



Freedom in the World 2017 - Ghana

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Freedom Status: Free

Aggregate Score: 83/100 (0 = Least Free, 100 = Most Free)

Freedom Rating: 1.5/7 (1 = Most Free, 7 = Least Free)

Political Rights: 1/7 (1 = Most Free, 7 = Least Free)

Civil Liberties: 2/7 (1 = Most Free, 7 = Least Free)

Quick Facts

Population: 28,200,000

Capital: Accra

GDP/capita: \$1,370

Press Freedom Status: Partly Free

OVERVIEW

Since 1992, Ghana has held competitive multiparty elections that have led to peaceful transfers of power between the two main political parties. Although Ghana has a relatively strong record of upholding civil liberties, discrimination against women and members of the LGBT (lesbian, gay, bisexual, and transgender) community continues. Some weaknesses in judicial independence and rule of law persist, and political corruption presents challenges to government performance.

Key Developments

- In a general election held in December, the New Patriotic Party (NPP) won a majority in Parliament, and its candidate, Nana Akufo-Addo, won the presidency.
- Despite several legal and logistical challenges leading up to the vote, observers concluded that the Electoral Commission (EC) conducted a relatively well-organized and transparent election, and that the vote was free, fair, and credible.
- In August, legislators passed the Petroleum and Oil Exploration Bill, which has the potential to enhance transparency and accountability in the oil and gas sector.
- The fallout of a judicial bribery scandal, which first emerged in 2015, continued during the year, with a number of judges dismissed from office.

Executive Summary

In December, Ghana set the stage for its third peaceful transfer of power since 1992 as voters elected Akufo-Addo of the NPP to presidential office and secured a parliamentary majority for the party. Despite a contentious campaign period that saw reports of inter-party violence, allegations of abuse of government resources, and complaints about incendiary campaign speech, domestic and international observers considered the vote to be largely free, fair, and credible. A preliminary report by a European Union (EU) observer mission commended the EC for its preparedness and transparency, but encouraged the institution to improve some aspects of its operations, including the quality of its framework for communicating with political parties.

Corruption continues to hinder government performance. During the year, fallout continued from a judicial bribery scandal that came to light in 2015, when a journalist publicized videos that seem to show numerous judges and other judicial officials accepting bribes. In a positive step, legislators passed the Petroleum and Oil Exploration Bill in August. The legislation has the potential to enhance transparency and accountability in the oil and gas sector.

POLITICAL RIGHTS AND CIVIL LIBERTIES

Political Rights 37 / 40

A. Electoral Process 12 / 12

A1. Is the head of government or other chief national authority elected through free and fair elections?

A2. Are the national legislative representatives elected through free and fair elections?

A3. Are the electoral laws and framework fair?

Ghana has experienced competitive multiparty elections since 1992. The president and vice president are directly elected on the same ticket for up to two four-year terms. Members of the unicameral, 275-seat Parliament are also elected for four-year terms.

In December 2016, Akufo-Addo was elected president with 53.9 percent of the vote, while incumbent John Mahama of the National Democratic Congress (NDC) took 44.4 percent. This represents the first time since the reintroduction of the multi-party system in 1992 that an incumbent president has stood for reelection and lost. In concurrent parliamentary elections, the NPP captured 169 seats while the NDC, which had held a majority going into elections, took the 106 remaining seats. International and domestic observers generally praised the elections, and all major political parties accepted the results.

Although the vote and its immediate aftermath were peaceful, the campaign period was contentious. There were several reports of clashes between NPP and NDC supporters, as well as attacks on EC officials. Moreover, representatives of civil society raised concerns about what they claimed were alarming levels of hate speech used by politicians, as well as the monetization of the electoral process and alleged abuse of state resources. In the week before voting began, the seven presidential candidates contesting the polls signed a commitment to the peaceful conduct of the elections.

The EC's preparations were shrouded in controversy. After the 2012 elections, the results of which the NPP had disputed, the Supreme Court recommended reform of the electoral process in a 2013 ruling. EC chair Charlotte Osei, appointed by Mahama in 2015, was expected to spearhead major changes. In May 2016, the Supreme Court ordered the EC to overhaul the voter register, after a case brought to the court alleged that the current voter register would undermine electoral integrity.

because it contained the names of foreigners and people under the legal voting age. The EC published an updated voter register in November.

In a controversial move, the EC disqualified 13 presidential candidates in October due to irregularities with their nomination papers or failure to pay the nomination fee. The Supreme Court rescinded the EC's decision in early November, giving the disqualified candidates an opportunity to rectify the problems. In the end, three of the originally disqualified candidates were allowed to stand for election. Political parties also criticized the EC for ineffective communication. Despite these challenges, domestic and international observers generally commended the EC for the conduct of the elections.

In July, a proposed constitutional amendment to move the date of the general election from December to November failed to gain the parliamentary supermajority required for passage. Opponents in Parliament indicated that the proposal had been raised too close to the electoral period, although they supported the change in principle.

B. Political Pluralism and Participation 15 / 16

B1. Do the people have the right to organize in different political parties or other competitive political groupings of their choice, and is the system open to the rise and fall of these competing parties or groupings?

B2. Is there a significant opposition vote and a realistic opportunity for the opposition to increase its support or gain power through elections?

B3. Are the people's political choices free from domination by the military, foreign powers, totalitarian parties, religious hierarchies, economic oligarchies, or any other powerful group?

B4. Do cultural, ethnic, religious, or other minority groups have full political rights and electoral opportunities?

Ghana's multiparty system provides ample opportunity for opposition parties to meaningfully participate in the political process. The NPP and the NDC dominate the political system. The 2017 inauguration of Akufo-Addo will represent the country's third peaceful transfer of presidential power between the NPP and NDC. The legal framework provides for equal participation in political life for the country's various cultural, religious, and ethnic minorities. However, candidate nomination fees for the 2016 presidential and parliamentary elections were higher by 500 percent and 1,000 percent, respectively, than in the previous elections. This increase, along with the difficulties in the nomination procedures highlighted by the presidential candidate disqualifications, presented challenges to participation, especially for candidates from smaller parties. In September, the Progressive People's Party mounted a legal challenge against the nomination fees; the case was ultimately unsuccessful.

Despite the NPP's victories in the general election, political infighting plagued the party in 2016. The trial of the George Afoko, brother of former NPP chairman Paul Afoko, for the 2015 murder of Adams Mahama, NPP chairperson of the Upper East Region, was ongoing at year's end. A second alleged participant in the murder remained at large; a third man had been released on bail in 2015 after authorities determined there was not enough evidence to charge him in the crime. Paul Afoko was indefinitely suspended from the NPP after his brother's arrest, exacerbating internal divisions within the party; he challenged his suspension in court, but lost the case in August 2016.

The NPP is traditionally supported by the Akan people and the NDC by the Ewe and other northern groups. Although the lines have been blurred over the years, ethnicity continues to play a role in voting patterns and representation.

C. Functioning of Government 10 / 12

- C1. Do the freely elected head of government and national legislative representatives determine the policies of the government?
- C2. Is the government free from pervasive corruption?
- C3. Is the government accountable to the electorate between elections, and does it operate with openness and transparency?

Political corruption remains a problem, despite robust legal and institutional frameworks to combat it, active media coverage, and the government's willingness to investigate major scandals. The media, opposition parties, and nongovernmental organizations (NGOs) continue to criticize the government for ineffectiveness in preventing political corruption and prosecuting public officials suspected of malfeasance.

In June, critics accused President Mahama of accepting a car in 2012 from a Burkinabe construction firm bidding on a government contract. Mahama's administration denied that the car was a bribe and claimed that it had been added to the pool of government vehicles. An investigation by the Commission for Human Rights and Administrative Justice (CHRAJ) – Ghana's leading anticorruption body – concluded in September that the president's actions did not amount to corruption.

Civil society groups have expressed concern that Ghana's main anticorruption bodies, including the CHRAJ, are led by individuals operating in an acting capacity rather than as substantive chairs, which they said could undermine the agencies' rigor.

A court case involving legislator Abuga Pele, who was charged in 2014 for allegedly granting interest-free loans worth \$100 million to private companies without parliamentary approval, continued in 2016.

Efforts to strengthen Ghana's institutional and legal anticorruption framework continued in 2016. Following the 2014 passage of the National Anti-Corruption Action Plan (NACAP), which aims to improve the prevention, investigation, and prosecution of corruption by strengthening a number of state agencies, the government began a five-year partnership with the EU in 2016. Under its terms, the EU is set to provide €20 million to support Ghana's anticorruption efforts.

In August, Parliament approved the Petroleum Production and Exploration Bill, which supporters expect will increase accountability and transparency in Ghana's young oil and gas sector. Separately, despite over a decade of consideration by Parliament and renewed efforts by advocates in 2015 and 2016, the Right to Information Bill remained stalled.

Civil Liberties 46 / 60

D. Freedom of Expression and Belief 14 / 16

- D1. Are there free and independent media and other forms of cultural expression?
- D2. Are religious institutions and communities free to practice their faith and express themselves in public and private?
- D3. Is there academic freedom, and is the educational system free of extensive political indoctrination?
- D4. Is there open and free private discussion?

Freedom of expression is constitutionally guaranteed and generally respected in practice. Ghana has a diverse and vibrant media landscape that includes state and privately owned television and

radio stations, and several independent newspapers and magazines. While the internet has generally been unrestricted, Inspector General of Police John Kudalor indicated in May 2016 that he was considering blocking access to social media during the general election to prevent misinformation and maintain security. Amid heavy criticism from the political opposition, rights advocates, and a domestic anticensorship campaign, Mahama indicated in August that no such restrictions would be implemented. In June, the government withdrew the Interception of Postal Packets and Telecommunications Messages Bill, known as the "spy bill," from parliamentary consideration. Local and international rights groups had opposed certain provisions that had the potential to undermine the right to privacy in private communications.

Government agencies occasionally restrict press freedom through harassment and arrests of journalists, especially those reporting on politically sensitive issues. In September, the Bureau of National Investigations arrested writer and Mahama critic Fadi Dabboussi and held him for two days without access to legal counsel, reportedly because of allegations he had made about the president in a recently published book. Officials also reportedly raided his home and temporarily seized copies of the book.

Despite a statement from a Mahama aide that the president would look into the actions of presidential staffer Stan Dogbe, who allegedly attacked a journalist in 2015, there seemed to be no investigation in 2016. Dogbe continued to serve in his position during the year.

Although criminal libel and sedition laws were repealed in 2001, powerful figures attempt to use other aspects of the legal system to punish criticism. Paul Dery, one of 34 judges implicated in a high-profile bribery scandal in 2015, continued to pursue a legal battle in 2016 against Anas Aremeyaw Anas, the journalist responsible for publicizing videos that seemingly showed judicial officials accepting bribes.

Religious freedom is constitutionally and legally protected, and the government largely respects it in practice. However, Muslim families have complained that compulsory Christian prayer sessions and church services that are widespread in Ghana's public schools seek to promote Christianity and violate their children's religious freedom.

Academic freedom is legally guaranteed and upheld in practice, and private discussion is both free and vibrant.

E. Associational and Organizational Rights 11 / 12

E1. Is there freedom of assembly, demonstration, and open public discussion?

E2. Is there freedom for nongovernmental organizations?

E3. Are there free trade unions and peasant organizations or equivalents, and is there effective collective bargaining? Are there free professional and other private organizations?

The rights to peaceful assembly and association are constitutionally guaranteed and generally respected. Permits are not required for meetings or demonstrations. Public discontent with the government's management of the economy and power sector prompted numerous public protests, demonstrations, and strikes in 2016.

NGOs are generally able to operate freely, and they play an important role in ensuring government accountability and transparency.

Under the constitution and 2003 labor laws, workers have the right to form and join trade unions. However, the government forbids or restricts labor action in a number of industries, including fuel distribution, public transportation, and the prison system.

F. Rule of Law 11 / 16

F1. Is there an independent judiciary?

F2. Does the rule of law prevail in civil and criminal matters? Are police under direct civilian control?

F3. Is there protection from political terror, unjustified imprisonment, exile, or torture, whether by groups that support or oppose the system? Is there freedom from war and insurgencies?

F4. Do laws, policies, and practices guarantee equal treatment of various segments of the population?

Judicial independence in Ghana is constitutionally and legally enshrined. While the judiciary has demonstrated greater levels of impartiality in recent years, corruption remains a challenge.

Following the 2015 scandal in which a series of videos published by Anas alleged that 34 judges and scores of other judicial officials had accepted bribes in exchange for favorable rulings, many members of the judiciary faced dismissal or administrative sanctions. Disciplinary action continued in 2016, and had affected more than 30 judges by year's end. Among those dismissed were high court judges.

Police in Ghana have a history of using excessive force, making arbitrary arrests, detaining suspects for extended periods, and taking bribes.

Ghana's prisons are overcrowded, and conditions are often life-threatening, though the prison service has attempted to reduce congestion and improve the treatment of inmates in recent years. Ghana continues to cooperate with the UN Refugee Agency to protect the rights of the thousands of refugees and asylum seekers in the country.

Communal and ethnic violence occasionally flare in Ghana. In July, reports emerged that at least nine people were killed in violence surrounding a chieftaincy dispute in the Bole Bamboi district in the Northern Region.

Ghanaian law prohibits "sexual intercourse with a person in an unnatural manner." LGBT people face societal discrimination. In May, a Muslim cleric, Mallam Abass Mahmud, was condemned by local and international activists for making incendiary comments about members of the LGBT community.

G. Personal Autonomy and Individual Rights 10 / 16

G1. Do individuals enjoy freedom of travel or choice of residence, employment, or institution of higher education?

G2. Do individuals have the right to own property and establish private businesses? Is private business activity unduly influenced by government officials, the security forces, political parties/organizations, or organized crime?

G3. Are there personal social freedoms, including gender equality, choice of marriage partners, and size of family?

G4. Is there equality of opportunity and the absence of economic exploitation?

Freedom of movement is guaranteed by the constitution and respected by the government, and Ghanaians are free to choose their place of residence. However, poorly developed road networks and banditry make travel outside the capital and touristic areas difficult. Police have been known to set up illegal checkpoints to demand bribes from travelers. Bribery is also rife in the education sector.

Weak rule of law, corruption, and an underregulated property rights system remain significant impediments to economic freedom and business confidence. Bribery is a common practice in starting a business and registering property.

Despite equal rights under the law, women suffer societal discrimination, especially in rural areas, where opportunities for education and employment are limited. However, women's enrollment in universities is increasing, and a number of women hold high-ranking positions in the government. Female legislators took 37 of the 275 parliamentary seats in the 2016 elections, the highest since the reintroduction of multiparty rule in 1992. Human rights groups sustain that more needs to be done to eliminate barriers for female participation in politics. In August, the cabinet approved the Affirmative Action Bill, which aims to increase women's political representation. The bill went on to be deliberated in Parliament, but had not passed at year's end.

Domestic violence and rape are serious problems, and the practice of female genital mutilation continues in the north. The government has worked to combat gender-based violence by expanding the police's domestic violence and victim support unit, creating gender-based violence courts, establishing domestic violence shelters, and training police and service providers likely to encounter domestic violence situations.

Ghana serves as a source, transit point, and destination for the trafficking of women and children for labor and sexual exploitation. Children in Ghana, especially in the region surrounding Lake Volta, are vulnerable to exploitation in the agricultural and fishing industries. While the government has taken some steps in recent years, it has not implemented appropriate legislation or adequately funded antitrafficking agencies. Ghana remained on the Tier 2 Watch List in the U.S. State Department's 2016 Trafficking in Persons Report.

Scoring Key: X / Y (Z)

X = Score Received

Y = Best Possible Score

Z = Change from Previous Year

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