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Concepts, Causes and Institutional Response to Child Labour in Ghana: A Socio-Economic Review

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Abstract

This paper is written by authors to primarily look at 'concepts, causes and institutional response to child labour in Ghana'. Methodologically, this paper adopted a desktop review approach which relied its sources of information mainly from secondary data and related literatures on the subject. The paper revealed that, some of the challenges of child labour are frequent illness, attempts of rape, financial difficulty and many others. It is therefore concluded that, stakeholders should continue their participation in eradicating child labour and their support, increasing enrollment and classroom attendance participation. It was in agreement that the media and other concern bodies like the Commission for Human Rights and Administrative Justice (CHRAJ), Community Based Organizations (CBOs) and traditional rulers should increase campaign and education against child labour and intensified publicity of the criminal nature of child labour. It is strongly recommended that single parents in local communities especially women should be empowered to financially and vocationally through free vocational and financial management training to provide enough avenues for single parent (women) to cater for their children's education. Government and stakeholders should implement policies aimed at promoting classroom enrollment, classroom attendance and classroom participation. If these recommendations given are feasibly implemented, searching for every day in African and Ghanaian childhoods would be reduced if not curbed.

Keywords: Children, Child Labour, Child Rights, Informal Sector, Hazardous Work

Introduction

With due consideration to the many dangers associated with child labour, the phenomenon has received the attention of researchers, academicians and policy makers. The International Labour Organization estimates show a large and increasing number of

working children worldwide despite endeavours by government and stakeholders to fight the vice. The predominant factor behind child labour was poverty that led to the increasing number of child dropouts since many could not afford school fees and scholastic materials.

The international community's effort to achieve Education for All (EFA) and the progressive elimination of child labour are inextricably linked. On the one hand, education is a key element in the prevention of child labour. Children with no access to quality education have little alternative but to enter the labour market, where they are often forced to work in dangerous and exploitative conditions. On the other hand, child labour is one of the main obstacles to the Education for All (EFA), since children who are working full time cannot go to school.

In addition, the academic achievement of children who combine work and school often suffers. The International Labour Organization estimates that there are 152 million child labourers between the ages of 5 and 14 [1]. Most of these children belong to the most marginalized groups in society and come from families living in poverty. At the same time some 67 million children are not enrolled in primary school and a similar number are not enrolled in the Junior High School level. If this trend continues, the international community will fail to meet the Millennium Development Goal of achieving universal primary education.

The ILO Minimum Age Convention stipulates that the minimum age for admission to employment or work shall not be less than the age of completion of compulsory schooling. Impressive strides have been made in all regions over the last few years to attain the EFA goals. The latest UNESCO statistics show that 75 million children of primary school age were out of school in 2006, as compared to a staggering 103 million in 1999 [2]. Though such a tremendous reduction has been achieved, it cannot be overruled that there still remain a lot to be done. Children of school going age are being found on street hawking, in farm farming and on the sea fishing. The government of Ghana have done the little he can to curb the situation but it is still a fact that this child labour have affected accessibility and participation of children in the primary school level.

The ILO's most recent Global Report on child labour emphasized the important contribution that action against child labour can make to the Education for All (EFA) process. Yet, it also noted that the objectives of the latter will only be achieved if child labour concerns are effectively mainstreamed into the EFA monitoring and promotional efforts. Much remains to be done in this respect. From the ILO report, it is evident that child labour is affecting primary school patronage.

Concept of a Child in Ghana

It is possible to argue that violation of child rights in Ghana have been due to the lack of a common understanding as to who is a child. For instance, according to the constitution of the Republic of Ghana a child refers to a human being below eighteen years of age. Conversely, Ghana is also a signatory of the ILO Convention, no 38, of 1998 which sets 15 years as the minimum age for a person to be employed. Nevertheless, the interpretation of who are young persons under this ordinance is that people between ages 16-18 are not considered to be children.

There are many answers and interpretations to the question 'who is a child in Ghana?' and are determined by a number of factors including among others the legal interpretations, traditions and

customs and the context in which the young person is to be found.

Concept of Child Labour

There have been different interpretations of Child Labour; it is widely acknowledged that the term Child Labour encompasses numerous complexities which call for elaboration and clarification for better understanding of the concept. Although it is often confused with 'child work', it should not be taken for granted that the two concepts are synonymous. To understand the two concepts more clearly one ought to critically examine the underlying demarcations. According to Tunesvik, child labour is simply used when referring to the phenomenon as such, while child work is used when describing the activities that children actually undertake, but this is not very satisfactory [3].

Amma have tried specifically to look at child work in a more detailed way [4]. To them child work covers tasks and activities that are undertaken by children to assist their parents. In particular, such jobs as cooking, washing dishes, weeding, planting, harvesting crops, fetching water and firewood, herding cattle, and babysitting. In this case child work simply aims at tasks and activities which are geared towards the socialization process. Child work is therefore taken and viewed as part of the upbringing process. However, the meaning of child labour would appear to deviate from that of child work.

According to ILO Convention, child labour is as stipulated hereunder: Children prematurely leading adult lives, normally working long hours for low wages under conditions damaging to their health and to their physical and mental development, sometimes separated from their families, frequently deprived of meaningful educational training opportunities that could open up for them a better future. ILO/IPEC (2001), in a study entitled 'Focusing on the Worst Forms of Child Labour' in the Ghanaian context clearly differentiates child labour from child work. On the one hand, child labour refers to 'work carried out to the detriment and endangerment of the child, mentally, physically, socially and morally'. To this effect, child labour is characterized by denial of the right of children to education and other opportunities; children's separation from their families; and poor working conditions that include among others long working hours, poor working environment, heavy work regardless of age and sex and so on.

On the other hand, child work means 'children's participation in various types of light work such as helping parents care for the home and the family or working for a few hours after school or during holidays'. In this context, the activities carried out by children do not necessarily deny them their basic rights. More specifically, child work has something to do with making children confident, and contribute to their own wellbeing and that of their families in their respective households. What is difficult to determine is the border line between these two concepts and where acceptable work becomes unacceptable labour. This is often blurred and indistinct.

From the afore conceptualization of child labour it is evident that Asia, Africa and Latin America have large number of children whose wellbeing is jeopardized due to hazardous working conditions. This can be evidenced by DFID by Tunesvik whose find-

ings indicate that about 61% of the children who labour are found in Asia, while 32% live in Africa and 7% in Latin-America [3].

Factors that lead to Child Labour **- Social Economic Factors**

There are circumstances where the microeconomic environments of some households lead to demand for child labour. In this situation, children engage in work because the social economic status of those households dictates so. For example, the study by Amma clearly indicates that in rural and peri urban communities in Africa especially among the pastoralists' communities, the nature of households' economy is an explanation for why some children need to work [4]. The pastoralists involve their children in looking after their animals instead of enrolling them in schools. And for those children who do happen to get enrolled most have to drop out of primary schooling so as to accompany their parents in search of pastures for their animals. Children also suffer from the effects of child labour as a result of internal division of work within the households [3].

Some children are engaged in work outside the home together with their parents, whereas others carry out duties within the households in order to enable adults or other siblings attend work outside the home. There are a number of explanations regarding the determinants of the supply of child labour at household level. The Survey by ILO/ IPEC Ghana (2001: 12) revealed that: declining household income has made it difficult for parents to meet the basic needs of their children including school requirements. Due to economic hardships, people are prompted to take care of the nuclear family only, a departure from traditional norms and values which bound the extended family and clan members together. Abandoned and neglected children ultimately run away from their homes and end up in different work-sites as labourers.

- Economic Hardships

It is very evident that economic hardships at household level as the possible explanation underlying child labour in different parts of the country. This implies that, if families wherever they are, had been able to provide their children with all basic needs and beyond, none of the children who suffer from the consequences of child labour today would have jeopardized their physical, moral, mental health and future in general. In search for survival, many children find their way into labour markets, which are actually detrimental and dangerous to their wellbeing. To this end, child labour has been continuously depriving children their rights to a number of opportunities including social services such as basic education. Similarly, Amma, found that the micro-economic factors, which contribute to child labour, and that force households to be suppliers of child labourers include family related factors and household needs. This is very common, for example, in households where parents have died of HIV/AIDS related diseases and where children live with a single parent or guardians who depend on the products of working children. Consequently, this situation forces children to work for money for the survival of the family. In this context, therefore, a child frequently becomes a breadwinner for the all family. This finds support from the findings by Amma which indicate that working children contribute about 40% of the household income that is geared to basic food items. Eldring found, for example, that in Kenya children were regarded as a source of

livelihood for poor families [4].

According to Eldring: '...inability of households to meet the basic needs of children (education, food, shelter, and clothes) in most cases forces children to engage in employment in their endeavour to improve their conditions and livelihood' [5]. From this, it is rational to argue that there is a significant relationship between child labour and poverty in most places especially rural areas. Children work because they want, and need, to fill social and economic gaps that exist in their households.

Likewise, Tunesvik also notes that sending children to work can be a survival strategy employed by either parents or guardians in the course of trying to reduce risk of interruption of the income stream within the households [3]. This is very common when households that are normally relatively prosperous, are exposed to diseases, natural disaster and outbreak of wars.

- Child Labour and Socio-Economic Development

Equity and equality in education, especially basic education is a global concern. In Ghana there have been efforts to ensure that all school age children get access to education and concerns to ensure equity and equality dates back to the 1960s, involving both the government and Non-Government Organizations. Amongst the initiatives taken can be included, formulation of educational policies which advocate democratization of basic education in Ghana. In particular, the examples of primary education policies which advocate education for all include Education for Self-Reliance, Universal Primary Education and the Integrated Education Policy. Despite efforts by the Government and NGOs to address primary education, there are problems which still persist, and consequently deny some children their basic right to education in some areas in Ghana.

Findings by the World Bank indicate that although entry rates in primary schools are relatively high, survival rates at the end of the cycle are low [6]. Drop-out is one of the underlying problems that face primary schools. Children also take an average of 9.4 years to finish primary education instead of seven years. Failure to complete primary education is attributed to dropouts and repetition, especially at standard four and only 50% manage to complete grade 7. The reasons for such a poor record of completion are, of course, complex. Some indications as to what these might be, come from other parts of the world, thus according to Carron and Chau, there were two specific factors, which make school attendance irregular in China, Guinea, and Mexico [7]. The factors included children having to help with work inside and away from the house and health problems among pupils, all of which are attributable to poor living conditions within the households.

Similarly, Okojie, Chiegwe, and Okpokunu, report that in Nigeria school children get engaged in independent work in order to earn money [8]. Although not clearly indicated it could be argued that the money is for personal use and the household survival. It is evident then that there is a link between children involvement in labour and non-enrolment, dropout, absenteeism and health. In Ghana too, such factors have been noted at the highest level, as the Department of Social Welfare puts it: ...The figure had been established by preliminary data from the first round of the 2000-

2001 Child Labour surveys, which suggested that 4.1 million out of 10.2 children of that age were not attending school. Instead, the President said, the children were engaged in economic activities or in housekeeping, a clear indication of rampant child labour in the country.

- Poverty

Ghana like many developing countries has been confronted by economic problems, which have affected economic, political, as well as social areas. Behind all this is poverty, and poor decision-making strategies. Various attempts have been made to improve the situation. To this end, the Ghana macro-economic policy context is characterized by deliberate government efforts to: improve the visibility and increase the role of private sector, which widens the range of participants in national economic and social activities; redefine the government's role so as to position itself more strategically, concentrating on policy matters, quality assurance interventions, poverty reduction, good governance, regulatory services, and guaranteeing equity and fair-play, while guiding the economy more indirectly through fiscal policies; concentrate its investment in infrastructure and essential social development services such as health and education; develop dynamic priority areas for allocation of its resources; reduce non-essential subsidies and introduce cost sharing, fees, and cost recovery measures; and create an enabling environment for a more diverse array of participants in the provision of services and other investment inputs. However, instead of being effective, some of the policies have been causing hardships for the targeted population.

For example, according to ILO/IPEC Ghana and The African, macro-economic and structural adjustment policies which were introduced in the 1980's have been a reason for the downsizing of the public sector and the divestiture of state-owned enterprises. This has led to the retrenchment of thousands of employees, and severe reduction of the social services sector budget. Unemployment means the decrease of household's purchasing power, the end result of which is an inability to care for the members in the household satisfactorily. As a result, many of the retrenched people reach a point where they become failures in ensuring that their children are provided with basic needs like education and health services. Although not well covered, macro-economic and structural factors feature as plausible reasons underlying child labour in many parts where this problem is particularly rampant. Tunesvik argues that: The basic inequality that is built into international economic systems as well as the effects of structural adjustment programmes certainly affect children's and families' situations and thus their choices concerning education and work. Writing from the Nigerian context on 'Gender -gap in Access to Education in Nigeria' Okojie et al state that 'it was generally acknowledged with regret and self-pity that Structural Adjustment Programme (SAP) has brought about untold hardship [8]. It has occasioned increase in the costs of living particularly the cost of educating children'. The government initiatives in poverty eradication through adoption of various structural adjustment programmes have not benefited the intended population in some areas and sectors, thus leading to deterioration of standard of living each day. Despite the failure of some of these policies, the government has been concerned with social services for its people. For instance, in order to make sure that social services are available to its citizens the government has been making

remarkable reforms in primary education.

Institutional and Local Response to Child Labour

The Government of Ghana has and is still committed to the efforts to eliminate child labour especially its worst forms. This has been done through the enactment and ratification of local, national, regional and international legal instruments and the establishment of a policy framework. Some of the instruments include; the ILO Convention 182 on the Worst Forms of Child Labour, Minimum Age Convention No 138 and the United Nations Convention on the Rights of the Child [9]. National legislations include; the Ghana Constitution [10], the Children's Act, and the Employment Act [10]. Existing policies and programmes include the National Child Labour Policy, the Free Compulsory Universal Basic Education (FCUBE) programme, and the Employment Policy. In addition to the legal and policy framework, the government of Ghana and associated stakeholders initiated a number of institutional interventions to address child labour. The Ministry of Gender, Children and Social Protection and the Ghana Labour Commission which is the country's premier agency for handling all labour issues and the ILO-IPEC country office, championed the development of the National Policy on Child Labour and drafting of the National Action Plan in the late 1990s. These two institutions have undertaken to oversee the implementation of a number of pilot interventions for the elimination of child labour in selected activities which are largely funded by the ILO and partner organizations.

Aside government interventions, some NGO's and CSO's have been involved in fighting for children's rights and the elimination of child labour under the umbrella of the Non-Governmental Organization Advocacy for Policy Formulation. These institutions have participated at different levels of policy or formulation, dissemination, implementation and advocacy of child labour policy. The Government of Ghana and the donor community have gone ahead to give support to children in need through implementing advocacy and withdrawal programmes under these institutions especially CSO's. Some of the institutions that have had such interventions based on their mission statements and goals include; Save the Children, ILO, Plan Ghana, and UNICEF. These organizations have worked with many school dropouts to improve their survival skills. However, the effectiveness of the legal and institutional framework interventions is highly questionable, given the persistent increase of child labour cases in the urban informal sector in Bono East Region of Ghana.

The Free Compulsory Universal Primary Basic Education (FCUBE) program is one of the practical steps towards addressing the problem of child labour. Initiated by the Government of Ghana in 1990s, the policy was aimed at increasing the number of primary school going children. It may be posited therefore that attempts to offer free primary education to children especially the poor vulnerable ones, could go a long way in curtailing child labour. On the contrary, this policy has been a failure since the completion rates are low and the number of school dropouts has been persistent.

To succinctly address the problem of child labour and to achieve the goal of universal education, the government of Ghana needs to first of all address the several challenges hindering the success of the FCUBE program. With USAID assistance, the Ministry of

Education has also developed a “Basic Education Policy and Costed Framework for Educationally Disadvantaged Children” to increase access among children not served by the current education system and children engaged in hazardous labour. This policy expands and coordinates current non-formal education efforts targeting underserved populations. The free Senior High School Policy by the current NPP Government has also come to give access to all people who fall within the age bracket to have access to free education. Other education programs include; the Complacent Opportunities for Primary Education Program, Basic Education for Urban Poor Areas, and Empowering Life-Long Skills Education program.

The government of Ghana has also begun several programs to improve girls’ education. The girl child has also been given a 1.5 additional entry mark to public universities which has however been a case of continuous debate to be scrapped. Poverty, especially household poverty is highly attributed to the increase in child labour cases in Ghana. Poverty prevents the enjoyment of basic human rights to include education, security and wellbeing of members of a family. Ghana’s current population is estimated at 32 million, which when coupled with the low resource base puts significant pressure on the delivery of basic social services, particularly to children. Studies indicate that more than 70% of the population in Ghana earns less than 10 Ghana Cedi a day. Poverty remains high in Sub-Saharan Africa and its prevalence varies by region, urban/rural divide and population group.

In the effort to address poverty, the government of Ghana initiated a national framework for poverty reduction to include; the Poverty Eradication Action Plan (PEAP). Its purpose was to generate economic growth and improve the conditions of living of the poor people and promote access to opportunities, which would enable the poor to raise their income level. Ghana implemented phase II of the PEAP in 2003 and therein is a strong child labour element. Although the program was revised, the PEAP seems to have a bias towards the rural sector. Though much of the poor people live in rural areas, the incidence of urban poverty cannot be underestimated. Transforming the livelihoods of the poor in urban and rural areas would also contribute significantly to eliminating child labour.

Other practical interventions include; the Ghana National Programme of Action for Children (UNPAC), which was born out of the World Summit for Children in 1990, the decentralization policy as spelt out by the Local Government Act and the Children’s Act which provide for the Secretariat for Children’s Affairs to champion the interests of children at various local council levels.

However, despite the existence of these various policies and interventions to address child labour, there are existing gaps as some of these policy instruments do not specifically target the informal sector, lack grass root consultation and tend to have a bias towards the rural sector. In an effort to address child labour, there is the necessity of development of a body of ethical principles against the vice and the need to address its root causes based on adequate stakeholder consultation.

The changing role of the state in the matters involving children is a major consideration in this principle. The major legal systems

around the globe now accord due recognition to the responsibility of the state towards children. For instance, where there is failure in discharge of parental duties and obligations, then the state steps into the picture by assuming the responsibility or the position of the parents. To maximize the levels of security to the children, a consistent effort is made to streamline the combined efforts of the state and the parents. For instance, for education of the child, the law requires that the parents make provision for compulsory primary education of their children and the state strives to provide facilities for free primary education as mandated by the Constitution of Ghana.

As stipulated in the constitution, the duty to maintain a child shall be that of the parent, guardian or any person having custody of a child to maintain that child and, in particular, that duty gives a child the right to – education and guidance.

Every child has a right to be protected from discrimination, neglect and abuse by any person. This includes the freedom of not engaging in work that is going to be hazardous to their health or that work that will deter them from achieving an education. The guardians or parent of the child have this sole responsibility. Failure by the parent or guardian to protect the child according to the welfare principle, the state has to carry on this responsibility.

However, the fact that Ghana has various laws regarding the protection of children’s rights including the Children’s Act, it is ironical that the parents have continued due to poverty to engage their own children in informal activities to supplement meager family incomes. Some parents have also denied their children education especially the girls since many expect them to get married at an early age and earn bride wealth. The girl child has long been prepared for marriage roles since the law that would have protected them has not been enforced. Children have therefore fallen prey of the old tradition and many have been seen engaging themselves in urban informal activities which are all detrimental to their health and deter them from having an education. Section 8 of the children’s act provides for harmful employment and it states that; No child shall be employed or engaged in any activity that may be harmful to his or her health, education, or mental, physical; or moral development.

At the local level, it is the duty of the Local Councils to safeguard children and promote reconciliation between parents and their children. This is intended to safeguard and promote the welfare of the child. The Children’s Act is therefore a vital instrument if child labour is to be addressed. This Act needs to be translated in several vernaculars for easy interpretation and implementation.

Summary

This review is intended to make an addition to information on child labour and encourage further research within this area as a way of addressing and finding solutions to the prevailing situation in the country. This review will thus be useful to policy makers and analysts, researchers and students. In summary, children use large, heavy and dangerous equipment that sometimes injure or killed them on the job. This trend has fostered especially in developing countries and explains the increasing magnitude of the child labour problem in the local communities and how it affects children’s ac-

cessibility to participation in the primary schooling. Hawking including selling of sachet water and plantain chips, shepherding of sheep and cattle and farming are the forms in which child labour operates. Some of the challenges associated with child labour are frequent illness which takes the form of headache, general body pains, malaria, attempts of rape and financial difficulty. Stakeholders should help solve child labour by promoting mass education, expanding and sustaining the school feeding programme and then the provision of school uniforms.

Conclusion and Policy recommendations

In conclusion, child labour is affecting pupils' participation in classroom education. Also, household engage children in child labour to supplement money raised by parents. Stakeholders including the Government of Ghana and other nongovernmental organizations are actively implementing policies to eradicate child labour in the community for example Kenten in the Bono East Region of Ghana [11].

As policy recommendations, single parents in local communities especially women should be empowered financially and vocationally through free vocational and financial management training to provide enough avenues for single parent (women) to cater for their children's education. Government should implement policies aimed at promoting classroom participation of children by offering books, and learning materials to poor families as well as ensuring the 'Free' nature of the Free Compulsory Universal Basic Education. Stakeholders should continue their participation in eradicating child labour and their support in increasing enrolment and classroom attendance and participation. Finally, the media and other agencies like the Commission for Human Right and Administrative Justice (CHRAJ) should increase the campaign and education against child labour and intensify publicity of the criminal

nature of child labour and sentences for offenders.

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