



**International Convention on the  
Protection of the Rights of  
All Migrant Workers and  
Members of Their Families**

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**Committee on the Protection of the Rights of All  
Migrant Workers and Members of Their Families**

**Consideration of reports submitted by States  
parties under article 73 of the Convention  
pursuant to the simplified reporting procedure**

**Initial reports of States parties due in 2004**

**Ghana\* \*\***

[Date received: 31 August 2014]

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\* The present document is being issued without formal editing.

\*\* Annexes can be consulted in the files of the secretariat.

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## **I. General information**

*Responses to issue 1 of the Committee's list of issues prior to the submission of the initial report (CMW/C/GHA/QPR/1)*

1. Ghana has in place an Inter-Ministerial Committee on Migration and is currently in the final stages of submitting a draft migration policy to government.<sup>1</sup> This Committee is located at the Ministry of Interior. It is the intention, subsequently, to approach the Office of the United Nations High Commission for Human Rights for the necessary assistance for continued implementation of the Convention. Consequently, technical assistance will be sought for the submission of periodic reports.

*Responses to issue 2*

### **Demographic profile of Ghana**

#### **A. Geography**

2. Ghana's geographic location lies in the center of the Gulf of Guinea coast, 2,093 km of land borders with three countries: Burkina Faso (548 km) to the north, Côte d'Ivoire (668 km) to the west, and Togo (877 km) to the east. To the south are the Gulf of Guinea and the Atlantic Ocean.

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<sup>1</sup> Ghana, Ministry of the Interior, *Draft National Migration Policy* (Accra, 2014).

Figure 1  
Map of Ghana showing national capital, regional capitals and other cities



## B. Population

3. According to the 2010 Population and Housing Census (PHC), Summary Report of Final Results released by the Ghana Statistical Service (GSS), Ghana now has a population of 24,658,823.<sup>2</sup> The figure is an increase of 30.4% over the 2000 census. The male population is 12,024,845 and the female population is 12,633,978. This gives a sex ratio (i.e. number of males to 100 females) of 95.2 compared to 97.9 in 2000. The evidence points to the fact that Ashanti is the most populated with a population of 4,780,280 representing 19.4% of the country's total population. Greater Accra with a population of 4,010,054 (16.3%), is the next highest. The least populous region is the Upper West region with 702,110, representing 2.8% of the total population. Central region is noted to have recorded the highest percentage increase in the population (38.1%) over the 10-year period. Greater Accra was the next highest with an increase of 38.0%. At the regional level, Greater Accra is the most densely populated region with a density of approximately 1,236 persons per square kilometre compared to 895.5 persons per square kilometre in 2000. The Northern region is the most sparsely populated region with a population density of 35 persons per square kilometre.

<sup>2</sup> Ghana Statistical Service, *2010 Population and Housing Census: Summary Report of Final Results* (Accra, Ghana Statistical Service, 2012).

### C. Political and legal system

4. Ghana is a sovereign and democratic country. The country has witnessed a deepened democratic process and maintenance of peace and security for the past two decades. The last general and presidential elections were held in 2012 and was won by President John Dramani Mahama of the ruling National Democratic Congress (NDC). There is a parliament of 230 members.

5. Ghana has ten administrative regions, however to ensure effective democratic and participatory governance, the regions which were previously sub-divided into 110 districts assemblies have been increased to 170 districts, comprising 164 districts/municipals and 6 metropolitan areas.

6. The Ghanaian legal system ensures equality of all persons before the law and their freedom to enforce their rights and liberties in a Court of Law is guaranteed under the Constitution. The independence of the Judiciary from the Executive and the Legislature is entrenched in the Constitution. The legal content and quality of the protection and promotion of human rights in the country has been enhanced through the work of the Commission on Human Rights and Administrative Justice. This has been done through ratification of human rights instruments and their incorporation into national legal systems, legal reforms, promulgation of new laws, and strengthening of institutions mandated by the Constitution to protect and enforce human rights and roles.

### D. General state of the economy

7. Ghana is the first country in Sub-Saharan Africa to have achieved the target of halving the proportion of population in extreme poverty as at 2006, well ahead of the target date of the Millennium Development Goals. The decline in poverty had occurred due to the significant improvements in economic growth over the past decade with accompanied sound social and economic policies on poverty reduction as spelt out in the Ghana Poverty Reduction Strategy phase 2 (GPRS II).

8. Although Ghana made phenomenal strides in economic growth, with a record high GDP growth of 14.4% in 2011, it failed to sustain the momentum, thus falling to a lower growth rate than was targeted for the year 2012 (ISSER 2012). In 2011, the economic performance of the country was strongly driven by industrial growth in the oil, construction and mining sub-sectors. However, in 2012 the strongest performance came from the service sector, which served as the engine of growth. According to the state of the Ghanaian economy, 2012, Ghana's economic growth was 7.2%, 7.2 percentage points lower than for 2011 and 2.2 percentage points lower than the target for 2012.<sup>3</sup> Ghana recorded fast growth in 2011, buoyed by oil revenues and the strong export performance of cocoa and gold. The growth rate has been comparatively high, despite the world-wide recession. The main drivers of growth in 2012 have been the persisting high prices for Ghana's major export commodities — cocoa and gold.

9. Macroeconomic stability, through prudent fiscal policies, was at the forefront of the government's agenda to ensure economic growth. The Bank of Ghana (Central Bank) continues to pursue a policy of keeping inflation within a single digit, as well as maintaining exchange rate stability in support of the inflation targeting regime. The end of year inflation rate for 2012 was 8.58%. The Central Bank continued with its policy to

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<sup>3</sup> Institute of Statistical, Social and Economic Research (ISSER), *The State of the Ghanaian Economy in 2012* (ISSER, University of Ghana, Legon, 2013).

smoothen the fluctuation of the Ghana cedi against the major currencies. However, the exchange rate of the cedi came under pressure against all the major currencies in 2012 and the currency has lost some value against the major currencies since the beginning of 2014 and measures being taken to address the situation.

10. Ghana's economy is now classified by the World Bank as being at the lower end of the middle-income bracket. Backed by strong investment in the oil and gas sectors, as

## **E. Nationality**

11. The 2010 population census data shows that 97.6 percent of the total population is Ghanaian, while 2.4 percent is non-Ghanaian. Dual citizens constitute only 2.9 percent, while Ghanaians by naturalization make up one percent. The proportion of male foreign nationals is 2.7%, and is slightly higher than the female proportion of (2.2%). A majority of non-Ghanaians are from the ECOWAS sub-region, at 1.7%, while other African nationals constitute 0.4 percent. The Greater Accra region has the largest portion of non-Ghanaians in their population (3.0%).

## **F. Ghanaians abroad**

12. Estimates of Ghanaians abroad are imprecise, as they have not been systematically documented. There are also inconsistencies in the data on Ghanaian migration, and this has been attributed to variations in the conferment of citizenship by different countries, and different definitions used for immigrants and emigrants as well as the diverse data collection mechanisms (Twum-Baah 2005). Scholars have, therefore, presented different figures for the number of Ghanaians abroad.<sup>4</sup>

13. The 2010 Population Census, however, reports that from households interviewed there are 250,623 emigrants (representing one percent of Ghana's population). The Ashanti and Greater Accra regions constitute about half of the emigrants. Just as in the case of immigrants, there are more male (160,276) emigrants than female (90,347) emigrants. Though it has been repeated severally that south-south migration is significant due to their numbers, the census figures do not support this. Europe tops the destination zones, with 37.7%, before Africa (35.8%) and the Americas (23.6%) in that order. Of the 25.4 percent emigrants who were reported as residing in ECOWAS countries, most lived in neighbouring countries (Côte d'Ivoire, Nigeria and Togo). Most emigrants (76.2%) were gainfully employed, while 14.0 percent are students. The rest (6.1%) were unemployed.

## **G. Institutional framework**

14. There are a number of institutions involved in managing migration in Ghana. Their roles and responsibilities impact on the implementation of the International Convention on the Protection of the Rights of all Migrant Workers and Members of their Families.

### **1. Ministry of the Interior**

15. The Ministry of the Interior is responsible for the Policy formulation and regulation of immigrants in Ghana, and it makes decisions on the registration and naturalization of foreign nationals. It further processes applications for the acquisition of Ghanaian

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<sup>4</sup> Asima, P. P. D., *Continuities and discontinuities in gender ideologies and relations: Ghanaian migrants in London* (Saarbrücken, Lambert Academic Publishing, 2012).

citizenship, renunciation of Ghanaian citizenship and dual citizenship. The Ministry supervises the Ghana Immigration Service and the Ghana Refugee Board in their operations pertaining to immigrants and refugee/Asylum seekers, and issues relating to security; and effective border control and management through the Ghana Immigration Service (GIS).

**2. Ministry of Foreign Affairs and Regional Integration (MoFARI)**

16. The Foreign Ministry of Ghana oversees the promotion and protection of the interest of Ghana and Ghanaian nationals abroad in keeping with the Vienna Convention on Diplomatic Relations and the Vienna Convention on Consular Relations to which Ghana is State Party, as well as in conformity with the Constitution of Ghana which enjoins the Government of Ghana to conduct its international relations in accordance with the generally recognized principles of international law. In this regard, the Foreign Ministry is responsible for Consular services and welfare with respect to Ghanaians living abroad including Ghanaian emigrants. It therefore, facilitates the interaction between members of the diaspora and Ghanaian authorities through Ghanaian diplomatic and consular missions abroad. In an effort to more proactively cater to the interests of Ghanaians abroad, the Foreign Ministry has set up a Diaspora Affairs Bureau to complement the work of the existing Legal and Consular Bureau. It also has the mandate to compile, process and analyse data on Ghanaian emigrants; and processes and issues passports to Ghanaians. The Diaspora Support Unit of the Ministry is currently coordinating efforts to compile and update data and profile of Ghanaian emigrants to facilitate the mainstreaming of Ghanaians abroad in national development among other objectives. The Ministry has encouraged Ghanaians emigrants resident abroad have been encouraged to form new Umbrella associations or strengthen existing associations to support the work of Ghanaian missions abroad and among other things encourages the members of the association and to be law abiding.

**3. Ministry of Health (MoH)**

17. It assists in the mobilisation of Ghanaian health professionals abroad to strengthen the national health system; and advises government on measures to improve conditions of service to address mass emigration of skilled personnel in the health sector. It also undertakes recruitment/ reinstatement of return health professionals to ensure inflow of knowledge through knowledge transfer and return of Ghanaian health professionals; and Liaises with other institutions to take advantage of programmes toward mobilisation of health professionals abroad (such as the International Organization for Migration (IOM)).

**4. Ministry of Local Government and Rural Development (MLGRD)**

18. The Ministry of Local Government and Rural Development promotes and supports productive activity and social development at the local level and removes obstacles to initiative and development. Being responsible for the overall development of metropolis, municipalities and districts, the Ministry plays a role sometimes in providing support for the reintegration of returnees within local communities.

**5. Ministry of Employment and Social Welfare (MESW)**

19. This Ministry coordinates and implements activities and formulates policies relating to labour migration and is also represented in the Immigration Quota Committee and involved in the determination of the maximum number of work permits for non-nationals. Among other things, the Ministry ensures that non-nationals and immigrants are not discriminated against at the work place. It also helps build capacity for national skills audit for effective manpower planning.

**6. Ministry of Gender, Children and Social Protection**

20. This Ministry coordinates the activities of inter-agency groups working to combat human trafficking, especially women and children and monitors and evaluates the effects of migration activities on the welfare of women and children whether they are in migration or left behind.

**7. Ministry of Finance and Economic Planning (MOFEP)**

21. This Ministry is responsible for the preparation of national budgets and facilitates programmes that address rural-urban development gap, and the enactment of policies to facilitate the flow of remittances from and to Ghana. It also formulates and implements financial regulations through the Bank of Ghana to facilitate inflow of foreign direct investment.

**8. National Development Planning Commission (NDPC)**

22. This institution is in charge of integrating migration-related issues into national development planning, and also assists in the allocation of national resources to address development gaps between rural and urban areas, as well as regions in the north and south. It further helps Metropolitan, Municipal and District Assemblies (MMDAs) to incorporate migration issues into their development plans and manage internal movements of population.

**9. Ghana Immigration Service (GIS)**

23. The Ghana Immigration Service (GIS) is responsible for implementing all legislations and regulations, policies and regulations pertaining to immigration to Ghana and emigration of Ghanaian nationals. It receives and processes applications for residence and work permits for immigrants in Ghana. It is also responsible for border control and management in order to prevent entry of inadmissible persons and combat nefarious activities, such as human trafficking and smuggling as well as illegal trade. It further processes Right of Abode and indefinite residence to eligible foreign residents as well as facilitates the issuance of dual citizenship certificate. A recent Supreme Court decision stated the constitutionally guaranteed right of eligible Ghanaians to dual citizenship status must not be unduly frustrated by any administrative or bureaucratic paper work. The GIS undertakes information campaigns and conducts pre-departure talks to prospective migrants. Finally, it tackles immigration-related crimes and contributes to National Security in collaboration with other security institutions.

**10. Ghana Investment Promotion Centre (GIPC)**

24. The Ghana Investment Promotion Centre (GIPC) has the mandate to mobilise the Ghanaian emigrant community for investment and business creation in Ghana through cooperation with emigrant communities associations and other relevant institutions. It also advises on investment policies to ensure that immigrants contribute to economic growth. The GIPC also provide incentives to encourage Ghanaians in the diaspora to invest in all sectors of the economy in order to promote livelihoods and reduce poverty reduction.

**11. National Population Council (NPC)**

25. This institution coordinates and liaises with other organizations and agencies to highlight the impact of migration on population dynamics and development planning in the country. It advises government based on the available migration data regarding the relevant programmes that would assist in increasing the benefits of migration while reducing the

costs or negative impacts. In conjunction with the NDPC it spearheads the integration of migration into development planning at all levels in the country.

**12. Ghana Statistical Service (GSS)**

26. The Ghana Statistical Service (GSS) provides technical leadership in migration data collection, management and storage for monitoring migration indicators. It further ensures that migration data are integrated in census data collection and other national surveys. It has initiated the conduct of periodic national migration surveys.

**13. Ghana Refugee Board (GRB)**

27. Ghana Refugee Board (GRB) makes decisions in relation to admission procedures for asylum seekers in the processing of asylum applications and granting of asylum in Ghana. It further implements regional and international protocols pertaining to asylum seeking and refugees. Also, it designates and manages refugee camps in the country and provides data on immigrants and asylum seekers.

**14. National Disaster Management Organisation (NADMO)**

28. NADMO promotes Disaster Risk Reduction (DRR) and Climate Change Risk Management through the establishment of National and Regional Platforms for all Stakeholders. It works to strengthen Disaster Prevention and Response Mechanisms to reduce incidence of internally displaced persons (IDPs). It also assists the Ghana Refugee Board in catering to the welfare of refugees. It has a mandate to monitor climate-change that could affect livelihoods and possible population displacements and put measures in place to address the challenges that result from them and mobilizes material and financial resources to take care of the emergency needs of IDPs.

**15. Research and Training Institutions, e.g., Centre for Migration Studies, Regional Institute for Population Studies, ISSER, etc.**

29. These institutions research on the dynamics of internal and international migration. To enable government officials and other stakeholders build their capacity, they provide training and capacity building of experts through academic programmes and short courses. They also disseminate research findings through conferences, workshops, seminars, expert group meetings, and publications. They provide migration data and analysis for informed decision making.

**16. IGOs/NGOs/CSOs, private sector**

30. There are non-governmental actors who educate potential migrants on the risks involved in irregular migration. They also provide and disseminate relevant information on migration issues and procedures. Some work with migrant groups and migrant organizations at community level to ensure migration becomes an option and not the only means of survival.

**17. The Media**

31. The media is an important partner in the implementation of the Convention. They disseminate migration-related information to potential and return migrants. They report and feature special articles/programmes on migration-related activities, e.g., human smuggling/trafficking, refugee situation,. They show documentaries which highlight and sensitize the general public about potential risks associated with migrating without proper documentation; the dangers of irregular migration through unauthorised and hazardous routes such as the Sahara desert or by rickety boats in the Mediterranean etc.

*Response to issue 3*

32. The initial process has commenced by the setting up of the Inter-Ministerial Committee. The committee is working to develop a policy framework which will feed into a legislative proposal, subsequently. Our recent laws relevant to migrant workers use a rights-based approach. Additionally, since the adoption of the Labour Act, 2003 (Act 651), numerous provisions in the Act ensures the harmonization of that legislation with provisions of the convention.

*Responses to issue 4*

33. The government of Ghana has been working closely with the IOM on the development of the migration policy. It has further helped set up the Diaspora Affairs Bureau in the Ministry of Foreign Affairs and Regional Integration. It is currently assisting in the implementation of a Ghana Integrated Migration Management Approach (GIMMA) programme which aims to enhance the institutional capacity of the Ghana Immigration Service to implement effective migration management measures, to increase the awareness of potential migrants on safe and legal migration and alternative livelihood options and to strengthen the migration data management system. It is a 36-month programme (June 2014–May 2017) with an estimated budget of 3 million Euros sponsored by the European Union, European Development Fund. It is jointly managed by the IOM and Ghana Immigration Service.

34. The Government of Ghana has a cooperation agreement with the IOM. Since signing the Cooperation Agreement, the IOM Ghana Mission office has assisted to address a variety of migration management needs. During the past 4 years, IOM Accra has been involved in a broad range of activities including migration policy development, labour migration, migration and development, combating human-trafficking, assisted voluntary returns, border management, information campaigns on the risks and realities of migration, and humanitarian and emergency response.

35. The Cooperation agreement is on course and foresees in the immediate future the implementation of programmes in priority areas including International Migration Law, Technical Cooperation, Migration information, Counter Trafficking and Labour migration.

*Responses to issue 5*

36. Data is a challenge and the GIMMA programme aims at strengthening coordination among key stakeholders involved in Migration Data Management with the establishment of a national Data Migration Management framework and a database. A working group has been set up comprising the Ghana Immigration Service, Ghana Statistical Service, Ministry of Foreign Affairs and Regional Integration, National Identification Authority, Labour Development, Migration Unit of the Interior Ministry, National Development Planning Commission and other relevant institutions. A coherent and Cross comparable system of Data collection is being achieved though the GIMMA programme. Additionally, the International Centre for Migration Policy Development (ICMPD) is currently assisting the Inter-Ministerial Committee — Migration Unit, Ministry of the Interior on developing a guide on the use of Migration Data.

37. However, it is worthy to mention that there has not been significant evidence of migrant workers in irregular situations in the country.

Table 1  
**Embarkation and disembarkation from 2008 to mid-year, 2014**

Year	Embarkation			Disembarkation			Total
	Ghanaians	ECOWAS	Other nationals	Ghanaians	ECOWAS	Other nationals	
2008	234,791	200,444	266,258	211,985	204,868	255,581	<b>1,373,927</b>
2009	229,516	208,748	250,556	232,381	205,604	229,290	<b>1,356,095</b>
2010	253,625	209,689	302,341	227,956	204,544	314,027	<b>1,512,182</b>
2011	212,336	152,489	272,390	178,782	159,866	270,372	<b>1,033,899</b>
2012	227,554	143,728	290,731	192,896	156,381	292,680	<b>1,303,970</b>
2013	310,253	193,551	391,642	279,712	204,915	384,768	<b>1,764,841</b>
Mid-year 2014	155,407	92,862	192,614	130,053	98,933	189,890	<b>859,759</b>
<b>Total</b>	<b>1,623,482</b>	<b>1,201,511</b>	<b>1,966,532</b>	<b>1,453,765</b>	<b>1,235,111</b>	<b>1,936,608</b>	<b>9,417,009</b>

Table 2  
**Deportation/repatriation of foreign nationals**

Year	Deportation/repatriation of Foreign Nationals	Deportation of Ghanaians
2010	75	1,127
2011	68	1,017
2012	243	1,196
2013	1,065	3,080
Mid-year 2014	63	1,918
<b>Total</b>	<b>1,514</b>	<b>8,338</b>

Source: Ghana Immigration Service.

38. The Migration Management Bureau provides information to potential migrants and has an open door policy to reduce the incidence of irregular migration. Returnees are normally taken through a debriefing process to enable them reintegrate. There is a centre in Sunyani, a predominant migrant-sending zone, which remains in close contact with the returnees to assist in their settlement.

*Responses to issue 6*

39. The State has an integrated approach to the issue of Human Rights. Therefore in all its legislations it has taken care of human rights issues for both migrants and citizens. The Commission on Human Rights and Administrative Justice (CHRAJ) is one of the judicial and administrative authorities with competences in effecting human rights matters. CHRAJ has a broad mandate to protect and promote universal rights and freedoms and other international human rights instruments which Ghana has ratified. Some measures are included in legislations enacted in relation to migrants in Ghana and they can be found in:

- (a) Constitution of the Republic of Ghana promulgated in 1992;
- (b) Labour Act 2003 (Act 651);
- (c) Free Zone Act 1995;

- (d) Workmen's Compensation Act 1987 (PNDCL 187);
- (e) Immigration Act 2000 (ACT 573);
- (f) CHRAJ Act, 1993 (ACT 456).

*Responses to issue 7*

40. The Inter Ministerial Committee periodically invites NGOs to its meetings and at such gatherings, where necessary, they feed into the decision-making processes. They participated in the development of the GIMMA project and there is a component for Civil Society organisations (CSOs) as stakeholders. There are several NGOs involved in the implementation of the convention.

*Responses to issue 8*

41. Ghana has ratified ILO Convention No. 97 concerning Migration for Employment (Revised 1949) as at 25/01/1958; Ghana is in the process of ratifying ILO Convention No. 189 (2011) concerning decent work for domestic workers. A draft memorandum has been prepared by the Sector Minister to Cabinet to study.

*Responses to issue 9*

42. While the declaration has not yet been made, subjecting the State to the current process of submitting our initial report is our practical demonstration to subsequently engaging in a formal process of declaration. Steps would be taken to recognize the competence of the committee.

## **II. Information relating to the articles of the Convention**

### **A. General principles**

*Responses to issue 10*

43. Since the passing of the Immigration Law and Regulation, several cases have been presented to the courts of competent jurisdiction to adjudicate on. The Ghana Immigration Service in its treatment of migrant workers adheres to the principle of non-discrimination. It provides a level playing field for migrants workers.

44. In terms of streamlining the fragmented legal framework, the first step is the effort to develop a migration policy for Ghana. However, the Judicial system as it is now, provides enough space for migrant workers to seek justice. The Ghana Immigration Service has an open door policy and encourages migrants to register their complaints through our complaints desk for redress. Data is a challenge and some of the issues have not been comprehensively captured.

45. The migration Management Bureau has the mandate to provide information, to would be Ghanaian migrants and it has done this through information campaigns, Posters, Drama, Magazines, Radio interviews, documentaries and training programmes. The Labour Department of the Ministry of Employment and Labour Relations and the Ministry of Foreign Affairs and Regional Integration on the other hand, have also provided pre-departure orientation to potential migrants.

## **B. Part II of the Convention**

### **Article 7**

#### *Responses to issue 11*

46. The 1992 Constitution of Ghana clarifies this, and Article 12:2, makes it clear that “every person in Ghana, whatever his/her race, place of origin, political opinion, colour, religion, creed or gender shall be entitled to the fundamental Human Rights and freedoms...”. Chapter 5 of the Constitution highlights issues of the fundamental human rights and freedoms. The immigration laws have factored these principles into their provisions and, therefore, the Service does not condone unfair treatment either way. It further prohibits discrimination of any kind. In practice there is no discrimination in the work place and migrants are not excluded.

## **C. Part III of the Convention**

### **Article 16**

#### *Responses to issue 12*

47. The Ministry of Foreign Affairs and Regional Integration organizes periodic training for staff at its Missions and the issue of gender sensitivity is key. The Diaspora Affairs Bureau has recently been established and they have also commenced training programmes. Recently, there was a consultation meeting between the Bureau and Ghanaian migrants in London to enable government officials appreciate the issues that concern them. The Bureau was able to elicit views which would be addressed by government and also through International State cooperation. The missions are in constant collaboration with receiving countries agencies responsible for Ghanaian migrants. The missions periodically also provide Ghanaian migrants with advisory services as well as consular services.

### **Article 18**

#### *Responses to issue 13*

48. In Ghana, the Foreign Missions of any migrant worker found in an irregular situation, is contacted. The missions are given the opportunity to provide the migrants with the relevant protection where they need legal assistance. There is a policy guideline which ensures that, women migrants are supervised by female officials. With respect to Ghanaian migrants abroad, the missions provide the necessary protection and ensure that nationals are safeguarded.

### **Article 22**

#### *Responses to issue 14*

49. It is not clear where this data has been procured from. While some irregular migrants have been repatriated for mostly overstay and illegal employment, it is not likely to be up to the quoted number. The data issues are being addressed. The Immigration Act provides procedures on deportation and this is done through due process. Migrant workers have the opportunity to challenge expulsion orders and they do so where they have a defence. On occasions where they have on-going legal cases they are granted extensions of stay to finalize their case before any action is taken against them. The law provides also in Section 46 for the submission of petitions.

**Article 29***Responses to issue 15*

50. In practice any child born in Ghana has the opportunity to register at birth. In this wise, so far as the parent provides the requisite information they are duly registered.

51. Also in practice, just like any Ghanaian child, every child in Ghana has the right to Free Compulsory Universal Basic Education (FCUBE). Schools are in localities and the policy is not restricted to foreign nationals. Chapter six (6) of the Constitution, the Directive Principles of State Policy reiterate the objectives of the right to good health care and education for every child in the nation-state. The Children's Act, 1998 (ACT 560) also provides for the "rights of the child, maintenance and adoption, regulate child labour and apprenticeship, for ancillary matters concerning children generally" and also for related matters. The Citizenship Act, 2000 (Act 591) and the Citizenship regulations, 2001 (LI 1690) also provides the basis for Ghanaian citizenship in law.

**Article 33***Responses to issue 16*

52. The Labour Department of the Ministry of Employment and Labour Relations ensures that Ghanaian migrant workers are taken through pre-departure formalities on their rights and obligations. Sometimes IOM teams up with the relevant Ghanaian authorities to assist in this process. Periodically, officials of GIS at entry/exit points also perform this function. The Migration Management Bureau at the GIS is being upgraded to be a Migration Resource Center, through the GIMMA project, to upgrade training and also provide such relevant information.

53. During the formulation stage of the migration policy, several training programmes were held to sensitize officials on migration generally. The Ministry of Gender, Children and Social Protection and the Ghana Immigration Service, also organised training for all the relevant stakeholders after the enactment of the Human Trafficking Act and the Immigration (Amendment) Act aimed at criminalizing smuggling.

**D. Part IV of the Convention****Article 41***Responses to issue 17*

54. Ghana has passed the Representation of the People's (Amendment) Act 2006, Act 699 to allow Ghanaian migrants to vote. The implementation has been stalled due to inadequate resources but efforts are underway to pursue its implementation soon. The Dual Citizenship Law has also been passed, The Constitution of the Republic of Ghana (Amendment) Act 1996, Act 527 allows a citizen of Ghana to hold "a citizenship of any other country in addition to his citizenship of Ghana". This does not affect their right to vote, but they may not qualify to hold certain positions.

**Article 44***Responses to issue 18*

55. The Immigration Act provides avenues for families of migrant workers to procure dependant permits (Immigration Regulations, 2001 (LI 1691). All migrant workers can and do invite their spouses, and there is no limit of age for the number of dependent children. In

cases where migrant workers desire other relations, such as parents and domestic workers, they are also permitted to unite with such families.

#### Article 47

##### *Responses to issue 19*

56. There is no inhibition on the transfer of the earnings of migrant workers from Ghana. The Diaspora Affairs Bureau is working to develop a Diaspora policy which will include measures to facilitate and reduce cost of remittances from abroad. Currently, transfers are done through the private money transfer companies, such as Western Union, Money Gram etc.

##### *Responses to issue 20*

57. The Ghanaian deportees who return, do not face substantial problems prior to reintegration. Their educational certificates are recognized and there are several working in both the public and private sectors. The practical working experience is recognized where it is relevant to the field of employment being sought. The migration policy being developed aims to establish an institutional framework which will cater for the re-integration of returning migrants. Currently, NADMO and the Diaspora Affairs Bureau take aspects of this task. The evidence below is reflective of the collaboration between government and the IOM on Assisted Voluntary Returns (AVR) programmes. Please find further details below:

Table 3  
**Assisted voluntary returns**

No	Country of return	Year/Number of returnees				
		2010	2011	2012	2013	2014
1	Finland	3	16	5	2	2
2	Belgium	7	8	3	4	4
3	Ireland	2	2	*	3	*
4	Israel	1	16	4	1	*
5	Italy	6	12	21	23	23
6	Libya	57	26	*	93	2
7	Malta	4	6	5	8	11
8	Morocco	2	3	*	8	2
9	Netherlands	10	6	11	39	20
10	Norway	8	14	9	4	2
11	Switzerland	1	8	57	62	12
12	UK	99	33	28	19	13
13	Portugal		1	*	1	*
14	Canada			1	2	*
15	Egypt	*	*	6	15	*
16	Niger	*	*	22	3	7
17	Papua New	*	*	3	*	*

\* nil.

No	Country of return	Year/Number of returnees				
		2010	2011	2012	2013	2014
	Guinea					
18	Germany	*		1	12	*
19	Trinidad and Tobago	*	*	*	1	*
20	Bulgaria	*	*	*	*	4
21	Georgia	*	*	*	*	1
22	Malaysia	*	*	*	*	1
23	Tunisia	*	*	*	*	11

Source: IOM Ghana, AVR&R project 2010-2014.

58. The total number has been 922 between 2010 and 2014.

### Articles 48 and 61

#### *Responses to issue 21*

59. In the area of temporary labour agreements, the only agreement Ghana has had, has been on a pilot basis with the Italian government. A draft model agreement has been drawn subsequently, but the two parties are yet to sign the document.

## E. Part VI of the Convention

### Article 64

#### *Responses to issue 22*

60. The model agreement previously mentioned takes cognizance of all the needs of migrant workers as understood in the Convention.

### Article 66

#### *Responses to issue 23*

61. There is a law which regulates the activities of private recruitment/employment agencies, the Labour Law Act, 2003 (Act 651). Section 7 deals with such matters and they are mandated to procure a license, granted by the Minister of Employment and Labour Relations before they can operate. The fees charged for their recruitment processes are paid by the principals/sponsors, so prospective migrants are not charged any fees.

62. The Ghana Immigration Service also has an Anti-Human Trafficking and Smuggling in Persons Unit (AHSTIP) which also investigates the recruitment processes to ensure that abusive recruiters do not take advantage of prospective migrants. The Unit ensures compliance and does due diligence.

### Article 67

#### *Responses to issue 24*

63. While there are no formal cooperation agreements, the IOM assists in handling the voluntary return of Ghanaian migrants workers, where they so desire. The IOM has assisted

in the reintegration of several Ghanaian return migrants in the priority sectors of Health, Education and Agriculture. The previous table on AVR refers.

## **Article 68**

### *Responses to issue 25*

64. The government of Ghana has been proactive in the fight against Human Trafficking and Smuggling. The Human Trafficking Act was enacted in 2005, Act 694 and is guided by the United Nations Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children (Palermo protocols). The Ghana Police Service has established an Anti- Human Trafficking Unit and the Ghana Immigration Service has also set up an Anti-Human Trafficking Smuggling in Persons (AHSTSP) Unit which collaborate extensively with parallel institutions in the West African region. There have been joint operations between the two institutions and their counterparts in Burkina Faso, and they work extensively with the National Agency for the Prohibition of Traffic in Persons and other related matters (NAPTIP) of Nigeria. The Ghana Immigration Service has successfully implemented two programmes — Countering Document Fraud programme (2002-2015) (ANENEAS I ) culminating in the setting up of a state-of-the-art Document Fraud Expertise Centre, the first in the West Africa. Also it has implemented the Thematic Programme on Migration and Asylum — Countering Human Smuggling and other Irregular Migration, which led to the passing into law of the Immigration (Amendment) Act 2012, Act 848 which criminalizes human smuggling.

65. The Migration Management Bureau, in conjunction with civil society organizations, undertakes regular information campaigns in regions in the country which are noted to have a propensity for irregular migration.

66. Preventive strategies have been determined in the implementation of the Human Trafficking Act, such as the establishment of a board, training sessions for law enforcement agencies and officials and the citizenry. A major challenge has been the establishment of rehabilitation shelters. Nonetheless, non-governmental organizations such as the Assemblies of God Relief and Development Services (AGRED) are presently filling the gap. The Ministry of Gender, Children and Social Protection is mandated by the Human Trafficking Act to provide care and support for persons in irregular situations, though they can seek support from other government agencies.

### *Responses to issue 26*

67. Migration within Ghana has been an adaptive strategy from time immemorial. The incidence of head-load carrier (Kayaye) is mainly a product of the inequalities within the country. These rural-urban movements are aimed at increased access to employment, social services and infrastructural facilities. Social protection measures are being instituted both at the sending and receiving ends. At the sending locales the government has instituted the Savannah Accelerated Development Authority (SADA) to provide employment and livelihood opportunities to stimulate economic growth and sustainable development. A Northern Development Fund has been set up with seed capital of 25m Ghana cedis. The emphasis of the programme is on modernization of agriculture, development of infrastructure, strengthening the private sector and support for civil society organizations and NGOs. The fundamental objectives remain: reducing poverty, adaptation to climatic change (reducing occurrence of floods) and building human capital, economic infrastructure, investment and ecological transformation of Northern Ghana. Other approaches being adopted, especially at the destination locales, include micro-finance schemes and training in professions such as batik-making, hairdressing etc. by concurrent government and non-governmental actions. The Ministry of Gender, Children and Social

Protection is also developing social protection and intervention policies and child protection policies to manage the phenomenon. The school feeding programme ensures that children stay in school.

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