

# **GIRLS IN MINING IN GHANA: SURVIVING WITHOUT FLOURISHING**



CSPS TECHNICAL PUBLICATION SERIES No. 2/16

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**UNIVERSITY OF GHANA**

**CENTRE FOR SOCIAL POLICY STUDIES**

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## **ABSTRACT**

Child labour is endemic in Africa and remains one of the biggest challenges facing Ghana. Child labour, by definition in Ghana's Children's Act, 1998 (Act 560) refers to (harmful) work by children below the age of 18 years. Yet for many children and their families, child labour is a very important coping mechanism that helps them to fight poverty. Some scholars are beginning to soften their hardline stance on child labour, suggesting that many working children have successfully completed school. This report shares findings on an exploratory study of 165 girls under 18 years working in artisanal gold mines in Akwatia in the Eastern Region and Tarkwa in the Western Region in Ghana. Descriptive statistics from the study revealed that the majority of girls in mining were able to support themselves financially but simply could not cope with regular school, to be able to make positive advancements in their social development. Thus the girls were able to survive but could hardly flourish under the circumstances. Thus the observation that it is possible to successfully combine school and work among children therefore is subject to the conditions under which this occurs, and requires further field study.

Key words: poor girls, illegal mining, education, Ghana

## ACRONYMS

ASM	Artisanal small scale mining
CASM	Communities and Small-Scale Mining
CHRAJ	Commission for Human Rights and Administrative Justice
CRRECENT	Child Rights Research and Counselling Network
CMA	Cocoa Manufacturers Association
CSO	Civil Society Organisation
CSPS	Centre for Social Policy Studies
EPA	Environment Protection Agency
FDI	Foreign Direct Investment
FTS	Free the Slaves
GCLMS	Ghana Child Labour Monitoring System
GHC	Ghana Cedi
GLSS	Ghana Living Standards Survey
GSS	Ghana Statistical Service
ILO	International Labour Organisation
IM4DC	International Mining for Development Centre
IMF	International Monetary Fund
IPEC	International Programme on the Elimination of Child Labour
MESW	Ministry of Employment and Social Welfare
NCCE	National Council of Civic Education
NGO	Non-government Organisation
NPA	National Plan of Action
NSCCL	National Steering Committee on Child Labour
PNDC	Provisional National Defence Council
RDS	Respondent Driven Sample
SAP	Structural Adjustment Programme
TWN	Third World Network
UCW	Understanding Children's Work (UNICEF Project)

UIS	UNESCO Institute for Statistics
UN	United Nations
UNCRC	United Nations Convention on the Rights of the Child
UK	United Kingdom
WCF	World Cocoa Foundation
WFCL	Worst Forms of Child Labour

## CHAPTER ONE

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### INTRODUCTION

---

#### **Background to Child Labour**

Child work is essentially a livelihood and socialisation strategy that families and communities throughout the ages have used to prepare children and adolescents for adulthood. But attitudes to this phenomenon and the context in which it takes place, as well as the consequences for children and society in general have changed over the years. There is now broader acceptance that this so-called socialisation or apprenticeship experience, both within and outside the family, can amount to exploitation of children within certain contexts. This change in the ideology of child work has been heavily influenced by the expansion of the work arena of children. They have gone from working in family enterprises to competing for low skilled jobs in the labour market, dating back to early industrial times and growth of urban markets all over the world. Humphries (2012) has captured from autobiographical material in the U.K. how child labour evolved in the British industrial revolution (see also Ame et. al., 2011; Grossman-Greene and Bayer, 2009; Mensa-Bonsu, and Dowuona-Hammond (Eds.) (1994)). As a result of these developments, today child labour conjures a lot of negative images among development practitioners. The study on girls in artisanal mining was motivated by the growing interest in child poverty, and the nature and consequences of the coping strategies children adopt, with special reference to girls. Hilson (2010) defines artisanal and small scale mining as follows: “*artisanal and small-scale mining (ASM) comprises all low-tech, labour-intensive mineral excavation and processing activities prevalent in developing countries*” (Hilson, 2010:445). Very often such mining activities operate outside the law.

In the definition of child labour, the United Nations Convention on the Rights of the Child (UNCRC) (UN,1989) provides a useful starting point, defining child labour as: *Article 32 (1) State Parties recognize the right of the child to be protected from economic exploitation and from performing any work that is likely to be hazardous or to interfere with the child’s education, or to be harmful to the child’s health or physical, mental, spiritual, moral or social development*

(*UNCRC, 1989:9*). But this has not prevented states from customising their own definitions of child labour. Ghana in the Children’s Act, 1998 (Act 560) defines children as persons under the age of 18 years. Article 87 (2) of the Act followed closely what UNCRRC adopted, stating that [Child] “Labour is exploitative if it deprives the child of its health, education or development” (RoG, 1998:27).

### **Statement of the Problem**

In 2006 ILO set a target to eliminate the worst forms of child labour by 2016. Since then, the organisation has intensified its monitoring of global progress on the fight against child labour, which it launched in 2000. Through the combined efforts of governments, development partners and civil society as well as private sector campaigners the number of children under 18 years involved in child labour seems to have declined from 250 million in 2000 to an estimated 168 million in 2012. Decline in the number of girls in child labour during the same period has been relatively high at about 40%, compared to 25% for boys. Overall, the number of children in hazardous work is said to have reduced by about 50% between 2000 and 2012 (ILO, 2013). Despite these impressive findings, ILO reports suggest that child labour in West Africa remains among the highest in the world, with an estimated 25% of children between ages 5-to 14 years economically active (ILO, 2015). Part of the success of reduction in the child labour globally can be attributed to the increased research and advocacy on the phenomenon. But in this process children in mining in West Africa, especially involving girls has receive far less attention. Research and publications on the practice in Ghana and elsewhere in the Region are limited, making it imperative that more studies such as this one are conducted into the matter to support the campaign to end hazardous child labour.

At the time Ghana joined the ILO anti-child labour campaign, there was not much documentation on the activities of children in mining in the country. Because the mines are tucked away from main road networks they are less visible to policy makers and law enforcement agencies, making it difficult to apprehend children in hazardous work! The fear is that these circumstances place such children at greater risk of abuse and marginalisation compared to other working children (FTS et. al. 2014). Girls have been singled out for this study because although in Ghana women

and girls are not viewed to be active players in mining work, they are very active in the provision of services to the male diggers and as labour for the processing of ore. They also may end up being drawn into transactional sex (ibid). Besides the potential for women to become increasingly engaged in artisanal mining is high, as has occurred in other developing countries (see Hinson et.al, 2003)

It is fair to say that the average person views child labour as unacceptable, but not everyone agrees that it is detrimental to children's well-being. Researchers are clearly divided on the effects of child work on the welfare of children. Some argue that while it may be harmful to children, many of them cannot afford to withdraw from the labour market due to their poverty. Such researchers consider themselves to be pragmatists, and are conducting empirical studies that seek to demonstrate that safe child labour is beneficial for poor children who have no option but to work. Their approach is not to condemn child labour outright, but to find ways by which working children can be restricted to safe work tasks and be supported to go to school. Such views have been expressed even about child labour in artisanal mining and quarrying where some of the hardships associated with the worst forms of child labour are to be found (ILO, 2006; Hilson, 2012).

In Ghana, the definition given to artisanal mining is mining by individuals and groups (gold) by relatively modest technology and financial resources (Collins and Lawson, 2014). ASM in Ghana falls into two types, including legal licensed operations and illegal operators who function outside the monitoring of Environmental Protection Agency (EPA) and the Minerals Commission. There appears to be a distinction between artisanal and small scale miners in the law. Most ASM operators are digging for gold and to a less extent diamonds, as well as sand winning and quarrying (Collins and Lawson, 2014). Unlike licensed small-scale artisanal miners, unlicensed informal artisanal mining is considered to be illegal and is popularly known as *galamsey*, which is said to be a corrupted version of 'gather them and sell' (referring to precious minerals).

The economic reforms of the Structural Adjustment Programme in the 1980s brought with them renewed interest in mining. Overall this was seen to be good for the economy but it has unleashed unintended side effects. Local communities on the fringes of mines have suffered various

consequences such as disruption of livelihoods through displacement from agriculture in favour of mining concessions. This has been blamed for forcing families and adolescent children to seek other means of income including mining and quarrying.

As noted earlier ASM's remoteness, informal character and apparent high labour turnover, makes it difficult to determine the number of children involved in mining and quarrying activities in Ghana. However, the ILO (estimates that nearly 1 million children from as young as age 5 to 17 years work in the mines and quarries. It is feared that in this context they are exposed to the worst forms of child labour and in addition miss out on education (ILO, 1999a; ILO 1999b; Jennings, 1999).

### **Objectives of the Study**

ILO/IPEC has undertaken a number of studies into child labour in Ghana, as part of multi-nation studies. As part of this effort the study set out to examine the extent to which girls working in artisanal operations successfully combine this survival mechanism with education and safe health or, whether indeed it plays a negative role in their human capital development. We adopted education and general health as the main indicators of positive survival mechanisms. Where it is clear that girls in mining earn income, but have been unable to adequately promote their health and education, we would then suggest that their survival mechanism has failed to create opportunities for advancement, or that they have survived without flourishing.

The study was intended to provide decision makers, practitioners and activists with a sound basis for policies and programmes aimed at eliminating child labour in this sector, especially the multi-prong exploitation of girls in the mining sector.

The specific objectives include the following:

1. Study the demographic characteristics of girls in mining which may act as push factors which encourage them to seek artisanal mining work
2. Study how girls combine schooling and *galamsey* work

3. Examine the livelihood experiences of girls in mining and existing support mechanisms to safeguard their interests, if any.

### *Research Questions*

What are the circumstances that drive some girls into artisanal mining?

How do the girls combine school and work?

What mechanisms exist to protect the well-being of girls in mining?

### **Background to Artisanal Mining in Ghana**

In the early 1980s global commodity price shocks coupled with chronic poor governance brought many developing countries to the brink of collapse. Several countries in Africa were forced to accept an economic bailout plan) to stabilise their economies known as Structural Adjustment Programme (SAP), funded by World Bank and International Monetary Fund (IMF). Market liberalisation was central to SAP, which launched a major privatisation drive that sought to roll back public sector involvement in the productive and social sectors (Hutchful, 2002; Appiah-Kubi, 2001; Mensah, 1993).

The expansion of ASM can be traced to the mining reforms of the 1980s in Ghana under the SAP. Many African countries took similar steps and enacted new legislation to deregulate this sector and to provide generous incentive packages to investors in the sector (Aryee, 2001). Policy makers revised the *Minerals and Mining Law (PNDCL 153), 1986* and adopted new legislation on small-scale mining such as: *Small-Scale Gold Mining Law, 1989* and several others. About 200 new exploration companies with an estimated value of US\$4 billion (Hilson and Potter, 2005) entered the Ghanaian extractive sector in the 1990s.

Since in Ghana, mineral exports of gold, diamond, manganese, bauxite and aluminium have a long history of importance in the economy and export trade the country sought to capitalise on that comparative advantage in the SAP plan. It was recognised that the extractive industries stood the best chance of attracting foreign direct investment in the short term (Tsuma, 2010).

Data from the Minerals Commission (2002) suggests that over the last decade, the mining sector has been a significant contributor to both formal and informal employment in the country. Up to 1995, the sector accounted for 20 % of formal sector employment with large-scale mining companies employing about 20,000 people, and the small-scale artisanal mining sector accounting for more than three times that number. In terms of output artisanal mining and quarrying workers are said to have produced 22.2 tonnes of gold in 2011 (Danwatch, 2013) Illegal operators in this field are popularly known as *galamsey* (*gather them and sell*) operators<sup>1</sup>. The increased demand for labour that followed paved the way for greater influx of children in mining. It is fair to say that the reforms to boost mining which led the Government to regularise *galamsey* camps in 1989 through PNDC Law 218, had not anticipated that it was going to be such a threat to the well-being of children. But perhaps children are not new to ASM. Mining, particularly gold mining by indigenous people is said to date back to more than 2000 years ago (Hilson, 2001). ). Artisanal miners went underground after their operations were abolished by colonial authorities in 1933, but they bounced back following the reforms. ASM has thus remained significant to grassroots livelihoods in many parts of the country (Yelpaala and Ali, 2005) and as with other traditional operations like fishing and farming, it is common to find that children formed part of the labour force.

Coming into the 21<sup>st</sup> Century the ILO was among the first to blow the alarm about the increasing number of children in mining. It adopted the Elimination of Child Labour in Mining and Quarrying (12<sup>th</sup> June 2005) as its theme for the background document for the World Day against Child Labour In 2005.

For the Government of Ghana, the decision to legalise *galamsey* was seen to be pragmatic, based on reports that artisanal miners were producing significant quantities of minerals in many countries. A recent estimate in the country indicated that *galamsey* operators produced 30% of gold output in the country in 2011 (Human Rights Watch, 2015).

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<sup>1</sup>Informal mining and quarrying using rudimentary tools.(Danwatch, 2013).

In spite of the significant contribution they make to overall mineral production in Ghana, the often ambiguous nature of their status means that artisanal and small-scale mining operations are frequently embroiled in conflict. They typically lack their own concessions, and tend to encroach on the grounds of international large-scale mining companies. This gives rise to clashes between the two parties in many countries.

### **Significance of the Study**

This Technical Report is intended to provide a much needed field insight into the lived experiences of young girls in mining as a means of livelihood. It helps to dispel the commonly held assumption that girls are typically engage in ancillary services rather than direct mining related activities and the dangers they bring. Despite growing pressure on policy makers to intervene, systematic studies on the phenomenon of child labour in mining are limited. Most documents that exist are in the form of administrative reports, and are not in the public domain. Besides, most of the studies that have been published on child labour are on streetism and children in agriculture, especially in cocoa, and in fishing (US Department of Labour, 2013; Afenyadu, 2010).

## CHAPTER TWO

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### LITERATURE REVIEW

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#### **Defining Child Labour**

The ILO in Convention 138 (1973) in Article 5 (1) had identified mining and quarrying as one of the sectors in which minimum working age of 18 years (C138, Article 3 (1)) was to be enforced. Following concerns about the weak enforcement of this ILO *World Day against Child Labour* in 2005 under the theme: *A Load too Heavy*, was devoted to children in artisanal mining (see also ILO, 1999b). Despite concerns about violations of this Convention on the global stage, by all accounts there are strong pull factors attracting children and their parents to artisanal mining, e.g. the promise of quick money. Some of the push factors may also be traditional expectations of adolescent children as income earners; war and conflict, parental neglect and premature independence from parental control.

Very often in the literature child work and child labour are used interchangeably, though in law they now refer to different practices. For example, International standards accept child work especially for children under 15 years, as typically involving domestic chores and other simple tasks and are not considered to be harmful to children's psycho-social and physical health. Such activities are considered part of socialisation into responsible adulthood. They are also not seen to interfere with a child's participation in school. Such work is recognised as 'light work' under ILO Convention 138 on Minimum Age (Article 7) (ILO, 1973) as explained later. This is reflected in the United Nations Convention on the Rights of the Child (UNCRC, 1989) and the Optional Protocols to the UNCRC (2000). The UNCRC, 1989 states clearly in Article 32 as follows:

“State parties recognize the right of the child to be protected from economic exploitation and from performing any work that is likely to be hazardous or to interfere with the child's education, or to be harmful to the child's health or physical, mental spiritual, moral or social development.”

(UNCRC, 1989:9)

ILO Convention 138 Minimum Age Convention makes a distinction between children in employment, child labourers and children in hazardous work (ILO, 1973; Diallo et. al, 2010). According to the Organisation 90% of the phenomenon of child labour is found in Asia and Africa (Fors, 2012).

Though perspectives on child labour vary across different societies and regions of the world, invariably child labour is widely recognised to be the engagement of minors in adult work for money. This often happens in an environment in which the distinction between safe work and hazardous work is blurred. As noted earlier the ILO Convention 138 distinguishes between child labour and child work at home, and similarly makes a distinction between light work and hazardous work or heavy work. To buttress this, and in the light of gross abuses the ILO Worst Forms of Child Labour (WFCL) Convention No. 182, 1999 was adopted aimed at abolishing WFCL under age 18 years.

Selected points of interest in key international instruments that have been spearheaded by the UN and others to regulate work by children are summarised below:

International Labour Organisation (ILO) 138 Minimum Age Convention, 1973 -

- 13 year-olds are allowed to do light work (12 years in developing countries like Ghana); 15 years is defined as the permissible age for employment (14 years in developing countries)

United Nations (UN) Convention on the Rights of the Child, 1989 -

- Focuses on the rights of children to protection and the effects of work on them, as well as the age at which they work

ILO 182 Worst Forms of Child Labour Convention, 1999

- Adopts 18 years as the age of maturity and therefore, permissible age for employment in hazardous work and concentrates on the fight against economic exploitation of children

Reward and compensation for work done by children has undergone significant changes since the 19<sup>th</sup> century industrial revolution and global expansion of market economies. In the past, child labour was typically unpaid labour as nearly all of that effort was directed at supporting family

production activities, or devoted to apprenticeships with older relatives to enable young people learn a trade (Monk et al, 2008; Ame et al, 2011). But things began to change with the greater demand for wage labour to produce goods and services for the market as populations grew creating more demand for goods and services, and urbanisation and monetisation of the economy spread. Besides, the industrial urban economy wage labour also spread to commercial farms and fishing operations as these areas also expanded production. As part of these changes poor families that rely heavily on farming and cottage industries have been compelled to diversify their income sources by whatever means is available, including encouraging children to engage in wage labour as part of their livelihood strategies (Vimefall 2015). Thus, in mining areas in some developing countries children flock to abandoned mines to work alongside adults to try and make a living from artisanal small scale mining operations. Growing awareness about the necessity of work among poor children has compelled some scholars to question the wholesale condemnation of child labour by all interest groups. Bass (2004) for example cautions that, to better understand the dynamics of child labour and how to reduce its negative impacts on children, its age-old cultural significance to the household economy should also be recognised.

### **Global Perspectives on Child Labour and Children in Mining**

In 1996 ILO estimated that 250 million children under the age of 18 years around the world were economically active. Out of this 61% were in Asia, 32% could be found in Africa and 7% in Latin America (ILO, 1996). Since these startling statistics were published child labour is said to have declined in Asia and Latin America. This has been attributed to greater public sector investment in the well-being of children and stricter controls on the engagement of children in work (Bhalotra, 2003). But with industrialisation and the higher demand for cheap labour in emerging economies it has become extremely difficult to stem the rise of child labour in both rural and urban areas in these places.

While children and their parents may consider child labour a good opportunity to earn income, child rights advocates warn about poor regulation of labour standards in developing countries, which exposes children to harm. Years of campaigning has not lessened the challenge. Recent ILO

estimates suggest that there are over 100 million children between the ages of 5 and 14 years in employment in different sectors around the world, of who about one-quarter are in hazardous work (Fors, 2012).

Danwatch (2013) and others estimate that globally the small-scale mining sector draws about 13 million workers, of who approximately 1.5 million people are children. It appears that the proportion of girls in the industry varies from place to place, where it is as high as 50% in Nepal, but barely 20% in Tanzania (ILO, 2005). Data on the actual figures is hard to come by, but current estimates for Africa indicate that over 600,000 children under the age of 18 years are involved in mining and quarrying (Hollingsworth, 2013).

### **Poverty and Children in Mining in Africa**

In Africa, Fors (2012) points to the slow decline in child labour compared to other regions, with about 28% of children from age 5 years to 14 years working. In 2008 it was estimated that about 13% of children were engaged in hazardous work such as mining and quarrying in the Region, compared to a world average of 4% (ibid.). ILO notes that about one-quarter of all children in ASM in the world come from the Africa region and about 70% of them are less than 15 years old (2005).

The stagnation in the child labour situation in Africa seems to defy the expansion in the global anti-child labour campaigns, which have gone as far as championing international boycotts against products that rely on child labour. Fors (2012) suggests that perhaps the campaigners need to refocus when they deal with Africa because unlike Asia where the problem is grave in manufacturing industry, in Africa children in hazardous work are in the informal agricultural, mining and quarrying sector rather than the formal sector. Even more difficult is the fact that most of these children work with family members, and they are not likely to expose their parents or older relatives for breaking the law (ibid.). In fairness, the campaign has been carried in the agricultural sector especially in cocoa farming, under the guidelines of the Harkin-Engel Protocol. This was signed in 2001 between Chocolate Manufacturers Association (CMA) and the World Cocoa Foundation (WCF) (see Grossman-Greene and Bayer, 2009; Payson Centre for

International Development and Technology Transfer, 2011) and the intention was to curb WFCL in cocoa production.

Following its study on artisanal and small-scale mining (ASM) in 1999 ILO gathered enough evidence to raise the alarm on child labour in mining (ILO, 1999). Since then the Organisation has taken up the fight against children in ASM across the developing world (see ILO, 2006) through its *International Programme for the Elimination of the Worst Forms of Child Labour (IPEC)*. ILO introduced Convention 190 which strengthens Convention 182 by introducing further restrictions to children's involvement in industrial and artisanal mining. The Organisation has sponsored many studies into child labour in gold mining, quarrying and other extractive industries in Africa, Asia and South America. In Africa studies were conducted in ASM in Ghana, Cote d'Ivoire, Niger and Burkina Faso. The Organisation presents a very grim picture of the situation of children in ASM as follows:

*Gold mining is extremely dangerous work for children. Yet still today, tens of thousands are found in the small-scale gold mines of Africa, Asia and South America. Children work both above and underground. In the tunnels and mine shafts they risk death from explosions, rock falls, and tunnel collapse. They breathe air filled with dust and sometimes toxic gases. Above ground, children dig, crush, mill and haul ore – often in the hot sun. Some stand for ours in water digging sand or silt from riverbeds and then carrying bags of mud on their heads or backs to sieving and washing sites. In all mining sites, there is risk of falling down open shafts or into pits that are scattered around the areas. (ILO, 2006: 1)*

ILO enumerates several other ways in which children across the continents listed above are negatively impacted by ASM, including physical and mental health challenges and lack of knowledge and skill among informal miners about the chemicals and procedures involved in extractive industries such as gold mining (ibid.). The Organisation acknowledges the wide variety of contexts within which children are engaged in ASM, which complicates efforts to eliminate

them from these sites. These contexts include family based work, as well as children who are trafficked into mine work and treated like slave labour (FTS, 2014). Cote d'Ivoire has been cited as an important destination for trafficked children from Burkina Faso, Guinea and Mali (ibid.)

Based on empirical evidence scholars like Fors (2012; Fallon and Tzannatos, 1998) theorise that the increase and decline in child labour cannot be addressed without resolving household poverty. They explain that elsewhere rising national income has been linked to decline in child labour and vice versa, though the link weakens as society becomes more and more affluent.

Basu and Van's (1998) assertion that child labour is inevitable under unfavourable economic circumstances is endorsed by Fors (2012) who cites households with large numbers of children and low adult wages as especially vulnerable. But in addition, it has been found in some countries including Ghana that low returns to schooling is a disincentive to sending children to school (Ray, 2001; 2003). While none of these propositions are tested in this study due to the nature of the data, the arguments provide a basis for viewing the poor socio-economic circumstances of the girls in mining as an important contributory factor to their activities.

With regard to understanding child poverty, parental background is a popular variable in studies on the causes of child labour. Many scholars have observed that though parents tend to act altruistically towards their children, under conditions of severe deprivation they are inclined to initiate or condone child labour (Basu and Van, 1998), including the worst forms of child labour. Quite often as Hatløy and Huser (2005) report in their study of street children in Bamako and Accra, the initiative to work is taken by the children themselves, as they try to escape poverty at home.

A number of macroeconomic factors and social conditions have also been identified by researchers as part of the basket of possible causes of child labour. They include for example, income inequality; jobless economic growth; international trade and foreign direct investment (FDI). Additional factors have been identified such as gender considerations, and fertility factors. (ibid.).

Fors (2012) further argues that the link between child labour and poverty is worsened under conditions of credit market imperfections and labour and land market imperfections. In the first instance children are pushed to work where parents have difficulty borrowing. On the other hand, it has been suggested that child labour is higher in land rich households than in land poor households that are dependent on wage labour (ibid.). One possible explanation may be that land rich households in rural areas may be cash strapped, if they have no labour and other production inputs to cultivate the land, or, they are averse to sale or lease of land.

Some scholars even worry that the child labour statistics may be exaggerated. Thorsen (2012) for example is concerned that the dire picture painted about Africa may reflect mislabelling of children's work practices as harmful child labour. He argues that this may be due to ignorance of existing socio-cultural socialisation practices, and household responses to pressures from poverty.

### **Gender Aspects of Artisanal Mining**

Hinton et al (2003) discuss the very active roles that women across the world have played and continue to play in artisanal mining. They estimate that about 30% of artisanal miners are women who can be found in both production and processing jobs. They argue that since women are integral to the artisanal sector development assistance programmes should target them directly with appropriate and safe technologies, rather overlook them or view them only as passive agents. They estimate the proportion of artisanal miners who are women to be about 45%. In Ghana besides the typical jobs women undertake such as processing and transporting ore, Hinton et al found a minority of women to be active concession holders, work group sponsors and licensed buyers, which was corroborated by Akabzaa and Darimani (2001).

## **Child Labour and Children in Mining in Ghana**

Increasingly children as defined by The Children's Act, 1998 (Act 560) in Ghana (children under 18 years old) have formed a significant part of the wage labour force. Policymakers and child rights activists have expressed misgivings about the implications of child labour for the future prospects of children. The heavy monetisation of the Ghanaian economy in the last century, has compelled poor parents to encourage child labour as a means to supplement household incomes. The phenomenon intensified with the weakening of livelihoods in smallholder agriculture and other traditional enterprises. Under such circumstances paid work serves as a major survival mechanism for children and adults alike.

The child labour survey conducted in Ghana in 2001 confirmed that a high proportion of children between ages 5 years to 14 years were economically active in many production areas including the worst forms of child labour, especially in farming and fishing (GSS, 2003). It is estimated that about 43% of children or roughly 2.7 million children in this age group work. The most current household survey - GLSS 6 report shows that in 2013 about 48.1% of children between ages 5 years to 17 years were economically active in the 12 months before the survey, suggesting that not much has changed since the last survey was done in 2001 (GSS, 2014). Perhaps even more regrettable is the fact that the findings do not reflect the stepped up campaign against child labour in Ghana since the late nineties (*ibid.*). Others have also observed that some children (39%) combine work and school as part of a family survival strategy (Danwatch, 2013; US Department of Labour, 2013). In Ghana the proportion is even higher at about 82% of working children who also go to school (GSS, 2014). But there are fears that the affected children compromise their education either through dropping out, or, by leaving with low quality of education (UNICEF and UIS, 2011).

The situation of girls working in artisanal mining in Ghana was selected in recognition of the fact that this is one of the new frontiers of child labour in Ghana. Quite clearly children who are compelled to work due to economic hardship do not have the luxury of choosing school over work. It is this combination of factors that induce them to adopt coping strategies such as artisanal mining

and quarrying, with the hope that the income from this source will enable them to finance their education (see Hashim, 2004). While this may seem like a pragmatic solution to the problem facing such children, there are concerns that in the mining environment girls are exposed to dangerous health and physical risks, and also to dropping out of school. It is said that many also suffer from sex abuse (FTS, 2014).

Despite the current strong campaign to outlaw child labour in Ghana, enforcement of laws against the practice has been largely ineffective. This can be traced to the concentration of child labour in the unregulated informal economy. Children find it easy to enter work through this channel because of low entry barriers. Most of them work alongside family members or master skills trainers, or simply, employers. Needless to say adult relatives have little incentive to stop children from working, as it frees them from some of the financial burden that they would otherwise have to bear for the children. As noted earlier in the absence of other safety nets, poor families have actively supported the practice of child labour (Fors, 2012).

As part of *galamsey*, labour gangs in Ghana children scrape a living not only from ancillary services such as trading, head loading and cooking, but also from direct mining operations. It is estimated that, the number of workers in artisanal mining in the country had risen from about 200,000 in the 1990s to approximately 1,000,000 by 2013, but the proportion of children in this estimate is not known (Collins and Lawson, 2014). Anecdotal evidence of children's involvement is however common. In addition, many observers have noted that about 10% of artisanal miners are women and girls (ibid.).

Hilson (2010) endorses the earlier findings by others that children are drawn to ASM principally out of poverty, but he also contests the view that child labour is inherently detrimental to the wellbeing of children. He studied child workers in ASM camps in the Talensi-Nabdam District in the Northern Region of Ghana, with special attention to the dynamics of child labour and focused on questions such as: why are children in ASM and how can they be taken out of it? He noted for example that, with the de-agrarianisation of rural work over the years it was inevitable that children as well as adults would turn to monetised economic activities such as ASM, where the cash returns were higher and more promptly earned to supplement income from farming (see Ellis, 2006).

Hilson (ibid) like Bass (2004) suggests that while not seeking to downplay the gravity of hazardous work done by children in ASM, in many respects their involvement was akin to the hard manual work they would otherwise have performed on farms – head loading materials, fetching water, preparing meals and running errands. He was drawn to this conclusion based on the observation that children in ASM in the Talensi-Nabdom camps were usually restricted to unskilled errand jobs rather than worst forms of child labour.

Given the diverse experiences he associated with ASM work, Hilson (ibid) warned against the wholesale blacklisting of ASM as ‘worst forms of child labour’, except where it was clear that children were handling toxic materials such as mercury to amalgamate gold. But he agreed that ASM harboured exploitative elements that were in breach of ILO Convention 182 including the employment of children in dangerous tasks such as crawling into mine pits / shafts.

On the effect of ASM on school participation again Hilson (2010) has a contrary view to what others have concluded – that ASM generally undermines basic education as most children involved in this sector drop out of school or do not participate fully in school. He cites the Ghana Child Labour survey (GSS, 2003) which reported that about 64% of working children were also in school.

The concern about ASM as a negative survival mechanism or adverse coping however remains strong, as is evident in reports by NGOs in recent times (FTS, 2014). Based on a two-year pilot project to raise awareness on children’s rights in 10 unlicensed ASM gold mining communities in the Obuasi Municipal Assembly and two nearby districts, a number of civil society organisations - Free the Slaves and Participatory Development Associates and Social Support Foundation confirmed that the general public originally had very low levels of awareness of the abuse of children’s rights at the mine sites, but this improved considerably by the end of the pilot project. Their investigations covered issues such as suitable work for children, effects of abuse, actions to protect children and government assistance. They documented evidence of sex abuse among the girls and confirmed the incidence of boys working with dangerous chemicals. The CSOs

concluded that the root causes of children's involvement with ASM were poverty and lack of options for welfare (ibid.).

Twum-Danso et.al. (2014) reiterate the point about the strong link between poverty and child labour. They argue that this causes a dissonance between activists acting to eliminate child labour and the children's realities and their commitment to work. Under the circumstances, the victims of child labour and the activists seeking to rescue them work at cross-purposes, which frustrate the implementation of the UN Convention on the Rights of the Child (UNCRC, 1989).

The complex situation of poor children in employment has even staunch anti-child labour campaigners like Plan Canada raising questions about the appropriateness of a 'one-size-fits-all' approach to child labour eradication. Thus the President of Plan Canada had this to say: "*Plan recognizes the important role of education in the lives of children but,...believes education should not be seen in isolation from the other avenues including work and play that support children's overall development.*" (Bourdillon, 2010:2). In several illustrations from his field work on the significance of children's work, Bourdillon provided evidence to support his argument that sometimes removing children from work exposed them to more violence and trauma as their livelihood income stream is cut off. Besides such moves disrupted education through work with its numerous material and social benefits. Bourdillon suggested that well-meaning but indiscriminate application of international standards put forward by ILO, UN and others were partly to blame for the lack of sensitivity to the needs of children who have to work to survive (ibid).

## CHAPTER THREE

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### RESEARCH METHODS

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#### **Research Design**

The research into girls in illegal artisanal or galamsey mining was designed as an exploratory quantitative study. The girls were interviewed in hour long face-to-face interviews based on a semi-structured interview schedule. In addition, secondary sources were consulted to review past studies into children in mining in Ghana, and the policy context of artisanal mining and child labour in Ghana.

#### **Study Areas**

The study was conducted at two mining sites in southern Ghana, including Akwatia, which is a diamond mining town in the Eastern Region of Ghana, and Tarkwa in the Western Region where gold is the predominant mineral mined. Akwatia was selected because it is one of the oldest mining towns in southern Ghana, and an important destination for artisanal and small scale mining (Yelpaala and Ali, 2005). Tarkwa on the other hand is a major mining centre in the country.

Akwatia has been described as the “boom-bust diamond town” (Vlassenroot and van Bockstael, 2008:2013). It is located in the newly created Denkyemba District (2012) of the Eastern Region and was home to the Ghana Consolidated Diamond Limited (GCDL), a state-owned enterprise. Diamond mining operations started here in 1920 and by 1930s Ghana was the second largest producer in the world (ibid.). But in 2007 the Akwatia mine was sold to a private firm – Great Consolidated Diamonds Ghana Limited (GCDGL) after a serious downturn in its performance, leaving in its wake, unpaid mineworkers and high school dropout rates and impoverished mine workers and their families. The town is estimated to have a population of about 24,000 (2013). Agriculture is a major economic activity here but gold mining is actively pursued as the main or subsidiary source of income (GSS, 2014).

Tarkwa has a population of about 35,000 (2010 population census) and is in the Tarkwa-Nsuaem Municipal Assembly in the Western Region of Ghana. Gold mining in Tarkwa represents a major industrial activity in the Ghanaian economy, and it has been suggested that this was the site of some of the earliest mines in the country (GSS, 2014). Over the years artisanal mining has grown in this area, attracting a lot of poor families.

### **Sampling Approach**

The sample for the study was deliberately gender biased in favour of girls, in response to concerns that girls had received little attention in research into the worst forms of child labour in mining in Ghana. A limited budget forced the research team to abandon earlier plans to interview boys in mining for comparison, and to engage control groups of boys and girls of similar ages but not engaged in mining.

A total of 165 girls involved in mining 10 years to 18 years were identified through a variety of techniques. First a handful of them were selected by purposive sampling which was followed by respondent-driven sampling (RDS),<sup>2</sup> or network sampling (Hatløy and Huzer, 2005). In this process, local spokespersons and children who were first identified through local contacts, subsequently identified others in the target population for the study. Of this sample, 120 (73%) were from Tarkwa whilst 45 (27 %) were from Akwatia. The original intention was to undertake a comparison of Tarkwa and Akwatia, however the small sample size at Akwatia coupled with strong similarities between the respondents at the two sites made any comparison uneventful.

### **Data Collection Instruments**

#### *Primary data collection*

The fieldwork was preceded by a familiarisation visit to the study sites, during which conversations with a small number of girls engaged in mining helped to generate appropriate questions for designing a survey instrument. Following this a semi-structured instrument made up of pre-coded

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<sup>2</sup> In RDS the first respondents are usually rewarded for participating in the study, and again rewarded when they help to identify other candidates for interview. The incentive system continues with all others who help to bring others on board. This is very useful for sampling difficult to reach respondents

and open-ended questions was constructed that addressed the following variables: background characteristics, participation in school, recruitment, work profiles, compensation among others.

### *Secondary data collection*

The first step in the data collection was a desk review of policies and legislation and programmes on child labour in Ghana, with special attention to their implications for girls in mining. In addition, a review was conducted on the past research studies that had been published on children / girls in mining.

### **Data Analyses**

Given the exploratory nature of the study the analysis of the data was limited to basic descriptive statistics on the socio-demographic characteristics of the girls and the nature of their involvement in artisanal mining. Special attention was given to their participation in school and to the risks they were exposed to at work. Simple frequencies generated from these variables have been presented in tables and charts.

## CHAPTER FOUR

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### RESEARCH FINDINGS: DEMOGRAPHIC CHARACTERISTICS OF GIRLS IN MINING

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#### **Introduction**

Section Four is devoted to the socio-economic background of the 165 girls who were interviewed for this study. Considering that many studies have identified poverty as a push factor for children in artisanal mining, some attention is paid to the living conditions of the girls, where housing is used as a proxy for poverty status. The findings are discussed against the background of ILO guidelines and the Ghana Children's Act, 1998 (Act 560) provisions on working age of children, and the type of work they should do. It includes sub-sections on age, education and housing.

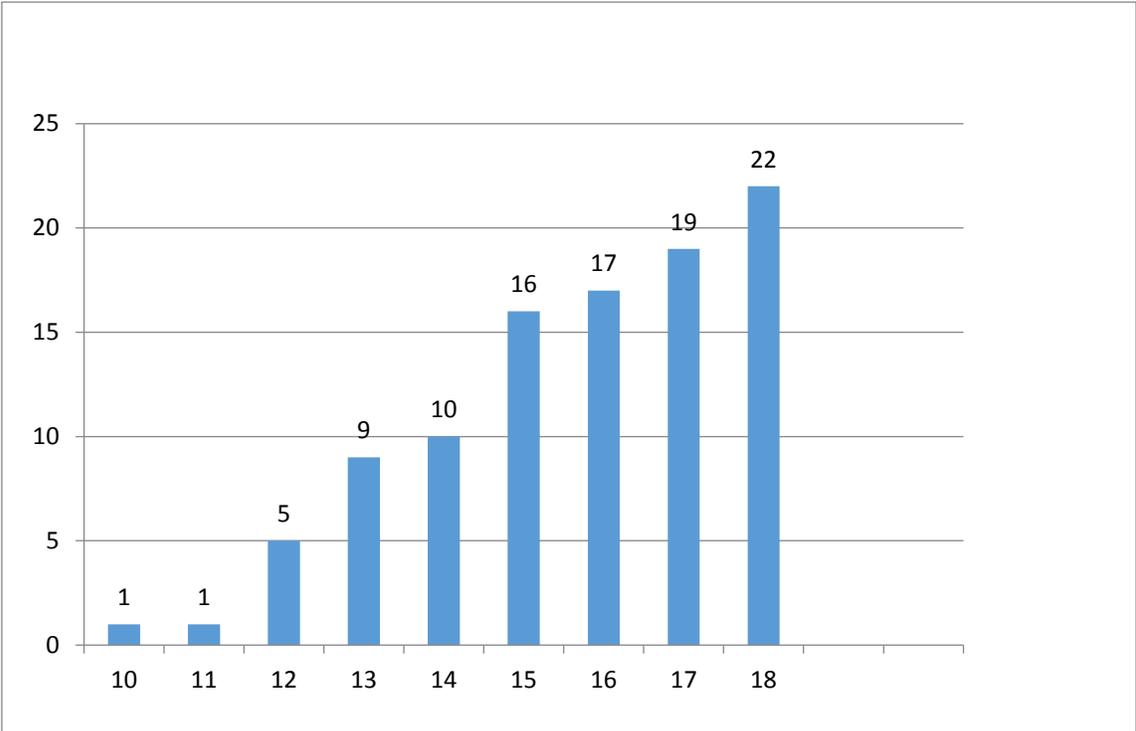
#### **Age of Girls in Mining**

In the light of limited and formal social support to poor households to help them mitigate risks and shocks, children are pushed to work when they are deemed to be of age to do so, to contribute their quota to household coping strategies. This suggests a certain inevitability about child labour in economies with poorly developed social protection systems. But even in places in Africa where more aggressive social protection has been launched in the last ten years, coverage is relatively low due to material and human capacity constraints. This leaves a large number of children on the Continent working as soon as they can do so.

The Ghana Children's Act, 1998 (Act 560) makes provision for children to work under different categories: first they may engage in light work by the age of 13 years (Section 90, (2)) or engage in employment by age 15 years (Section 89). But they are prohibited from hazardous work until they turn adults at age 18 years (Section 91, (1)). The Act clearly labels mining and quarrying as hazardous work from which children are prohibited. The restrictions on age apply to child labour in the formal and informal sector, including apprenticeships.

The girls who were interviewed in Akwatia and Tarkwa were in the age range of 10 years to 18 years. But the majority were between 15 and 18 years. Only 22% of the girls in Akwatia and Tarkwa were in the 18 years bracket or the age at which they could lawfully working in the mining sector (Figure 4.1). In contrast in Burkina Faso and Niger, ILO recorded that about 70% of children in the mines were found to be less than 15 years. In some of these places girls as young as 5 years were involved in bailing out water in narrow pits (ILO, 2011).

**Figure 4.1. Age of Girls in Mining, Percent.**



The Ghana Children’s Act is guided by ILO Convention C182 - Worst Forms of Child Labour Convention (1999), which clearly defines ‘child’ as a person under the age of 18 years, and bars children under this age from engaging in hazardous labour. Article 3 (d) in the Convention on the Rights of the Child gives the opportunity to nations to spell out other work which could possibly cause harm to the health and safety of children, such as mining (Dennis, 1999). It is fair to say therefore that, the majority of the girls who were found to be involved in *galamsey* were in violation of the prohibition under C182. But the enforcement of C182 has been difficult due to capacity challenges and lack of cooperation by families and communities. Similar challenges faced

the earlier ILO Convention on the minimum age for work – C138 Minimum Age Convention (1973).

The age of girls in the study reflects the situation in the general population of working young girls. The latest findings from GLSS 6 (GSS, 2013) estimate that about one-quarter of boys and girls between ages 5 to 14 years in the general population were engaged in the labour force, while three-quarters of those over 15 years are economically active. This indicates that the situation has changed little since the first child labour survey in 2001 (GSS, 2003). In GLSS 6 (GSS, 2013) the rural proportion of working children was reported to be much higher (31%) than in urban areas (14%).

Most of the working children (5 to 14 years) in the GLSS were found in agriculture, forestry and fisheries (81%) where it appears children are most exposed to hazardous practices (ILO, 2006). In contrast the challenge posed by mining and quarrying may seem to be minor as only a handful (2%) of them are found here. But this relatively small proportion does not tell the story of the risks such children face. For example, they reportedly work an average of 26 hours a week in this field, compared to 19 hours in agriculture (GSS, 2013).

As the operations in which the girls in the study were involved were informal undocumented artisanal mines, their employers were under no pressure to observe basic conditions of service set out in the Ghana Children's Act for firms that employ young people. For example, such employers would be required to maintain a register of young employees in industrial undertakings (Section 93a-c). Such a register would have to state the date of birth and age of the children. Admittedly, even if they were to have attempted it not many of the children would be able to produce a birth certificate. It is estimated that just about 56% of Ghanaians have a birth certificate (Bortei-Doku Aryeetey et.al. 2014). Under the circumstances hardly any employers have been convicted and fined in the past for engaging in under-age recruitment, as spelt out under Section 94. An attempt is made in the Act to cover the informal sector (Section 96), which requires that the Social Services

Sub-Committee of a District Assembly shall have responsibility for the implementation of these standards in the informal sector. The lack of records in this sector makes this virtually impossible.

The enforcement of the Children’s Act (Act 560) has been hampered by several challenges facing the departments and agencies that are associated with children’s welfare in Ghana. As noted by Manful and McCrystal (2011) administrative and human capacity gaps currently make it difficult to effectively enforce the law (see also Kuyini, and Mahama, n.d.). Undoubtedly if girls are working in mining in their adolescent years their education is seriously threatened.

### **Educational Background**

Contrary to popular opinion that working children are not interested in school, many still attempt to go to school while they are working. Ironically saving to finance their education is often their excuse for working. A little over half of the girls in the study reported that they were still in school. But about one-third of them admitted that they had been compelled to leave school because they could not cope with the pressure. Others had left because they had simply lost interest (see Table 4.1).

**Table 4.1: School Attendance among Girls in Mining in 2007, in Percent**

School Attendance	% of total
Attending School	53
Left School	38
Never Attended	5
Non-response	4
Total	100

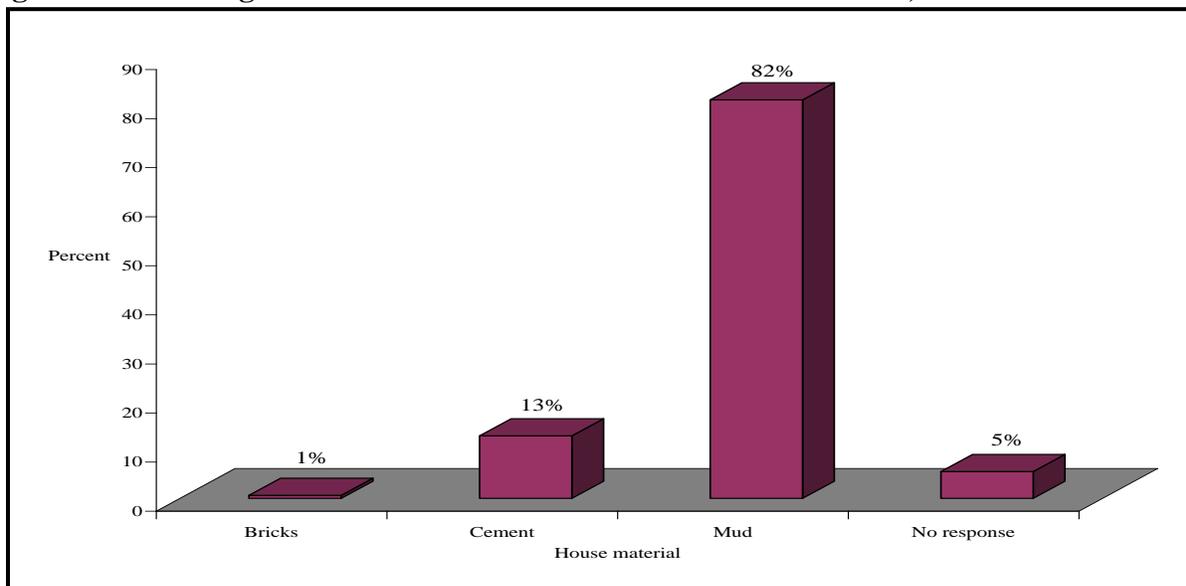
When the proportion of girls who left school and those who never attended are combined it becomes clear that a sizable proportion of the girls in the study would have to be assumed to be non-literate.

## Housing and Living Conditions

A widespread view in attempts at explaining child labour is poverty. This study did not provide any insight into household expenditure which is the common method of assessing poverty in the Ghana Living Standards Survey (GLSS), but the girls were asked to describe the homes they lived in to provide a clue to their social situation. By GLSS standards, by 2012 at least two-thirds of Ghanaians lived in cement block houses with metal sheet roofing. But overall nearly one-third of the people still lived in mud houses; in rural areas the figure was over 50%. Nearly all the girls in the mining study (82.0%) reported that they lived in mud houses as presented in Figure 4.2.

Typically, it is the extreme poor who live in poorly constructed mud houses. The fact that four-fifths of the girls lived in mud houses suggests that most of them came from poor backgrounds. It is also known that mining towns in Ghana are characterised by very poor accommodation facilities, especially for the migrants who prefer to repatriate their earnings home. There were indications also that some of the girls virtually ‘lived’ at the mine site.

**Figure 4.2. Building Materials of the Houses in which the Girls lived, in Percent**



Most of the girls lived with relatives in dwelling compounds with limited utilities; just over 40% of them had both electricity and water supply in their homes as is shown in Table 4.2. The rest had either one or the other or none in their dwelling compounds, in most cases failing to meet the national average for electricity of 40% and the national average of 70% for water.

**Table 4.2: Availability of Utilities in Girls' Houses, in Percent.**

	% of total
Electricity and Water Supply	43.0
Water Supply	24.8
Electricity	11.5
None	11.5
Other	1.8
Electricity and Telephone	0.6
No response	6.7
Total	100.0

## CHAPTER FIVE

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### RESEARCH FINDINGS: COMBINING SCHOOL AND WORK

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#### **Introduction**

As noted earlier, the issue about poor children combining school and work has resurfaced with new thinking on the subject (Assaad et.al., 1998). Fears are that many working children are forced to drop out of school, or, they continue with relatively poor outcomes. But invariably for the children and their families the perceived benefits of working to supplement household income justifies staying in school (see Thorsen, 2012). A study of 12 to 14 year-olds in Turkey, for example, found that the performance and school attendance of children who combined school and light work was significantly below the performance and attendance of school children who did not work (Demir et.al., 2006; see also Liu, 1999). In Ghana and elsewhere in Africa, the practice is so pervasive that policy makers have exhibited mixed feelings about enforcement of laws designed to stop this from happening.

In contrast to earlier wholesale rejection of child labour by the anti-child labour campaign, some analysts are now calling for a more reflective view on the matter arguing that, the strategy of combining school and work has sometimes produced favourable results. In the Akwatia / Tarkwa study we were keen to find out if girls involved in mining work were successfully able to combine this with school.

Assaad and others (1998) in a study on Egypt cautioned against a simplistic approach to the issue of potential success among working school children, pointing to differences in outcomes, especially along gender lines. They compared the constant pressure girls faced due to boundless domestic work (described as inclusive work), compared to more clearly defined work for a boy (described as exclusive work and often attracts compensation), which potentially gave boys more time to go to school and to study. In their conclusions they confirmed that work had a negative impact on girls' education but had no direct effect on boys' education. Assaad and others (1998) were focusing on regular work rather than the worst forms of child labour as in mining, which may help to explain the ambivalence in their position on the matter.

In the girls in mining study particular attention was paid to school attendance patterns rather than academic performance. By all indications working in artisanal mining had direct negative effects on many girls' attendance at school, where they were not able to sustain regular attendance. Table 5.1 illustrates this point.

### School Attendance

As noted earlier about half of the girls reported that they had tried to combine school and *galamsey* work. However, being enrolled in school turned out to be no guarantee of school attendance. For those still in school only half were able to attend school daily. In the worst case scenario a few girls were attending school a mere two days in a week (Table 5.1). Indeed quite a number of the girls had dropped out of school by the time of the interviews. An ILO (2006) study had earlier confirmed that school dropout was a major challenge facing public basic schools in Ghana, noting in particular the problem in mining areas. Generally the strain of work often caused a disruption in girls' educational advancement.

**Table 5.1: Frequency of School attendance among Girls in Mining, Percent**

Attendance	% of total
Everyday	54
Four Times Per Week	23
Three Times Per Week	13
Twice per week	8
Non-response	2
Total	100

It is not clear why 21% of the girls continued to go to school despite missing many school days in a week! This suggests a futile effort to get an education either on their own volition or, based on coercion by parents or other relatives. Whatever the case, such girls were most likely to come out of school with limited numeracy and literacy skills. Other scholars (Adu-Gyamfi, 2014)

looking at similar conditions in the Upper Denkyira West District in Ghana also reported that students who were involved in illegal mining were often absent from school, and performed worse than those who regularly attended school. Hinson in his study on children in mining in Mali made the same observations about low school attendance (2011).

For the girls who left school before completion, the main reason was the need to earn a living. Other reasons the girls gave for early exit included lack of interest, (20%), the wish to start a business on their own (22%) or illness (6%). The Ministry of Education acknowledged that despite their best efforts at improving gender parity beyond primary school, they had to contend with enduring traditions of adultification of young girls from an early age, as they were thrown into work roles that competed with school (MoE, 2013). Besides poverty as a push factor, perhaps there are questions about the lack of attractiveness of schools that also contribute to the low participation rate among the girls. For example, is the school experience with respect to teaching, learning and school infrastructure competing favourably with the push to work among poor children or the attractiveness of quick money? Further, do these girls have role models in their communities to inspire them to make the sacrifice to go to school?

### **Future Plans for School**

Interestingly many of the girls confirmed that they would prefer to return to school (59%) but cited financial costs as a barrier to their return. They feared that returns from mining would not finance their subsistence needs and school expenses combined. The prospect of their making it back to school appeared to be grim - other studies have found that indeed working children fell behind non-working children by about 14% in school enrolment (GoG, 2012).

## CHAPTER SIX

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### RESEARCH FINDINGS: WORKING EXPERIENCES OF GIRLS IN ARTISANAL MINING

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#### **Introduction**

Girls involved in the mines at Tarkwa and Akwatia work in a wide range of activities, including basic tasks as cooking and cleaning, as well as the transportation and extraction of ore... Most of these operations involve old tools and outmoded techniques, making them quite unsafe. This section throws light on the motivation for galamsey work and the kinds of experiences to which the girls are exposed.

#### **Motivation for *Galamsey* Work**

It has been suggested that most children in ASM simply end up in the sector through following their relatives to the work site as young children, the same way in which children follow relatives to farms. Under these circumstances children are more likely to drift into ASM rather than consciously choose to work in the sector. Others contend that child trafficking is a major source of recruitment for ASM (Thorsen, 2012). An attempt was made to ascertain how girls in the study were recruited into ASM.

In about two-thirds of the cases that the decision to work in the mines was taken mostly by the girls themselves. But others said they were influenced by their parents or guardians. Other persons who influenced the girls to go into *galamsey* work are listed in Table 6.1 below.

**Table 6.1: Source of Influence on Girls' Decision to engage in Artisanal Mining, Percent**

Source of Influence	% of total
Self	67
Parents/Guardians	25
Relatives	4
Employer	1
Other	1
Non-response	2
Total	100

N = 165

It is worth noting that peer pressure from friends did not feature much in the push factors driving the girls into mining-related work. Not surprisingly, none of them also gave any indication that they had been trafficked into mining work. FTS et al. (2014) caution that it is not easy to find evidence of coercion into ASM as children and their parents / guardians are sensitive about the topic. However, some girls willingly admitted that family hardship prompted their parents and guardians to encourage them to earn a living at fairly young ages. So while the reasons the girls gave for working in the mines are diverse, prominent amongst them are the need to supplement family income and to become economically independent (Table 6.2).

**Table 6.2: Main Reasons for Working, Percent**

Reasons for Working	% of total
Supplement family income	55
To be economically independent	9
Supplement family income, no other job opportunities and earn money to establish own business	8
Supplement family income and earn money to establish own business	5
There is no other job opportunity	5
To be with friends who are also working	4
Earn money to establish own business	4
Help pay family debts	2
Supplement family income and to pay school fees	1
Other	7
Total	100

N = 165

It is important to note that income from child labour is in some cases critical for solving serious family debts.

### **Ownership of Pits and Employment Status of Girls**

For the most part, parents and children alike reported that they were working for landowners. Only a handful of the girls came from pit owning families, or worked as employees of the pit managers. In the latter case, they often had no direct contact with the pit owners. A general sharing arrangement allocated 50 percent of the proceeds to the landowner, 40 percent to the men who did the actual excavation of the ore and 10 percent for those who head loaded ore to a wash site and pan. The majority of girls in the study were involved in head loading and fetching water for panning. The prevailing ownership arrangements of the pits are described below in Table 6.3.

**Table 6.3: Ownership of Land/Mine/Pit, Percent**

Type of Ownership	% of total
Landowner	75
Family-Owned	6
Relatives	5
Other	7
Non-response	6
Total	100

N = 165

Landowners were obviously the major beneficiaries of artisanal mining, though they did not engage in the activity themselves. The share arrangement between all the parties in the business placed the girls at a clear disadvantage. But considering that children who worked in family mines often did not receive remuneration, the girls would argue that working as hired labour in a landowner's pit was financially more rewarding than working in a family owned pit.

The risks that girls faced in the ASM mines also came from the lack of effective oversight on the activities of these operations. ILO (2006) reported that most *galamsey* sites in Ghana were unregistered and illegal, both with respect to surface mines and underground mines, making it difficult to regulate their activities.

### **Work Schedules of Girls in Mining**

Employment in *galamsey* mining ranges from full time work to casual or 'by day' (daily rated) work. About two-thirds of the girls described themselves as temporary, part time workers or 'by day' workers. Very few of them said they were regular paid workers. Others said they were self-employed and unpaid family workers, as presented in Table 6.4. Those who were self-employed inherited pits from relations or bought access to the pits from their savings. In the latter case these were girls who had been in mining for more than 5 years.

**Table 6.4: Work Status of Girls in Artisanal Mining, Percent.**

Status	% of total
Wage Employee casual/ Temporary/ Part-time	64
Self Employed/Pit Owner	15
Unpaid Family Worker	9
Wage Employee-Full Time/Regular Paid Worker	7
Non-response	1
Other	4
Total	100

N=165

### **Nature and Conditions of Work**

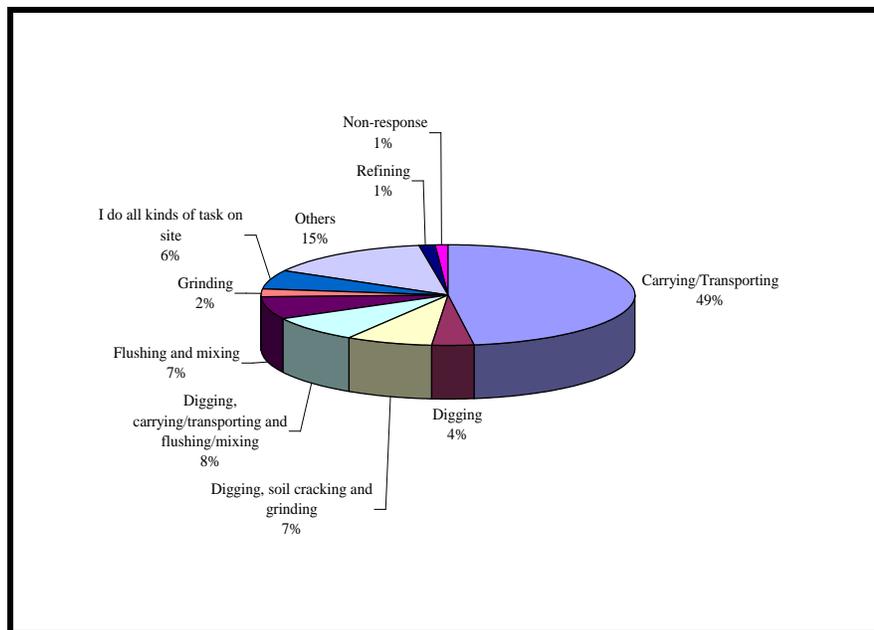
On the kind of work that girls did at mining sites in Tarkwa and Akwatia, the study revealed that most of them were involved in direct post-excavation activities rather than support services such as hospitality activities. But a handful of them were involved in digging, while others combined digging or mixing or cracking with transporting ore from the pits. A few girls sold water and other refreshment to adult workers in the mines as their sole activity, or in conjunction with mining activities. At both study areas, the girls were involved in the following activities:

- 1 Digging
- 2 Carrying and transporting mud and stones on their heads to washing and sieving sites.
- 3 Soil cracking and grinding,
- 4 Flushing/panning
- 5 Mixing
- 6 Refining

Findings on girls' activities in mining from elsewhere show a wide range of activities. As FTS et.al. (2014) reported in the findings from an Obuasi mine study in Ghana, girls were not much involved in heavy duty work such as digging, soil cracking and grinding. Thorsen (2012) made similar observations about girls in mining in Kono District in Sierra Leone, as did Hinson et.al. (2003) and the Human Rights Watch working (2011) in Mali. This is in contrast to ILO findings

in Burkina Faso and Niger (ILO, 2006), where little distinction was seen between girls and boys' activities in ASM. In these two places, it was age rather than sex that played a role in mine work assignments. Consequently, children less than 10 years old were given less strenuous tasks to perform such as water haulage and running errands. In Akwatia and Tarkwa head portering of mud and stones to the sieving sites was the most predominant activity of the girls as had been observed elsewhere at gold mines (see ILO, 2006)? Only a few girls were involved in panning, mixing and refining activities (Figure 6.1.).

**Figure 6.1: Work Roles of Girls in Mining, Percent**



Most of the girls did the same type of work as adult women, although they admitted that their loads were comparatively lighter. With respect to time spent at work, nearly half of them worked for 1 to 5 hours a day. A minority worked for above 10 hours a day. Table 6.5 presents a summary of the working hours of the girls.

**Table 6.5: Working Hours per Day of Girls in Mining, Percent**

Working Hours	% of total
1hr - 5hrs	42
6hr - 10hrs	35
Above 10hrs	18
Non-response	5
Total	100

N = 165

Many of the girls worked six days in a week (Table 6.6) as either full-time or part-time workers. For those still attending school, they admitted that the part-time hours had adverse effects on their school work.

**Table 6.6: Number of Working Days per Week among Girls in Mining, Percent**

Days	% of total
One Day	11
Two Days	18
Three Days	2
Four Days	4
Five Days	13
Six Days	40
Seven Days	3
Non-response	10
Total	100

N = 165

Clearly only a handful of girls viewed ASM as part-time work to be performed once or twice a week, as they were out-performed by those who spent most of their week working at the mine site (57%). Considering the laborious nature of ASM it is quite worrying that a small proportion of children were actually employed in mining seven days a week without rest.

### **Period of Time Girls Work in the Mines**

Contrary to expectation working in the mines was not something the girls regarded as their preferred employment destination, but simply a source of savings mobilisation. Some girls had apparently worked in the mines for over one year, but more than half of them had been in the business for less than a year (Table 6.7).

**Table 6.7 Length of Time Girls have been in Employment, Percent**

Time on Task	% of total
Under 6 months	33
6-12 months	24
Over 1 year	36
Non-response	7
Total	100

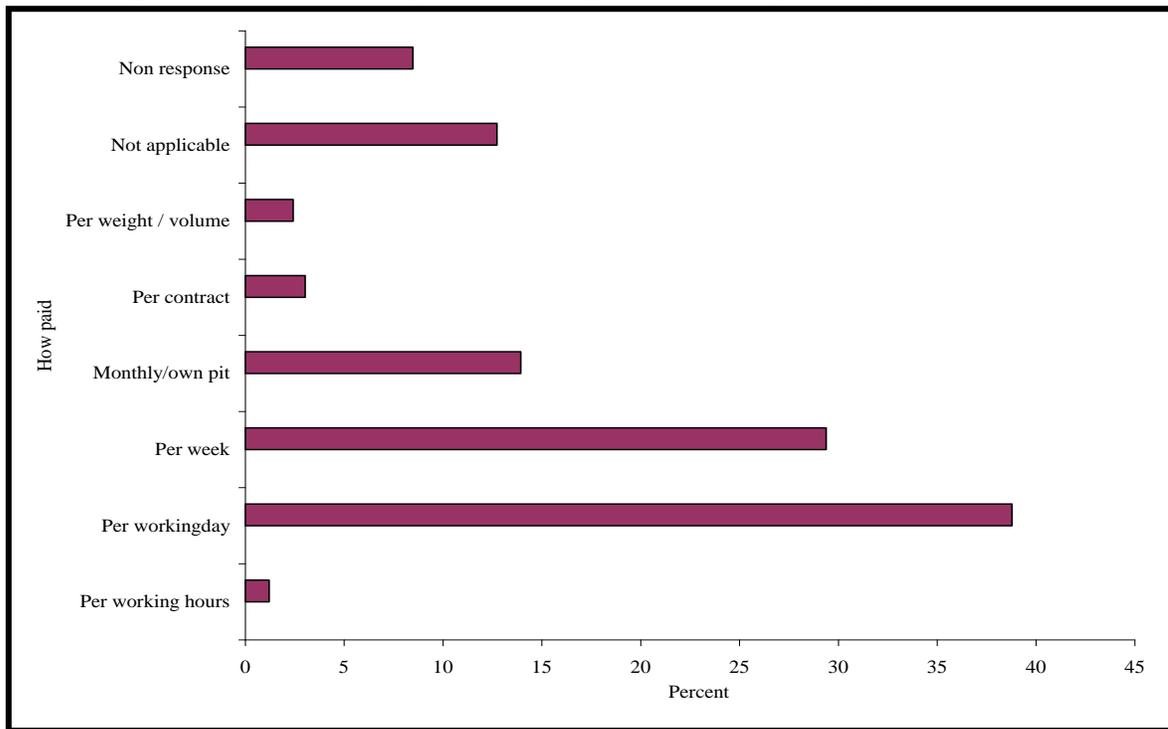
N = 165

Similar observations have been made by Thorsen (2012) elsewhere that girls in mining treated this as temporary work, which they used as a stepping stone to mobilise savings to set up what they regarded as more permanent occupations in trading.

### **Terms of Payment of Wages**

Girls in ASM typically did not have fixed written contracts that spelt out their terms of employment. As is common in the informal sector, they depended on goodwill and trust based oral contracts. In consequence, there were many different variations of oral contracts operating at the same time. For this reason, the girls received their wages from different sources, including: the owner(s) of the pits, the buyers of the diamonds or gold, or the other adult workers. As a rule, workers engaged directly in mining were paid better wages than those providing post-excavation services. Figure 6.2 presents a summary of the terms by which the girls' wages were determined.

**Figure 6.2 Terms of Payment of Wages received by Girls, Percent**



N = 165

Nearly half of the girls were daily-rated workers, closely followed by girls who were paid weekly. Figure 6.2 shows clearly that most of the girls depended on very short interval wage payments. Despite the widely held view that ASM was relatively lucrative compared to farming, wages were found to be generally quite modest but promptly paid. Until the rebasing of the Ghana currency the wages seemed quite attractive. At the two extremes, almost 40 % of girls received 20 Ghana cedis (GHC) or less per month, while only 8 % earned above 41 Ghana cedis. As has been observed elsewhere some girls worked for payment in-kind for their parents or guardians in return for subsistence support and daily allowances; in this study 13% of the girls said they received no cash payment for the work they did (Table 6.8), instead, they were assisted in-kind with food.

**Table 6.8: Amount Earned per Month in Ghana Cedis (GHC, 2007)**

Amount GHC	% of total
20 or less	39
21-40	18
41-60	2
61-100	1
101-120	1
121+	4
Non Payment	13
Non-response	22
Total	100

N = 165

Many of the girls indicated that saving was a priority for them. On the other hand, others said they gave all the monies they earned to their parents as a contribution to the family income (Table 6.9).

By all indications parents feature strongly in the ways girls disbursed their income from mining related activities, pointing once again to the importance of their wages in the overall household budget. Others used the funds to pay for their education or pay for health care costs, travel and clothing.

**Table 6.9: Income Disbursement by Girls in Mining, Percent**

Disbursement of Income	% of total
Save	27
Pay for school fees, materials and save rest	14
Kept by Landowner/Guardian	12
Give it all to parents	10
Give part of it to parents	6
Give part of it to parents and save	2
Give part of it to parents, pay for school fees and materials	3
Leisure	1
Other	20
Non-response	5
Total	100

N = 165

The question for policy makers is whether poverty is the only explanation for girls remaining in artisanal mining, and therefore, whether they can be weaned off this activity with assistance from other sources. Even when the girls had made enough money to return to school as was often the initial objective for engaging in mining, they chose to remain in the pits! Under the circumstances, they seemed undeterred by the potential risks that faced them in the mines.

### **Occupational Risks and Health Care**

Critics of children in mining worry about the injuries and other mining-related risks to which the children are exposed, and the effects on their health (Table 6.10). In the Akwatia/Tarkwa study the girls like other workers often worked under direct sunshine at the mercy of high temperatures.

Over 70% of them complained about extreme physical pain and tiredness on a daily basis. Other work related illnesses and injuries that they frequently reported included abdominal pains, cuts, general body pains and cough. Very few of the girls said they suffered no ailments.

**Table 6.10: Work-related Ailments among Girls in Mining**

Nature of Ailment	% of total
Tiredness	51
General body pains	31
Tiredness and general body pains	5
Coughs	7
No ailment	6
Total	100

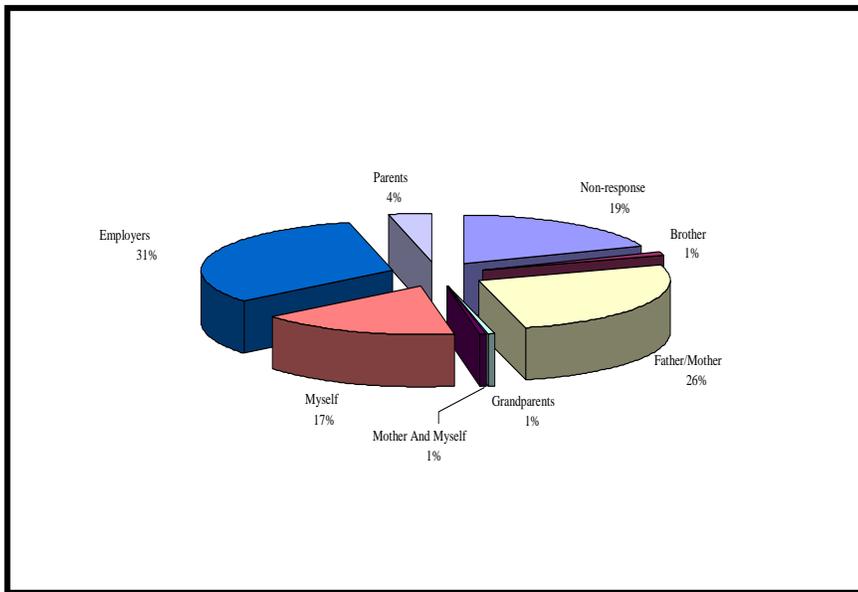
N = 165

Other scholars have attributed the extreme tiredness and bodily pains to the design of ASM tools, which are meant for adults not children (Hilson, 2005). In the same vein, the assignments that child miners in general undertake are often tasks that require adult strength and initiative. One of such tasks is the sieving of the sand, with the hope of discovering gold or other precious minerals.

Other dangers come from actual processing activity. In Tarkwa as part of gold mining, many workers are exposed to the highly toxic chemical substance Mercury. The workers use it in the amalgamation process, to separate the gold from the ore. The children involved in this process are not spared this exposure to Mercury. Mercury poisoning can apparently cause damage to key vital organs such as the brain, kidneys, heart and lungs. Children can additionally suffer serious damage to their nervous system from exposure to Mercury (The Child Labour Coalition, August 2014). Unfortunately, this study did not assess the impact of mercury on the health of the girls due to limited resources. But the girls interviewed suggested that respiratory tract infections were common in Tarkwa. Many girls remarked that they had to visit the hospital frequently for treatment of chest problems.

Almost half of girls did not seek medical attention from the formal health care system due to the high costs involved. For those who sought medical help only 17 % could pay for the services themselves. About one-third of the employers paid the medical bills of the girls in their employment when the need arose. The rest of the girls depended on their relatives to pay their medical bills.

**Figure 6.3 Persons who paid for Medical Expenses for Girls, in Percent**



Other work related hazards included cuts from equipment used in the business (Table 6.11). Remarkably nearly two-thirds of the girls reported that they had not suffered any serious work related hazards since embarking on ASM besides tiredness and bodily pains.

**Table 6.11: Work Related Hazards, in Percent**

	% of total
Being Chased by Security	1
Cuts from Implements etc.	9
None	63
Other Accidents	14
Non-response	13
Total	100

N= 165

### **Abuse at Work and Risky lifestyles**

An earlier study by ILO suggested that young unaccompanied girls were particularly vulnerable to prostitution and transactional sex (ILO, 2006) at mining sites, which made them vulnerable to sexually transmitted diseases, teenage pregnancy and single parenting. Thorsen (2012) cautions however that though it appears commercial sex is prevalent at mining sites lop-sided attention on such undesirable behaviour tends to overshadow other work girls and women undertake at the camps, which are of critical importance to the industry.

The Akwatia/Tarkwa study failed to establish practices of sexual exploitation on the scale that has been reported by others (ILO, 2006). Though they admitted that it did occur the girls did not regard harassment as a common occurrence in their work environment. While 20% of the girls admitted they had been subject to some form of abuse, only one in ten said had suffered sexual harassment. One needs to be mindful however of the possible lack of understanding of the concept among the girls, as sexual harassment is often dismissed as harmless flirtatious behaviour (Bortey-DokuAryeetey, 2004).

**Table 6.12: Types of Harassment Encountered by Girls, Percent**

Types of Abuse	% of total
None	81
Sexual Harassment	10
Beatings	4
Insults	2
Non-response	3
Total	100

N = 165

Besides transactional sex others have observed that miners in general including young girls working or living in those communities tend to adopt high risk lifestyles that may include excessive drinking and violence (Thorsen, 2012; Gratz, 2009). Hardly any such reports were given in the Tarkwa / Akwatia study, perhaps because the girls were reluctant to talk about it or, it did not happen.

Furthermore, the study revealed that discrimination on the basis of gender was not regarded as a big issue in artisanal mining in Ghana, suggesting that all parties had come to imbibe the norms of gender segregation at the workplace. Mining work which depended heavily on physical strength lent itself to a male focused work environment. The girls accepted that boys and men would undertake the more back-breaking work, which was invariably more financially rewarding. A number of suggestions are made in the next section about efforts that are being made to safeguard the girls in the artisanal mining industry.

## CHAPTER SEVEN

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### SUPPORT SYSTEMS FOR GIRLS IN MINING

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#### **Introduction**

There has been no direct policy response to girls in mining, but there has been a general response to hazardous work by children in Ghana, which has evolved since the country ratified the UN Convention on the Rights of the Child in 1989. With respect to mining and other hazardous work the main objective has been to find ways of getting young people out of mining and into school. The Government has relied heavily on development partners and NGOs to address this challenge. But few of these initiatives pay adequate attention to the grave need of girls from poor backgrounds to earn income for their own upkeep and to contribute to their household income. However, recognising this gap in the knowledge about child labour, various international bodies including ILO, UNICEF, and the World Bank have taken up the challenge to research into *Understanding Children's Work (UCW)* in areas including the ECOWAS region (ILO, 2015). This is promoting more diverse studies of children's work and its significance in their lives (see Thorsen, 2012; Boyden, 1997; Hashim, 2004).

The Ghana Government responded to the challenge by developing a National Plan of Action (NPA) for the Elimination of the Worst Forms of Child Labour (2008-2015) under the leadership of the Ministry of Employment and Social Welfare (now Ministry of Employment and Labour Relations). In addition, the Ministry has prepared a Hazardous Child Labour Framework to guide monitoring. There has been slow progress towards the implementation of the NPA since it was adopted in 2008, but important steps have been taken along the way. In 2010 the Ghana Child Labour Monitoring System was established with the objective of reducing child labour to the barest minimum by 2015. At the base of it are Community Child Protection Committees. As part of this initiative, a multi stakeholder National Steering Committee on Child Labour (NSCCL) was established in 2010, which oversees Memoranda of Understanding between the Ministry and about 36 institutions from the public sector and private agencies (MESW, 2010). The commitment to protect children is nested in the Ghana 1992 Constitution.

The actions taken by Ghana are not in isolation. The ECOWAS region of which Ghana is a member, adopted a child policy in 2009 (see ECOWAS, 2009) to be implemented by all member states. This was followed in 2013 by the Declaration of the ECOWAS/ILO Symposium on the West Africa Regional Action Plan to Eliminate Child Labour, Especially the Worst Forms (ECOWAS, 2013).

### **Ghana 1992 Constitution and Child Rights and Protection**

The Ghana Constitution of the Fourth Republic (GoG, 1992) essentially contains the provisions which are enforceable in the courts of law that guarantee fundamental human rights and basic freedoms for all individuals living in Ghana including the girl child who ends up in artisanal mining. The Constitution also guarantees the right to education and other socio-cultural rights, as spelt out in Chapter 5 and Article 28 in accordance with. The principles of the UN Convention on the Rights of the Child that deal specifically with the rights and freedoms of children. The challenge for child rights advocates is the degree to which these provisions are being enforced in Ghana and perhaps more fundamentally whether the solutions being championed by these agencies adequately address the needs of the young people who flock to the mines.

### **Legal Framework and Policies and Protection for Girls in Mining**

Existing legislation and a number of child protection policies provide the context for child rights and protection agencies to actively work towards removing children out of harmful environments. These policies support the campaign against the involvement of girls and boys alike in hazardous work such as mining and quarrying. The Children's Act, 1998 (Act 560) and various other laws set out quite clearly what is allowable and what is prohibited with respect to boys and girls participating in harmful work.

It is worth noting that the laws and policies prohibiting child labour and purporting to monitor what is permitted in the laws of Ghana are quite well known among child rights advocates and formal sector employees. The biggest challenge lies in the informal sector where child labour invariably takes place. Enforcement in this environment is hampered by the sheer lack of logistics to take action, as well as the absence of records of labour activity in the sector. In addition, there

is complicity among employers which restrains people from reporting child labour abuses. Initiatives such as the ILO supported national time-bound programme for the elimination of the worst forms of child labour in Ghana (ILO, 2004-2009) seemed to have made little impact on enforcement of policies and laws to protect children in mining in Ghana. Some of the laws and policies are discussed below.

### **The Children's Act 1998 and other Laws against the Exploitation of Children**

The Children's Act, 1998 (Act 560) provides sufficient legislative cover for the types of work permissible and those that are proscribed for children (see Appiah, 2010). It contains guidelines for welfare service providers, the responsibilities of parents and society at large. It focuses on issues such as children's right to education, social activity, freedom from exploitative labour, protection from torture, inhuman and degrading treatment and non-discrimination. The Hazardous List in the Children's Act was revised in 2008 to take into account new developments in the field, especially in industries such as cocoa, agriculture, fishing, mining and quarrying.

Any economic activity in which children are engaged and, which essentially compromises children's education, health and development and also denies children the returns on their work is prohibited by the Children's Act. In this regard, the Act sets the minimum age for admission to employment at 15 years for general employment, 13 years for light work and 18 years for hazardous work (which include sea going, mining and quarrying, portering of heavy loads and work in places where there is risk of exposure to exploitative behaviour).

The enactment process of the Children's Act triggered the amendment of the 1960 Criminal Code (Act 29) (Criminal Code (Amendment) Act, 1998, Act 554 to cover issues related to the exploitation of children. Beyond this the government has also passed the Human Trafficking Act 2005 (Act 694) to criminalise child trafficking and exposure of trafficked children to the worst forms of child labour. To these laws was added the Juvenile Justice Act, 2003 (Act 653).

*Child Rights Regulations and Labour Act, 2005 (Act 651)*

Act 651 was followed by the Child Rights Regulations, 2002 (LI1705), which provide guidelines to the District Labour officers and the Social Services Committee of the District Assemblies, on how to conduct enquiries into child labour. The Regulations also supplement and regulate the conduct of apprenticeship relationships. But due to weak enforcement many legal instruments in Ghana, efforts to prevent girls from engaging in hazardous work such as mining is difficult.

There are other relevant pieces of legislation that stipulate what constitute crimes against children, such as the Labour Act of 2002; the Criminal Code 1960 (Act 29), as well as the Domestic Violence Act, 2007 (Act 732). Most of these pieces of legislation have been developed with reference to international codes and standards.

## **Implementation Strategies for Social Interventions against Child Labour in Mining**

### **Ghana Child Labour Monitoring System - Child Panels**

As part of efforts to strengthen the monitoring of child rights and protection, in 2010 the Ministry of Employment and Social Welfare (now Ministry of Employment and Labour Relations) launched the Ghana Child Labour Monitoring System (GCLMS) which evolved out of the Community Child Labour Monitoring System (CCLMS). The system works through a network of child Protection / Labour Committees (CP/LCs) from the grassroots to the national Apex known as the National Steering Committee. But the agencies have been ineffective at tracking children in mining and quarrying due to limited logistics and weak human resource, resulting in poor coordination. In any case, the agencies are far away from communities where children work (CRRECENT / UNICEF, 2011) and their data gathering to feed the data base is weak.

## **Public Education**

School-based and community-based sensitization programmes, as well as mass media campaigns have been scaled up in Ghana over the past ten years to educate the public and children in particular against WFCL. Advocacy work that was started by the erstwhile Ghana National Commission on Children which was set up in 1979 was stepped up with the work of the ILO Time-bound project. This culminated in the establishment of the National Plan of Action for the Elimination of the Worst forms of Child Labour. Other organizations that were created were the National Commission on Civic Education (NCCE), the Commission on Human Rights and Administrative Justice (CHRAJ), and several NGOs working across the country are involved in this process.

## CHAPTER EIGHT

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### CONCLUSION AND POLICY IMPLICATIONS

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#### **Conclusion**

The research findings showed clearly that girls from poor households living in mining areas will under normal circumstances take advantage of the opportunities these operations present for earning income, to support themselves and to assist their families. The indications are that their families tend to back their decisions or even instruct them to seek jobs in the mines. Like other off-farm work, the mines offer prompt payment for work unlike in farming. This makes mining an attractive alternative or additional source of income. Despite fears that the girls working in mining become exposed to higher risk of physical injury, economic and sexual exploitation, little or no evidence was found to that effect in the Tarkwa and Akwatia study. It could be that the girls were either reluctant to admit to these allegations or, they did not experience any such setbacks. One thing is clear though, the girls seriously compromised their education to be able to work in the mines. The verdict is that working in illegal mines in Tarkwa and Akwatia enables the girls to survive but not flourish, as demonstrated in uninterrupted school participation.

From the findings over half of the girl miners were enrolled in school at the same time as they were involved in mining. Many justified their actions as the means by which they could pay their way through school. But though the majority of girls reported that they were in school, they were unable to attend school regularly. By all indications by missing so many days of school in the week the girls were not only in violation of the Free Compulsory Universal Education (FCUBE) Policy of the Ghana Government, but they were doomed to fail in their quest for education. Clearly, propositions that child labour is compatible with school attendance overlook the importance of circumstances under which this occurs.

Efforts by law enforcement agencies to keep children out of artisanal and small scale mining have been difficult to follow through, given the poor documentation and information dissemination on such activities. Besides, most of the agencies are limited by low human capacity and lack of

logistics, making it difficult for them to monitor the relatively remote mining and quarrying operations that engage children. Besides remoteness the lack of harmonisation in legislation on extractive industries and labour regulations presents challenges in enforcing child labour laws. Partnership with local institutions to enforce both local and international protocols has also been difficult due to the absence of well laid out protocols for such partnerships, including human resource and funds pooling.

Notwithstanding the limited scope of the study on girls in mining its findings throw a searchlight on the implications of such work on their future well-being, using education as a proxy indicator for good prospects for wellbeing. There is clearly a need for expanded and continuous data collection system on the sector, in order to get a better insight into the real welfare implications of this activity.

### **Policy Implications**

Among those who have developed a pragmatist approach to child labour, they would like to demonstrate that indeed, children can use these resources to complete school and to move on in life. The evidence suggests that this does not usually happen without additional intervention such as family pressure.

By all indications child advocates need to scale up advocacy on the hazards that the girls in mining are exposed to and the long-term effect on their physical, psychological moral and social development. Clearly, by engaging in hazardous work adolescent girls forfeit their opportunities to benefit from education. Public education on the negative effects of exposure to dangerous chemicals in the processing of minerals should also be treated as a priority in the advocacy work. In addition, the dangers associated with risky work environments should be stressed, along with reproductive health screening and support services.

As part of the institutional strengthening for dealing with child labour in mining there is a need to lobby government support for law enforcement to withdraw girls and boys from illegal ASM, as

is being done in the cocoa sector. So far 13 governments have indicated their support for fighting WFCL. There is also a need to support strong non-state actors such as *Communities and Small-Scale Mining (CASM)* in their efforts to support mining communities to improve social and economic conditions and services to give children better living conditions. The Education Service through schools should embark on programmes to educate girls on the dangers associated with the worst forms of child labour, and encourage children in general to be peer educators.

Despite the concern about worst forms of child labour, campaigners must face the reality that some children must work to survive. For this reason, careful thought should be given to steering girls of working age who are engaged in mining into other non-hazardous work. Where they are old enough to work, attention should be focused on how to help them obtain safe and flexible paid work that allows them to go to school. At the same time, special incentives and support packages that will meet the direct and indirect costs of education will have to be provided for girls who want to go back to school.

By the time this study was completed publicly funded capitation grants had been rolled out to all public schools (Osei-Fosu, 2011). The general observation is that indeed capitation grants greatly improved enrolment in the short term, but it is not clear how this impacted on child labour. GLSS shows that the rate of child labour has not changed very much since the grants were introduced in 2005. Some girls have lost interest in school and need strong incentives to complete basic education, and to establish enterprises that can provide them with regular income. They could be assisted with funds through micro-finance loans.

Among the immediate needs of girls in mining are special medical services in the form of periodic medical examinations. This will help in the early detection of excessive exposure to mercury and to determine early signs of poisoning.

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