



Freedom in the World 2015 - Ghana

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2015 Scores

Status: Free

Freedom Rating (1 = best, 7 = worst): 1.5

Civil Liberties (1 = best, 7 = worst): 2

Political Rights (1 = best, 7 = worst): 1

OVERVIEW

Following the 2013 Supreme Court ruling reaffirming John Mahama of the National Democratic Congress (NDC) as the duly elected president, Ghana's political parties commenced preparations for the 2016 presidential and parliamentary elections. The NDC and its main rival, the New Patriotic Party (NPP), held party primaries in late 2014 and elected Mahama and Nana Akufo-Addo as their respective presidential candidates. Guided by the Supreme Court ruling, the Electoral Commission (EC) spearheaded consultations with political parties on issues of electoral reform.

Ghana's economic situation continued to worsen under high inflation, currency depreciation, credit-rating downgrades, and slower-than-expected economic growth. In September, the government commenced negotiations with the International Monetary Fund (IMF) for a fiscal assistance program with the aim of enhancing investor confidence in the country.

Beginning in September, Ghana served as the hub for coordinating the international response to the outbreak of the Ebola virus in West Africa. The country was not directly affected by the epidemic in 2014.

POLITICAL RIGHTS AND CIVIL LIBERTIES

Political Rights: 37 / 40

A. Electoral Process: 12 / 12

Since 1992, Ghana has experienced an uninterrupted period of competitive multiparty elections. 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 2012, Mahama was elected with 50.7 percent of the vote, while Akufo-Addo, presidential candidate for the NPP, took 47.7 percent. In concurrent parliamentary elections, the NDC captured 148 seats and the NPP took 123. Limited technical problems, including the breakdown of new biometric

machines used to register and identify voters, led to the extension of voting by a day at many polling places.

Although international and domestic observers praised the elections as free, fair, and peaceful, the NPP disputed the results, questioned the neutrality of the EC, and filed a legal suit before the Supreme Court. The NPP's suit claimed that violations of electoral law and widespread irregularities should invalidate some 4.6 million votes from more than 11,000 polling stations. In 2013, the Supreme Court dismissed the NPP's claim and ruled that Mahama had been fairly elected. For many domestic and international observers, the peaceful resolution of the legal challenge underscored the consolidation of democracy and respect for rule of law.

The Supreme Court also recommended a series of administrative and procedural reforms to the EC. In June 2014, the chairman of the EC informed Parliament of the commission's plan to explore these recommendations, along with reform proposals submitted by political parties and other election stakeholders, through the creation of a committee devoted to electoral reform.

B. Political Pluralism and Participation: 15 / 16

Ghana's multiparty system provides ample opportunity for opposition parties to participate meaningfully in the political process. The NPP and the NDC dominate the political system. The country has experienced two peaceful, democratic transfers of power between presidents from the NPP and NDC, in 2000 and in 2008. The legal framework provides for equal participation in political life for the country's various cultural, religious, and ethnic minorities.

C. Functioning of Government: 10 / 12

Political corruption continues to be a problem, despite active media coverage, the existence of robust legal and institutional frameworks to combat it, and the government's willingness to investigate major scandals. The media, opposition parties, and nongovernmental organizations (NGOs) continue to criticize the government for its inability to prevent political corruption and prosecute public officials suspected of malfeasance.

Investigations into two high-profile corruption scandals that emerged in 2013 were ongoing in 2014. In 2013, high-ranking government officials affiliated with the Ghana Youth Employment and Entrepreneurial Development Agency (GYEEDA) were under investigation for allegedly granting interest-free loans worth \$100 million to several private companies without parliamentary approval. In January 2014, Abuga Pele, an incumbent parliamentarian and the former national coordinator of GYEEDA, was arrested and charged with intentionally causing financial loss to the state. The case continued through the end of the year, and the government continued recovery of the misappropriated funds. A second case involved the Ghana Revenue Authority allegedly paying 144 million cedis (\$37 million) over three years to Subah Infosolutions, a private government contractor, for services that were not provided. In March, a committee established by the government to probe the allegations concluded that Subah legitimately incurred costs for services rendered to the government.

The government took important steps to address the problem of corruption in 2014. In July, Parliament approved 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. However, NGOs, trade unions, and private-sector interests continue to question the administration's commitment to government accountability and transparency. Although the revenue-management legislation introduced within the oil and gas industry in 2012 earned international praise, NGOs have voiced concerns about government compliance with it. In September 2014, a parliamentary committee revised sections of the Right to Information Bill following consultations with NGOs; it had not yet been passed at year's end.

Civil Liberties: 47 / 60

D. Freedom of Expression and Belief: 14 / 16

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. However, government agencies occasionally restrict press freedom through harassment and arrests of journalists, especially those reporting on politically sensitive issues. In January 2014, police in the Western Region arrested the host of the radio talk program Sungmaale FM, along with two panelists, for on-air comments about police strategies toward criminal activity. The detainees were released the same day, and the acting commissioner of police of the Upper Western Region apologized for the officers' unlawful conduct. There were also several attacks against journalists by nonstate actors. In March, a group attacked the office of Radio Justice in the North Region, burning cars and motorcycles at the site, because of allegedly insensitive comments made by an NPP panelist during a radio talk show. Local police arrested three individuals for their alleged involvement in the attack.

Although criminal libel and sedition laws were repealed in 2001, an Accra court fined two privately owned newspapers, *The Informer* (\$104,000) and *Daily Guide* (\$86,000), for publishing defamatory articles against a private timber processing company and the general secretary of the NDC, respectively. The Media Foundation for West Africa questioned the severity of the fines and pointed out their ability to discourage freedom of speech. The government does not generally restrict access to the internet.

Religious freedom is constitutionally and legally protected and largely respected in practice by the government. However, Muslim families have complained that the 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

The rights to peaceful assembly and association are constitutionally guaranteed and generally respected. Permits are not required for meetings or demonstrations. NGOs are generally able to operate freely, and they play an important role in ensuring government accountability and transparency. Throughout 2014, leading NGOs and trade unions organized a series of public protests to criticize the government's mismanagement of the economy and inability to combat political corruption.

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: 12 / 16

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, courts lack necessary resources, and judges are poorly paid. Generally, the government and private interests comply with judicial decisions, and recent initiatives to improve the judicial process have reaped positive results. The Accra Fast Track High Court and automated commercial courts have enhanced the speed and efficiency of the judicial process, while a judicial complaints unit actively investigates cases of judicial impropriety.

Police in Ghana have a history of using excessive force, making arbitrary arrests, prolonging detention of suspects, and taking bribes. In March 2014, the country's police service launched a series of initiatives to improve its image and effectiveness, including more stringent disciplinary procedures and the creation of a new training institute. For the first quarter of 2014, the Police Intelligence and

Professional Standards Unit fired 21 officers and demoted a further 9 for various offenses, including brutality and fraud.

Ghana's prisons are overcrowded, and conditions are often life-threatening. In August, Interior Minister Mark Woyongo announced initiatives to reduce congestion in prisons and improve the treatment of inmates. The Ghana Prison Service and the Ministry of Justice continued to release inmates who have been imprisoned for more than four years without trial through the "Justice for All" program. Meanwhile, Ghana continues to cooperate with the UN Refugee Agency to protect the rights of the 21,000 refugees and asylum seekers in the country.

Although communal and ethnic violence occasionally flare in Ghana, there were no reports of such incidents during the year. Violent crime rates have declined in recent years, and there were no major acts of political terror.

Ghanaian law prohibits "sexual intercourse with a person in an unnatural manner." However, it is unclear if this law applies to same-sex sexual activity between consenting adults, and there were no reports of adults being prosecuted for same-sex sexual activity. Nevertheless, LGBT (lesbian, gay, bisexual, and transgender) people continue to face societal discrimination.

G. Personal Autonomy and Individual Rights: 10 / 16

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, with more than 40 percent of Ghanaians reporting having to pay illegal fees to attend school.

Economic freedom in Ghana continues to improve. According to the 2014 *Index of Economic Freedom*, Ghana ranked 66th in the world and fifth in sub-Saharan Africa, with a marginal increase in its economic freedom score due to improvements in business freedom, control of government spending, and corruption. Nonetheless, 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 to gain admission to educational institutions, start a business, and register property.

Despite equal rights under the law, women suffer societal discrimination, especially in rural areas, where opportunities for education and wage employment are limited. However, women's enrollment in universities is increasing, and a number of women hold high-ranking positions in the government: six members of the current cabinet are women, and 30 of the 275 parliamentary seats went to female legislators in the 2012 elections.

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. The government has made some steps in recent years to address the issue, particularly in the sector of cocoa production. The police's Anti-Human Trafficking Unit (AHTU) maintains nine regional units, but they are underfunded and have limited capacity. In 2013, the AHTU rescued 262 victims of trafficking through national raids.

Scoring Key: X / Y (Z)

X = Score Received

Y = Best Possible Score

Z = Change from Previous Year

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