



SUMMARY OF KEY ISSUES FROM PREVIOUS UPR CYCLES AND RECOMMENDATIONS MADE

During the 3rd UPR Cycle in 2017, key issues for which Ghana received recommendations included **domestic violence, witch camps** as well as **gender equality bills** pending passage in the last decade namely **the Intestate Succession, Property Rights of Spouses and Affirmative Action**. Ghana was advised to “Continue efforts to combat violence against women and early and forced marriage” as well as “Continue efforts to implement the 2007 law on domestic violence and prohibit dehumanizing practices against women and girls”. Ghana must “Pass gender equality legislation including the Property Rights of Spouses Bill, the Affirmative Action Bill and the Intestate Succession Bill”.

Ghana was expected to “Prevent, investigate and prosecute inhumane treatment in prayer camps or witch camps and psychiatric hospitals. Address societal attitudes condoning such violations and abuses of rights of persons with mental disabilities”. Ghana was required to “Reinforce measures aimed at abolishing female genital mutilation” and further advised to “Endow the competent authorities with more resources to apply the law that sanctions female genital mutilation, in particular in the most isolated areas.

NATIONAL FRAMEWORK

The 1992 Constitution, Chapter 5 mandates the protection of the human rights of the citizenry, including women. Ghana as a state party to many treaties has ratified the United Nations Convention on the Elimination of all forms of discrimination against women (CEDAW), domesticating same in the Domestic Violence Act 2007 (Act 732), the Criminal Offences (Amendment) Act, 1998 (Act 554), Human Trafficking Act 2005, (Act 694), all of which give protection to women including the covenant on Civil and Political Rights (ICCPR), Second Optional Protocol to the International Covenant on Civil and Political Rights and the International Covenant on Economic, Social and Cultural Rights (ICESCR), for the protection of women’s rights. Others include Convention against Torture (CAT), Optional Protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, Protection from Torture, Ill-Treatment and Disappearance as well as Convention for the Suppression of the Traffic in Persons and of the Exploitation of the Prostitution of Others, Convention on the Elimination of All forms of Discrimination against Women and the African Charter on Human and Peoples’ Rights (ACHPR) including the Protocol on the Rights of Women in Africa (Maputo Protocol).

Despite tireless efforts by state and non-state actors to ensure that women enjoy their rights, trafficking in persons, high incidence of domestic violence and low representation of women in public decision-making processes impede the full protection of women’s rights in Ghana. The Domestic Violence and Victims Support Unit (DOVVSU) of the Ghana Police Service continues to receive thousands of reports of sexual and gender-based violence. According to the DOVVSU 2019 statistics, only 15.81% of reported cases of gender-based violence have resulted in successful convictions of perpetrators. Women’s representation in Ghana’s 4th Republic has been a little over ten percent (10%). The 7th Parliament had 12.72% women’s representation and the current Parliament has 14.54 %, regrettably lower than the UN recommended rate of at least 30%.

CHALLENGE	IMPACT
<p>Inadequate allocation to the DV fund and insufficient operational state-owned shelters for abused women</p> <p>The Domestic Violence Act, 2007 (Act 732) established a Domestic Violence Fund to assist in the rehabilitation and re-integrations of victims of gender-based violence but allocation to this fund remains woefully inadequate. The DV Act mandates the State to set up shelters for victims of gender-based violence.</p>	<ol style="list-style-type: none"> 1. Inadequate resource allocation to the DV Fund and insufficient shelters impede support services to victims. Victims cannot leave their abusive situations since they are economically dependent on the perpetrators. On April 19, 2022, a 46 year old man in Assin South District of Central Region was arrested for “allegedly” shooting his wife, after several threats, because she refused to give him Gh¢2.00 to buy alcohol. 2. Service providers who rescue victims from life threatening situations are sometimes saddled with the challenge of finding alternative lodging and catering for their daily upkeep. Some victims/survivors have had to spend the night at the Police Station.
<p>The Intestate Succession Bill has been pending adoption since 2009</p> <p>The Intestate Succession Bill proposed to ensure a more responsive approach to the needs of nuclear families whose parents/spouses die intestate has been pending since 2009.</p>	<p>The inadequacies in the PNDC Law 111 is to be replaced by the Intestate Succession Bill/Act. The draft of this bill has been introduced and re-introduced to each Parliament for consideration and passage into law since November 3, 2009. The Intestate Succession Bill has to be re-laid in this 8th Parliament as the last one failed to adopt it. Despite a verbal commitment by the Attorney General and Minister of Justice in January 2017, it remains a bill after her 5 years in office.</p>

<p>The Property Rights of Spouses Bill has been pending adoption since 2009. Property acquired in marriage is often registered in the name of the man despite women’s financial contribution to the acquisition. Women are often left with next to nothing upon the dissolution of the marriage.</p>	<p>The Property Rights of Spouses Bill seeks to regulate how properties of spouses will be shared in the event of a break up. The current mode of sharing properties contravenes Article 22 (3) of the 1992 Constitution which requires that matrimonial property to be equally distributed between the spouses upon termination of the marriage. This Bill has to be re-laid in this 8th Parliament as the last one failed to adopt it.</p>
<p>Affirmative Action Bill still pending adoption</p> <p>Women’s representation since Ghana’s 4th Parliament began in 1993, has been just a little over 10 %. There is no evidence to suggest any practical measures on the part of the government to increase women’s representation in public office outside the provisions of the AA Bill.</p>	<p>Low participation in governance and public decision-making processes continue to impede the full actualization of women’s rights as enshrined in Article 21 of the Universal Declaration of Human Rights. Women’s representation in Ghana’s 7th Parliament was 12.72% and women’s representation in the current Parliament stands at 14.54 %, regrettably lower than the UN recommended rate of at least 30%. In February 2017, the President of Ghana and the AU Gender Champion affirmed his government’s commitment to working with the 7th Parliament to ensure the passage of the AA Bill into law, yet Ghana cannot boast of an Affirmative Action law, two (2) years into the 8th Parliament under the President’s watch despite numerous appeals to him to fulfill his promise.</p>
<p>Limited rehabilitation and reintegration services to former inhabitants of the disbanded witch camps in Northern Ghana</p> <p>Women who are accused of practicing witchcraft are often violently driven from their homes and are forced to live in “witch camps”.</p>	<p>It is estimated that about 1,000 women in northern Ghana live in these camps and are not allowed to return to their communities. In 2014, two of these camps were closed but without alternative housing and livelihood options to them. Currently, there are five (5) operational camps, all of which are in Northern Ghana. In July 2020, Akua Denteh, a 90-year-old woman at Kafaba near Salaga in the Savannah region, met her untimely death after she was accused of being a witch by a priestess. She was dragged through the community by an angry mob, who subsequently lynched her.</p>
<p>Inadequate Funding for Female Genital Mutilation Programmes</p> <p>Funding of FGM activities has been absent or very minimal in the government budget over the years. Few donors, both local and international are interested in FGM issues.</p>	<p>Due to lack of funding from government for FGM programs, the practice is on the increase under the cover of darkness. Practitioners who sometimes claim they practice for economic reasons may only stop when there is adequate program on sensitization of the dangers and prevailing laws on the practice</p>

RECOMMENDATION

1. Ghana must adequately resource the DOVVSU One-stop Center to provide holistic confidential support to victims of DV that will facilitate their effective reintegration into the society while taking steps to set up more shelters for victims.
2. Pass the Intestate Succession and the Property Rights of Spouses Bills into law by December 2024.
3. Expedite processes to pass the Affirmative Action Bill into law by March 8, 2024, International Women’s Day.
4. Government should implement its program of rehabilitation and reintegration for all former inhabitants of witch camps while taking immediate steps to criminalize witchcraft accusations that result in the abuse of the accused.
5. Government should enforce the law of the arrest and detention of all perpetrators of FGM in the isolated areas in Ghana where the practice remains.

ABOUT THIS FACTSHEET	REFERENCE
<p><i>This fact sheet was prepared under the auspices of the Ghana UPR Civil Society Platform by the following organizations:</i></p> <p><i>Women’s Initiative For Self Empowerment (WISE), Defence for Children International, Ghana Section (DCI-Ghana), Women in Law and Development in Africa (WILDAF-Ghana), Centre For Women In Development And Public Policy (CEWODEPP), Amnesty International Ghana (AI Ghana), Sung Foundation (SUFOD), Legal Resource Centre (LRC), Gender Centre For Empowering Development (GenCED), The Ark Foundation, Youth Entrepreneurship And Social Advocacy Centre (YESAC), Centre For Muslim Youth In Peace And Development, Women in the Lord’s Vineyard (WITLOV), Ghana NGO Coalition on the Rights of the Child (GNCRC), Resource Link Foundation, Human Rights Advocacy Centre, KASA Ghana and Marie Stopes International, Ghana.</i></p>	<p><i>Links</i></p> <p>https://www.myjoyonline.com/man-46-allegedly-shoots-wife-over-¢2/</p> <p>https://citifmonline.com/2017/01/ill-ensure-passage-of-intestate-succession-bill-gloria-akuffo/</p> <p>http://newsghana.com.gh</p> <p>https://www.ghanasomubi.com/blog/ghanas-witches-camps-a-situation-of-unmet-mental-health-needs</p>

