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Ghana

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Ghana is a constitutional republic dominated by a strong presidency. Flight Lieutenant (ret.) Jerry John Rawlings ruled the country for 19 years after taking power in 1981. He became the first President of the Fourth Republic following controversial elections in 1992. These elections ended 11 years of authoritarian rule under Rawlings and his Provisional National Defense Council (PNDC), which had seized power from an elected government in 1981. Six opposition parties and the ruling National Democratic Congress (NDC) contested the presidential and parliamentary elections in December which, despite a few incidents of intimidation and election fraud, domestic and international observers judged generally free and fair. The largest opposition party, the New Patriotic Party (NPP), won 100 seats out of the 200 seats in Parliament. The NDC, President Rawlings' party, won 92 seats; independents and 2 smaller opposition parties won 8 seats. On December 28, the NPP candidate John Agyekum Kufuor became president-elect with 56.7 percent of the vote. He was scheduled to assume office on January 7, 2001. The Constitution calls for a system of checks and balances, with an executive branch headed by the President, a unicameral parliament, an independent judiciary, and several autonomous commissions, such as the Commission for Human Rights and Administrative Justice (CHRAJ). In reality this system of checks and balances under President Rawlings has been circumscribed by a parliament dominated by the President's party, a hesitant judicial service, and a system-wide lack of resources that hobbled the effectiveness of all three branches. The presence of a significant number of opposition parliamentarians has led to increased scrutiny of the Government's activities. In 1998 in peaceful elections, voters elected new district assembly representatives and, for the first time, unit committee members to complete the local government structure outlined in the Constitution. The judiciary appears subject to executive influence on occasion and lacks adequate resources.

Several security organizations report to various government departments. The police, under the jurisdiction of an eight-member Police Council, are responsible for maintaining law and order. A separate department, the Bureau of National Investigations (BNI), handles cases considered critical to state security and answers directly to the executive branch. Although the security apparatus is controlled by and responsive to the Government, the monitoring, supervision, and education of the police in particular remain poor. Police and other security forces committed some serious human rights abuses.

The economy remains dependent on agriculture, with about 41 percent of gross domestic product (GDP) and 59 percent of employment derived from this sector, according to government statistics. Gold, cocoa, and timber are the traditional sources of export earnings, although cocoa and gold revenues fell due to the drop in the prices of these commodities on the world market. Tourism is the third largest foreign exchange earner. Service sector growth outpaced both agriculture and industry, according to an International Labor Organization (ILO) study released in September 1999. The economy grew at a rate of 3.0 percent, down from 4.4 percent in 1999, due to the fall in the world price of gold and cocoa and the increase in the price of crude oil. Inflation increased from 14 percent to 40 percent. Per capita GDP remained at approximately \$400.

The Government's human rights record was poor in a number of areas; although there were significant improvements in several areas, some serious problems remained. Police use of excessive force resulted in some extrajudicial killings and injuries, although fewer than in previous years. There continued to be credible reports that members of the police beat prisoners and other citizens, and that police and some elements of the military arbitrarily arrested and detained persons. Police corruption was a problem. Prison conditions remained extremely harsh, and prolonged pretrial detention remained a problem. Inadequate resources and a system vulnerable to political and economic influence compromised the integrity of the overburdened judicial system. At times the Government infringed on citizens' privacy rights. The Government continued to prosecute two criminal libel cases. The Government continued to pressure the media, and some journalists practiced self-censorship; however, the nongovernment media continued its vigorous and outspoken criticism of various government policies. At times the Government restricted freedom of assembly. Police used force to disperse demonstrations. Violence against women is a serious problem. Traditional practices, including a localized form of ritual servitude (Trokosi) practiced in some rural areas, still result in considerable abuse and discrimination against women and children. Female genital mutilation (FGM) still is practiced. Religious differences led to tension and occasional clashes between different groups. There were some incidents of ethnically motivated violence, and some ethnic groups complain of discrimination. Child labor is a problem in the informal sector, and forced child labor and trafficking in women and children also are problems. Vigilante justice also is a problem.

RESPECT FOR HUMAN RIGHTS

Section 1 Respect for the Integrity of the Person, Including Freedom From:

a. Political and Other Extrajudicial Killing

Security forces committed a number of extrajudicial killings. The number of deaths reportedly caused by members of the security services decreased from nine in 1999 to five during the year; the continued use of rubber bullets and water cannons gave the police the ability to manage crowd control situations without killings or serious injuries. In recent years, the police service in particular has come under severe criticism following incidents of police brutality, corruption, and negligence. Public confidence in the police remains low but was improving over the previous year; however, mobs attacked several police stations due to perceived police inaction, a delay in prosecuting suspects, rumors of collaboration with criminals, and the desire to deal with suspects through instant justice. In 1999 the presidential Archer Commission issued a white paper critiquing police operations and providing specific directives as to how to address police manpower, training, and logistical needs. The Inspector General of Police (IGP) publicly acknowledged these problems and attempted to address them through training in human rights and riot control.

On January 2, a policeman shot a 23-year-old man who was sitting with friends in a cemetery in Madina (Greater Accra Region). Police investigations into the killing were ongoing at year's end.

On April 20, police killed a miner during a conflict between 120 military and police personnel and over 100 men attempting to steal ore from a gold mine in Bibiani, a Western Region town. As a result of the shooting, the illegal miners rioted, burning and stealing over \$1.6 million (8 billion cedis) worth of property. A joint police and military team arrested 94 suspects for involvement in the riot. Forty-eight were remanded to prison custody pending trial.

On July 8, police killed a young man who had a history of mental illness in Akropong in the Eastern Region. The man reportedly resisted arrest and was beaten by police, necessitating a hospital trip for treatment. The police reportedly approached him again at the hospital and shot him. Police statements alleged that the man had become violent during the scuffle at the hospital, and that the policeman's gun fired accidentally, killing the man.

On August 12, one person was killed and another injured during a dispute between off-duty junior military officers and the bartender at an Accra nightclub. President Rawlings, the Minister of Defense, and the acting army commander attended the person's funeral. Rawlings assured those at the funeral that the military would cooperate in the police investigation. Five officers were accused of involvement in the incident and remained in detention at year's end pending the results of the investigation, which was transferred from the police to the military. A sixth officer present at the nightclub that evening, a member of the 64th Infantry Regiment, was identified as the person who fired his weapon. He reportedly committed suicide within 2 weeks of the incident.

On November 26, police shot and killed an alleged fuel smuggler in the Afedido in the Volta Region. The police were in pursuit of a reported fuel smuggling group, which ignored police calls to halt. The alleged smuggler died of gunshot wounds to the back and stomach. Police investigations were ongoing at year's end.

A driver who on October 29 allegedly caused an accident involving the President and his wife and in which 4 of Rawlings' bodyguards were killed, died of unexplained causes on December 8 while hospitalized. On December 5, the suspect had appeared before the Accra Circuit Tribunal charged with 2 counts of manslaughter and negligently causing harm. The chairman of the tribunal ordered the police to take the suspect to the Police Hospital because he appeared ill, which they did on December 6. The Bar Association condemned the circumstances of the driver's arrest and called for the autopsy report to be released to the public. The report had not been released by year's end.

Many persons died in prisons due to extremely harsh conditions and lack of medical treatment (see Section 1.c.)

A former chief and more than 60 residents of a town who were arrested in connection with the January 1999 case in which police shot and killed a farmer during a riot at Juaso in the Ashanti Region, were released on bail. The case was still under investigation at year's end.

The IGP recommended an inquiry into the February 1999 case of police who fired into a crowd at the Konkomba market in Accra and ordered that those liable be prosecuted. The police have yet to announce the findings of the investigation.

The employee of the National Security Council who allegedly shot and killed an agricultural officer in June 1999 received a death sentence in July. His lawyers filed an appeal.

In February the Commissioner of the Police Criminal Investigations Division (CID) forwarded the 1999 case of a police shooting of a vendor who later died at Soe, near Bolgatanga in the Upper East Region, to the Attorney General's office for prosecution. The committal proceedings, when an alleged offender is brought before a district court to hear summary of the evidence against him, were ongoing at year's end.

A police officer accused of killing a passenger in a truck in August 1999, after the driver refused to stop when signaled to do so in Winneba in the Central Region, was arraigned before a community tribunal and granted bail pending further investigation. The police have received the ballistic examination report and forwarded the case to the Attorney General for prosecution.

An investigation into the November 1999 police killing of the driver of a timber truck at a police barricade in the Ashanti region town of Barekese was ongoing at year's end.

There were no further developments in the September 1999 case in which police shot and killed a driver at his residence in Korpeyia, near the border with Togo. The police maintained that the deceased was a notorious criminal who threatened to kill a policeman who had gone into his house to arrest him, and that the policeman shot him in self-defense.

In the December 1999 case of a police and military patrol team's killing of two taxi passengers in Tema (Greater Accra Region), the regional police commander in Tema submitted his reports to the commissioner of the CID in June. The report maintains that the two passengers were suspected armed robbers. The case is with the Attorney General's office for advice.

In 1999 the committee investigating the police officer implicated in the May 31, 1998 killing of a bystander in Sekondi indicted the officer in charge. The police had not compensated the family of the victim by year's end, nor was there a trial; however, the leader of the police team was facing a departmental service inquiry for unprofessional conduct during the operation.

In June 1999, the family of a man who died on November 9, 1998 in a Western Region police cell reasserted that the deceased was brutalized by police and detained in handcuffs for 5 days. In response to a family petition filed a week after the death, the regional police command denied that police mistreated the deceased. No independent inquiry or investigation has been conducted.

The Government continued to refuse to investigate extrajudicial killings in the early years of PNDC rule (1981 to 1992), despite the July 1999 publication of the names of 199 alleged victims in an independent newspaper.

During the year, chieftancy disputes led to several deaths and a number of injuries (see Sections 1.c. and 5).

The press reported numerous cases of vigilante style "instant justice" conducted by angry citizens and mobs on suspected criminals and suspected witches that led to a number of deaths and injuries.

b. Disappearance

There were no reports of politically motivated disappearances.

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

The Constitution prohibits torture or other cruel, inhuman, or degrading treatment or punishment; however, there were continued credible reports that members of the police and customs officials beat prisoners and other citizens. It generally is believed that severe beatings of suspects in police custody occur throughout the country but largely go unreported.

On January 15, following a November 1999 traffic accident, a young man, whose 2-year relationship with the President's oldest daughter had ended, reportedly was abducted by members of the presidential guard and detained at the Castle (the President's office and residence). Reportedly the guards beat and threatened him. He claimed that members of the presidential guard shaved his head with a broken bottle. The man was released without charges on January 17. During his detention, the man's parents protested outside the Castle gates without receiving any information regarding their son's whereabouts and were detained and later convicted of offensive conduct and assault on a public officer (see Section 1.e.). On September 1, the First Lady stated that the man was arrested for a traffic offense, not abducted, and that his head was shaved for routine identification purposes. In July the young man left the country.

In January after reports were made regarding a series of disturbances, including arson and looting due to a conflict between two chiefs, 20 police officers arrived in Asankranguaaa (Western Region) to maintain order. Upon their arrival unknown persons shot at the officers, killing one and injuring another. A civilian also was shot by another civilian. The police detained 70 persons during their investigation of the incident. Four persons accused of murdering the police officer were granted bail of \$6,000 (30 million cedis) pending further police investigation. The regional minister set up a committee of inquiry to look into the alleged looting and arson and submit recommendations to the minister. In addition the Member of Parliament (M.P.) for the area requested that the police inspector further investigate allegations of police misconduct during the incident. Police burned houses, slaughtered animals, stole property, and assaulted civilians during the course of the incident.

In January a 65-year-old cocoa farmer from Dadieso in the Western Region alleged that a police inspector detained him for 2 days without bail and beat him after allegations that he owed the Government money. The inspector denied the charges and refused to pay the farmer's hospital bills. The IGP was investigating the case at year's end.

In January and June, police dispelled student demonstrations in Kumasi and caused some minor injuries (see Sections 2.a. and 2.b.).

On March 25, police used tear gas and rubber bullets to disperse a crowd that gathered as a result of a dispute

between two assemblymen in the Eastern Region town of Asutsuare. Sixty-eight civilians were arrested 3 days after the conflict, including one of the assemblymen. Some of those arrested claimed that police brutalized them during the arrest. On July 23, the other assemblyman involved in the dispute and some other civilians allegedly attacked farms and residents in Asutsuare, burning and looting homes. Members of the 64th Infantry Regiment were dispatched to control the situation. Two soldiers later were arrested and charged with gross misconduct and unprofessional behavior for taking sides in the dispute. On August 14, five policemen sent to arrest some of the offenders were attacked by those involved in the July 23 incident, and one policeman was injured badly. Thirty men eventually were arrested, and 22 were remanded into custody on a charge of attempted murder. The military set up a committee to investigate the incidents and stated that those involved would be punished severely. The District Chief Executive, the M.P., and the chief for the area exhorted citizens to resolve their differences. The M.P. also denied allegations that he had hired policemen to harass the inhabitants. The district assembly agreed to help resettle those whose houses were burnt.

On June 8, 25 off-duty soldiers attacked and injured over 20 civilians, including a taxi driver who allegedly insulted a group of intoxicated soldiers the previous evening in the Asylum Down area of Accra. The soldiers chased the taxi driver and other witnesses, and allegedly beat them. One soldier was wounded in the counterattack. The first victim reported the incident to the police, and the police investigation continues. The armed forces stated that it was investigating the incidents independently.

Police used tear gas to disperse a group of civilians who attacked the Navrongo police station (Upper East Region) on July 15, in an attempt to release suspects in the cells.

On July 8, police beat a man who resisted arrest and then shot him at the hospital where he was being treated for his injuries (see Section 1.a.)

On July 25, thousands of trade union members demonstrated nationwide to demand an increase in the minimum wage (see Section 6.b.). Police used water cannons in Accra to prevent blocking of traffic at a major circle; however, no injuries were reported in Accra or elsewhere.

In August a businessman reported that he was detained and abused by members of the elite 64th Infantry Regiment. He said that his former wife hired the soldiers to force him to repay a debt that she claimed that he owed her from a failed business transaction. He alleged that military personnel picked him up at his home on July 11, and held and beat him for 12 days. He was never charged formally but was released on July 24, only to be detained and beaten again from July 28 to July 31. He claimed that the soldiers confiscated his car and approximately \$2,400 (16,320,000 cedis). Military authorities stated that the 64th Infantry Regiment, since it contains a detachment of police officers, has the authority to investigate civil cases and arrest suspects. They confirmed that the man was arrested and held, but denied that he was beaten or his property confiscated. The Government stated that it would investigate the case but had provided no additional information by year's end. This case and the August shooting by the 64th Infantry Regiment (see Section 1.a.) fueled growing concerns that unit personnel engage in extrajudicial activity and human rights abuses. On July 26, military authorities appealed to the public to desist from involving the military in solving personal disputes. At a subsequent graduation ceremony for new soldiers, an army official warned the soldiers not to let themselves be hired to resolve personal disputes. On September 23, the IGP warned police personnel not to involve themselves in land disputes, debt collection, and other forms of unauthorized duties that have no valid relationship to their official duties.

On August 5, police used tear gas and rubber bullets to disperse students of Yendi Junior Secondary School (Northern Region) who attacked the local police station to demand the release of one of their teachers, who was arrested for assaulting the District Director of Education in a teacher demonstration against the director. The students threw stones at the police.

On December 4, police used rubber bullets and tear gas to disperse a crowd gathered at the Supreme Court to hear a ruling on the use of thumbprint voter identification cards in the presidential and parliamentary elections scheduled for December 7. One man was injured by a rubber bullet (see Section 2.b.).

On December 7, a soldier in the Ashanti Region capital of Kumasi roughed up a journalist who was trying to take videos of alleged electoral malpractice. The M.P. for the area was also injured with the butt of the soldier's rifle when he stated that he had been the one who brought the video photographer.

On December 11, journalists from a private television station were assaulted by men wearing security uniforms (see Section 2.a.).

Police set up illegal barriers to demand bribes from motorists (see Section 2.d.). In 1999 the IGP dismissed a constable who had been found extorting money randomly from drivers; however, police continue to demand bribes. There were credible reports that police abused their authority by arresting citizens in exchange for bribes from detainees' disgruntled business associates and demanding money before granting bail (see Section 1.d.). In March 1999, the IGP banned police from firing warning shots and also warned the police against demanding money from suspects as a precondition of their release on bail; however, police continue to demand money to release persons on bail. A survey released in 1999 showed that only 50 percent of the population trusted the police.

There were no reports of progress in the investigations into the February and April 1999 beatings of two Kumasi men by off-duty soldiers and "machomen."

In February 1999, five Achimota police officers were suspended after detaining a woman in a cell with her

husband and 15 other males. A local human rights group was instrumental in spurring the police administration to investigate. In July 1999, after a human rights activist alerted the CHRAJ, news media reported the story of a woman who had become pregnant by a suspected criminal also in police custody while she was held in remand for 16 months on an attempted murder charge in Anloga in the Volta Region. In August 1999, the police administration suspended the district officer and launched an investigation into the breach of the policy that female suspects not be detained in cells with male counterparts. Details of the investigation reveal that the two suspects were never kept in the same cell but shared a common corridor.

There were no new developments in the May 1999 case of a man shot by customs officers in Dodo-Ammanfrom (Volta Region), or the June 1999 case of six persons wounded by soldiers at Nkunkum (Eastern Region).

An August 1999 case in which off-duty soldiers clashed with civilians in Oshiye resulting in several injuries was pending before the courts at year's end.

No action was taken against police who beat student demonstrators in August 1999.

In March the December 1999 case of nine persons wounded in a conflict between soldiers, policemen, and demonstrators in the Western Region town of Abontiakoon was forwarded to the Attorney General for advice. At year's end, the Circuit Court had adjourned the case and released the defendants on bail.

There were no reports of progress in the investigation into the December 1999 confrontation between police and youths in Zabzugu, in the Northern Region, which resulted in the wounding of two youths. A number of cases from 1998 remained open, although the implicated police officers were suspended in most instances. The officers involved in the October 7, 1998 beating of a farmer in Pramkese were suspended pending investigation. At year's end, the case was still under investigation. The police officers involved in the November 2, 1998 shooting of two girls in an arrest attempt near Accra were dismissed from the police force. Police stated that the officers were performing an unauthorized action (which would not obligate the police to compensate the girls' families). Of the remaining detainees in the November 24, 1998 killing of 2 police officers in Ablekuma, 9 of the accused were awaiting trial at year's end, 14 had their charges dismissed for lack of evidence, and 7 were still in remand at year's end. Of the 9 suspects standing trial, 1 was free on bail and 8 were still remanded in police custody at year's end. In March police were instructed to arrest 13 additional suspects in the case before a trial date could be set. In January a woman who was struck by a stray police bullet in December 1998 was refused a waiver of the hospital bill she incurred as a result of her injuries. The M.P. for her district appealed to the IGP for a reversal of the decision.

In 1999 there were isolated incidents in which Accra Metropolitan Assembly (AMA) operatives known as the Chameleon Bombers, allegedly inflicted injury and destroyed property; however, the degree of violence decreased following media attention, and there were no such reports during the year. The AMA officially dissolved the group in late 1998 following repeated public criticism, but continued to "decongest" vendors from the streets and destroy unauthorized structures. The Chameleon Bombers changed their name to the AMA Task Force during the year and participated in beautification projects around the city. In 1999 Kumasi, the country's second largest city, reportedly deployed a force called the Sanitation and Decongestion Tigers to remove unlicensed street vendors from city streets.

"Machomen" and land guards, private security enforcers hired by citizens to settle private disputes and vendettas, caused injury and property damage during the year. The machomen are not legally constituted, but organized privately and operate outside the law. Unlike in 1999, there were no arrests of machomen during the year.

During the year, chieftancy disputes led to numerous injuries (see Section 5).

Prisons are in most cases very poorly maintained, and conditions are extremely harsh. In 1996 the CHRAJ published a report on prison conditions. It described prisons as unsanitary, overcrowded, and poorly ventilated. In October the commissioner of CHRAJ reported that conditions in prisons had not improved. Prisoners are malnourished. Reports of the daily food allowance per prisoner vary. In July 1999, the Minister of Interior informed Parliament that the country's prisons, with a total capacity of 5,000, housed some 9,783 inmates. The Minister also reported that there were about 90 mattresses and few beds for the approximately 700 prisoners at the Kumasi central prisons. Overcrowding contributes to a high prevalence of skin and other communicable diseases among prisoners. In April 1999, the prisoners' daily food allowance was raised from approximately \$.28 (1,800 cedis) to about \$.31 (2,000 cedis), bringing the total daily allowance to approximately \$.50 (3,200 cedis), including housing, medical, and clothing costs; however, in practice this was a decline in real terms due to inflation and an unfavorable exchange rate. Families still supplement prisoners' food and bribe prison guards for visitation rights. Prisoners also suffer from lack of medicine unless paid for or provided by the inmates or their families, and many die of preventable diseases such as malaria because of a lack of medication. The report concluded that prison conditions were "a flagrant violation of the individual's fundamental human rights." While the Government concurred with the 1996 findings, it stated that lack of funding prevented further improvements. In April President Rawlings granted amnesty to some 1,000 prisoners based on recommendations of the Prisons Service Council. Many had served a third of their sentences, and none had been convicted for rape, robbery, or narcotics. However, a retired military officer from the PNDC era who had been sentenced to death after being convicted of killing an intruder on his farm also was released after serving 10 years in prison. The President also convened a medical board to consider early release for 156 seriously ill or aged prisoners. Juveniles were separated from the adult prison population more frequently; however, the commissioner of CHRAJ, in his October report, noted with concern the continuing sentencing and imprisonment of juveniles with adults. The Ghana Prisons Service Council has formed an assessment team to inspect facilities. In April the Minister of Interior stated that the prisons service would recruit 288 persons to increase staff at the prisons, and that work would begin during the year to upgrade prison and staff

accommodations and construct 3 new prisons; however, no steps had been taken to implement these measures by year's end.

The Prison Service Council, established in 1998, visited Central and Volta Region prison facilities in early 1999. Following these inspections, the Council suggested that prison authorities adopt a more humane approach to dealing with prisoners. The Council identified the number of remand prisoners due to the courts' inability to hear cases promptly as the greatest problem facing the prison system. Some suspects allegedly plead guilty in order to be sent to prison and leave the unsanitary conditions in the police remand cells. The Council also criticized health hazards (including poor sanitation) and the state of prison structures. In a December 1999 speech at a prison officers' graduation ceremony, President Rawlings stated that the Government was considering the introduction of parole, suspended sentences, and community service as a way to alleviate the overcrowding in prisons; however, no steps were taken to implement these measures by year's end.

While the CHRAJ has access to the prisons, the Government resisted granting access to the press. Nongovernmental Organizations (NGOs), are not given access to prisons on a routine basis.

d. Arbitrary Arrest, Detention, or Exile

Arbitrary arrest and detention are problems. The Constitution provides for protection against arbitrary arrest, detention, or exile and states that an individual detained shall be informed immediately, in a language that the detained person understands, of the reasons for the detention, and of the right to a lawyer and to an interpreter, at state expense. It also requires judicial warrants for arrest and provides for arraignment within 48 hours. However, in practice many abuses occur, including detention without charge for longer than 48 hours and failure to obtain a warrant for arrest. Authorities do not routinely notify prisoners' families of their incarceration; such information is often obtained only by chance. Human rights activists criticized the common practice of arresting persons on Friday and keeping them in detention over the weekend until court was in session on Monday, which they described as a deliberate circumvention of the 48-hour detention rule.

The court has unlimited discretion to set bail, which can be prohibitively high. The court may refuse to release prisoners on bail and instead remand them without charge for an indefinite period, subject to weekly review by judicial authorities. The Constitution allows judicial authorities to hold citizens for up to 48 hours without filing charges against them. However, in practice it is common to remand a prisoner to investigative custody. The Constitution requires that a detainee who has not been tried within a "reasonable" time be released either unconditionally or subject to conditions necessary to ensure that he appears at a later date for court proceedings. In June 1999, the CHRAJ reported that there were a number of remand prisoners held for periods ranging from 1 week to 8 years. As of early July, about 20 percent, or approximately 2,000 of the 9,783 inmates nationwide, were remand prisoners. In October the acting Ashanti Regional Director of CHRAJ stated that over one third of the inmates of Kumasi Central Prison are remand prisoners. One-third remain in prison even after the warrants committing them to prison had expired. He criticized the judicial system for imposing prison sentences instead of levying fines, which could prevent further overcrowding of the prisons.

Despite the provisions of the law, abuses occur. At times persons are detained for trivial offenses or on unsubstantiated accusations.

On January 13, the editor of an independent newspaper, who is also the president of the West African Journalists' Association, was detained by military police acting on orders and taken to military headquarters overnight for questioning (see Section 2.a.).

On January 15, members of the presidential guard abducted, detained at the Castle, and allegedly beat a young man whose 2-year relationship with the president's oldest daughter had ended (see Section 1.c.).

In January police detained 70 persons during an investigation into violence related to a chieftancy dispute in Asankranguaa (see Section 1.c.).

In June three European politicians were detained by Bureau of National Investigations (BNI) officers, prevented from leaving the country, and held overnight at police headquarters on allegations of illegal transfer of funds and breach of security. The politicians were visiting the country on business and to consult with opposition party leaders, who alleged that the politicians' detention arose from their association with the opposition.

In August members of the 64th Infantry Regiment allegedly abducted and illegally detained a man on two separate occasions. After his former wife allegedly hired the soldiers to collect a debt, he was detained for more than 2 weeks. He claims that the soldiers confiscated his car and approximately \$2,400 (16,857,600 cedis). The military claims that the man was arrested and detained on charges of fraud, but not abused. The case is under investigation (see Section 1.c.).

In September military police, acting on the orders of the Deputy Minister of Defense, briefly detained the news editor of a newspaper in Accra (see Section 2.a.).

In November the BNI detained a television presenter and the editor-in-chief of a private newspaper (see Section 2.a.).

The Government has not implemented any meaningful policy to reduce the number of pretrial detainees, although the independent press has called for reduction of harsh bail conditions for suspects who do not pose a threat to society. The Attorney General drafted a bill that would provide alternative dispute resolution methods

to clear the court backlog, including a time limit on pending cases and is scheduled to forward it to the Cabinet in 2001. Many credible sources report that private citizens pay the police to arrest business associates in deals gone awry. The 1996 CHRAJ report on prison conditions recommended improvement in the administration of criminal justice, which currently denies many citizens their constitutional rights to be charged within 48 hours, to have bail posted within the same period, and to a speedy trial. Similarly, in March 1999, the CHRAJ discovered that 10 Nigerians, 2 Lebanese, and 4 Ghanaians were detained at the Osu police station for periods ranging from 1 to 5 weeks. The suspects had been convicted of various offenses and were awaiting deportation. A farmer in the Volta Region has been in remand for 9 years. He is suspected of poisoning and killing another farmer but has yet to be formally charged.

In December 1999, the IGP warned policemen not to refuse to grant bail to suspects in order to settle personal scores and reminded police that the law is there to protect citizens and not to harass them.

In November 1999, after a Muslim-Protestant conflict in the Central Region town of Agona Nyakrom, police arrested over 700 men and brought them to Accra for investigation (see Section 2.c.). Over 650 of them then signed bonds to be on good behavior. Thirty others, including a chief, were detained. The case still was pending at year's end.

In July 14 suspects in the November 1998 murder of two policemen in Ablekuma were released for lack of evidence after having been held in custody without charge or bail since December 1998 (see Section 1.c.). Nine other suspects were charged formally following the Attorney General's completion of a bill of indictment. Their trial had not begun by year's end.

Lawyers for a former army sergeant accused of involvement in an alleged 1994 plot to overthrow the Government continued their appeal of an Accra High Court decision to retry the sergeant for treason. His original trial ended in 1996, but judgment was postponed because of the illness and subsequent death of one of the trial judges. The defendant has been in custody since 1994. Government efforts to persuade the court to impanel a new judge were unsuccessful by year's end (see Section 1.e.).

Rural women can be punished with banishment by traditional village authorities for being pregnant out-of-wedlock or suspected witchcraft. The press reported that hundreds of women accused of witchcraft were sent to penal villages in the Northern Region by traditional authorities such as a shaman (see Section 5). The CHRAJ estimates that over 5,000 women are residents in witches' camps in the Northern Regions. Although the women face no formal legal sanction if they leave, most fear that they would be beaten to death if caught outside the penal villages (see Section 5).

In 1999 the Presbyterian Church sponsored a "go home" project to reintegrate into society women accused of witchcraft and forced to live at the Gambaga "witches" village. A total of 55 of 200 such women have reunited with their families. The project also provided for loans to enable the liberated women to become more financially independent and to contribute to the well being of their families.

The Government does not practice forced exile and encourages citizens, including dissidents living abroad, to return. Some former government and PNDC officials have returned and resumed careers and political activities.

e. Denial of Fair Public Trial

The Constitution provides for an independent judiciary; however, in practice the judiciary appears to be subject on occasion to executive influence. The Constitution allows the Government to nominate any number beyond a minimum of nine members to the Supreme Court; confirmation is the responsibility of Parliament. The Chief Justice is empowered to impanel the justices of his choice to hear cases. These provisions, along with a debilitating lack of resources, have called into question the court's role as a balance to the power of the executive branch and contributed to the perception that the judiciary is occasionally subject to executive influence.

This perception was furthered by the judiciary's crackdown on members of the privately owned press in 1998, when three journalists were jailed in separate instances for up to a month following contempt-of-court cases, and two other journalists had their passports seized under court order pending their criminal libel lawsuits. All the affected journalists were known to be avowed opponents of the Government and aggressive in their highly personal criticism of the President and his family. The journalists in the criminal libel cases still were awaiting sentencing at year's end. The journalists in the contempt of court cases served 1 month imprisonment in 1998 and were each fined approximately \$4,350 (10 million cedis) (see Section 2.a.).

In January the editor of an independent newspaper that published an article critical of President Rawlings was sentenced to one day in jail and a fine for an unrelated article (see Section 2.a.).

The trial of five defendants for allegedly plotting to overthrow the Government in 1994 concluded in 1999. A special court sentenced four of the defendants to death after finding them guilty and acquitted the fifth defendant for lack of evidence. Attorneys for the four condemned defendants appealed the judgment. Four of the defendants and a former officer who allegedly was part of the plot remained in prison; and the Government did not impanel a tribunal to try the officer by year's end. The officer's attorneys plan to contest the case on the grounds that he was abducted illegally from Sierra Leone to stand trial.

On August 16, the parents of a man abducted by presidential guards who protested his abduction outside the Castle gates were convicted of offensive conduct and assault on a public officer. They were granted bail but

held in remand between the verdict and their August 30 sentencing. The parents were required to provide a bond of good behavior for 12 months or, if they defaulted, would serve a 6 month sentence (see Section 1.c.).

The integrity of the legal system is compromised by a severe lack of financial, human, and material resources. There were no official charges of corruption on the part of judges; however, in September 1999, a privately owned paper published an alleged report by the Serious Fraud Office that found evidence of malpractice in the awarding of contracts by the judicial service. The Government had not responded to the report by year's end. In August 1998, the BNI reportedly questioned a judge, the chairman of an Accra regional tribunal, about allegations that he and his staff accepted a \$9,000 bribe to grant bail for a Nigerian woman arrested for drug smuggling. He has not been charged because the BNI has failed to find proof of the transaction; however, in August four judicial service employees were dismissed for complicity in the case. A 1997 survey revealed that 66 percent of citizens believe that money influences the judicial system.

The Constitution establishes two basic levels of courts: superior and lower. The superior courts include the Supreme Court, the Appeals Court, the High Court, and regional tribunals. Parliament may establish lower courts or tribunals by decree. The CHRAJ provides a forum to which citizens with grievances against government agencies or private companies can bring cases for mediation and settlement (see Section 4).

There are frequent reports that a large number of prisoners are held in detention for extended periods, sometimes years, without going to trial (see Section 1.d.). For example, a man was arrested in December 1995 on charges of robbing a taxi driver of \$30 (60,000 cedis) and the contents of the driver's wallet. The accused appeared at the Accra High Court 17 times, only to have the case adjourned each time without proceeding to trial. In November 1999, an appeal for bail was filed on the defendant's behalf on the grounds of unreasonable delay in going to trial. In June after 4 1/2 years in custody, the High Court judge granted bail to the defendant on the basis that he could not guarantee when the case would finally come to trial given the number of cases pending before the court. The Attorney General has drafted a bill that would provide alternative dispute resolution methods to reduce the court backlog, including a time limit on pending cases.

The CHRAJ's charter provides for it to investigate alleged violations of human rights and take action to remedy proven violations. It continues to hold workshops to educate the public, traditional leaders, the police, and the military on human rights issues. It mediates and settles cases brought to it by individuals with grievances against government agencies or private companies.

The Chieftaincy Act of 1971 gives village and other traditional chiefs power to mediate local matters and enforce customary tribal laws dealing with such matters as divorce, child custody, and property disputes. However, a number of laws passed during the PNDC era (1981-92), as well as the 1992 Constitution, have eroded steadily the authority of traditional rulers and vested it in civil institutions, such as courts and district assemblies.

Legal safeguards are based on British legal procedures. Defendants are presumed innocent, trials are public, and defendants have a right to be present, to be represented by an attorney (at public expense if necessary), and to cross-examine witnesses. In practice the authorities generally respect these safeguards.

There were no reports of political prisoners.

f. Arbitrary Interference With Privacy, Family, Home, or Correspondence

The Constitution provides that a person shall be free from interference within the privacy of his home, property, correspondence, or communication; however, this provision has yet to be tested in court, and in practice the Government infringed on these rights at times. In April 1999, a combined municipal and military team without due process demolished a private hotel in Accra, which they claimed was blocking a drainage route. The owner of the hotel allegedly had fallen out with the ruling party prior to the demolition. Although the law requires judicial search warrants, police do not always obtain them in practice. On January 5, police forcibly entered the house of a freelance journalist and ransacked it (see Section 2.a.). Observers assumed that the Government continued surveillance of citizens engaged in activities that it deemed objectionable, including monitoring of telephones and mail. Several opposition political activists reported being followed. Opposition parties, and some persons in private business, continued to allege that many government contracts are awarded on the basis of ruling party membership. There were credible reports that ruling party supporters who associated with opposition leaders also were subject to surveillance.

Section 2 Respect for Civil Liberties, Including:

a. Freedom of Speech and Press

The Constitution provides for freedom of speech and of the press, and in practice these provisions generally were respected; however, the Government continued to pressure the media. Opposition political parties and others frequently criticize the Government, and the Government has allowed more control of print and electronic media to be transferred to the private sector. In February the Supreme Court ruled in a 4-year-old case that the President cannot appoint chief executives to the state-owned media. Nonetheless, the Government continued to pressure some journalists and media organizations, sometimes directly (e.g., through telephone calls), and by filing libel suits when it found coverage to be offensive. Consequently, some journalists exercised self-censorship. The criminal libel laws provide for 10 years' maximum imprisonment for reporting intended to injure the reputation of the State. At year's end, there were still over 100 libel suits before the courts, some of which had been in progress for over 2 years. Two of the pending suits were criminal libel suits filed by the Government, and the rest were filed by government officials in their personal capacities or by private

individuals. In March a civil libel case brought by the First Lady in 1999 was resolved successfully out of court by the National Media Commission (NMC), and the NMC settled out of court two pending libel cases brought by private citizens during the year. In November 1999, the editor of the Free Press was sentenced to 90 days in prison and a fine of approximately \$460 (1.5 million cedis) in a criminal libel case involving allegations about the First Lady.

There are more than a dozen newspapers including three government-owned dailies, two government-owned weeklies, and several privately owned newspapers published weekly, biweekly, or triweekly. One of the government-owned dailies has national circulation. However, most newspapers circulate only in regional capitals, and many of the smaller private newspapers are available only in the capital. Some independent newspapers claimed that they were unable to obtain advertising revenues due to government pressure on businesses.

The government-owned media occasionally reported charges of corruption or mismanagement in government ministries and government-owned enterprises, but they rarely criticized the Government's policies or President Rawlings' activities. In the past, the Government occasionally disciplined or dismissed journalists working in government-subsidized media for articles deemed unacceptable. The Government ended subsidies to the state-owned publishing companies, and the newspapers are published by profit-making printing companies, but these have not been privatized.

Some privately owned newspapers were harshly critical of the Government's policies and of President Rawlings, his wife, and his regime generally, and some reporters and editors were alleged, at times, to have failed to abide by professional ethical guidelines. Parties affected by such lapses—most often Government officials—showed a tendency to go to court. The Government, government officials, and private individuals filed numerous civil libel suits (over 100 before the courts), and one criminal libel suit remained in progress at year's end. The Government continued to prosecute two independent journalists charged in 1996 under a rarely used sedition law for allegedly libeling President Rawlings and his wife, and, through them, the State. The trials, repeatedly postponed, were seen by many observers as a sign of press harassment. For example, in July 1998, after being found in contempt of court, two newspaper editors were sentenced to 1 month's imprisonment and each publisher was fined approximately \$4,350 (10 million cedis) (see Section 1.e.). According to the Minister of Communications, the criminal libel law and other such laws simply check the excesses of journalists. The NMC is researching comparative freedom of information (FOI) legislation with the intent to propose draft FOI legislation for the Government's consideration. This draft legislation had not been presented to the Government by year's end.

On January 5, police forcibly entered the house of a freelance journalist to arrest him for involvement with an allegedly seditious article about President Rawlings. The police ransacked his house and removed some documents. On January 31, the editor of the independent newspaper that printed the article was sentenced to one day in jail and a \$200 (1 million cedis) fine for publishing an unrelated story about a commercial case pending before the courts. The judge stated that the article "made comments and formed opinion" on the case, which could prejudice the decision in court (see Section 1.e.).

On January 13, the editor of an independent newspaper and president of the West African Journalists' Association was detained by military police acting on orders and taken to military headquarters overnight for questioning. The editor had printed a story regarding the refusal by soldiers to take part in a December 1999 route march; the military claimed that the article was "calculated to create disaffection and acrimony" among soldiers in the wake of the coup in Cote D'Ivoire. After public criticism by journalists and private citizens, the editor was released the next morning. Opposition parties, trade unions, journalists' associations, and foreign diplomats criticized the detention. The ruling party and the military justified the detention on the grounds that the journalist had endangered the country's peace and stability and stated that the military therefore had the right to intervene.

On September 19, military police acting under orders from the Deputy Minister of Defense detained the news editor of an Accra newspaper. Earlier that day the editor had attempted to contact the Deputy Minister after receiving an allegation that he had threatened a guard at a local security company. The editor was released later that day.

On November 7, BNI officials arrested and detained for questioning 2 journalists. One of the journalists, a presenter for a government-owned television station, was arrested on the charge of insulting behavior after he criticized, during a public broadcast, the President's behavior at a political rally. He was released that evening on bail of \$7,350 (50 million cedis). Charges were never pressed. The second journalist, the editor-in-chief of a private newspaper, was held for nearly 12 hours for questioning on a charge of "dishonestly receiving" information. He allegedly had received computer diskettes, apparently stolen from NDC headquarters, which contained information on alleged plans for election fraud on the part of the NDC. The editor was released on bail \$735 (5 million cedis). On December 21, he was charged with the equivalent of possession of stolen goods and ordered to report to BNI three times a week until the case is concluded. The Ghana Journalists Association and the Private Newspaper Publishers Association condemned the arrests and criticized the BNI's role in the incident, which they stated circumvented due process. On November 10, 2 computer technicians were arrested, charged with giving the journalist the diskettes, and remanded into BNI custody. On the same day, the Minister of Communications accused the journalists of misleading the public and defended the role of the BNI by noting that it may legitimately assist police in investigations as necessary.

On December 11, men wearing security uniforms assaulted journalists from a private television station who were covering a press conference at NDC headquarters in Accra. The journalists allege that the officers who assaulted them were not members of the security service, but rather "machomen" disguised in uniform. The Ghana Journalists' Association, the National Union of Ghana Students, and the New Patriotic Party condemned the assault. Police investigations were ongoing at year's end.

According to the National Communications Authority, Accra has 1 government-owned and 12 private FM radio stations, and there are about 40 private FM stations across the country. Most stations are independent and air a wide range of viewpoints. There are several private metropolitan television stations that broadcast in Accra and in Kumasi. One semi-private Accra station began broadcasting in Kumasi in November. There is one government-owned television station that broadcasts nationwide. There are also three private cable networks that serve Accra, Kumasi, and Takoradi.

The Government has yet to initiate a formal investigation into the substance of a tape publicized in October 1999 that appeared to implicate President Rawlings in several infamous extralegal actions of the predemocratic era. Neither did the Government pursue prosecution of the journalists and publisher involved in the broadcasting of the tapes.

The Government readily granted accreditation to foreign journalists. The British Broadcasting Corporation (BBC) and Radio France International have full-time FM rebroadcasting stations in Accra, and several foreign radio broadcasts, including Voice of America (VOA), have part-time affiliations with local stations in several cities. Foreign periodicals were sold in Accra and other major cities and circulated freely even when they contained articles critical of the Government. Most citizens obtain their news from the electronic media, the VOA, and the BBC radio service. Several companies have cable or satellite rebroadcasting stations that serve the country's three major cities.

In the period prior to the December presidential and parliamentary elections, the government-owned television and radio stations allotted the equal broadcasting time to each of the parties fielding presidential candidates, although news coverage of government activities such as the commissioning of projects favored the ruling party. During the December presidential and parliamentary elections, FM radio stations acted as watchdogs, and called attention to irregularities in the voting process.

There are currently three Internet Service providers (ISP's) in the country. In July the National Communications Authority closed three other ISP's on the grounds that they were providing Internet telephone services, which violated a 5-year exclusivity agreement that the Government had given to two telephone companies. The companies replied that they were unable to monitor telephone use of their ISP and should not be held responsible for such use. The Government maintained that such use could be monitored. One company had its equipment confiscated without due process, and the owner was held in jail overnight but not charged (see Section 1.d.). That company stated that it would bring the matter to court; however, in November the Government restored the company's equipment, and it resumed operations.

There was no restriction of academic freedom. Academics are allowed to publish and pursue research. The National Union of Ghanaian Students, one of the more vocal critics of the Government, is allowed to organize and hold meetings. However, in late 1997, following a serious student brawl, the public university in Accra imposed a ban on campus demonstrations, which remained in effect at year's end. In January and June, police dispersed student demonstrations in Kumasi and caused some minor injuries (see Sections 1.c. and 2.b.). In August 1999 students demonstrated against increased university fees, and police forcibly broke up the demonstration (see Sections 1.c. and 2.b.).

b. Freedom of Peaceful Assembly and Association

The Constitution provides for freedom of peaceful assembly, and the Government generally respects this right in practice; however, at times it restricted this right. The Government does not require permits for demonstrations. Parliament passed a public order law in late 1994 requiring that all organizers of "special events" or "processions" inform the police of their intentions at least 5 days in advance so that the police can institute precautionary measures. The law also provides for curfews and arrest without warrants in specified instances. In November 1999, a presidential aide called street demonstrations by registered political parties "a provocative attempt to destroy the democratic order" and "a declaration of war on the national democratic order and an act totally against the national interest." Other government and ruling party officials echoed this view, as did other organized bodies who were widely believed to have done so at the Government's behest.

On May 2, Accra textile traders were told that they could not hold a demonstration to protest a textile price hike because they lacked a police permit, although there is no legal requirement for a permit (see Section 6.a.).

On July 25, thousands of trade union members demonstrated nationwide to demand an increase in the minimum wage. Police allowed the demonstrations to take place; however, they used water cannons on the Accra demonstrators to prevent them from blocking traffic at a major traffic circle. No injuries were reported in Accra or elsewhere (see Section 6.a.).

In July the radio personality who was pressured not to hold a "million man march" in October 1999 held a poorly attended march on the same theme without any government interference.

In December police used rubber bullets and tear gas to disperse a crowd gathered at the Supreme Court to hear a ruling on the use of thumbprint voter identification cards in the presidential and parliamentary elections scheduled for December 7. One man was injured by a rubber bullet (see Section 1.c.).

The 1997 ban on campus demonstrations remained in effect, but generally was not enforced, at the public university in Accra; however, in January and again in June, police dispersed student demonstrations in Kumasi and caused some minor injuries (see Sections 1.c. and 2.a.). The students were demonstrating to demand disbursement of their student loans. Police reportedly beat the students who allegedly were throwing stones at

the police, and some students were injured from police use of water cannons. In the June demonstration, 35 students were detained, but the police dropped the charges after the students apologized for their actions.

Political parties generally held rallies and national congresses without hindrance during the year; however, in February the police prevented the National Reform Party (NRP) from holding a rally in the Labadi district of Accra, although the NRP had given the police the required advance notice of the event. Allegedly the police stopped the rally to prevent potential conflict because the NDC had planned a rally for the same day. The NRP held its rally at a later date.

The Constitution provides for freedom of association, and the Government generally respects this right in practice. NGO's are required to register with the Registrar General's office and the Department of Social Welfare, but this registration is routine.

The Electoral Commission (EC) must accredit political parties. The parties must show evidence of a "national character," such as official representation in all 10 of the country's regions. The EC evaluates whether the party has shown evidence of a viable national support base before granting accreditation and can annul the registration of a party that fails to meet the criteria for being a viable party. In July 1999, the EC certified a breakaway faction of the ruling party as a political party in its own right.

c. Freedom of Religion

The Constitution provides for freedom of religion, and the Government generally respects this right in practice; however, on at least one occasion local government officials restricted this right. The Government does not always prosecute those responsible for religiously motivated attacks. For example, none of those who attacked churches during the 1999 annual ban on drumming (see Section 5) were arrested or charged with an offense. Police authorities said that pursuing the cases only would exacerbate tensions. No suspects were charged in the attacks on a Christian charismatic church in December 1996 and March 1998.

Religious institutions that wish formal recognition are required to register with the Registrar General's Department. This is a formality only. Most traditional religions, with the exception of the Afrikania Mission, do not register. Formally recognized religions receive some tax relief. However, beyond a certain point the institutions are required to pay tax.

There is no state-favored religion and no apparent advantage or disadvantage attached to membership in any particular sect or religion. Foreign missionary groups generally have operated throughout the country with a minimum of formal restrictions.

The Government requires that all students in public schools up to the equivalent of senior secondary school level attend a daily "assembly" or devotional service; however, in practice this regulation is not always enforced. This is a Christian service and includes the recital of The Lord's Prayer, a Bible reading, and a blessing. Students at the senior secondary school level are required to attend a similar assembly three times per week. Students attending boarding school are required to attend a nondenominational service on Sundays.

On February 20, the Ho (Volta Region) District Chief Executive (DCE) led a joint operation with police and health personnel to immunize the children at an Apostolic Faith of Kpalexose ("Well-rooted Faith" in the Ewe language) church against poliomyelitis. Church members consistently have refused immunizations on the grounds that their faith forbids the use of orthodox medicine. Police surrounded the church during worship services, and health personnel administered the vaccine. It was reported that 155 children up to age 5 received the vaccine. Community response supported the overriding of individual religious convictions as being in the greater national interest of eradicating polio. However, a prominent human rights NGO criticized the forced immunizations because it was not applied consistently. Other guardians who had refused to immunize their children were not compelled to do so, and only approximately half of the children countrywide were immunized. The NGO argued that the Government should enact legislation compelling all children to be immunized before it could legitimately force guardians to immunize their own children. On October 15, members of the Baptist church in the James Town area of Accra tried to prevent health workers from immunizing children against polio because they claimed that their faith forbade members' accepting medical treatment. Although the church members later apologized, the children were not immunized.

The Catholic Church in the Archdiocese of Accra officially suspended a priest in April for conducting unorthodox "healing" services. When he was conducting one of these services, the gates to the Cathedral were locked, and police personnel prevented worshippers from entering the church premises.

Although the Constitution prohibits slavery, religious servitude--Trokosi--exists on a limited scale. In June 1998, Parliament passed and the President signed legislation to ban the practice of Trokosi in comprehensive legislation to protect women and children's rights. Human rights activists believe that the goal of eradicating the Trokosi practice is attainable with the new law; however, the practice persists (see Section 5).

The Government took some steps to promote interfaith understanding. At government meetings or receptions usually there are multid denominational invocations. The Greater Accra Regional Coordinating Council conducted a workshop on managing religious conflicts in April, several weeks before the annual ban on drumming in the ethnic Ga traditional area (May 8 to June 8), which resulted in a workable compromise between religious and traditional leaders. This compromise helped avoid a repeat of the violence between traditionalists and Christians that occurred in 1999. However, on August 20, after the ban had been lifted, youth in Teshie besieged the Open Heaven Mission International Church, seizing drums and injuring six worshippers (see Section 5).

d. Freedom of Movement Within the Country, Foreign Travel, Emigration, and Repatriation

The Constitution provides for these rights as an aspect of the provision for personal liberty, and the Government generally respects these provisions in practice.

Citizens and foreigners are free to move throughout the country. Police checkpoints exist nationwide to prevent smuggling, but most are unmanned during daylight hours. There were numerous reports that police used checkpoints to solicit bribes. Citizen complaints about police harassment caused the Government to reduce the number of checkpoints from 125 to 38 in 1997 and to 31 by the end of 1998. Police roadblocks and car searches are a normal part of nighttime travel in larger cities. In February and August 1999, taxi drivers struck in Koforidua to protest extortion by motor transport and traffic unit police, and in June in Accra, police established additional roadblocks in an effort to combat a series of local murders of women (see Sections 1.a. and 5). The police administration has admitted that the force has a problem with some members occasionally erecting illegal barriers to solicit bribes from motorists. In November and December, soldiers mounted checkpoints around the Brong Ahafo regional capital of Sunyani and outside the Ashanti regional capital of Kumasi prior to national elections. Both towns were opposition strongholds. The Government stated that it was responding to reports of arms movements before the elections; however, many observers viewed these checkpoints as an attempt to intimidate voters or to discourage them from travelling to vote where they were registered. Citizens generally are free to travel internationally and to emigrate or to be repatriated from other countries.

The law includes provisions for the granting of refugee and asylee status in accordance with the 1951 U.N. Convention Relating to the Status of Refugees and its 1967 Protocol. The Government cooperates with the United Nations High Commissioner for Refugees (UNHCR) and other humanitarian organizations in assisting refugees. The country has a liberal policy of accepting refugees from other West African nations. The Government provides first asylum. The country continued to provide first asylum to approximately 9,454 Liberians, 1,058 Togolese and 2,103 Sierra Leoneans. It also provided first asylum to citizens of: Rwanda (30); Sudan (21); Ethiopia (6); Libya (6); Burundi (7); Congo Brazzaville (5); Cameroon (6); Burkina Faso (1); Somalia (1); Uganda (1); Nigeria (6); Bosnia (1); Angola (1); Chad (1); and the Democratic Republic of the Congo (12).

Section 3 Respect for Political Rights: The Right of Citizens to Change Their Government

The Constitution provides citizens with the right to change their government, and citizens exercised this right through a democratic process in presidential and parliamentary elections held in December, which despite a few incidents of intimidation and election fraud, domestic and international observers judged to be generally free and fair. The country continued its transition from a one-party state to a more established multiparty constitutional system. The political system includes recognized opposition parties, which express their views freely within Parliament and won a majority of the parliamentary seats in the December election.

In November and December soldiers mounted roadblocks outside opposition strongholds, in what many observers interpreted as attempts to intimidate voters (see Section 2.d.).

In the first round of the presidential elections, John Agyekum Kufuor of the NPP garnered 48.2 percent of the votes, followed by Vice President John Evans Atta Mills with 44.5 percent. On December 28, a presidential runoff was held in accordance with the constitutional requirement that the president be elected with at least 50 percent plus one of the votes. In the runoff Kufuor beat Mills with 56.7 percent of the vote. The new administration is scheduled to take office on January 7, 2001. The NPP won 100 seats and gained control of the 200-member Parliament, while the NDC took 92 seats. Other parties and independents won the remaining eight seats.

During the year, opposition members expressed frustration about impediments that the executive branch imposed by its refusal to support opposition amendments to proposed legislation. Parliament still is working to develop effective oversight of the workings of the executive branch. Although all M.P.'s can introduce bills, no one has ever done so; however, some have introduced motions.

In 1998 citizens elected representatives to the district assemblies and, for the first time, unit committees, which form the basis of the local government structure. Of the 16,000 units, elections still must be held in the 3,724 units that failed to produce a quorum of candidates in 1998. These elections were held on a nonpartisan basis, as called for in the 1992 Constitution. However, opposition groups contend that the local government system is stacked in favor of the ruling party, which appoints approximately one-third of the district assembly and unit committee members, as well as the DCE's. DCE's must be confirmed by two-thirds of the district assembly members. In May 1999, police and military forces were highly visible in Kintampo in the Brong Ahafo Region the day the district assembly was to vote on a controversial nominee for the DCE. The presence of security forces may have influenced some district assembly members to vote in favor of the ruling party's nominee, despite an earlier petition by the chiefs and residents of Kintampo against the nomination.

There are no legal obstacles to the participation of women in government; however, they are underrepresented in government and politics. There were 19 female parliamentarians with 17 female M.P.'s elected to the new Parliament. Several ministers and Council of State members are women. In August a group of female parliamentarians and women's rights activists petitioned the Electoral Commission (EC) to waive registration fees for female candidates to encourage more women to run for office. The EC refused on the grounds that this would make competition for parliamentary seats unfair.

Section 4 Governmental Attitude Regarding International and Nongovernmental Investigation of Alleged Violations of Human Rights

NGO's interested in human rights continued to grow in number and effectiveness, and there were 20 NGO's in the field at the end of the year. These NGO's operated without government interference (see Section 2.b.). The Government appears to cooperate with and to be responsive to human rights NGO's, with the exception of granting ready access to prisons (see Section 1.c.). Prominent NGO's include the Red Cross, Amnesty International (AI), the International Federation of Woman Lawyers (FIDA), Women in Law and Development in Africa, and GhanaAlert. The Government cooperates with international humanitarian organizations, including the International Committee of the Red Cross (ICRC).

The CHRAJ, established by Parliament in 1993, is charged with investigating alleged violations of human rights and taking action to remedy proven violations. The CHRAJ continues to hold workshops to educate the public, traditional leaders, the police, and the military on human rights issues. It mediates and settles cases brought to it by individuals with grievances against government agencies or private companies. Parliament established the CHRAJ in 1993. By 1998 the CHRAJ had received a total of 23,744 petitions in its offices around the country and completed action on over 16,638 cases, (70.1 percent). Forty percent of the cases were resolved through mediation. On average the CHRAJ receives between 4,000 and 5,000 new petitions per year, with steady increases each year. The majority of the complaints lodged with the Commission were from those who believed that they suffered injustice as a result of public or private employers' abuse of power, unfairness, and high handedness.

In October 1996, the CHRAJ concluded a lengthy corruption probe of senior government officials. This probe launched an aggressive government rebuttal, which resulted in a 1998 Supreme Court decision that the CHRAJ could investigate matters predating the effective date of the 1992 Constitution. However, the Supreme Court ruled that the Commission did not have jurisdiction to investigate property confiscated by the special courts or tribunals during the rule of the Armed Forces Revolutionary Council (AFRC), the military group that staged President Rawlings' first coup, and during the PNDC period.

The CHRAJ continues to investigate corruption allegations filed against public officials. In 1997 it issued a report on its investigations at the "witches camps" on the Northern Region. The Commission also has provided periodic updates to various sections of its report on prison conditions.

The Commission operates with no overt interference from the Government. Its biggest obstacle is a lack of adequate funding. Low salaries and poor working conditions result in the loss of many CHRAJ-trained personnel to other government agencies that are able to pay their employees more. In late 1998, the Commission submitted a petition on this matter to the Government and had not received a response by year's end.

Section 5 Discrimination Based on Race, Sex, Religion, Disability, Language, or Social Status

The Constitution prohibits discrimination on the basis of race, sex, religion, disability, language, or social status. The courts are empowered specifically to order enforcement of these prohibitions, although enforcement by the authorities is generally inadequate, in part due to limited financial resources.

Women

Violence against women, including rape and domestic violence, remains a significant problem. A 1998 study revealed that particularly in low-income, high-density sections of greater Accra, at least 54 percent of women have been assaulted in recent years. A total of 95 percent of the victims of domestic violence are women, according to data gathered by the FIDA. These abuses usually go unreported and seldom come before the courts. The police tend not to intervene in domestic disputes. However, 1998 legislation doubled the mandatory sentence for rape. The media increasingly report cases of assault and rape. In late 1998, the police administration established a "women and juvenile unit" to handle cases involving domestic violence, child abuse, and juvenile offenses. Located in Accra and Kumasi, the unit works closely with the Department of Social Welfare, FIDA, and the Legal Aid Board. During the year, the Accra Branch of this unit recorded over 530 cases, including 181 defilement cases, 35 rapes, 6 cases of incest, 17 indecent assaults, 86 instances of assault and wife battery, 6 abductions, and 200 neglect cases.

In May FIDA held a seminar to coordinate government and NGO support of the country's first domestic violence bill. FIDA presented the draft bill to the Director of Legislative Drafting of the Parliament, who is responsible for converting proposed bills into proper legislative format for eventual consideration by Parliament. The bill was not taken up by Parliament by year's end.

In late 1998, a series of "mysterious" murders of women began to occur in the Mateheko area of Accra. Three of the 20 murders reportedly involved husbands' suspicion of their wives' infidelity. The men subsequently were arrested, but they were not convicted. There have been more than 30 murders in the past 2 years, and they are referred to as "serial murders." Police have had no success in solving any of the murders and have instituted evening roadblocks throughout Accra in an attempt to catch the murderers. In March the Ministry of Interior offered a \$10,000 reward to any member of the public who provided information leading to the arrest of any of the murderers. In July a group of seven organizations, including FIDA, AI, The Ghana Employers Association, and The Association of Business and Professional Women, issued a joint statement reflecting their disappointment at the police's lack of success, and encouraging the Government to seek international help to solve the murders. On December 22, this group, known as Sisters Keepers, marched peacefully to the Castle

and submitted a petition to the President calling for the Minister of Interior and the IGP to resign because of their failure to solve the murders.

On 3 occasions in 1999 and during the year, women in Accra demonstrated in a concerted effort to attract attention to violence against women.

In 1998 Parliament passed legislation that amended the 1960 Criminal Code to provide additional protection for women and children. The legislation added new definitions of sexual offenses and strengthened punishments for others. The provisions of the bill ban the practice of "customary servitude" (known as Trokosi), protect women accused of witchcraft, double the mandatory sentence for rape, raise the age of criminal responsibility from 7 years to 12, criminalize indecent assault and forced marriages, and raise punishments for defilement, incest, and prostitution involving children. There are no laws that specifically protect women from sexual harassment.

In January 1999, the CHRAJ announced its decision in the country's first sexual harassment case, involving a flight attendant for a private airline and her immediate supervisor. The CHRAJ determined that the 22-year-old attendant was terminated for her refusal to submit to her supervisor's sexual advances over a 10-month period. The CHRAJ awarded her compensation for legal costs. However, the company's chief executive did not comply with the terms of the decision, and in December 1999, the CHRAJ went back to court to seek enforcement of the judgment. The case was not settled by year's end, principally because the airline had gone out of business.

Rural women can be punished with banishment by traditional village authorities for pregnancy outside of wedlock or suspected witchcraft. The press reported that hundreds of women accused of witchcraft were sent to penal villages in the Northern Region by traditional authorities, such as a shaman. In 1998 a total of 815 persons (802 women and 13 men, from 35 to 90 years old) were found to be living in witches' villages in four districts in the Northern Region. The CHRAJ estimates that as many as 5,000 women are inhabitants of camps throughout northern Ghana. In some cases, the women were sentenced by village authorities who claimed to have the power to determine who were witches. In other cases, relatives, or the women themselves, came to the village believing that they were witches, and asking to be protected and/or cured of the affliction. Human rights NGO's estimate that the number of occupants of the witches' camp is growing. NGO's also have found that at the Gambaga witches camp, 99 percent of those there are illiterate. Although the women face no formal legal sanction if they leave, most fear that they would be beaten to death or lynched if caught outside the penal villages (see Section 1.a.). Forced labor also occurs at the camps for women accused of witchcraft. Legislation passed in 1998 provides some additional protection to women banned from their communities for alleged witchcraft. The CHRAJ and human rights NGO's have mounted a campaign to end this traditional practice, which violates the victims' constitutional rights, but little concrete action has been taken. The challenge lies not only in persuading custodians of the witches' homes to abolish the practice, but also in educating the community so the women will be allowed to return safely to their homes. In 1998 FIDA had persuaded custodians to abolish the Gambaga witches home in the Northern Region, contingent on the performance of "exorcism" rites and payment of accommodation and discharge fees. However, a few months later, there was an increase in the number of alleged witches banished to the home, largely due to the communities' belief that these women were responsible for an outbreak of cerebrospinal meningitis which claimed many lives in the region.

Women continue to experience societal discrimination. Women in urban centers and those with skills and training encounter little overt bias, but resistance to women entering nontraditional fields persists. Only about one quarter of university students are women, although women's enrollment is increasing. Women, especially in rural areas, remain subject to burdensome labor conditions and traditional male dominance. Traditional practices and social norms often deny women their statutory entitlements to inheritances and property, a legally registered marriage (and with it, certain legal rights), and the maintenance and custody of children.

Women's rights groups are active in educational campaigns and in programs to provide vocational training, legal aid, and other support to women. The Government also is active in educational programs, and President Rawlings and his wife were among the most outspoken advocates of women's rights. In August the Government established a women's desk responsible for addressing the gender imbalance in the civil service.

Children

Within the limits of its resources, the Government is committed to protecting the rights and welfare of children. Education is neither free nor compulsory, and costs associated with schooling, such as uniforms and school supplies, preclude some children from attending school. While the Government states that basic education is free, in practice schools impose fees of up to \$50 (335,000 cedis) per term, and students also must purchase uniforms and books. In addition teachers often withhold material during their regular lessons and ask students to pay additional fees for after-hours 'tutoring' in those subjects as a way to supplement their incomes. Some children are unable to attend school because they must work to supplement their family's income (see Section 6.d.); they must travel long distances to reach the school; or there is a lack of teachers, especially in more rural areas. The Government has taken some concrete steps to support education, including support of "informal" schools (NGO-sponsored schools that are not regulated by the Government and provide nontraditional education), and increased emphasis on making sure students progress from one school grade to another. The dropout rate is decreasing, from 9.1 percent nationwide in 1998 to 8 percent in 1999; however, the school enrollment rate has also dropped slightly from 2.58 million in 1997 to 2.56 million in 1999. Overall enrollment probably is even lower, taking into account the country's almost 2.4 percent annual population growth.

There is little or no discrimination against female children in education, but girls and women frequently drop out of school due to societal or economic pressures. The Government actively campaigns for girls' education and

in 1997 established a girls' education unit within the basic education division of the Ghana Educational Service. Although the percentages of girls enrolled in school increased from 1996, participation is still low. In September 1999, the Government estimated that girls' enrollment in primary school had increased from 75 percent in 1992 to 81 percent in 1997. Enrollment of women at the university level has increased by 5 percent from 1993 to 1998.

A 1997 country report by the Ghana National Commission on Children further substantiated the gap between enrollment of boys and girls, particularly at the high school level. In the 8 districts examined, there were 22,418 boys and 14,318 girls enrolled at the high school level. In the report, officials attribute the lower female enrollment to the fact that many girls marry early or become pregnant. In the 1998-99 academic year, the University of Ghana enrolled 852 women and 2,226 men. In May the First Lady launched an initiative to establish the country's first women's university.

The Ghana National Commission on Children (GNCC) is a policymaking and coordinating body established to improve the lives of children. The GNCC has provided the Women and Juvenile Unit of the police force with office equipment. The GNCC also has administered training programs for law enforcement and judicial officials around the country to familiarize them with the Children's Act and other pertinent child labor legislation.

The governments of Ghana and Canada hosted a conference on children affected by war in West Africa on April 27-28. The resulting plan of action focused on ways that Economic Community of West African States could integrate child protection into ECOWAS peacemaking and peacekeeping initiatives.

There are several traditional discriminatory practices that are injurious to the health and development of young females. In particular, female genital mutilation (FGM), which is widely condemned by international health experts as damaging to both physical and psychological health, is a serious problem. A 1998 study estimated that 9 to 12 percent of women have been mutilated, but some estimates are as high as 30 percent. A Ministry of Health survey conducted between 1995 and 1998 found that FGM is practiced among nearly all the northern sector ethnic groups, up to 86 percent in rural parts of the Upper West and Upper East Regions. A 1998 study reported that 51 percent of all women who had undergone FGM were excised before age 1, and 85 percent of total excisions were performed on girls under the age of 15. A 1999 survey indicated that more than 50 percent of the women who were mutilated indicated that they disapproved of the practice. Officials at all levels have spoken out against the practice, and local NGO's are making some inroads through their educational campaigns to encourage abandonment of FGM and to retrain practitioners. There were no reports of arrests in the year. There have been seven arrests for the practice of FGM since the 1994 law made FGM a crime. Of those arrested, two offenders have been prosecuted and convicted. In some cases in which FGM is performed, the victims actively seek out practitioners, sometimes without their parents' knowledge, in a quest to become ready for marriage.

Members of the legal community advocate legislation to close loopholes in the FGM law, including extending culpability to family members and others who aid in carrying out FGM and to citizens who commit the crime outside the country's borders. Any person who conceals information about an instance of FGM would be liable. In addition, FGM would be banned no matter how medically safe the procedure is made—dispelling a belief by some that FGM is acceptable as long as the girls' health is protected. Traditional chiefs became more outspoken in their opposition to the practice of FGM.

Although the Constitution prohibits slavery, it exists on a limited scale. Trokosi, a traditional practice found among the Ewe ethnic group and in part of the Volta Region, is an especially severe human rights abuse and an extremely serious violation of children's and women's rights. It is a system in which a young girl, sometimes under the age of 10, is made a slave to a fetish shrine for offenses allegedly committed by a member of the girl's family. In rare instances, boys are offered. The belief is that, if someone in that family has committed a crime, such as stealing, members of the family may begin to die in large numbers unless a young girl is given to the local fetish shrine to atone for the offense. The girl becomes the property of the fetish priest, must work on the priest's farm, and perform other labors for him. Because they are the sexual property of the priests, most Trokosi slaves have children by the priests. Although the girls' families must provide for their needs such as food, most are unable to do so. There are at least 2,200 girls and women bound to various shrines in the Trokosi system, a figure that does not include the slaves' children. Even when freed by her fetish priest from the more onerous aspects of her bondage, whether voluntarily or as a result of intervention by activists, a Trokosi woman generally has few marketable skills and little hope of marriage and typically remains bound to the shrine for life by psychological and social pressure arising from a traditional belief that misfortune may befall a Trokosi woman's family or village if she abandons her obligations to the shrine. When a fetish slave dies, her family is expected to replace her with another young girl, thus perpetuating the bondage to the fetish shrine from generation to generation.

In 1998 Parliament passed legislation that banned the practice of Trokosi in comprehensive legislation to protect women and children's rights. Human rights activists believe that the goal of eradicating the Trokosi practice is achievable with the new law. NGO's, such as International Needs, and government agencies, like the CHRAJ, have been campaigning against Trokosi for several years and are familiar with the locations of the fetish shrines and the numbers of women and children enslaved. Activists know the community leaders and fetish priests and, thus, know with whom to negotiate. The CHRAJ and International Needs have had some success in approaching village authorities and fetish priests at over 316 of the major and minor shrines, winning the release of 2,800 Trokosi slaves to date and retraining them for new professions. The organizations continue to work for additional releases. The Government has not prosecuted any practitioners of Trokosi, and in August 1999, a presidential aide criticized anti-Trokosi activists for being insensitive to indigenous cultural and "religious" beliefs and practices. A local group, calling itself the "Trokovu Institutional Council" (Trokovu is alternate spelling for Trokosi), declared that Trokosi, as defined by CHRAJ and other human rights groups to be a form of ritual servitude, does not exist in the country. The group claimed that the practice of 'Trokovu' does exist but neither enslaves nor

exploits anyone. The Council also listed 23 'genuine Troxovi shrines' in Ghana, describing them as educational institutions and as part of the "Afrikania religion." These claims were widely refuted by chiefs, the press, and NGO's.

There were reports that trafficking in children occurred, including children being sold into slavery either for forced labor or sexual exploitation (see Sections 6.c. and 6.f.). Child labor is also a problem (see Section 6.d.).

Another traditional practice that violates the rights of children is forced childhood marriage, which became illegal under the Children's Act. In February the Agona Swedru Circuit Court in the Central Region sentenced a man to 15 years' imprisonment and hard labor for defiling a 7-year-old girl. In May a teacher in Kyermasu in the Brong Ahafo Region was sentenced to 18 years' imprisonment and hard labor for defiling and impregnating a 15-year-old girl.

In October the GNCC stated that it was working with the CHRAJ to effect the prosecution of the chief of Mpeasem-Easuakyir, in the Central Region, who coerced a 14-year-old girl into marrying him after he abused and impregnated her. FIDA supported the efforts and emphasized that the marriage violated the Children's Act, which sets the marriageable age at 18, as well as the Criminal Code, which prohibits sex with a child under 16 years of age.

Child prostitution, although illegal, also exists. In March the Eastern regional branch of the Ghana Hairdressers and Beauticians Association announced that it would offer free apprenticeships to 150 street girls in the Eastern Region to equip them with marketable skills.

People with Disabilities

The Constitution specifically provides for the rights of the disabled, including protection against exploitation and discrimination. In practice the disabled are not discriminated against in any systematic or overt manner. The Constitution also states that "as far as practicable, every place to which the public has access shall have appropriate facilities for disabled persons." However, in practice this provision has yet to be implemented. In late August, Government officials stated that companies should take the needs of disabled persons into account when building and designing buildings and reminded the public that the disabled have rights that should be protected.

Religious Minorities

There was tension between ethnic Ga traditionalists and members of some Christian charismatic churches over the annual ban by Ga traditional leaders on drumming and noise-making prior to the Ga Homowo (harvest) festival; however, the level of such tension decreased compared with the previous year. Traditionalists believed that their time-honored customs should be accorded due respect, while some Christians resented the imposition of bans, which they believed infringed on their right to worship. The Government advocated mutual coexistence and understanding and alerted the population that police resources were insufficient to protect all churches during the several-week ban on drumming. There were attacks on churches in 1999 and in 1998. There were no reports of similar attacks during the year. No police action was taken in regard to attacks from previous years. Police are reluctant to prosecute any members of these groups due to an apparent fear of retaliation or counterattack.

On January 25, members of the Christo Asafo Christian Church clashed with members of the Boade Baaka traditional shrine at Taifa, Greater Accra Region. The dispute arose days earlier after shrine members accused a Christian woman of witchcraft. In the process, the woman was injured slightly, and a crowd formed. Christo Asafo members attacked the shrine in retaliation. There were some minor injuries. Police did not arrest or prosecute any of the participants, but continue to investigate the incident.

In March a dispute between five Pentecostal churches and landowners (tendaabas) led to tension in Jirapa, Upper West Region. After a member of the Kingdom of God ministries allegedly burned down a local shrine, the tendaabas banned religious activities of all churches except the Roman Catholic Church, until May when the Regional Coordinating Council brokered a resolution.

On July 21, three Muslims were injured at Effiduase (Eastern Region) in a clash between two Muslim sects over doctrinal differences. Members of the Tijanniya school of Islam allegedly attacked members of the Al-Sunna school.

On August 20, after the ban on drumming had been lifted, youth in Teshie (Greater Accra Region) besieged the Open Heaven Mission International Church, seizing drums and injuring six worshippers (see Section 2.c.).

There was a development in the case of the November 1999 dispute between an Islamic middle school and a Methodist middle school in Agona Nyakrom in the Central Region, where five persons suffered gunshot wounds, and Muslim property was destroyed. All of those arrested were released, and the police have not charged any suspects. In June the Committee of Inquiry set up by the Central Regional Coordinating Council presented its report to the Central Regional Minister. Details of the report were not published; however, the Committee recommended ways to ensure lasting peace between the two communities, and the Regional Minister agreed to implement the recommendations.

National/Racial/Ethnic Minorities

Although the Government plays down the importance of ethnic differences, its opponents occasionally complain that it is dominated by the Ewe ethnic group from the eastern part of the country. The President and some of his close advisers are Ewe, but most ministers are of other ethnic origins. A 1997 survey found that 25 percent of the respondents believed that they had experienced discrimination because of their tribal origins.

During the year, there were several violent confrontations between and within ethnic groups related to chieftaincy issues, particularly those of succession and land. In January 1999, a chieftaincy dispute in Juaso in the Ashanti Region resulted in the death of a policeman, several injuries, the burning of the police station, and the arrest of over 60 persons. The chief and his supporters were brought before the Kumasi tribunal and later granted bail. The case was ongoing at year's end. The police also are investigating some Juaso residents' claim of police mistreatment during the same event (see Section 1.a.). In July the Tamong and Puli clans in Bimbagu (West Mamprusi District in the Northern Region) clashed in a chieftaincy dispute. Two persons were killed, and 56 houses were burned (see Section 1.a.). The police were sent to Bimbagu to maintain order during the clash. The police still were investigating the incident at year's end.

On August 13, four persons were killed after a conflict over a chieftaincy dispute in Weiija (Greater Accra Region.)

On December 7, 13 persons reportedly died, and over 25 were wounded in the Upper East Region capital Bawku in an election-related dispute that had ethnic overtones. The conflict initially was a dispute between ruling party and opposition supporters, and was fueled by ongoing tensions between the Mamprusi and Kusasi ethnic groups.

Elders from the Guan and Akan ethnic groups, who were arrested and detained in 1999 for violence related to a chieftaincy dispute, were awaiting prosecution at year's end. A 1999 chieftaincy dispute in Teshie that resulted in numerous gunshot wounds, a stabbing, and destruction of property was pending before the Ga traditional council at year's end.

An August 1999 case in which off-duty soldiers clashed with civilians in the Oshiye area of Accra in a chieftaincy dispute, resulting in several injuries, was pending before the courts at year's end.

In 1995 the Government created a permanent negotiating team made up of religious leaders, NGO representatives, Council of State members, and other interested parties to help resolve the continuing tensions between the Konkomba and other ethnic groups in the north. The Permanent Peace Negotiating Team (PPNT) is a facilitative body whose primary purpose is to mediate disputes. In 1997 in response to reports of latent insecurity, the PPNT extended its activities to some northern parts of the Volta Region and supervised a peace accord among all parties to the conflict there. Since 1997 there have been organized seminars and workshops designed to promote dialog between two feuding factions. The Government has a ban on firearms in the Northern Region and northern part of the Volta Region. Government officials, M.P.'s, and other prominent opinion leaders regularly call for peaceful coexistence. In February 1999, after 14 years of animosity, the Bimobas and the Konkombas of the East Mamprusi District of the Northern Region held a pacification and reconciliation ceremony. In August 1999, the Northern Region Youth and Development Association, an umbrella group of all the ethnic groups in the area, organized a workshop on building peace at the grassroots level.

In January 1999, the Nipa-O-Nipa and Sika-O-Sika factions of Kumasi's ethnic Moshie community signed a peace agreement at the behest of the then Regional Minister. However, the longstanding dispute resurfaced in December 1999, after the Supreme Court had ruled on the Moshie leadership issue. One man died from a stab wound, and another was injured. In January a member of the Nipa-O-Nipa faction was sentenced to a week in prison for wounding a student during the December 1999 leadership dispute. In June three members of the Sika-O-Sika faction were sentenced to death by hanging for the murder of the son of the leader of the Nipa-O-Nipa faction. The lawyers for the three Sika-O-Sika faction members filed an appeal, which was pending at year's end. The dispute was resolved May after the Ashanti paramount chief gave formal recognition to the Sika-O-Sika faction's leadership claim.

Section 6 Worker Rights

a. The Right of Association

The Constitution provides for freedom of association. This right is restricted formally, as the Trades Union Ordinance confers broad powers on the Government to refuse to register a trade union; however, the Government has not interfered with the right of workers to associate in labor unions and has encouraged pluralism in labor organizations. The Industrial Relations Act (IRA), initially enacted in 1958 and amended in 1965 and 1972, governs trade unions and their activities. The percentage of workers belonging to unions appears to be decreasing from 9 percent in 1998 as more of the workforce enters the informal sector where there is no union activity. The Ministry of Employment and Social Welfare has estimated that 86 percent of the work force is employed in the informal sector, and that number is expected to increase. In August 1999, the Ghana Federation of Labor (GFL) was inaugurated. The GFL is intended to serve as an umbrella organization for several other labor unions, which were either previously part of or not encompassed by the Trades Union Congress (TUC), the original federation. The TUC, the largest labor organization in the country, consists of 17 national unions.

Led by experienced union leaders, the TUC has been a vocal and constructive critic of the Government's economic policies when it felt it to be necessary. Civil servants have their own union, the Civil Servants

Association, which operates outside of the TUC umbrella.

The law recognizes a right to strike, but there have been no legal strikes since independence. Under the IRA, the Government established a system of settling disputes, first through conciliation, then through arbitration. A union may call a legal strike if the Government does not call for formal arbitration. However, no union has ever gone through the complete process. There were numerous unsanctioned strike actions during the year, none of which met the requirements for a legal strike detailed in the IRA. The IRA prohibits retribution against strikers, and this law is enforced. On May 2, Accra textile traders were told that they could not hold a demonstration to protest a textile price hike because they lacked a police permit. Instead they presented a petition to the Government on the issue (see Section 2.b.). On July 25, thousands of trade union members demonstrated nationwide to demand an increase in the minimum wage. Police used water cannons on the Accra demonstrators to prevent them from blocking traffic at a major traffic circle. No injuries were reported in Accra or elsewhere (see Sections 1.c. and 2.b.).

The Government convened a committee to investigate reports that a gold-miners' strike in May 1999 was instigated by persons not employed by the mine. The committee completed its report in September 1999, but the conclusions were not made public by year's end.

Unions have the right to affiliate with international bodies. The TUC is affiliated with the Organization of African Trade Union Unity headquartered in Accra and is also a member of the International Confederation of Free Trade Unions.

b. The Right to Organize and Bargain Collectively

The IRA provides a framework for collective bargaining and some protection against antiunion discrimination. Trade unions engage in collective bargaining for wages and benefits for both private and state-owned enterprises without government interference. However, the Government, labor, and employers negotiate together through a tripartite commission to set minimum standards for wages and working conditions. A July 25 trade union demonstration (see Section 6.a.) resulted from trade unions' accusations that they had not been consulted adequately in the Government's deliberations on the minimum wage. The Government argued that the unions had been included in tripartite dialog on the issue. The law requires employers found guilty of antiunion discrimination to reinstate workers fired for union activities. No union leaders have been detained in recent years for union or other activities.

There is legislation that authorizes export processing zones (EPZ's), and a few EPZ's are in operation. Existing labor law applies in any EPZ, including the right to organize.

c. Prohibition of Forced or Compulsory Labor

The Constitution prohibits slavery, and the law also prohibits forced or bonded labor, including that performed by children; however, at least 2,200 women and girls are bound to shrines through the localized Trokosi system (see Section 5). Forced labor also occurs at the camps in the north for women accused of witchcraft (see Section 5). Apart from the Trokosi system, it is difficult to determine the extent to which forced or bonded labor by children is practiced. In April the ILO commissioned the African Center for Human Development, a local NGO, to conduct a survey of the child labor situation. The NGO found that child labor and child trafficking are widespread in the informal labor sector, especially in larger cities and border areas. The country is both a source and a destination country for trafficked children (see Section 6.f.). The NGO noted that law enforcement officials expressed a "complete disregard" for child labor and trafficking issues. The study recommended that law enforcement officials be tasked with monitoring and combating child labor and child trafficking.

According to government labor officials, child labor problems do not exist in the formal labor sector because "exploitive child labor" (defined as that which deprives a child of health, education, or development) is prohibited. However, many problems still exist in the informal sector. NGO's report that children as young as age 7 work illegally as porters, domestic servants, "hawkers," rock-breakers in quarries, small-scale miners, farmers, and fishermen. They are paid poorly, if at all, and sometimes are molested or abused. They seldom receive sufficient food or health care, and do not attend school.

There have been newspaper reports of children being sold into slavery for either sexual exploitation or labor, such as 10- to 12-year-old boys toiling in the service of fisherman in exchange for a yearly remittance to their families. A June 1999 report described this practice as rampant in 156 fishing villages along the Afram River and settlements along the Volta Lake in the Afram plains (see Section 6.f.). The ILO continues to urge the Government to revise various legal provisions that permit imprisonment with an obligation to perform labor for offenses that are not countenanced under ILO Convention 105.

d. Status of Child Labor Practices and Minimum Age for Employment

Labor legislation sets a minimum employment age of 15 years and prohibits night work and certain types of hazardous labor for those under 18 years of age. In practice child employment is widespread, and young children of school age often perform menial tasks during the day in the market or collect fares on local buses. An ILO survey conducted in three rural districts between 1992 and 1993 concluded that 11 percent of school-age children were employed for wages and another 15 percent work without remuneration (see Sections 6.c. and 6.f.). In August the Ministry of Employment and Social Welfare estimated that 18,000 children are working in Accra and 800,000 countrywide. Of those, 70 percent have no education while 21 percent only have a primary education.

The migration of children from rural to urban areas is increasing, due to economic hardship. Children are driven to the streets to fend for themselves, increasing child labor and the school dropout rate. Another ILO study in 1992 and 1993 found that almost 90 percent of the surveyed street children in Accra did not attend school. Observance of minimum age laws is eroded by local custom and economic circumstances that encourage children to work to help support their families. A 1996 ILO survey revealed that the economic activity of more than 75 percent of children between ages 5 and 14 takes place in the context of a family enterprise.

In late 1998, the President signed into law legislation to provide additional child labor protection and strengthen the punishment for violators under a comprehensive children's act. The act incorporates the existing labor legislation's minimum age for employment and prohibitions on night work and hazardous labor. In addition, the legislation allows for children aged 15 years and above to have an apprenticeship whereby the craftsmen and employers have the obligation to provide a safe and healthy work environment along with training and tools. Fines and imprisonment for violators are increased considerably. In May Parliament ratified ILO Convention 182 concerning the elimination of the worst forms of child labor.

On March 1, the Government signed a memorandum of understanding with the ILO to inaugurate the International Program on the Elimination of Child Labor (IPEC) in Ghana. Implementation of the IPEC began during the year; a national coordinator and steering committee were established, and the Government's statistical service was conducting a national survey of the child labor problem.

In May the acting executive secretary of the Ghana National Commission on Children (GNCC) expressed concern about the increasing use of child labor in fishing enterprises, and advocated greater law enforcement of child labor laws. She appealed to parents and fishing communities to combat the practice.

Officials only occasionally punish violators of regulations that prohibit heavy labor and night work for children. Inspectors from the Ministry of Labor and Social Welfare are responsible for enforcement of child labor regulations. They visit each workplace annually and make spot checks whenever they receive allegations of violations.

The law prohibits forced or bonded labor, including that performed by children; however, at least 2,200 women and girls are bound to shrines through the Trokosi system and children are trafficked into and from the country (see Sections 5, 6.c., and 6.f.).

There were media reports of children being sold into slavery for either sexual exploitation or labor (see Sections 6.c. and 6.f.).

e. Acceptable Conditions of Work

In 1991 minimum standards for wages and working conditions were set by a tripartite commission composed of representatives of the Government, labor, and employers. In November the daily minimum wage increased from about \$.42 (2,900 cedis) to about \$.62 (4,200 cedis), but is still insufficient to provide a decent standard of living for a single wage earner and family. Furthermore, there is widespread violation of the minimum wage law. In most cases, households have multiple wage earners, and family members engage in some family farming or other family-based commercial activities. Trade unions are lobbying the Government to increase the minimum wage to \$.81 (5,500 cedis) and argue that an eventual minimum of a \$1.00 (6,800 cedis) a day would provide a living wage to workers.

The law sets the maximum workweek at 45 hours, with one break of at least 36 consecutive hours every 7 days. Through collective bargaining, however, the basic workweek for most unionized workers is 40 hours. In July 1999, the Government began compensating extra duty hours only for overtime actually worked, in accordance with labor equity, rather than as an automatic salary supplement.

Occupational safety and health regulations exist, and the Labor Department of the Ministry of Health and Social Welfare occasionally imposes sanctions on violators. However, safety inspectors are few and poorly trained. They take action if matters are called to their attention, but lack the resources to seek out violations. Workers have the right to withdraw themselves from dangerous work situations without jeopardy to continued employment, although they rarely exercise this right.

f. Trafficking in Persons

There are no laws that specifically address trafficking in persons, and trafficking in persons is a problem.

The country is both a source and a destination country for trafficked children. A local NGO noted that law enforcement officials expressed a "complete disregard" for child labor and trafficking issues (see Section 6.c.). Law enforcement officials also have a difficult time identifying persons who are being trafficked because of the fluid nature of family relations in the country e.g. a friend often is called a "cousin," and an older woman an "aunt," even if there is no blood relation. Trafficking's most common form involved teenage girls from the rural areas being sent by relatives to work in the cities as housemaids for little remuneration. Often an assurance is given that after several years' service, the housemaid would be sponsored to train in dressmaking or hairdressing. However, often an excuse is found to fire the housemaid before such apprenticeship begins. Over 100 boys were reportedly contracted out to Lake Volta fishermen (see Sections 6.c. and 6.d.). There were also reports of children abducted to work either in the country or in neighboring countries. Young persons (girls and boys) are lured into prostitution and hard labor in Cote d'Ivoire, Togo, Benin, and Nigeria on the pretext of

finding work in agriculture or as domestic help. Women reportedly are also drafted into prostitution in Germany and the Netherlands. Citizens reportedly were lured to the Middle East, particularly to Lebanon, to work illegally in menial jobs. Traffickers in persons from other countries also reportedly used Accra as a transit point to Europe.

In May two men who had attempted to sell two young men into forced labor for \$9,100 (50 million cedis) each were remanded to prison custody and charged with "slave dealings." The case was pending in court at year's end. In June the Government repatriated 180 citizens, mostly girls, who were stranded in Lebanon as indentured servants. These girls were told that they were to work as household help to Lebanese families; upon arrival in Lebanon their documents and money were stolen and some of the women were beaten.

A local NGO in the north conducts rehabilitation programs for women who have been trafficked. The NGO provides counseling and training in professions such as sewing and hairdressing to give them a source of income. The NGO also carries out a public information program about the dangers of trafficking and prostitution.

[End.]

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