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Status: Free

Legal Environment: 8

Political Environment: 9

Economic Environment: 9

Total Score: 26

The overall climate for freedom of expression and the press remained generally healthy in 2010. The government of President John Atta Mills of the National Democratic Congress (NDC) sought to maintain the relative freedoms enjoyed by the press and media practitioners in the second year of the NDC's return to power.

Freedom of the press is legally guaranteed, and the government generally respects this right in practice. Ghana's criminal libel and sedition laws were repealed in 2001, but Section 208 of the 1960 Criminal Code, which bans "publishing false news with intent to cause fear or harm to the public or to disturb the public peace," remains on the books. In the past, former public officials and private citizens have brought a spate of civil libel cases seeking crippling amounts in damages from media outlets, encouraging self-censorship. In May 2009, defamation claims were brought against the publishers of the *Daily Graphic* and the *Daily Democrat* newspapers by the former minister of aviation. The publishers faced potential payments amounting to \$207,000, but a final verdict had not yet been handed down by the end of 2010. However, in February 2010, courts dismissed years-old defamation suits brought against the *Daily Guide* and the *Daily Dispatch* by a member of parliament and a paramount chief, respectively.

President Mills' cabinet approved a Right to Information Bill in November 2009 that would reinforce the constitution's guarantee of freedom of information. The minister of information, John Tia Akologu, affirmed in May 2010 that the government was committed to passing the measure into law. Earlier in January, more than 500 people had demonstrated in the streets of the capital, Accra, to pressure the government to pass the bill. In spite of this, parliament failed to bring the bill to a vote during the year.

The surge of election-year harassment of journalists and overzealousness of police officers that took place in the previous two years declined substantially in 2010. However, the police used Section 208, described above, at least twice during the year. In July, the U.S.-based Committee to Protect Journalists (CPJ) called on Ghana's attorney general to drop criminal charges against the acting editor of JoyFM, Ato Kwamena Dadzie. He was charged in an attempt to force him to reveal the station's sources following a story on a \$10 billion housing construction deal between the government and a South Korean company. The story claimed that the Ghana Real Estate

Developers Association withdrew its opposition to the deal because its members received death threats via text messages. The minister of information dismissed the report as a fabrication and demanded its retraction.

Journalists and photographers continue to be subject to physical attack on the job. On two separate occasions in January 2010, photographers from the *Daily Guide* were assaulted in court by relatives of defendants whose trials they were covering. One of the photographers, Emmanuel Kubi, was also attacked by prison guards and arrested on the orders of the presiding judge, who detained him in a cell with criminals who further assaulted him. In June, a photographer for the *Daily Graphic* was also attacked in court. In September, Alexander Afriyea, a radio correspondent for Nhyira FM, was violently attacked on the job by supporters of the ruling party. Afriyea was also a candidate in an upcoming local election. On several occasions, radio stations were attacked by assailants trying to silence their programming. On two consecutive days in June, the privately-owned station North Star was attacked by members of the ruling party after a discussion program covered a local ethnic conflict. In September, privately owned station OTEC FM was stormed by a group of prison guards protesting coverage of a demonstration they had held for higher pay.

Dozens of newspapers, including two state-owned dailies, publish regularly, and there are 27 television stations in operation. Radio remains the most popular medium, with more than 150 FM radio stations in operation nationwide, 11 of which are state-run. The first community radio station, Radio Ada, was launched in 1999 and became a founding member of the Ghana Community Radio Network. Nine additional stations have started broadcasting, and several others have been awarded licenses by the National Communications Authority (NCA). Community radio stations have effectively informed citizens in marginalized communities throughout the country, contributing to stronger public involvement in local politics. However, the NCA has been criticized for slow licensing procedures and bias. Journalists claim that there has been no response to broadcast license applications from as far back as 2000. Poor pay and unprofessional conduct, including the fabrication of highly sensationalist news stories, remain problems.

Use of the internet is growing and remains unrestricted but access rate remains low at 8.55 percent of the population. An opposition group is currently suing the government to prevent it from installing a monitoring device on the international gateways of mobile telephone providers. The government argues the device will help minimize loss of revenue from international calls, but the plaintiffs claim it could be used to tap into text messages and internet communications.

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