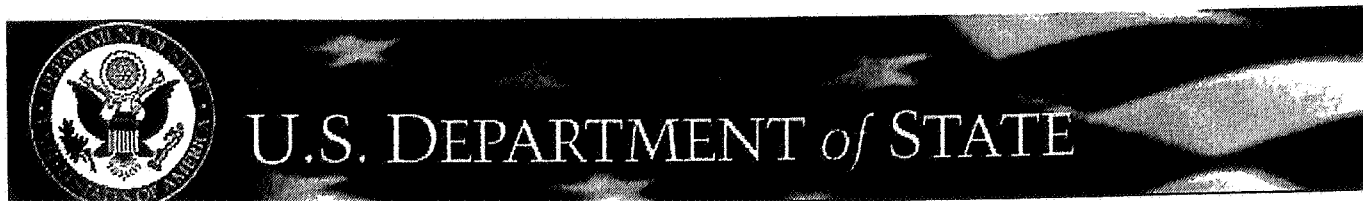


Ghana (23)



Ghana

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Country Reports on Human Rights Practices - 2002

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Ghana is a constitutional republic with a strong presidency and a unicameral 200-seat Parliament; multiparty elections have been held every 4 years since the country returned to constitutional rule in 1992. In December 2000, six opposition parties and the ruling National Democratic Congress (NDC) contested presidential and parliamentary elections, which despite a few incidents of intimidation and election fraud, domestic and international observers judged generally free and fair. In January 2001, John Agyekum Kufuor of the opposition New Patriotic Party (NPP) was inaugurated as president. President Kufuor was elected in a run-off election with 56.7 percent of the vote against then Vice-President John Atta Mills of the NDC. 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, including the Commission for Human Rights and Administrative Justice (CHRAJ). In practice the system of checks and balances was limited by a system-wide lack of resources that affected all three branches. The Government generally respected the constitutional provisions for an independent judiciary; however, in practice the judiciary was subject to influence and corruption and lacked adequate resources.

The police, under the jurisdiction of an eight-member Police Council, were responsible for maintaining law and order. A separate department, the Bureau of National Investigations (BNI), handled cases considered critical to state security and answered directly to the executive branch. While civilian authorities generally maintained effective control over security forces, there were some instances in which elements of the security forces acted independently of government authorities. Some members of the police and other security forces committed a number of serious human rights abuses.

The economy remained dependent on agriculture, with approximately 36 percent of gross domestic product (GDP) and 48 percent of employment derived from this sector, according to government statistics. The country's population was 19.9 million. Gold, cocoa, and timber were the traditional sources of export earnings; gold revenues fell due to the drop in the prices of this commodity on the world market while cocoa prices rose substantially towards year's end. The economy grew at a rate of 4.2 percent, up from 3.7 percent in 2001. Inflation fell from 21 percent to 13 percent. Per capita GDP in dollar terms fell to approximately \$300.

The Government generally respected the human rights of its citizens; however, there were serious problems in some areas. Police use of excessive force resulted in some unlawful killings and injuries. There continued to be credible reports that members of the police beat suspects in custody, and that police and some elements of the military arbitrarily arrested and detained persons. Police corruption was a problem. Although members of the security forces often were not punished for abuses, nearly all of the 64th Infantry Unit, which was believed to have committed many abuses under the previous government, were transferred to other units during the year. Prison conditions remained harsh and life-threatening. Prolonged pretrial detention remained a problem. Juvenile detainees were housed in separate facilities. 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 generally respected freedom of speech and of the press; however, there were occasional reports

that government officials pressured government media outlets to cease or minimize coverage of opposition politicians. Major government media outlets exercised some restraint in their coverage. At times the Government restricted freedom of assembly, and police forcibly dispersed some demonstrations. There were some limits on freedom of religion. Although the Government generally respected freedom of movement, police set up barriers to demand bribes from motorists. A night-time curfew was imposed in the north of the country where intraethnic violence occurred. Violence against women was a serious problem; however, prosecution of sexual abuse against underage girls increased and courts began to give lengthier sentences for such abuse. *Trokosi*, a traditional form of ritual servitude, was practiced on a limited scale in one region of the country. Female genital mutilation (FGM) still was practiced, primarily in the north. Unlike in previous years, no interreligious clashes occurred. There were some incidents of ethnically motivated violence, and some ethnic groups complained of discrimination. Child labor was a problem in the informal sector, and forced child labor and trafficking in women and children also were problems. Vigilante justice also was a problem. Ghana was invited by the Community of Democracies' (CD) Convening Group to attend the November 2002 second CD Ministerial Meeting in Seoul, Republic of Korea, as a participant.

RESPECT FOR HUMAN RIGHTS

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

a. Arbitrary or Unlawful Deprivation of Life

Security forces committed a number of unlawful killings of criminal suspects. The number of deaths reportedly caused by members of the security forces during the year was unavailable. There were seven in 2001 and five in 2000.

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 remained low, and 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. The Ghana Governance and Corruption Survey completed in 2001 found that the police were among the "least trusted, least effective, and most corrupt" government institutions in the country. The Inspector General of Police (IGP) trained the police in human rights and riot control.

On May 22, security forces broke into a house in the Odorkor neighborhood of Accra and dragged two suspected armed robbers outside. They beat the men and hit them with the butts of guns, which resulted in the death of one of the men. A police officer was charged formally with murder; however, the trial had not begun by year's end.

On June 13, security forces responding to a robbery report killed four persons who later were reported to be members of a local neighborhood watch committee. The Government set up a three-member inquiry committee to investigate the incident, and on September 13, the committee submitted its report to the Government. The Attorney General's office announced its intention to prosecute the officers, but had not done so by year's end.

There were no developments in the following 2001 cases: The February alleged killing of a suspect by a police sergeant; the March death of three persons when police forcibly dispersed residents in Nsoatre, Brong-Ahafo Region; the May police beating of a farmer in Obuase, Ashanti Region who died from his injuries; the July death in prison of a 90-year-old man in Sunyani, Brong-Ahafo Region; and the October case in which an armed bank robbery suspect in Mampong, Ashanti District died while in custody at the Kumasi Central Prison.

In May 2001, 126 persons were crushed and trampled to death when police used tear gas to control a portion of the crowd who were vandalizing the stadium during a soccer match at the Accra Sports Stadium. An official Commission of Inquiry concluded that the police overreacted to fan vandalism and bore primary responsibility for the incident; the Commission also cited negligence by the National Sports Council and the poor design of the stadium's stairwells. The Commission concluded that the police who provided testimony conspired to subvert the Commission's work through a

conspiracy of silence. In December the Attorney General's office began criminal proceedings against the six senior police officers who gave the order to fire tear gas.

The trial in the case of a police officer charged with the August 2001 murder of a 27-year-old Accra Polytechnic student at Dansoman, Greater Accra, began in March and was ongoing at year's end.

A police investigation into the September 2001 killing of two persons by a police officer who shot his gun at a minibus and several bystanders was concluded during the year and found the officer to be at fault. No action was taken as the officer had been lynched by a mob after the incident.

There were no developments in the following 2000 cases: The April killing of a miner during a conflict in Bibiani; the July killing of a young man in the Eastern Region who had a history of mental illness; the October case of a driver who died of unexplained causes while hospitalized after allegedly causing an accident in which four of former President Rawlings' bodyguards were killed; the November case in which police killed an alleged fuel smuggler in the Afedido in the Volta Region; and the police shooting of a 23-year-old man in Madina, Greater Accra Region.

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

In January and March, public and private burial ceremonies for the bodies of three former heads of state and five senior military officers who were executed in 1979 took place.

During the year, chieftancy disputes led to several deaths and a number of injuries (see Section 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 (see Section 5). In several instances, security forces intervened to save the lives of suspected criminals (see Section 1.c.).

b. Disappearance

There were no reports of politically motivated disappearances.

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

The Constitution prohibits such practices; however, there were continued credible reports that members of the police and customs officials beat prisoners and other citizens. It generally was believed that severe beatings of suspects in police custody occurred throughout the country but largely went unreported.

Government officials stated that the use of armed forces personnel in the maintenance of law and order would cease; however, the military continued to participate regularly in law enforcement activities during the year.

In April 2001, the IGP issued a directive against the use of warning shots by the police, stating that it was not authorized by police regulations; however, there were instances in which police used warning shots. Police continued to use rubber bullets and water cannons in crowd control situations (see Section 2.b.).

Police corruption was a serious problem (see Sections 1.d. and 2.d.). Government officials said publicly that the Government's "zero tolerance for corruption" policy applied to the police and other security officials; however, a survey conducted during 2001 by the Center for Democratic Development showed that 67 percent of respondents said they had paid bribes to the police.

During the year, nearly all members of the 64th regiment, which previously guarded former President Rawlings and was the reported source of many human rights abuses in the previous

government, were transferred to other units of the armed forces.

Unlike in the previous year, there were no reports of clashes between supporters of the ruling and opposition parties. The commission of inquiry into the January 2001 clash between a group of NPP activists and NDC supporters in Asutuare, Greater Accra Region had not been established by year's end. A police investigation determined that the cause of the clash was a long-standing chieftancy dispute rather than political tensions; however, residents of the town and opposition party leaders, including the M.P. for the district, disagreed publicly with the police's findings, describing the clash as a coordinated attack on NDC supporters. The case had not been called to court by year's end.

On April 14, the CHRAJ wrote to the Minister of Defense seeking his cooperation in investigating the 2000 case in which 25 off-duty soldiers attacked and injured more than 20 civilians, including a taxi driver who allegedly insulted a group of intoxicated soldiers the previous evening in Accra. The Defense Ministry had not responded by year's end.

Four persons accused of killing a police officer during a series of disturbances in 2000 in Asankrangua, Western Region, were released on bond at year's end as police continued to investigate the incident and allegations of police misconduct during the incident.

There were no further developments in the March 2001 case in which police injured several rioters after attempting to control a mob of Liberian refugees from Budumburam Refugee Camp in the Greater Accra Region and in the May 2001 case in which a police officer injured a youth while attempting to disperse a group of youths in Accra.

There were no developments in the following 2000 cases: The January case in which a cocoa farmer from Dadieso in the Western Region alleged that a police inspector detained him for 2 days without bail and beat him; the January dispersals of student demonstrations; the March dispute between 2 assemblymen in the Eastern Region town of Asutuare that resulted in the arrest of 68 civilians, some of whom claimed that police brutalized them; the June dispersals of student demonstrations; the July beating and shooting of a man who resisted arrest; the July use of tear gas to disperse a group of civilians who attacked the Navrongo police station; the July use of water cannons to disperse a demonstration by trade union members; the July serious injuring of a policeman by an assemblyman and other civilians who allegedly attacked farms and residents in Asutuare; the August case of the alleged detention and beating of a businessman by members of the elite 64th Infantry Regiment; the August use of tear gas and rubber bullets to disperse students of Yendi Junior Secondary School; the December assault of journalists from a private television station; the December inquiry of a journalist and an M.P.; and the December use of rubber bullets and tear gas to disperse a crowd at the Supreme Court.

"Machomen" (party thugs) 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 were not constituted legally but were organized privately and operated outside the law. The trial of a land guard in the Greater Accra Region who was accused of involvement in a killing over a land dispute in 2001 was ongoing at year's end.

Unlike in the previous year, there were no incidents of violence during this year's drumming ban (see Section 2.c.).

During the year, chieftancy disputes led to numerous injuries (see Section 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 (see Section 5). For example, on July 27, a mob in Accra severely beat three suspected pickpockets. Police intervened and stopped the mob from lynching the men.

Prisons in most cases were maintained very poorly and conditions were harsh and life threatening. However, according to the CHRAJ Year 2000 Inspection Report, which was released publicly

during the year, prison conditions have improved over previous years. The Director General of Prisons described the prisons as overcrowded and underfinanced and publicly called for improved living conditions for the prisoners. Three of the country's largest facilities, which were intended to hold 1,600 inmates, held approximately 3,800. On July 26, the Director General of the Prison Service called for the introduction of legislation on non-custodial sentences to reduce congestion; however, no steps were taken to implement these measures by year's end.

Prisoners' daily food allowance was approximately \$.57 (4,000 cedis). Prisoners relied on families or outside organizations for additional food, medicine, and other supplies. Bedding was available for only 30 percent of the inmates, and there was no funding for clothes. Medical facilities were inadequate, and the prisons supplied only the most basic medicines. Overcrowding contributed to a high prevalence of communicable diseases. Some suspects allegedly plead guilty in order to be sent to prison and leave the unsanitary conditions in the police remand cells.

In 2001 134 prisoners died in the country's prisons, 9 from malnutrition, 21 from HIV/AIDS, 17 from tuberculosis, 13 from diarrhea or dehydration, 8 from malaria, and the rest from other illnesses. While the Government agreed that conditions in the prisons were not acceptable, it stated that lack of funding prevented further improvements.

On May 11, two suspects died in a police holding cell in Accra. At the time of the incident, there were 45 inmates in the cell, and police blamed the death on overcrowding. On May 13, acting Minister of the Interior directed the Inspector General of Police to conduct an investigation into the incident; however, the results of the investigation were not made public by year's end.

Juvenile offenders were housed in a dedicated facility. In 2001 the CHRAJ and the Prisons Service confirmed reports of some children as young as 14 years old housed with the general prison population; however, on July 14, the Interior Ministry reported that all of the juveniles had been transferred to the Borstal Institute, a juvenile correction center. Women were housed separately from men; pretrial detainees were housed with convicted prisoners.

The Prisons Service had an assessment team to inspect facilities. While the CHRAJ had access to the prisons, the Government generally did not grant access to the press. The Government permitted foreign diplomats to visit prisons during the year. Nongovernmental organizations (NGOs) were not given access to prisons on a routine basis. The International Committee of the Red Cross (ICRC) was allowed access to prisons but did not request access during the year.

d. Arbitrary Arrest, Detention, or Exile

The Constitution provides for protection against arbitrary arrest, detention, or exile; however, arbitrary arrest and detention were problems. The Constitution 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 occurred, including detention without charge for longer than 48 hours and failure to obtain a warrant for arrest. In addition, at times persons were detained for trivial offenses or on unsubstantiated accusations. Authorities routinely did not notify prisoners' families of their incarceration; such information often was 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. Police also demanded money from suspects as a precondition of their release on bail.

The Constitution allows judicial authorities to hold citizens for up to 48 hours without filing charges against them. However, in practice it was 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 appear at a later date for court proceedings. In October 2000, the acting Ashanti Regional Director of CHRAJ stated that more than one-third of the inmates of Kumasi Central Prison were remand prisoners. One-third remained 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.

On March 10, two police officers attempted to arrest the former head of the Ghana National Petroleum Corporation while he was at church for questioning on charges of causing financial loss to the state. Fellow worshippers criticized the arrest, and the police desisted. The man later reported to the police for questioning.

It was unknown if the 41 persons arrested in March 2001 in Yameriga, Upper East Region, still were in detention at year's end.

A citizen of Belize remained in custody awaiting deportation after a contingent of police and military personnel forcibly entered a house adjacent to the compound of former president Rawlings and arrested him in June 2001.

In August 2001, soldiers and police arrested the linguist of the chief of the Sefwi Wiawso Traditional Area, Western Region, when they searched the homes of both the linguist and the chief. During the year, the Western Regional police commander apologized for the incident but no inquiry was made by year's end.

There were no new developments in the 2000 case in which police detained 70 persons during an investigation into violence related to a chieftancy dispute in Asankranguaa.

The 1999 case in which police arrested more than 700 men after a Muslim-Protestant conflict in the Central Region town of Agona Nyakrom and brought them to Accra for investigation was dismissed during the year.

In February six of the nine accused persons in the 1998 murder of two policemen in Ablekuma were sentenced to death, and the other three were released for lack of evidence.

Police arrested persons attempting to demonstrate (see Section 2.b.).

There were credible reports that police extorted money from local businesses by acting as private debt collectors and arrested citizens in exchange for bribes from detainees' disgruntled business associates.

Police and military used checkpoints and mass arrests while searching for criminals (see Section 2.d.). For example, on April 28, 2,000 persons were detained in the Agbogboshie neighborhood of Accra. Police checked records and identification and arrested those wanted for crimes or in possession of weapons, stolen merchandise, illegal drugs, and other prohibited items. Of the approximately 2,000 detained, 202 were identified as suspected criminals and charged with various crimes. Media reports indicated that four individuals fleeing the roundup drowned in a nearby lagoon.

In August 2001, law enforcement and military personnel arrested 200 persons in Kumasi. According to the police, the exercise was intended to flush out suspected criminals. At year's end, 28 persons remained in police custody and 30 persons had trials pending.

The opposition NDC claimed that the Government used anti-corruption investigations to intimidate and harass its members. The Government continued to question former officials during the year.

The Government has not implemented any meaningful policy to reduce the number of pretrial detainees, although the independent press called for reduction of harsh bail conditions for suspects

who did 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 was scheduled to forward it to the Cabinet in 2001; however, no legislation was introduced to Parliament during the year. There was no further information on the case of a farmer in the Volta Region who has been in remand for 10 years without charge; he was suspected of poisoning and killing another farmer.

Rural women can be punished with banishment by traditional village authorities for being pregnant out-of-wedlock or for 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). Foreign diplomats and NGO representatives who visited them estimated that there were between 550 and 1,150 accused witches, the vast majority of them women, living in the camps; however, in 2000 CHRAJ estimated that more than 5,000 women were residents in witches' camps in the Northern Regions. An August 8 media report said 87 women between the ages of 40 and 80 remained in the Gambaga "witches" village.

The Government did not practice forced exile and encouraged citizens, including dissidents living abroad, to return. Some former government and Provisional National Defense Council (PNDC) officials have returned and resumed careers and political activities.

e. Denial of Fair Public Trial

The Constitution provides for an independent judiciary, and the Government generally respected this provision; however, in practice the judiciary appeared to be subject on occasion to executive influence.

The Constitution mandates Superior Courts of Judicature consisting of the High Court (of Judicature) and Regional Tribunals, the High Court of Appeals, and the Supreme Court. The Constitution allows the Government to nominate any number beyond a minimum of nine members to the Supreme Court; confirmation was the responsibility of Parliament. The Chief Justice was empowered to impanel the justices of his choice to hear cases. These provisions, along with a lack of resources, limited the court's role as a balance to the power of the executive branch and contributed to the perception that the judiciary occasionally was subject to executive influence. There were no official charges of corruption on the part of judges; however, there were press allegations of corruption within the judicial system. In August and September, the Center for Democratic Development, a local think tank, organized a program with the Parliamentary Select Committee on the Judiciary to explore corruption within the judicial system.

The Constitution establishes two basic levels of courts: superior and lower. The superior courts included the Supreme Court, the Appeals Court, the High Court, and regional tribunals. In March 2001, the Acting Chief Justice of the Supreme Court inaugurated two Fast Track Courts, a division of the High Court of Judicature, intended to try cases to conclusion within 6 months. The Fast Track Courts were authorized to hear cases involving banks and investors, human rights, electoral petitions, government revenue, prerogative writs, defamation, specified commercial and industrial cases, and criminal cases involving substantial public money or are a matter of extreme public importance. A former government employee charged with causing financial loss to the state challenged the Fast Track Courts' constitutional legitimacy; however, the Supreme Court found that the Courts were constitutional. As of February 1, 195 cases were filed before the Fast Track Court, 137 for Banking and Commercial matters, and 40 for Human Rights and Defamation. The Government announced plans to establish Fast Track Courts throughout the country. Parliament may establish lower courts or tribunals by decree.

During the year, Parliament passed Act 620, designed to abolish Community Tribunals run by appointed panels and police and replace them with magistrate courts on the date the Act becomes effective. The Chief Justice and Attorney General had not put the Act into effect by year's end.

Legal safeguards were 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

respected these safeguards.

There were frequent reports that a large number of prisoners were held in detention for extended periods, sometimes years, without going to trial (see Section 1.d.). The Attorney General drafted a bill that would provide alternative dispute resolution methods to reduce the court backlog, including a time limit on pending cases.

During the year, prosecutors dropped the case against four defendants for allegedly plotting to overthrow the Government in 1994 and released them.

There were no developments in the 2001 appeals of two men arrested for murder in 1991 who were in prison in Wa, Upper West Region, for 10 years without trial. They remained in custody at year's end.

The CHRAJ's charter provides for it to investigate alleged violations of human rights and take action to remedy proven violations. It continued to hold workshops to educate the public, traditional leaders, the police, and the military on human rights issues. It mediated and settled cases brought by private individuals with grievances against government agencies or private companies (see Section 4).

The law 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.

There were no reports of political prisoners.

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

The Constitution prohibits such actions; however, this provision has yet to be tested in court, and in practice the Government infringed on these rights at times. Although the law requires judicial search warrants, police did not always obtain them in practice.

Opposition party activists claimed that the Government was engaged in surveillance and harassment of those perceived to be opposed to the ruling party; however, unlike in the previous year, security forces did not conduct searches of the homes of opposition party members.

The Government authorized an investigation into the August 2001, raid on the residence of Alhaji Sedi, the National Organizer of the EGLE (Every Ghanaian Living Everywhere), and three cases in which security forces allegedly raided the homes of civilians; however, no results had been announced by year's end.

Opposition parties, and some persons in private business, continued to allege that some government contracts were awarded on the basis of ruling party membership and that government officials pressured businesses to steer contracts toward favored companies and individuals.

The CHRAJ began an investigation into the February 2001 demolition of Kyekywere village, Western Region by Abosso Goldfields Limited, a local mining firm acting under the auspices of the local District Security Council; however, it had not released its findings by year's end.

A \$5 million (34.5 billion cedis) lawsuit against the Accra Metropolitan Assembly (AMA), the former Chief Executive, and the Attorney General who without due process demolished a private hotel in Accra that they claimed was blocking a drainage route, was ongoing at year's end. The owner of the hotel contended that the demolition constituted trespassing and unlawful interference in the owner's civil rights.

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 the Government generally respected these rights in practice; however, there were occasional reports that government officials pressured government media outlets to cease or minimize coverage of opposition politicians. Opposition political parties and others frequently criticized the Government, and the Government allowed more control of print and electronic media to be transferred to the private sector. Unlike in the previous year, ministers did not file libel suits. Major government media outlets exercised some restraint in their coverage.

In an August 10 speech, former president Jerry Rawlings criticized the Government and asked the public to engage in "positive defiance" and "unlawful order." On August 13 and 14, the BNI called Rawlings in for several hours of questioning to investigate whether his statements constituted an act of treason. On August 21, the Attorney General issued a statement saying the former president could not be charged with treason for his August 10 remarks.

There were more than a dozen newspapers including three government-owned dailies, two government-owned weeklies, and several privately owned newspapers published daily, weekly, biweekly, or triweekly. Several of the privately owned newspapers increased to daily circulation from weekly or biweekly. Two of the government-owned dailies had national circulation. However, most newspapers circulated only in regional capitals, and many of the smaller private newspapers were available only in Accra. The President could not appoint chief executives to the state-owned media.

The government-owned media reported extensively on charges of corruption or mismanagement by government officials in the previous administration; they increasingly criticized the Government's policies. State-owned media reported some allegations of corruption or mismanagement by officials in the Kufuor Government. During the year, there were occasional editorials in the state-owned media critical of the Government. There were no reports that the Government disciplined or dismissed journalists working in state-owned media for stories deemed unacceptable. The Government ended its subsidy of one newspaper in 2001 and no longer financed any newspaper. The opposition NDC claimed that Government media denied it equal access and coverage on numerous occasions, and in practice the government-controlled media did give greater exposure to Government officials.

Some privately owned newspapers were harshly critical of the Government's policies and of President Kufuor and his ministers and advisors. The Government at times alleged that some reporters and editors failed to abide by professional ethical guidelines. On many occasions, both the Government and National Media Commission (NMC), a constitutionally mandated independent government body, publicly urged the media to act responsibly.

In July 2001, Parliament repealed the Criminal Libel and Seditious Laws through an amendment to the Criminal Code. The laws had provided for 10 years' maximum imprisonment for reporting intended to injure the reputation of the State. According to the Amendment, all prosecutions instituted under the repealed laws pending before any court or tribunal were discharged. At year's end, many civil libel cases still were pending; however, the voluntary use of the NMC as an alternative mediating body to the courts increased. The NMC was charged with maintaining journalistic standards, including the investigation, mediation, and settlement of complaints made against or by the media; however, it did not have legally binding authority to implement its recommendations. Resolutions recommended by the NMC included retraction, apology, and the printing of rejoinders. Of the 79 cases reviewed as of September 30, 13 cases were resolved, and the remaining cases were pending; 50 cases were brought by private individuals, 4 cases by former government ministers, and 25 cases by organizations or institutions. Seventeen cases were brought against state-owned media, and 62 cases against the privately owned media. On March 14, the NMC directed a privately owned newspaper to publish a retraction of an article it published in July 2001 that alleged a former finance minister was arrested at Accra's airport in possession of \$1.5 million cash. The newspaper acknowledged the allegations were inaccurate and published a

retraction and an apology. The NMC has published its standards and guidelines.

Unlike in the previous year, there were no claims that independent journalists occasionally blackmailed individuals and organizations by threatening to print negative articles if they were not paid.

In 2000 military police acting under orders from the Deputy Minister of Defense of the previous Government detained the news editor of an Accra newspaper who 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 and filed a complaint with the CHRAJ against the former Deputy Minister. The first hearing before the CHRAJ was completed in 2001; however, during the year, the complainant failed to appear for two consecutive CHRAJ hearings, and the case was adjourned indefinitely.

According to the National Communications Authority, Accra had 1 government-owned and 12 private FM radio stations, and there were approximately 40 private FM stations across the country. Most stations were independent and aired a wide range of viewpoints. There was one government owned television station that broadcast nationwide. There were two semi-private television stations that broadcast in the Greater Accra, Eastern, and Ashanti regions. There were three cable networks broadcasting in the Greater Accra Region, two of which also broadcast in Kumasi. There was one private television station broadcasting in Kumasi.

The Minister of Communications continued to be the chairman of the National Communications Authority (NCA), the body responsible for allocating bandwidth and broadcast media licenses. According to media organizations, the NCA should be independent of the Ministry of Communications, and the Minister's appointment represented a conflict of interest. The media also claimed that the new board members were appointed without proper consultation with the Council of State, as required by the NCA Act. There were some complaints regarding delays in obtaining bandwidth and licenses for broadcast media.

The investigation that the Attorney General's office began in 2001 into the content of tapes publicized in 1999 that appeared to implicate President Rawlings in several infamous extralegal actions of the predemocratic era was ongoing at year's end.

The Government readily granted accreditation to foreign journalists. The British Broadcasting Corporation (BBC) and Radio France International had full-time FM rebroadcasting stations in Accra, and several foreign radio broadcasts, including Voice of America (VOA), had 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 obtained their news from the electronic media, the VOA, and the BBC radio service. Several companies had cable or satellite rebroadcasting stations that served the country's three major cities.

There were more than 10 operating Internet Service providers (ISPs) in the country at year's end.

The Government did not restrict academic freedom. Academics were allowed to publish and pursue research. Student organizations organized and met freely.

b. Freedom of Peaceful Assembly and Association

The Constitution provides for freedom of peaceful assembly; however, at times the Government restricted this right. The Government does not require permits for demonstrations; however, police can deny use of the route. The law requires 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.

The Government permitted several peaceful demonstrations and rallies during the year; however,

on at least one occasion, police used force to disperse a demonstration.

On June 4, the anniversary of the date of his first coup, former President Rawlings, and other opposition leaders, spoke at a rally in Accra for the second year in a row, attended by hundreds of NDC supporters. Rawlings accused the Government of harassing and intimidating NDC activists. There were no reports of violence, and the rally dispersed peacefully.

On August 3, police fired rubber bullets and water cannons into a crowd to break up a gathering during a festival parade in Ada, Greater Accra Region, which resulted in a number of injuries. Police reportedly were unaware that the marchers had a parade permit. The Ada Traditional Council demanded an investigation, but no investigation was conducted by year's end.

On August 20, 11 persons were arrested and then released in Tamale, Northern Region, as they attempted to demonstrate along the route U.N. Secretary General Kofi Annan would be traveling. The group was arrested for violating an existing ban on demonstrations in the Dagbon Traditional area due to a state of emergency in effect in the area (see Section 2.d.).

The ban on campus demonstrations remained in effect during the year; however, it never has been enforced.

Political parties held rallies and national congresses without hindrance during the year.

The Constitution provides for freedom of association, and the Government generally respected this right in practice; however, the Government continued to prohibit the existence and formation of all political groupings within the security services. In February 2001, it banned the "Association of Committees for the Defense of Revolution" (ACDRs), which served as NDC support organizations within the security services and in military and police barracks. It also prohibited the formation of "Danquah-Busia Clubs" or other support organizations for the ruling NPP. According to the Minister of Interior, members of the military and security services were free to join political parties and associations; however, such activities were prohibited within police and military compounds.

NGOs were required to register with the Registrar General's office and the Department of Social Welfare, but this registration was 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 evaluated whether the party showed evidence of a viable national support base before granting accreditation and could annul the registration of a party that failed to meet the criteria for being a viable party.

c. Freedom of Religion

The Constitution provides for freedom of religion, and the Government generally respected this right in practice; however, there were some limits to this right. In the past, the Government did not always prosecute those responsible for religiously motivated attacks; however, the Government increased its prosecution of violent acts, including religious violence, and all incidents of religious violence were prosecuted during the year.

Religious institutions that wish formal recognition were required to register with the Registrar General's Department; however, this was a formality only, and there were no reports that the Government denied registration to any group. Most traditional religions, with the exception of the Afrikania Mission, did not register.

The Government required 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 was not enforced always. The devotional service was a Christian service and included the recital of The Lord's Prayer, a Bible reading, and a blessing. Students at the senior secondary school level were required to attend a similar assembly three times per week. Students attending

government-administered boarding school were required to attend a nondenominational service on Sundays. The Director General of the Ghana Education Service instituted new regulations for all public educational institutions, including the stipulation that students of minority ethnic groups should not be forced by school authorities to worship with the majority religious groups in school; however, the Minister still received isolated reports of disrespect for the directive in some public schools. Afrikania also publicly urged the Government to stop requiring Christian "indoctrination" of children in all government-funded schools.

Although the law prohibits involuntary servitude, Trokosi, a form of religious servitude usually lasting no more than a few months, exists on a limited scale (see Section 5). Government agencies, like CHRAJ, have campaigned actively against Trokosi for years. Supporters of traditional African religions, such as the Afrikania Renaissance Mission, have said that these activities constituted discrimination against indigenous religious beliefs.

The Government made extensive efforts to mediate between charismatic Christian churches and ethnic Ga traditionalists in the period prior to the 2002 annual ban on drumming. Unlike in the previous year, no incidents of violence were reported during the year's ban on drumming. No police action was taken in regard to any attacks from previous years.

There were occasional reports of interreligious and intrareligious incidents but no violent incidents based on religious affiliation.

There were no further developments in the 2000 case where members of the Christo Asafo Christian Church clashed with members of the Boade Baaka traditional shrine at Taifa, Greater Accra Region.

For a more detailed discussion see the 2002 International Religious Freedom Report.

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

The Constitution provides for these rights, and the Government generally respected them in practice.

Citizens and foreigners were free to move throughout the country. Police checkpoints existed nationwide to prevent smuggling, but most were unmanned during daylight hours. Security officers manned checkpoints nationwide to prevent smuggling, seize illegal weapons, and catch criminals. In September 2001, the Ghana Police Administration announced that police would erect security checkpoints throughout the country in response to an upsurge in highway robberies; periodic customs checkpoints and patrols continued during the year. The Regional Police Commanders monitored the activities of police personnel working at the checkpoints. There were numerous reports that police used checkpoints to solicit bribes. Police roadblocks and car searches were a normal part of nighttime travel in larger cities. The police administration acknowledged that the force had a problem with some members occasionally erecting illegal barriers to solicit bribes from motorists. Citizens generally were free to travel internationally and to emigrate or to be repatriated from other countries.

In response to a March 27 incident in which 30 persons were killed in intratribal violence in Yendi, Northern Region, the Government declared a 90-day state of emergency in the Dagbon traditional area (see Section 5). The state of emergency included a dusk-to-dawn curfew. The curfew has been renewed at 1 month intervals since July by Parliament, and still was in effect at year's end. However, by year's end, the curfew had been reduced from 10 p.m. until 2 a.m. There were isolated reports of beatings of individuals caught after curfew; however, by September the reports had ceased.

The law provides for the granting of asylum and refugee status in accordance with the 1951 U.N. Convention Relating to the Status of Refugees and its 1967 Protocol. The Government cooperated with the U.N. High Commissioner for Refugees (UNHCR) and other humanitarian organizations in assisting refugees. The country generally had a liberal policy of accepting refugees from other West

African nations. The Government provided first asylum. UNHCR estimated that there were approximately 35,000 Liberian refugees and asylum seekers, 6,000 Sierra Leonean refugees and asylum seekers, 1,000 Togolese, and a small number of other African refugees in the country.

Refugees from the crisis in Cote d'Ivoire passed through the country without hindrance to third countries. There were no reports of abuse during the year. The Government worked closely with the U.N. and other international partners to identify sites for reception and transit centers to assist refugees and others fleeing the crisis. While only approximately 200 Liberian and Sierra Leonean refugees requested assistance, many others passed through the country on their way to neighboring countries.

The trials of 24 Liberian refugees who rioted in March 2001 following the alleged attack on a refugee by a Ghanaian continued at year's end.

There were no reports of the forced return of persons to a country where they feared persecution.

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 2000. Despite a few incidents of intimidation and election fraud, domestic and international observers judged the election 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 included recognized opposition parties, which expressed their views freely within Parliament and won a near majority of the parliamentary seats in the 2000 election.

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 CHRAJ. In practice the system of checks and balances was limited by a system-wide lack of resources that affected all three branches. During the year, opposition members continued to express frustration about impediments that the executive branch imposed by its refusal to support opposition amendments to proposed legislation; however, the former ruling party, which was the opposition under the Kufuor Government with nearly half the seats in Parliament, closely scrutinized government actions. Parliament still sought effective oversight of the workings of the executive branch. Although all M.P.'s could introduce bills, no one has ever done so; however, some have introduced motions.

In the first round of the 2000 presidential elections, neither major candidate received a majority vote. In December 2000, 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 John Agyekum Kufuor of the NPP beat Vice President John Evans Atta Mills with 56.7 percent of the vote.

In August citizens elected representatives to the district assemblies and the unit committees, which form the basis of the local government structure. These elections were held on a nonpartisan basis, as called for in the Constitution. The President appointed 30 percent of each assembly, and the rest were elected positions. DCEs must be confirmed by two-thirds of the district assembly members. Some district elections were postponed for 1 or 2 weeks due to poor organization by the Electoral Commission. District level elections were not held in the Dagbon traditional area in the north of the country due to the existing state of emergency (see Sections 2.d. and 5).

Unlike in the previous year, there were no political protests.

There were no legal obstacles to the participation of women in government. There were 18 female M.P.'s in the 200-member Parliament, and there were 13 female ministers and Council of State members out of 92.

Section 4 Governmental Attitude Regarding International and Nongovernmental Investigation of

Alleged Violations of Human Rights

At least 20 domestic and international human rights NGOs generally operated without government restriction, investigating and publishing their findings on human rights cases. Government officials generally were responsive to their views. However, the Government did not grant ready access to prisons (see Section 1.c.). Prominent NGOs included the International Committee of the Red Cross (ICRC), Amnesty International, the International Federation of Woman Lawyers (FIDA), the African Center for Human Development, and Ghanalert. The Government cooperated with international humanitarian organizations, including the ICRC.

In 2001 the Government began an audit of the December 31st Women's Movement (DWM), an NGO run by former First Lady Nana Konadu Rawlings and closely associated with the former government, allegedly because public money has gone to the DWM. The audit was ongoing at year's end. No other NGOs have been the subject of such audits.

The CHRAJ was charged with investigating alleged violations of human rights and taking action to remedy proven violations. The CHRAJ continued to hold workshops to educate the public, traditional leaders, the police, and the military on human rights issues. It mediated and settled cases brought to it by individuals with grievances against government agencies or private companies. On average the CHRAJ received between 4,000 and 5,000 new petitions per year, with steady increases each year. By the end of 2000, the CHRAJ had received a total of 41,901 petitions and completed action on 33,089; 40 percent of the cases were resolved through mediation. Of the 9,265 cases submitted to CHRAJ in 2000, 7,321 were lodged against private companies, organizations, and individuals. The remaining 1,944 cases were filed against government organizations, public companies, and officials. Of the cases received during the year, 1,022 (11 percent) involved complaints about human rights, and 2,208 (23.8 percent) involved administrative justice, including abuse of office by officials, labor disputes, and delays in dispensing justice.

The CHRAJ continued to investigate corruption allegations filed against public officials. The Serious Fraud Office also investigated cases of fraud that lead to government financial loss.

The CHRAJ operated with no overt interference from the Government. Its biggest obstacle was a lack of adequate funding. Low salaries and poor working conditions resulted in the loss of many CHRAJ-trained personnel to other government agencies that were able to pay their employees more.

In December 2001, Parliament created a National Reconciliation Commission to establish a historical record of human rights abuses for the periods of "unconstitutional government" and make recommendations for redress. The President appointed commissioners in February, and on September 3, the Commission began receiving accounts of abuses. Public hearings were scheduled to begin in January 2003. The commissioners will have 12 months to complete their work, subject to a 6-month extension for good cause.

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

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

Women

Violence against women, including rape and domestic violence, remained a significant problem. A 1998 study revealed that particularly in low-income, high-density sections of greater Accra, at least 54 percent of women had been assaulted in recent years. A total of 95 percent of the victims of domestic violence were women, according to data gathered by the FIDA. These abuses usually went unreported and seldom came before the courts. The police tended not to intervene in domestic disputes. The media increasingly reported cases of assault and rape. The police

administration's Women and Juvenile Unit (WAJU) handled cases involving domestic violence, child abuse, and juvenile offenses. With offices in nine cities around the country, the WAJU worked closely with the Department of Social Welfare, FIDA, and the Legal Aid Board. As of September 30, WAJU recorded a total of 3,155 cases, including 1,052 instances of assault, 380 cases of defilement, 113 rapes, and 53 abductions.

FIDA presented the draft of the country's first domestic violence bill to the Director of Legislative Drafting of the Parliament, who was responsible for converting proposed bills into proper legislative format for eventual consideration by Parliament. On November 11, the Attorney General's office held a public consultative forum on the draft bill; however, the bill had not gone before Parliament by year's end.

In late 1998, a series of "mysterious" murders of women occurred in the Mateheko area of Accra. There were more than 30 murders between 1993 and 2000, which were referred to as "serial murders." In May 2001, a suspect who police had arrested confessed to eight of the murders. On August 7, he was convicted of murder and sentenced to death. The sentence had not been carried out by year's end.

The Criminal Code bans the practice of customary servitude (known as *Trokosi*), protects women accused of witchcraft, makes the age of criminal responsibility 12 years, criminalizes indecent assault and forced marriages, and imposes punishments for defilement, incest, and prostitution involving children.

Belief in witchcraft still was strong in many parts of the country. Most accused witches were older women, often widows, who were identified by fellow villagers as the cause of difficulties, such as illness, crop failure, or financial misfortune. Many of these women were banished by traditional village authorities or their families and go to live in "witchcamps," villages in the north populated by suspected witches (see Section 1.d.). In the past, in addition to banishment, suspected witches were subject to violence and lynching. The women did not face formal legal sanction if they returned home; however, most feared that they could be beaten or lynched if they returned to their villages. The law provides protection to alleged witches. There were no definitive statistics on the number of women living in northern witchcamps, and international and domestic observers estimated that there were between 550 and 1,150 women in the camps. The CHRAJ and human rights NGOs mounted a campaign to end this traditional practice but have met with little success. Various organizations provided food, medical care, and other forms of support to the residents of the camp.

There were no developments in the following 2001 cases: The January case of two elderly women in Komenda, Central Region, who were accused of being witches by their nephew and subsequently abducted and tortured to obtain confessions (one of the women died 2 weeks later); the April case in which a man living in Tongor in the Volta Region chopped off the hands of an elderly aunt, claiming she was a witch; and the June case of a woman in Abutia-Kloe, Volta Region, who was beaten to death by persons who accused her of using witchcraft to mastermind the May 2001 stadium disaster in Accra (see Section 1.a.).

There were no developments in the 2000 case in which a local teacher accused an 80-year-old woman in the Volta region of being a witch.

There were several traditional discriminatory practices that were injurious to the health and development of young girls. In particular female genital mutilation (FGM) was a serious problem. A 1998 study estimated that between 9 and 12 percent of women have undergone FGM, but some estimates were as high as 30 percent. A Ministry of Health survey conducted between 1995 and 1998 found that FGM was practiced among nearly all the northern sector ethnic groups, up to 86 percent in rural parts of the Upper West and Upper East Regions. Often it was performed on girls under the age of 15. Officials at all levels have spoken against the practice, and local NGOs made some inroads through their educational campaigns to encourage abandonment of FGM and to retrain practitioners. Traditional chiefs became more outspoken in their opposition to the practice of FGM. The law prohibits FGM; however, members of the legal community advocated legislation to close loopholes in the law and extend culpability to those who aid in carrying out FGM and to

citizens who commit the crime outside the country's borders. On September 6, two women were arrested in Kpatia, Upper East District, for assisting another woman in the circumcision of 5 of their teenage grandchildren. The women cooperated with police; however, the woman who performed the circumcision was not found by year's end. In some cases in which FGM was performed, the victims actively sought out practitioners, sometimes without their parents' knowledge, in a quest to become ready for marriage.

There were no laws that specifically protect women from sexual harassment.

There is a Ministry of Women and Children's Affairs to address gender and children's issues; however, women continued to experience societal discrimination. Women in urban centers and those with skills and training encountered little overt bias, but resistance to women entering nontraditional fields persisted. Women, especially in rural areas, remained subject to burdensome labor conditions and traditional male dominance. Traditional practices and social norms often denied 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 were active in educational campaigns and in programs to provide vocational training, legal aid, and other support to women. The Government was active in educational programs, and former President Rawlings and his wife were among the most outspoken advocates of women's rights.

Children

Within the limits of its resources, the Government was committed to protecting the rights and welfare of children. The Government spent between 2.5 percent and 3 percent of GNP on education, approximately 60 percent of which went toward basic education in 2001. Education was compulsory through primary and junior secondary school (the equivalent of grades 1 through 9); however, education was not free. In practice schools imposed fees of up to \$50 (400,000 cedis) per term, and students also were required to purchase uniforms and books. In addition, teachers often withheld material during their regular lessons and asked students to pay additional fees for after-hours "tutoring" in those subjects as a way to supplement their incomes. In September 2001, the Ghana Education Service (GES) froze all fees charged by Senior Secondary Schools (SSS) items such as bedding and cutlery, which were not approved by the GES. These items must be listed in schools' prospectuses as items that parents must buy. All fees approved by the Council were to be paid by the Government.

Some children were unable to attend school because they needed to work to supplement their family's income (see Section 6.d.), they had to travel long distances to reach the school, or there was a lack of teachers, especially in more rural areas. Additionally children's attendance at school was not enforced regularly by government authorities, and parents rarely, if ever, were sanctioned for keeping their children out of school. The Government has taken some concrete steps to support education, including support of "informal" schools (NGO-sponsored schools that were not regulated by the Government and provide nontraditional education), and increased emphasis on assuring that students progressed from one school grade to another. According to UNICEF's "Situation Analysis of Children and Women in Ghana 2001," using Ministry of Education (MOE) data, 77.6 percent of eligible children were enrolled in primary school in 2000, with a ratio of 29 boys to 21 girls. According to MOE data for 1999-2000, 61.0 percent of students in the 12 to 14 year age range were enrolled in junior secondary school. The dropout rate was decreasing; however, the school enrollment rate also has dropped slightly and overall enrollment probably was even lower because of annual population growth. The 2000-2001 advancement rate from junior secondary to senior secondary school was 35 percent.

There was little or no discrimination against female children in education, but girls and women frequently dropped out of school due to societal or economic pressures. The Government actively campaigned for girls' education. There was a girls' education unit within the basic education division of the Ghana Educational Service. The Minister of State for Primary, Secondary, and Girl-Child Education was responsible for addressing gender-related issues in education. The percentage of girls enrolled in school continued to decrease. In September the Government estimated that girls'

enrollment in primary school had decreased from 75 percent in 1992 to 71 percent in 2001. According to published estimates, at the primary and junior secondary level, male enrollment was between 3 and 10 percent higher than female enrollment, and the gap significantly was greater at the senior secondary school level. Some officials attributed the lower female enrollment to the fact that many girls marry early or become pregnant. Enrollment of women at the university level in 2001 was 29 percent.

There were frequent reports of teachers sexually assaulting their female students. The girls often were reluctant to report the attacks to their parents, and social pressure often prevented parents from going to the police and other authorities. In April 2001, a math tutor at Aburi Girl's Secondary School, Eastern Region, fled after being accused of assaulting at least 17 girls. Students reportedly told the school administration, including the headmistress, about the assaults, but they were rebuffed and no action was taken. During the year, the headmistress resigned and the teacher was dismissed.

WAJU and regular police units increasingly investigated and prosecuted sexual abuse of minors, and press reports of court cases ending in lengthy prison sentences became routine.

The Ghana National Commission on Children (GNCC), a policymaking and coordinating body established to improve the lives of children, provided the WAJU 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.

FGM was performed on girls primarily (see Section 5, Women).

Trokosi, also known as Fiashidi, was a religious practice involving a period of servitude lasting up to 3 years. It is found primarily among the ethnic Ewe group in the Volta Region. A virgin girl, sometimes under the age of 10, but often in her teens, is given by her family to work and be trained in traditional religion at a fetish shrine for a period lasting between several weeks and 3 years as a means of atonement for an allegedly heinous crime committed by a member of the girl's family. In exceptional cases, when a girl of suitable age or status is unavailable, a boy can be offered. The girl, who is known as a Trokosi or a Fiashidi, then becomes the property of the shrine god and the charge of the shrine priest for the duration of her stay. As a charge of the priest, the girl works in the shrine and undergoes instruction in the traditional indigenous religion. In the past, there were reports that the girls were the sexual property of the priests; however, while instances of abuse may occur on a case-by-case basis, there was no evidence that sexual or physical abuse was an ingrained or systematic part of the practice. Shrine priests generally were male, but may be female as well. The practice explicitly forbids a Trokosi or Fiashidi to engage in sexual activity or contact during her atonement period. Trokosi may or may not attend school. During the atonement period, most girls do not live in the shrines, which generally were little more than fenced-in huts with small courtyards; many remained with their families or stayed with members of the shrine living nearby. The girl's family must provide for the girl's needs during her stay, including food and clothing; however, in some cases families are unable to do so. After she has completed her service to the shrine, the girl's family completes their obligation by providing items, which may include drinks, cloth, money, and sometimes livestock, to the shrine for a final release ritual. After the release ritual, the girl returns to her family and resumes her life, without, in the vast majority of cases, any particular stigma attaching to her status as a former Trokosi shrine participant. Generally the women continued to associate themselves with the shrine, a voluntary association involving return visits for ceremonies. In many instances, when a Trokosi woman dies, years if not decades after she has completed her service and resumed her life in the village, her family was expected to replace her with another young girl, thus continuing the association of the family to the shrine from generation to generation. In very occasional cases, the family abandons the girl or cannot afford the cost of the final rites, in which case she may remain at the shrine indefinitely. She also may leave the shrine and return to her village; however, her family's reputation with the shrine, and possibly with the community, may be tarnished. Shrines rarely have more than 4 girls serving their atonements at any one time, and there were no more than 100 girls serving their atonement periods at Trokosi shrines throughout the Volta Region at year's end.

Trokosi shrines all follow these general practices; however, specific practices, such as the length of

indoctrination, the exact nature of the ritual instruction, and the requirements for the release rites, varied from shrine to shrine and district to district.

The law bans ritual servitude in comprehensive legislation to protect women and children's rights. NGOs, such as International Needs, and government agencies, such as the CHRAJ, have been campaigning against Trokosi, for years. The practice has decreased in recent years because other belief systems have gained followers, and fetish priests who died have not been replaced. According to one local NGO, there were approximately 2,000 women or girls associated with Trokosi shrines, with a fraction actually living in the shrines; however, according to other international observers, there were no more than 100 girls serving at Trokosi shrines throughout the Volta Region.

Another traditional practice that violates the rights of children was forced childhood marriage, which is illegal. The GNCC 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.

On August 11, WAJU arrested a couple in Akwatia, Ashanti Region, for forcing their 15 year-old daughter to marry a 60 year-old man. WAJU still was investigating the case at year's end.

On August 31, a 5-year-old girl was kidnaped from Assin Praso, Central Region, and sold for \$500 (4 million cedis), reportedly to be used for "ritual" purposes. Four men were arrested. Investigations still were ongoing at year's end.

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

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.).

Persons with Disabilities

The Constitution specifically provides for the rights of persons with disabilities, including protection against exploitation and discrimination. In practice persons with disabilities were 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 December the Deputy Minister of Manpower Development and Employment announced that his Ministry submitted a bill to cabinet that would compel public and corporate institutions to make provisions for persons with disabilities.

National/Racial/Ethnic Minorities

Although the Government played down the importance of ethnic differences, its opponents have complained that it is dominated by Ashantis and other Akans at the expense of Ewes and northerners. The President and some of his ministers and close advisors were Ashanti, but the Vice President and many ministers were of other ethnic origins.

Efforts by NGOs to encourage reconciliation continued this year; however, during the year, there were several violent confrontations within ethnic groups related to chieftancy issues, particularly those of succession and land. For example, on March 27, the Ya-Na, chief of the Dagomba tribe in Yendi, Northern Region, and 29 of his followers were killed in fighting with a rival faction of the royal family. The two factions long have feuded over traditional ceremonies and the right to hold the throne. Extensive police investigations, an independent Commission of Inquiry, and traditional and international fact-finding teams all were working toward establishing responsibility for the deaths and resolution of the underlying conflict. In August the Commission finished public hearings, and in

November it submitted its report to the executive branch. The Commission's report recommended the prosecution of several dozen individuals involved in the violence, including the Northern Regional Minister. The report exonerated two other senior government officials who resigned as a result of the violence. The Commission also recommended the official reprimand of military officers in command over the area where the fighting took place. In December the Government responded by accepting most of the Commission recommendations; however, the Government declined to prosecute the Northern Regional Minister. The state of emergency continued in the Dagbon Traditional Area at year's end (see Section 2.d.).

In June a High Court dropped charges against the chief in Acherensua, Brong-Ahafo Region who allegedly shot and killed one person and injured five others in a dispute over demands that he abdicate. The Attorney General's office indicated it would appeal the Court's decision but had not done so by year's end.

In July charges were dropped against the chief involved in a chieftancy dispute in Juaso in the Ashanti Region that resulted in the death of a policeman, several injuries, the burning of the police station, and the arrest of more than 60 persons and his followers.

In December 2001, violence between the Mamprusi and Kusasi ethnic groups in Bawku resulted in widespread rioting, destruction of property, and loss of life. During the year, displaced persons returned to Bawku and rebuilt their homes; stores and schools reopened. Senior government officials visited the town and pledged to assist the reopening of peace negotiations between the Kusasi and Mamprusi peoples. In October national and regional government officials engineered a compromise in which the District Chief Executive and assembly member positions were shared between the two ethnic groups. As a result of this compromise, prospects for reconciliation improved.

There were no further developments in the 2000 clashes between the Tamong and Puli clans in Bimbagu, West Mamprusi District in the Northern Region that resulted in two deaths or in the 2000 incident in which four persons were killed after a conflict over a chieftancy dispute in Weija, Greater Accra Region.

Government officials, M.P.'s, and other prominent opinion leaders regularly called for peaceful coexistence between ethnic groups. The Permanent Peace Negotiating Team (PPNT) was a facilitative body whose primary purpose is to mediate disputes. The Government has a ban on firearms in the Northern Region and northern part of the Volta Region.

Section 6 Worker Rights

a. The Right of Association

The Constitution provides for freedom of association. This right was restricted formally by the Trades Union Ordinance, which conferred broad powers on the Government to refuse to register a trade union, and by the Industrial Relations Act (IRA), which governed trade union activities; however, the Government has not interfered with the right of workers to associate in labor unions and has encouraged pluralism in labor organizations. The IRA governed trade unions and their activities. The percentage of workers belonging to unions appeared to be decreasing as more of the workforce entered the informal sector where there was no union activity. The Ministry of Employment and Manpower Development estimated that 80 percent of the work force was employed in the informal sector, and that number was expected to increase.

The Trades Union Congress (TUC), the largest labor organization in the country, consisted of 17 national unions. Led by experienced union leaders, the TUC has been a vocal and constructive critic of the Government's economic policies. Civil servants had their own union, the Civil Servants Association, which operated outside of the TUC umbrella. The Ghana Federation of Labor (GFL) was intended to serve as an umbrella organization for several independent labor unions, which either had ceased ties with or were never members of the TUC.

The law requires employers found guilty of antiunion discrimination to reinstate workers fired for union activities.

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

b. The Right to Organize and Bargain Collectively

The law protects workers from employer interference and their right to organize and administer their unions. The IRA provides a framework for collective bargaining and some protection against antiunion discrimination. Trade unions engaged in collective bargaining for wages and benefits for both private and state-owned enterprises without government interference. However, the Government, labor, and employers negotiated together through a tripartite commission to set minimum standards for wages and working conditions. No union leaders have been detained in recent years for union or other activities.

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. Parties in a dispute may request compulsory arbitration. A union may call a legal strike if the Government does not call for formal arbitration. However, no union ever has 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 was enforced.

No further action was taken on the October 2001 appeal by workers from DL Steel Limited to the Minister of Trade and Industry regarding a worker-rejected severance package settlement by year's end.

In September 2001, the Minister of Manpower Development and Employment stated that there were 22 industrial actions involving 12,830 workers in the first 8 months of 2001, costing the country 39,261 man-days of labor. Most actions involved demands for higher wages and better benefits.

There was legislation that authorized export processing zones (EPZs), and a few EPZs are in operation. Existing labor law applied in any EPZ, including the right to organize.

c. Prohibition of Forced or Bonded Labor

The Constitution prohibits forced or bonded labor, including by children; however, approximately 100 women and girls were bound to shrines in the Volta Region through the localized Trokosi system and performed limited servitude for limited periods (see Section 5). It was difficult to determine the extent to which forced and bonded labor by children was practiced.

There were newspaper reports of children being sold into slavery for either sexual exploitation or labor, such as 10- to 12-year-old boys working for fisherman in exchange for a yearly remittance to their families. A 2002 report on child trafficking by the African Center for Human Development counted 708 children under the age of 18 working in fishing villages along the Volta Lake in the Afram plains (see Section 6.f.). However, there were no reports during the year that children were sold into slavery; the practice appeared to involve informal servitude, often with the consent of their parents (see Sections 6.d. and 6.f.).

The ILO continued to urge the Government to revise various legal provisions that permitted imprisonment with an obligation to perform labor for offenses that were not allowed under ILO Convention 105.

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

The law 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 2000 the Ministry of Employment and Social Welfare estimated that 18,000 children were working in Accra and 800,000 countrywide. The ILO estimated that 12 percent of children between the ages of 10 and 14 work. Children as young as 7 years worked as domestic laborers, porters, hawkers, miners, quarry workers, fare-collectors; they also worked in agriculture. The fishing industry on Lake Volta has a particularly high number of child laborers engaged in potentially hazardous work. According to an ILO representative, child labor in the tourism industry also increased. Child laborers were poorly paid and subjected to physical abuse; they received little or no health care and generally did not attend school. According to government labor officials, child labor problems did not exist in the formal labor sector because "exploitive child labor" (defined as that which deprives a child of health, education, or development) was prohibited.

The migration of children from rural to urban areas increased, due to economic hardship. Children were driven to the streets to fend for themselves, increasing both the occurrence of child labor and the school dropout rate. Observance of minimum age laws was eroded by local custom and economic circumstances that encouraged children to work to help support their families. Most economic activity of children between ages 5 and 14 took place in the context of a family enterprise.

The African Center for Human Development, a local NGO, found that child labor and child trafficking were widespread in the informal labor sector, especially in larger cities and border areas (see Section 6.f.). In response to the study, the Government established a National Steering Committee for the International Program for the Elimination of Child Labor (IPEC), composed of representatives from the Government, the Ghana Employer's Association, the TUC, the media, international organizations, and NGOs to look into child labor issues. The Committee developed the "National Plan of Action for the Elimination of Child Labor in Ghana 2001-2002," which was published by the Ministry of Manpower Development and Employment and ILO/IPEC Ghana. Implementation of the IPEC began in 2001; a national coordinator and steering committee were established, and the Government's statistical service was conducting a national survey of the child labor problem.

A Comprehensive Children's Act provided additional child labor protection and strengthened the punishment for violators under the Act. The Act incorporated 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 were increased considerably.

However, child labor laws were not enforced effectively or consistently, and law enforcement officials, including judges, police, and labor officials, often were unfamiliar with the provisions of the law protecting children. District labor officers and the Social Services sub-committees of District Assemblies were charged with seeing that the relevant provisions of the law were observed. Inspectors from the Ministry of Labor and Social Welfare were responsible for enforcement of child labor regulations. They visited each workplace annually and made spot checks whenever they received allegations of violations. All law enforcement and judicial authorities in the country were hampered by severe resource constraints and a lack of public awareness about the problem.

The Ministry of Manpower Development and Employment had more than 100 labor inspectors throughout the country responsible for monitoring companies' labor practices; however, the inspectors did not look exclusively or specifically at child labor. When inspectors found infractions of child labor laws, they generally informed the employers about the provisions of the law and asked them to make changes; however, there was no record of any prosecutions for child labor resulting from these inspections. Officials only occasionally punished violators of regulations that prohibited heavy labor and night work for children. In addition, the inspectors' efforts were concentrated only in the formal sector, which was not where the majority of child labor was performed.

The law prohibits forced and bonded labor performed by children; however, during the year, international observers reported that up to 100 girls and women were connected to Trokosi shrines (see Sections 5, 6.c., and 6.f.).

e. Acceptable Conditions of Work

A tripartite commission composed of representatives of the Government, labor, and employers set minimum standards for wages and working conditions. On May 1, after lobbying by trade unions, the Tripartite Commission raised the daily minimum wage to \$0.89 (7,150 cedis), which was insufficient to provide a decent standard of living for a single wage earner and family. Furthermore, there was widespread violation of the minimum wage law. In most cases, households had multiple wage earners, and family members engaged in some family farming or other family-based commercial activities. Trade unions argued that an eventual minimum of a \$1 (8,000 cedis) per 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; however, through collective bargaining the basic workweek for most unionized workers was 40 hours. The Government compensated 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 imposed sanctions on violators. However, safety inspectors were few and poorly trained. They took action if matters were called to their attention, but lacked the resources to seek out violations. Workers had the right to withdraw themselves from dangerous work situations without jeopardy to continued employment, although they rarely exercised this right.

The law protects both legal and illegal foreign workers.

f. Trafficking in Persons

No laws specifically addressed trafficking in persons, and trafficking in persons was a problem; however, the Government could prosecute traffickers under laws against slavery, prostitution, and underage labor. The country was a source and a destination country for trafficked persons. The Government acknowledged that trafficking was a problem:

The law, which defines the rights of children and codifies the law in areas such as child custody, health, and education, did not address specifically trafficking. The country was a signatory of ILO Convention 182 and various ministries were working with the ILO and NGOs to address trafficking. In March draft legislation criminalizing trafficking in persons and establishing specific penalties for convicted traffickers was completed; however, the legislation was not submitted to Parliament by year's end. The Ministry of Manpower Development and Employment, in conjunction with ILO/IPEC, implemented a "National Plan of Action for the Elimination of Child Labor in Ghana (see Section 6.d.)."

Law enforcement authorities were not trained or given sufficient resources to deal with the problem and had a difficult time identifying persons who were being trafficked because of the fluid nature of family relations in the country. For example, a friend often was called a "cousin," and an older woman an "aunt," even if there was no blood relation. The Government was attempting to train security forces, immigration authorities, customs and border officials, and police on issues of trafficking, and early in the year, immigration officials were successful in stopping some child traffickers. There were no developments in the April 2001 case in which a woman was arrested at Paga, Upper East Region for trafficking to the Gambia eight boys and three girls, between the ages of 6 and 14 or the 2000 case of two men who had attempted to sell two young men into forced labor for \$9,100 (50 million cedis) and were charged with "slave dealings."

Trafficking was both internal and international, with the majority of trafficking in the country involving children from impoverished rural backgrounds. The most common forms of internal trafficking involved boys from the Northern Region going to work in the fishing communities in the Volta Region or in small mines in the west and girls from the north and east going to the cities of Accra and Kumasi to work as domestic helpers, porters, and assistants to local traders. In 2000 more than 100 boys reportedly were contracted out to Lake Volta fishermen (see Sections 6.c. and 6.d.). Local

NGOs reported these children were subjected to dangerous working conditions and sometimes were injured or killed as a result of the labor they perform.

During the year, several persons were intercepted while trying to take approximately 50 persons from the northern part of the country to work in the southern part of the country. The 50 children were returned to their homes and the traffickers were in police custody. The case was pending in court at year's end.

Children between the ages of 7 and 17 also were trafficked to and from the neighboring countries of Cote d'Ivoire, Togo, and Nigeria to work as farm workers, laborers, or household help. On September 5, four Ghanaian girls aged 14 to 18 were handed over to WAJU at the Ghana-Togo border. The girls said they were taken from Ghana and forced to work as prostitutes in Nigeria. On September 7, one woman was arrested, and the investigation was ongoing at year's end.

Much of the recruitment of children was done with the consent of the parents, who sometimes were given an advance payment or promised regular stipends from the recruiter and were told the children would receive food, shelter, and often some sort of training or education. Some parents sent their children to work for extended family members in urban areas; treatment of children sent to work in relatives' homes varied. Many children were given to professional recruiters, usually women, who placed the children with employers in cities. A child in these circumstances usually was paid between \$2.50 and \$3.75 (20,000 and 30,000 cedis) per month. In many cases, the children never received the education or vocational training the recruiters promised. Girls may be forced into prostitution and often were sexually abused by their employers.

Women also were trafficked to Western Europe, mostly Italy, Germany and the Netherlands. International traffickers promised the women jobs; however, the women often were forced into prostitution once they reached their destination. The women were sent sometimes directly to Europe, while others were trafficked through other countries. Some young women were trafficked to the Middle East, particularly Lebanon, where they worked in menial jobs or as domestic help. There also was a growing trade in Nigerian women transiting Ghana on their way to Western Europe and reportedly the Middle East to work in the sex industry. Traffickers in person from other countries reportedly used Accra as a transit point to Europe and reportedly the Middle East. There reportedly was some trafficking in persons from Burkina Faso, mostly transiting Ghana on the way to Cote d'Ivoire.

In March the Government announced its National Plan to Combat Trafficking in Persons. The plan called for new legislation to criminalize trafficking in persons, specific penalties for traffickers, and specialized training for law enforcement agencies to detect and prosecute traffickers. A National Commission to Combat Trafficking was created, which coordinated antitrafficking efforts of governmental and nongovernmental actors.

Several NGOs, both local and international, worked with trafficking victims. These organizations, as well as the University of Ghana's Center for Social Policy Studies, conducted studies into trafficking as part of their broader agenda, performed some rescue operations for street kids, provided training and education for victims of trafficking and abuse, and in some cases, assisted with family reunification.

