



PRESS RELEASE IN COMMEMORATION OF THE INTERNATIONAL DAY IN SUPPORT OF VICTIMS OF TORTURE - 26TH JUNE 2021

The Commission on Human Rights and Administrative Justice joins hands with all relevant stakeholders nationally and globally to commemorate and raise awareness of the International Day in Support of Victims of Torture this 26th June 2021 and to support victims and survivors around the world.

The United Nations General Assembly in December 1997 designated this day towards the total eradication of torture and the effective functioning of the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (UNCAT).¹ The Convention which came into force on June 26, 1987² marks a turning point in the global realization of the destructive effect of torture and ill-treatment to humanity and the urgent need to eradicate and prevent such atrocities from occurring.

Ghana is a signatory to both the UNCAT and the Optional Protocol to the Convention Against Torture (OPCAT), which was ratified in 2000 and 2016 respectively. Ghana's commitment towards eradicating torture is exhibited in its membership in the core group of the Convention against Torture Initiative; a global initiative for the universal ratification and implementation of the UNCAT.

Aside these legal frameworks; the Commission recognises the fact that the government of Ghana has implemented some policy actions towards the absolute prohibition of torture in the country.

¹ A/RES/52/149

² A/RES/39/46

Notwithstanding these laudable systems and initiatives put in place by the government to erase the scourge of torture and ill-treatment in the country there are still gaps in the criminal justice and the mental health-care systems that amount to torture and ill-treatment. Ghana's prisons are still overcrowded with a current overcrowding rate of 52.87% arising from a prison population of 15,203 as against the official total prison capacity of 9,945³. Also, there are issues of poor nutrition, with daily food budget per prisoner inadequately pegged at GHc1.80p; poor sanitation and healthcare, as well as lack of medicines to cater for the health needs of detainees.

The COVID-19 pandemic with its associated restrictive measures employed by government also resulted in some police brutalities⁴ against people for non-compliance of the Covid-19 protocols. Moreover, there have been isolated cases⁵ of the use of torture and other ill-treatment by security officials during arrest and initial stages of interrogation, including allegations of beatings with canes and batons. With regards to mental health, some Ghanaians who resort to prayer camps and traditional healers for psychosocial disorders experience various degrees of human rights abuses.⁶ The three main psychiatric hospitals in Ghana are understaffed, underfinanced, have inadequate resources and deplorable physical conditions that result in poor living standards in those facilities.

As we commemorate this day, the Commission calls on government to accelerate efforts towards the prevention of torture and the realization of the UNCAT,

³ Ghana Prison Service "Inmates' Statistics" <http://www.ghanaprison.gov.gh/statistics.html> Accessed 21 June 2021

⁴ <https://www.myjoyonline.com/whipping-people-for-not-wearing-facemask-unacceptable-police-mtttd-commander/>

⁵ "National security operatives who assaulted Caleb Kudah must be held to account – CPJ" <https://citinewsroom.com/2021/05/national-security-operatives-who-assaulted-caleb-kudah-must-be-held-to-account-cpj/>

⁶ A/HRC/31/57/Add.2

OPCAT, SDG Goal 16, Article 5 of the African Charter on Human and People's Rights (ACHPR) as well as all other relevant national laws and policies.

The Commission further encourages government to implement the recommendations of the Third Cycle Universal Periodic Review⁷ (UPR) which in summary require the government of Ghana to enact criminal legislation that defines and criminalizes torture in accordance with international standards and provides for penalties that are commensurate with the gravity of the act; implement legal reforms to eliminate violations committed by the security forces and police; prevent, investigate and prosecute inhumane treatment in prayer camps or witch camps and psychiatric hospitals; strengthen efforts to improve prison conditions; and establish a National Preventive Mechanism (NPM) with the necessary legal and administrative provisions for its effective functioning in full independence and sensitize prison and police officers on a human rights-based approach towards treatment of detainees.

More specifically, the Commission urges government to designate CHRAJ as the NPM of Ghana and as a consequence amend CHRAJ's Act to formalize its mandate as the NPM which it performs de facto as well as accelerate the passage into law of the Non-custodial Sentencing Bill for alternative sentencing with regard to petty offences and reduction of prison populations; and to fully operationalize the Mental Health Authority's visiting committees in charge of conducting monitoring of psychiatric hospitals and prayer camps as well as the Mental Health Fund, for the successful implementation of the new mental health policy in Ghana.



Joseph Whittal
Commissioner

⁷ UPR Ghana, 3rd Cycle – 146.110, 146.29, 146.30, 146.31, 146.34, 146.35, 146.38, 146.88, 146.89, 146.90, 147.7