



Document #2089217

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2022 Country Report on Human Rights Practices: Ghana

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EXECUTIVE SUMMARY

Ghana is a constitutional democracy with a strong presidency and a unicameral 275-seat parliament. Presidential and parliamentary elections conducted in 2020 were generally peaceful, although there were isolated incidents of violence, resulting in as many as eight deaths, some by security forces. Domestic and international observers assessed the elections to be transparent, inclusive, and credible.

The Ghana Police Service, under the Ministry of the Interior, is responsible for maintaining law and order; however, the military, which reports to the Ministry of Defence, continued to participate in law enforcement activities in a support role, such as by protecting critical infrastructure. The National Intelligence Bureau handles cases considered critical to state security and answers to the Ministry of National Security. Civilian authorities maintained effective control over the security forces. There were reports that members of the security forces committed some abuses.

Significant human rights issues included credible reports of: arbitrary or unlawful killings including extrajudicial killings; torture or cruel, inhuman or degrading treatment or punishment by the government or on behalf of the government; arbitrary arrest or detention; serious restrictions on free expression and media, including violence and threats of violence against journalists, and unjustified arrests or prosecutions of journalists; substantial interference with the freedom of peaceful assembly; serious government corruption; lack of investigation of and accountability for gender-based violence, including domestic or intimate partner violence; crimes involving violence or threats of violence targeting lesbian, gay, bisexual, transgender, queer or intersex persons; laws criminalizing consensual same-sex sexual conduct between adults, although not fully enforced; and crimes involving violence or threats of violence targeting persons with disabilities.

The government took some steps to address corruption and human rights abuses by officials, whether in the security forces or elsewhere in the government. Impunity remained a problem, however.

Section 1. Respect for the Integrity of the Person

a. Arbitrary Deprivation of Life and Other Unlawful or Politically Motivated Killings

There were a few reports that the government or its agents committed arbitrary or unlawful killings. Offices charged with investigating security force killings include the Special Investigations Branch of the Ghana Armed Forces and the Police Professional Standards Bureau.

In February police chased a man suspected of a traffic violation into a traditional chief's palace in Yendi (Northern Region) and opened fire, killing another man and injuring eight others with stray bullets. In the immediate aftermath, police announced the suspension with reduced pay of the six officers involved, but as of November police had not released the results of an internal investigation.

On April 24, police in Nkoranza (Bono East Region) arrested Albert Donkor and brought him to the local police station, alleging he was involved in a series of armed robberies. Donkor died while in police custody hours later. In a departure from typical practice, police did not announce an operation or arrest had taken place until more than three weeks later. Protests erupted on May 18 in response to news of the death, with youths blocking roads and destroying property, including the police station. Police fired live ammunition into the crowd, killing a protester. As of November police had not concluded an internal investigation into both deaths.

During the 2020 election period, authorities, media, and observers reported as many as eight killings, with at least two killed by the National Elections Security Task Force, composed of military and police units, and at least two deaths from civilian violence. Investigations into these deaths remained pending with little progress two years after the incidents (see section 3, Freedom to Participate in the Political Process).

b. Disappearance

There were no reports of disappearances by or on behalf of government authorities.

c. Torture and Other Cruel, Inhuman, or Degrading Treatment or Punishment, and Other Related Abuses

While the constitution and law prohibit such practices, there were credible reports police beat and otherwise abused detained suspects and other citizens. Victims were often reluctant to file formal complaints. Police generally denied allegations or claimed the level of force used was justified.

Impunity remained a significant problem in the Ghana Police Service, particularly regarding corruption and bribery. The investigation and complaints processes did not effectively address reports of abuses and bribery. Results of internal police investigations were almost never publicly released.

Corruption, brutality, uneven training, lack of oversight, and an overburdened judicial system contributed to police impunity. Police often failed to respond to reports of crimes. In many instances, police did not respond to complaints unless members of the public paid for police transportation and other operating expenses. The Office of the Inspector General of Police and the Police Professional Standards Board investigated claims of excessive force by police force members.

Prison and Detention Center Conditions

Prison conditions were generally harsh due to overcrowding, inadequate sanitary conditions, lack of medical care, physical abuse, and substandard and inadequate food.

Abusive Physical Conditions: In September the Ghana Prisons Service reported prison overcrowding stood at 150 percent of capacity, an increase of 15 percent from 2021. Overcrowding at medium-security prisons was considerably higher than lower-security “camp prisons.” The Ghana Prisons Service held women separately from men. Although authorities sought to hold juveniles separately from adults, there were reports detainees younger than age 18 were held with adults. Authorities held pretrial detainees in the same facilities as convicts but generally in separate cells, although due to overcrowding in convict blocks, Nsawam Prison held some convicts in blocks designated for pretrial detainees.

While prisoners had access to potable water, the quantity and quality of food was inadequate. Meals routinely lacked fruit, vegetables, or meat, forcing prisoners to rely on charitable donations and their families to supplement their diet. The prisons public relations officer identified feeding of inmates as a key problem and noted that the 1.80 cedi (\$0.12) daily allotment per prisoner was not sufficient to feed prisoners, forcing the prison service to rely on agricultural programs and community or family donations. The Ghana Prisons Service facilitated farming activities for inmates to supplement their feeding. Authorities did not provide pretrial detainees food or changes of clothes. If community or family members were not able to provide them, prisons officers paid with their own funds.

Officials held the prison population in aging buildings or abandoned public or military buildings, which despite improvements had poor ventilation and sanitation, substandard construction, and inadequate space and light. The Ghana Prisons Service periodically fumigated and disinfected prisons. There were not enough toilets available for the number of prisoners, with as many as 100 prisoners sharing one toilet, and toilets often overflowed with excrement. There were no facilities to support intersex or transitioning persons.

The Ghana Prisons Service avoided large outbreaks of COVID-19 and other infectious diseases by designating certain facilities for new prisoners, testing the prisoners upon arrival, and putting them in isolation or quarantine as appropriate. Visitors were required to prove vaccination status. The Ghana Prisons Service had medical staff at most of the large prisons. Most prison infirmaries had a severely limited supply of medicine. Prisons did not provide dental care. In prisons without dedicated medical staff, doctors visited prisons and prison officials referred prisoners to local hospitals as needed, but the prisons often lacked ambulances to transport inmates off site properly. Religious organizations, charities, private businesses, and citizens often provided services and materials, such as medicine and food, to the prisons.

Persons with disabilities reported receiving medicine for chronic ailments and having access to recreational facilities and vocational education. No prison staff specifically focused on mental health.

Administration: Each prison designated an officer-in-charge to receive complaints, and they sometimes investigated credible allegations of mistreatment.

Independent Monitoring: The government permitted independent monitoring of prison conditions by local nongovernmental organizations (NGOs), which were independent of government influence. They

monitored juvenile confinement and pretrial detention, bail, and recordkeeping procedures. Local news agencies also reported on prison conditions.

d. Arbitrary Arrest or Detention

The constitution and law provide for protection against arbitrary arrest and detention, but the government frequently disregarded these protections.

Arrest Procedures and Treatment of Detainees

The law requires detainees be brought before a court within 48 hours of arrest in the absence of a judicial warrant, but authorities frequently detained individuals without charge or a valid arrest warrant for periods longer than 48 hours. Officials detained some prisoners for indefinite periods by renewing warrants or simply allowing warrants to lapse while an investigation took place. The constitution grants a detained individual the right to be informed immediately, in a language the person understands, of the reasons for detention and of his or her right to a lawyer. Most detainees, however, could not afford a lawyer. While the constitution grants the right to legal aid, the government often did not provide it. The government had a Legal Aid Commission that provided defense attorneys to those in need, but the commission was often unable to do so. Defendants in criminal cases who could not afford a lawyer typically represented themselves. The law requires that any detainee not tried within a “reasonable time,” as determined by the court, be released either unconditionally or subject to conditions necessary to compel the person’s appearance at a later court date. The definition of “reasonable time,” however, has never been legally determined or challenged in the courts. As a result, officials rarely observed this provision. The government sought to reduce the population of prisoners in pretrial detention by placing paralegals in some prisons to monitor and advise on the cases of pretrial detainees, and assist with the drafting of appeals, and by directing judges to visit prisons to review and take action on pretrial detainee cases.

The law provides for bail, including those accused of serious crimes, but courts often struggled to come to timely decisions concerning bail or used their unlimited discretion to set bail at prohibitively high levels.

Arbitrary Arrest: The general practice of holding detainees without proper warrant or charge continued.

On June 26, police arrested 30 lesbian, gay, bisexual, transgender, queer, or intersex (LGBTQI+) community members in Accra on spurious unlawful assembly charges after unidentified assailants attacked a birthday party. After learning the party was for members of the LGBTQI+ community, police released the assailants and arrested the 30 community members in attendance. Police released the activists on June 28 after the intervention of defense attorneys, later dropping the charges due to lack of evidence. The arrest and detention process publicly identified a number of LGBTQI+ persons and cost several their jobs (see section 6, Acts of Violence, Criminalization, and Other Abuses Based on Sexual Orientation, Gender Identity or Expression, or Sex Characteristics).

Pretrial Detention: Lengthy pretrial detention remained a serious problem. The government kept prisoners in extended pretrial detention (up to many months) due to police failure to investigate or follow up on cases, case files lost when police prosecutors rotated to other duties every three years, slow trial proceedings marked by frequent adjournments, detainees’ inability to meet bail conditions that were often set extremely high even for minor offenses, and inadequate legal representation for

criminal defendants. The length of pretrial detention exceeded the maximum sentence for the alleged crime in some instances.

Judicial authorities struggled to implement a case tracking system begun on a trial basis in seven regions. The system tracked cases from initial arrest to remand custody in the prisons, prosecution in the courts, and incarceration or dismissal, but was not widely implemented or adopted. Barriers included poor internet connectivity and a lack of equipment at Legal Aid Offices.

The law provides for the right of any person to challenge the lawfulness of his or her arrest or detention in court, but lack of legal representation for detainees inhibited this right.

e. Denial of Fair Public Trial

While the constitution and law provide for an independent judiciary, the judiciary was subject to unlawful influence and corruption. Judicial officials reportedly accepted bribes to expedite or postpone cases, “lost” records, or issued favorable rulings for the payer of the bribe.

A judicial complaints unit within the Ministry of Justice headed by a retired Supreme Court justice addressed complaints from the public, such as unfair treatment by a court or judge, unlawful arrest or detention, missing trial dockets, delayed trials and rendering of judgments, and bribery of judges. The government generally respected court orders.

Trial Procedures

The constitution and law provide for the right to a fair and public trial, and the judiciary generally enforced this right. Criminal hearings must be public unless the court orders them closed in the interest of public morality, public safety, public order, defense, welfare of persons younger than age 18, protection of the private lives of persons concerned in the proceedings, and as necessary or expedient where publicity would prejudice the interests of justice.

Although defendants have the right to an attorney at public expense if unable to pay, most indigent accused persons represented themselves in court. Defendants have the right not to be compelled to testify or confess guilt, although generally defendants are expected to testify if the government presents sufficient preliminary evidence of guilt.

In July parliament passed a law permitting the use of plea bargaining for most crimes. As of September the attorney general had not issued guidance to prosecutors or defense attorneys on how to implement the law.

Political Prisoners and Detainees

There were no reports of political prisoners or detainees.

Civil Judicial Procedures and Remedies

Citizens had access to courts to bring lawsuits seeking damages for, or cessation of, human rights abuses.

The constitution states the Supreme Court is the final court of appeal. Defendants, however, may seek remedies for allegations of human rights abuses at the Economic Community of West African States Court of Justice.

f. Arbitrary or Unlawful Interference with Privacy, Family, Home, or Correspondence

The constitution prohibits such actions, and there were no reports the government failed to respect these prohibitions.

Section 2. Respect for Civil Liberties

a. Freedom of Expression, Including for Members of the Press and Other Media

The constitution and law provide for freedom of expression, including for the press and other media, and the government generally respected this right, although with some abuses.

Freedom of Expression: On February 11, police arrested Oliver Barker-Vormawor, an activist critical of the government, in response to a series of Facebook posts. After initially charging him with misdemeanor charges of making false statements, police upgraded the charges to felony treason and held him in prison for 35 days before a judge released him on bail.

Violence and Harassment: There were isolated attacks on and harassment and arrests of journalists by members of security forces. Authorities later dropped many of the cases. In February in Takoradi, five or more police in plain clothes attacked a producer with the privately-owned broadcaster Connect FM after he photographed the officers while they sat in a restaurant with their guns displayed and holding men in handcuffs. In the same month, police arrested the executive director of the Alliance for Social Equity and Public Accountability and a prominent morning show host for accusing the first lady of misappropriating public funds. Authorities charged the two with the publication of false news; the cases remained pending. In isolated incidents apparently condoned by authorities, some supporters of the ruling political party harassed and attacked journalists.

Censorship or Content Restrictions for Members of the Press and Other Media, Including Online Media: The law provides for criminal penalties for those who post false or misleading information online, with penalties of up to five years in prison and substantial fines.

In August the Kumasi Traditional Council ordered Oyerepa FM to stop broadcasting after it broadcast a program which the council considered disrespectful of their office. The station had hosted a politician and businessman who accused the traditional authorities of condoning destructive, illegal mining in the region by their inaction. The station resumed broadcasting four days later after issuing apologies to the council.

National Security: Security forces sometimes harassed and arrested journalists for alleged violation of national security laws.

Nongovernmental Impact: Supporters of opposition political parties in isolated incidents harassed and attacked journalists. Unknown assailants also occasionally attacked journalists and harassed and intimidated them.

Actions to Expand Freedom of Expression, Including for Members of the Media: The government took some steps to foster more transparency and accountability in public affairs. The right to information secretariat facilitated requests for the release of government data, but some civil society organizations criticized it for unevenly applying the law.

Internet Freedom

The government did not restrict or disrupt access to the internet or censor online content, and there were no credible reports the government monitored private online communications without appropriate legal authority.

b. Freedoms of Peaceful Assembly and Association

The government restricted freedom of assembly. The constitution and law provide for the freedom of association, and the government generally respected this right.

Freedom of Peaceful Assembly

The constitution and law provide for the freedom of assembly, but the government sometimes did not respect it. The Ghana Police Service and judges ruling on protest permits sometimes impeded demonstrations or heavily restricted demonstration routes. In June police used tear gas to forcibly disperse a spontaneous student protest at an Islamic senior high school in Accra, with 30 students hospitalized for minor respiratory injuries. Authorities subsequently removed the deputy regional commander from his position, and police reorganized specific police units to improve access to crowd control training. As of November an internal investigation into the incident continued.

On June 29, police used tear gas, water cannons, and rubber bullets to disperse the first day of the Arise Ghana protests after demonstrators veered from the court-approved route. After negotiations between police and protest organizers, the second day of protesting was largely peaceful.

c. Freedom of Religion

See the Department of State's *International Religious Freedom Report* at <https://www.state.gov/religiousfreedomreport/>.

d. Freedom of Movement and the Right to Leave the Country

The constitution provides for freedom of internal movement, foreign travel, emigration, and repatriation, and the government generally respected these rights.

Foreign Travel: In a stated effort to curb human trafficking, the government continued its ban on labor recruitment to Gulf countries after continuing reports of abuse endured by migrant workers. The policy restricted access to safe and legal migration, subsequently increasing worker vulnerability to trafficking. Media investigations revealed some recruitment agencies continued their operations despite the ban.

e. Protection of Refugees

The government cooperated with the Office of the UN High Commissioner for Refugees (UNHCR) and other humanitarian offices in providing protection and assistance to refugees, returning refugees, or asylum seekers, as well as other persons of concern.

Access to Asylum: The law provides for the granting of asylum or refugee status, and the government operated an effective system for providing protection to refugees. The law allows rejected asylum seekers to appeal and remain in the country until an appeal is adjudicated. A four-member appeals committee, appointed by the minister of the interior, is responsible for adjudicating the appeals, but the process continued to be subject to delays.

In July the Ghana Refugee Board confirmed the arrival of more than a thousand residents of Burkina Faso (called Burkinabé), who fled insecurity and settled in the Upper East and Upper West Regions. The board reported that few of the Burkinabé were able to register as asylum seekers. UNHCR indicated there continued to be challenges in accessing these regions and persons of concern due to the security situation. As of October the Ghana Refugee Board and Ghana Immigration Service continued gathering information on the situation.

Abuse of Migrants and Refugees: UNHCR reported a few cases of gender-based violence in the refugee camps despite awareness, response, and prevention programs by UNHCR and partners. In concert with the UN Population Fund, UNHCR worked to enhance the capacity of the Department of Social Welfare and the Ghana Health Service. UNHCR reported constraints regarding legal aid for survivors but indicated in most cases survivors received pro bono services from individual lawyers. UNHCR noted continued xenophobic attitudes against Burkinabé and other indigent migrants.

Durable Solutions: On June 30, the official cessation of refugee status for citizens of Côte d'Ivoire went into effect. UNHCR assisted in the voluntary repatriation of Ivoirian refugees who originally came due to political violence and instability at home. The government also worked with UNHCR to provide long-term visas with reduced fees for Ivoirian refugees who wished to integrate locally rather than return to Côte d'Ivoire, but as of October none of the refugees received citizenship documentation from Côte d'Ivoire.

Section 3. Freedom to Participate in the Political Process

The constitution and law provide citizens the ability to choose their government through free and fair periodic elections held by secret ballot and based on universal and equal suffrage.

Elections and Political Participation

Recent Elections: Domestic and international observers assessed the 2020 presidential and parliamentary elections to be transparent, inclusive, credible, and reflecting the will of the people. Some observers noted concerns regarding the misuse of incumbency, the lack of enforcement of regulations on campaign financing, and unequal access to state-owned media during the campaign. Authorities, media, and observers reported at least two killings by security forces, at least two deaths from civilian violence, as many as eight deaths in total (see section 1.a.), and several injuries in the Greater Accra, Bono East, and Northern Regions.

Participation of Women and Members of Minority Groups: No laws limit participation of women or members of minority groups in the political process, and they did participate, although not in the same numbers as men. Three women ran for president, and there was one woman vice-presidential candidate from one of the two largest parties, the National Democratic Congress. Cultural and traditional factors limited women's participation in political life. Women held fewer leadership positions than men, and women in political campaigns and in elected office faced sexism, harassment, and threats of violence. Research organizations found that insults, concerns regarding physical safety, and overall negative societal attitudes toward women politicians hindered women from entering politics.

Section 4. Corruption and Lack of Transparency in Government

The law provides criminal penalties for corruption by government officials, but the government did not implement the law effectively, and officials frequently engaged in corrupt practices with impunity. There were numerous reports of government corruption. Corruption was present in all sectors of government, according to media and NGOs, including recruitment into the security services.

Corruption: A July report by the Ghana Integrity of Public Services Survey revealed widespread corruption and waste of public funds. The report concluded that corrupt practices resulted in more than five billion cedis (\$346 million) of financial mismanagement, including misapplication and misappropriation of funds, theft, and procurement mismanagement.

Also in July, Afrobarometer released highlights from a survey indicating perceptions of corruption were increasing and the public had decreasing confidence in the government's ability to fight corruption. Eighty-five percent of respondents rated the government's handling of the fight against corruption as "fairly bad" or "very bad." According to the July United Nations Office on Drugs and Crime *Corruption in Ghana Survey*, 25 percent of persons who had contact with a public official in the 12 months prior to the survey reported having been asked to pay a bribe by a public official.

The Office of the Special Prosecutor conducted expanding investigations into the Labianca Company, a firm with extensive ties to the government, finding credible claims of improper issuance of customs advance rulings and markdowns of benchmark values by the customs division of the Ghana Revenue Authority.

The *2021 Report of the Auditor-General on the Public Accounts of Ghana* reported weaknesses and irregularities in government programs in its audit of more than 1.08 billion cedis (\$75 million) in program funds.

Section 5. Governmental Posture Towards International and Nongovernmental Investigation of Alleged Abuses of Human Rights

A variety of domestic and international human rights groups generally operated without government restriction, investigating and publishing their findings on human rights cases. Government officials were often cooperative and responsive to the views of such groups.

Government Human Rights Bodies: Established as an autonomous agency, the Commission on Human Rights and Administrative Justice (CHRAJ) had offices across the country and mediated and settled cases brought by individuals against government agencies or private companies. CHRAJ operated with no overt interference from the government; however, some critics questioned its ability to investigate high-level corruption independently. Its biggest obstacles were low salaries, poor working conditions, and the loss of many of its staff to other governmental organizations and NGOs. Public confidence in CHRAJ was high, resulting in an increased workload for its staff.

The Police Professional Standards Board also investigated human rights abuses and police misconduct and brought some cases to conclusion although rarely with any publicity. Observers considered the board to be relatively independent but minimally effective in its deliberations.

Section 6. Discrimination and Societal Abuses

Women

Rape and Domestic Violence:The law criminalizes rape of women but not spousal rape. Sexual assault on a man may be charged as indecent assault. Prison sentences for rape range from five to 25 years, while indecent assault is a misdemeanor subject to a minimum term of imprisonment of six months. Domestic violence is punishable by a fine or a sentence of up to two years in prison. Rape and domestic violence remained serious problems. Authorities did not enforce the law effectively.

The Domestic Violence and Victim Support Unit (DOVVSU) of the Ghana Police Service worked closely with the Department of Social Welfare, the Domestic Violence Secretariat, CHRAJ, the Legal Aid Commission, the Ark Foundation, UNICEF, the UN Population Fund, the national chapter of the International Federation of Women Lawyers, and several other human rights NGOs to address rape and domestic violence.

Unless specifically called upon by the DOVVSU, police seldom intervened in cases of domestic violence, in part due to a lack of counseling skills and shelter facilities to assist survivors. Few of the cases in which police identified and arrested suspects for rape or domestic abuse reached court or resulted in convictions due to witness unavailability, inadequate training on investigatory techniques, police prosecutor case mismanagement, and, according to the DOVVSU, lack of resources on the part of survivors and their families to pursue cases. Police could refer survivors to government or NGO-operated shelters. In cases deemed less severe, survivors were returned to their homes. Authorities reported officers occasionally had no alternative but to shelter survivors in the officers' own residences until other arrangements could be made.

There were three government-run shelters for survivors of domestic violence, the Madina Social Welfare Center, the Center for Abused Children and the DOVVSU's national One-Stop Center collocated with the Criminal Investigations Department of the Ghana Police Service.

DOVVSU continued to teach a course on domestic violence case management for police officers assigned to the unit. It had one clinical psychologist to assist domestic violence survivors. DOVVSU tried to reach the public through various social media accounts. DOVVSU also addressed rape through public education efforts on radio and in communities, participation in efforts to prevent child marriage and gender-based violence, expansion of its online data management system to select police divisional headquarters, and data management training.

Pervasive cultural beliefs regarding gender roles, as well as sociocultural norms and stereotypes, posed additional challenges to combatting domestic violence. A July study at a teaching hospital in Accra indicated that 31 percent of pregnant women experienced domestic violence during pregnancy.

Female Genital Mutilation/Cutting (FGM/C):Several laws include provisions prohibiting FGM/C. Although rarely performed on adult women, the practice remained a serious problem for girls younger than age 18 in some regions. According to the Ministry of Gender, Children, and Social Protection, FGM/C was significantly higher in the Upper East Region with a prevalence rate of 27.8 percent, compared with the national rate of 3.8 percent. According to the 2017-2018 *Multiple Indicator Cluster Survey* (MICS), women in rural areas were subjected to FGM/C three times more often than women in urban areas (3.6 percent compared with 1.2 percent). Intervention programs were partially successful in reducing the prevalence of FGM/C, particularly in the northern regions.

Other Forms of Gender-based Violence:The constitution prohibits practices that dehumanize or are injurious to the physical and mental well-being of a person. Media reported several killings and attempted killings of women for ritual purposes. In the Northern, North East, Upper East, and Upper

West Regions, families or traditional authorities banished rural women suspected of “witchcraft” to “witch camps.” Most of those accused of witchcraft were older women, often widows. Some women suspected to be witches were killed. The number of persons in the camps dropped significantly since 2020 due to education, support, and reintegration services provided by churches and civil society organizations.

The law criminalizes harmful mourning rites, but such rites continued, and authorities did not prosecute any perpetrators. In the north, especially in the Upper West and Upper East Regions, some widows were required to undergo certain rites to mourn or show devotion for a deceased spouse. The most prevalent widowhood rites included a one-year period of mourning, tying ropes and padlocks around the widow’s waist or neck, forced sitting beside the body of the deceased spouse until burial, solitary confinement, forced starvation, shaving the widow’s head, and smearing clay on the widow’s body. In the Northern and Volta Regions along the border with Togo, “wife inheritance,” the practice of forcing a widow to marry a male relative of her deceased husband, continued.

Sexual Harassment: No law specifically prohibits sexual harassment, although authorities prosecuted some sexual harassment cases under assault and other provisions of the criminal code.

Reproductive Rights: There were no reports of coerced abortion or involuntary sterilization on the part of government officials.

In January the government added sexual and reproductive health services to the National Health Insurance Scheme for all women, including survivors of sexual violence. This comprised multiple methods of family planning including emergency contraception as part of method mix and as part of the clinical management of rape cases, and long-term contraception free of additional charge.

According to the 2017 *UN Trends in Maternal Mortality* report, the maternal mortality rate was 308 per 100,000 live births. The Ghana Health Service indicated that neonatal and maternal deaths had increased since the outbreak of COVID-19, primarily due to the inability to provide adequate services in rural areas.

Discrimination: The constitution and law provide for the same legal status and rights for women as for men under family, labor, property, nationality, and inheritance laws. While the government generally made efforts to enforce the law, predominantly male tribal leaders and chiefs are empowered to regulate land access and usage within their tribal areas. Within these areas women were less likely than men to receive access rights to large plots of fertile land. Widows often faced expulsion from their homes by their deceased husband’s relatives, and they often lacked the awareness or means to defend property rights in court.

Systemic Racial or Ethnic Violence and Discrimination

The law protects members of racial or ethnic minorities from violence and discrimination, but it was unclear whether the government enforced the law effectively.

Children

Birth Registration: Citizenship is derived by birth in the country or outside if either of the child’s parents or one grandparent is a citizen. Children unregistered at birth or without identification documents could be excluded from accessing education, health care, and social security. Although having a birth certificate is required to enroll in school, authorities indicated children would not be denied access to education based on a lack of documentation. According to the MICS, birth

registration increased with levels of education and wealth and was more prevalent in urban centers than in rural areas. Authorities adjudicated birth registrations in a nondiscriminatory manner.

Education: The constitution provides for tuition-free, compulsory, and universal basic education for all children from kindergarten through junior high school. The government continued to implement tuition-free enrollment in senior high school.

Girls in the northern regions and rural areas throughout the country were less likely to continue and complete their education due to the weak quality of educational services, inability to pay expenses related to schooling, prioritization of boys' education over girls', security problems related to distance between home and school, lack of dormitory facilities, and inadequate sanitation and hygiene facilities.

Child Abuse: The law prohibits sex with a child younger than age 16 with or without consent and sexual abuse of minors. There continued to be reports of male teachers sexually assaulting and harassing both female and male students. Physical abuse and corporal punishment of children were concerns. Local social workers rarely effectively monitored cases of child abuse and neglect.

Child, Early, and Forced Marriage: The minimum legal age for marriage is 18. Child, early, and forced child marriage, while illegal, remained a problem. According to the MICS, child marriage was highest in the Northern, North East, Upper East, Savannah, and Volta Regions; it was lowest in the Greater Accra, Ashanti, and Ahafo Regions.

The Child Marriage Unit of the Domestic Violence Secretariat of the Ministry of Gender, Children, and Social Protection continued to lead governmental efforts to combat child marriage. The ministry's *National Strategic Framework on Ending Child Marriage in Ghana (2017-26)* prioritized interventions focused on strengthening government capacity to address neglect and abuse of children, girls' education, adolescent health, and girls' empowerment through skills development. The National Advisory Committee to End Child Marriage and the National Stakeholders Forum, with participation from key government and civil society participants, provided strategic guidance and supported information sharing and learning on child marriage among partners in the country. The Child Marriage Unit maintained a manual with fact sheets and frequently asked questions and used social media accounts to reach wider audiences.

Sexual Exploitation of Children: The law prohibits commercial sexual exploitation of children, although it does not specifically mention sale, grooming, or use of children for commercial exploitation. Authorities did not effectively enforce the law. The minimum age for consensual sex is 16. Participating in sexual activities with anyone younger than 16 is illegal. The law criminalizes the use of a computer to publish, produce, procure, or possess child pornography.

Infanticide, Including Infanticide of Children with Disabilities: The law bans infanticide, but several NGOs reported that communities in the Upper East Region killed "spirit children" born with physical disabilities who were suspected of being possessed by evil spirits. Local and traditional government entities cooperated with NGOs to raise public awareness concerning causes of and treatments for disabilities and to rescue children at risk of ritual killing. Authorities enforced governing prohibitions on infanticide.

Displaced Children: The migration of children to urban areas continued due to economic hardship in rural areas. Children often had to support themselves to survive, contributing to both child sexual

exploitation and the school dropout rate. Girls living on the streets were among the most vulnerable to commercial sexual exploitation.

Antisemitism

The Jewish community had a few hundred members. There were no reports of antisemitic acts.

Trafficking in Persons

See the Department of State's *Trafficking in Persons Report* at <https://www.state.gov/trafficking-in-persons-report/>.

Acts of Violence, Criminalization, and Other Abuses Based on Sexual Orientation, Gender Identity or Expression, or Sex Characteristics

Criminalization: The law criminalizes the act of “unnatural carnal knowledge,” which is defined as “sexual intercourse with a person in an unnatural manner or with an animal.” The offense covers only persons engaged in same-sex male relationships and those in heterosexual relationships. There were no reports of adults prosecuted or convicted for consensual same-sex sexual conduct, but police used the law to harass the LGBTQI+ community through detention, extortion, and arbitrary arrest. Police and local leaders also used arrests to “out” members of the LGBTQI+ community to humiliate and alienate them. In Cape Coast, police detained two lesbian community members at a house that had served as a gathering spot for LGBTQI+ community members. The landlord subsequently terminated the lease, specifically citing their opposition to the LGBTQI+ community.

Violence against LGBTQI+ Persons: The LGBTQI+ community reported police violence against LGBTQI+ persons. Civil society groups and activists reported police were resistant to investigate claims of assault or violence against LGBTQI+ persons. Stigma, intimidation, and the perceived negative attitude of some police toward LGBTQI+ persons were factors in preventing survivors from reporting incidents of abuse. Activists noted great difficulty in engaging officials on problems facing the LGBTQI+ community because of social and political sensitivity. LGBTQI+ persons in prison were vulnerable to harassment, as well as sexual, mental, and physical abuse, which authorities generally did not investigate.

Attacks by private citizens on LGBTQI+ persons were common and growing in number. The attacks were increasingly well organized, and in some cases targeted outspoken activists. The attacks were sometimes shared on social media to further humiliate and ostracize LGBTQI+ persons.

Increasing harassment forced many members of the LGBTQI+ community to relocate from their homes or sever familial relationships. Two different LGBTQI+ NGOs, one in the Central Region and the other in the Volta Region, reported they had to relocate their operations because of community and police harassment. Civil society groups reported that several LGBTQI+ community members permanently left the country because of increasing hate speech and harassment.

In August unknown assailants in the Ashanti Region kidnapped, assaulted, and blackmailed a prominent human rights advocate because of their LGBTQI+ advocacy. Police never identified the perpetrators.

Discrimination: The law does not explicitly prohibit discrimination based on sexual orientation and gender identity. LGBTQI+ persons faced widespread discrimination in education and employment. Evictions, divorce, loss of employment, extortion, denial of financial services, public humiliation, and

community ostracism were common. For the second year in a row, there was a notable increase in anti-LGBTQI+ statements by high-ranking political figures and by religious and community leaders, and media coverage of these statements. Most activists believed the introduction of an anti-LGBTQI+ bill in parliament spurred on the statements. Some members of parliament called on LGBTQI+ persons to not seek medical services and for medical providers to refuse to treat them.

Availability of Legal Gender Recognition: Legal gender recognition was not available.

Involuntary or Coercive Medical or Psychological Practices Specifically Targeting LGBTQI+ Individuals: There was an increasing number of reported instances of so-called conversion therapy or practices, including pressuring LGBTQI+ persons to “recant” their identity and reveal the identities of others in the LGBTQI+ community. In July the Ghana Registered Nurses and Midwives Association ran a workshop for medical professionals promoting conversion “therapies,” and the chief executive of the country’s Mental Health Authority called homosexuality “a mental disorder.”

Restrictions on Freedom of Expression, Association, or Peaceful Assembly: LGBTQI+ persons were unable to meet in public or demonstrate, and landlords closed many private spaces community members used for meetings. Media coverage regarding homosexuality and related topics was usually negative. In June community leaders and local politicians illegally removed billboards in Accra and Tamale promoting LGBTQI+ tolerance. Police did not conduct investigations.

Persons with Disabilities

Persons with disabilities could not access education, health services, public buildings, and transportation on an equal basis with others. The law prohibits discrimination against persons with disabilities and protects the rights of persons with disabilities to have access to health services, information, communications, transportation, public spaces such as schools and public buildings, the judicial system, and other state services, but the government did not effectively enforce the law. Few adults with disabilities had employment opportunities in the formal sector.

Persons with both mental and physical disabilities, including children, were frequently subjected to abuse and intolerance. Authorities did not regularly investigate and punish violence and abuses against persons with disabilities. Children with disabilities who lived at home were sometimes tied to trees or under market stalls and were caned regularly; families reportedly killed some of them.

Thousands of persons with mental disabilities, including children as young as seven, were sent to spiritual healing centers known as “prayer camps,” where mental disability was often considered a “demonic affliction.” Some residents were chained for weeks in these environments, denied food for days, and physically assaulted. Officials took few steps to implement the law that monitored prayer camps and barred involuntary or forced treatment. International donor funding helped support office space and some operations of the Mental Health Authority.

Other Societal Violence or Discrimination

Chieftaincy disputes, which frequently resulted from the lack of a clear chain of succession, competing claims regarding land and other natural resources, and internal rivalries and feuds, continued to result in deaths, injuries, and destruction of property. According to the West Africa Center for Counter Extremism, chieftaincy disputes and ethnic violence were the largest sources of insecurity and instability in the country. Disputes continued among Fulbe herdsmen as well as between Fulbe

herdsmen and farmers that at times led to violence. The government generally sought to tamp down violence and encourage dialogue and peaceful resolution of disputes.

The law penalizes discrimination against a person with HIV and AIDS, although the government did not effectively enforce the law. The law contains provisions that protect and promote the rights and freedoms of persons with, as well as those who are suspected of having, HIV and AIDS. These rights include the right to health, education, insurance benefits, employment, privacy, confidentiality, nondisclosure of HIV and AIDS status without consent, and the right to hold a public or political office.

Discrimination against persons with HIV and AIDS remained a problem. Fear of stigma, and fear that getting tested would mean immediate labeling as gay, discouraged persons from getting tested for HIV infection. As a result, many of those who tested positive avoided seeking timely care. HIV-positive persons faced discrimination in employment and often were forced to leave their jobs or houses. The government and NGOs subsidized many centers that provided free HIV testing and treatment for citizens, although high patient volume and the physical layout of many clinics often made it difficult for the centers to protect confidentiality. The Ghana AIDS Commission continued to raise concerns regarding how high levels of stigma and discrimination contributed to the spread of HIV in the country.

There were frequent reports of violence against suspected criminals in “mob justice” incidents, and the failure of police to prevent or respond to them. Community members often saw such vigilantism as justified considering the difficulties and constraints facing the judicial and police sectors.

In the Northern, North East, Upper East, and Upper West Regions, families or traditional authorities banished rural persons suspected of “witchcraft” to “witch camps.” A June academic study estimated 16 ritual killings by unknown perpetrators occurred each year, with most of the victims being children or young adults.

Section 7. Worker Rights

a. Freedom of Association and the Right to Collective Bargaining

The law provides for the right of workers, except for members of the armed forces, police, the Ghana Prisons Service, and other security and intelligence agency personnel, to form and join unions of their choice without previous authorization or excessive requirements. The law prohibits antiunion discrimination but does not provide adequate protection against discrimination. The law requires trade unions or employers’ organizations to obtain a certificate of registration and be authorized by the chief labor officer, who is an appointed government official. Union leaders reported that fees for the annual renewal of trade union registration and collective bargaining certificates were exorbitant and possibly legally unenforceable.

The law provides for the right to conduct legal strikes but restricts that right for workers who provide “essential services.” Workers in export-processing zones are not subject to these restrictions. The minister of employment and labor relations designated a list of essential services, which included many sectors that fell outside of the essential services definition set by the International Labor Organization. The list included services carried out by utility companies (such as water and electricity), ports and harbors, medical centers, and the Bank of Ghana. These workers have the right to bargain collectively. In these sectors parties to any labor disputes are required to resolve their differences within 72 hours. The right to strike may also be restricted for workers in private enterprises whose services are deemed essential to the survival of the enterprise by a union and an employer. A union

may call a legal strike only if the parties fail to agree to voluntary arbitration or if the dispute remains unresolved at the end of arbitration proceedings.

The law provides a framework for collective bargaining. A union must obtain a collective bargaining certificate from the chief labor officer to engage in collective bargaining on behalf of a class of workers. In cases where there are multiple unions in an enterprise, the majority or plurality union would receive the certificate but must consult with or, where appropriate, invite other unions to participate in negotiations. The certificate holder generally includes representatives from the smaller unions. Workers in decision-making or managerial roles are not provided the right to collective bargaining under the law, but they may join unions and enter into labor negotiations with their employers.

The National Labor Commission is a government body with the mandate of requiring employers and unions to comply with labor law. It also serves as a forum for arbitration in labor disputes. The government effectively enforced applicable laws, but penalties were not commensurate with those for other laws involving denials of civil rights, such as discrimination. Penalties were rarely applied against violators.

The law allows unions to conduct their activities without interference and provides reinstatement for workers dismissed under unfair pretenses. It protects trade union members and their officers against discrimination if they organize.

The government generally protected the right to form and join independent unions and to conduct legal strikes and bargain collectively, and workers exercised these rights. Although the law makes specified parties liable for violations, specific penalties are not set forth. An employer who resorts to an illegal lockout is required to pay the workers' wages. Some instances of subtle employer interference in union activities occurred. Many unions did not follow approved processes for dealing with disputes, reportedly due to the perceived unfair and one-sided application of the law against the unions. The process was often long and cumbersome, with employers generally acting when unions threatened to withdraw their services or declare a strike. The National Labor Commission faced obstacles in enforcing applicable sanctions against both unions and employers, including limited ability to enforce its mandate and insufficient oversight.

Trade unions engaged in collective bargaining for wages and benefits with both private and state-owned enterprises without government interference. No union completed the dispute resolution process involving arbitration, and there were numerous unsanctioned strikes.

b. Prohibition of Forced or Compulsory Labor

The law prohibits and criminalizes all forms of forced or compulsory labor. The government took some steps to effectively enforce the law. The penalties for forced labor were not commensurate with those for other analogous serious crimes such as kidnapping, but the government prosecuted and imposed penalties in some cases of labor trafficking. Human trafficking, including forced labor, persisted with insufficient investigation and prosecution. NGOs, civil society, and human rights activists reported corruption within police ranks, the justice system, and political authorities that impeded prosecution, with perpetrators accumulating significant wealth from trafficking and forced labor, and senior police officers intimidating NGO staff to deter their investigations.

There were reports of forced labor of children and adults in the fishing sector, as well as forced child labor in informal mining, agriculture, domestic labor, portage, begging, herding, quarrying, and

hawking (see section 7.c.).

Legal counsel encountered difficulties in investigating trafficking and gathering witnesses to testify, especially in cases perpetrated by a family member or involving victims from another country.

Also see the Department of State's *Trafficking in Persons Report* at <https://www.state.gov/trafficking-in-persons-report/>.

c. Prohibition of Child Labor and Minimum Age for Employment

See the Department of Labor's *Findings on the Worst Forms of Child Labor* at <https://www.dol.gov/agencies/ilab/resources/reports/child-labor/findings> and the Department of Labor's *List of Goods Produced by Child Labor or Forced Labor* at <https://www.dol.gov/agencies/ilab/reports/child-labor/list-of-goods>.

d. Discrimination with Respect to Employment and Occupation

The law stipulates that an employer may not discriminate against a person based on several categories, including age, pregnancy, refugee status, gender, race, color, ethnic origin, religion, social or economic status, or disability, whether that person is already employed or seeking employment. The law does not mention sexual orientation, HIV and AIDS status, or statelessness. The government did not effectively enforce prohibitions on discrimination. Penalties were not commensurate with laws related to civil rights, such as election interference. Penalties were rarely enforced against violators.

Discrimination in employment and occupation occurred with respect to women, persons with disabilities, HIV-positive persons, and LGBTQI+ persons (see section 6). For example, reports indicated few companies offered reasonable accommodation to employees with disabilities. Many companies ignored or turned down such individuals who applied for jobs. Women in urban centers and those with skills and training encountered little overt bias, but resistance persisted to women entering nontraditional fields or seeking related vocational education or training. There were insufficient systems in place to protect women from sexual harassment and other violence in the workplace.

e. Acceptable Conditions of Work

Wage and Hour Laws: The law provides for a national minimum wage for some sectors of the economy. A national tripartite committee composed of representatives of the government, labor, and employers set a minimum wage. The minimum wage exceeded the government's poverty line. There was widespread violation of the minimum wage law in the formal economy across all sectors. Many companies did not comply with the law.

The maximum workweek is 40 hours, with a break of at least 48 consecutive hours every seven days. These provisions, however, did not apply to piece workers, domestic workers in private homes, or others working in the informal sector. The law does not prescribe overtime rates and does not prohibit excessive compulsory overtime.

Occupational Safety and Health: The government sets industry-appropriate occupational safety and health (OSH) regulations. By law workers may remove themselves from situations that endanger their health or safety without jeopardy to their employment. This legislation covers only workers in the formal sector, which employed approximately 10 percent of the labor force. The law reportedly provided inadequate coverage to workers due to its fragmentation and limited scope. Few workers believed they were free to exercise this right.

Accidents in the mining sector were common, often in illegal mining. In September, an illegal pit mine collapsed in the North East Region, killing five miners. The unregulated mining sector attracted Chinese nationals who collaborated with citizens to run illegal mines. In September police arrested a Chinese national who had been deported in 2018 for running a series of illegal mining sites, finding she had illegally acquired Ghanaian identity documents under a false name. Civil society organizations stated that corruption and lax enforcement allowed unsafe illegal mining practices to continue.

Wage, Hour, and OSH Enforcement: The Ministry of Employment and Labor Relations was unable to enforce the wage law effectively. The government also did not effectively enforce health and safety regulations, which are set by a range of agencies in the various industries, including the Food and Drugs Authority, the Ghana Roads Safety Commission, and the Inspectorate Division of the Minerals Commission. The government did not employ sufficient labor inspectors to enforce compliance. Although inspectors had the authority to make unannounced inspections, they were poorly trained and did not respond to violations effectively. Penalties for violations were not commensurate with those for similar crimes, such as fraud or negligence. Penalties were never applied against violators. Inspectors did not impose sanctions and were unable to provide data as to how many violations they addressed. In most cases inspectors gave advisory warnings to employers, with deadlines for taking corrective action.

Informal Sector: Approximately 77 percent of the working population was employed in the informal sector, down from approximately 90 percent in 2015, according to the Ghana Statistical Service's *2021 Population of Regions and Districts Report*. Most of these workers were self-employed.

Some labor laws, such as legislation governing working hours, applied to the informal sector and part-time workers, but authorities did not enforce the minimum wage law in the informal sector. Employers widely flouted labor law in the informal sector, and the government did not enforce it. Some informal economy workers could receive social protections through constitutional provision for specific vulnerable groups including persons with disabilities, the aged, and children. Additionally, legislative social insurance schemes covered some self-employed workers for health, disability, and old age benefits. Informal economy workers could contribute on a voluntary basis to private or public social pension funds, but rarely did so.

ecoi.net summary:

Annual report on human rights in 2022

Country:

Ghana

Source:

[USDOS – US Department of State](#)

Original link:

<https://www.state.gov/reports/2022-country-reports-on-human-rights-practices/ghana>

Document type:

Periodical Report

Language:

English

Published:

20 March 2023

Available on ecoi.net since:

22 March 2023

Document ID:

2089217

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Origin and Asylum Research and
Documentation (ACCORD)

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