children prepare and attend school afterward. Since school starts at 8am and ends at 2pm each day, children miss out on some lessons and their attention span is also adversely affected. Some pupils are just too tired on arrival and skip school as a result. Some children for fear of punishment for being late, sometimes absent themselves from school.

Others also skip school on market days or when they happen to fish the whole day. Teachers lamented that children absent themselves from school for days, weeks, months and sometimes a whole term.

A child who lives with his stepfather and mother at Torkor Tornu, said he is sometimes asked by his parents to abandon school and go fishing against his will. Most educational actors complained about poor retention rates due to children's involvement in fishing. Rampant migration and movements are also contributive factors. Some children stop schooling so as to enter full time fishing. School dropout is mostly evident at the stage of primary three (3). The drop-out rate for girls is equally high, as a result of their involvement in fishing related activity. Girls who work in fishing related activities get attracted to fishermen probably due to their social and economic status. Girls as young as 12 years are impregnated by adults in the community and consequently drop out of school because of the shame and stigma associated with them.

Performance of working children in schools according to most formal actors is often below average. Children are often tired, dizzy, sleepy, play truant and have low levels of concentration in class. They are unable to do school assignments that they take home.

In as much as teachers wish to see their pupils excel in their schools, an informal actor noted that some teachers are more concerned about obtaining certificates for themselves than teaching, thus contributing to the low performance of the children..

1.2.6 Health Challenges⁵

The majority of working children interviewed are not registered under the NHIS. Children have little or no knowledge about National Health Insurance Scheme. Some children said they did not have money to register whereas others who are registered have had their registration expired.

Other children claimed they never required to use NHIS cards because they were always fit and in good health. Further interviews revealed to the contrary that children were often taken ill as a result of the nature of work as well as the social context within which they operated. In fact, reportedly, children were often subjected to physical abuses and beaten frequently by their employers or parents. Such children when taken ill were offered herbal treatment or self-medication.

A formal actor by name Kojo, at Lolonyakorpe/ Ayigbo, in the Dangbe East district, commented on other health related hazards associated with children's freedom to complain when they are unwell:

"These children are subjected to verbal and physical attacks when they complain of ill health or show signs of tiredness".

Ayigbo, 26th September, 2014

Most children in the event of illness depend on herbal or traditional medicine which they prepare themselves or they buy drugs from nearby chemical shops. Hospitals are resorted to when their health condition becomes serious. A working child namely Kwesi said:

"They (the people I work for) use hot water and herbal medicine when I get injured"

Dafor Tornu, 24th September, 2014.

The father of a working child at Awatey Tornu commented that often they have to plead with a returning boat to send a sick child home.

⁵ Ibid

1.2.7 Child Trafficking⁶

Interviews reveal that fishermen usually travel to sending communities to negotiate with the families for the release of children to be engaged in fishing for a number of years. An agreed amount of money, cattle or other provision is made available to such agents to cater for the educational needs of children. Sometimes parents also use agents (middlemen) to bargain on their behalf. These children many a time do not return to their communities, but school or engage in fishing elsewhere. More boys are said to be trafficked into fishing than girls. About 80% of boys are trafficked as compared to 20% of girls. Reportedly, children are increasingly being sent to receiving communities to be used for fishing on the islands, as there are no

⁶ Act 694 of 2005, Section 1:

Human trafficking means the recruitment, transportation, transfer, harbouring, trading or receipt of persons within and across national borders by *the* use of threats, force or other forms of coercion, abduction, fraud, deception, the abuse of power or exploitation of vulnerability; or *giving* or receiving payments and benefits to achieve consent.

Exploitation shall include at the minimum, induced prostitution and other forms of sexual exploitation, forced labour or services, salary or practices similar to slavery, servitude or the removal of organs. Placement for sale, bonded placement, temporary placement, placement as service where exploitation by someone else is the motivating factor shall also constitute trafficking.

Where children are trafficked, the consent of the child, parents or guardian of the child cannot be used as a defence in prosecution under this Act, regardless of whether or not there is evidence of abuse of power, fraud or deception on the part of the trafficker or whether the vulnerability of the child was taken advantage of.

Section 2: **Prohibition of trafficking**

A person shall not traffic another person within the meaning of section 1 or act as an intermediary for the trafficking of a person.

A person who contravenes the subsection commits an offence and is liable on summary conviction to imprisonment for a term of not less than five years.

For purposes of this section, an intermediary is someone who participates in or is concerned with any aspect of trafficking under this Act who may or may not be known to the family of the trafficked person.

To be concerned with an aspect of trafficking in this Act means
(a) to send to, take to, consent to the taking to or to receive at any place any person for the purposes of trafficking, or
(b) to enter into an agreement whether written or oral, to subject any party to the agreement or subject any other person to trafficking

Section 3: **Provision of trafficked person prohibited**

A person who provides another person for purposes of trafficking commits an offence even where the person is a parent. A person who contravenes this subsection commits an offence and is liable on summary conviction to a term of imprisonment of not less than five years.

Section 4: **Use of trafficked persons prohibited**

A person who uses a trafficked person commits an offence and is liable on summary conviction to a term of imprisonment of not less than five years.

Section 5: **Conveyance in trafficking**

Means of conveyance in trafficking includes use of public transport and other forms of transport such as conveyance by land, water or air.

established schools on the islands. In the Dangbe East district, these receiving communities are known as 'Akosombo'

A formal actor shared the following about his nephew, namely Kwaku who was sent to one of the receiving communities :

“Kwaku was taken to Akosombo⁷ without my knowledge. While at Akosombo, the case was reported to the social welfare who reported the case to CHRAJ. The child was rescued within 3 weeks. The parents of the child were subsequently arrested and jailed for six weeks”.

Azizanya, 26th September, 2014

It was noted during the interactions that because of fear of arrest, employers have moved to overbank⁸ and island⁹ communities to which children are usually trafficked. Such communities are virtually inaccessible by Community Child Protection Committees. On grounds that there are no schools established on island communities and given also that employers of working children are usually untracked and unmonitored, children are motivated to engage in full time fishing. Parents sometime think that their children are sent to school by their masters but that is not often the case as there are no schools on these islands. Allegedly, some of the masters themselves were once trafficked children and so to them the tradition must continue.

Most parents lose their children once verbal agreements are reached and payments are done. Parents, apparently have little idea what children are engaged in and can hardly trace their children as trafficking routes are seemingly altered and children as well as parents are unable to trace one another.

Sometimes agents take a lot of money from the fishermen and give very little to the parent without the knowledge of the child. They (agents) bargain with the fishermen to their own advantage. The amount of money to be paid to the parent is determined by the age, physique, and fishing experience of the child.

⁷ Akosombo is a term that refers to receiving communities or fishing communities that receive working children

⁸ Refer to pg 14 for explanation

⁹ Refer to pg7 for explanation

On the contrary, interviews with informal actors indicate that there exist a form of agreement between the parent and the fishermen. According to them, the agreement which is often verbal is between the fisherman and the parent of the child although written agreements also exist in the communities. A chief fisherman said an amount of GH¢200.00-GH¢400.00 is charged depending on the number of years the child is supposed to serve.

1.2.8 Enforcement

Interviews reveal that whereas arrests are made by the police, perpetrators are often cautioned and released but not prosecuted. A formal actor indicated that prosecution of employers of children is dangerous because the lives of staff who work in the communities are often threatened. Prosecutions are carried out only when the community reports such cases. An informal actor at Torkor, however expressed his misgivings about the way perpetrators are released by the police for reasons he could not understand.

Conclusion

The findings of this research study have highlighted disparities between relevant human rights laws¹⁰ and the reality as lived by poor working children in fishing communities. Working children located in remote areas such as island communities suffer extreme limitation and disadvantaged access to health, education and other social services. They work under unhealthy and unsafe working conditions characterized by forced labour, child labour and its worst forms as well as child trafficking. Climatic changes, natural and human-induced threats confront such working children, thereby rendering their voices invisible. Poverty exists on a multidimensional scale that is not attributable only to low incomes but as a result of factors that impede full enjoyment of the fundamental human rights including economic, social and cultural rights. Undoubtedly, this research report has established numerous rights abuses and violations by both state and non-state actors.

¹⁰ Refer to relevant footnotes

Rights-based approaches demand the entitlement of working children, without discrimination, to their fundamental human rights. Merely enforcing compliance with various human rights laws becomes problematic for such communities including children who seldom report or file cases of abuse for fear of reprisals. Further, seeking to remove children from hazardous activity when such endeavors constitute their key source of livelihood can be challenging. Consequently such communities would choose survival and livelihood over inhumane conditions characterized by numerous human rights abuses including gender based discrimination. In fact, by denying the right to education particularly of children residing in overbank and island communities, the state itself becomes a violator of human rights. Even when efforts are made to rehabilitate rescued children, current state structures are too feeble to rehabilitate such children, let alone guarantee their right to a sustainable livelihood.

While we grapple with the everyday intricacies of survival and livelihood versus the human rights of the working child in fishing communities, the Commission is optimistic that these findings would motivate practical discussions amongst relevant state and non-state actors regarding:

- Holistic rights-based as well as livelihood approaches that take into account a wide range of important principles, must be given serious consideration. Principles that seek to promote equality and non-discrimination, participation as well as efforts that seek to position working children as social actors, should be at the centre of any action or intervention;
- Realistic recommendations that would incite inter-sectoral initiatives aimed at addressing various rights deficiencies and subsequently promote regular monitoring of the social and economic rights of children engaged in fishing.

SECTION 2: MAIN REPORT

2.1 Introduction

This research study was commissioned by the Commission on Human Rights and Administrative Justice (CHRAJ) on the basis of the CHRAJ's mandate to protect the fundamental human rights of persons in Ghana including children engaged in labour and its worst forms. Child labour is defined as any work that threatens the development of a child¹¹ whereas its worst forms¹² constitute slave like conditions, illicit activity or any work that is likely to harm the health, safety and morals of a child. Child labour and its worst forms violate the fundamental human rights of a child. This study commences one of a series of similar research initiatives as regards children's involvement in fishing activities in communities along the Volta lake, that the Commission intends to embark upon in the next couple of years .

Current statistics of children working in Ghana is not available. However, ILO global child labour statistics¹³ estimate that the number of child labourers has declined by one third since 2000, (from 246 million to 168 million). The number of children in hazardous work stands at 85 million, (down from 171 million in 2000). Most of these strides were chalked between 2008 and 2012, when the global number fell by 47 million (from 215 to 168 million), and the number of children in hazardous work fell by 30 million, (from 115 to 85 million). Globally children are found to be working in the agriculture, industry and service sectors.

Despite the encouraging global statistics, a substantial number of children continue to engage in child labour and its worst forms; the informal economy being a significant employer¹⁴ .

In Ghana, children are identified to be in such activities including domestic work, small scale mining, quarrying, *kayaye*, commercial sex exploitation, cash crop agriculture and fishing.¹⁵

¹¹ The Children's Act, 1998, Act 560

¹² International Labour Organization (ILO) Convention 182

¹³ Released in September 2013

¹⁴ ILO 2010, Child Labour in Africa

¹⁵ Ministry of Employment and Social Welfare (MESW), National Plan Of Action for the Elimination of Worst Forms of Child Labour in Ghana (2009-2015), November 2009.

Internationally, data on the incidence of child labour in fishing and aquaculture is not readily available¹⁶. Reliable data that differentiates children's involvement in agricultural work from child labour classified as harmful, is lacking. However, Studies of child labour with a focus on fisheries have found evidence that child labour in fisheries may be higher than other agricultural sectors¹⁷. Other studies have shown that child labour in the sector is most common in informal and small-scale operations of fishing, aquaculture and post-harvest fish processing, distribution and marketing (ILO/IPEC Ghana, 2013¹⁸; CHRAJ¹⁹ 2010, 2013). Studies carried out by CHRAJ in 2013²⁰ also establish that approximately sixty-five percent (65%) of heads of institutions interviewed indicated that the highest level of engagement of working children was in the fishing sector.

Fishing is considered by ILO as a potentially hazardous occupation (ILO 2007²¹), because it is physically demanding work often carried out for long working hours in precarious conditions. Yet, despite the prevalence of child labour and its worst forms in the fishing sector as well as the everyday hazards that confront working children, not much has been done to address child labour and its worst forms in this sector as regards research, advocacy and related interventions. Efforts, within the context of the implementation of the National Programme for the Elimination of Worst Forms of Child Labour in Ghana, have primarily been devoted to other sectors, such as cocoa growing areas. Yet, children work under risky and perilous conditions in fishing communities, and child trafficking is ubiquitous to such communities.

Child labour and its worst forms in the fishing sector therefore has critical human rights underpinnings, requiring that human rights based approaches, characterize any intervention that seeks the advancement of working children in fishing communities. Such perspectives must go beyond rhetoric and debates to efforts supported by empirical grounding. Whereas some useful studies have been carried with respect to the situations of children in fishing and

¹⁶ Fishing and aquaculture, ILO document/31 January 2012. www.ilo.org/ipec/areas/Agriculture/WCMS_172419/lang-en/index.htm. Accessed date 30/07/2014

¹⁷ See *Fishing for justice: Human rights, development, and fisheries sector reform* by Blake D. Ratner, Bjorn Asgard and Edward H. Allison, 2014. Elsevier, *Global Environmental Change* 27 (2014) 120–130

¹⁸ Analytical study on child labour in lake Volta fishing in Ghana, ILO/IPEC, May 2013

¹⁹ See CHRAJ's 2013 SOHR report

²⁰ CHRAJ 2013 SOHR report

²¹ Fishing Convention, 2007 (No. 188)

trafficking in Ghana²², such studies span wide range of thematic issues across a number of fishing communities in Ghana and Africa. Specific socio economic human rights violations and abuses of working children in particular communities do not constitute the preoccupation of such broad based studies.

Supported by empirical evidence, this research study complements previous efforts as well as contributes a practical and conceptual human rights perspective to the understanding of the social, economic as well as cultural conditions encountered by working children in fishing communities from the viewpoints of formal and informal actors. This objective is in line with the Commission's endeavors over the past years to promote the social and economic rights of its vulnerable populations.

Consequently, the main thrust of this research report is that the abuse and violation of the socio economic rights of vulnerable populations such as working children engaged in fishing, must engage all relevant state actors as well as civil society organizations. Failure to do so does not only result in the further marginalization of vulnerable groups such as child workers, but also undermines attempts to advance any reform, in terms of the governance and economy of small scale fishing industries in Ghana, since children constitute a substantial working force of such fishing communities.

2.2.1 Methodology and Scope of Research

A team of officers in the month of September, 2014 interviewed formal and informal actors from both district and the municipality. Formal actors constituted officials from the respective District Assemblies, the Ghana Education Service, Department of Community and Social Welfare, Development, the Media and Youth Clubs. Informal actors included parents and guardians of working children, fisherfolks, chiefs and opinion leaders as well as working children.

²² Analytical study on child labour in lake Volta fishing in Ghana, ILO/IPEC, May 2013

Besides studies²³ that have shown that child labour was prevalent in the selected districts and communities, the two fishing districts were selected on the basis that the Commission in 2009 visited these communities as part of an ILO/IPEC- CHRAJ project monitoring activity implemented between 2007 and 2009.

In the selection of Interviewees, non-probability (non-random) sampling methods were employed. Convenience sampling was inevitable as the success of the research process depended on whether or not respondents were in easy reach or would be available. Prior arrangements were made through the requisite gate keepers, but not all actors were willing to participate in the research activity. On the basis that the research targeted certain specific respondent groups such as state (formal) and non- state (informal) actors- primarily for the purposes of triangulation- purposive sampling was also employed.

Working children interviewed were principally pupils and students from primary and junior high schools. The children were assured of the confidentiality of their views and responses in order to avoid victimization by their employers. The use of pseudonyms was employed for the various respondents particularly working children in order to protect their views. Interviews with formal actors were conducted primarily in the English language whereas that of informal actors was conducted in local language.

In all, views of 176 respondents in both districts were sought. This number comprises 129 participants of 10 different focus groups and 47 respondents for one on one interview. Out of the 176 respondents 31 are working children and 145 are adults.

²³ Analytical Study on Child Labour In Lake Volta Fishing in Ghana,(GOG, ILO/IPEC) May, 2013, CHRAJ 2009/2010 State Of Human Rights (SOHR) reports

The research team gave prior notice to formal actors, traditional and opinion leaders of the respective communities to inform them about the research activity. Various actors were informed about the objectives of the study and researchers obtained the consent of head teachers and parents as well as the consent of working children themselves before interviewing them. Even though the relevant consent was sought, it was observed in some communities that parents kept their children in doors and prevented them from being interviewed. It came to the fore during the course of the field work that attempts to obtain information about children's involvement in fishing endeavours in some respects, posed a threat to the livelihood of communities. Parents as well as employers regarded such information as sensitive and were therefore cautious about attempts to provide information about their activities and their associated hazards. Researchers had partly foreseen this challenge stemming from relevant literature review of the subject²⁴. Indeed, human rights and related research on sensitive information such as torture, sexual abuse, child trafficking etc. require that rich descriptive and in depth data complement statistical information that quantifies numbers affected by such abuses and violations.

Consequently appropriate methods that primarily depended on qualitative methods²⁵ were employed hence. Questions were framed loosely and open to re- structuring. For instance when responses to certain questions and non-verbal indications suggest that a sensitive area had been touched it was possible to shift to another question, until rapport and trust was partly established before returning to the sensitive issue. The methodology or the philosophy underpinning this research recognised various interviewees including working children as rights holders as well social actors who were capable of processing their everyday fishing activities and experiences differently at different times. Such methods give due regard to variations that are likely to arise from interview responses on account of the varying working contexts of children. For instance, Interviews with working children at the lakeside, may elude different responses from a child at home or in school. Such rich differences which connote the

²⁴ ILO/IPEC, Ghana (May 2013). *Analytical Study On Child Labour In Volta Lake Fishing In Ghana*

²⁵ Stake, R.E. (2010). *Qualitative Research: Studying How Things Work*. New York, NY: Guilford Press.

'hows' of everyday analysis and processing by actors by themselves would have been lost if there was sole reliance on quantitative methods. Such statistical methods are premised on either specific response sets which many a time feature close ended categories that are exhaustive and based on definite research questions. Whereas such structured approaches aim at precision and clarity, and seek to guarantee validity, everyday practices and behaviour of fisher folks and working children can seldom be predicted.

Even the use of language brings to doubt, issues of validity when structured questions are employed. For instance researchers though could speak the local dialect could not always understand some words employed in the Tongu dialect of the Ewe language, principally spoken by most community members' interviewed. The word *fofonye*, for instance, in other Ewe dialects imply 'my father' and yet the same word refers to 'an elder brother' in the Tongu dialect. Also in the Dangbe East District, the term "akosombo" used frequently by respondents referred to communities where children are trafficked to work. Thus besides the appropriateness of qualitative methods to sensitive human rights issues, such participatory methods also make room for practical realities that emerge from the field since such realities cannot be entirely predicted. Further, when researchers at the planning stage attribute specific meanings to words in structured questions posed, and responses deduced on such basis, differences in practical connotations are lost, which can seriously undermine the validity of interpretations deduced from such responses.

Given the suitability of qualitative methods to the type of research embarked upon, triangulation in terms of data, methods as well as researcher was employed to guarantee reliability across various sources. The essence of such triangulation was not merely about

reaching consistency across the requisite sources, on the contrary, the variedness and differences on the same or similar themes²⁶ provided in depth information that enriched the data.

The challenges associated with this research activity are those usually associated with qualitative methods. They are time consuming at all stages of the research process –planning, execution, analysis and report writing - and are resource dependent, this is in terms of researcher skills as well as regards the necessary material and logistical support. Amidst such constraints, the research team is content with the findings so far and hopeful that a more holistic picture will have been reached following research into remaining communities.

The key objective of this research study, from preceding discussions has sought to unearth children’s own views as well as that of other formal and informal actors in terms of their actual realization of human rights, relative to normative human rights provisions and principles.

The study was undertaken in 2 fishing districts along the Volta Lake in 2 regions, namely, Lolonya Kofe, Azizanya and Otrape in Dangbe East District in the Greater Accra region, and Dafor Tornu, Torkor Tornu and Awatey Tornu in the Kpando Municipality in the Volta region. The three communities of the Ada district are located along the southern part of the Volta Lake where as the communities in the Kpando district are located along the northern part of the Volta Lake.

²⁶ Patton, M.Q. (2002). *Qualitative Research and Evaluation Methods*. Thousand Oaks, CA: Sage Publications.

SECTION 3: FINDINGS OF SPECIALIZED RESEARCH INTO CHILD LABOUR IN THREE (3) COMMUNITIES OF THE KPANDO MUNICIPALITY

3.1 Introduction

Kpandu district shares boundaries with Biakoye District in the North, Hohoe District to the East, and the newly created South Dayi District in the South. The Volta Lake which stretches over 80km of the costal line, demarcates the Western boundary. The district covers a total land area of 820 square kilometres representing 4.5% of the Volta Region with almost 30% of the land being submerged by the Volta Lake. The population of the Kpando district²⁷ as at 2010 stood at 93,649²⁸ according to the 2010 Population and Housing Census. However, the population of Torkor Tornu, Dafor Tornu and Awatey Tornu is currently estimated at 1750, 2003 and 2750 respectively. The indigenous inhabitants who live in the Municipality are mainly Ewe-speaking people. The major occupation of the people in the municipality is agriculture, animal husbandry, fishing and hunting.

3.2 Findings

3.2.1 Socio economic background of families of working children

According to the views of both formal and informal actors, children live primarily with family relatives, some of whom are biological parents. Parents and guardians of these children are predominantly fishermen, land farmers and traders. In the communities researched, parents offer their children to relatives who assume responsibility for their welfare. Some parents also trade their children for money because they are simply unable to cater for them. The only work that comes handy once children are in custody of relatives, is fishing. Household sizes are very large with as many as 26 members residing in an average sized single room measuring 13x 13 m². The majority of children at Dafor Tornu live with their grandparents who are aged and are unable to fend for themselves. Interviews reveal that children also live independent of adults, and rent their own rooms and fend for themselves; some of these children assume responsibility

²⁷ The Kpando Municipality as at the time of 2010 Population Census was known as North Dayi District

²⁸ Ghana Statistical Service, May 2012, 2010 Population and Housing Census.

www.statsghana.gov.gh/docfiles/2010phc/2010_POPULATION_AND_HOUSING_CENSUS_FINAL_RESULTS.pdf. Accessed date 29-11-14

for their younger siblings. Whereas some working children visit their families during weekends, holidays or vacations others lose contact with their families Children found mostly in Torkor Tornu migrate from island²⁹ communities to take up semi-permanent residence in inland communities³⁰ to attend school.

There are no schools established on most island communities. The few established schools do not have adequate facilities and personnel to run them effectively. Working children together with their families, reportedly migrate from communities along the Volta Lake and the seas including Winneba, Akatsi, Dzodze, Efutu, Dambai mainly to fish in the Kpando municipality. Families also migrate to other communities along the northern part of the Volta Lake which include Gemeni, Kpeve, Nkonya, Kwamekrom.

Interviews reveal that other families of working children migrate from Mefe, Bator, Agave, Ningo, Sogakofe, Winneba and Gomoa to stay with relatives other than parents so as to school or engage in fishing. Most of the people that engage children in fishing in the communities visited are relatives.

According to some informal actors, parents of these working children are either divorced or polygamous and the majority of the mothers interviewed are single mothers. Parents and guardians of most working children have little or no formal education.

²⁹ Islands are communities that are completely surrounded by river or lake

³⁰ Inland communities are those communities on the main land



Focus group discussion with parents and guardians of working children at Torkor Tornu

3.2.2 Nature of work and related hazards

Principally, formal actors were of the view that children are engaged mainly by their parents, relatives, who primarily constitute their employers, to do all kinds of work that relate to fishing. The majority of working children interviewed combine fishing with schooling. On the average, working children spend more than eight (8) hours fishing. Children usually engage in fishing-related activities such as casting nets, disentangling nets, paddling canoes, diving, scooping water, mending nets, preparing bait and laying hooks. According to them, children of different ages and sexes do various kinds of work. Interviews reveal that boys who are between 6-7 years often scoop water from the canoe; 9-10 years often paddle and cast net for fish; those beyond 10 years operate boats and direct canoes to their destinations. Children who are ten years and above also dive into the Lake to remove nets that are entangled to tree stamps. Others go on the Lake in the evening to position their baits in order to trap fish. The average age of the oldest child on the Lake according to a formal actor, is 15. Children above 15 years are usually self-employed, who fish by themselves.

This assertion was confirmed when informal actors were asked about the nature of work the children do. Working children between 13 and 18 years during the interview said they stopped working for others to fish on their own. Children engage in fishing activity anytime of the day, morning, afternoon, evening or night. Most children said they did not work on shift basis.

Primarily, children work before and after school while others work overnight from 11pm till the following day. Many of these children also work during weekends. Those who work on Saturdays work from 6am to 6pm.

Fishing which entails going on the lake to fish, principally engages boys. Girls are involved in fishing related activity such as mending nets, removing scales and gills, salting, smoking, frying and packaging of fish.



A girl mending net during school hours at Awatey Tornu

Working children often do not break or rest while working. Children either eat after work while others eat on the job, while working.

Children work under all kinds of weather conditions. They work in rainy, sunny, cold and windy weather conditions. The majority of children work while naked or in a single pant with a bare chest. They are not provided with life jackets or other safety gears. Children have no formal training, they acquire skills on the job through observation. A working child by name Kofi, said:

“The boat we usually use is spoilt so it’s difficult operating it yet we have to ride it because we need money. It easily sucks water and so we continually have to scoop the water out”

Awatey Tornu. 26th September, 2014.

There were varied answers to the question “which type of work should be considered safe?” Some children were of the view that paddling, scooping water from the canoe, hook fishing, scaling tilapia constitutes safe work. Some parent of working children share some of these views that scooping water out of the boat and drawing of net was safe.

Primarily, children interviewed noted that the entire work was dangerous. Some children categorised dangerous work as diving, working on catfish, paddling of the canoe and casting net. A parent noted that the most dangerous work for the child is “ehadede”, which entails the usage of a basket like material for fishing. The “eha” becomes very heavy when it is full of water. While the ‘eha’ is being pulled from the water, it can pull the child back into the water because of its weight.



A photo of “Eha” used to trap fish

On the nature of payment, majority of children said they were paid daily by their masters and payment was dependent on the quantity of fish caught. Most children were dissatisfied with the amount received. Kwesi, a working child commented on his meagre wages:

“There is no agreement. I fish with my senior brother who gives me GhC10.00 for a great catch and GhC5.00 for a lesser catch. However I have to use this money for a number of days because we don’t fish every day”

Torkor Tornu, 25th September, 2014.

Yaw, another working child shares a similar view:

“I get money upon fishing and selling. My father gives me 50p after every fishing activity. My dad cheats me because he only gives me 50p. It is not enough. Meanwhile when we obtain a great catch we get sales of about GhC50- 60 but on very bad days, we don't get any catch”

Awatey Tornu, 26th September, 2014.

Principally, formal actors were of the view some activities are hazardous and children ought not to be engaged. According to them, when children dive into the Lake to remove entangled or trapped nets, water enters their eyes, noses and ears leading to infections and disorders such as hearing and sight problems. Some children are not good divers and so get drowned or suffocate in the process. Children are also exposed to diseases such as bilharzia.

In the event of a windstorm, fishing according to informal actors can become wearisome demanding more energy to paddle and to direct the boat. Boats can capsize during a windstorm and the lives of people on the boat can be endangered when they are unable to paddle fast. Some children suffer headaches as a result of the long exposure to direct rays of the sun on the Lake. During the dry season children often loose bearing on the lake and cannot be traced; such children are later found dead or alive on the shores of the Lake in other communities. Children also stand the risk of being electrocuted by “electric fishes” that can sting or electrify a portion of the Lake.

Tree stumps abound on the Lake, resulting in accidents. When canoes are at full speed and hit a stump, cavities are created in the boat resulting in water seeping into the boat and eventually leading to sinking and drowning. In the event of a leakage, working children are required to scoop water from the boat until arrival at the shore.



A picture of a canoe full of water usually used for fishing at Awatey Toruu

3.2.3 Gender-based discrimination

Pursuant to local cultural norms, girls engage in gender typed fishing related work such as scaling and marketing of fish. Their source of cash income relative to boys is scanty. Consequently some girls are compelled to rely on fishermen for additional income and in the process tend to trade fish for sex in order to survive.

Families that migrate to island and overbank communities for fishing purposes invest in large families, with sizes are as big as 26, for the purposes of a good labour force. Reproduction plays a crucial role in this productive labour force and so strategically early marriages as well as large families are deliberately promoted. Early marriages as well as large families also characterize families of inland communities. Whereas girls are seldom independent economically given the scanty incomes they derive from fishing related activity, they contribute crucially by virtue of their reproductive role to a productive force and also to the economy of such fishing communities. Domestic and sexual violence constitute a culturally accepted means of sustaining the economy of fishing communities as well as enforcing female subordination, where girls seldom have a voice in any decision that concerns them.

3.2.4 Reasons for engaging children in fishing: Child labour is better and inexpensive

Working children cited various reasons for engaging in fishing. Majority of working children, regardless of whether they work on their own initiative or not, are motivated to fish, on account of the income they derive from fishing and related activity. Interviews with most actors reveal that children utilise the income derived to support their schooling, siblings as well as family.

Yaw, a working child remarked:

“The people I used to work for do not allow me to attend school; I decided to work on my own so that I can go to school”

Torkor, 25th September, 2014.

Some parents also consider children’s engagement in fishing a means of skills acquisition. They maintained it was imperative for them as parents to pass on relevant skills to their children so they could grow up to become professional fishermen. Such parents considered it normal to employ children’s assistance in whatever work they do, especially given that their livelihood depends on it.

Most actors attributed children’s engagement in fishing to the general poverty in the communities. They claim without the children’s involvement, that they cannot take proper care of their children or pay their school fees. Kwesi, a working child said:

“There is no one to help money wise and so I am sometimes forced to fish for my parents”

Dafor Tornu. 24th September, 2014.

Interviews reveal that parents also trade their children for money because they are simply unable to cater for them. The supposed relatives who ‘buy’ these children, reside on island and overbank communities. The only work that comes handy, once children are in the custody of such relatives who are not parents, is fishing. Families that migrate to other communities for fishing purposes have very little regard for education and do not promote the education of the children they employ in fishing. Such migrant families have very large household sizes and consider their numerical strength advantageous to their fishing vocation.

The absence of the appropriate technology also contributes to children’s involvement in fishing activity. Informal actors are of the view that fishing activities are demanding and numerous and

cannot be the responsibility of one person, hence the use of children to provide assistance. Children confirmed that the type of fishing activity they embark upon is manual and devoid of technology and equipment.

Generally, there is a preference for child labour as against adult labour. Most formal actors indicated that children are easy to employ and offer cheap labour; they are smart, energetic, dutiful, malleable and seldom complain under bad working conditions. Besides, children are better skilled than adults at diving and paddling and can paddle for long distances.

Working children expressed ambivalent views about the fishing work. Most working children interviewed said they derived fulfilment from fishing activities when there is great catch, “fishing is fun particularly when we obtain a great catch”.

Other working children thought otherwise. Kwesi, a working child said:

“I do not like the job I do but I do it because I need money for school and my personal needs. My grandparent whom I live with farm to put food on the table whiles I also fish to support the family”.

Dafor Tornu. 24th September, 2014.

Kwabena, a working boy also commented:

“I don't enjoy it because it is very difficult and risky. It demands much strength than we can provide or meet”.

Awatey Tornu. 26th September, 2014.

Others were of the view that fishing is not only tedious and dangerous but also impedes their schooling.

Whereas some fishermen agree that the fishing activity is hazardous and children ought not to be engaged, others hold variant views. According to some, in the absence of the appropriate technology to meet the demands of the activity they have no option but to engage children. Others do not see anything wrong with engaging children in fishing activities. To such, children are not forced into the trade but the children themselves know that their welfare must be catered for.

3.2.5 Formal educational provision in fishing communities

A number of factors influence children's involvement in fishing according to interviewees is influenced by a number of factors. These include; proximity to school, school infrastructure, attendance, teaching and learning materials and implementation of relevant policies and programmes such as School Feeding, Free School Uniforms, Capitation Grant etc.

A. Proximity of Schools to fishing communities

In the Dangbe East district, children on islands and overbank communities cover a distance of about 7 kilometers by foot to nearby schools. Pupils therefore become very exhausted and since the sea is closer to them, they rather would prefer to go fishing. Islands and overbank communities are not easily reachable and so are more deprived in terms of infrastructure as well as human and material resource than schools inland.

It was observed, on the other hand that schools located very close to the lakeside or the sea also encounter regular disruptions while lessons were in progress. A formal actor stated that upon hearing the shout '*lobaooo*', children run uncontrollably from the classrooms to the lake side to pull fishing nets.

B. School Infrastructure and other material resources

Interviews with relevant educational actors reveal at least one primary school has been established in each of the fishing communities. The only school at Awatey Tornu ends at primary five. However, some communities such as Dafor Tornu and Awatey Tornu do not have any provision at the Junior High School level (JHS). Pupils, on completion of their primary education, are compelled to migrate to other communities in order further their education.

Basic facilities in most schools are inadequate. All schools in the communities visited with the exception of Torkor, are without toilet facilities.

Teachers in Torkor Tornu lament about inadequacy of tables and chairs for the pupils. This was confirmed by Kwame, a pupil during an interview:

"The school building is okay but there are only few tables and chairs.

We sometimes have to stand or sit with someone on a single desk.

This makes us feel uncomfortable.

Torkor Tornu, 25th September, 2014.

None of the schools has an infirmary; children are often sent home when they fall sick or are injured. The nearest clinic is utilised only when conditions are very serious. None of the schools had an ICT unit at the time of visit and yet pupils had to be taught and examined on ICT without access to computers. Some children interviewed, however said the lack of amenities or otherwise did not affect their decision to go to school.

Teaching is less attractive for teachers as materials for teaching are usually in short supply. Most teachers resort to improvisation and do so at their own expense. A teacher lamented:

“Teaching and Learning Materials (TLM) are not available to us.

We don't have any syllabus, text books etc. It makes teaching very difficult. The syllabus has been revised but we don't have any. Teaching and learning therefore look abstract to the children”

Awatey Tornu, 26th September, 2014.

Also, textbooks for use by children are equally inadequate. The supply of textbook to children in some schools is in the ratio of 1:3 instead of 1:1. Pupils neither have access to textbooks in their homes.

C. School Attendance and Retention rates and Performance

The majority of both formal and informal actors in all the communities visited indicated that working children combine schooling with fishing. A very common reason why children usually go afishing before school is to make some money to cater for their basic school needs such as examination levy, exercise books, learning materials, school bag, shoes, pens and other items. Others, such as, Kwabena shared other reasons:

“I work to get money for school and to be able to visit my parents who live overbank”³¹

Torkor, 25th September, 2014.

These children fish at midnight through 3am until 10am. On return, such people prepare and attend school afterward. Since school starts at 8am and ends at 2pm each day, children miss out on some lessons and their attention span is also adversely affected. Some pupils are just too tired on arrival and skip school as a result. Others are also skip school on market days or when they happen to fish the whole day. Teachers lamented that children absent themselves from school for days, weeks, months and sometimes a whole term.

A child who lives with his stepfather and mother at Torkor Tornu, said he is sometimes asked by his parents to abandon school and go fishing against his will. Interviews reveal that some children for fear of punishment for being late, sometimes absent themselves from school.

Most educational actors complained about poor retention rates due to children’s involvement in fishing. Rampant migration and movements are also contributive factors. Some children stop schooling so as to enter full time fishing. School dropout is mostly evident at the stage of primary three (3). The drop-out rate for girls is equally high, as a result of their involvement in fishing related activity. Girls who work in fishing related activities get attracted to fishermen probably due to the latter’s social and economic status. Girls as young as 12years are impregnated by adults in the community.

Large family sizes which characterise most fishing communities also predispose children to the risk of being pregnant. Consequently such girls drop out of school because of the shame and stigma associated with them.

Performance of working children in schools according to most formal actors is often below average. Children are often tired, dizzy, sleepy, play truancy and have low levels of concentration in class. They are unable to do school assignments that they take home.

In as much as teachers wish to see their pupils excel in their schools, an informal actor noted that teachers are more concerned about obtaining certificates for themselves than teaching. The

³¹ Overbank communities are communities across a river or Lake.

respondent mentioned that the head teacher of a school is a politician and he is never at post yet always marked present.



Focus group discussion with teachers of EP primary, RC primary and MA JHS at Torkor Tornu

D. Implementation of relevant policies and programmes

None of the schools visited is a beneficiary of the National School Feeding Programme (NSEP). Most parents do not provide their wards with feeding allowance during school hours. Other parents think schools are beneficiaries of the programme and yet in practice they are not. Majority of the teachers indicated that hunger is a major problem that pupils encounter.

The majority of schools are expected to receive the Capitation Grant, but the grant which is woefully inadequate never arrives on time as the process for accessing it is too cumbersome. All the schools at the time of field visit had not received the grant for the 2013/2014 academic year. Schools such as Awatey Tornu primary school have never accessed the capitation grant since its establishment. They mentioned they need to fill a SPIP (School Performance Improvement Program) form which numbers from A to E, present cash books as well as receipts and invoices before can access the grant. They are reportedly tossed to and fro in their quest to receive such a grant. The process is therefore very cumbersome and renders access to the fund very difficult.

Some head teachers and staff lauded provision of free school uniforms in some schools which has led to an increase in school enrolment. This increase, according to them, however places high demands on an already feeble educational infrastructure.

3.2.6 Health Challenges

The majority of working children interviewed are not registered under the NHIS. Children have little or no knowledge about National Health Insurance Scheme. Some children said they did not have money to register whereas others who are registered have had their registration expired. Most children in the event of illness depend on herbal or traditional medicine which they prepare themselves or buy drugs from nearby chemical shops. Hospitals are resorted to when their health condition becomes serious A working child namely Kwesi said:

“They (the people I work for) use hot water and herbal medicine when I get injured”

Dafor Tornu, 24th September, 2014.

The father of a working child at Awatey Tornu commented that often they have to plead with a returning boat to send a sick child home. Interviews however reveal that at Dafor Tornu, first aid boxes are provided in canoes to administer treatment to children who fall sick or get injured while fishing. Children, reportedly suffer from all kinds of health conditions that run the gamut from sight and hearing problems to bilharzia as a result of the nature of work.

3.2.7 Child Trafficking

According to the formal actors, working children move from one community to the other. They cited numerous sending communities such as Ada, Sogakope, Abotoase, Dambai, Accra, Ningo to Torkor, Aveme, Nsuta, Erokosi, Bosome, Gabla Todzi, Sremkpo, Agbasagba, Ajagosoand, Henyikpo and Kpeve. According to a section of formal actors, a 33 seater Benz bus loads children during long vacations from the sending communities mostly from southern part of the Volta Lake to the northern part of communities along the Volta Lake. Children sometimes refuse to return to their communities after their holidays.

They cited receiving communities as Gemene, Kpeve, Kpando, Nkonya, Dambai, Atirame, Catapilla Tornua and Kwamekrom. Interviews reveal that fishermen usually travel to sending communities to negotiate with the families for the release of children to be engaged in fishing for a number of years. An agreed amount of money, cattle or other provision is made available to such agents to cater for the educational needs of children. Sometimes parents also use agents (middlemen) to bargain on their behalf. These children many a time do not return to their communities, but school or engage in fishing elsewhere. More boys are said to be trafficked into fishing than girls. About 80% of boys are trafficked as compared to 20% of girls. Reportedly, children are increasingly used for fishing on the islands as there are no established schools on the islands. It was noted during the interactions that because of fear of arrest, employers have moved to overbank³² and island³³ communities to which children are usually trafficked. Such communities are virtually inaccessible by Child Labour Committees. Interviews reveal there are no schools established on these island communities and on account that children as well as their employers who are usually untracked and unmonitored, are motivated to engage in full time fishing.

Trafficking for fishing purposes is therefore directly linked to education; where there are no schools. Trafficking of children for fishing purposes thrives. Formal actors explained that the lack of education and poverty is often the cause of child trafficking. Some parents do not even know what their children go through at the hands of these fishermen. They think they are sent to school by their masters but that is not often the case as there no schools on these islands. Allegedly, some of the masters themselves were once trafficked children and so to them the tradition must continue. Poverty as well as negligence by parents to care for their children are therefore underpinning factors. Informal actors supported the above views on trafficking. According to an opinion leader, trafficked children embark on fishing on full time basis, working day and night.

Most parents lose their children once verbal agreements are reached and payments are done. Parents, apparently have little idea what children are engaged in and can hardly trace their

³² Refer to pg 14 for explanation

³³ Refer to pg7 for explanation

children as trafficking routes are seemingly altered and children as well as parents are unable to trace one another. Sometimes agents take a lot of money from the fishermen and give very little to the parent without the knowledge of the child. They (agents) bargain with the fishermen to their own advantage. The amount of money to be paid to the parent is determined by the age, physique, and fishing experience of the child. Children are usually examined by the middleman in the presence of the parents and then the price is negotiated. According to them (formal actors), parents are always ready to send off their children to fishermen because they are simply unable to cater for them. Majority of the teachers however are of the view that there are no agreements between fishermen and the parent or the working child. According to them, the masters do not pay the children regularly but rather give them excuses for not paying.

On the contrary, interviews with informal indicate that there exist a form of agreement between the parent and the fishermen. According to them, the agreement which is often verbal is between the fisherman and the parent of the child although written agreements also exist in the communities. A chief fisherman said an amount of GH¢200.00-GH¢400.00 is charged depending on the number of years the child is supposed to serve.

3.2.8 Enforcement

Interviews reveal that whereas arrests are made by the police, perpetrators are often cautioned and released but not prosecuted. A formal actor indicated that prosecution of employers of children is dangerous because the lives of staff who work in the communities are often threatened. Their prosecutions are carried out only when the community reports such cases. Individuals who file reports stand the risk of being ambushed since no personal protection or police guard is available. Some progress has however been made over the years. Ten (10) cases have been settled out of court because of security reasons. As at the time of visit five (5) traffickers had been arrested by the Community Child Protection Committees (CCPCs). The last prosecution, reportedly, dated back to three (3) years.

An informal actor at Torkor, however expressed his misgivings about the way perpetrators are released by the police for reasons he could not understand. The research team observed that some perpetrators have been arrested by the committee waiting to be sent to the Social Welfare

Officer in Kpando. The effort of the Social Welfare Officer in fighting the practice was highly commended. Kwame, a key informant from an orphanage said:

“My outfit attempted an arrest but the family pleaded and bailed him out of the police cells. The family was subsequently made to pay for the cost of money that had been used to rehabilitate the child”.

Kpando, 27th September, 2014.

When asked what should be done to perpetrators of child labour and child trafficking, most respondents (both formal and informal actors) said they should be educated whereas others were of the view that they should be fined. Working children on the other hand could not spell out what should be done to perpetrators. The majority see nothing wrong with the act since the work they do is also the source of their livelihood.

3.2.9 Challenges encountered in the prevention of child trafficking and child labour

- Many of the institutions with other collaborating organizations in the district are faced with low staff strength, inadequate logistics and inadequate financial support. They find it difficult to go to island and overbank communities where fishing thrives.
- The absence of marine police has made arrest of traffickers difficult and risky since some of the fishermen possess deadly weapons like guns.
- Due to the high visibility that local and international media accords child labour and related issues. There is a general trepidation, particularly by informal actors in terms of the release of information on child labour.
- Inability to convince children to settle with their parents. Parents are extremely poor and rescued children prefer living elsewhere than with their parents.

- The absence of state structures to rehabilitate rescued victims encourages the practice and serves as a disincentive to response and preventive efforts. Sometimes rescued children are catered for by the police officer till the end of the trial period.

3.2.10 Interventions

Interviews establish the following interventions put in place by government, NGO's, traditional leaders, amongst others, to eliminate child labour and child trafficking in the district;

- The Kpando Municipal Assembly in 2007 in set up accounts in which monies were lodged to help address child labour issues in the municipality.
- The Department Of Social Welfare collaborates with Community Child Protection Committees at Torkor Tornu, Navy, Immigration, CHRAJ, labour department and Zoil Services limited³⁴ in a quest to eliminate child trafficking and child labour.
- Community Child Protection Committees in close collaboration with the District Social Welfare officer, monitor fishing activities and cause the arrest of perpetrators of child trafficking and child labour as well as the rescue of children. Some rescued children were reportedly integrated in schools in Accra. The parents of these children are made to sign a bond with the schools. Children are integrated in schools in communities different from where they resided previously so as not to get attracted to fishing again.
- NGOs such as 'Mandanfo Ghana' and International Migration Organisation (IOM) have provided assistance in the communities by putting rescued children in school.
- An NGO trains some of the working children of Awatey Tornu in soap making.
- NGOs provide education on child labour and child trafficking in the district employing posters and tracts. The Human trafficking Act is also translated into the local languages for easy understanding.

³⁴Zoil Services Limited is a subsidiary of Zoomlion Ghana Limited with its core responsibility of oil spill response. Zoil is also into Beach Cleaning and Reforestation.

- Fishermen in the fishing communities have formulated bye laws that check child trafficking and child abuse. For instance, Dafor Torno has sanctions in place where persons found culpable are summoned to the palace and fined GH¢ 20.00 for abusing a child.

According to teachers interviewed from Torkor Tornu, there is very little they can do to intervene in cases of child labour or child trafficking because the community members can shoot and kill them. Similarly, teachers at Awatey Tornu are unable to prevent children from engaging in fishing activities on the Lake for fear of the aggressive nature of community members. Reportedly there were 3 shooting incidences this year (2014); the latest being just two weeks before the date of interview (25th November, 2014) at Torkor Tornu.

3.2.11 Recommendations by respondents

Researchers sought the views of respondents on relevant recommendations towards the prevention and eradication of the practice of child labour and child trafficking. The recommendations are as follows:

- Appropriate technological support should be available to fishermen. When parents acquire motors for their boats, they would not require manual paddling which is dependent on the labour of children;
- Financial/economic empowerment to the community members. This is to enable parents establish small scale businesses for the upkeep of their families.
- GES must restructure the educational system to suit the type of work predominant in the community so they can earn a living through fishing and also benefit from education;
- Rescued children should be put in boarding schooling so that they don't go back or get attracted to fishing;
- Public education must be intensified. Sensitization of perpetrators and the children is very crucial since some are ignorant of the long term consequences of the practice. Community members also need to be educated on the importance of formal education;

- Parents should be educated on reproductive health as well as birth control methods. This is in view of the large families encountered;
- Recalcitrant perpetrators should be arrested and prosecuted in accordance with the law;
- All children should be enrolled in school;

SECTION 4: FINDINGS OF SPECIALIZED RESEARCH INTO CHILD LABOUR IN THREE (3) COMMUNITIES OF THE DANGBE EAST DISTRICT

4.1 Introduction

The Dangme East is a district located about 120 km east of Accra in the Greater Accra region along the sea and the Volta Lake. It consists of three major towns: Kasseh, Big Ada and Ada Foah and has a population of 135,795³⁵. Communities are predominantly Ga Dangbes, Ningos, and Krobos, who migrated from other communities from within and outside the district to engage in fishing. The local language of the people in the district is Dangbe though Twi and Ewe are also widely spoken. The predominant occupation is fishing, supported by trading, crop and livestock farming.

4.2 Findings

4.2.1 Socio economic background of families of working children

Household sizes are large with an average of about eight (8) persons in a family. The standard of education of guardians as well as working children is low. Working children residing within inland communities are either orphaned, live with their parents or catered for by single parents as well as step parents. Some guardians are also grandparents who are physically frail and poor and are unable to care for their the children

4.2.2 Nature of work and related hazards

Children, according to interviews, are involved in diverse fishing activities such as diving (to remove unwanted materials from net, paddling boats, dragging of fishing nets as well as marketing of fish. Children seek other income from other alternative forms of livelihood such as oyster mining, salt winning, hawking, onion farming, kenkey moulding, cattle rearing, prostitution and head portorage (kayaye) among others. The fishing season spans February to December and within this period, children are usually busily engaged in fishing. Working children as young as 7 years work until about 1pm each day. Girls usually assist their parents to sell fish till late at night.

A formal actor namely Kojo, at Lolonyakorpe, Ayigbo stated that:

“Children leave home very early for fishing and are not seen by their parents till between 4-5pm. Parents who are fishermen usually wake their girls up, early at dawn to smoke fish for market. Ayigbo, 26th September, 2014

³⁵ 2010 Population and Housing Census, Final Results, May 2012.

www.statsghana.gov.gh/docfiles/2010phc/2010_POPULATION_AND_HOUSING_CENSUS_FINAL_RESULT.pdf . Accessed 29-11-14

A formal actor shared the following about his nephew, namely Kwaku:

“Kwaku was taken to Akosombo without my knowledge. While at Akosombo, the case was reported to the social welfare who reported the case to CHRAJ. The child was rescued within 3 weeks. The parents of the child were subsequently arrested and jailed for six weeks”. Azizanya, 26th September, 2014

Another interviewee, a formal actor narrates an incidence he recalls:

“While I was still at Big Ada District Assembly, the district engaged in a rescue operation on children engaged in child labour in which two children a 10 year boy and 15 year old boy were rescued”. DCE, Dangbe East, 24th September, 2014

Some respondents mentioned that children start fishing at tender ages and they work from dawn to evening. Some dive deep about ten (10) feet into the sea to remove unwanted materials from nets without protective gears. In the process some get drowned and their bodies come afloat after some days. Parents of such children seldom show up to identify the bodies. The respondent cited an example of a child at Azizanya who got drowned about 3 years ago.

Mr. Kwabena, an official of a media house in Ada shared a religious perspective,

“Most indigenes attribute issues of drowning to religious beliefs, which is subscribed by both Muslim and Christian religions. These people have therefore established Prayer Camps with small overcrowded rooms to avert such calamities”.

Mr. Kwabena, Big Ada, 25th September, 2014

According to him, one cannot rule out the possibilities of accidental drowning, since children dive deep into the sea without protective gears.

Most of children work on empty stomachs as they set off very early at dawn; they therefore feel dizzy and sometimes vomit while at work on the lake. A formal actor by name Kojo, at Lolonyakorpe/ Ayigbo, commented on other hazards:

“These children are subjected to verbal and physical attacks when they complain of ill health or show signs of tiredness”.

Ayigbo, 26th September, 2014

Other Interviews reveal that, parents as well as guardians of working children insist on their children doing house chores before going to school.



Children have to perform house chores before and during school hours

4.2.3 Reasons for engaging children in fishing: Child labour is better and inexpensive

The majority of respondents attributed the predominance of child labour in fishing activities to poverty.

Respondents were of the view that children derived income from fishing so as to support their parents and guardians. For instance, an official of the District Assembly said that children work to derive income to support their parents, others attribute their involvement to financial gains as a number of children decide to fish on their own volition so as to make some income. Some working children interviewed said, relative to schooling, fishing is an interesting activity and

they enjoy the chant-songs they sing at sea. Afua, the mother of a working child during an interview posed the question;

*“What should I do to my two children whose school fees
I have paid and yet they prefer to fish. When I insist
they attend school all of them decide to move
from Ada to unknown communities to engage in fishing”.*

Otrophe, 25th September, 2014

One of the respondents attribute child labour to divorce and the subsequent breakdown of the family unit. Children are mostly without parents and others are catered for by single parents and step parents. They are therefore obliged to work and support themselves at school as well as their households.

Other contributing factors are large sized families and early marriages. Families depend on child labour which is guaranteed by early marriages as well as many children. Large families require their meagre incomes are supplemented by the income that children derive from fishing.

According to most interviewees, a key contributor to children’s involvement in fishing is child negligence since grandparents, single parents, divorcees and large families do not offer adequate care to their children.

The following section provides some anecdotal data on children’s involvement in fishing activities;

Kofi, a 15 year old boy in primary 4 was interviewed together with his little sister Adwoa, 12 years of age and in primary 4. Kofi states:

*“I went fishing the previous term at Katanga, in Togo.
I fish on my own volition and give money earned to
my mother- a kenkey seller. I normally drag nets and*

fetch water from the canoe. I am given CFA400³⁶ when we have a bumper catch. Sometimes there is no catch". Otrape, 25th September, 2014

Naomi on the other hand says;

"I went to Togo (Katanga) as a student and assisted my mother to sell kenkey and carry out other duties assigned". Otrape, 25th September, 2014

When fishermen were interviewed on reasons for children's involvement in fishing, they were emphatic that fishing constituted their main source of livelihood; they therefore teach their children how to swim and fish at a tender age. A child who fails to learn this trade is considered block-headed. Fishing, according to fishermen, is a source of pride and prestige for fishing communities as it fulfills an ancestral and cultural obligation.

4.2.4 Formal educational provision in fishing communities

This section discusses a number of factors, which according to interviews, related influence children's involvement in fishing. These factors are; proximity to school, school infrastructure, attendance, teaching and learning materials and implementation of relevant policies and programmes such as School feeding and Capitation Grant.

Most children combine schooling with work. Such children attend school three (3) times a week and fish or engage in fishing related activity the remaining days. Boys go to sea early mornings till 1pm without attending school. Girls engage in fishing related activity such as smoking and marketing of fish.

On market days, boys follow their parents to the sea and girls smoke fish and market the smoked fish.

One formal actor, namely Mr. Kwaku lamented about pupils lateness to school:

"when school resumes, the children do not report on time and sometimes do not even report at all, with the excuse

³⁶ As at 7th January, 2015, 400CFA is equal to GHC 2.33

of helping their grandparents and relatives in fishing and farming. This I think impacts negatively on children's performance, which results in repetitions of some these children, hence, the presence of adults in primary and basic schools". Otrape, 25th September, 2014

It was observed that a 20 year old pupil was still in class 6 as a result of the reasons cited above. Children are therefore not punctual at school, skip lessons and schools experience high drop out rates. A formal actor listed lack of parental support, high poverty levels, high teenage pregnancy rates and schools proximity as factors that account for high school drop-outs and absenteeism in the district.. The head teacher at Azizanya also lamented about high drop out rates and said as many as 318 pupils had dropped out in the past year from kindergarten to class six and that at the Junior High School(JHS), level, 50 girls dropped out and of this number, 11 was as a result of teenage pregnancy.

A. Proximity of Schools to fishing communities

Interviews reveal that only few schools are established on islands and overbank communities. Most children on islands and overbank communities cover a distance of about 7 kilometres by foot to nearby schools. Pupils therefore become very exhausted and since the sea is closer to them, they rather would prefer to go fishing. Islands and overbank are also more deprived in terms of infrastructure as well as human and material resource than inland schools.

It was observed, on the other hand that schools located very close to the lakeside or the sea also also encounter regular disruptions while lessons are in progress. A formal actor stated that upon hearing the shout '*lobaooo*', children run uncontrollably from the classrooms to the lake side to pull fishing nets.

B. School Infrastructure and other material resources

Interviews with teachers reveal that schools in communities visited are overcrowded, it was observed that the sizes of class rooms are generally very small. The Azizanya D/A Basic School enrolled 437 pupils last year and this was seen as a major challenge confronting the schools, considering the few number of buildings as well as small sized class rooms. Despite these infrastructural challenges, some schools have experienced a rise in school enrolment, which schools attribute to the implementation of the School Feeding Program. Yet, the school feeding programme is not being effectively implemented in these schools.

Teaching and learning materials as well as School text books are in short supply. In one of the schools visited the head teacher showed a single text book from which several photocopies were made. Whereas textbooks are in short supply, schools do not own photocopy machines and as such the already feeble budgetary supply is expended running photocopies.

C. Implementation of relevant policies and programmes

The lack of implementation of the School Feeding Programme has become a major challenge contributing to the refusal of some parents to take their children to school. Schools that implement the School Feeding program, had higher school enrolment rate. However it came to the fore that even in such schools, children bought their own food and children.

According to an official of the Ghana Education Service, schools do not regularly receive their capitation grant due to the difficulty in processing documents from the District Assembly. Interviews also reveal that schools do not receive a regular supply of school uniforms.

4.2.5 Health Challenges

Reportedly, working children as well as their parents were registered under the NHIS scheme, though some stated their cards had expired. Others claimed they never required to use NHIS cards because they were always fit and in good health. Further interviews revealed to the

contrary that children were often taken ill as a result of the nature of work as well as the social context within which they operated. In fact, reportedly, apart from the harsh conditions under which children work, they were often subjected to physical abuses and beaten frequently by their employers or parents. Such children when taken ill were offered herbal treatment or self-medication. In terms of the latter, *paracetamol* is often administered.

4.2.5 Child Trafficking

Ada is seen as a sending community, as children are trafficked from Ada to receiving communities (Akosombo) in exchange for money and other gifts. Interviews reveal that trafficking thrives in all fishing communities and children who are trafficked encounter all kinds of abuses and dangers. A '33 seater bus usually conveys children twice a week to 'Akosombo' during vacation periods. According to some actors, children are reportedly trafficked with the aim of acquiring a source of trade and a livelihood. One respondent cited an instance in which three children who were being trafficked died as a result of an accident.

Boys are trafficked more than the girls as boys are considered stronger and more energetic than girls and therefore more suitable for fishing purposes. Girls who are trafficked, usually work as prostitutes and stand the risk of Sexually Transmitted Diseases (STDS).

A respondent of a media house, cited a situation where children having relocated from sending communities such as Teshie and Nungua to Ada, settled for about 2-3 years and eventually became natives of that land. According to him, most of the children engaged in fishing in Ada are not indigenes, but settlers.

Children according to respondents travel during the vacation to visit and assist their guardians. Respondents had knowledge of laws prohibiting child trafficking because of the extensive media coverage accorded it. However, complainants go back to authorities to withdraw cases for home settlement. Informal actors were of the view that all members including children in the

community are same kinfolks and so whatever effects one child affect the whole community; they are all of 'one father and one mother' literally translated '*tse ko bi nyε ko bi*)-'. Thus whatever happens to one affects all and attempts to cause the arrest of one member of the community distresses the entire community. Similarly communities would seldom wash their dirty rags before public.

4.2.6 Enforcement

None of the respondents could spell out laws barring child labour and child trafficking although they agreed that it was illegal. Some confirmed that arrests have been made in the past.

4.2.7 Interventions

At the initiative of some state actors, certain interventions have been instituted:

- Payment of school fees for children in fishing communities who cannot afford to do so
- Enactment of Bye-laws against child labour and trafficking by the Social Service Sub- Committee of the District Assembly. These Bye-law are yet to be approved by the Assembly
- Payment of National Health Insurance Scheme for the aged, since grandparents are usually primary carers of working children
- Provision of micro credit as well as loans so as to promote alternative sources of livelihood for parents

The other interventions to help these overbank schools:

- Distribution of lantern to children
- Distribution of free exercise books by civil society organizations
- Distribution of solar panels to schools.
- The district assembly arranged flexible hours between teachers and pupils for learning to suit their specific living situations but this has not yielded any success. Teachers are fearful of the sea and river hence; do not accept postings to the schools over bank .

SECTION 5: CONCLUSION AND RECOMMENDATION

5.1 Conclusion

The findings of this research have brought to the fore issues of security, safety, human rights as against survival and effect of educational facilities on working children. Poverty plays a key role in driving children to work. Children in poor households are more likely to be drawn into child labour at the expense of security, safety and education to meet basic needs of the family. The inclusion of such families under the social protection strategies would be most helpful in combating child labour.

Fishing endangers the child's physical, mental and moral well-being. Child labourers are at a high risk of illness, injury and even death due to a wide variety of biological, physical, psychosocial hazards, long hours of work and poor living conditions. While engaging children of age in any work, it is important to protect from unnecessary injury in the course of work .

Despite the efforts by the State to provide basic education all children in Ghana, access and quality of education remains a challenge especially in some of the communities visited. Where schools are available, the quality of education is low. In some situations parents see no value in education, children are sent to work, rather than to school. Denied the right to a quality education, as adults they have little chance of obtaining a decent job and escaping the cycle of poverty and exploitation.

The findings of this research highlighted disparities between relevant human rights laws and the reality (see attached template on rights violations and corresponding human rights laws) as lived by poor working children in fishing communities.

Rights-based approaches demand the entitlement of working children to their fundamental human rights, without discrimination. Unfortunately, however, foregoing discussions have

established numerous rights abuses and violations by both State and non-State actors. Principally, not all children in fishing communities benefit from social protection support and participate in, or contribute fully to the enjoyment of their social and economic rights.

Enforcing compliance with various human rights laws sometimes leads to unpleasant consequences for such children; hence the communities seldom report or file cases of abuse for fear of reprisals. Further, seeking to remove children from hazardous activities when such endeavors constitute their key source of livelihood can be challenging. Consequently such communities would choose survival and livelihood over inhumane conditions characterized by numerous human rights violations, including gender-based violence. Even when children are rescued, there not enough State shelters to accommodate and rehabilitate them, let alone guarantee their right to a sustainable livelihood.

While we grapple with the everyday intricacies of survival and livelihood versus the human rights of the working child in fishing communities, the Commission is optimistic that these findings would:

- Motivate practical discussions amongst relevant State and non-State actors regarding a holistic assessment of the human rights situation of children engaged in fishing.
- Yield realistic recommendations that would incite inter-sectoral initiatives, aimed at addressing various rights deficiencies and subsequently promote regular monitoring of the social and economic rights of children engaged in fishing.

5.2 Recommendations

- 1 The Ministry of Education in collaboration with the Ministry of Local Government and Rural development should facilitate the establishment of schools at the basic level in fishing communities, particularly, island and overbank communities;
- 2 The Ministry of Education must ensure the effective implementation of the Capitation Grant; and all public schools in fishing communities should be enrolled unto the School Feeding Programme;
- 3 Ministry of Education in collaboration with relevant ministries should consider flexible educational provisions that would promote the realization of rights to education as well as livelihood of working children;
- 4 The Ministry of Gender, Children & Social Protection should extend the Livelihood Empowerment against Poverty (LEAP) and other social intervention programmes to fishing communities;
- 5 The Ministry for Fisheries and Aquaculture Development must extend appropriated technological support to the fisher folk to boost fishing and reduce demand on child labour;
- 6 The Dangbe East District Assembly should as a matter of urgency approve the Assembly's bye-laws to address child labour and child trafficking issues;
- 7 The relevant law enforcement institutions should enforce laws on child protection;
- 8 The Commission on Human Rights and Administrative Justice should collaborate with the Ministry of Education and other relevant ministries to establish Human Rights and Integrity Clubs in inland fishing communities;
- 9 The Commission on Human Rights and Administrative Justice should collaborate with the District Assemblies, the Social Welfare Department as well as Child Panels, through public education campaigns, to encourage community members to report child labour and trafficking related abuses to the relevant institutions.

Appendix

ISSUES	CONVENTIONS AND LAWS	ACTUAL EXAMPLES	LOCATION AND DISTRICT
1 Right to health and health service	AFRICAN CHARTER ON THE RIGHTS AND WELFARE OF THE CHILD	Children are subjected to verbal and physical attacks when they complain of ill health or show signs of tiredness	Lolonyakorpe/Oyibo - Ada and Kpando
	Article 11 (2) (h) Article 14 (1)	Majority of the children are either not registered or have expired NHIS registration.	Kpando Torkor, Ada
	Article 14 (2) (b) Article 14 (2) (c)	Children are prone to various injuries and health problems as a result of fishing and are unable to meet medical bills since they are not registered under the NHIS	Kpando
2 Right to Education	CONVENTION ON THE RIGHTS OF THE CHILD Article 24 (2) (b)	"The people I used to work for do not allow me to attend	Torkor Tornu - Kpando
	AFRICAN CHARTER ON THE RIGHTS AND WELFARE OF THE		

CHILD	school; I decided to work on my own so that I can go to school"	
Article 11(1) Article 11(2) (h)	"What should I do to my two children whose school fees I have paid and yet they prefer to fish. When I insist they attend school all of them decide to move from Ada to unknown communities to engage in fishing"	Otrope – Ada
Article 11 (3) (a) Article 11 (5)	Schools have limited and Improvised teaching and learning materials	Kpando and Ada
INTERNATIONAL COVENANT ON ECONOMIC, SOCIAL AND CULTURAL RIGHTS	Schools are not benefiting from school feeding programme	Kpando and Ada
Article 13 (2) (a)		
CONVENTION ON THE RIGHTS OF THE CHILD		
Article 28 (1) (a)		

3	Child labour and its worse forms	AFRICAN CHARTER ON THE RIGHTS AND WELFARE OF THE CHILD	“I don’t enjoy it because it is very difficult and risky. It demands much strength than we can provide or meet”.	Awarey Tornu – Kpando
		Article 15 (1) CONVENTION ON THE RIGHTS OF THE CHILD		
		Article 6 (1 and 2)	Children leave home very early for fishing and are not seen by their parents till 5pm. Parents who are fishermen usually wake their children up, early at dawn to smoke fish for market.	Lolonyakorpe – Ada
		ILO 182 (3) (d)	A rescue operation at Big Ada District was able to rescue two children; a 10 year and a 15 year old boys	Ada East
		ILO 182 (3) (1)	“I went fishing the previous term at Katanga, in Togo. I fish on my own volition and give money	Otrope - Ada

			earned to my mother- a kenkey seller. I normally drag nets and fetch water from the canoe..."	
			"The boat we usually use is spoilt so it's difficult operating it yet we have to ride it because we need money. It easily sucks water and so we continually have to scoop the water out"	Awatey Tornu - Kpando
			These children fish at midnight through 3am until 10am. On return, such people prepare and attend school afterward	Kpando
4	Forced Labour	CONSTITUTION OF GHANA Chapter 5 (16) (2)	"There is no one to help money wise and so I am sometimes forced to fish for my parents"	Dafor Tornu -Kpando
5	Right to life	CHILDREN'S ACT 1998,(ACT 560) Section 6 (2)	Fishing is basically the source of livelihood	Fishing communities in Ada and Kpando districts

			Children work during school hours to enable them get money to buy food	Ada and Kpando
			Children drown during fishing	Ada
6	Right to liberty and security/protection of person	AFRICAN CHARTER ON THE RIGHTS AND WELFARE OF THE CHILD	Working children are not provided with safety gears	Fishing communities in Ada & Kpando districts
		Article 18 (3) Article 19 (1)	Some children work to cater for their younger ones while others work to support their family	Kpando
		Article 19 (2) Article 20 (1) Article 20 (1) (b)		
7	Right to rest and leisure	AFRICAN CHARTER ON THE RIGHTS AND WELFARE OF THE CHILD Article 12 (1)	Working children often do not break or rest while working. Children either eat after work while others eat on the job, while working	Kpando
8	Right to dignity(physical and verbal abuse)	AFRICAN CHARTER ON THE RIGHTS AND WELFARE OF THE CHILD	Children are physically and verbally abused by their parents/guardians and workers.	Kpando and Ada

Article 15 (1)

CONVENTION
ON THE RIGHTS
OF THE CHILD

Article 6 (1 and 2)
ILO 182 (3) (d)

CHILDREN'S ACT
1998,(ACT 560)
Section 6 (2)

9 Child trafficking

AFRICAN
CHARTER ON
THE RIGHTS AND
WELFARE OF THE
CHILD

A parents' child
was trafficked
to Akosombo
without his
knowledge.

Azizanya-Ada

Article 29 (a)

A 33 seater Benz
bus loads
children during
long vacations
from the
sending
communities
mostly from
southern part of
the Volta Lake
to the northern
part of
communities
along the Volta
Lake

Kpando and Ada

HUMAN
TRAFFICKING
ACT, 2005(ACT
694) 2 (1)
ILO 182 (3) (A)

10 Cultural Beliefs

1992
CONSTITUTION
OF GHANA
ARTICLE 26 (1)

Most indigenes
attribute issues
of drowning to
religious beliefs,

Ada

which is subscribed by both Muslim and Christian religions. These people have therefore established Prayer Camps with small overcrowded rooms to avert such calamities

Chapter 5 (28) (4)

11 Right to receive equal pay for equal work

CONSTITUTION OF GHANA
CHAPTER 5 (24)
(1)

“I get money upon fishing and selling. My father gives me 50p after every fishing activity. My dad cheats me because he only gives me 50p. It is not enough. Meanwhile when we obtain a great catch we get sales of about Gh¢50- 60 but on very bad days, we don't get any catch”

Awatey Tornu - Kpando