

INTRODUCTION

This report is submitted for the fourth cycle of Universal Periodic Review (UPR) by Perfector of Sentiments (POS) Foundation, One Love Sisters Ghana, Sisters of the Heart, Resilient Sisters and Courageous Sisters Ghana. The information contained in this document was further discussed at a pre-UPR submission workshop organized by Ghana Human Rights NGOs Forum (POS Foundation-Secretariat) on 29th and 30th June 2022 which was attended by more than 50 civil society organizations in Accra, and validated by same on 12th and 13th of July 2022.

The submission subsequently highlights specific developments and follow-up measures by Ghana in relation to the summary prepared by the Office of the High Commissioner for Human Rights in accordance with paragraph 5 of the annex to Human Rights Council resolution (16/21A/HRC/WG.6/14/GHA/3). This report is to direct the UPR Committee's attention to serious and ongoing violations of the human rights of lesbian, bisexual and queer (LBQ) individuals in Ghana.

Ghana has signed and ratified the International Covenant on Civil and Political Rights (ICCPR), the International Covenant on Economic Social and Cultural Rights (ICESCR) the Convention on the Rights of the Child (CRC) and enacted Chapter five of the Constitution of The Republic of Ghana. This act protects rights of freedom of every person without discrimination. This report will highlight recent events that illustrate the following thematic issues relating to Sexual Orientation and Gender Identity (SOGI) as they relate to domestic laws as well as international treaties to which Ghana is a party:

Laws criminalization of same-sex sexual conduct and the resulting arbitrary arrests and detentions, in violation of Articles 2(1), 9, 17, and 26 of the ICCPR; Section 14(1) and 17(2) of Chapter Five of the Constitution of Ghana;

The climate of homophobia in violation resulting in the violation of Article 17 of the ICCPR and 25(1) of Chapter Five of the Constitution of Ghana; Violent attacks motivated by the victim's real or perceived sexual orientation and a pervasive climate of homophobia, in violation of Articles 2(1), 7, 9, 17, and 26 of the ICCPR and 17(2) Chapter Five of the Constitution of Ghana.

PRIVIOUS RECOMMENDATIONS RELATED TO LESBIAN, BISEXUAL AND QUEER PERSONS.

There has not been any specific recommendations since the first cycle of the UPR towards the LBQ women community in Ghana specifically.

IMPROVEMENTS

There has been no improvements towards the LBQ community in Ghana since the third cycle of the UPR for Ghana.

ISSUES FACING LESBIAN, BISEXUAL, AND QUEER PERSONS IN GHANA

- Introduction of Anti – LGBTIQ+ Bill which seeks to further criminalize association and organizations that provide services for LBQ persons.¹

¹ <https://www.washingtonpost.com-world-2021-ghana-lgbtq-bill-AOvVaw2S-hFcZuGvj2XGXojV4-rX>

- Absence of available reproductive and sexual health services specifically for Lesbian, Bisexual and Queer women leading to limited access to health care and discrimination towards the LBQ women in Ghana.
- The anti-LGBTIQ+ bill which has led to the escalated rate of abuse against LBQ persons with the rise in arbitrary arrest, detention, blackmail and extortion and stigma and discrimination due to the lack of proper interpretation of section 104 and pressure to conform or face jail term.²

RECOMMENDATIONS

- The state should reject the adoption of the “Promotion of Proper Human Sexual Rights and Ghanaian Family Values Bill, 2021” into law.
- State should ensure the provision of reproductive and sexual health services that meets the needs of LBQ women in Ghana.
- The state should take steps to train open minded and progressive police officers to understand LBQ women specific issues to enable them properly handle and follow up with gender-based and assaults cases of LBQ Women which usually go unresolved.

² Section 104 of the 1992 constitution of Ghana