



Freedom of the Press 2017 - Ghana

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Press Freedom Status: Partly Free

Total Score: 33/100 (↓2) (0 = Most Free, 100 = Least Free)

Legal Environment: 9/30 (↓1)

Political Environment: 13/40 (↓1)

Economic Environment: 11/30

Quick Facts

Population: 28,200,000

Freedom in the World Status: Free

Internet Penetration Rate: 23.5%

Key Developments in 2016:

- In April, security officials at a private mining corporation seized equipment belonging to three Danish journalists.
- In May, a senior police official raised the possibility of blocking access to social media during the year's general elections, in what he described as a plan to maintain security and prevent the spread of misinformation. The proposal was widely criticized and never enacted.
- Several violent attacks against media workers took place during the year, including a January mob attack against a radio station in Brong Ahafo Region.
- In November, the Supreme Court struck down 2015 regulations issued by the National Media Commission (NMC) that could have facilitated prepublication censorship.

Executive Summary

Freedom of the press is legally guaranteed in Ghana, and the country has a diverse media landscape. However, Ghana's reputation as one of the freest media environments in sub-Saharan Africa was tarnished in 2016 by a series of physical attacks against journalists. These included a January mob attack on a radio station in the Brong Ahafo Region, and an incident in April in which a radio presenter at Kumasi-based Fox FM and a panelist were attacked during a live broadcast by supporters of an opposition political party.

However, 2016 saw some legal developments favorable to press freedom. In June, the government withdrew the Interception of Postal Packets and Telecommunications Messages Bill, known as the "spy bill," from parliamentary consideration; local and international rights groups had opposed provisions within the bill they said had the potential to undermine the right to privacy in private communications. In November, the Supreme Court struck down 2015 content standards regulations issued by the NMC, saying they were tantamount to a censorship regime. Formal consideration by the parliament of a draft right to information bill, which has won praise for its robust provisions, began in March.

Legal Environment: 9 / 30 (↓1)

Freedom of the press is protected by the 1992 constitution, but some laws can be invoked to restrict journalists' and media outlets' activities. Criminal libel and sedition laws were repealed in 2001, but the publication of false news with intent to "cause fear and alarm to the public or to disturb the public peace" remains a misdemeanor under Ghana's criminal code. Current and former public officials, as well as private citizens, sometimes pursue civil libel suits with exorbitant compensation requests against journalists and media outlets.

The constitution provides for freedom of information, but there is no legislation to implement this guarantee. Formal parliamentary consideration of a draft right to information bill, which has won praise for its robust provisions, began in 2016, though lawmakers had yet to approve it at year's end.

There are two media regulatory institutions in Ghana. The NMC focuses on content, while the National Communications Authority (NCA) is responsible for license allocation. The NCA operates under the authority of the Ministry of Information and has faced criticism for favoring applicants with connections to the government, while the NMC is generally viewed as more independent. In 2015, the NCA awarded Afriwave Telecom a contract to establish a single clearinghouse through which all voice and data communications would pass. Civil society activists expressed concern that its establishment could permit government monitoring of phone calls, text messages, e-mail, and other communications, and could introduce the possibility of a large-scale telecommunications shutdown for political reasons. They also said it could prompt an overall increase in the cost of telecommunications services for consumers. The deal continued to come under scrutiny in 2016, including for alleged corruption in the NCA's tender process.

Ghanaians may freely enter the profession of journalism. The Ghana Journalists Association (GJA) represents journalists from various media sectors, and works to advance media freedom. It has two representatives on the NMC. The Media Foundation of West Africa (MFWA), an advocacy group, is also active in Ghana. In 2016, MFWA faced lawsuits that were part of a larger effort undertaken by senior judges intended to quash reporting on a wide-ranging corruption scandal in the judiciary. The organization faced high legal defense costs, which hampered its operations. Separately, in June 2016, the government withdrew the Interception of Postal Packets and Telecommunications Messages Bill, known as the "spy bill," from parliamentary consideration. Local and international rights groups had opposed certain provisions they said had the potential to undermine the right to privacy in private communications.

Political Environment: 13 / 40 (↓1)

While the constitution protects the state-run Ghana Broadcasting Corporation (GBC) from government interference, political parties attempt to influence coverage. Private media face editorial pressure from their owners, particularly those with political connections.

The constitution prohibits censorship, and the Supreme Court upheld this principle in a November 2016 decision to nullify content standards regulations issued by the NMC the previous year. The regulations, which the court deemed tantamount to a censorship regime, had required the operators of public electronic communications or broadcasting services to submit content to the NMC for approval before dissemination, and had permitted fines and a jail sentence of up to five years for failure to comply. Separately, the Ministry of Communication's Information Services Department (ISD) issued guidelines in 2015 requiring that ISD officials accompany foreign media workers when filming, and that they submit final newsreels to the ISD before they are aired publicly. Journalists who refuse to accept the conditions will be denied permission to work in Ghana.

In 2016, a number of journalists experiences attacks, intimidation, or interference while working. Some of the seven attacks and four threats the MFWA recorded during the year were carried out by security agents. In July, local media reported that police in the Gomoa Ojobi District of Ghana's Central Region had beaten and temporarily detained a reporter they believed had recorded footage of them. The MWFA also recorded three arbitrary arrests of journalists during the year.

Among the most visible instances of violence against journalists in 2016 was a January raid on the Brong Ahafo Region radio station *Jerryson FM*, which was attacked by clients of a failed microfinance company controlled by the same person who owned the station. The attackers threatened to kill members of the

station's staff if their demands for money were not met, and one attacker kidnapped the child of one of the station's journalists; the child was later rescued by police. In April, a radio presenter from Kumasi-based Fox FM and a panelist were attacked during a live broadcast by supporters of the opposition New Patriotic Party (NPP) after the panelist had criticized the party. Separately, in April 2016, security forces stationed at Saaman, a mining community in Ghana's Eastern Region, harassed three Danish journalists who were working on a documentary about mining and the environment, and seized their filming equipment. The events took place even though the journalists had complied with the restrictive provisions contained in the 2015 ISD guidelines on foreign journalists' operations.

Radio journalist George Abanga was shot and killed in 2015. A man was taken into custody after confessing to the killing, but some observers have expressed concern about the suspect's mental condition, and raised questions as to whether he was truly involved.

Economic Environment: 11 / 30

According to the African Media Barometer, a joint project of the Friedrich-Ebert-Stiftung (FES) foundation and the Media Institute of Southern Africa (MISA), in 2016 there were 58 authorized television operators in Ghana and 481 FM radio stations, of which 31 were state-owned, 345 were private, 79 were community-owned, and 21 were operated by universities. Dozens of newspapers, including 2 state-owned and 3 private dailies, publish regularly. Use of the internet is growing, with about 35 percent of people accessing it in 2016. Blogging and social networking have increased in urban centers.

While the internet is unrestricted, a senior police official in May 2016 raised the possibility of blocking access to social media during the year's general elections, in an effort to maintain security and prevent the spread of misinformation. The remarks drew heavy criticism from the political opposition, rights advocates, and a domestic anticensorship campaign, and then President John Mahama in August explicitly rejected the proposal. The distribution of print media remains challenging outside of urban areas. The high cost of newspapers also inhibits accessibility.

Economic sustainability is a challenge for Ghana's media. The GBC receives inadequate funding from the government and must sell advertising to support operations, which leaves the outlet dependent on the large corporations that can afford its rates. Meanwhile, electricity fluctuations known as *dumsor* have had adverse effects on media houses, forcing some to invest in generators in order to publish or broadcast. Journalists are poorly paid, and many are willing to accept money in exchange for covering particular events.

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