



**Convention on the  
Rights of the Child**

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**COMMITTEE ON THE RIGHTS OF THE CHILD**

**Forty-first session**

**CONSIDERATION OF REPORTS SUBMITTED BY STATES PARTIES  
UNDER ARTICLE 44 OF THE CONVENTION**

**Concluding observations: Ghana**

**A. Introduction**

1. The Committee considered the second periodic report of (CRC/C/65/Add.34) at its 1091st and 1093rd meetings (see CRC/C/SR.1091 and 1093), held on 13 January 2006, and adopted at the 1120th meeting, held on 27 January 2006, the following concluding observations.
2. The Committee welcomes the submission of the second periodic report as well as the written replies to its list of issues (CRC/C/GHA/Q/2), which contained useful statistical data and other detailed information and gave a clearer understanding of the situation of children in the State party.
3. The Committee is encouraged by the frank and constructive dialogue it had with the State party's high-level delegation representing the various ministries and welcomes the positive reactions to the suggestions and recommendations made during the discussion.

**B. Follow-up measures undertaken and progress achieved by the State party**

4. The Committee notes with appreciation the adoption of laws aimed at protecting and promoting the rights of the child such as:
  - (a) The Children's Act (Act 560) in 1998, which conforms to the Convention on the Rights of the Child;
  - (b) The amendment to the Criminal Code (Act 554) in 1998, including the increase in the age of criminal responsibility from 7 to 12 years;

(c) The Juvenile Justice Act (Act 653) in 2003 which protects the rights of persons below 18; and

(d) The Human Trafficking Act in December 2005 which provides for the rehabilitation and reintegration of victims.

5. The Committee also welcomes the ratification of and accession to the following international human rights instruments:

(a) The International Labour Organization (ILO) Convention No.182 concerning the Prohibition and Immediate Action for the Elimination of the Worst Forms of Child Labour in June 2000;

(b) The Rome Statue of the International Criminal Court in 1999;

(c) The African Charter on the Rights and Welfare of the Child in 2005; and

(d) The Convention on the Protection of All Migrant Workers and Members of Their Families in July 2003.

### **C. Factors and difficulties impeding the implementation of the Convention**

6. The Committee takes note that difficult socio-economic conditions, high-level external debt and poverty place limitations upon the State party's financial and human resources and hamper the achievement of effective enjoyment of the rights of child.

### **D. Principle areas of concern and recommendations**

#### **1. General measures of implementation (arts. 4, 42 and 44, para. 6 of the Convention)**

#### **Committee's previous recommendations**

7. The Committee notes with satisfaction that some concerns and recommendations (CRC/C/15/Add.73) made upon the consideration of the State party's initial report (CRC/C/3/Add.39) have been addressed through legislative measures and policies. However, recommendations regarding, inter alia, data collection, corporal punishment and child labour, have not been given sufficient follow-up. The Committee notes that those concerns and recommendations are reiterated in the present document.

8. **The Committee urges the State party to take all necessary measures to address those recommendations from the concluding observations of the initial report that have not yet been implemented and to provide adequate follow-up to the recommendations contained in the present concluding observations on the second periodic report.**

## Legislation

9. Notwithstanding the positive steps taken by the State party in the context of the comprehensive legislative reform, the Committee remains concerned about the insufficient implementation creating a gap between law and practice. It is further concerned about the lack of adequate human and financial resources for an effective and systematic implementation of the Children's Act and other laws and regulations relevant for the promotion and realization of child rights.

**10. The Committee recommends that the State party strengthen its efforts and take all necessary measures, including provision of human and financial resources to guarantee the implementation of all legislation and its commitment towards policy implementation in a focused and systematic manner.**

## National Plan of Action

11. The Committee welcomes the information that the State party is preparing a National Programme of Action (NPA), "Ghana Fit for Children" and notes that at the same time negotiations are under way for the integration of children's issues into the Ghana Poverty Reduction Strategy (GPRS). However, the Committee is concerned that a comprehensive policy for the implementation for the rights enshrined in the Convention is still lacking.

**12. The Committee recommends that the State party expedite its efforts in adopting and effectively implementing a comprehensive National Plan of Action for the full implementation of the rights enshrined in the Convention, taking into account the objectives and goals of the outcome document entitled "A World Fit For Children" of the United Nations General Assembly Special Session for Children. It further recommends that the State party integrate the priorities identified in the NPA into the GPRS and ensure the allocation of adequate financial and human resources.**

## Coordination

13. The Committee notes with appreciation the institutional reform whereby the Ministry of Women and Children's Affairs (MOWAC) has been established to coordinate, monitor and review the formulation of gender and child responsive policies and their implementation within sectors. However, the Committee remains concerned about the lack of an effective inter-ministerial coordination of all activities related to the implementation of the Convention on the Rights of the Child and the limited resources allocated for the MOWAC. The Committee is also concerned about the limited capacities of the District Assemblies which hamper the implementation of the Convention on the Rights of the Child at the local level.

**14. The Committee recommends that the State party establish a mechanism for an effective inter-ministerial coordination in which NGOs can participate and provide MOWAC with the adequate resources for an effective performance of its tasks and responsibilities. The Committee further recommends that the State party take all**

**necessary measures to ensure that the District Assemblies are sufficiently resourced in terms of well-trained and informed staff as well as adequate financial resources and to strengthen the coordination of activities between the national and district levels.**

### **Independent monitoring**

15. The Committee notes with appreciation the activities carried out by the Ghana Commission of Human Rights and Administrative Justice, especially in the area of juvenile justice and prevention of child neglect and female genital mutilation. However, the Committee notes with regret the abolition of the specific department dealing with child rights. It also expresses concerns at the lack of adequate human and financial resources.

**16. The Committee recommends that the State party reconsider establishing a department within the Ghana Commission of Human Rights and Administrative Justice dealing specifically with child rights. Adequate financial and human resources should be allocated for an effective functioning. In this regard, the Committee refers the State party to its general comment No. 2 (CRC/GC/2002/2) of 2002 on the role of independent national human rights institutions.**

### **Resources for children**

17. The Committee is concerned about the very limited information on budget allocations for the implementation of the CRC. These allocations seem to be insufficient to respond to national and local priorities for the protection and promotion of children's rights.

**18. The Committee recommends that the State party pay particular attention to the full implementation of article 4 of the Convention by increasing and prioritizing budgetary allocations to ensure at all levels the implementation of the rights of the child and that particular attention is paid to the protection of the rights of children belonging to vulnerable groups including children with disabilities, children affected or/and infected by HIV/AIDS, street children and children living in poverty. It further recommends that the State party provide specific and detailed information on the allocations of these budgets at the national and district level.**

### **Data collection**

19. While taking note of the efforts made in improving the data collection systems by the different ministries, departments and agencies, the Committee remains concerned about the lack of a permanent system of data collection with expertise in child rights.

**20. The Committee recommends that the State party strengthen its system of collecting disaggregated data for all areas covered by the Convention as a basis to assess progress achieved in the realization of children's rights and to help design policies to implement the Convention. The Committee also recommends that the State party seek technical assistance from, inter alia, the United Nations Children's Fund (UNICEF).**

### **Dissemination, training and awareness-raising**

21. The Committee notes with appreciation the efforts made by the State party in translating the CRC and the Children's Act into six Ghanaian widely spoken languages to facilitate its appreciation and use among the general public. It also notes the efforts made in carrying out sensitization programmes, including through civil society organizations with the assistance of the vibrant media. The Committee is, however, of the opinion that these measures are not implemented in an ongoing, comprehensive and systematic basis.

22. **The Committee recommends that the State party strengthen its efforts to ensure that the provisions of the Convention are widely known and understood by adults and children. It also recommends the reinforcement of adequate and systematic training of all professional groups working for and with children, in particular law enforcement officials, teachers, including teachers in rural areas, religious and traditional leaders, health personnel and social workers, personnel in childcare institutions as well as the media.**

### **Cooperation with civil society**

23. While appreciating the fact that NGOs have been involved in the preparation of the State party's report, the Committee is of the opinion that the role of civil society and in particular of NGOs is not sufficient in the promotion and implementation of the Convention on the Rights of the Child.

24. **The Committee recommends that the State party encourage the active and systematic involvement of civil society, including NGOs, in the promotion of children's rights, including, inter alia, their participation in the follow-up to the concluding observations of the Committee.**

## **2. General principles (arts. 2, 3, 6 and 12 of the Convention)**

### **Non-discrimination**

25. While noting that the Constitution prohibits discrimination on grounds of sex, race, colour, ethnic origin, tribe, creed, religion, social or economic standing or political opinion, the Committee expresses its concern at the fact that discrimination against certain groups of children such as girls, children with disabilities, children of asylum-seekers, children of immigrants, children infected and/or affected by HIV/AIDS and street children still exists in practice.

26. **The Committee urges the State party to adopt a comprehensive strategy to eliminate de facto discrimination against all vulnerable groups of children and ensure full implementation of all legal provisions in full compliance with article 2 of the Convention.**

27. **The Committee requests that specific information be included in the next periodic report on the measures and programmes relevant to the Convention on the Rights of the Child undertaken by the State party to follow up on the Declaration and Programme of Action adopted at the 2001 World Conference Against Racism, Racial Discrimination, Xenophobia and Related Intolerance, taking into account of general comment No. 1 on article 29 (1) of the Convention (aims of education) CRC/GC/2001/1 of 2001.**

### **Best interests of the child**

28. The Committee notes that the principle of the best interests of the child is reflected in the Constitution and also in the Children's Act. However, the Committee is concerned that the use of this principle is dependent on the sensitivity of the officials of the particular institution concerned and may not be systematic.

29. **The Committee recommends that the State party ensure that the principle of the best interests of the child is systematically taken into account in all programmes, policies and decisions that concern children.**

### **Respect for the views of the child**

30. While noting with appreciation the efforts made by the State party in order to implement the principle of respect for the views of the child, the Committee is concerned that prevailing societal attitudes appear to limit children to express their views freely in schools, within the family and judicial and administrative proceedings, particularly in rural areas.

31. **The Committee recommends that the State party strengthen its efforts to ensure that children's views are given due consideration in the family, schools, communities, and courts as well as in relevant administrative and other settings in accordance with article 12 of the Convention.**

## **3. Civil rights and freedoms (arts. 7, 8, 13-17 and 37 (a) of the Convention)**

### **Birth registration**

32. Notwithstanding the remarkable progress achieved in improving birth registration coverage from 28 per cent in 2003 to 51 per cent in 2004, including through the extensive use of mobile registration units, the Committee remains concerned about the many challenges faced by the State party such as poor staffing, inadequate funding and lack of logistics. The Committee is further concerned about the difficulties in ensuring the birth registration of children, particularly in rural areas, and for abandoned children, asylum-seekers and refugee children.

33. **In light of article 7 of the Convention, the Committee recommends that the State party implement an efficient birth registration system, which covers its territory fully, including through:**

(a) **Strengthening its efforts in terms of financial allocations and improved institutional capacities;**

(b) **Taking appropriate measures to register those who have not been registered at birth;**

**(c) Strengthening the cooperation of the Births and Deaths Registry between the local government and community based institutions;**

**(d) Increasing the appreciation of the importance of birth registration and providing information on the procedure of birth registration, including the rights and entitlements derived from the registration, to the public, including through television, radio and printed materials; and**

**(e) Paying particular attention to the improved access to an early birth registration system by abandoned children, asylum-seekers and refugee children.**

#### **Access to information**

34. The Committee is concerned about the exposure of children to harmful information, such as violence and pornography, through access to the Internet.

35. **In the light of article 17 of the Convention, the Committee recommends that the State party take all necessary legal and other measures, including advisory campaigns directed to parents, guardians and teachers and cooperate with Internet service providers in order to protect children from being exposed to harmful material such as violence and pornography through the Internet.**

#### **Corporal punishment**

36. While noting the State party's steps to prohibit the use of corporal punishment in educational settings, and in particular through prohibitions outlined in the Teacher's Hand Book, corporal punishment is still widely practised in society and its acceptance as a form of discipline gives cause for serious concern. The Committee is concerned that the Children's Act allows for a degree of "reasonable" and "justifiable" punishment.

37. **The Committee recommends that the State party should, taking into account its general comment No. 1 on the aims of education (CRC/GC/2001/1) and its recommendations, adopted on the day of general discussion on violence against children within the family and in schools (see CRC/C/111):**

**(a) Explicitly prohibit all forms of corporal punishment in the family, schools, and other institutional settings and alternative care systems as a matter of priority;**

**(b) Sensitize and educate parents, guardians and professionals working with and for children by carrying out public educational campaigns with the involvement of children about the harmful impact of violent forms of "discipline" and by promoting positive, non-violent forms of discipline and respect of child rights.**

**4. Family environment and alternative care  
(arts. 5; 18 (paras. 1-2); 9-11; 19-21; 25; 27 (para. 4); and 39 of the Convention)**

**Parental responsibilities**

38. While the Committee is encouraged that the State party recognizes the principle that both parents have common responsibilities for the upbringing and development of the child, it remains concerned about the situation of children from single-parent families and those from disadvantaged and marginalized groups.

39. **The Committee recommends that the State party take necessary measures to support and strengthen the capacity of parents, particularly those in difficult circumstances, to perform their responsibilities in the upbringing of their children through family support programmes, and facilitate the work of NGOs in this regard.**

**Alternative care**

40. The Committee welcomes the National Policy Guidelines on Orphans and Other Children made Vulnerable by HIV/AIDS but remains concerned that these Guidelines are not effectively implemented. It is further concerned by the more than 200,000 children orphaned by HIV/AIDS in the State party. The Committee is also alarmed at the information about the increasing number of orphanages.

41. **The Committee recommends that the State party:**

(a) **Undertake the necessary measures to fully implement the Guidelines on the care and protection of orphaned and vulnerable children as a matter of priority, inter alia, by strengthening the capacity of the Department of Social Welfare;**

(b) **Provide active support for a significant increase of the availability of family type of alternative care such as the extended family or foster care in order to make institutional care a matter of last resort;**

(c) **Ensure that all existing and newly established children's homes and orphanages meet standards of quality and are regularly reviewed;**

(d) **Ensure that the stay in institutions is for the shortest time possible; and**

(e) **Seek technical assistance and technical cooperation from, inter alia, UNICEF.**

**Adoption**

42. The Committee, while noting that the Children's Act covers national adoption, remains concerned about the lack of adequate mechanisms for intercountry adoption.

43. **The Committee recommends that the State party ratify the 1993 Hague Convention No. 33 on the Protection of Children and Cooperation in Respect of Inter-Country Adoption.**



### **Child abuse and neglect**

44. The Committee welcomes the establishment of the Domestic Violence and Victim Support Unit (DVVSU) which handles issues of children and women abuse and has branches in all 10 administrative regions. It also appreciates the introduction of psychosocial counselling for victims of child abuse. However, the Committee is concerned about cases of ill-treatment and abuse, including sexual abuse, and about the fact that there are no mandatory reporting requirements for professionals with regard to child abuse.

45. **The Committee recommends that the State party:**

- (a) **Take the necessary measures to prevent child abuse and neglect;**
- (b) **Expedite the adoption of the Domestic Violence Bill and introduce mandatory reporting requirements for professionals with regard to child abuse;**
- (c) **Establish a toll-free nationwide telephone helpline for children resourced with well-trained professionals and volunteers;**
- (d) **Take measures for improving data collection, analyzing and sharing between agencies on child abuse, recovery and social integration;**
- (e) **Investigate cases of domestic violence and sexual abuse through a child-sensitive judicial procedure, and ensure that sanctions be applied to perpetrators with due regard given to guaranteeing the right of privacy of the child;**
- (f) **Raise awareness among the public of the problem of domestic violence, with the view to changing public attitudes and traditions that inhibit victims, particularly women and girls, from reporting it; and**
- (g) **Carry out preventive public education campaigns about the negative consequences of neglect and abuse of children.**

46. **In the context of the Secretary-General's ongoing in-depth study on the question of violence against children (A/RES/56/138) and the related questionnaire to Governments, the Committee acknowledges with appreciation the written replies of the State party and its participation in the Regional Consultation for West and Central Africa held in Mali from 23 to 25 May 2005. The Committee recommends that the State party use the outcome of this regional consultation in order to take action, in partnership with civil society, to ensure the protection of every child from all forms of physical or mental violence, and to gain momentum for concrete and, where appropriate, time bound actions to prevent and respond to such violence and abuse.**

**5. Basic health and welfare**  
**(arts. 6; 18, para. 3; 23; 24; 26; 27, paras. 1-3 of the Convention)**

**Children with disabilities**

47. While welcoming the establishment of the Community Based Rehabilitation Programme, the Committee remains concerned about the lack of statistics regarding children with disabilities, the limited capacities for early detection and treatment of children with disabilities, the inaccessibility of buildings and transportation and the absence of a policy aimed at inclusion and integration.

48. **In the light of the Standard Rules on the Equalization of Opportunities for Persons with Disabilities (General Assembly resolution 48/96) and the Committee's recommendations adopted at its day of general discussion on the rights of children with disabilities (CRC/C/69, paras. 310-339), the Committee further encourages the inclusion of children with disabilities into the regular educational system and their integration into society, inter alia, by giving more attention to special training for teachers, educating parents and making the physical environment, including schools, sports and leisure facilities and all other public areas, accessible for children with disabilities. The Committee recommends that the State party improve and strengthen early detection and treatment services through the health and education sectors.**

**Health and health services**

49. The Committee is concerned about the high infant and under-five mortality rates, mostly from preventable causes such as inadequate drinking water and sanitation. While taking note of the "Roll back malaria" programme, the Committee is still concerned about the high incidence of malaria as well as the high number of malnourished, severely stunted and underweight children. It is also concerned about regional disparities in the provision of health services, and sanitation facilities.

50. **The Committee recommends that the State party:**

**(a) Undertake all necessary measures to reduce mortality rates by improving prenatal care and preventing communicable diseases;**

**(b) Allocate more financial resources to child health, nutrition and access to safe drinking water and sanitation facilities;**

**(c) Continue to combat malaria and address environmental causes and strengthen availability of nets and insecticides, especially in areas where malaria is most prevalent and ensure that all children, regardless of economic status, have access to impregnated nets;**

**(d) Enforce the Salt Iodation's Law (Act 523); and**

**(e) Continue to encourage exclusive breastfeeding for six months with appropriate introduction of an infant diet thereafter.**

### **Adolescent health**

51. The Committee, while welcoming “adolescent health friendly services”, is still concerned about the high incidence of teenage pregnancies, the inadequate reproductive health services and at the lack of mental health services for adolescents.

52. **The Committee recommends that the State party, taking into account the general comment No. 4 on adolescent health and development in the context of the Convention on the Rights of the Child (CRC/GC/2003/4) of 2003, improve and strengthen its health-care services for adolescents focusing on reproductive and mental health programmes as well as adolescent-sensitive mental health counselling services and make them known and accessible to adolescents. The Committee also recommends that the State party expedite the enactment of the Mental Health Bill.**

### **HIV/AIDS**

53. While welcoming the establishment of the National AIDS Commission in 2000 and the development of the National Strategic Framework in 2001, the Committee remains concerned about the high prevalence rate of HIV/AIDS, especially among women in their childbearing years, compounded in part by inappropriate traditional practices, stigmatization and lack of knowledge about prevention methods. It is further concerned about the fact that only a limited number of HIV/AIDS infected children and mothers have access to antiretroviral medication as well as about limited testing.

54. **The Committee urges the State party to strengthen its efforts in combating the spread and effects of HIV/AIDS by, inter alia, training professionals, conducting education campaigns on prevention, improving the prevention of mother-to-child transmission programmes, providing free and universal antiretroviral medication and improving protection and support for AIDS orphans. It further recommends that the State party seek technical assistance, inter alia, from UNAIDS and bilateral aid agencies. The Committee refers the State party to its general comment No. 3 on HIV/AIDS and the rights of children (CRC/GC/2003/3) in this regard.**

### **Harmful traditional practices**

55. The Committee notes with appreciation the efforts undertaken by the State party to address the practice of female genital mutilation (FGM), including a bill to amend the Criminal Code that strengthens the provision against female circumcision. However, it remains concerned that FGM is still practised in the State party. Concern is also expressed about the persistence of early marriages and other harmful traditional practices such as Trokosi.

56. **The Committee recommends that the State party strengthen its legislative measures and conduct awareness-raising campaigns to combat FGM and eradicate this and other traditional practices harmful to the health, survival and development of children, especially girls. The Committee recommends that the State party introduce sensitization programmes for practitioners and the general public to encourage change in traditional**

**attitudes and prohibit harmful practices, engaging with the extended family as well as with traditional and religious leaders. It further recommends that the State party empower the young girls through quality education which enhances life skills.**

### **Standard of living**

57. The Committee is concerned that the right to an adequate standard of living as enshrined in article 27 of the Convention is not fully implemented for many children due to widespread poverty and severe regional disparities.

58. **The Committee recommends that, in accordance with article 27 of the Convention, the State party reinforce its efforts to provide support and material assistance, with particular focus on the most marginalized and disadvantaged families and to guarantee the right of children to an adequate standard of living. In this connection, the Committee recommends that the State party pay particular attention to the rights and needs of children when implementing, inter alia, its Ghana Poverty Reduction Strategy.**

### **6. Education, leisure and cultural activities (arts. 28, 29 and 31 of the Convention)**

59. The Committee acknowledges the remarkable improvement made in the field of education in attempting to pursue the policy of the free compulsory and universal education system by introducing, inter alia the Capitation Grant. The Committee also notes the introduction of school feeding programmes in three regions of northern Ghana. However, the Committee is concerned about the persisting gender and geographical disparities with regard to access to and quality of education.

60. **The Committee recommends that the State party:**

- (a) Increase and efficiently use public expenditure in education;**
- (b) Improve access to vocational training and informal education for vulnerable groups, including street children, orphans, children with disabilities and child workers;**
- (c) Increase enrolment in primary and secondary education and reduce social-economic, regional and gender disparities in the access and full enjoyment of the right to education; and**
- (d) Extend the school feeding programme to other regions.**

### **7. Special protection measures (arts. 22, 30, 38, 39, 40, 37 (b)-(d), 32-36 of the Convention)**

#### **Refugee, asylum-seeking and unaccompanied children**

61. The Committee takes note with appreciation of the general practice of the State party in hosting refugees and asylum-seekers.

62. **The Committee recommends that the State party increase its efforts to meet the specific protection needs of refugee children in the refugee settlements, in particular to provide protection against sexual and gender-based violence by strengthening the administration of justice in the camps and taking supportive measures such as deployment of female police officers and facilitating related activities by NGOs. It further recommends that the State party strengthen its protection of unaccompanied and separated refugee children. In this regard, the Committee recommends that the State party refer to its general comment No. 6 (2005), Treatment of Unaccompanied and Separated Treatment of Unaccompanied and Separated Children Outside Their Country of Origin.**

#### **Street children**

63. The Committee welcomes the steps undertaken by the State party, including the Street Children Project of the Ministry of Manpower, Youth and Employment (MMYE). However, the Committee is deeply concerned about the increasing number of street children and begging children in the State party.

64. **The Committee recommends that the State party:**

(a) **Undertake an in-depth study and a systematic assessment of this phenomenon in order to get an accurate picture of its root causes and magnitude;**

(b) **Develop and implement with the active involvement of street children themselves and NGOs a comprehensive policy which, inter alia, should address the root causes, in order to prevent and reduce this phenomenon, and which should provide street children with the necessary protection, adequate health-care services, education and other social reintegration services;**

(c) **Support family reunification programmes, when it is in the best interests of the child; and**

(d) **Develop programmes to address the issue of child begging.**

#### **Economic exploitation, including child labour**

65. The Committee is deeply concerned about the high number of children engaged in economic activities and that a high percentage of this group are involved in work that is hazardous, dangerous and jeopardizes their health, education and development.

66. **The Committee urges the State party to strengthen the capacity of the institutions responsible for the control and protection of the rights of working children, including the Child Labour Unit and the Inspectorate Division Unit. It further recommends that the State party, with the support of the International Labour Organization (ILO), UNICEF, and national and international NGOs, develop a comprehensive programme to prevent and combat child labour, in full compliance with ILO Convention No. 182 which the State party has ratified. The Committee also encourages the State party to ratify ILO Convention No. 138 concerning the Minimum Age for Admission to Employment.**

### **Sexual exploitation**

67. The Committee takes note of the fact that studies are under way to ascertain the scope and magnitude of commercial sexual exploitation of children. The Committee is concerned about the information that sexual exploitation, particularly sex tourism is growing in the country and that many girls and boys at a very young age are engaged in commercial sexual exploitation.

68. **The Committee recommends that the State party:**

**(a) Finalize its studies and undertake appropriate legislative measures and develop an effective and comprehensive policy addressing the sexual exploitation of children, including the factors that place children at risk of such exploitation;**

**(b) Avoid stigmatizing child victims of sexual exploitation; and**

**(c) Implement appropriate policies and programmes for the prevention, recovery and social reintegration of child victims, in accordance with the Declaration and Agenda for Action and the Global Commitment adopted at the 1996 and 2001 World Congresses against Commercial Sexual Exploitation of Children.**

### **Trafficking of children**

69. The Committee welcomes the enactment of the Human Trafficking Act in 2005 and the information provided by the delegation that Ghana has entered into bilateral and multilateral agreements of cooperation with the neighbouring countries in the subregion to deal with cross-border trafficking. However, the Committee expresses its concern at the lack of data on the number of children trafficked.

70. **The Committee recommends that the State party:**

**(a) Effectively implement the Human Trafficking Act, including by allocating appropriate financial and human resources and by raising awareness campaigns;**

**(b) Provide adequate programmes of assistance, recovery and reintegration for trafficked children, who should be treated as victims and neither criminalized nor penalized; and**

**(c) Consider ratifying the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime 2000.**

### **Drug abuse**

71. The Committee notes with concern that many children and teenagers are affected by alcohol and drug abuse.

72. **The Committee recommends that the State party take measures to prevent and end alcohol and drug abuse among children and to support recovery and social reintegration programmes for child victims of drug and alcohol abuse. The Committee further recommends that the State party seek technical cooperation from, inter alia, the World Health Organization (WHO) and UNICEF.**

#### **Juvenile justice**

73. While recognizing the efforts made in this domain, including the adoption of the Juvenile Justice Act of 2003 and the increase of the minimum age of criminal responsibility from 7 to 12 years, the Committee remains concerned about the limited progress achieved in establishing a functioning juvenile justice system throughout the country. In particular, the Committee is concerned about the limited number of remand homes and the poor conditions of such institutions. It is further concerned about information that some persons below the age of 18 years were detained in adult prisons.

74. **The Committee urges the State party to ensure the full implementation of juvenile justice standards, in particular article 37 (b), articles 40 and 39 of the Convention as well as the United Nations Standard Minimum Rules for the Administration of Juvenile Justice (the Beijing Rules) and the United Nations Guidelines for the Prevention of Juvenile Delinquency (the Riyadh Guidelines), and in light of the Committee's day of general discussion on the administration of juvenile justice. In particular, the State party should:**

(a) **Ensure that deprivation of liberty is used only as a measure of last resort and for the shortest appropriate period of time;**

(b) **In cases where deprivation of liberty is unavoidable and used as a last resort improve conditions of detention and ensure that persons below 18 years are detained in separate facilities from those of adults;**

(c) **Ensure that persons below 18 years have access to appropriate legal aid and defence and an independent, child-sensitive and effective complaint mechanism;**

(d) **Provide training on relevant international standards to those responsible for administrating the juvenile justice system;**

(e) **Ensure both sentenced and released persons below 18 years are provided with educational opportunities, including vocational and life-skills training, recovery and social reintegration services; and**

(f) **Seek technical cooperation and assistance from, inter alia, OHCHR, the United Nations Office on Drugs and Crime Prevention and UNICEF.**

#### **8. Optional Protocols to the Convention on the Rights of the Child**

75. The Committee is concerned that the State party has not yet ratified the Optional Protocols to the Convention on the Rights of the Child on the sale of children, child prostitution and child pornography and on the involvement of children in armed conflict.

76. The Committee recommends that the State party ratify the Optional Protocols to the Convention on the Rights of the Child on the sale of children, child prostitution and child pornography and on the involvement of children in armed conflict.

## 9. Follow-up and dissemination

### Follow-up

77. The Committee recommends that the State party take all appropriate measures to ensure full implementation of the present recommendations, *inter alia*, by transmitting them to the members of the Council of Ministers or the Cabinet or a similar body, the Parliament, and to provincial or State Governments and Parliaments, when applicable, for appropriate consideration and further action.

### Dissemination

78. The Committee further recommends that the second periodic report and written replies submitted by the State party and related recommendations (concluding observations) it adopted be made widely available in the languages of the country, including (but not exclusively) through the Internet, to the public at large, civil society organizations, youth groups, professional groups and children in order to generate debate and awareness of the Convention, its implementation and monitoring.

## 10. Next report

79. The Committee invites the State party to submit its next periodic report before the due date established under the Convention for the fifth periodic report, *i.e.* 1 September 2012. This report should combine the third, fourth and fifth periodic reports. However, owing to the large number of reports received by the Committee every year and the consequent significant delay between the date of submission of a State party's report and its consideration by the Committee, the Committee invites the State party to submit a consolidated third, fourth and fifth report 18 months before its due date, that is by 1 March 2011. This report should not exceed 120 pages (see CRC/C/118). The Committee expects the State party to report every five years thereafter, as foreseen by the Convention.

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