Country fact sheet for the CRC

COUNTRY: GHANA
(reviewed by a local contact)

REPORT N°	N° 3-5 periodic report for the CRC
PRE-SESSION/SESSION	▪ Pre-sessional: 69th (22-26 September 2014) ▪ Sessional: 69th (35 May - 12 June 2015)
LAWS (THC-1993, GUIDELINES, DOMESTIC LAWS)	▪ African Charter on the Rights and Welfare of the Child (ratified 10 June 2005) ▪ The Children Act N°560, 1998 ▪ Child Rights Regulations, 2003 ▪ Foster care regulations,2007 ▪ Standards for Operation of Residential Care settings, 2007
GENERAL SITUATION OF CHILDREN DEPRIVED OF THEIR FAMILY	▪ According to UNICEF Ghana: "more than 4,000 children still live in residential homes, often labelled as 'orphanages'. Many of these children are unnecessarily separated from their families. Ghana also has a very high rate of adoption of children, including inter-country adoption. However, insufficient levels of transparency and control in the system warranted the Government of Ghana to recently introduce a moratorium banning all adoptions of children until the situation can be examined further". ▪ In the past few years, Ghana has made clear progress in the protection of children deprived of their family. The *2010-2012 National Plan of Action for orphans and vulnerable children*, the *Care Reform Initiative* as well as the legislative instruments (some still in drafting process, like foster and adoption) are evidence of genuine willingness and true commitment to these children. The established principles, criteria and procedures form a coherent and adequate basis to respond to the needs of the children, despite the fact that they only insist to a limited extent on family reunification, and that only a limited number of criteria are established for relative placement. ▪ Efforts must still be made to register all institutions and to ensure their compliance with quality standards. ▪ The effective quality of the protection of children now depends on the implementation of the legislative instruments and the training of the professionals. The recent adoption of the 2010-2012 Plan of Action should pave the way for improvements in this field. Sources: UNICEF Ghana: http://www.unicef.org/ghana/about_7587.html; 2010-2012 National Plan of Action for orphans and vulnerable children, Ministry of Employment & Social Welfare / UNICEF, June 2010: https://www.crin.org/docs/GHANA%20OVC%20NPA.pdf ; *Regulations for Care and protection of children without appropriate parental care in Ghana - residential care standards*, Department of Social Welfare: http://www.oafrica.org/upload/pdfs/RESIDENTIAL_CARE_STANDARDS_GH._14.2.11.pdf; Orphan Aid Africa: http://www.oafrica.org/front_content.php?idcat=168
ALTERNATIVE CARE OPTIONS	▪ Almost all children in formal alternative care are cared for in residential facilities, with only 25 recorded as being in family-based settings such as foster care. These facilities are predominantly privately run – 111 as opposed to just 3 State facilities – and have grown exponentially in number since the end of the 20th century. State facilities cater

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<tr><td></td><td>to only 292 children, i.e. less than 7% of all looked-after children.
▪ Informal foster care remains insufficiently regulated and supervised, leaving room for bad practices and abuses.
▪ To our knowledge, there is no official policy strategising for, or promoting, the de-institutionalisation of alternative care, although certain statements have been made at ministerial level tending to favour such action. It is important that such a strategy be enshrined in policy either prior to, or at least via, the development of Regulations in this domain.
▪ As is the case for virtually all alternative care systems grounded predominantly in privately-run residential facilities, oversight is weak and, in particular, the vital gatekeeping function – designed to ensure that only children truly in need of extra-familial formal care are admitted to a facility – is to all intents and purposes non-existent.

Sources: ISS internal documents based on field missions carried out in Ghana in 2013 and 2014.</td></tr>
<tr><td>ADOPTION</td><td>Ghana is in the process of ratifying the Hague convention on Intercountry adoption, which is accompanied by a reform process launched in 2013 to make sure that Ghanaian legislation is in line with international standards. The reform is still going on and new laws have not been adopted yet. They tackle the following domain: foster care, adoption (domestic and Intercountry), adoption agency regulations and costs. The reform is accompanied by UNICEF and ISS.

Sources: ISS internal documents based on field missions carried out in Ghana in 2013 and 2014.</td></tr>
<tr><td>STATISTICS</td><td>Statistics remain insufficient; there is no precise data about domestic adoption or children in foster care, as far as we know.

For Intercountry adoption, ISS published the following:

<table><tr><th></th><th>2010</th><th>2011</th><th>2012</th></tr><tr><td>Ghana</td><td>128</td><td>107</td><td>172</td></tr></table>
Source: ISS Monthly Review, October 2013</td></tr>
<tr><td>RISKS</td><td>▪ Needs of handicapped children remain largely unmet. Since the 2006 concluding observations of the UNCRC, few progress have been documented (see for instance: “Children with Disabilities in Early Care in Ghana”, Cecilia S. Obeng, in International Journal of Early Childhood Special Education (INT-JECSE), 4(2), 50-63: http://www.int-jecse.net/files/JLBTQDM766KLG20F.pdf; “Advocating for Children with Disabilities through The Salvation Army Begoro Rehabilitation Centre in Ghana”: http://www.e-summit.org/conference/Advocating-for-Children-with-Disabilities.html)
▪ Necessity to supervise / authorize private institutions for children;
▪ Ensuring genuine development of alternative care measures in the whole country, especially in the regions.</td></tr>
<tr><td>POTENTIAL QUESTIONS</td><td>▪ What is the agenda for the entry into force of The Hague Convention on Intercountry adoption and related instruments?
▪ In the current situation of transition, Intercountry adoptions are only permitted for exceptional reasons. How many cases have been falling under this situation since the suspension is in force?
▪ What information is collected about the situation of children deprived of family, including those benefitting from alternative care measures (residential care, formal and informal foster care, national adoption)? Are there disaggregated statistics as well as any form of monitoring of the placements in residential care, formal or informal foster care, as well as domestic and intercountry adoptions?
▪ Regarding informal care of children deprived of their family will/is Ghana providing any kind of support for the families and/or monitoring the situation of these children?</td></tr>
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