



SUMMARY OF KEY ISSUES FROM PREVIOUS UPR CYCLES AND RECOMMENDATIONS MADE

At the 2017 UPR cycle, several recommendations were made to Ghana to ratify or accede to international instruments to which it is a signatory, domesticate these instruments, and implement policies to give effect to Ghana's obligations under international human rights law. Five years after accepting the majority of the recommendations, Ghana has not made much progress in implementing the recommendations. Below are some of the recommendations that were made:

- The majority of the recommendations (five out of 22) was on the death penalty. Thirteen countries including Honduras, Spain, Liechtenstein, Portugal, Angola, Montenegro, Sweden, Albania, Poland, France, Estonia, Belgium and Australia recommended to Ghana to abolish the death penalty; take or continue to take steps to abolish the death penalty and ratify the Second Optional Protocol to the International Covenant on Civil and Political Rights, aiming at the abolition of the death penalty”
- The second highest number of recommendations (four out of 22) was on the protection of persons from enforced disappearance. Four countries including Iraq, Sierra, Leone, Japan and Portugal recommended to Ghana to ratify International Convention for the Protection of All Persons from Enforced Disappearance

NATIONAL FRAMEWORK

1. **Death Penalty** - The State has not abolished the death penalty, signed or ratified the Second Optional Protocol to the International Covenant on Civil and Political Rights, aiming at the abolition of the death penalty. However, a Member of Parliament has introduced a Private Member's Bill “The Armed Forces (Amendment) Bill, 2022 and the Criminal and other Offences (Amendment) Bill, 2022 to Parliament for consideration. If passed by Parliament and assented to by the president in its current form, proponents argue the proposed amendments will abolish more than 90 percent of the provisions relating to the application of the death penalty under domestic law.
2. **Signature/ratification/accesion to international human rights law instruments:**
 - a. Convention for the Protection of All Persons from Enforced Disappearance - Not ratified by Ghana; signed February 6, 2007
 - b. Interstate communication procedure under the International Convention for the Protection of All Persons from Enforced Disappearance, Art. 32 - Not signed or ratified by Ghana
 - c. Optional Protocol on the Sale of Children, Child Prostitution and Child Pornography - Not ratified by Ghana; signed September 24, 2003
3. **Domestication of the Rome Statute of the International Criminal Court** - Ghana was among the early adopters of the Rome Statute, having signed the Rome Statute on 18 July, 1998, and ratified 20 December, 1999. However, Ghana is yet to domesticate the Rome Statute despite producing a draft Bill “The Ghana International Criminal Court Bill” in 2016 to give effect to its obligations under the Rome Statute. From the memorandum accompanying the draft Bill, Ghana recognizes the need to pass the draft Bill into law to enable it to give effect to its obligations under the Rome Statute and more important meet the “two-fold essence of the Bill”:
 - A. To enable our [Ghana] courts try offences committed under the Rome Statute within the framework of our legal system; and
 - B. To legislate for the International Criminal Court to prosecute cases in Ghana in circumstances where the Ghanaian courts for some reason are unable to do so.

RECOMMENDATION

1. Ratification of International Instruments

Ghana is obligated under the recommendations it supported at the 2017 Universal Periodic Review to ratify and domesticate the international instruments which it has signed. We, therefore, urge Ghana to ratify and domesticate the international instruments which it has signed by June 2024.

2. Rome Statute of the International Criminal Court

Ghana is obligated to respect its obligations under the Rome Statute to pass the Ghana International Criminal Court Bill 2016, into law. Therefore, we urge Ghana to pass the International Criminal Court Bill, 2016 into law by December 2024

ABOUT THIS FACTSHEET

This factsheet was prepared by the Africa Center for International Law and Accountability (ACILA) under the auspices of the UPR CSO Platform Activities. ACILA is incorporated under Ghana law as a company limited by guarantee with the following areas of focus: International law; International justice; Monitoring African States' compliance with regional and international instruments; International human rights; Good governance; Anti-corruption; and Rule of Law

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REFERENCE

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