

REPUBLIC OF GHANA



MINISTRY OF GENDER, CHILDREN AND SOCIAL PROTECTION

NORMATIVE INPUT ON SOCIAL PROTECTION AND SOCIAL SECURITY

Definition

1. What is the definition of the right to social security and social protection (including social protection floors) for older persons in the national legislation in your country? Or how should such a right be defined, considering existing national, regional and international legal framework?

ANSWER:

The 2010 Population and Housing Census Report of Ghana indicates that the population of the elderly, that is persons who are more than sixty years, has increased seven and a half times (7.5) from 213,477 in 1960 to 1,643,361 in 2010, This constitutes 6.7 per cent of the population as compared to 4.5 per cent in 1960. Furthermore, the Ghana Living Standards Survey round six, also revealed that the population of persons aged more than sixty-five years accounted for 4.8% of the total population. The 2017 Ghana Maternal Survey indicates that about 5 per cent of the population is more than 65 years of age.

The 1992 Constitution of Ghana serves as the supreme legal document that promote(s) and protects the rights of the citizens especially the vulnerable and excluded which includes the elderly. Again, the 1992 Constitution established the Social Security and National Insurance Trust (SSNIT) Pensions Scheme to ensure income security. To qualify for old age pension under SSNIT, the member must be at least sixty (60) years and must have contributed a minimum of 180 months under Act 766 National Pensions and 240 months (20 years) under PNDCL 247 to enjoy full benefit.

Cabinet approved the National Social Protection Policy on 10th December, 2015 which also has provision for the support of the elderly. Social Protection as defined in the policy as **“a range of actions carried out by the state and other parties in response to vulnerability and poverty, which seek to guarantee relief for those sections of the population who for any reason are not able to provide for themselves”**. The Social Protection floor defined as a **“mechanism that seeks to cater for the entire life-cycle, fill social protection gaps and strategically balance social assistance, social security and productive inclusion”**. The Social Protection Floor in Ghana consists of:

- Access to basic essential health care for all

- Minimum income security to access the basic needs of life for children
- Minimum income security for people in working age and
- Minimum income security for the older person

Scope of the right

2. What are the key normative elements of the right to social protection and social security for older persons? Please provide references to existing standards on such elements as below, as well as any additional elements:

- Availability of contributory and non-contributory schemes for older persons
- Adequacy of benefits to guarantee older person's access to an adequate standard of living and adequate access to health care
- Accessibility, including older person's coverage by social security systems, eligibility criteria, and affordability of contributions
- Equitable access by older persons to the enjoyment of the right to social security and social protection, paying special attention to groups in vulnerable situation
- Participation of older persons in the design and administration of the social security system

ANSWER

- The 1992 Constitution established the Social Security and National Insurance Trust (**SSNIT**) which is a statutory public Trust, charged under the **National Pensions Act, 2008 Act 766** with the administration of Ghana's Basic National Social Security Scheme. The primary responsibility of the Trust is to replace part of lost income of workers in Ghana due to Old Age, Invalidity or Death of a member where dependants receive lump sum payment. The National Pensions (Amendment) Act 2014 (Act 883) passed by the Parliament of Ghana came into force in 2014. The amendment was made to achieve reduction in the age exemption of those to whom Act 766 became applicable from its inception on 1st January, 2010 from 55 years to 50 years. A Presidential Commission on Pensions was also established in July 2006, Government's White Paper on Aged was issued in 2006 which accepted among others free or substantially subsidized transport cost for the elderly, free medical attention and reduced cost of tickets to public and social events. There is a Long-term saving Act, 2004 (Act 679).

Also, the Government since 2008 has instituted the provision of social cash grant to elderly 65 years and above in extreme poor households to smoothen their daily consumption under the Livelihood Empowerment Against Poverty (LEAP) programme

and also gives them the independence to decide what, how and when to purchase their basic needs.

- b) In order to ensure that older persons in Ghana participate fully in national development and social life recognition, opportunities have been provided to enable them enjoy these rights.

Older Persons are entitled to retain their personal autonomy and particularly have access to food, water, shelter, clothing, healthcare, education, training, work and other income generating activities and live in a decent and safe environment. The Government of Ghana since 2010, has instituted the National Health Insurance Scheme which guarantees the health of older persons for an annual premium of 5GH which is equivalent to 1USD for medical care.

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- c) In 2015, the Government of Ghana introduced the Eban elderly Welfare Card which gives older persons the opportunity to enjoy 50% subsidies on transportation fares and grants them priority access in hospitals, banks, transportation and other public services. The introduction of this service facilitates the movements of 25,000 elderly persons in terms of transport to and from their homes. The National Health Insurance Authority has a provision which gives an opportunity to register older persons above 65 years into the NHIS free of charge under the exempt categories. The Government since 2008 has instituted the provision of social cash grant to elderly 65 years and above in extreme poor households to smoothen their daily consumption under the Livelihood Empowerment Against Poverty (LEAP) programme and also gives them the independence to decide what, how and when to purchase their basic needs.

Currently, 259,853 older persons benefit directly from the Livelihood Empowerment Against Poverty Cash Grant. By government's effort in addressing the health care needs of the aged, the Ministry of Gender, Children and Social Protection, Ministry of Health and the Ghana Health Service are collaborating to mainstream gerontology and geriatrics care into the health care delivery system in Ghana.

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Again, the Government of Ghana has developed Accessibility Standards for the Built Environment which is to ensure that all public institutions are disability friendly and accessible to older persons.

(e) Older Persons are key stakeholders in the consultation for the establishment of the **National Pensions Act, 2008 Act 766** for the administration of Ghana's Basic National Social Security Scheme. These organized groups of the older persons were facilitated by Help Age Ghana (Civil Society Organization). Among them are the Association of Pensioners and Retired Officers Amalgamation, Retired Nurses Association and HelpAge Ghana.

State obligations

3. What are the measures that should be undertaken by the State to respect, protect and fulfill the right of social security and social protection for older persons, regarding the normative elements as provided above?

ANSWER

Older Persons are entitled to live with dignity, respect and be free from all forms of exploitation, discrimination or abuse. This confirmed by the Ghanaian Government's acceptance to a Constitutional Review Commission's recommendation that "the right of the elderly to live in dignity, free from abuse" be guaranteed in the constitution (UNFPA, 2012). The joint efforts of the Government and Civil Society Organizations to debunk the alleged Witch Camps are steps towards the achievement of this right.

The Government of Ghana continues to implement the National Ageing Policy taking into account the guiding principles and priority directions of the Madrid International Plan of Action on Ageing as well as the African Union Policy Framework and Plan of Action on Ageing. There is an established Centre for Ageing Studies which in addition to the academic works involves the older persons in weekly aerobic exercises for regenerative health. This is done for the older persons amid the young folks as a form of integration and socialization.

Special considerations

4. What special measures and specific considerations should be considered in developing the normative content of the right of older persons to social protection and social security?

ANSWER

Government of Ghana has been working with the Civil Society Organizations and the Development partners on the activities of the older persons. Many of the organized groups of the older persons in the country such as the Federation of the Pensioners' and Retired

Officers' Association, HelpAge - Ghana and Partners Advocacy Group, National Pensioners' Association, Public Universities Pensioners' Association, Retired Customs Officers Association. Association of Retired Immigration Officers and Trade Union Congress (TUC Veterans Association) are involved in decision making.

In addition, the establishment of the State Residential Home for the older persons in Bekwai is an indication to promote care and support for the elderly.

5. How should the responsibilities of non-State parties such as private sector be defined in the context of the right of older persons to social protection and social security?

ANSWER

The Government has also established a Call Centre (Help Line of Hope) for citizens including the older persons to call for grievance redress and complaint or information on any abuse. There are also established government Institutions such as Commission on Human Rights and Administrative Justice (CHRAJ) and Legal Aid Departments, The Domestic Violence and Victims Support Unit (DOVVSU) of the Ghana Police Service that support Human rights issues that the aged accessed.

Implementation

6. What are the best practices and main challenges faced by your country in the adoption and implementation of the normative framework on social security and social protection for older persons?

ANSWER

Ghana has established a Multi-Sectorial National Advisory Committee on Ageing to guide the Ministry of Gender, Children and Social Protection on issues of Ageing.

The country is working on Older Persons Bill. The stakeholder consultation has been completed and the Bill is the Tenth (10th) item on the Agenda of the 7th Session of the Ghana's Parliament for this year, 2019 for discussion. There is a National Pensions Regulatory Authority and National Health Insurance Authorities (NHIA) that address the issues relating to the informal sector Pensions and access to Health services respectively.

Ghana celebrates 1st July of every year as the Senior Citizen's Day, the Head of State gets to interact with the elderly and uses the occasion to award the deserving older persons in the country.

Ghana in collaboration with the Civil Society Organizations have been actively participating in the ECOWAS, Africa Union and United Nations activities on the older persons. Some of which

are, the Ratification of AU Protocol on the Rights of Older Persons which our President signed in, July 2017, AU Protocol on Social Protection, approval of AU Social Agenda 2063 (Social Policy Framework)

The Government of Ghana developed the National Ageing Policy taking into account the guiding principles and priority directions of the Madrid International Plan of Action on Ageing as well as the African Union Policy Framework and Plan of Action on Ageing.

Finally, Ghana is working towards creating a conducive and inclusive society where the rights of all older persons are protected, promoted and their wellbeing is guaranteed by the provision of social security systems. These systems are key elements in the eligibility criteria, and therefore contributions are made affordable to ensure that we leave no one behind. Then, we together build a country in which everyone can live a long, social, healthy and productive life.