

ANNUAL STATE OF HUMAN
RIGHTS REPORT-GHANA- 2015-2016
AT AGA OF NNHRI 29 AUGUST 2016

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PRESENTATION OUTLINE

- ◆ THE PRESENTATION COVERS THE TRIPLE MANDATE OF CHRAJ- HUMAN RIGHTS; ANTICORRUPTION; ADMINISTRATIVE JUSTICE.
- ◆ Manifestations of tensions and intemperate use of language in an election year –the role of CHRAJ in election observation and monitoring the right to vote
- ◆ Media Freedom; contempt of court; the exercise of prerogative of mercy in Ghana – tensions among the Arms of Government in 2016

OUTLINE CONT'D

- ◆ Child Early and Forced Marriage (CEFM) in Ghana 2016
the role of CHRAJ and stakeholders
- ◆ PLHIV; key populations; stigma and discrimination-
The online Discrimination reporting System of CHRAJ
- ◆ Corruption perception in Ghana – The
implementation of the NACAP and the roles of CHRAJ

ELECTIONS RELATED TENSIONS AND ABUSIVE LANGUAGE

- ◆ Ghana holds its 7th successive general elections under its 1992 4th Republican Constitution on December 7th 2016 to elect a President and Members of Parliament.
- ◆ Tensions are at fever pitch especially between members and sympathizers of the two main political parties- the ruling NDC and the main opposition party, the NPP
- ◆ Ghana's vibrant media is especially FM stations are full of abusive language; invectives; in some cases fighting in studios during live broadcasts !

2016 ELECTIONS CONT'D

- ◆ The abusive language monitor of the National Media Commission a software which detects foul language use on all the 270 FM stations nationwide and the associated political party has the main opposition party NPP adjudged the worse offender for most months. The ruling NDC also tops the list some months
- ◆ Violence is on the increase as thugs- called macho men are used by politicians to beat up opponents.
- ◆ Physical harm, sometimes politically motivated killings have occurred – the pouring of acid on the regional chairman of NPP for the Upper East Region leading to his death, the alleged contract killing of a member of Parliament etc

2016 ELECTIONS CONT'D

- ◆ The National Peace Council; the moral society made up of churches and imams; civil society organizations are all working hard to bring down the tensions and intolerance as they are beginning to assume ethnocentric dimensions
- ◆ CHRAJ is monitoring manifestations of the right to vote before elections and will put out a 300 election observation team on polling day as well as issue a report on the right to vote and election observation come December 7th

FREEDOM OF SPEECH AND CONTEMPT OF COURT/ PARLIMENT

- ◆ Ghana's vibrant media and the unrestrained exercise of freedom of speech has come under serious threat by the use of the power to commit for contempt by two Arms of Government- The Legislature and the Judiciary both have power to commit people for contempt to themselves and to punish

USE OF CONTEMPT POWERS CONT'D

- ◆ The Legislature through its privileges committee has directly summoned members of the public who have spoken disrespectfully of the House to appear before it to justify or apologize or be punished
- ◆ The CHRAJ has on occasion cautioned the House against the practice as it has the potential to stifle the freedom of the media and free expression.

CONTEMPT CONT'D

- ◆ The use of the powers to commit for contempt is more usual with the courts. However recent extension of the power to commit for contempt owners; directors and shareholders of a media house for scandalizing the court and occasioned tensions between the two Arms of Government- the Executive and the Judiciary.

CONTEMPT CONT'D

- ◆ The Montie trio case where the contemnors were convicted and punished with fines and jail terms of 4 months polarised the country.
- ◆ Some felt judicial activism by the court has gone too far and that the court was biased and prejudiced and descended into politics

CONTEMPT CONT'D

- ◆ The President was prevailed upon to exercise his prerogative of mercy to pardon the convicted radio panelists and their programme host in order to restore freedom of speech. Others counseled otherwise.
- ◆ In the end the President in consultation with the Council of State remitted their sentences to one month each. The tensions have not yet abated

CHILD EARLY AND FORCED MARRIAGES (CEFM)

- ◆ A major harmful traditional practice continuing to affect children and the girl child in particular is early and forced marriage.
- ◆ Ghana's Constitution puts the age of a child at below 18 years. However a number of surveys indicate that a high number of girls are married away before their 18th birthday. The Multi Indicator Index survey by UNICEF indicates that 1 out of 4 girls are married off before their 18th birthday

CEFM CONT'D

- ◆ The CHRAJ in partnership with Commonwealth Secretariat in London are presently carrying out a project in the Northern Region of Ghana where the prevalence rate is very high.
- ◆ The programme targets traditional leaders; chiefs and Queen Mothers as custodians of tradition and belief systems to champion the need for change.

CEFM CONT'D

- ◆ The Commission has entered into an MOU with the Chiefs and Queen Mothers at the Community level to undertake three self selected activities to bring about the required change
- ◆ Some of the traditional rulers are used as champions to encourage change on peer to peer basis in the Commonwealth.
- ◆

THE DISCRIMINATION REPORTING SYSTEM AND HEALTH RIGHTS DESK

- ◆ People living with HIV (PLHIV) and key populations such as Men having sex with men (MSM); Female sex workers (FSW) otherwise also called prostitutes etc continue to live in the shadows of society where they are openly discriminated against and stigmatised.
- ◆ Violations of their fundamental rights including work; housing; health etc are regarded as normal. They cannot even report to the police as they are easily branded and charged as the perpetrator or exploited

DISCRIMINATION REPORTING CONT'D

- ◆ CHRAJ working with the Ghana Aids Commission and USAID have set out to protect this vulnerable group by providing an online discrimination reporting system where key populations who otherwise will not walk in to any office to report to complain initially on line personally or through a support group via a short Message (SMS) to a dedicated Health Rights Unit.
- ◆ This well-trained and professional staff take up the complaint and investigate and if deserving of remedy provide remedy. The System has become very popular and is being studied by some countries.

CORRUPTION AND HUMAN RIGHTS

- ◆ Corruption it is said has direct and indirect effect on the realization of human as it robs the citizenry of the resources which would have made life better such as building of schools and motivation of teachers to teach children well; More hospitals and health centres; better roads etc
- ◆ The CHRAJ has both human rights and corruption mandates. CHRAJ is at the centre of the implementation of the National Anti-corruption Action Plan or strategy(NACAP)

NACAP CONT'D

- ◆ NACAP embraces both formal and informal sectors, public sector institutions as well as private sector and civil society organizations.
- ◆ For public services a directive has gone out from the Presidency of the Republic every public Institution to budget for anti-corruption activities it has to implement in a financial year for approval and to perform them with quarterly reports to the CHRAJ and the Presidency.

NACAP CONT'D

- ◆ CHRAJ has the responsibility along with the National Development Planning Commission (NDPC) as the MONICOM to monitor evaluate and report on progress annually through an Annual Progress Report which is issued on the 9th December which is world Anti-Corruption Day.
- ◆ The first APR was issued 2015.