STATE OF HUMAN RIGHTS IN GHANA (2006)
A Report by the Commission on Human Rights and Administrative Justice (CHRAJ)

On the Occasion of International Human Rights Day

December 8, 2006
ACKNOWLEDGEMENT

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ACRONYMS

AAIG        Action Aid International Ghana
ACAT        Action by Christians Against Torture
ACHPR       Africa Charter on Human and People’s Rights
APRM        Africa Peer Review Mechanism
BECE        Basic Education Certificate Examinations
CAT         Convention Against Torture
CEDAW       Convention on the Elimination of All forms of Discrimination
            Against Women
CERD        Convention on the Elimination of Racial Discrimination
CHRAJ       Commission on Human Rights and Administrative Justice
CDD         Centre for Democratic Development
COT         Charges on Transactions
CPI         Corruption Perception Index
CETSUDI     Centre for Sustainable Development
CRC         Convention on the Rights of the Child
DA          District Assembly
DOVVSU      Domestic Violence Victim Support Unit
DANIDA      Danish International Development Agency
DCE         District Chief Executive
EC          Electoral Commission
EFA         Education For All
FCUBE       Free Compulsory Universal Basic Education
FIDA        International Federation of Women Lawyers
GAS         Ghana Ambulance Service
GC          General Comment
GES         Ghana Education Service
GHS         Ghana Health Service
GNFS        Ghana National Fire Service
HIPC        Highly Indebted Poor Countries
<table>
<thead>
<tr>
<th>Abbreviation</th>
<th>Full Form</th>
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<tr>
<td>GSPD</td>
<td>Ghana Society of the Physically Disabled</td>
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<td>HIV</td>
<td>Human Immunodeficiency Virus</td>
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<td>HRE</td>
<td>Human Rights Education</td>
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<tr>
<td>ICESCR</td>
<td>International Covenant on Economic, Social and Cultural Rights</td>
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<td>ICCPR</td>
<td>International Covenant on Civil and Political Rights</td>
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<td>ILO</td>
<td>International Labour Organisation</td>
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<td>IOM</td>
<td>International Organisation for Migration</td>
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<td>ISODEC</td>
<td>Integrated Social Development Centre</td>
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<td>JSS</td>
<td>Junior Secondary Schools</td>
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<td>MDAs</td>
<td>Ministries Departments and Agencies</td>
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<td>MDG</td>
<td>Millennium Development goals</td>
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<td>MOH</td>
<td>Ministry of Health</td>
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<td>MPs</td>
<td>Members of Parliament</td>
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<td>NCCE</td>
<td>National Commission on Civic Education</td>
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<td>NGO</td>
<td>Non-Governmental Organizations</td>
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<td>NHIS</td>
<td>National Health Insurance Scheme</td>
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<td>NORSAAC</td>
<td>Northern Sector Action on Awareness Centre</td>
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<td>NPP</td>
<td>New Patriotic Party</td>
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<td>NRCD</td>
<td>National Redemption Council Decree</td>
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<td>PLWA</td>
<td>People Living With AIDS</td>
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<td>PNDCL</td>
<td>Provisional National Defense Council Law</td>
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<td>PROYCOD</td>
<td>Progressive Youth and Community Development</td>
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<td>RUMNAT</td>
<td>Rural Media Network</td>
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<tr>
<td>SMART</td>
<td>Specific Measurable, Achievable, Relevant Time-bound</td>
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<tr>
<td>SSNIT</td>
<td>Social Security and National Insurance Trust</td>
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<tr>
<td>S&amp;ME</td>
<td>Surgical and Medical Emergency</td>
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<td>SSS</td>
<td>Senior Secondary School</td>
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<tr>
<td>T&amp;T</td>
<td>Travel and Transportation</td>
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<td>UN</td>
<td>United Nations</td>
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<td>UDHR</td>
<td>Universal Declaration on Human Rights</td>
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<tr>
<td>Acronym</td>
<td>Description</td>
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<tr>
<td>UNHCR</td>
<td>United Nation High Commission for Refugees</td>
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<td>UNCAT</td>
<td>United Nations Convention Against Torture</td>
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<tr>
<td>VOLPHIG</td>
<td>Volta Physically Challenged Independent Group</td>
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<tr>
<td>VONEC</td>
<td>Volunteer Needs Coalition</td>
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<tr>
<td>VRA</td>
<td>Volta River Authority</td>
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<td>WILDAF</td>
<td>Women in Law and Development in Africa</td>
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1.0 INTRODUCTION


1. A National Human Rights Institution
2. An Ombudsman, an agency which ensures administrative justice
3. An anticorruption agency for the public sector

Inherent in its broad mandate is a monitoring function which the Commission executes regularly to improve the regime for promoting, protecting and enforcing fundamental human rights and freedoms, as well as ensuring compliance with International and Regional Human Rights Conventions.

The Commission’s educates on social and economic rights (with particular focus on the rights to health and education) of vulnerable persons such as children, prisoners, refugees, orphans and slum community dwellers, monitors visited various facilities including educational institutions, health facilities, deprived communities (slums), refugee camps, psychiatric institutions and witch camps in the Northern region of Ghana, so as to ascertain the observance of human rights.

Despite this focus on health and education as basic human rights in 2006, the Commission also researched into the following:

- Conditions in remand prisons;
- Dehumanizing cultural practices such as Female Genital Mutilation (FGM), widowhood rites, Trokosi (ritual servitude) and witchcraft, which are still practised in Ghana;
- Communal conflicts i.e. over land, observed with the help of local leaders;
- Children and women’s rights with regards to human trafficking in particular;
- Human rights violations in mining communities;
- Corruption leading to strategies to inform the public about corruption and anticorruption campaigns;
- Cooperation with Non-Governmental Organizations (NGOs).

This comprehensive report, which was compiled by the Research Unit of the Public Education Department of the Commission, is by no means exhaustive and does not seek to make generalisations. It aims to document main findings based on monitoring selected facilities and to propose recommendations for improvement.
2.0 EXECUTIVE SUMMARY

2.1 Background
The Commission on Human Rights and Administrative Justice (CHRAJ) was established in October 1993 with the responsibility of supporting constitutional democracy and nurturing a culture of human rights in Ghana. The broad mandate of the Commission is to promote and protect the fundamental human rights and freedoms of persons in Ghana, prevent and combat corruption and ensure administrative fairness in public administration. It is also the responsibility of the Commission to educate the public on their fundamental human rights and freedoms.

The 1992 Constitution of Ghana (the Constitution) and international human rights laws impose duties and obligations on both the Organs of State and the Commission, as a national human rights institution. The Constitution provides that fundamental human rights and freedoms shall be respected and upheld by the Executive, Legislature and Judiciary and all other organs of government and its agencies and, where applicable to them, by all natural and legal persons in Ghana, and shall be enforceable by the Courts as provided for in the Constitution. International Human Rights Instruments also oblige States to respect, protect, promote and fulfil human rights. The obligation to respect requires the State to refrain from interfering with the enjoyment of human rights. The obligation to protect requires the State to prevent third parties and/or non-state actors from interfering with or violating human rights. The duty to fulfil means three things, namely, to provide for, promote and facilitate the enjoyment of rights.

The Commission, as a national human rights institution, is under obligation to monitor compliance with specific rights recognized under international human rights instruments, and provide reports thereon to the government, public authorities and the general public, conduct research and inquiries designed to ascertain the extent to which particular rights- economic, social and cultural, civil and political- are being realized, either within the country as a whole or in selected areas and communities.

Providing technical advice on human rights issues or undertaking research in relation to the realization of human rights, also falls under the purview of a national human rights institution.

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1 Article 12(1)
2 GC No. 10
On the 10th of December every year, the Commission joins the international community to commemorate International Human Rights Day. The occasion provides an opportunity for the Commission to report on the State of Human Rights in Ghana. As this year’s International Human Rights Day falls on Sunday, the Commission presents the report on Friday, 8th December, 2006. The report has come about as a result of about eleven months of assessing the realisation of human rights in the country. It covers the period from January to November, 2006.

In compiling the report, the Commission utilized methods such as investigations, research, and observation. In a continuous effort to improve the monitoring regime employed by the Commission, information obtained from our monitoring activities was complemented by information obtained from reports of other NGOs, academia, the media, and other monitoring bodies, among others.

A useful innovation in the Commission’s monitoring work is the on-site visits undertaken by the Commission to institutions and places of detention. This provided a unique opportunity for the Commission to experience first-hand, the enjoyment of rights by patients, persons in detention and other vulnerable groups in the country.

Through its extensive network and close collaboration with other governance institutions such as the National Commission on Civic Education and District Assemblies, as well as the cooperation and assistance from human rights NGOs and civil society in general, the Commission is able to reach out to the remotest community and to collate information on specific rights.

In the report, the following rights are being assessed:

i. Socioeconomic rights: the right to health, housing, education, the environment, property, etc.

ii. Civil and political rights;

iii. Special rights;

iv. Corruption;

v. Other rights.

In compiling the report, the Commission was also guided by both national and international human rights jurisprudence and the provisions of core international Human Rights Instruments which flow from the Universal Declaration of Human Rights (UDHR). These include:

i. The 1992 Constitution of the Republic of Ghana
ii. Ghanaian Law
iii. The International Covenant on Civil and Political Rights (ICCPR) and its two Optional Protocols;
iv. The International Covenant on Economic, Social and Cultural Rights (ICESCR);
v. The Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW) and its Optional Protocol;
vi. The Convention Against Torture (CAT);
vii. The Convention on the Rights of the Child (CRC);
viii. The Convention on the Elimination of Racial Discrimination (CERD);
ix. The African Charter on Human and People’s Rights. (ACHPR)

2.2 The Right to Health

The right to health encompasses both the right to health care and the underlying determinants of health, such as adequate sanitation and safe drinking water. Moreover, the right to health is closely related to the enjoyment of a number of other human rights and fundamental freedoms, including the rights to food, housing, education, participation and access to information. The right to health includes:

i. functioning public health and health care facilities; goods and services must be available in sufficient quantity;

ii. public health and health care facilities; goods and services must be physically and economically accessible and acceptable to everyone without discrimination i.e. they must be respectful of medical ethics; health facilities must also be scientifically and medically appropriate and of good quality;

iii. culturally appropriate, sensitive to gender and life-cycle requirements, as well as designed to respect confidentiality and improvement in the health status of those concerned.

The State is obligated to honour its constitutional, as well as its international and regional obligations, to ensure the enjoyment of the right to health. Ghana ratified the International Covenant on Economic, Social and Cultural Rights (ICESCR) in 2000 and is obliged not to contravene its provisions.

The cost of health care is going beyond the reach of many people. The Commission notes that some health institutions, notably Korle-Bu in Accra, have been illegally detaining patients, including nursing mothers and babies, for non-payment of the cost of treatment at the hospital. In November 2006, thirty-four

3 GC 14
(34) mothers and their babies were detained by that Hospital for inability to pay their medical bills. It took the intervention of private philanthropists, TT Brothers of Ghana and Berfin Company Limited of South Africa to have those mothers and babies released from the unlawful hospital detention.4

Investigations by the Commission also revealed that between April, 2005 and July, 2006, similar detentions were made by the Korle-Bu Teaching Hospital and in all these cases they were mothers and days old babies.

This is an unacceptable and unlawful means on the part of the Korle-Bu Hospital authorities, of securing payment of monies owed them after treatment. Government must bring the Hospital authorities to order.

The Psychiatric Hospital at Asylum Down in Accra, reported several instances of neglect, resulting in poor health care for its patients. Funding provided the hospital by government has not been adequate for the care of inmates.

2.3 The National Health Insurance Scheme
The National Health Insurance Scheme (NHIS) is a major health financing scheme which is intended, among others, to replace the existing ‘Cash and Carry’ health financing system. Since its introduction, there has been an expansion of coverage in medical care. However, free medical care for pregnant women and children has been a major problem. Maternal mortality continues to be high in the country. Street children who are vulnerable have difficulty participating in the NHIS, first, because the registration requires a residential address and beneficiaries must be 18 years and above to qualify to register. While information about, and enrolment into the NHIS is reported to be rising steadily, within the general population, many poor people are not able to access the facility due to some peculiar conditions of exclusion5

2.4 The Right to Education
The right to education is provided for in Article 25 of the Constitution of Ghana. It states that basic education shall be free, compulsory and available to all; secondary education in its different forms, including technical and vocational education, shall be made generally available and accessible to all by every appropriate means, and in particular, by the progressive introduction of free education; higher education shall be made equally accessible to all, on the basis of

capacity, by every appropriate means, and in particular, by the progressive introduction of free education; functional literacy shall be encouraged or intensified as far as possible; the development of a system of schools with adequate facilities at all levels shall be actively pursued.

Free education ensures the availability of primary education without charge to the child, parents or guardians. Thus fees imposed by the Government, the local authorities or the school, and other direct costs, constitute disincentives to the enjoyment of the right and may jeopardize its realization. Compulsory education implies that “…neither parents, nor guardians, nor the State are entitled to treat as optional the decision on whether the child should have access to primary education.” However, this constitutional guarantee of basic education which should be free, compulsory and available to all, is not yet free and compulsory education in Ghana.

Government introduced the Capitation Grant scheme in the 2005/2006 academic year, when every basic school was supposed to receive an amount of €30,000 per pupil enrolled. As a result, total school enrolment for the academic year increased. However, the grant does not cover all the costs of education at the basic level. Parents still bare a significant cost of educating their children in school. PTA levies that the Ministry approves are exacted from parents. This serves as a disincentive to education and prevents the poor from accessing education. There are many children of school going age who do not attend school either as a result of unavailability of schools within easy reach, or as a result of parents’ inability to pay the required fees. Educational performance has not improved significantly either.

In September 2006, The Statesman, a local newspaper, reported that its interaction with fishermen and fishmongers at Teshie, a community in Accra, revealed that “…the noise about Capitation Grant and children entering classrooms all over the country is a fairy tale to some parents and boys and girls of school going age.”

Indeed, it is estimated that about 1.357 million children in Ghana do not go to school, a situation which puts Ghana at the seventh position among countries with the largest numbers of out of school children. Added to this, are the persistent

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6 Para 7, GC No. 11  
7 Para 6, GC No. 11  
Free or Fee: 2006 Global Report, Copenhagen, August 2006  
10 Statesman, General News of Sunday 24, Sept 2006 (see www.ghanweb.com)  
geographical and gender disparities in access to education, as well as inadequate well trained, motivated teachers, affecting the quality of teaching.

2.5 The Right to Adequate Housing

The right to housing is much more than simply a roof over one's head. It requires a habitable space that fulfils the basic needs of humans to personal space, security, and protection from the weather. The right to adequate housing means people must have equal access to a safe, habitable, and affordable home, free from health threats and structural hazards. It includes access to employment options, health care services, schools, child care, and other social facilities. This applies equally in urban and rural areas. It also means people must be protected against forced evictions.

In 1988, in the Global Strategy for Shelter to the Year 2000, adopted by the General Assembly of the United Nations, in its resolution 43/181, the “fundamental obligation [of Governments] to protect and improve houses and neighbourhoods, rather than damage or destroy them” was recognized\textsuperscript{12}. Agenda 21 stated that “people should be protected by law against unfair eviction from their homes or land.”\textsuperscript{13}

In the Habitat Agenda, Governments committed themselves to “protecting all people from, and providing legal protection and redress for, forced evictions that are contrary to the law, taking human rights into consideration; [and] when evictions are unavoidable, ensuring, as appropriate, that alternative suitable solutions are provided”\textsuperscript{14}.

Wardens from the Game and Wildlife Division of the Forestry Commission carried out a series of forced evictions in the Digya National Park in the Volta Region from 10 March to 8 April, 2006. The wardens were supported by police and soldiers. The evictions displaced and/or otherwise negatively affected approximately 7000 people living along Lake Volta. Following the evictions, a boat, overloaded with the evictees and their possessions, capsized on the lake on 8\textsuperscript{th} April, 2006, killing many of its occupants.\textsuperscript{15}

\textsuperscript{12} Report of the Commission on Human Settlements on the work of its eleventh session, Addendum (A/43/8/Add.1), paragraph 13


\textsuperscript{14} Report of the United Nations Conference on Settlements (Habitat II) (A/CONF.165/14), annex II, The Habitat Agenda, paragraph 40

\textsuperscript{15} COHRE, 2006, Putting People Last - Forced Evictions from Digya National Park, Ghana(draft report), Accra, Ghana
The right to housing implies that during forced evictions appropriate procedural protection and due process should be applied, including an opportunity for genuine consultation with those affected. Adequate and reasonable notice must be given to all affected persons prior to the scheduled date of eviction; information on the proposed evictions should be provided, the eviction must not take place in particularly bad weather and affected persons should be provided legal remedies. More importantly, evictions should not result in individuals being rendered homeless or vulnerable to the violation of other human rights.

Where those affected are unable to provide for themselves, the State party must take all appropriate measures, to the maximum of its available resources, to ensure that adequate alternative housing, resettlement or access to productive land, as the case may be, is available.

The Digya National Park eviction was done in the rainy season; the villagers were not allowed to re-enter their homes to collect their possessions, they were forced to live in the open, offshore for several days with their few belongings. Many evictees were reported ill and many children died from various ailments.

### 2.6 Cultural Rights

The Constitution guarantees the right of every person to enjoy, practise, profess, maintain and promote any culture, language, tradition or religion. It also forbids all customary practices that dehumanise or are injurious to the physical and mental well-being of a person.

It was recorded that in the Volta Region, women were being subjected to some dehumanising and injurious widowhood rites, such as walking around bare-footed and half naked.

Female Genital Mutilation was reported to have resurfaced in Gbaw and Banda Ahenkro in the Wenchi District of the Brong-Ahafo Region where the practitioners conduct their operations at night.

### 2.7 Police Conduct, Brutalities and Extra Judicial Killings

On January 15, 2006, communal violence broke out between the Akan speaking and Kotokoli speaking communities at Jamasi in the Ashanti Region over the use

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16 GC No. 7
17 GC No. 7
18 Article 26
of the local Presbyterian Church park. When the police were called in, they acted in a highly discriminatory manner, forcibly arresting a number of Kotokolis from their homes and denying them medical treatment while providing it for those wounded on the other side.

At Nakogu-fong a suburb of Bimbilla in the Northern Region, as a result of the failure of the police to arrest the attackers of one Mohammed, an employee of the Volta River Authority (VRA), communal violence broke out. The police took advantage of the curfew to subject a number of innocent people to severe beatings. One Yaw Atobam who was going to attend nature’s call in a nearby bush, was caught and molested. A Fifty year old blind man who was on his way to take his supper at his daughter’s house was also severely assaulted by the police. A Community Health Nurse at the Bimbilla District Hospital, Kofi Lardi Bawatonobe, was waylaid by the police when he went out to attend to a four-month old sick girl.

In another communal violence that broke out between two communities in the Bolgatanga Municipality in the Upper East Region, following a disagreement at a card game, the police and the military personnel who were sent to restore law and order, committed atrocious human rights violations. Those arrested were made to sit in the sun and ordered to roll on the ground.

In another development, two communities in Obuasi, in the Ashanti Region complained of an alleged shooting of some members of the communities by security personnel employed by the mining company and the use of dogs on galamsey (illegal mining) operators by company security guards.

On the 6th of June, 2006, the Ntrotorso community in the Brong Ahafo Region organised a peaceful demonstration against Newmount Ghana (a mining company operating in the area). Soldiers were called in and they subjected the demonstrators to severe beatings.

On Friday, 21st April, 2006, the Police shot and killed four persons in Dansoman, a suburb of Accra who were in a taxi cab and prevented families of the deceased from taking them and the wounded to the hospital for treatment.

On Friday, 19th May, 2006, the Police shot and killed a 26 year old man at Kotobabi in Accra. A Committee, set up by the Minister for the Interior, on 24th May 2006 has since presented its report on its investigations.

The Commission is concerned that there is a re-emergence of these acts of brutality committed by the Police and Military and for which the National
Reconciliation Commission was established. The Government is urged to take this matter seriously to remind the Police and Military that they must operate within the law.

2.8 Conditions of Prisoners

Article 15 of the Constitution, provides that the dignity of all persons shall be inviolable and that no person, whether he is arrested, restricted or detained, shall be subjected to torture or condition that detracts or is likely to detract from his dignity and worth as a human being.

Similar provisions are found in international human rights instruments relating to the treatment of prisoners and persons in detention and prescribe the conditions under which such persons must live in order that their rights and dignity as human beings are upheld.

Conditions in our prisons and places of detention did not meet most requirements of local and international laws. The standards governing treatment in the areas of accommodation, bedding, medical care, education etc., were violated. Remand prisoners were treated as convicted persons and were incarcerated for unduly long periods and in some cases forgotten. There was overcrowding, lack of beds, with prisoners sleeping on the floor.

At the Ho Prisons, in the Volta Region, 140 remand prisoners were accommodated in two cells with only 24 beds. The longest serving remand prisoner had done 192 months.

At the Winneba Prisons, in the Central Region, six out of the 180 remand prisoners slept on the six beds available, while the rest slept on the bare floor and almost half of them complained of ill health.

In the Ho Prisons, 67.9 per cent of the 140 remand prisoners complained of bad health. The prisons lacked relevant educational materials. Educational provision in the prisons is informal and takes the form of church services, T.V and Radio programmes.

2.9 Communal Violence, Conflicts and Chieftaincy Disputes

In the year under review, the Upper East Region registered about 13 communal conflicts, some of which spilled over from 2005. There were two confrontations in Zaare, a suburb of Bolgatanga in the Upper East Region, between the Bolga Central Hospital and the Bolga Girls Secondary School.
The dispute that erupted at Tongo-Beo, on 22nd January, 2005, as a result of the arrest by the Bolgatanga Police of one Atubiga, the attack and destruction of the bicycle of one George Adima from Yeenibiisi; the control of lands in Gonno and the creation of the Talensi-Nabdam District\textsuperscript{19}, was reportedly resolved.

The third communal violence occurred in the 2nd quarter of 2006, between the youth of Soe and Bukere in Bolgatanga. The conflict led to destruction of property. Several persons sustained injuries, and a female pupil died in the process.

Within the period under review, many reports of chieftaincy disputes were recorded: the Anlo and Dzolo Gbogame, Alavanyo and Nkonya, Tsito Awudome and Peki conflicts, all in the Volta Region.

\textbf{2.10 Women’s Rights}

There were reports of violence against women in many parts of the country. In the Western Region, the Commission received 3 cases of spousal violence and 99 cases of spousal neglect between January and June 2006. Forty one women were said to have been abandoned by their partners during pregnancy.

\textbf{2.11 Children’s Rights}

Corporal punishment is a form of inhuman and degrading treatment and therefore is abhorred as a violation of human rights and has been abolished in many countries. Despite this, corporal punishment is still widely practised in Ghana and unfortunately, still exists as a form of discipline in our schools and homes. Its acceptance, as a form of discipline, is a source of worry.

The Ghana Education Service (GES) encourages corporal punishment but with the proviso that if a child should be caned, it should be done by the headmaster and the maximum strokes should be four. Any other teacher, who administers corporal punishment to a child, could be sanctioned.

The Commission found that despite this policy, teachers were reported to have been indiscriminately administering corporal punishment with canes provided, by the parents of pupils or students.

\textsuperscript{19} Parliamentary Debates-Official Report, Vol. 54, No. 1, Tuesday, 31\textsuperscript{st} October 2006
The Commission urges the Government, the Ghana Education Service and the Ministry of Education to implement the recommendations contained in the Concluding Observations\textsuperscript{20} by the Committee on the Convention on the Rights of the Child. The Committee recommended that Ghana should, take “…\textit{into account its General Comment No. 1 on the aims of education (CRC/GC/2001/1) and its recommendations adopted on the day of general discussion on violence against children within the family and in schools and to :}

\begin{itemize}
  \item \textit{a) explicitly prohibit all forms of corporal punishment in the family, schools, and other institutional settings}
  \item \textit{b) sensitize and educate parents, guardians and professionals working with and for children by carrying out public educational campaigns with the involvement of children about the harmful impact of violent forms of “discipline” and by promoting positive, non-violent forms of discipline and respect of child right”}\textsuperscript{21}.
\end{itemize}

\textbf{2.12 Child Trafficking}

The Commission notes with concern that Ghana is a source, transit, and destination country for children trafficked for forced labour and sexual exploitation\textsuperscript{22}. Children are trafficked within and outside the country as domestic servants, labourers, for work in the fishing industry, and for use in sexual exploitation.

The International Organisation for Migration (IMO) also estimates that the number of trafficked children working in fishing villages along the Volta Lake is in the thousands. It has reportedly located various child trafficking areas including communities in the Brong-Ahafo Region, Volta Region and the Central Region. The report also states that some child victims were rescued from the fishing industry in 2006.

In December 2005, the Human Trafficking Law, Act 694, was passed. It prohibits all forms of trafficking in persons.

\textsuperscript{20} Concluding Observations of the Committee on the Rights of the Child: Ghana, CRC/C/GHA/CO/2 Forty-first session, 27 January 2006

\textsuperscript{21} Concluding Observations of the Committee on the Rights of the Child: Ghana, CRC/C/GHA/CO/2 Forty-first session, 27 January 2006

\textsuperscript{22} See U.S. State Department, Trafficking in Persons Report, June 2006
The issue of Child Labour is unresolved continues to be pervasive. The ILO Global Report, re-launched in May 2006, indicates there are about two million children in Ghana who are engaged in child labour.

In the Upper East Region, child labour “is a growing phenomenon, particularly in the towns. It is a very common sight to see children of school-going age at all times of the day working as truck pushers, washing bowls in chop-bars, hawking, selling cooked food, stone quarrying, mining, and farming at irrigation project areas (Tono and Vea)”23.

In the Brong Ahafo Region, particularly in the Wenchi District, children between the ages of 6 and 16 are engaged at quarry sites, breaking rocks for money instead of being in school.

2.13 Disability Rights
At Kinbu Secondary/Technical School in Accra, a student with a disability depended on the generosity of her colleagues to enable her attend lectures and move around the storey building. Similarly, a student with a disability, who uses a wheelchair at the T.I Ahmadiiya Senior Secondary School in Wa, had to be lifted by friends to access the classrooms.

The Commission hopes that the implementation of the Persons with Disability Act that was passed in the course of 2006 will resolve many of these issues.

2.14 Human Rights and Corruption
The full realisation of fundamental human rights will be in jeopardy if sustained concrete steps are not taken to control leakage of resources and generally to fight corruption which systematically drains the nation’s resources, precipitating poverty, hunger and deprivation.24

Studies over the years show that though efforts have been made to fight the canker of corruption, it persists and is on the ascendancy. The Africa Peer Review Mechanism (APRM) Country Review Report of the Republic of Ghana, 2005, indicates that corruption is prevalent in Ghana. Fifty two percent of respondents surveyed, perceive corruption as a common feature of Ghanaian public administration while 27% see it as occurring only in isolated cases. Some 6%

23 CHRAJ, Upper East Mid Year Report (January – August, 2006)
regard the problem as systemic and endemic and nearly 60% feel that it is on the ascendancy.

The APRM Report further indicates that several reports of the Auditor-General from the 1990s have drawn attention to widespread occurrences of corruption and malfeasance in public administration, citing wages paid to non-existent workers and fraudulent payments as examples. Key factors Ghanaians identified as contributing to corruption include low wages and salaries in the public sector, non-transparent procedures in public administration, nepotism and patronage, and a weak code of conduct for public officials.

The media has a role to play in combating corruption: it not only raises public awareness about corruption, its causes, consequences and possible remedies but also investigates and reports incidences of corruption thus aiding anticorruption bodies.

During the year under review, the media continued to play its role in combating corruption in Ghana by highlighting corruption, conflict of interest and related offences. From January to the end of November, 2006, the Commission recorded over 110 of such reports. The acts of corruption reported include: bribery, fraud, extortion, nepotism, and illegal acquisition of wealth, conflict of interest, kickbacks, misappropriation, embezzlement, and use of public funds for political party activities, among others. The Commission commends their role in exposing corruption in the country.

The Commission notes with concern, reports of alleged intimidation of media personnel for reporting on allegations of corruption and calls on Ghanaians to be more tolerant of views democratically expressed and to follow democratic avenues in dealing with views that they find offensive.

In the period under review, the Ghanaian public remained solidly behind the efforts to deal with conflict of interest and ultimately combat corruption. However, awareness of conflict of interest in sections of the population remains low. Discussions on the subject, following the release of the Commission’s report of investigations into allegations of corruption, abuse of office and conflict of interest against a Minister of State, indicate that much more has to be done to keep the public abreast with issues of conflict of interest and how to deal with them. That is why the Commission, during the annual Human Rights Week celebrations, issued the “Guidelines on Conflict of Interest to Assist Public Officials Identify, Manage and Resolve Conflicts of Interests”. The Government subsequently prepared an inventory of relevant legislation dealing with corruption and related offences.
Having passed the financial management laws, the relevant agencies continued to educate MDAs and other sections of the Ghanaian public on those laws, to create the necessary awareness of corruption, financial malpractices and other acts of misconduct in the management of public resources.

The Public Procurement Board developed Standard Tender Documents and Manuals for Entity Tender Committees and re-assessed 100 entities to ensure that the entities adhered fully to the provisions of the Public Procurement Act25.

In July, 2006, a significant step in the fight against corruption was made by the passage of the Whistleblower’s Bill, which was laid before Parliament in July 2005. The Whistleblower Act 2006 (Act 720), will enable individuals to blow the whistle on matters relating to corrupt practices, unlawful or illegal conduct, among others.

Despite these above measures, corruption in Ghana is still perceived to be high. Ghana scored 3.3 in the 2006 Corruption Perception Index (CPI) released by Transparency International in November. This score reinforces the findings of diagnostic corruption surveys conducted in 2005 by the Centre for Democratic Development, Ghana Integrity Initiative, as well as the report of the Africa Peer Review Mechanism 2005 Report on Ghana.

Political will, on the part of government to combat corruption, is still below expectation: the Policy of Zero Tolerance for corruption remains a policy known only to government; there is weak commitment to fighting corruption26, funding for anticorruption agencies remained low and complaints of poor service conditions for employees of some anticorruption agencies remain unheeded.

Government should as a matter of priority:

i. deliver on what it promised. It should consolidate and codify all anticorruption laws by 200727

ii. take steps to domesticate the United Nations Convention against Corruption and the AU Convention on Preventing and Combating Corruption and related offences

iii. place a Freedom of Information Bill before Parliament for passage, to facilitate public access to information

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26 See APRM Report, 2005
iv. expatiate/develop the policy of zero tolerance for corruption into a concrete transparent strategy with Specific Measurable Achievable Relevant and Time-bound (SMART) objectives
v. implement the anticorruption strategy developed by the Ghana Anticorruption Coalition (GAC).

Corruption is more than just misappropriation of money or abuse of power, but also has deleterious effects on people and can lead to serious violations of human rights and deepening the levels of poverty.

Government can no longer deny the existence of corruption in Ghana and its pernicious effects. Accepting that it is a problem in Ghana, is a crucial first step for building political will for any anticorruption crusade. Giving corruption a human face may lead to increased efficiency of anticorruption efforts through better awareness of the effects of corrupt behaviour and increased varieties of strategies that are available to combat corruption.

The fight against corruption needs strong political commitment from political leadership as well from all citizens, institutions and government. On celebrating Ghana’s our 50th anniversary, as a nation and beyond, we should all solemnly undertake to eradicate corruption the country together with from Ghana and all other negative tendencies that result in and from it.

2.15 Cases Received by the Commission
The Commission, within the year, received 5,424 complaints of violations of fundamental human rights and freedoms, administrative injustices, mismanagement of resources, and corruption. Of the 5,424 complaints, 88% or 4,746, relate to human rights violations, 608 or 11% constitute complaints of administrative injustices and 1% or about 70 represents cases of corruption and related misconduct. One thousand eight hundred and twenty two (1,822) complaints concern children’s rights.

2.16 Reporting Obligations
Ghana ratified a number of key human rights instruments which require that it submits reports, in conformity with those instruments, on measures which it has adopted and the progress made in achieving the observance of the rights recognized in the international instruments.

Ghana ratified the ICCPR and the ICESCR in 2000. State parties must report initially within two years of accepting the ICESCR and thereafter every five years.
This means that Ghana should have submitted its initial report in 2002 and the periodic report in 2007. There is no document to show that Ghana has submitted the initial report.

With regard to the ICCPR, State parties have undertaken to submit reports in accordance with Article 40 of the Covenant within one year of its entry into force for the State parties concerned and, thereafter, whenever the Committee so requests. Thus in 2001, Ghana should have submitted at least the first initial report on the ICCPR. Ghana is yet to do so.

The country has performed relatively well with respect to reporting on the Convention on the Rights of the Child (CRC) which requires State parties to submit their initial reports two years after acceding to the Convention and then every five years. Ghana submitted its second Report in 2005 and it was considered by the Committee in January, 2006. The Committee had to make a remark on our reporting culture. In its Concluding Observations on Ghana, the Committee remarked:

“The Committee underlines the importance of a reporting practice that is in full compliance with the provisions of article 44 of the Convention. An important aspect of States parties’ responsibilities to children under the Convention is ensuring that the Committee on the Rights of the Child has regular opportunities to examine the progress made in the implementation of the Convention. In this regard, regular and timely reporting by States parties is crucial. The Committee urges the State party [Ghana] to submit its 3rd and 4th combined report on 7 September 2008, date at which the 4th report is due. ....The Committee expects the State party to report thereafter every five years, as foreseen by the Convention”.

The Commission acknowledges Ghana’s selection to the First UN Human Rights Council and calls on the Government, as a matter of urgency, to ratify and harmonize the provisions of the following instruments with domestic law:

i. The Second Optional Protocol to the International Covenant on Civil and Political Rights;


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28 Consideration of reports submitted by states parties under Article 44 of the Convention : Concluding Observations of the Committee on the Rights of the Child: Ghana

Forty-first session CRC/C/GHA/CO/2, 27 January 2006
iii. Optional Protocol to the Convention on the Elimination of All Forms of Discrimination Against Women

2.17 Role of NGOs
The Commission would like to acknowledge the work of all human rights NGOs in the country, especially the Human Rights NGOs Forum, for championing the rights of Ghanaians, especially those of women and children. The Commission urges donor agencies not to hesitate to extend their support to them for the promotion and protection of human rights at the grassroots level.

2.18 Conclusion of Introductory statement
This is the Commission’s introductory statement of the human rights situation monitored in the country. The statement discusses the extent to which persons in Ghana enjoy their fundamental human rights and freedoms, such as the right to health, education, rights of the vulnerable, women’s rights and others.

The measures taken by the state to ensure the realization of rights over the period under review have been challenging. Whilst significant efforts are being made to respect, protect and fulfil some rights (e.g. education and health), others have not been given the required attention (housing, disability, equitable distribution of resources). All human rights, be they economic, social, cultural, civil and political, are interdependent and indivisible. The violation of one right, leads to the violation of another. The forced eviction that was carried out at Adigya demonstrates the interdependence and indivisibility of human rights. Some persons who were evicted died as a result, whilst children reported ill.

Government was not up-to-date with its reporting obligations in respect of the International Covenant on Economic, Social and Cultural Rights and the International Covenant on Civil and Political Rights.

Finally, the Commission believes that Ghana can do better in promoting the enjoyment of human rights, if leakages of public resources could be minimized drastically.
## 3.0 RECOMMENDATIONS

<table>
<thead>
<tr>
<th>Indicator</th>
<th>Institutions</th>
<th>Recommendations</th>
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<tbody>
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<td><strong>Right to Health</strong></td>
<td>• Ministry of Health (MOH)</td>
<td>• Increase number of and redistribute medical personnel around the country</td>
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<td>• Ghana Health Services (GHS)</td>
<td>• Supply essential, affordable for all</td>
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<td>• Ghana Ambulance Service (GAS)</td>
<td>• Increase supplies and equipment in hospitals including wheelchairs, elevators, computers, beds etc.</td>
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<td>• Improve access to services for vulnerable persons.</td>
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<td>➢ Review, develop and implement exemption policies and practices, ensuring provider compliance, and support for people who are unable to pay their bills.</td>
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<td>• Improve the general conditions under which health workers operate in terms of availability of infrastructure and equipment</td>
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<td>• Ensure that health workers are safe at work, and in case of attack, ensure they are compensated</td>
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<td>• Extend GAS to all districts and make phone numbers available to the general public</td>
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<td><strong>Right to Education</strong></td>
<td>• Ministry of Education Youth and Sports</td>
<td>• Increase number of learning and teaching materials available in schools, including government and technical reference textbooks</td>
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<td></td>
<td>• Ghana Education Service (GES)</td>
<td>• Supply Braille textbooks to the blind especially the Wa School for the blind</td>
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<td></td>
<td>• Human rights NGOs CHRAJ</td>
<td>• Make buildings accessible in a way that caters for the needs of those with physical disabilities</td>
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<td>• Train teachers and school children in human rights; provide schools with appropriate human rights manuals</td>
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<td>• Enforce policy on corporal punishment and ensure that policies in schools comply with human rights principles</td>
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<td>• Provide adequate sanitary facilities in public schools</td>
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<td></td>
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<td>• Increase the capitation grant given to schools</td>
</tr>
</tbody>
</table>
| Right to Health and Education in Deprived Communities (Slums) | • Ghana Health Service  
• Ghana Education Service  
• Provide community health services to deprived communities  
• Ensure that the FCUBE is extended to slum communities, to guarantee the rights of children living in these areas.  
• Hold companies along the Chemu Lagoon Settlement responsible for their action and inaction to ensure that the lagoon is restored to its original state. |  |
|---|---|---|
| Right to Health and Education in Refugee Camps | • Human Rights NGOs  
• Increase HRE to Ghanaian public on refugees rights |  |
| Conditions in Remand Prisons | • Ghana Police Service  
• Ministry of Justice and Attorney General  
• Government  
• Provide adequate supply of bedding  
• Reduce congestion in prisons by granting speedy trials to remand prisoners  
• Establish non-custodial sentencing policy in order to reduce congestion in prisons  
• Improve sanitary conditions  
• Establish infirmaries with an adequate supply of essential drugs  
• Ratify the Optional Protocol to the UNCAT |  |
| Dehumanizing Cultural Practices | • Ministry of Women and Children’s Affairs  
• District Assemblies  
• Increase public education on unacceptable cultural practices including widowhood rites, witchcraft accusations and female genital mutilation  
• Gear sensitization programmes towards the reintegration of suspected witches into communities  
• Target traditional rulers to educate them on outmoded cultural practices  
• Empower victims of negative cultural practices to report their cases of abuse  
• Abolish the current levy of ₦140,000.00 on new entrants of suspected witches to camps since the victims are chased into the camp penniless.  
• Ensure that District Assemblies play a more visible role in providing basic facilities like water, basic educational infrastructure at least at the (Junior Secondary School) JSS level  
• Sponsor the registration of inmates of other camps with the National Health Insurance Scheme |  |
<table>
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<tr>
<th>Conflicts</th>
<th>• Traditional and Religious Leaders</th>
<th>• Monitor closely, activities of camp owners to protect women against exploitation.</th>
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</table>
| Rights of Women and Children | • Ministry of Women and Children’s Affairs  
• Ministry of Justice and Attorney General | • Dialogue between prominent leaders, to solve disputes i.e. over land  
• Government to educate organizations and individuals on laws designed to protect women  
• Government to focus resources on reducing and eliminating streetism of children  
• Government should ensure the implementation of the Human Trafficking Law, Act 694 and take legal action against child and human traffickers |
| Mining Activities | • Mining companies  
• Government  
• Ministry for Manpower, Youth and Development | • Provide youth with employment within mining companies in positions that do not require a high level of technical skill  
• Regulate small scale mining operations in order to reduce the risk and problems posed to mining companies and the operators  
• Ensure effective and efficient regulation of the activities of mining companies  
• Ensure provision of potable water to affected communities |
| Corruption        | • Media  
• CHRAJ  
• Government  
• Ministry of Finance and Economic Planning  
• Ministry of Justice and Attorney - General | • Raise public awareness about causes, consequences and possible remedies of corruption  
• Report incidences of corruption in the media  
• Increase awareness of conflict of interest through public education  
• Consolidate and codify all existing laws relating to corruption under a single clear and accessible legislation  
• Continue education on conflict of interest and anticorruption measures  
• Fund anticorruption agencies sufficiently to enable them to discharge their mandates effectively  
• Take steps to domesticate the United Nations Convention against Corruption and the AU Convention on Preventing and Combating Corruption and Related Offences  
• Pass the Freedom of Information Bill to facilitate public access to information  
• Implement the Anticorruption Strategy developed by the Ghana Anticorruption Coalition |
4.0 PART ONE: GENERAL STATUS OF CASES

The general status of cases received by the Commission during the mid-year (from January to June 2006) briefly outlines the nature of complaints, gender distribution of complainants, type of respondents, closed cases, referrals and enforcements.29

4.1 Nature of Complaints

For the half-year period, that is, from January to June 2006, the Commission received a total of 5,424 complaints. Out of these cases, 4,746 (representing 88%) were human rights related, 608 (representing 11%) were administrative justice related and only 70 (representing 1%) were corruption related.

Human rights related issues include children’s rights, property rights, economic and social rights, and civic and political rights. Corruption cases, on the other hand include fraud, breach of conduct (making false declarations) and extortion. Administrative justice issues include dismissal, termination of appointment, undue delay and abuse of office. In the Northern Region, as many as 57 complaints of forced marriages were recorded and mostly handled through mediation, even though it is not within the Commission’s jurisdiction. The majority of complaints filed in the regional offices of CHRAJ are human rights related. Corruption complaints were the least common in the regions.

4.2 Gender Distribution of Complaints

The majority of complainants in children’s rights and spouses’ rights related cases were females, constituting 71% and 69% respectively. Almost the same proportion of males and females filed property rights complaints. Males were in the majority when it came to administrative justice and corruption related cases.

4.3 Details on Respondents

There was a wide range of respondents to complaints received by the Commission in the period under review. They comprised public organisations such as the Ministry of Education, Ministry of Roads and Highways, Ministry of Finance and Extra-Ministerial organisations such as the National Commission on Civic Education (NCCE), the Electoral Commission (EC), Judicial Service and Social Security and National Insurance Trust (SSNIT). Other respondents consisted of private organisations and individuals.

29 All figures relating to status of cases cover only the monitoring period i.e. January – September, 2007
4.4 Closed Cases
Over 2000 cases were settled by the Commission during the period. Other cases were either withdrawn by the petitioners, dismissed for lack of prosecution, or rejected for delay in presentation of petition. In addition, some complaints were transferred to other registries, rejected for lack of jurisdiction or referred to other jurisdictions.

4.5 Referrals
A number of referrals were made during the period under review. In the Greater Accra Region, for instance, a total of 27 cases were referred to institutions such as the Courts, Domestic Violence Victim Support Unit (DOVVSU), FIDA, the National Labour Commission and the Police, for settlement.
5.0 PART TWO: RIGHT TO HEALTH

5.1 Introduction
Health is central to poverty reduction and economic development. The right to life is meaningless if the right to health is not protected. In its General Comment, number 14, the Economic, Social and Cultural Rights Committee (the Committee) notes that the right to health requires governments to take measures to develop and implement policies and action plans which will lead to available and accessible health care for all in the shortest possible time. Therefore, governments will have to make available, as well as accessible, functioning public health and health care facilities, goods and services, and programmes to everyone without discrimination.

Thus achieving the right to health hinges on other determinants, including medical personnel, drugs, health policies and programmes, working conditions of medical personnel, awareness of the Patients Charter and availability of an efficient ambulance service. Also necessary is non-discrimination, equality, right to privacy and access to information.

5.2 Medical Personnel
Medical personnel did not seem evenly distributed within health facilities in the country. For instance, in the Upper West Region, three districts, namely Sissala West, Wa West and Wa East did not have a single doctor. The Tamale Teaching Hospital, the only referral hospital which served all the three regions in the northern part of Ghana, lacked a clinical psychologist. Patients often had to travel long distances to access medical care. As a result, pregnant women and children were likely to endure hardship and needless discomfort due to the poor transportation system in the region.

At the La General Hospital which, according to the administration, served between 200 and 500 patients a day, there were approximately 5 doctors on duty per day. The doctor to patient ratio was, therefore approximately 1:40 and 1:100, respectively. According to the administration, 6 nurses worked daily. This meant the nurse-patient ratio was approximately 1:33. In the antenatal unit, there was an average of one nurse for the 60-70 patients seen per day.

30 Draft Aide Memoiré, Department of Social Affairs, AU
31 Paragraph 16 of GC, No. 14
32 Paragraph 17, ibid
5.3 Drugs
Not all of the health institutions monitored across the country had all the essential drugs\textsuperscript{33} in stock, as required by the Ministry of Health. At the time of the inspection of the Accra Psychiatric Hospital, for instance, the authorities said the facility had 95.7\% of the essential drugs, while the Tamale Teaching Hospital recorded 95\%. The Tamale Central Hospital boasts of 100\% availability of all essential drugs, but sometimes runs out of fast moving drugs\textsuperscript{34}, according to the authorities. The Pantang Psychiatric Hospital, according to the authorities, frequently experienced shortage of basic and new generation drugs\textsuperscript{35}.

Patients the monitoring team spoke with, complained about affordability of drugs. For instance, despite the fact that 100\% of essential drugs were available, only 68\% of patients could buy them. Even though drugs sold at the Korle Bu Teaching Hospital Pharmacy were cheaper than those in private pharmacies, some outpatients the monitoring team interviewed complained that they were not always able to purchase them. The same pertained at the Bomso Clinic in Kumasi. At the La General Hospital, patients who were registered under the National Health Insurance Scheme (NHIS) said that although basic drugs were provided free of charge, some of the prescribed drugs were not on the NHIS essential drug list, resulting in them either needing to purchase the drugs themselves, or going without the medicine. In as much as government needs to be commended for the provision of essential drugs, it is important for such drugs to be constantly made available for supply and affordable for all to buy.

5.4 Common Diseases\textsuperscript{36}
Given the centrality of health to socio-economic development, Ghana needs to reduce its high disease burden, in line with Goal 6, of the Millennium Development Goals, to combat malaria and other common diseases.

Among the common diseases recorded by the health facilities across the country, at the time of the monitoring exercise, malaria topped the list. In the Tamale Teaching Hospital, for instance, malaria alone claimed 142 lives, the highest number of deaths for any common disease, while the West Hospital also in the Northern Region recorded a total of 11,626 cases of malaria.

\textsuperscript{33} These are a list of basic drugs specified and directed by the Ministry of Health to be always in stock in every health facility in the country - for the treatment of diseases of common occurrence.
\textsuperscript{34} These are the painkillers, vitamins and the anti-malaria drugs.
\textsuperscript{35} These are antibiotic drugs, of less resistance.
\textsuperscript{36} Though the hierarchy of common diseases differs from facility to facility, the most recurring of common diseases – gleaned from the reports - include: malaria, anemia, fever, jaundice, respiratory tract infection, pneumonia, diarrhoea, abortion, rheumatism and hypertension.
5.5 HIV/AIDS

The Commission on Human Rights and Administrative Justice (CHRAJ) is concerned about the apparent disregard for important sections of the national policy on HIV/AIDS on the part of the law enforcement agencies.

5.5.1 Arrest of Alleged Commercial Sex Workers

The Commission has taken note of media reports of the arrest of some alleged commercial sex workers by the Police in Accra and their arraignment and prosecution before the law courts for prostitution. The trial judge reportedly ordered the women to be tested for HIV, and the results to be read in open court. The Commission submits that the disclosure of the HIV status of individuals to the general public without their consent and without prior knowledge of their own status is incongruous with the national policy and a clear violation of the victims’ right to privacy.

The Commission is also concerned about discrimination against people living with, or perceived to be living with, HIV/AIDS. Discrimination against PLWA is not only wrong in itself but also creates and sustains conditions leading to societal vulnerability to HIV infection, including lack of access to an enabling environment that will promote behavioural change and enable people to cope with HIV/AIDS. It is therefore improper for some banks to allegedly demand results of HIV/AIDS tests from customers before approving their loan applications.

The 1992 Constitution and other international human rights instruments which Ghana has ratified, guarantee to every person the right to equal protection before the law, and freedom from discrimination on grounds such as race, colour, sex, language, religion, political or other opinion, national or social origin, property, birth or other status.

“Other status” in non-discrimination provisions has been interpreted to cover health status, including HIV/AIDS. This means that people should not be discriminated against based on their actual or presumed HIV/AIDS status.

5.6 Equipment and Supplies

The scarcity of logistics which leads to lapses in patient care, undermines patients’ rights. The health institutions continue to face shortage of essential supplies and equipment necessary to effectively meet the health needs of the people. These include wheelchairs, elevators for conveying extremely ill or elderly patients and computers.
At the La General Hospital, for instance, the Ante-Natal Unit did not have a ‘Sonicaid’ device for listening to the foetal heartbeat. This, according to the hospital administration, leads to an overuse of the only ultrasound machine, and long queues.

Congestion continues to pose a challenge to effective health delivery. For instance, the Children’s Block of the Korle Bu Teaching Hospital, which receives the bulk of patients who attend the facility, is extremely congested. The Maternity Block is similarly congested, forcing mothers to sleep on the floor with their babies. The same goes for the Surgical and Medical Emergency (S&ME) Block where, for lack of space and enough beds, patients are treated on trolleys and benches are used as improvised beds. The department had only 36 beds but hosted up to 40 to 60 patients daily.

Lack of adequate preparation to handle emergency health situations often led to needless loss of lives. Various road traffic accidents and other emergencies, including the May 9th 2002, stadium disaster that claimed 126 lives, are clear evidence of the failure on the part of the State to put in measures to respond to certain emergencies.

In order to provide timely pre-hospital medical care to victims at sites of accidents and other emergencies, the Ministry of Health (MOH) in collaboration with the Ghana National Fire Service (GNFS) instituted an emergency response service – the Ghana Ambulance Service (GAS), as an Agency under the Ministry of Health. The Commission commends this development, and respectfully requests that the Service be extended as a matter of urgency to all districts. There is also the need for government to make phone numbers available to the general public so they can easily access this facility.

5.7 Detention of Patients by Health Facilities

The Commission on Human Rights and Administrative Justice has noted with grave concern the increased media reports on detention of patients by health authorities across the country, especially in Accra for failing to pay medical bills. This was confirmed during CHRAJ’s, monitoring visit to some selected health facilities across the country. Unfortunately, most of the people detained were either nursing mothers or children. In most of the cases, the patients were detained until philanthropists intervened to settle the bills for the patients concerned. The health facilities needed to ensure that such a practice is curtailed. The

37 Ghana News Agency, September 15, 2006
38 This was during the 2007 SOHR exercise between May and September, 2006. At Head Office the monitoring team visited Korle Bu Teaching Hospital on the 18th and 19th July, 2006.
Commission recalls the recent payment of GH¢70 million by two private corporate bodies, TT Brothers of Ghana and Berfin Company Ltd of South Africa to the Korle Bu teaching Hospital to enable 34 mothers and their babies who had been detained for inability to pay their medical bills, to go home. The monitoring exercise conducted by the Commission also revealed that between April 2005 and July 2006, a number of individuals paid various sums of money for the same purpose.

Whilst the Commission commends the public spiritedness demonstrated by these philanthropists, it condemns in no uncertain terms this dehumanizing practice by health centres. Detention of patients for inability to pay their medical bill is not only demeaning and a violation of the dignity of the human person; it is also a violation of the national health policy. The right to health is so crucial to life that it cannot be reduced to “cash and carry”. Such inhuman policies tend to exclude the poor from health care. The national health policy recognizes this and therefore provides for the indigent (i.e. those) who cannot afford to pay medical bills, to have them taken care of by the State. In the Growth and Poverty Reduction Strategy 2006-2009, the government recognizes that improving the health of the poor is crucial to reducing poverty, given that ill health is both a consequence and a cause of poverty. It has therefore sought to ensure sustainable financing arrangements that protect the poor by guaranteeing effective application of the exemption policy.

The Ghana Health Service (GHS) should ensure that it follows through with government policy to improve access to services for the financially vulnerable - the very poor, the elderly, children, people living with chronic diseases. In its Work Plan for 2002-2006, the GHS also proposed to review and develop exemption policies and practices, ensure provider compliance and among other things, provide support for people who cannot or will not pay for themselves. If the GHS has not yet developed this policy, the Commission calls on it to do so immediately to ensure compliance with State policy. If it has, then it must ensure that all stakeholders within the sector understand and comply with the policy and sanction any defaulting institution.

The Commission wishes to serve notice to all health institutions across the country and the entire nation that the detention of patients for non-payment of medical bills is a flagrant violation of patients’ rights, and the Commission will vigorously enforce the law against erring health institutions.

5.8 Working Conditions of Medical Personnel

The Commission commends government for improving the working conditions of health workers. This, notwithstanding, the government needs to improve the general conditions under which these workers operate, in terms of availability of infrastructure and equipment. CHRAJ’s monitoring visits revealed an inadequacy of logistics. For example, the Surgical Department of the Korle Bu Teaching Hospital still uses outmoded beds; health workers are therefore forced to lift patients up to attend to them. This endangers the health of the patient as well as the health worker. The Surgical/Medical Emergency Unit occasionally refuses to take new admissions because of the overwhelming number of patients. New admissions are therefore referred to the La General hospital. The lack of or inadequacy of logistics and personnel have reportedly made some of the health workers vulnerable to attacks. At the Accra Psychiatric Hospital, for instance, the female ward recorded a nurse patient ratio of 1:20 and sometimes 1:180 during night duties, a situation likely to render health workers vulnerable to attack by aggressive patients. Indeed from all accounts, nurses have been victims of violent attacks by inmates. According to respondents at the hospital, a nurse lost an eye while trying to separate two patients who were fighting, while another one had her kneecap broken when she was attacked by a patient. None of them have been compensated by the Ghana Health Service. It is important that even as the government has increased the remuneration of the health workers, their personal safety at work should also be taken care of.
6.0 PART THREE: RIGHT TO EDUCATION

6.1 Introduction
The right to education is recognised as fundamental and necessary for the development of the human personality and his/her sense of dignity. The International Covenant on Economic, Social and Cultural Rights accepts education as a means of strengthening the respect for human rights and fundamental freedoms. Article 28(1) of the International Convention on the Rights of the Child, which Ghana was the first to ratify, also recognises a child’s right to education.

In Ghana, apart from the 1992 Constitution which has regulations on the right to education, the Children’s Act of 1998 (8), (1) states that “no person shall deprive a child access to education”. It is in this light that the Commission on Human Rights and Administrative Justice embarked on an exercise to monitor the government’s commitment to ensuring respect for the right to education. In order to achieve this objective the Commission looked at the following: the availability and adequacy of teaching and learning materials, the rights of persons living with disabilities in schools and the training of teachers in child rights and human rights generally. The issues of corporal punishment, bullying, violence in schools, school sanitation and the capitation grant, among other topics, engaged the attention of monitors.

6.2 Availability and Adequacy of Teaching and Learning Materials
Schools monitored all over the country reported that even though some textbooks provided by government were available, they are inadequate. Parents, therefore, had to supplement by buying exercise books and other stationery. For instance, in the Greater Accra Region, the students and teachers of selected Junior Secondary Schools (JSS) interviewed, said they either did not have all the books or were yet to be provided by their parents who often could not afford them. The monitoring exercise also revealed that most of the Junior Secondary Schools suffering from an inadequate supply of books and learning aids, were the public ones in less endowed communities. For instance, the Adabraka Cluster of Schools in Accra lacked adequate furniture for the pupils and this had created a situation where four pupils instead of two share a desk. On the other hand, St. Peters International School, a private institution, located at Anaji, a suburb of Takoradi, with an average of 30 pupils in a class, had adequate textbooks, learning and teaching material and a student - textbook ratio of 1:1.

The situation at the Senior Secondary Schools monitored was not different as both students and authorities interviewed responded that textbooks were provided by
government but they were not enough to go round. Textbooks on practical subjects were not supplied. In Vittin Senior Secondary/ Technical School in the Northern Region, for instance, the headmaster complained of lack of essential modern science and technical textbooks for reference. At Takoradi High School, a private senior secondary school, even though teachers had adequate textbooks and other learning and teaching material, students did not. The school provides a few textbooks while students purchase most of them. Despite, this the student textbook ratio was 1:2.

6.3 Persons with Disability

Article 17 (a) and (b) of the Persons with Disability Act, 2002 provides that government should establish special schools and provide free education for persons with disability. Article 16(1) and (2) holds the Ministry of Education and other Ministries/ Departments or Agencies (MDAs) responsible for the provision of all the necessary facilities and equipment that will enable a person with disability to fully benefit from the school or institution. This however, is not the situation at the Wa School for the Blind, one of only three government schools for the blind in the country, one at Akropong in the Eastern Region and the other at Wenchi in the Brong-Ahafo Region. There were not enough teaching and learning materials in the school that served the whole of the northern sector and part of the Brong Ahafo Region. The school had no braille textbooks even though it had a student population from nursery to junior secondary school and participates in the Basic Education Certificate Examinations (BECE) like all other basic schools. Students write their notes after the teacher had read them out and later transcribe them into Braille. This is laborious and not helpful to either the teachers or students. In the area of mathematics, for instance, students were unable to comprehend the mathematical signs, hence, each year all the students got aggregate nine in the subject. This greatly affected the admission of blind students during the 2006/2007 placements in Senior Secondary Schools since mathematics is a core subject and a complete failure in it disqualifies one from being selected into Senior Secondary School.

The Disability Act enjoins owners or occupiers of a place of public access to provide practical and appropriate facilities that would be easily accessible to persons with disability. In the Ghana Poverty Reduction Strategy for 2003-2005, the government of Ghana proposed to ensure that school buildings are constructed in such a way that the needs of the physically disabled are considered. Until those buildings are constructed, there is a need to look at existing school structures which are not disability friendly. For instance, at the Kinbu Secondary/Technical School in Accra, the school structure is a multiple storey building. Thus a student with disability had to depend on her mates most of the time to move around. In
another instance a student with disability, who uses a wheelchair at Wa Senior Secondary School, had to be carried by friends into the classroom.

Despite the inappropriate nature of the school structures, which violate the rights of student with disability, all the students with disability interviewed stated that they did not suffer any form of discrimination either by their fellow students or their teachers.

A PHYSICALLY CHALLENGED STUDENT ATTEMPTING TO CLIMB THE STAIRS TO THE ADMINISTRATION BLOCK
6.4 Training of Teachers in Child Rights and Human Rights Education

To ensure that the culture of human rights is instilled and maintained in Ghanaians, there is the need to start at the very early stages of child development. Therefore, the educational system is a very effective means of propagating this culture. Unfortunately, the majority of teachers interviewed, have had no training in child or human rights, even though they are two of the major topics studied under the Social Studies Course. Schools such as St Peters International School in the Western Region, Opoku Ware Secondary in the Ashanti Region, Wamali School and Dabokpa JSS both in the Northern Region, T I Ahmadiiya Senior Secondary School, Wa in the Upper West Region and the Adabraka Cluster of Schools in Greater Accra, just to mention a few, had not had any of their teachers trained in child and human rights education. It is worth mentioning that some human rights NGOs had been instrumental in the training of teachers in this respect; the few teachers, who received any form of training in child and human rights education, had it through interaction with NGOs.

It came as no surprise when the monitoring exercise by CHJRAJ, revealed a lack of child and human rights education manuals in many schools. For instance, the
only human rights manual used by the T I Ahmadiyya Secondary School in Wa, is the 1992 Constitution which belongs to the Headmistress.

6.5 Corporal Punishment
Under the Children’s Act, (Act 560) section 13(2) the correction of a child should be reasonable and proportional to the age and physical condition of the child. The policy of Ghana Education Service (GES) on corporal punishment stipulates that if a child should be caned it should be done by the headmaster and the maximum strokes should be four (4). Any teacher who administers corporal punishment faces sanctions i.e. demotion, withdrawal of promotion, transfer and/or dismissal. However this law notwithstanding, interviews conducted at various schools by the Commission revealed that teachers did flout this law. Some of the students interviewed confirmed this. According to them they had once been caned by a teacher.

School authorities and even students, however, had divergent views on corporal punishment. Some deemed it important, to maintain discipline. For instance, at Chemunaa JSS in Accra, 80% of students interviewed said even though they feared being caned, they thought it should be given, to instil discipline. Others, however were of the view that alternative forms of punishment could equally instil discipline, which is why disciplinary committees are set up in institutions. As a result, some school authorities resorted to other means of disciplining. For instance, Vittin SSS and Wamali School in the Northern Region resorted to counselling and suspension of students for extreme offences, instead of corporal punishment.

All the schools monitored over the country had Student Representative Councils through which complaints of students are channelled. This also provides an avenue for expressing their views on various issues affecting them.

6.6 Bullying
Generally, school authorities have clear-cut rules and punishment for perpetrators of such acts. The various heads of the schools visited were unanimous on the intolerance of the authorities for bullying in the schools. However, there were varied reports on the incidence of bullying. While schools such as the Adabraka Cluster of Schools reported a minimal level of bullying, others like T. I Ahmadiyya Secondary School, reported that they had no incidence of bullying. At St Peters International School, Takoradi, there were conflicting responses on the issue. While the authorities claim there were a few cases, the pupils interviewed said there had been none. The school authorities at Methodist SSS in Sekondi also
indicated that there had not been instances of bullying in the school but the students claimed that there were a few.

6.7 Violence in Schools
School authorities agreed that cruel acts should be reported to the Disciplinary Committee for appropriate sanctions. These sanctions include suspension or dismissal of the perpetrator. This is in accordance with Article 13(1) of the Children’s Act 560 which provides that a child shall not be subjected to any form of torture or other cruel treatment, either by another student or a teacher.

6.8 School Sanitation
The Commission observed that availability and adequacy of sanitary facilities depends largely on whether the school is a public or a privately owned institution. Most of the private schools have water closets which are very neat and in good condition, for instance City Business College, Kwame Nkrumah Preparatory/JSS in Accra and Takoradi High School, all privately owned, have water closets. In other schools, such as the Adabraka Cluster of schools, such facilities are overstretched and often break down. Students are sometimes forced to use nearby public toilets. In extreme cases such as at Wamali School and Dabokpa JSS in the Northern Region, where there are no toilet facilities, students had to use nearby bushes as places of convenience.

Most of the schools had taps which flow irregularly. As a result, they often resorted to the use of water from other sources such as the storage tank, wells and sachet water as is the case at the Mentally Handicapped Home, and the TI Ahmadiyya Secondary School, Wa.

All the schools, however, had adequate means of disposing of their rubbish. While some used dustbin, provided by the Assemblies, others had their own dustbins or rubbish dumps.
KVIP TOILETS AT AMASAMAN SECONDARY/TECHNICAL, GREATER ACCRA REGION

URINAL AT ABOKOBI PRESBYTERIAN JSS, GREATER ACCRA REGION (MALE/FEMALE)
6.9 Capitation Grant

The capitation grant is a major component of Ghana’s Free Compulsory Universal Basic Education (FCUBE) Policy which is to improve access, participation and retention of children in school. According to the reports, all the basic public schools monitored are already benefiting from the capitation grant provided by government. However, basic school heads complained bitterly that the money was woefully inadequate. What is more, the banks sometimes deduct Charges on Transactions (COT) and other charges from it, making it totally insufficient. They were therefore unanimous in calling for an increase in the grant which is disbursed by the headmasters/mistresses and their assistants in consultation with teachers and school management committee. The capitation grant covers expenditure on sanitation, sports, culture, doing of minor repair works on furniture, building, provision of water and T&T for teachers and school heads. At the JSS level, students do not pay any levy. However, there still remains work to be done because since the inception of the capitation grant which provides children with free education, there has been increased enrolment and this has put great pressure on existing school facilities.
7.0 PART FOUR: DEPRIVED COMMUNITIES (SLUMS) RIGHT TO HEALTH AND EDUCATION

7.1 Introduction
As part of the human rights monitoring in respect of the right to health and education, the Commission visited some selected slums across the country. The report captures the main findings of inspections made to slum areas.

7.2 Right to Health
The health of many citizens in the country has undergone some modest improvements due to the introduction of the National Health Insurance Scheme. In contrast, there were no public health facilities in some of these slum communities.

On the whole, the slum areas visited across the country lacked basic public facilities. Most of the amenities in such communities are privately owned. The case of Old Fadama, a suburb of Accra, (popularly referred to as ‘Sodom and Gomorrah’) was not different. The only health facility available is a private clinic with very old facilities, which were virtually out of use and a few qualified health personnel (a doctor, two qualified nurses and two nursing assistants). The clinic had no ambulance but had one theatre and several rooms. The recovery room had two beds, and the maternity ward four. The theatre had fallen into disrepair and the equipment appeared old and dirty while the dispensary appeared poorly stocked. There were no lights on in the clinic and an overflowing open sewer ran directly behind it. There was stagnant water outside and numerous insects. Community members interviewed reported that they usually went to the Korle Bu Teaching Hospital for medical treatment.

The report on Kpoe (Kablekordzi), a slum community within the Volta Regional capital, Ho, was similar. The community had no clinic and due to poverty most of the community members were not able attend hospital. They had not heard of the NHIS, let alone registered with the scheme.

The Chemu Lagoon Settlement, on the other hand, had no public health facility but was able to access a community clinic nearby. The clinic which had a full complement of staff, had a maternity ward, a family planning unit, child welfare unit, a birth and death registry and a dispensary. It served between 60 and 150 patients a day, operating between 8 a.m. and 2 p.m. although it was often obliged to stay open until 3 or 4 p.m. to accommodate all patients. It charged consultation fee of GH¢ 1.00 for children, and GH¢1.50 for adults. While this represented only a nominal fee, it was often beyond the means of many community members. The
medical officer often had to treat indigent patients free of charge. Members of the six communities visited around the Ho-Polyclinic/Leprosarium, in the Volta Region, indicated that they attended the Polyclinic/Leprosarium for medical treatment because of its proximity to them. According to them, treatment is sometimes free and most of them have registered for the National Health Insurance Scheme which enables them to access the facility.

7.3 Right to Education

The various slum areas monitored presented different scenarios. While some communities had access to public schools, located near them, others had access only to privately-owned schools. The rest did not have access to any form of educational facility. Old Fadama, a suburb of Accra for instance, had no public school. Children thus had to travel outside the community to seek education.

One interviewee reported that he had to send his son to school at Ayalolo, also in Accra, which is about one and half miles away from the community. There were very few private schools in the community and one, of particular note, was a nursery school, housed in a dilapidated building with its roofing almost off. The structure, which was divided into three apartments, had a nursery, classes one to three as well as a dining hall. The structure was occupied by about 200 pupils and four teachers. The sanitary condition of the place was very poor. At Kpoe (Kablekordzi), on the other hand, the majority of children did not attend school due to financial hardship. Parents were not even aware of the Capitation Grant.

One of the main observations made during the visit to these slum communities was the disparity between private and public schools. The private schools were much more endowed as compared to the public ones. For instance, at the Chemu Lagoon Settlement, the team visited three private schools which were near the slum community and accessed by members. It had a two-storey wooden structure
with a corrugated metal roof. The staircase, with a faulty handrail, was difficult to mount and descend and would be difficult for disabled children.

Finally, in the Chemu Lagoon settlement, the lagoon continued to dry up and was filled with waste. This posed a major health hazard to the community. The continuing degradation of the environment impinges on the exercise of every basic right including rights to health and safety.
8.0 PART FIVE: REFUGEE CAMPS - RIGHTS TO EDUCATION AND HEALTH

8.1 Introduction

In its preamble, the Convention relating to the Status of Refugees\(^{40}\) expresses the wish for all states to recognize the social and humanitarian nature of the problem of refugees and in its provision, sought to ensure that refugees enjoyed their fundamental rights and freedoms. As of June 2006, the number of refugees in Ghana was 51,752. They were located in various camps, in the Central, Western and Volta Regions. In the Central Region, the main camp, in Budumburam, had a total number of 38,922 refugees with 38,142 being Liberians. Krisan Camp in the Western Region hosted 1,699 refugees made up of various nationals. As many as 6,760 refugees, mainly Togolese, were spread in various camps across the Volta Region. These refugees lived around fourteen communities or villages stretching four hundred kilometres, from Aflao in the south to Papasi in the northern part of the region. The total distribution of refugees below 17 years was 37% while 49% of adult refugees were females. In Ghana, the total number of male refugees was 26, 254 as at the time of putting this report together. Most of the refugees in Ghana were Liberians, although a wide range of African countries were represented. By October 16\(^{th}\), 2006, one thousand eight hundred and sixteen refugees (1,816), mainly Liberians, had been repatriated.

8.2 Right to Education

In the midst of conflict, education is often seen as a luxury for refugees struggling for food and shelter. But it is not a luxury; it is a basic right. At the Budumburam camp, the refugees, particularly the youth, had been skills trained, in areas such as technology, masonry, carpentry, joinery and road construction. Children were provided with particularly good primary education from schools which were duly registered with the Ministry of Education. In the Volta Region, the United Nation High Commission for Refugees (UNHCR) supplied school uniforms and books for the refugees there. It also provided volunteer teachers serving in the various communities bicycles as a source of motivation.

8.3 Right to Health

At the Budumbram camp, the refugees had access to a clinic, renovated and operated by the UNHCR, in collaboration with the National Catholic Secretariat. It provided free drugs to the community. For very severe cases, the refugees were

referred to other hospitals, in Winneba or Accra. In relation to health, they were expected to enjoy their habitual residence, the same treatment as nationals. However, there were reported complaints of discrimination in favour of Ghanaians in the hospitals. In the Volta Region, on the other hand, the United Nations High Commission for Refugees in a bid to ensure that refugees enjoy the right to health, provided money to the Ghana Health Service to treat all refugees free of charge.

The Ghana Health Service, Ghana Education Service and the National Disaster Management Organization, need to be commended for their support for the UNHCR in the Volta Region in their effort to ensure that refugees enjoy the right to education and health care.
9.0 PART SIX: CONDITIONS IN REMAND PRISON

9.1 Introduction
The prolonged custody of remand prisoners, which contributes to congestion, is a major concern for most detention facilities. Remand conditions in Ghana need serious attention. Article 15 (1) and (2) of the 1992 Constitution, which upholds the dignity of the human person, provides that no person, whether or not he is arrested, restricted or detained, shall be subjected to torture, or other cruel, inhuman or degrading treatment; or any other condition that detracts or is likely to detract from his dignity and worth as a human being. In addition, to the Constitutional provisions, the Prisons Service Decree 1972 (NRCD 46), mandates the Prisons Service which is responsible for the operations of prisons in the country, to ensure the safekeeping and welfare of prisoners and, where possible, undertake their reformation and rehabilitation.

The Commission’s inspection of selected remand facilities in the country, however, revealed that remand prisoners continue to wallow in very horrible conditions – in terms of accommodation, feeding, sanitation and health, as well as vocational and recreational activities, among others.

9.2 Accommodation and Bedding
Bedding for remand prisoners is a problem as the supply of mattresses by the Prison Service, is woefully inadequate. Thus, remand prisoners sometimes sleep on the bare floor as in the James Fort (Remand) Prison in Accra. At the Remand Section of the Sekondi Male Prison, except for the 18 inmates who shared three mattresses and five blankets in the biggest cell, the remaining 80 remand prisoners slept on the floor. At the Ho Male Central Prison in the Volta Region, the majority of remand prisoners’ sleep on the bare floor as only 12 beds served the 140 inmates there. In the Remand Quarters of the Tamale Central Prison in the Northern Ghana, 84 prisoners shared a cell meant for 20 inmates. Thus, some of the remanded inmates were made to spend the night with convicted prisoners, in violation of Article 15 (3) of the 1992 Constitution which forbids non-convicts to be mixed up with convicts.

The accommodation and bedding situation in the remand facilities in the Central Region was not any better. Out of a population of 180 inmates in the remand block, only 6 slept on beds with the rest on the bare floor.
9.3 Congestion
Factors responsible for congestion in remand facilities vary. These range from refusal by the authorities to grant bail for fear of a suspect absconding, inability of remand prisoners to engage the services of lawyers because of poverty, and the transfer of police prosecutors and / or case officers. At the Remand Section of the Tamale Central Prison, for instance, the main cause of congestion is that most of the inmates were nomadic Fulanis who were hardly granted bail for fear that they might jump bail.

The problem was not any different at the Remand Section of the Sekondi Male Prison, where a cell measuring 5.7m by 4.8m, with a height of 4m, accommodated as many as 51 remand suspects. In another instance, a cell measuring 4m by 3m with a height of 4m, contained 21 remand prisoners, the floor area being 12m² (12 metres square). The place was so congested that inmates had to sleep in turns. In the case of the Ho Male Central Prison, a cell measuring 20ft. X 20ft X 12ft designed for 68 (sixty-eight) inmates, accommodated not less than 140 prisoners.

But for a recent rainstorm which ripped off the roofing of some of its cells, resulting in the transfer of about 300 inmates to the Nsawam Prisons, the James Fort Remand Prison would be accommodating not less than 900 inmates instead of the designed capacity of 400. Inmates were susceptible to airborne diseases under such congested conditions.

9.4 Sanitation
Irregular flow of water, inadequate toilet facilities and supply of detergents, among others, render the sanitary conditions deplorable in most of the remand facilities. At the Remand Section of the Sekondi Male Prison, only one cell had a water closet fixed within it. In two other cells where the water closets were outside of the cells, inmates had to use polythene bags and rubber containers at night. For instance at the Ho Central Prison, 140 inmates shared two water closets with very little ventilation. Sanitary conditions in the male section of the James Fort Remand Prison were equally inexcusable. The male section had an unenclosed place of convenience and was not connected to any pipe.

9.5 Health
Common ailments suffered by remand prisoners are malaria, skin rashes and diarrhoea. Prison authorities attributed the diarrhoea to the unhygienic nature of
the food brought to inmates by their relatives. This condition was rife at the James Fort Remand Prison in Accra. Owing to the congestion and poor ventilation at the Sekondi Male Prison, almost all the 111 remand inmates interviewed by the Commission’s monitoring team, had heat rashes on their bodies, especially around their genitals.

Not every remand facility had an infirmary or one adequately stocked with drugs. At the James Fort Remand Prison, the only infirmary which served both the male and female sections, lacked adequate drugs. The Osu Remand Home can only boast of a small wooden chest containing assorted first aid drugs. The Borstal institute in Accra, however, had a fairly well stocked First Aid Clinic manned by a medical officer who is a prison officer.

9.6 Period of Remand
Some of the reasons for congestion in remand facilities also accounted for the duration of remand. These included adjournment of cases. This may be due to the heavy work load of the few judges and magistrates currently at post. The period of remand ranged from a day to a month but the inability of the courts to complete cases on time, results in the detention of inmates for indefinite periods. It was also found that the majority of the suspects had been on remand for periods ranging from a day (minimum) to 15 years (maximum) like Kobina Osei Bonsu, alias Nana at the James Fort Remand Prison, in Accra, who had been charged with murder.

The Commission has, over the years, been monitoring the situation of remand prisoners and had made various recommendations to government and other stakeholders. It noted that even though there have been some improvements albeit modest, in the conditions of these prisoners, much more needs to be done. CHRAJ engaged other stakeholders in a round table discussion on promoting non-custodial sentencing in Ghana’s criminal justice system. It is hoped laws on such sentencing would be enforced, to reduce congestion in the prisons and the load of work of prison officers.
10.0 PART SEVEN: DEHUMANIZING CULTURAL PRACTICES

10.1 Widowhood Rites
In parts of the Volta Region, there are instances where for a whole year or 6 months, a widow is supposed to be mourning, clad in black cloth. In effect even if there are joyful anniversaries and celebrations within the mourning period, the widow is excluded from them. In some places, some widows walk around barefooted and bare chested for the period.

The worst part of the rites as reported is that before the one year ends, the widow is expected to go out of the traditional area to have sex with an unknown person before she returns home. Who knows whether that unknown person has any STD or is HIV positive?

The widow finds herself in very serious psychological trauma at this point in time. Even though the practice is quite prevalent, people are reluctant to report it for fear of the spiritual consequences. The practice is deep-rooted in the society and an affront to one’s dignity.

10.2. Witchcraft Accusations
Monitoring camps of suspected witches in the Northern Region
Following the growing need by the Commission to gain primary information on the situation of human rights in the suspected witch camps in the Northern Region, the Commission conducted a monitoring exercise in November, 2006.

The objectives of the monitoring exercise were to ascertain:-

- The actual population of victims of witchcraft allegation residing in the camps
- The actual population of children under 18 under the care of the victims in the camps
- The actual conditions affecting the welfare of inmates in terms of:
  - Health and sanitation
  - Adequacy of accommodation facilities.
  - Means of livelihood e.g. sources of income, type of vocation/enterprises engaged in by inmates.
Educational facilities
- Various interventions made by NGOs
- To make recommendations.

The monitoring team made the following findings at the Gambaga, Ngani (Yendi District) and Kukuo (Bimbilla District) Camps respectively.

10.2.1 Gambaga Witch Camp

Population
At the time of the visit of the monitoring team, three members of the camp had gone to farm. The team established, after a head count, that the number of people accused of witchcraft resident in the camp was eighty (80) of which one was male.

It was difficult to ascertain the real ages of inmates because none of them had birth certificates and they could not tell their ages with certainty, either. The estimated ages of the youngest and oldest suspected witches were 45 years and 80 years, respectively.

Number of Children
The team counted 27 children of whom 15 were in school, three at JSS and 12 at primary school. The rest were out of school.

Reintegration
An interview with the Camp Coordinator revealed that 20 suspected female witches were reintegrated into their families after residing in the camp for periods between two (2) and ten 10 years. He informed the team that in 2006, about 40 women were brought to the camp for exorcism after which they were immediately reintegrated into their families.

Health and Sanitation
A focus group discussion with inmates revealed that the elderly women among them were suffering from various ailments including pains in the joints, walking difficulties and sight problems. They indicated that the only remedy for their health problems was the assistance given them by the Camp Coordinator.
**National Health Insurance**

One of the most heart-warming findings the team made was that all the inmates including their dependents and children, were registered members of the National Health Insurance Scheme through the sole effort of Mr. Simon Ngotha (in-charge of the Presbyterian Go-Home Project).

On sanitation, the team found that residents of the camp took very good care of themselves. They kept their compounds clean. However, the proximity of their urinals to the area where their food was prepared was such that it constituted a health hazard.

**Accommodation**

Every suspected witch in the camp had a room to herself. Those who had children, lived with them. The team did not find any problem of congestion. A couple of empty rooms were spotted, some in a state of disrepair. The team was informed that the empty rooms belonged to former inmates who had been reintegrated into their families.

**Means of Livelihood**

The inmates informed the team, during a lively focus group discussion that they survived through the support of their children, some relatives, donations by philanthropists, proceeds from their farms, as well as donations from the Tindana’s farm.

**Income Generating Activities**

They engage in farming, petty trading in doormats, soap making, cakes, sale of firewood and charcoal.

**Vocational Training**

Action Aid and the Presbyterian Church’s Go Home’ Project, puts inmates in groups of five (5) persons and trains them in petty trading, soap making and doormat weaving after which they are given micro credit to get started business.

**General Concerns**

The team observed mutual hatred and a lack of internal peace among inmates. In spite of the various interventions made by philanthropic individuals and organizations, they still believe that their situation would be much better if they were at home and allowed to live normal lives in their various communities like other people.
10.2.2 Ngani Witch Camp

Population
The monitoring team established, after a head count, that the camp had a total of 244 persons accused of witchcraft, all of them female. Five (5) houses were vacant at the time of visit. The team was informed that the occupants had all gone to farm but they were all accounted for in arriving at the total number of suspected witches in the camp. Though difficult to tell their ages, Gnakeep, about 90 years old, was adjudged the oldest woman and longest staying inmate. Zenabu (24) was the youngest and newest inmate, there with her aunt. The current population of 244 indicates a sharp decline from the 2005 figure of 798. The reason is that suspected witches and their families, who are now fully integrated in the Ngani community, were counted as inmates.

It transpired that any person found in the Tindang community, including the spiritual head (Tindana), was either a suspected witch, a descendant of a suspected witch or a relative of a suspected witch. The community (Tindang) is now a big suburb of Ngani where suspected witches are found leading normal lives with other members of the community.

The 244 counted are those who are not yet fully integrated and are still dependent on charity, relatives back home and the Tindana for their livelihood.

Number of Children
The number of children counted was 87, none of whom were in school.

Health and Sanitation
The team noted bushy surroundings, while toilets and urinary facilities were virtually nonexistent. Members of the community, including the suspected witches, defecate in nearby bushes thus making them vulnerable to diseases and reptile bites.

National Health Insurance
None of the women interviewed were card-bearing members of the NHIS. The nearest health post is in the Ngani Township, but most of the women prefer herbal treatment because they cannot afford the high cost of hospital services.
Accommodation
The type of accommodation of the inmates was not good for their health. Some lived in thatched, windowless round huts, with poor ventilation and lighting. Many others lived in rooms without doors and keys. Eight (8) women complained of leaking roofs.

Means of Livelihood
A focus group discussion with the 244 suspected witches revealed that they relied on foodstuff gathered during the farming season; food and money from concerned friends and relatives, produce from their own farms and petty trading in local cakes, soap, firewood and smoked fish. They also depended on donation from NGOs who visit them, and on the District Assembly.
Women who were either too old to cater for themselves and without relatives, or had been abandoned by their families, relied solely on charity and the magnanimity of the Tindana for survival.

The monitoring team was informed by inmates that the District Chief Executive had visited the camp the previous day and distributed some foodstuff to them.

Income Generating Activities
Unlike the other camps, the Ngani witch camp is beset with a plethora of problems. Apart from charity and other minor interventions the women are not assisted in any vocational training or given any micro-credit to do business. However, the comparatively young ones among them trade in yams, grains and cooked food for a living.

Secular Education
The most challenging observation the team made was the total lack of interest of the entire community in the education of their children. The camp is very close to the River Oti and all able-bodied children in the community and camp assist their parents either in fishing, fish mongering or engage exclusively in farming activities. Those who did not engage in any of these, assist their mothers in various forms of labour or with household chores. The women were unanimous in their resolve to keep their children/maids in the camp to assist them work, instead of sending them to school.
Madam Dasana, a grandmother and suspected witch, had this to say to the team: “Look how old I am I cannot even walk properly. If you send my only granddaughter to school, who will help me get food to eat?”

10.2.3 Kukuo Witch Camp

Population
There was no male suspect in the camp. The youngest person was estimated to be 48 years old.

Number of Children
The team counted 161 children who were either the biological connected to the inmates or dependents.

Accommodation
The rooms of the inmates and their dependents were not good enough. Roofed with thatches, the rooms were mostly without doors and windows. Zana (raffia) mats had been improvised to act as windows.

The team found that the entire community depended on only one borehole for drinking water. Though River Oti is close to the camp; the women could not access water in the river because of the unfavorable topography of the area. Even young energetic men found it difficult to draw water from it.

Means of Livelihood
The women informed the team that they depended on relatives, charitable NGOs such as Tiyumba Intergrated Development Association (TIDA), Catholic Relief Services and Action Aid, who provided clothing and other basic needs such as sugar and vegetable oil. One NGO had donated a grinding mill to the camp which inmates use to grind their grain at subsidized prices.
Their major source of income and food came from their farming activities and petty trading in soap, charcoal, vegetable, fish and poultry rearing.

Secular Education
Unlike the Ngani Witch camp, 74 of the children attended primary school which was the only educational facility in the village. The rest did not go to school.
Since there was no JSS facility in the village, children are required to travel 7km to Bimbilla to continue their education but most of the women in the camp were against their children continuing their education away from the camp because they will be left alone to fend for themselves. The Assemblyman and other opinion leaders in the community were lobbying the District Assembly to provide the Kukuo community with a JSS facility.

10.2.4 Witchcraft Accusation and Trial by Ordeal –Volta Region
Accusations of witchcraft are fast becoming endemic in the Volta Region. Some people are reportedly forced, sometimes, to undergo trial by ordeal at shrines both in and outside the region upon suspicion of wrongdoing. Because of poverty, any serious illness is attributed to witchcraft instead of the victim seeking medical attention. In most cases, the victims are normally women above the age of 60 years, and often with grey hair.

Over the years, traditional rulers have not been targeted for intensive awareness creation on the fact that these customary practices are outmoded and therefore need to be abolished. Special attention needs to be paid to these rulers in subsequent sensitisation programmes.

If early and proper intervention is not made, sooner or later the Region will follow the northern regions of Ghana by establishing Witch Camps as safe havens for alleged witches.

10.3 Female Genital Mutilation
One disturbing traditional practice which the Commission once dealt with in the Wenchi District of the Brong-Ahafo Region, has reared its ugly head again, this time under the cover of darkness. Female Genital Mutilation is reportedly being carried out in the remote villages of the district at night. The practice is accepted as part of the culture of the people and prevalent in the Gbaw and Banda Ahenkro traditional areas and calls for re-orientation of the total fabric of the society.
11.0 PART EIGHT: CONFLICTS

11.1 Communal Violence
According to the Commission’s Upper East Regional Office, the Region has, since January 2006, witnessed 13 communal conflicts, some of which originated in 2005 and were resolved in the second quarter of this year, 2006. An instance is the Tongo-Beo dispute. Beo is part of the Zuarungu paramouncy.

The issue arose over the creation of a new district at the beginning of the New Patriotic Party’s (NPP’s) second term of office. Beo was made part of the newly created Talensi-Nabdam District and had to pay allegiance and homage to the Tongo-Rana (Paramount Chief of Tongo). The indigenes of Beo refused to be part of the Talensi-Nabdam District, or to pay allegiance to the Tongo-Rana. This culminated in violence between Tongo trying to assert its sovereignty, and Beo (aided and abetted by Zuarungu) which resisted the arbitrary change. The police had to intervene to restore law and order. This resulted in the arrest and detention of some of the indigenes.

Another instance of communal violence occurred in the second quarter of 2006, between the suburbs of Soe and Buekere in Bolgatanga. The primary issue seemed to be rooted in partisan politics. It was reported that prospective assembly persons were at loggerheads over party political differences. The matter degenerated into violence between the youth of the two communities following a misunderstanding during a card game. This resulted in the burning of houses and animal pens, injuries, and the death of a female pupil who hailed from Soe. The man who shot the girl was identified as a deserter from the police service. He was stationed in the Brong-Ahafo Region and used a rifle to aid the Buekere indigenes and in the process, shot the girl. The police and the military detachment at Bawku were called in to restore peace and order. There were curfews, detentions and brutalities committed on the indigenes of both communities. Peace was restored with the intervention of the chiefs and elders from both sides, the Paramount Chief of the Bolgatanga Traditional Area, the Municipal Assembly and some NGOs.

11.2 Chieftaincy Conflict
Apart from the Anlo and Dzolo Gbogame chieftaincy disputes in the Volta Region, no other chieftaincy dispute was recorded in the period under
review. The causes of these disputes can be attributed to misunderstanding and a lack of mutual trust between the contending parties.

11.3 Land
One of the two major land conflicts in the Volta Region has finally been resolved between the people of Alavanyo and Nkonya. There is absolute peace prevailing there now. However, there is an unresolved conflict between the people of Tsito Awudome and Peki.

Dialogue can be the best way of solving such problems concerning land. Eminent religious leaders from the Region were responsible for the successful resolution of the Alavanyo-Nkonya land conflict. A similar process could be employed in resolving the Tsito-Peki conflict.
12.0 PART NINE: RIGHTS OF WOMEN AND CHILDREN

12.1 Women’s Rights
The rights of women continue to be infringed upon with impunity. Women continue to suffer several incidences of violence in various ways. These include sexual violence such as rape, defilement, female genital mutilation, psychological, verbal and emotional violence as well as economic abuse. Husbands and boyfriends continue to assault their female counterparts. In the Western Region, for instance, the Commission received three (3) cases of spousal violence during the period under review.

Along the forest zone of the Brong-Ahafo Region, according to interviews, women assist their husbands to cultivate cash crops such as cocoa, coffee, cashew and food crops only to be divorced when the proceeds from the farm start to yield. The action of the men amounts to abuse of the economic rights of their female counterparts. The Commission received 99 reports of such cases of spousal neglect between January and June, 2006 in Brong-Ahafo Region.

When husbands die, their family members sometimes forcibly take possession of their property and force the widow and the children out of their homes, locking them out. It appears PNDCL 111 which was intended to correct or minimise these occurrences, has had little impact. There is a need for government to assist, either in the form of cash or kind, the efforts of organisations and individuals educating the public on this law.

By mid-year, the Western Regional Office of the Commission had received approximately 80 cases relating to abuse of women. Problems arising out of common law marriages have been on the ascendancy there in the period under review. The Region received 41 cases where, women had been neglected after becoming pregnant and 9 cases where, after staying with the men for over a year, they threw them out. Such women often go to the Regional Office of the Commission demanding compensation for breach of promise of marriage.

In the Volta Region, where females constitute 51.6% of the regional population, the case is not different. The normal violations suffered by women so far as their rights are concerned include widowhood rites, forced marriages and domestic violence.
12.2 Children’s Rights

The 1992 Constitution provides that children have rights to health, education, shelter, food, clothing and must be protected from neglect, abuse etc. In practice, the rights of children are often and continually violated. Rights violations include child abuse such as non-maintenance of children, streetism, child trafficking and child labour.

12.2.1 Maintenance

Inadequate care and maintenance of children continue to be the major problem across the country and constitute the highest number of cases received every year by the Commission. Between January and June 2006, the Western Regional Office of the Commission received 182 cases on Child Maintenance. There were also five cases involving sick children who needed medical attention.

In addition, of the total number of 2,166 cases so far received by the Brong-Ahafo Regional Office, 956 were maintenance cases relating to children. In many of these, parents, especially fathers, denied two or more of their children, their maintenance grants, thus causing them to drop out of school.

12.2.2 Street Children

The phenomenon of street children still remains a thorny issue in the country. Streetism is not confined specifically to any particular group of people but a survey has revealed that a high proportion of this social canker involves more young people, (the youth), than anybody else.

In Ghana today, young girls and boys roam the streets of towns and cities and are exposed to many hazards, especially the girls. These include rape, exploitative labour conditions, as porters (known as ‘Kayayei’) in busy markets, and prostitution. Many child labourers are vendors of miscellaneous items such as dog chains, snacks, plastic bags, food, etc. They are exposed to all sorts of diseases such as malaria, sexually transmitted diseases and HIV/AIDS as well as other social vices such as drug abuse. Many of these children live and sleep on the streets; their condition is a moral catastrophe that requires immediate action by government. CHRAJ is, as a matter of urgency, requesting the government to put all available

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41 Child neglect (that is, lack of maintenance) normally manifests in non-provision of socio-economic needs such as health-care, school fees, school uniforms, pocket money, etc.
resources into reducing, to the barest minimum, if not eliminating altogether, these undesirable phenomena to arrest these violations of children’s rights.

The study\textsuperscript{43} has also revealed that insufficient economic prospects in the country, lack of education and inadequate social amenities, are some of the factors that encourage streetism. Teenage pregnancy, increase in HIV/AIDS and crime, were identified as some of the adverse effects of streetism.

The results of the research conducted also proved that this phenomenon is a social evil and affects the psychological, physical, social and emotional well-being of the individuals involved, mostly the youth. The practice further distorts the economy’s activities, wastes human and financial resources, degrades the public’s social reputation, and inflicts considerable costs on the country, to mention a few adverse repercussions.

\textbf{12.2.3 Child Trafficking}

CHRAJ notes with concern that Ghana is a source, transit, and destination country for children trafficked for forced labour and sexual exploitation, according to the U.S. State Department, Trafficking in Persons Report, June, 2006. Children, according to the report, are trafficked within and outside the country as domestic servants, labourers, for work in the fishing industry, and for use in sexual exploitation. The International Organisation for Migration (IOM) estimates that the number of trafficked children working in fishing villages along the Volta Lake is in the thousands. It has reportedly located various child trafficking areas. These include: 15 communities in the Brong-Ahafo Region, at least 35 near Yeji, 20 in the Volta Region and 15 in the Central Region.

The government, in December 2005, enacted the Human Trafficking Law, Act 694, prohibiting all forms of trafficking in persons. However, it is yet to prosecute any traffickers under the new law. For instance according to an IOM report, it rescued 39 child victims from the fishing industry in 2006 but the government has not taken legal action against the victims’ traffickers.

CHRAJ wishes to commend the government for the establishment of a new Victims Rehabilitation Centre and its continued assistance to the IOM’s own Rehabilitation Centre out of which fifty (50) children were rehabilitated in 2005.

\textsuperscript{43} Ibid, Streetism in Accra
12.2.4 Child Labour

CHRAJ has noted, with concern, the ILO Global Report, re-launched in May 2006, which indicated an alarmingly high rate of child labour recorded in Sub-Saharan Africa and for that matter Ghana, despite the 11% decrease in child labour over the last four years all over the world. This is in spite of government’s interventions to minimise the practice. It is reported that about two million children in Ghana are involved in child labour.

This is visible across the country. For instance, in the Greater Accra and Upper East Regions, among others, child labour “is a growing phenomenon, particularly in the towns. It is a very common sight to see children of school-going age at all times of the day working as truck pushers, washing bowls in chop bars, hawking, selling cooked food, stone quarrying, mining, and farming at irrigation project areas (Tono and Vea)”\textsuperscript{44}.

In the Brong-Ahafo Region, particularly in the Wenchi District, children between the ages of six (6) and sixteen (16) are engaged at quarry sites to break rocks to make money instead of attending school free of charge, with the introduction of FCUBE.

Another problematic area noted is the use of children between the ages of 12 and 17 by communities along the Volta Lake in hazardous fishing on the Lake.

\textsuperscript{44} CHRAJ , Upper East Mid Year Report (January – August, 2006)
13.0 PART TEN: MINING ACTIVITIES AND HUMAN RIGHTS

13.1 Introduction
The Commission on Human Rights and Administrative Justice (CHRAJ), being a constitutional body charged with the task of protecting the rights of all persons in Ghana, and promoting respect for human rights and integrity, investigated complaints of human rights violations relating to mining areas. Over the period, the Commission, as part of its monitoring, visited the mining communities in the Western, Ashanti and Brong-Ahafo Regions. It investigated various issues like company security brutalities, environmental degradation and pollution, unemployment, underemployment, impoverishment and land issues, among others.

13.2 Environmental Pollution and Degradation
Investigations by the Commission revealed widespread evidence of destruction and degradation of the environment. There was occasional cyanide spillage within the mining sites contaminating the water bodies used by the communities. This has brought development of the communities to a halt. Community members affected by the mining activities had to change their vocations or sit around doing nothing. For instance, at Odeneho settlement in Kenyasi II, a community member who was formerly a farmer had to resort to petty trading. Another member interviewed stayed at home because his cocoa farm had been taken over by the mining company and no alternative land had been allocated to him for cultivation. There were other instances where the community members had to resort to ‘galamsey’—illegal mining activities because they alleged that they did not have an alternative means of employment. This was mostly the case in Obuasi where ‘galamsey’ is predominant.

Members of other communities visited also alleged that mining companies have refused to reclaim lands. In addition, residues from the mines were not properly disposed of. They were only dumped near the communities for weeds to grow on them. For instance, at Sanso, in the Ashanti Region, a huge heap of residue was dumped around the community, which when overgrown with trees, could be mistaken for a mountain. They alleged that this has led to the emergence of illnesses in the community.
13.3 Unemployment, Underemployment and Impoverishment
The Commission has noted that there is much discontent, especially among the youth, in relation to employment. Land offers the major source of employment to a great percentage of the residents of the communities under discussion. About 80% of the people are farmers who cultivate cash and food crops as a means of livelihood. Restrictions on land cultivation within the mining concessions have therefore rendered most farmers unemployed or underemployed and are unable to earn enough income to support their families. This has resulted in the increased level of poverty in these communities.

Mining companies such as Anglogold Ashanti have proposed alternative means of livelihood such as grasscutter and snail farming, which they have already started in Adumenu near Sanso. However, the youth in these communities have not fully embraced the idea.

Furthermore, most communities affected by mining activities have complained of being deprived of access to land, being displaced and disempowered through lack of gainful employment, resettlement and relocation. Thus a promise of employment by the mining companies came as welcome news and their failure to fulfil it has created tension between them and the youth. Mining is understandably technical and therefore requires people with specific skills.

There is the need to strike a balance between the needed skills of the mining companies and the youth’s desire to work in these companies, in order to avoid further tension.

13.4 Galamsey
The operation of ‘galamsey’ (illegal mining) is one of the main problems faced by the mining companies. The phenomenon has risen from many factors including lack of access to farmland and unemployment. Apart from the problem posed to the operations of the mining companies, it poses a great physical and health risk to the operators themselves. In Obuasi, the Commission’s team saw many ‘galamsey’ operators without any form of protection, in a very deep hole, and tailing dams with very dangerous chemicals. There is a need for government to legalize and regulate these operations to reduce the risk and the problems they pose to mining companies and themselves.
13.5 Land
Investigations in most of the communities revealed that issues of land are the underlining factors of other issues raised, for instance, employment, pollution and provision of social amenities. Land, CHRAJ has noted, is reportedly taken without due compensation. The companies explained that the Minerals Law does not require payment of compensation for land. The argument of the farmers within the communities is that if the land is taken away from them without compensation, how do they earn their livelihood and sustain their families. Communities have also alleged that in situations where new lands have been allocated to them for cultivation, they have been specifically instructed not to grow cash crops. In other instances, their requests for reclaimed land for cultivation have been turned down by the mining companies. It is important for the government to come out clearly to state the laws on lease land and educate the affected communities on these laws. It should, as a matter of urgency, ensure effective and efficient regulation of the activities of the mining companies.

13.6 Access to Potable Water
Water is an essential commodity and should be readily available to all. On the contrary, most of the communities affected by mining activities have complained that their source of drinking water have been polluted by the mining operations. This has raised much concern for CHRAJ. The evidence available shows that diversion canals and dams constructed by the mining companies had either destroyed or negatively affected most water bodies and rendered them unfit for human consumption. In some cases cyanide seepage and other waste from the mines have rendered the water unsafe for use.

The companies, in their efforts to provide potable water for the communities affected by their mining activities, made them boreholes and hand-dug wells. These, according to the communities, are inadequate and the water from these sources is often unwholesome. For instance at Sanso, the community members complained that the water often has a metallic taste. During an inspection by the team from CHRAJ, it was noticed that the water in most of the boreholes and hand-dug wells was either discoloured or dirty.

It is essential that government holds mining companies liable and ensures that water provided to the communities is potable and wholesome.
14.0 PART ELEVEN: CORRUPTION

14.1 Introduction
Corruption, understood as the abuse of entrusted power for private gain, includes bribery, nepotism, patronage, illegal acquisition of wealth, misappropriation and/or mismanagement of resources, embezzlement, kickbacks, conflict of interest (including the use of public funds for political party activities or functionaries), habitual lateness to work, misuse of public property and resources, telling lies to the public and the media.

Corruption is costing the developing world billions of dollars every year. It siphons off scarce resources and diminishes a country’s prospects for development. In a country where corruption is endemic, the consequences are disproportionately and cruelly borne by the poor who have no resources to compete with those able and willing to pay bribes.

Clearly, corruption cannot be divorced from human rights. In fact, corruption impedes the full realization of human rights as it systematically drains the nation’s resources, precipitating poverty, hunger and deprivation. Poverty constitutes a denial of human rights.

14.2 Corruption in Ghana
Corruption is still a problem in Ghana. Studies over the years have indicated that though efforts have been made to fight it, it persists. The Africa Peer Review Mechanism (APRM) Country Review Report of the Republic of Ghana, 2005, indicates that corruption is prevalent in Ghana. Fifty two percent of respondents to its survey perceive corruption as a common feature of Ghanaian public administration; while 27% see it as occurring only in isolated cases. Some 6% regard the problem as systemic and endemic while nearly 60% feel that it is on the ascendancy.

The APRM Report further indicates that several reports of the Auditor-General from the 1990s have drawn attention to widespread corruption and malfeasant in public administration, citing wages paid to non-existent workers and fraudulent payments as examples. Key factors Ghanaians

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identified as contributing to corruption include low real wages and salaries in the public sector, non-transparent procedures in public administration, nepotism, patronage and a weak code of conduct for public officials.

The media has a role to play in combating corruption: it not only raises public awareness about corruption, its causes, consequences and possible remedies but also investigates and reports incidences of corruption, aiding anticorruption bodies.

During the year under review, the media continued to play its role in combating corruption in Ghana by highlighting corruption, conflict of interest and related offences.

There were media reports of allegations of corruption and conflict of interest against public officials. Sections of the media monitored by CHRAJ include: The Ghanaian Times; The Daily Graphic, Searchlight, Public Agenda, Crusading Guide, The Independent, The Lens, The Vanguard, The Enquirer, The Insight, The Palaver, Chronicle, Ghanaian Voice and Gye Nyame Concord, among others. From January to the end of November, 2006, the Commission recorded over 110 of such reports (see table 1). These include the following:

i. Searchlight (20/01/06), “Six hundred and seven million cedis disappear into thin air at Akwapim South district”: Corruption is galloping at Akwapim South District, as six hundred and seven million cedis (¢607, 000,000) may have been paid for the Area Council Project at Aburi, which is yet to take off even though the budget was approved as far back as four years ago.

ii. Daily Graphic (28/03/06), “112 MPs under fire for failing to account for AIDS money”: One hundred and twelve MPs have failed to account for funds given by the Ghana AIDS Commission for HIV/AIDS activities in their constituencies. According to the allegations, most of the funds have been diverted to the detriment of people living with HIV/AIDS.

iii. The Lens (28/03/06), “Headmaster absconds with registration fees”: The headmaster of a private school in Mamprobi have bolted with the fees meant for the registration of form three candidates supposed to have written their exams in June –July, 2006. Whilst most
parents were infuriated by the situation, some of the angry candidates went and vandalized the school, destroying several properties.


v. *The Chronicle* (12/10/06), “Scandal hits Forestry Commission over allocation of a plantation concession to a timber committee”: Forestry Commission has been caught up in a scandal over the allocation of a plantation concession to a timber company resulting in the setting up of a four member committee to investigate the matter.

vi. *Daily Graphic* (18/10/06), “Some assemblies diverted health insurance funds”: Some district assemblies have been accused of diversion of the health insurance funds for their private gain.

vii. *The Independent* (18/10/06), “DCE caught in contract rot”: An interim audit report prepared by the Awutu–Efutu Senya District and which has been intercepted by the Independent, places the District Chief Executive of Awutu-Efutu Senya district, Solomon Quaye at the centre of the deep contract rot.

Table 1: Media Reports on Corruption Allegations

<table>
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<th>Months</th>
<th>No. of cases</th>
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<tr>
<td>February</td>
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<tr>
<td>October</td>
<td>40</td>
</tr>
<tr>
<td>Total</td>
<td>280</td>
</tr>
</tbody>
</table>

Source: Anti-corruption monitoring desk

The acts of corruption reported include: bribery, fraud, extortion, nepotism, and illegal acquisition of wealth, conflict of interest, kickbacks,
misappropriation and embezzlement and use of public funds for political party activities, among others. The Commission commends the media for their role in exposing corruption in Ghana.

The effectiveness of the media, however, depends on access to information and freedom of expression, as well as a professional and ethical cadre of investigative journalists. Therefore, the absence of the Freedom of Information Law can be a drawback on the role of the media in exposing corrupt conduct. The Commission notes with concern, reports of alleged intimidation of media personnel for reporting on allegations of corruption and calls on Ghanaians to be more tolerant of views democratically expressed and to follow democratic avenues in dealing with those they find offensive.

It has long been recognized that transparency is an attribute of good governance and the lack of it fosters corruption. Government must therefore ensure transparency in its dealings, especially in financial transactions. The SEND Foundation, a non-governmental organization, released a report on the disbursement funds accruing as a result of Ghana’s participation in the Highly Indebted Poor Countries’ Initiative (HIPC Funds) within the year. That report states that the disbursement of HIPC Funds was not transparent and there were no clearly stated transparent guidelines on its disbursement. It was done at the discretion of the Ministry of Finance and Economic Planning, resulting in an inequitable disbursement of the funds to the disadvantage of the four poorest regions in the country. The report also stated that there was no budget for its disbursement. These developments have the potential of creating conditions that foster patronage, misuse and misapplication of funds that are meant to reduce poverty in the country.

14.3 Conflict Of Interest: Troublesome Source of Corruption in Ghana

To curb unethical conduct in public affairs, the 1992 Constitution provides that public officials shall not put themselves in a situation where their personal interest conflicts or is likely to conflict with the performance of functions of the public office.

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46 SEND, 2005. Where Did the HIPC Funds Go?-Assessing HIPC Expenditures on Poverty Alleviation, 2002-2004
47 Article 284
In the period under review, the Ghanaian public remained solidly behind the efforts to deal with conflict of interest and ultimately combat corruption. CHRAJ commends the Ghanaian public and the mass media for the interest and support and urges all to continue to be vigilant and report acts of corruption to the Commission no matter who is involved.

However, awareness of conflict of interest in sections of the population remains low. Discussions on the subject, following the release of the Commission’s report of investigations into allegations of corruption, abuse of office and conflict of interest against a Minister of State, indicate that much more has to be done to keep the public abreast of issues of conflict of interest and how to deal with them. In response, CHRAJ issued the “Guidelines on Conflict of Interest to Assist Public Officials Identify, Manage and Resolve Conflicts of Interests.”

The Commission takes this opportunity to express its appreciation to DANIDA whose support made the development of the Guidelines possible and for their continuing support to the Commission. Beginning from January 2007, the Commission will embark upon a massive education programme to highlight the importance of conflict of interest in combating corruption, building and restoring public confidence in public institutions.

14.4 Efforts by Government to Combat Corruption

Quite obviously, corruption remains an issue which continues to threaten the enjoyment of fundamental human rights and freedoms in Ghana. No doubt the 1992 Constitution places a burden on the State to “…take steps to eradicate corrupt practices and the abuse of power” from Ghanaian society. Indeed, in the year under review, the government continued to make efforts to combat corruption.

Government has prepared an inventory of relevant legislations dealing with corruption and related offences. This is a positive step in the fight against corruption but it falls short of expectations. Rather than an inventory of laws on corruption, what is needed is the consolidating and codifying of the various existing laws, under one clear and accessible legislation. The inventory thus represents a step backwards from what the government had promised to do.
Creating and refining the legislative framework for fighting corruption is an essential component of the strategy to deal with corruption. Having passed the financial management laws, the relevant agencies continued to educate MDAs and other sections of the Ghanaian public on those laws to create the necessary awareness about corruption, financial malpractices and other acts of misconduct in the management of public resources.

Government reported that to ensure judicious, economic, and efficient use of state resources, the Public Procurement Board had developed Standard Tender Documents and Manuals for Entity Tender Committees and re-assessed 100 entities to ensure that they adhered fully to the provisions in the Public Procurement Act\(^\text{48}\).

In July 2006, a significant step in the fight against corruption was taken by the passage of the Whistleblower Bill which was laid before Parliament in July 2005. The Whistleblower Act 2006 (Act 720) will enable individuals to ‘blow the whistle’ on matters relating to corrupt practices, unlawful or illegal conduct, among others.

In December 2005, Parliament passed legislation ratifying the two important international conventions against corruption, namely the United Nations Convention against Corruption and the AU Convention on Preventing and Combating Corruption and Related Offences. However, as of Tuesday, 28\(^{th}\) November 2006, records at the UN indicated that Ghana had not yet ratified the UN Convention\(^\text{49}\), possibly because she might not have deposited the instrument of ratification at the UN, as required.

Government responded to allegations of bribery and conflict of interest involving certain key officials of the Ghana Police Service in a missing cocaine scandal by setting up a Ministerial Committee, the Justice Georgina Wood Committee, in July 2006 to investigate the allegations. The public, including lawyers, called for the appointment of a more powerful Commission of Enquiry under Article 278 of the 1992 Constitution, because “…where a commission of inquiry makes an adverse finding against any person, the report of the commission of inquiry shall, for the purposes of this Constitution, be deemed to be the judgment of the High Court [having satisfied the conditions under Article 280(5); and accordingly, an appeal


\(^{49}\) http://www.unodc.org/unodc/crime_signatures_corruption
shall lie as of right from the finding of the commission to the Court of Appeal”\(^50\)

14.5 Anticorruption Measures Not Enough

Despite measures taken so far, corruption in Ghana is still perceived to be very high. Ghana scored 3.3 in the 2006 Corruption Perception Index (CPI) released by Transparency International in November. This score reinforces the findings of diagnostic corruption surveys conducted in 2005 by the Centre for Democratic Development and the Ghana Integrity Initiative, as well as the report of the African Peer Review Mechanism 2005 Report on Ghana.

Political will, on the part of government to combat corruption, is still below expectation. If the Policy of Zero Tolerance for Corruption is to become a reality, the government must demonstrate more commitment to fighting it\(^51\) by funding the anticorruption agencies sufficiently and enabling them to discharge their mandates effectively. Complaints of poor service conditions for employees and low budgetary support of some anticorruption agencies remain unheeded.

It is clear that corruption is a hindrance to the development and prosperity of the country. It drains the economy, scares away investors and generally obstructs development and entrepreneurship.

Corruption is more than just misappropriation of money or abuse of power, but also has deleterious effects on people, which can lead to serious human rights violations and deepening the levels of poverty. Accepting that it is a problem in Ghana is a crucial first step towards building political will for any anticorruption crusade. Giving corruption a human face may lead to increased efficiency of anticorruption efforts through better awareness of the effects of corrupt behaviour, and increased varieties of strategies that are available to combat corruption.

The fight against corruption needs strong political commitment from political leadership as well from all citizens, institutions and government. As Ghana to celebrate her 50\(^{th}\) Anniversary, Ghanaians should solemnly resolve

\(^{50}\) Article 280 (2)

\(^{51}\) See APRM Report, 2005
to demonstrate **zero tolerance for corruption** and eschew all other negative tendencies that result in corruption from our motherland.

### 14.6 Looking Forward

Government should as a matter of priority deliver on what it promised:

i. It should consolidate and codify all anticorruption laws by 2007.\(^{52}\)

ii. Take steps to domesticate the United Nations Convention against Corruption and the AU Convention on Preventing and Combating Corruption and Related Offences

iii. Place a Freedom of Information Bill before Parliament for passage to facilitate public access to information

iv. Implement the Anticorruption Strategy developed by the Ghana Anticorruption Coalition

\(^{52}\) See Programme of Action at page 156 of the APRM Country Review Report of the Republic of Ghana, 2005
15.0 PART TWELVE: HUMAN RIGHTS NGOs

The Commission’s partnership with human rights NGOs through joint research and training programmes, sponsorship drives, and legal representations, have provided pragmatic methods in the championing of the human rights of people, especially that of women and children who are seen as the most vulnerable in society.

The Ghanaian society in recent times has seen an increase in the activities of human rights NGOs. This is significantly reduced the burden on the Commission on Human Rights and Administrative Justice (CHRAJ).

NGOs across the country have all helped in this direction. They have helped in the championing of the human rights of people, especially that of women and children. These NGOs periodically have training and advocacy programmes, and usually conduct research into various human right atrocities. These researches normally provide pragmatic ways in which these cancers can be uprooted from the Ghanaian society.

The NGOs also have had and continue to have various forms of collaborations with CHRAJ. These partnerships are in the form of joint workshops and training programmes, sponsorship drives and legal representations, just to mention a few.

15.1 Volta Region

<table>
<thead>
<tr>
<th>NAME AND ADDRESS OF NGO</th>
<th>AREA OF FOCUS</th>
<th>FORM OF COLLABORATION WITH THE COMMISSION</th>
</tr>
</thead>
<tbody>
<tr>
<td>Community Action, Box 308, Ho.</td>
<td>Research, Advocacy and Training in Social Justice and Equity; Fundamental Human Rights and Civil Liberties; International Humanitarian Laws; Women’s Rights; Children’s Rights; Rights of Minorities</td>
<td>Joint Research, Advocacy &amp; Training</td>
</tr>
<tr>
<td>Organization</td>
<td>Activities</td>
<td>Joint Activities</td>
</tr>
<tr>
<td>--------------------------------------------------------</td>
<td>-----------------------------------------------------------------------------</td>
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</tr>
<tr>
<td>Evangelical Community Mission,</td>
<td>Training of Street Girls, Advocacy Roles, Campaign against Child Abuse;</td>
<td>Joint Workshops, Joint Seminars,</td>
</tr>
<tr>
<td>P.O. Box HP 378, Ho V/R, Ghana</td>
<td>Campaign against Child Labour</td>
<td>Publications</td>
</tr>
<tr>
<td>Tel. 091-28868; 020-8938706</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Action by Christians Against Torture (ACAT),</td>
<td>Prevention of Torture, Punishing of Torture, Rehabilitation of Torture</td>
<td>Joint Workshops, Seminars, Durbars,</td>
</tr>
<tr>
<td>Box HP 532, Ho</td>
<td>Victims, Public Education on Torture</td>
<td>Publications on Torture</td>
</tr>
<tr>
<td>Tel. 091-25138</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Progressive Youth and Community Development (PROYCOD)</td>
<td>Gender Awareness Programmes; Gender Needs Assessment; Youth In Agriculture;</td>
<td>Seminars, Joint Workshop, Durbars,</td>
</tr>
<tr>
<td>P.O. Box HP 1136, Ho</td>
<td>Conduct Research on Youth/Women Related Issues; Training on Civic</td>
<td>Symposiums, Research</td>
</tr>
<tr>
<td>0244-667900; 028-7064505</td>
<td>Awareness Issues, Health, Rights of Women</td>
<td></td>
</tr>
<tr>
<td>Care and Concern Action Group (CCAG)</td>
<td>Education on the Rights of the Disabled; Skills Training; Advocacy</td>
<td>Joint Workshops, Seminars, Durbars,</td>
</tr>
<tr>
<td>P.O. Box MA 107, Ho</td>
<td>and Lobbying; Provision of Assistive Devices i.e.; Crutches, Wheel-Chairs;</td>
<td>Publications, Capacity Building of</td>
</tr>
<tr>
<td>Mobile: 024-4595582</td>
<td>Magnifying glasses, etc.; Micro-credit Support</td>
<td>Staff</td>
</tr>
<tr>
<td>Community Development Awareness Forum</td>
<td>Women and Children Rights; Women Empowerment; Right of the Child to</td>
<td>Joint Workshops, Seminars, Skills</td>
</tr>
<tr>
<td>P.O. Box HP 1268, Ho</td>
<td>Education and Health.</td>
<td>Training, Capacity Building.</td>
</tr>
<tr>
<td>Cell. 024-4817706; Tel. 091-28758</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Save Widows And Orphans Development Centre</td>
<td>Women’s Rights; Widows’ Rights; Campaign against Widowhood Rites; Children’s</td>
<td>Joint Workshops; Seminars; Durbars,</td>
</tr>
<tr>
<td>P.O. Box HP 237, Ho – V/R 0244479201</td>
<td>Right; Campaign against Violence against Women</td>
<td>Publications</td>
</tr>
<tr>
<td>Community Development Group</td>
<td>Promotion of Human Rights; Democracy and Good Governance; Economic</td>
<td>Joint Workshops, Seminars and</td>
</tr>
<tr>
<td>C/o Kofi Teikpo Tenu, Box HP 618, Ho.</td>
<td>Empowerment of Women and Advocacy for the Rights of Children</td>
<td>Durbars</td>
</tr>
<tr>
<td><strong>Virtue Development Organization</strong>&lt;br&gt;P.O. Box MA 337, Ho&lt;br&gt;Tel. 0208196066; 091-27437&lt;br&gt;<a href="mailto:videoghana@yahoo.com">videoghana@yahoo.com</a></td>
<td><strong>Support for Education of Both Sexes in the Basic Schools; Youth and Women in Agriculture; Gender and Advocacy on Rights of the Poor</strong></td>
<td><strong>Workshops, Seminars, Sensitisation Fundraising, etc.</strong></td>
</tr>
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<tr>
<td><strong>Community Development Concern</strong>&lt;br&gt;P.O. Box HP 473, Ho.&lt;br&gt;Tel. 020 8267501; 091-26897</td>
<td><strong>Assistance to Cured Lepers: Advocates for the Right of Inclusion and Integration of Cured Lepers</strong>&lt;br&gt;Child Trafficking: Sensitising Communities along the Volta Lake against Child Trafficking and Child Labour&lt;br&gt;Girls Education: Provision of Assistance to Needy but Brilliant Girls in Deprived Communities in the Ho Municipality</td>
<td><strong>Joint Workshops, Joint Seminars, Advocacy and Sensitisation, Radio Discussions and Civic Engagements, Community Durbars.</strong></td>
</tr>
<tr>
<td><strong>Green Globe Society International</strong>&lt;br&gt;P.O. Box 719, Ho.&lt;br&gt;Tel. 0244511039</td>
<td><strong>Women’s Empowerment And Advocacy: Formation and Sensitisation of Women’s Groups’ on Group Dynamics, Capacity Building and Access to Credit</strong>&lt;br&gt;Health: Educating Communities on Preventive Health, Reproductive Health, HIV/AIDS and STDs&lt;br&gt;Environment: Sensitising Communities to Embark on Tree Planting and Regeneration of Depleted Forest Cover.&lt;br&gt;Cultural Exchange Programmes: Creating a Conducive Environment for Educational and Inter-Cultural Exchange</td>
<td></td>
</tr>
<tr>
<td>Organization</td>
<td>Programs</td>
<td>Activities/Events</td>
</tr>
<tr>
<td>----------------------------------------------------------------------------</td>
<td>--------------------------------------------------------------------------</td>
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</tr>
<tr>
<td>RONJECT GROUP, P.O. Box HP 119, Ho. Email- <a href="mailto:delbernzons@yahoo.com">delbernzons@yahoo.com</a> Mobile. 024-4160535</td>
<td>Environment: Wetlands Cultivation, Forestation, Maintain Ecosystem. Girls Education: To Assist the Needy and Deprived but Brilliant Girls in Rural Communities.</td>
<td>Joint Workshops, i.e. Human Rights, Durbars.</td>
</tr>
<tr>
<td>Youth Development and Rural Empowerment Foundation (YODREP), P.O. Box MA 337, Ho. Tel.: 020 8968507; 024 3104286</td>
<td>Child Trafficking: Sensitising Rural Communities along the Volta Lake against child trafficking. Advocacy and Sensitisation.</td>
<td>Joint Workshops and Publications; Training</td>
</tr>
<tr>
<td>Women in Law and Development in Africa (WILDAF). Legal Awareness Programme</td>
<td>Citizen’s Rights in General; Gender Advocacy and Engagements; Training; Proposals Development; Research/Baselines.</td>
<td>Joint Workshops, Joint Seminars, Advocacy and Sensitization on Rights, Good Governance and Accountability Workshops.</td>
</tr>
<tr>
<td>Volunteer Needs Coalition (VONEC) P.O. Box MA 310, Ho Tel.: 091-26076</td>
<td>Women’s and Children’s Rights, Water and Sanitation; Food Security; Gender Advocacy and Civic Engagements; Capacity Building of Women and Youth in Sustainable Development; Environment</td>
<td>Legal Representation, Conscientisation, Legal Outreach. Joint Workshops, Training Programmes, Publications.</td>
</tr>
<tr>
<td>Ghana Society of the Physically Disabled (GSPD), Volta Reg. Branch, P.O. Box HP 1102, Ho.</td>
<td>Women and Children’s Rights; Legal Awareness, Legal Aid, Advocacy Resource Assistance to CSOs; Capacity Building for CSOs</td>
<td>-</td>
</tr>
<tr>
<td>Volta Physically Challenged Independent Group (VOLPHIG) P.O. Box HP 843, Ho. Tel. 091-25326</td>
<td>Persons with All Forms of Disability e.g. Cured Lepers; People with Severe Burns; Deformities from Birth; Deformities through illness; Deformities through Accidents;</td>
<td>Joint Workshops; Joint Seminars; Durbars; Publications on Disability; Education Rights of the Disabled</td>
</tr>
<tr>
<td>Anna’s SOS Orphanage</td>
<td>Human Rights Education; Vocational and Skills Training; Formation and Training of Self-Help Groups for Community Based Rehabilitation Programme; Advocacy and Lobbying; Mobility Rehabilitation Support for Membership. All the above Areas Focus on Disability. Child Protection, Rights, Survival Educational Support to Needy and Destitute Children to avoid Child Labour/Abuse, Streetism, HIV/AIDS Awareness, Treatment of Ailments that affect the Development of Children, Early Childhood/Pre-School Care etc. Literacy Skills Development for Children; Advocacy on Income Generation for Orphans and Vulnerable in Society; Children’s Village Development; Marriage Counselling, Advocacy against Domestic Violence that might Lead to Infant/Maternal Mortality; Environmental Sanitation/Protection; Child Neglect etc.</td>
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<td></td>
</tr>
<tr>
<td>P.O. Box 1, Dzolo-Gbogame- V/R Contact Address: Mr. Alfred Deletsu (Proprietor) C/o Municipal Education P.O. Box 94, Ho. Mobile. 0243319040</td>
<td>Joint Workshops, Seminars, Durbars, Publications; Capacity Building of Staff</td>
<td></td>
</tr>
<tr>
<td>Parents of Children with Disabilities below 18 years; Provision of Mobility Aids and Gadgets; Seeking Medical Care for Members; Ensuring Secular Education and Vocational Training for Members; Removal of Physical, Social and Psychological Barriers which Impede Progress of Members; Dissuade Begging of Members; Finding Job Placement for members; Advocacy for the Disabled.</td>
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<td></td>
</tr>
</tbody>
</table>
## 15.2 Western Region

<table>
<thead>
<tr>
<th>NAME</th>
<th>AREA OF FOCUS</th>
<th>FORM OF COLLABORATION WITH THE COMMISSION</th>
</tr>
</thead>
<tbody>
<tr>
<td>Atwwar</td>
<td>Advocacy and Training Group Formation</td>
<td>Training Seminars</td>
</tr>
<tr>
<td>Integrated Action for Development Initiatives</td>
<td>Advocacy, Empowerment (Economic &amp; Social)</td>
<td>Training Seminars</td>
</tr>
<tr>
<td>Lico</td>
<td>Health &amp; Education</td>
<td>Training Seminars</td>
</tr>
<tr>
<td>Centre for AIDS Information Network (Cain)</td>
<td>AIDS (Information, Education, Counselling) IEC Organization</td>
<td>Training Seminars</td>
</tr>
<tr>
<td>C. K. Mann Charity Foundation</td>
<td>Assisting Brilliant but Needy, Street Children and Unemployed Youth. Providing Incentives for Teachers in Rural Communities.</td>
<td>Training Seminars</td>
</tr>
<tr>
<td>Master Care</td>
<td>Advocacy, Education, Sexual Reproduction Health, HIV/AIDS and Youth Development/Counselling.</td>
<td>Training Seminars</td>
</tr>
<tr>
<td>Fountain of Life Care</td>
<td>Educating, Female Sex Workers to Stay Unaffected by STD Supporting PLWHA (People Living With HIV/AIDS).</td>
<td>Training Seminars</td>
</tr>
<tr>
<td>Life Compassionate</td>
<td>Community Mobilization and Group Formation. Youth Empowerment &amp; Skills Development</td>
<td>Training Seminars</td>
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<tr>
<td>Nzimaman Development Association</td>
<td>Health, Education, Assisting the Needy for Sustainable Trading</td>
<td>Training Seminars</td>
</tr>
<tr>
<td>Western Region Network of NGOs</td>
<td>Co-ordination of NGOs, Advocacy</td>
<td>Training Seminars</td>
</tr>
<tr>
<td>Friends of the Nation</td>
<td>Capacity Development, Education, Networking &amp; Advocacy.</td>
<td>Training Seminars</td>
</tr>
<tr>
<td>African Women International</td>
<td>Empowerment, Health and Advocacy</td>
<td>Training Seminars</td>
</tr>
<tr>
<td>Tailors &amp; Dressmakers Association of Small Scale Industries</td>
<td>Capacity Building, Entrepreneurial Skills, Advocacy and Technical Training.</td>
<td>Training Seminars</td>
</tr>
<tr>
<td>Ansket Foundation</td>
<td>Education, Advocacy, Health, HIV/AIDS.</td>
<td>Training Seminars</td>
</tr>
<tr>
<td>Hands for Rural Development</td>
<td>Agriculture, Rural Development, Natural Resources Management, Health.</td>
<td>Training Seminars</td>
</tr>
<tr>
<td>Organization Name</td>
<td>Programs/Projects</td>
<td>Notes</td>
</tr>
<tr>
<td>--------------------------------------------------------</td>
<td>------------------------------------------------------------------------------------</td>
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</tr>
<tr>
<td>Rural Aid Alliance Foundation</td>
<td>Sexual Reproductive Health Income Generating, Micro Credit, Advocacy</td>
<td></td>
</tr>
<tr>
<td>Kokobreko Foundation</td>
<td>Education Environment Group</td>
<td></td>
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<tr>
<td>Foundation Builders</td>
<td>Advocacy and Training in ASRH/Rights</td>
<td></td>
</tr>
<tr>
<td>Eagle's Eye Charity Foundation</td>
<td>Basic Education and Health.</td>
<td></td>
</tr>
<tr>
<td>Foundation for the Physically Challenged</td>
<td>Education, Skills, and Health for the Physically Challenged.</td>
<td></td>
</tr>
</tbody>
</table>
| Rikan Foundation                                       | 1. Natural Resource Management  
2. Child Development  
3. Poverty Reduction Income Generation  
4. HIV/AIDS Campaign                                         |       |
| Emcon International Foundation                         | 1. Campaign against the spread of HIV/AIDS  
2. Resource Orphans and Disabled  
3. Work toward poverty eradication |       |
| Community Savers Network                               | 1. HIV/AIDS  
2. Child Labour.  
3. Capacity Building and Training for Orphans  
4. Water Body Preservation  
5. Forest and Environmental Protection |       |
| Werengo [Western Region Network of NGO’s]              | 1. Werengo is a Broad-based Umbrella Organization Networking both Local and International NGO’S in Western Region.  
2. Serves as a Facilitator for the Generation and Dissemination of information.  
3. Helps Build Capacity of Members and Raises Awareness on Sustainable Development.  
4. Create a platform for gathering Collating and Sharing Experience and Information on Members and Related Activities.  
5. Strengthen Advocacy Capacity of NGO’S in the Region  
6. Influence National Policy on Development in the Region with a view to Reducing Poverty |       |
| Handmaid Economic Network [ Pearl AWU Project Coordinator] | 1. Poverty Reduction  
2. Women empowerment  
3. STDS; HIV/AIDS and Malnutrition Reduction.  
4. Child Education |       |
<p>| Conservation                                            | 1. Environmental Management, 2. HIV/AIDS                                         |       |</p>
<table>
<thead>
<tr>
<th>Organization</th>
<th>Projects</th>
</tr>
</thead>
</table>
| Community Development Consult Network | 1. Environments  
2. Poverty Reduction  
3. Child Development [child rights]    |
| ZIM HOME NETWORK [ZHENT]      | To Improve Humanity through Positive Holistic Community Development, Disease Control, and Environmental Health Programme. |
| DEVASCOM FOUNDATION           | 1. Environmental Rights  
2. Poverty Reduction        |
| World Vision Ghana           | 1. Child/Youth/Family Sponsorship  
2. Food Security  
3. Micro-Enterprise Development Activities  
4. Gender and Development Activities  
5. HIV/AIDS Prevention, Care and Support  
6. Relief and Rehabilitation  
7. Water and Sanitation  
8. Health and Nutrition  
9. Education  
10. Christian Witness and Leadership  
11. Gik Distribution  |
| Forum West Resource           | 1. Poverty Reduction  
2. Re-Forestation  
3. Promote Good Sanitation Practices and Health Care Education.  
4. Promote Culture and Tourism |
15.3 Upper East Region

<table>
<thead>
<tr>
<th>NAME</th>
<th>AREA OF FOCUS</th>
<th>FORM OF COLLABORATION WITH THE COMMISSION</th>
</tr>
</thead>
</table>
| Action Aid International Ghana (AAIG) | a. Advocacy on Human Rights  
b. HIV/AIDS  
c. Agriculture Support  
d. Gender Programme | a. Funding of Commission Programmes on Human Rights  
b. Commission as Resource Persons for their Programmes |
| Widows and Orphan’s Ministry (WOM) | a. Empowering Widows and Orphans  
b. Public Education Sensitisation on the Rights of Widows and Orphans | a. Referring Cases of HR Violation to the Commission for Human Rights and Administrative Justice  
b. CHRAJ Provided Resource |
| Association of Church Development Project | a. Gender  
b. Human Rights Education  
c. HIV/AIDS  
d. Reproductive Health | a. Participating in Workshops and Seminars  
b. The Commission Provides Resource Persons for their Programmes |
| Centre for Sustainable Development (CETSUDI) | a. Empowerment of Women  
b. Public Education | a. Referral of HR Violations to Commission  
b. Joint Workshops |
## 15.4 Upper West Region

<table>
<thead>
<tr>
<th>NAME</th>
<th>AREA OF FOCUS</th>
<th>FORM OF COLLABORATION WITH THE COMMISSION</th>
</tr>
</thead>
<tbody>
<tr>
<td>Action Aid Ghana</td>
<td>Women &amp; Children’s Rights</td>
<td>Funding /Sponsorship</td>
</tr>
<tr>
<td>GHAWANEP</td>
<td>Violence Against Women</td>
<td>Sponsorship and Joint Workshops</td>
</tr>
<tr>
<td>Action on Disability</td>
<td>Rights of Disabled Persons</td>
<td>Joint Workshops, Seminars</td>
</tr>
<tr>
<td>Basic Needs</td>
<td>Rights of the Mentally Ill</td>
<td>Joint Workshops</td>
</tr>
<tr>
<td>Amasachina</td>
<td>Rights of Women</td>
<td>Joint Workshops, Seminars</td>
</tr>
<tr>
<td>World Vision</td>
<td>Children’s Rights</td>
<td>Sponsorship and Joint Workshops</td>
</tr>
</tbody>
</table>
### 15.5 Northern Region

<table>
<thead>
<tr>
<th>NAME</th>
<th>AREA OF FOCUS</th>
<th>FORM OF COLLABORATION WITH THE COMMISSION</th>
</tr>
</thead>
<tbody>
<tr>
<td>Action Aid- Tamale</td>
<td>Child Rights and Micro-Credit</td>
<td>Sponsorship and Advocacy</td>
</tr>
<tr>
<td>Action Aid- Yendi</td>
<td>- do-</td>
<td>- do-</td>
</tr>
<tr>
<td>Rural Women and Children’s Development Organisation</td>
<td>Right of Women &amp; Children and Micro-Credit</td>
<td>Advocacy</td>
</tr>
<tr>
<td>The Human Help and Development Group</td>
<td>Anti-Witchcraft Campaign</td>
<td>Advocacy</td>
</tr>
<tr>
<td>Centre for Initiative Against Human Trafficking</td>
<td>Anti-Human Trafficking Campaign</td>
<td>Advocacy</td>
</tr>
<tr>
<td>Simli Aid</td>
<td>Human Rights Education &amp; Rural Enterprise Development</td>
<td>Advocacy</td>
</tr>
<tr>
<td>Northern Gender Coalition</td>
<td>Women in Leadership &amp; Campaign Against Domestic Violence</td>
<td>Advocacy</td>
</tr>
<tr>
<td>NORSAAC</td>
<td>Women’s and Child’s Rights, Economic Empowerment of Women</td>
<td>Advocacy</td>
</tr>
<tr>
<td>ISODEC</td>
<td>Facilitates the Provision of Quality Health Care and Education for Rural Communities</td>
<td>Advocacy</td>
</tr>
<tr>
<td>Women Empowerment&amp; Relief Service for the Destitute</td>
<td>Women’s Rights Education and Economic Empowerment of Women</td>
<td>Advocacy</td>
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<tr>
<td>Amasaachina</td>
<td>Economic Empowerment of Women</td>
<td>Advocacy</td>
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<tr>
<td>Gubkatimali</td>
<td>-do-</td>
<td>Advocacy</td>
</tr>
<tr>
<td>Rural Media Network (RUMNAT)</td>
<td>Publish Human Rights Issues in their Monthly Journals</td>
<td>Advocacy</td>
</tr>
<tr>
<td>Christian Children’s Fund of Canada</td>
<td>Health Education</td>
<td>Advocacy</td>
</tr>
</tbody>
</table>

Indeed the efforts at ensuring the respect for human rights cannot be done by CHRAJ alone, the Commission therefore calls for stronger collaborative efforts for an effective fight against human rights violations.
16.0 CONCLUSION
All persons are entitled to equal protection by the State as provided by the Directive Principle of State Policy:

Article 35(2):
The State shall protect and safeguard the independence, unity and territorial integrity of Ghana; and shall seek the well-being of all her citizens.

Article 35(3):
The State shall promote just and reasonable access by all her citizens to public facilities and services in accordance with the law.

Article 36(1):
The State shall take all necessary action to ensure that the national economy is managed in such a manner as to maximize the rate of economic development and to secure the maximum welfare, freedom and happiness of every person in Ghana and to provide adequate means of livelihood and suitable employment and public assistance to the needy.

No one must feel excluded or discriminated against only because of his/her social or economic status.

Thank you

Signed by:

Anna Bossman (Ms)
Acting Commissioner

December 8, 2006.