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### **Draft report of the Working Group on the Universal Periodic Review\***

#### **Ghana**

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\* The final document will be issued under the symbol A/HRC/22/6. The annex to the present report is circulated as received.

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## Introduction

1. The Working Group on the Universal Periodic Review (UPR), established in accordance with Human Rights Council resolution 5/1 of 18 June 2007, held its fourteenth session from 22 October to 5 November 2012. The review of Ghana was held at the 4th meeting on 23 October 2012. The delegation of Ghana was headed by the Honourable Mr. Ebo Barton Odro, Deputy Attorney General and Deputy Minister for Justice. At its 10th meeting held on 29 October 2012, the Working Group adopted the report on Ghana.
2. On 3 May 2012, the Human Rights Council selected the following group of rapporteurs (troika) to facilitate the review of Ghana: Angola, Norway, Qatar.
3. In accordance with paragraph 15 of the annex to resolution 5/1, the following documents were issued for the review of Ghana:
  - (a) A national report submitted/written presentation made in accordance with paragraph 15 (a) (A/HRC/WG.6/14/GHA/1);
  - (b) A compilation prepared by OHCHR in accordance with paragraph 15 (b) (A/HRC/WG.6/14/GHA/2) and its corrigendum (A/HRC/WG.6/14/GHA/2/Corr.1);
  - (c) A summary prepared by OHCHR in accordance with paragraph 15 (c) (A/HRC/WG.6/14/GHA/3) and its corrigendum (A/HRC/WG.6/14/GHA/3/Corr.1).
4. A list of questions prepared in advance by the Czech Republic, Denmark, Germany, Mexico, the Netherlands, Norway, Slovenia, Spain, and the United Kingdom of Great Britain and Northern Ireland was transmitted to Ghana through the troika. These questions are available on the extranet of the UPR.

## I. Summary of the proceedings of the review process

### A. Presentation by the State under review

5. The delegation of Ghana conveyed greetings from the President Mr. John Dramani Mahama and paid tribute to the late Professor John Evans Atta Mills, former President of the Republic of Ghana, who passed away on 24th July 2012, for his commitment and contribution to peace, not only in Ghana but in Africa as a whole. He was a strong advocate for human rights, due process and the rule of law. He also valued the independence of the judiciary and other institutions and worked tirelessly to promote these principles.
6. Ghana's obligation to uphold the human rights of its people is enshrined in the 1992 Constitution, which provides for the establishment of institutions charged, inter alia, with safeguarding the human rights of the people of Ghana, guaranteeing the people's access to justice, ensuring the independence of the Media, and empowering the people to contribute to the governance and development of the country.
7. The National Report for Ghana's review sets out some developments since the first UPR in May, 2008. The delegation acknowledged the significant contributions of the bilateral and multilateral partners by way of budgetary and technical support. Ghana is mindful of the effects of the global economic crises on its development partners. Ghana is, however, still committed to its development programmes, particularly in matters affecting health, education, housing and delivery of other basic services.
8. The delegation also acknowledged the important and significant contribution of civil society in ensuring that human rights issues remained high on government's agenda, and on

the public consciousness. In the preparation of the national report, Ghana ensured the active participation of not only the relevant government institutions, but civil society as well. The Ministry of Justice held several meetings and interactions with the Government Ministries, Departments and Agencies (MDAs) and collated information gathered for the report. Additionally, it collaborated with the National Human Rights Institution (CHRAJ), and held informal consultations with civil society organizations. A final meeting was held on 20<sup>th</sup> July, 2012 with all stakeholders to validate the report.

9. At the first review on 8th May, 2008, Ghana accepted twenty-two recommendations. Progress made in the implementation of the recommendations, are clearly set out in the National Report. The delegation highlighted recent salient developments.

10. The Government, in its White Paper to the Report of the Constitutional Review Commission, has accepted the recommendation of the Commission to abolish the death penalty. Given that it is an entrenched provision of the Constitution, it will have to be subjected to a referendum. It is, however, worth mentioning that no executions have taken place in Ghana since 1993.

11. Since the passing of the Persons with Disability Act, 2006 (Act 75) and the ratification of the Convention on the Rights of Persons with Disabilities, Ghana has established the National Council on Persons with Disability. This Council will evolve policies and strategies to enable persons with disability enter and participate in the mainstreaming of the national development process.

12. The Mental Health Bill has also been passed into an Act of Parliament. The Act seeks, among others, to promote access to basic mental health care in an environment free from restrictions, and prevent the abuse of people with mental disorders.

13. With regards to the rights of women and children, the Ministry of Women and Children's Affairs (MOWAC) plays a lead role in the promotion and development of the rights of women and children. Following the passage of the Domestic Violence Act and the establishment of the Domestic Violence Secretariat, the Ministry has developed a national policy and plan of action to support the implementation of the Domestic Violence Act.

14. A number of training, sensitization and awareness-raising programmes on Domestic Violence and discriminatory practices against women, have been held for the general public, Traditional Authorities/Queen-mothers, the Media, the Police and other stakeholders. The Domestic Violence Act has been translated into six major Ghanaian languages namely Nzema, Ga, Twi, Hausa, Ewe and Dagbani, and copies of the translated, abridged and simplified versions of the Act are distributed to institutions and the public and key stakeholders.

15. Ghana is committed to ensuring equal rights of women in matters related to property and inheritance. There are currently two Bills before Parliament: i) the Property Rights of Spouses Bill; and ii) the Intestate Succession Amendment Bill. The Ministry of Justice, MOWAC and some civil society organizations are engaging the Parliamentary Select Committee on Gender and Children to have the Bills passed speedily into law.

16. Concerning access to justice for the vulnerable, the delegation reported that specialized courts have been set up at the High Courts to deal with human rights cases. These are called Human Rights Courts. Additionally, a Gender-Based Violence Court has been set up as a pilot project to deal with domestic violence cases, with a view to improving women's access to justice.

17. The national Legal Aid Programme under the Ministry of Justice continues to provide legal aid for indigent persons, including women. However, participation by lawyers is not adequate and this constitutes a challenge to Government's Legal Aid Programme. Government and the Ghana Bar Association are collaborating to address the problem. In the

meantime, CHRAJ continues to provide mediation services for women to actualize their right to access justice.

18. The Ministry of Justice is also focused on implementing the 'Remand Review Project' of the 'Justice for All Programme' instituted in 2007. This has led to an increase in the release of the number of remand prisoners who have out-stayed their remand warrants, resulting in a significant reduction in the remand population.

19. With regard to health, as noted by the Special Rapporteur for Health on his recent visit, Ghana has made significant progress in the health-related Millennium Development Goals. In 2011, the Ghana Aids Commission launched the National HIV Strategic Plan 2011-2015 which is aimed at enhancing the implementation of the national response to dealing with HIV and AIDS. Various educational campaigns aimed at addressing HIV-related stigma and discrimination, as well as the rights of the Most-at-Risk populations (MARPs) and Persons Living with HIV.

20. With regard to education, there has been a steady increase in female enrolment in schools which could be attributed to the increased awareness programmes, community mobilization and sensitization at the basic school level. The inclusion of lessons and activities on education as a human right in school curriculum, the use of fliers, posters, durbars, drama as well as radio and TV discussions, have increased children's awareness of their right to education. Other interventions by government and NGOS to increase enrolment and retention of females in schools to bridge the gender gap include scholarships to needy girls to access secondary education and the introduction of a quota system by the public universities. Challenges however remain with inadequate infrastructure and ICT facilities.

21. The delegation stressed that Ghana is committed to addressing corruption in all its forms in particular in the public sector. Ghana is mindful of the debilitating effects of corruption on the socio-economic development of Ghana. Consequently, a work plan for the execution of an anti-corruption project has been prepared in collaboration with stakeholders. A National Anti-Corruption Action Plan (NACAP) has been laid before Parliament for adoption.

## **B. Interactive dialogue and responses by the State under review**

22. During the interactive dialogue, 76 delegations made statements. Recommendations made during the dialogue are to be found in section II of the present report.

23. Bulgaria noted the establishment of a Domestic Violence Secretariat and a national policy to combat domestic violence. Bulgaria noted Ghana's commitment to equal participation; however it expressed concern over the lack of a legal framework for affirmative action policy. Bulgaria made recommendations.

24. Burkina Faso noted ratification of certain international human rights instruments and gender policies, strengthening of the judicial system to combat gender and domestic violence, adoption of national strategic plan to fight HIV/AIDS.

25. Burundi noted improved prison conditions. It congratulated Ghana on protection of women's rights, combating gender related and domestic violence, and child abuse. It noted criminalisation of FGM, increased access to justice, increased numbers of girls in school and national strategic plan to fight HIV/AIDS.

26. Canada noted that Ghana accepted the recommendation to enhance the rights of women and address domestic violence and requested to know about the outcome in this regard. It expressed concern about reports of human rights abuses of persons with disabilities in psychiatric hospitals. Canada made recommendations.

27. Cape Verde congratulated Ghana on progress in establishing institutions and implementation mechanisms. It noted difficulties remaining and only partial implementation of many measures and instruments. It made a recommendation.
28. Chad noted acceptance of most 2008 recommendations and wide consultation by Ghana. Chad noted Ghana's participation in major human rights international instruments. Chad paid tribute to the improvement of living conditions. Chad made a recommendation.
29. Chile paid tribute to the implementation of the 2008 recommendations. Chile drew emphasis to improvements in women and children's living conditions and noted criminalisation of FGM. Chile made recommendations.
30. China appreciated promotion of gender equality and elimination of discrimination and violence against women. It noted increased enrolment rate in primary education and improved control over HIV/AIDS. It made a recommendation.
31. Congo noted improved human rights education to improve access to justice and prison conditions. Congo noted increased training for prison staff and detainees. Congo welcomed Ghana's fight against gender and domestic violence and harmful practices, and improved schooling rate.
32. Côte d'Ivoire noted Ghana's commitment to cooperation with the UN human rights system and praised open and constructive dialogue. It encouraged support for Ghana for schooling for girls and recognised the need for continued effort.
33. Cuba commended the Constitutional Reform Commission's recommendations on housing, education and gender equality. Cuba noted progress in combating domestic and gender violence, access to justice, detainee rights, land management and the fight against HIV/AIDS. Cuba made recommendations.
34. Cyprus acknowledged achievement of many Millennium Development Goals. It raised questions on treatment of persons with disabilities and requested information on follow-up to ratification of CRPD. Cyprus noted government's efforts to combat discrimination against women, and commended the fight against HIV/AIDS.
35. Czech Republic noted the need to strengthen protection against discrimination based on sexual orientation and raised concerns about public intolerance. It asked what measures and strategies are used against incitement to hatred and violence. It made recommendations.
36. Denmark recognised Ghana's increased funding of the Human Rights Commission yet expressed concern about scarce resources for it, and resulting access to justice. Denmark acknowledged steps to address witch camps yet raised concerns about this practice. Denmark made recommendations.
37. Djibouti noted Ghana's positive results in improving citizen access to justice. It acknowledged Ghana's ratification of the major international human rights treaties and urged international community support for Ghana. Djibouti made recommendations.
38. Egypt welcomed Ghana's effective implementation of legislation and programmes which have a positive impact on quality of life of Ghanaians. It noted the challenges faced in combating corruption and requested to know if there were any lessons learned in this regard. Egypt made a recommendation.
39. Estonia recognised the importance of human rights in Ghana's domestic policy. It appreciated the standing invitation to UN Special Procedures. Estonia expressed concern about violation of women's rights, discrimination and FGM. Estonia commended Ghana on Internet freedom but deplored low access. Estonia made recommendations.
40. Ethiopia congratulated Ghana on ratification of CRPD and the recognition of female genital mutilation as criminal offence. Ethiopia commended the progress made in

implementing accepted UPR recommendations and encouraged Ghana to set up a national mechanism to oversee such implementation.

41. France expressed concern at violence against women and girls and FGM. France requested information on mechanisms prohibiting harmful traditional practices. France expressed concern for LGBT discrimination. It recalled concern raised by CAT regarding the issue of impunity and torture. France made recommendations.

42. Germany highlighted continuous improvement in access to safe drinking water and sanitation. Germany made recommendations.

43. Greece acknowledged combat against HIV/AIDS and improved rights for persons with HIV/AIDS. Greece recognised combat against FGM but expressed concern. Greece made recommendations.

44. Hungary noted improved women's awareness of their rights and improved equality in property inheritance. It noted increased enrolment of girls but raised concern over girls' access to education in northern Ghana. Hungary made recommendations.

45. India expressed concern over human rights challenges and acknowledged the multi-stakeholder, multi-sectoral approach to address them. India welcomed progress made against domestic violence, HIV/AIDS and in awareness of discrimination against women. India made a recommendation.

46. Indonesia welcomed achievements by the CHRAJ and urged adequate budgeting and compliance with the Paris principles. Indonesia noted roadmap to implement Domestic Violence Act and commended reduced HIV/AIDS. Indonesia made recommendations.

47. Iraq welcomed the efforts taken in eradicating domestic violence, in combating HIV/AIDS and in eradicating harmful traditional practices. Iraq made recommendations.

48. Italy welcomed improved children's rights but expressed concern over child labour, schooling and illiteracy. Italy acknowledged efforts to promote women's rights but raised concerns about violence against women and FGM. It made recommendations.

49. Kenya noted improved public education and awareness of human rights. Kenya highlighted Ghana's constitutional review. Kenya welcomed Ghana's implementation of most of the UPR 1<sup>st</sup> cycle recommendations and progress on women's and children's rights. Kenya made a recommendation.

50. Kyrgyzstan noted that Ghana accepted the recommendation from the Constitution Review Commission to abolish the death penalty. It also noted the measures taken in the areas of housing, education and in the elimination of harmful traditional practices. It made a recommendation.

51. Lesotho commended socio-economic, civil and political progress. It raised concern over education, health, and employment challenges yet noted measures to improve these issues. It made a recommendation.

52. Luxembourg requested information on measures planned to combat the high level of infant mortality. It recognised Ghana's recent stability yet asked what measures have been taken concerning December 2012 elections and post-electoral situation. Luxembourg raised concerns and made recommendations.

53. Malaysia acknowledged progress in implementing recommendations and commended the constitutional review process. Malaysia recognised improvements in health, children's rights, education, combating corruption and land management. Malaysia made recommendations.

54. Mauritania highlighted wide consultation of stakeholders, noted proposed reforms to improve human rights and welcomed progress in health and education. Mauritania encouraged Ghana to improve schooling for girls, combat stereotypes, harmful traditional practices and improve women's and girls' rights.
55. Mexico recognised measures to improve girls' right to education. Mexico hoped that the draft laws on inheritance rights will ensure that women enjoy their property rights. Mexico encouraged Ghana to continue to combat discrimination against women in law and in practice. Mexico made recommendations.
56. Morocco noted priority of human rights education and welcomed the constitutional review. It welcomed the national action plan to combat corruption and reform financial management. Morocco asked what measures would be taken for the operationalization of this action plan. It welcomed progress in schooling and urged international support.
57. Namibia welcomed the improved land registration process. It commended the upcoming National Human Rights Action Plan. Namibia made recommendations.
58. The Netherlands commended progress made yet raised concern over ratification of OP-CAT and related national legislation. The Netherlands welcomed increased sexual orientation and gender identity awareness and access to justice and urged rapid completion of on-going research. It made recommendations.
59. Nigeria commended the policies which enabled the enjoyment of the right to health and encouraged Ghana to redouble its efforts to ensure a balanced coverage of the National Health Insurance Scheme. It acknowledged efforts in the fight against HIV/AIDS. It welcomed efforts to eradicate negative cultural practices.
60. Norway welcomed Ghana's acceptance of the recommendation by the Constitution Review Commission to abolish the death penalty as well as intention to set up an inter-ministerial implementation committee to oversee the implementation of recommendation the country receives during the UPR process. Norway raised concerns about discrimination against sexual minorities and prohibition of sexual activity between consenting adults of same sex. Norway made recommendations.
61. Palestine welcomed Ghana's establishment of a Domestic Violence Secretariat to coordinate effectively implementation of the Domestic Violence Act. Palestine acknowledged that the Ghana Prison Service continues to be engaged in reforming, rehabilitating and improving prisoner welfare. It made a recommendation.
62. The Philippines acknowledged Ghana's positive steps in addressing violations of the rights of women and children and improved access to education and justice for women. It applauded Ghana for its continued policies to protect the rights of migrants and their families. It made recommendations.
63. The delegation then addressed (advance) questions it had received from the Czech Republic, Denmark, the Netherlands, Mexico, Germany, Slovenia, Spain, Luxembourg and Canada.
64. With regard to measures to ensure that victims of violence are not obliged to pay the cost of their medical examination (Czech Republic), Ghana emphasised that the Domestic Violence Act provides for free medical care for victims of violence. The Police Hospital in Accra offers free medical treatment and the Domestic Violence and Victims Support Unit (DOVVSU) also pays for other medical services. Additionally, the Ministry of Women and Children's Affairs (MOWAC) has set up a fund to assist victims of domestic violence abuse which would soon become operational.
65. On the status of the Right to Information Bill, (Czech Republic, Denmark, Netherlands), the delegation informed that Parliament is currently considering it. The Bill is



in line with the international standard for freedom of expression in that it provides for maximum disclosure in relation to governance. It also provides for restrictions regarding public safety and national security among others. It is likely to be passed next year.

66. On the issue of trokosi and witch camps (Germany), the delegation emphasised that the issue of violence against persons suspected of practicing witchcraft is a challenge, given that it deals with entrenched beliefs, which makes it difficult to eradicate through legislation. Although Ghana's Criminal Offences Act criminalises lynching, maltreatment and other human rights abuses, extensive education in these areas are needed and are ongoing. There is also the need to protect those who have been forced to flee their homes, as well as make life more comfortable for them in camps of refuge.

67. The practice of trokosi has been criminalised by the Criminal Offences Act. This is also a practice firmly rooted in the cultural beliefs of a few communities. Ghana is committed to continuing the extensive educational campaigns and consultations already in progress to change the mind-sets of persons who indulge in these practices.

68. With regard to steps taken to promote an improved dialogue and relationship between mining companies, security forces and mining communities (the United Kingdom), the delegation acknowledged that the mining industry in Ghana has witnessed some challenges in recent times, notably illegal mining and its attendant environmental hazards and dissatisfaction among the mining communities which finds expression in conflict. To adequately address these problems, Parliament has passed six sets of regulations in June, 2012, to give full effect to the Minerals and Mining Act.

69. Ghana is furthermore, committed to ensuring that businesses in the mining sector as well as in the other sectors of the economy give due regard to human rights issues in their operations. Ghana welcomes the Guiding Principles on Business and Human Rights for implementing the United Nations 'Protect, Respect and Remedy Framework' as it will help the country address protection gaps in respect of business related human rights abuses.

70. Regarding Ghana's National Reconciliation Commission (Mexico), the delegation stated that this Commission was set up to provide a platform for victims of human rights abuses to share their painful experiences and seek reparation. The Commission recommended reparations to victims in the form of monetary awards which have been fully paid. Some also had confiscated properties returned to them. Those who still feel dissatisfied have the right to petition the Attorney General.

71. As to what is being done about the situation in the prisons (Germany), the delegation reported that several interventions have been put in place to improve the conditions in the prisons. The amount allocated for feeding of each prisoner has been increased from \$ 0.40 to \$1.00. In addition, a percentage of food stuffs produced on prison farms across the country are used to supplement the ration of the inmates.

72. All prisoners are classified as indigents under the National Health Insurance Scheme (NHIS) and thus enjoy free registration, enabling them to access good health care services under the Scheme. Prisoners who contract communicable diseases are sent to a health facility for care. Recently the Ministry of Health has directed that doctors should be attached to the various prisons.

73. To deal with congestion in the country's prisons, Government in 2011 completed the construction of a maximum security prison with a holding capacity for 2000 inmates, at Ankaful in the Central Region. Inmates from other prisons are being moved to the new prison facility to ease the congestion.

74. As regards the measures to address the gaps in coverage of the NHIS (Slovenia), the Government is presently exploring alternative means of financing the NHIS.

75. Concerning whether Ghana will end its policy of non-equal treatment of homosexuals and LGBT in general (Germany) and how Ghana will apply the principle of non-discrimination in relation to the issue of homosexuality, (the Netherlands), the delegation emphasised that Ghana does not have a policy of non-equal treatment of its citizens. The Constitution entrenches the fundamental principles of non-discrimination and equality. It also guarantees the freedom of religion and the rights of persons to practice that religion. The Constitution also provides for the legislature to enact laws that further the social cohesion and economic development of the people.

76. On the CAT recommendation to criminalize marital rape, the delegation highlighted that the rape provision in the Criminal Offences Act does not make any distinction among women. It is applicable to all females above sixteen, married or unmarried, and neither are perpetrators of the offence of rape defined to exclude spouses. Section 42(g) which made marriage a defence to rape has now been expunged from the statute.

77. On the measures to protect victims of child trafficking (Spain), the Government, together with MOWAC, the Department of Social Welfare and civil society organizations, has intensified sensitization efforts at the rural communities and areas of high risk. A number of training programmes have also been undertaken by the Ministry of the Interior, Ghana Immigration Service and Ghana Police Service to equip them with the skills and capacities needed to detect, deter and prevent child trafficking. MOWAC has also constructed a number of shelters for victims of trafficking and continues to solicit support from the private sector and other concerned actors.

78. As to measures to combat the high maternal mortality rate (Luxembourg), the delegation indicated that some women do not attend hospitals due to financial constraints and that the Government made medical treatment for pregnant women free, which has gone a long way to decrease the number of maternal deaths. There is also an increased education of women and training of Traditional Birth Attendants to provide safe maternal care during pregnancy and delivery. Additionally, comprehensive abortion care is being carried out by the Ministry of Health to ensure that no woman dies from unsafe abortion.

79. Concerning the outcome of the review process, including the establishment of the Domestic Violence and Victims Support Unit of the Ghana Police Service (DOVVSU), the adoption of a strategic plan and the progress achieved so far (Canada), the delegation stated that DOVVSU has undertaken a number of activities intended to sensitize the public on the need to respect women's and children's rights, to desist from violent conduct and resolve internal disputes through peaceful means. Significant strides have been made in advancing women's social, economic, civil and political rights. Participation of women in public life has also improved. It is worth noting that the Speaker of Parliament and the Chief Justice are women.

80. Ratification of OP-CAT and OPs-CRC (OP-CRC-AC and OP-CRC-SC) has been both approved by Cabinet, and will soon be considered by Parliament for ratification.

81. Poland thanked Ghana for its informative national report and noted its efforts to ensure better protection of human rights, including in the area of women's and children's rights. It made recommendations.

82. Portugal welcomed Ghana's ratification of CRPD and its cooperation with the United Nations human rights system. It stated that harmful traditional and cultural practices, discriminatory laws and lack of legal implementation were root causes of discrimination and human rights violations. It made recommendations.

83. The Republic of Korea noted that recommendations by Ghana's Constitutional Review Commission have made considerable contributions to enhancing basic human

rights, especially in relation to gender equality, education and housing. It made recommendations.

84. Romania congratulated Ghana on its intention to create an intergovernmental committee to oversee the UPR implementation process. However, it regretted that some former recommendations had been rejected and received no more attention from the Ghanaian authorities. It made recommendations.

85. Rwanda noted Ghana's commitment to equal participation of men and women and commended the significant progress in ensuring access to justice, fighting gender-based and domestic violence, combatting harmful traditional practices and implementing a land administration project. It made recommendations.

86. Senegal acknowledged Ghana's constant commitment to improving its human rights situation and praised Ghana's progress in fighting HIV/AIDS, protecting women's rights through measures aimed at facilitating their access to justice and girl's education. It made recommendations.

87. Singapore noted Ghana's achievement in the area of education with it having one of the highest school enrolment rates in Africa. It also noted its achievement in gender parity among high school students. Singapore noted Ghana's success in lowering adult HIV prevalence. It made recommendations.

88. Slovakia recognised Ghana's commitment to advance its human rights record since the first review. It commended Ghana for civil society consultation in relation to drafting the national report and credited Ghana for its standing invitation issued to HRC Special Procedures. It made recommendations.

89. Slovenia welcomed running of awareness-raising programmes aimed at deepening respect for human rights. Ghana's integration of a gender perspective in implementing UPR recommendations and its steps towards eliminating harmful traditional and cultural practices that discriminate against women were also appreciated. It made recommendations.

90. South Africa welcomed Ghana's progress on the HIV/AIDS epidemic, commitment to international human rights law and the many instruments to which it adheres, ratification of CRPD, women's access to justice, establishment of violence courts and the National Commission for Civil Education. It made recommendations.

91. South Sudan noted the establishment of the gender-based domestic violence courts and requested to know whether court costs and other fees associated with civil criminal modus operandi were covered by the institution, as the victims were either poor or did not work outside their home. It made recommendations.

92. Spain welcomed Ghana's ratification of CRPD and viewed very positively the recommendation of the Constitutional Review Commission regarding abolition of the death penalty, which has been included in the White Paper on constitutional reform. It made recommendations.

93. Sri Lanka acknowledged the public education programmes by the Commission on Human Rights and Administrative Justice, the stabilisation of the AIDS epidemic, and the efforts to protect women's and children's rights and increase girls' enrolment at school. It made a recommendation.

94. Sudan wished to emphasise that great efforts have been made by the Ghanaian Government and civil society to ensure that girls enrol and stay at school in order to lessen the gender gap in the education system. It made recommendations.

95. Swaziland stated that Ghana had undertaken much activity aimed at addressing recommendations made at its review in 2008. The delivery of access to human rights may

be hampered by the lack of resources. Swaziland encouraged Ghana to lobby the international community for assistance in this regard.

96. Switzerland commended Ghana's adoption of the Action Plan for Human Rights and its willingness to improve their protection through constitutional reform and specifically in relation to abolition of the death penalty. Ghana has taken measures to improve the protection of women and children. It made recommendations.

97. Thailand noted Ghana's efforts to promote the right to education, including raising literacy rates and access to education especially for girls in rural areas. Thailand commended Ghana for ratifying the CRPD and its Mental Health Act 2012 as well as its National HIV Strategic Plan. It made recommendations.

98. Timor-Leste commended Ghana for its considerable progress in many areas, including prison conditions, gender-based violence, criminalisation of harmful traditional practices and police brutality. Yet, several stakeholder submissions have called attention to a number of remaining issues including continued alleged brutality and excessive use of force by the police. It made a recommendation.

99. Togo praised Ghana's measures against domestic and gender-based violence, harmful traditional practices and the HIV/AIDS epidemic as well as its ratification of the Convention on Persons with Disabilities. Togo encouraged Ghana to accelerate steps to eradicate torture and other cruel, inhuman or degrading treatments.

100. Trinidad and Tobago commended Ghana's progress in the promotion and protection of human rights, specifically the National Human Rights Action Plan, the Gender-based Violence Court, the plethora of social programmes and the new 5-year HIV/AIDS strategic plan. It made recommendations.

101. Tunisia noted Ghana's setting up of its Constitutional Review Commission and recorded progress in access to justice, rights of detainees and combating domestic violence. Tunisia congratulated Ghana on establishing its National Action Plan for Human Rights and its strategy for national growth and poverty reduction. It made recommendations.

102. Turkey recognised Ghana's steps towards eradicating harmful traditional practices, ensuring equal rights for women and promoting education and health as important developments. It also commended Ghana on its anti-corruption action plan and improved land regime. It made recommendations.

103. Uganda noted the attention Ghana had given to combating harmful traditional practices, training traditional leaders on Domestic Violence and Criminal Offences Acts, establishing Technical Support Units and launching the new HIV Strategic Plan. Uganda made a recommendation.

104. The United Kingdom noted that Ghanaian Constitution guarantees fundamental human rights and freedoms, including civil, political, social, economic and cultural rights. Progress towards abolition of the death penalty and eliminating discrimination against the disabled would be welcomed. It made recommendations.

105. The United States of America encouraged Ghana to increase prosecutions of human trafficking and services offered to victims and to give special attention to the fight against forced child labour in the fishing industry on Lake Volta. It also encouraged the protection of all citizens regardless of sexual orientation. It made recommendations.

106. Uruguay commended the work of the Commission on Human Rights and Administrative Justice. However, it has been reported that women practising witchcraft and widows are violently treated, often being stripped of their inheritance and sometimes subjected to humiliating rituals, whilst cases of female genital mutilation are alarmingly high. It made recommendations.

107. Zimbabwe stated that Ghana has made tremendous progress in areas including in the advancement of the equality and empowerment of women, in the enrolment of girls in school, in the effective delivery of justice and in the protection of children's rights. It made a recommendation.

108. Algeria noted Ghana's concrete efforts in the promotion and protection of human rights by an institutional strengthening programme, in particular setting up of Constitutional Review, Human Rights and Administrative Justice and HIV/AIDS commissions. It made recommendations.

109. Angola praised Ghana's continued commitment to human rights mechanisms and international instruments along with Government efforts in promoting rights and fundamental freedoms through constitutional reforms, adoption of legislation in the fields of penal justice and measures in the fields of housing, education and sexual equality.

110. Australia welcomed Ghana's commitment to abolish the death penalty and to several human rights reforms, particularly those in support of gender equality. It expressed concern about protection of the rights of persons with disabilities, as well as the reports of police brutality, arbitrary arrest and excessive detention. It made recommendations.

111. Austria commended Ghana's fight against gender-based violence and establishment of a specific GBV court, but was concerned about persistent violence against women. Austria was alarmed that harmful traditional practices, including female genital mutilation, are still carried out, especially in Northern Ghana. It made recommendations.

112. Bangladesh was impressed by Ghana's efforts in promoting and protecting the human rights of its people, and for ratifying the major international human rights treaties. Bangladesh commended Ghana in achieving a decline of over 25% in HIV prevalence. It made recommendations.

113. Belgium commended the recommendation, made by Ghana's Constitutional Reform Commission, to abolish, *de jure*, the death penalty. In this regard, Belgium would like to know whether the Ghanaian authorities undertake to follow this recommendation. It made recommendations.

114. Benin noted with satisfaction Ghana's progress in the fields of access to justice, improved detention conditions, combating domestic violence, eliminating harmful cultural practices, spouse property rights, the inheritance issue and refugee return to families and communities.

115. Botswana commended Ghana for its clear commitment to promoting and protecting human right. Botswana appreciated Ghana's institutional improvements and the recent constitutional review as well as gender equality and property inheritance legislation, and improved birth registration. It made a recommendation.

116. Brazil recalled the concern it raised in 2008 on the lack of gender perspective in the implementation of the Rent Act and was pleased to know that this Act was being reviewed. It commended Ghana for the efforts in decreasing HIV/Aids prevalence, especially by controlling new infections and reducing mother to child transmission. Brazil made recommendations.

117. The delegation stated that, as part of efforts to address the gaps in its human rights framework, the Government is working with the Commission for Human Rights and Administrative Justice (CHRAJ), the National Human Rights Institution and other stakeholders to develop a national Human Rights Action Plan (NHAP). In addition, the MOWAC is working closely with CHRAJ and other stakeholders to put in place a comprehensive gender action plan to specifically address the gender inequality that persist in the social set up.

118. On the issue of legal costs to victims of violence, processes undertaken are criminal in nature and instituted by the State, and the victims incur no costs. In some cases, judges are given the mandate to award some compensation to victims.

119. The Constitutional Review Commission, set up to review the 1992 Constitution of Ghana with a view to making recommendations for strengthening of the Governance architecture, has submitted its report to the Government. The Government has accepted the majority of their recommendations, and consultations are on-going to examine the feasibility of the other recommendations yet to be accepted. A Committee has been set up to consider the implementation of the accepted recommendations.

120. The Commission recommended the creation of an independent fund to finance the advocacy activities and institutional-building programmes of the independent governance institutions such as the Judiciary, Electoral Commission, Media Commission, CHRAJ and the National Commission for Civic Education. This recommendation is intended to gird the need to safeguard the independence, neutrality and impartiality of the governance institutions tasked with the promotion of human rights. In this regard, the Government will welcome any suggestions, contributions or support from the international community that will strengthen the capacity of these critical institutions to deliver on their mandate. Many of questions raised during the interactive sessions were addressed in the Deputy Minister's introductory remarks especially on the death penalty and harmful cultural practices.

121. In response to concerns about the up-coming elections to take place on 7th December, 2012, the delegation assured the Council that the government was committed to ensuring free, fair and transparent elections. To further enhance transparency of the process, a biometric registration of eligible voters has been introduced for the very first time in the country's electoral history. The Government has also taken concrete steps to adequately resource the Electoral Commission as well as other relevant institutions, who are actively involved in educating the public on their rights and obligations during the elections. He assured that government is doing its best to ensure that all play their part in safeguarding the independence neutrality and impartiality of the governance institutions tasked with promoting human rights.

122. The delegation thanked the UPR Working Group for the opportunity given to Ghana to engage the Working Group in the review of its human rights framework. Ghana looks forward to a fruitful collaboration in implementing the recommendations that it would accept.

## **II. Conclusions and/or recommendations**

123. **The recommendations formulated during the interactive dialogue/listed below enjoy the support of Ghana:**

123.1. **Expedite the ratification of the Optional Protocols to CRC (India);**

123.2. **Ratify the two Optional Protocols to the Convention on the Rights of the Child on the Involvement of Children in Armed Conflict (OP-CRC-AC) and on the Sale of Children, Child Prostitution and Child Pornography (OP-CRC-SC) (Sudan);**

123.3. **Ratify the Optional Protocol on Children in Armed Conflict and the Optional Protocol on the Sale of Children, Child Prostitution and Pornography (Greece);**

123.4. **Consider an early ratification of the newest OP to CRC on a communication procedure (Slovakia);**

- 123.5. Consider ratifying the Palermo Protocol supplementing the United Nations Convention Against Organized Crime (Philippines);
- 123.6. Consider ratifying ILO Convention 189 (Philippines);
- 123.7. Ratify before the end of the third UPR cycle those Conventions to which Ghana is a signatory (Hungary);
- 123.8. Put to an early referendum all recommendations of the Constitutional Review Commission approved by the Government that requires changes to the Constitution, including the removal of the death penalty (United Kingdom of Great Britain and Northern Ireland);
- 123.9. Integrate into its domestic law the various international instruments of human rights to which it is a party (Chad);
- 123.10. Implement the CEDAW committee's recommendations from 2006 to bring article 7 of the Constitution and section 10 of the Citizenship Act in line with article 9 of the CEDAW convention (Slovenia);
- 123.11. Intensify its efforts to complete the alignment of national legislation with the provisions of the Rome Statute and to expedite the process of ratification of the Optional Protocol to the Convention against Torture (Tunisia);
- 123.12. Develop and implement a National Action Plan for human rights, in order to framework a systematic approach to the promotion and the protection of human rights in the country (Indonesia);
- 123.13. Give momentum to the process of completing the drafting of a National Human Rights Action Plan (NAHRAP) which would enable the country to address all human rights concerns in a comprehensive and holistic manner (Kenya);
- 123.14. Continue its fight to promote and protect women's rights (Bangladesh);
- 123.15. Continue its current efforts in the field of promotion and protection of women's rights (Egypt);
- 123.16. Continue to prioritize the promotion and the protection of the rights of women (South Africa);
- 123.17. Redouble its efforts to ensure the protection of the rights of women and children (Luxembourg);
- 123.18. Make efforts to achieve gender equality, including through adoption of the Property Rights of Spouses Bill and the Intestate Succession Bill (Iraq);
- 123.19. Enforce the prohibition of torture while reflecting on the condition of detention centres (Turkey);
- 123.20. Explicitly prohibit corporal punishment of children in all settings, including the home (Austria);
- 123.21. Report back to the Working Group of the UPR on the subject of access to justice, at the next review of Ghana for the UPR (The Netherlands);
- 123.22. Accelerate necessary measures for training police personnel on the principles of human rights and the minimum treatment of prisoners and detainees according to a clear curriculum (Iraq);

- 123.23 Carry out awareness raising campaigns to promote the birth registration of all children, particularly those living in poverty and adopt necessary measures to guarantee effective access to free birth registrations for new-borns (Mexico);
124. The following recommendations enjoy the support of Ghana which considers that they are already implemented.
- 124.1. Criminalise and punish the practice of acts of racial discrimination (Portugal);
- 124.2. Combat discrimination, in particular against minorities and immigrants (Romania);
- 124.3. Build on its achievement and redouble its efforts to combat police brutality through administrative and judicial sanctions against perpetrators, training and education for serving police officers, and consider including relevant human rights education materials in the cadets' training curriculum (Timor-Leste);
- 124.4. Take measures in order to fight against impunity in torture and ill-treatment, especially in the cases of police brutality and excessive use of force (France);
- 124.5. Ensure that the fundamental legal safeguards for persons detained by the police are respected (Poland);
- 124.6. Adopt and apply the legislation that effectively improves detention conditions in prison centres and ensure the respect of judicial guarantees offered to detainees (Spain);
- 124.7. Ensure the separation of juveniles and adults in prison cells, through, inter alia, establishing juvenile detention centres (Namibia);
- 124.8. Take steps to prevent, and ensure accountability for, acts of violence perpetrated against individuals, including on the basis of their sexuality (Canada);
- 124.9. Ensure that complete and impartial investigations are conducted on the allegations of attacks and threats against persons based on their sexual orientation or gender identity and bring those responsible to justice in conformity with the international standards (Belgium);
125. The following recommendations enjoy the support of Ghana which considers that they are in the process of implementation.
- 125.1. Ratify CED, OP-CAT, OP-CRC-AC and OP-CRC-SC (Spain);
- 125.2. Consider the ratification of CRPD, and OP-CRC-SC (Rwanda);
- 125.3. Proceed swiftly with the ratification of the OP-CAT (Estonia);
- 125.4. Ratify and implement the OP-CAT in the earliest possible date (Czech Republic);
- 125.5. Ratify the Optional Protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, and introduce human rights education for police and security forces (Australia);
- 125.6. Complete the process of full alignment of its national legislation with all obligations under the Rome Statute of the ICC and ratify the Agreement on Privileges and Immunities of the Court (Slovakia);



- 125.7. Strengthen the Commission on Human Rights and Administrative Justice through financial and human resources (Switzerland);
- 125.8. Further strengthen the Commission on Human Rights and Administrative Justice for its compliance with the Paris Principles (Tunisia);
- 125.9. Effectuate the expansion of the Human Rights Commission's mandate (Denmark);
- 125.10. Accelerate the adoption of pending bills and intensify efforts in order to see more strengthened implementation of the measures decided and instruments created, including in terms of the difficult fight against harmful traditional practices, protection of children, inequality of rights between sexes, and access to justice and strengthening of its effectiveness (Cape Verde);
- 125.11. Take measures to ensure proper legal framework for the Affirmative Action Policy (Bulgaria);
- 125.12. Develop consequential strategies to fulfil the affirmative action policies of 40 per cent of women in the public decision making processes (South Sudan);
- 125.13. Remain steadfast in pursuing its impressive policies towards gender equality, particularly by strengthening measures to eradicate gender-based violence (Lesotho);
- 125.14. Take immediate action against discrimination of women by effectively enforcing the women's right to equal treatment as it is guaranteed in Ghana's constitution, for example, by ensuring and promoting access to education (Germany);
- 125-15. Designate a national mechanism for the prevention of torture and other cruel, inhuman or degrading treatment or punishment (Poland);
- 125.16. Ratify without delay the Optional Protocol to the Convention Against Torture and, in this context, to establish a national mechanism for the prevention of torture as provided by this instrument (Luxembourg);
- 125.17. Improve, as a matter of urgency, conditions in prisons and detention centres, in particular inmates' access to food, medical care and overcrowding (Slovakia);
- 125.18. Continue efforts to reduce overcrowding in the prison system and ensure that the Standard Minimum Rules for the Treatment of Prisoners are observed (Austria);
- 125.19. Redouble its efforts to promote and protect women's rights, including treating with the widespread violence against women (Trinidad and Tobago);
- 125.20. Continue to adopt measures to investigate, prosecute and punish the perpetrators of acts of violence against women (Chile);
- 125.21. Strengthen awareness-raising campaigns on the issue of violence against women, bringing perpetrators of such crimes to justice (Italy);
- 125.22. Undertake concrete steps in order to prevent violence against women, including domestic violence, also through awareness-raising and educational efforts (Poland);
- 125.23. Continue the implementation of the strategic plan regarding domestic violence, in particular violence against women and girls (Algeria);

- 125.24. Take all necessary legislative and practical measures to eradicate the violence against women, in all its forms, and to promote gender equality (Romania);
- 125.25. Continue to give full attention to this most important issue (domestic violence) and to fully implement the Domestic Violence Act and its Roadmap (Indonesia);
- 125.26. Fully implement the Domestic Violence Act and ensure the effective functioning of the Police's Domestic Violence Victim Support Unit (Austria);
- 125.27. Abolish all discriminatory legal provisions towards women and increase its efforts in combating all forms of violence against women, including marital rape, child and other forced marriages, and female genital mutilation (Portugal);
- 125.28. Allocate more resources on establishing shelters for women subject to domestic violence and provide accommodation services for girls deprived of access to education (Turkey);
- 125.29. Intensify efforts to address gender disparities and combat violence against women including through the strengthening of law enforcement in accordance with its Domestic Violence Act as well as media and education programmes aimed at increasing public awareness and sensitivities on the rights of women (Malaysia);
- 125.30. Further strengthen the system, including through adequate funding, to allow all victims of violence to receive protection, services including coverage of the costs of their medical examination and to eliminate long delays in court proceeding (Czech Republic);
- 125.31. Ensure that effective and prompt investigations are carried out into all allegations of domestic violence and female genital mutilation, and that those responsible are brought to justice (Norway);
- 125.32. Continue its efforts in the field of women's rights in order to, amongst others, enforce the Acts against Domestic Violence of 2007 and laws prohibiting harmful practices against women, including trokosi and female genital mutilation (Brazil);
- 125.33. Take steps to fully implement the 2007 Domestic Violence Act, inter alia by ensuring that effective and prompt investigations are carried out for any allegations of domestic violence and female genital mutilation, and that those responsible are brought to justice (Canada);
- 125.34. Continue to fight against female genital mutilation (Italy);
- 125.35. Continue efforts to fight against female genital mutilation (Senegal);
- 125.36. Step up efforts to fight female genital mutilation (Uganda);
- 125.37. Effectively prevent and prosecute female genital mutilation (Germany);
- 125.38. Adopt all measures, as a matter of priority, to eliminate female genital mutilation (Greece);
- 125.39. Establish awareness campaigns on the prohibition of harmful traditional practices such as female genital mutilation and Trokosi (Switzerland);

- 125.40. Intensify measures to prevent and combat harmful traditional practices, including female genital mutilation, which occur especially in rural areas, and to investigate such acts in order to prosecute and punish the perpetrators (Uruguay);
- 125.41. Close as soon as possible the Witch Camps (Switzerland);
- 125.42. Take all possible measures to abolish the practice of witch camps (Denmark);
- 125.43. Exert all efforts to ensure traditional practices are compatible with human rights obligations, including female genital mutilation, through enhancing the enforceability of relevant laws in a proper way (Republic of Korea);
- 125.44. Monitor the customary law to ensure that traditional practices be aligned with its obligations in the area of human rights, especially with the provisions of international instruments to which Ghana is a State party (Uruguay);
- 125.45. Intensify its efforts against harmful traditional practices and in favor of living conditions in prisons and psychiatric hospitals (Tunisia);
- 125.46. Step up its efforts to prevent and combat trafficking in persons and protect and assist trafficked victims (Philippines);
- 125.47. Prevent and combat trafficking in human beings, by protecting victims and ensuring their access to medical, social, legal and counselling services; by ensuring adequate conditions for the victims to make complaints; and by conducting investigations and punishing those responsible (Kyrgyzstan);
- 125.48. Enhance the prevention and combat trafficking in human beings, including internal and cross-border trafficking of women and children for the purpose of sexual exploitation or forced labour, by inter alia implementing anti-trafficking legislation, protecting victims and offering necessary help and assistance (Poland);
- 125.49. Take all necessary measures for the prevention and combating of child trafficking, and for the provision of effective remedies for victims (Republic of Korea);
- 125.50. Prohibit all forms of corporal punishment of children and ratify the three Optional Protocols to the Convention on the Rights of the Child (Portugal);
- 125.51. Take urgent measures to eradicate child labour and child trafficking (Spain);
- 125.52. Fully implement the Ghana Child labour Monitoring System and link these efforts with programmes to promote remediation and ensure adequate resources for the Anti-Human Trafficking Unit for the pursuit of prosecutions (United States of America);
- 125.53. Implement more effectively the legal framework prohibiting child labour (Italy);
- 125.54. Take necessary measures that would reduce, at the first stage, the widespread use of child labour (Turkey);

- 125.55. Continue its combat against the use of child labour, especially in the mining industry and cocoa production, including implementation of measures on their rehabilitation, reintegration, and education (Thailand);
- 125.56. Identify and implement best practices to combat child labour in violation of international standards in the fishing industry on Lake Volta (United States of America);
- 125.57. Strengthen legal advice and assistance for people in need (Germany);
- 125.58. Continue ensuring that all detainees have access to a lawyer of their choice, including through the implementation of an enhanced legal aid system that reaches all regions (Palestine);
- 125.59. Fully implement the 2003 law on juvenile justice (Algeria);
- 125.60. Intensify its efforts to address the problem of birth registration since lack of birth registration makes children born in poor families vulnerable to other human rights violations, including human trafficking (Botswana);
- 125.61. Continue the efforts to improve the figures of birth registration, having in mind that considerable improvement has already been achieved, as birth registration increased from around 30 per cent in 2000 to over 60 per cent in 2010 (Brazil);
- 125.62. Amend the Right to Information Bill in line with the recommendations made by the Commission on Human Rights and Administrative Justice (CHRAJ) (Austria);
- 125.63. Take immediate steps toward the adoption of the Freedom of Information Bill, building on its efforts to improve good governance, accountability and transparency (Canada);
- 125.64. Continue to promote its socio-economic development by reducing poverty, and increasing inputs into health care and education (China);
- 125.65. Redouble its efforts to reduce unemployment and poverty, thereby ensuring that each and every Ghanaian can benefit from the fruits of the country's impressive economic growth (Trinidad and Tobago);
- 125.66. Continue redistributing income from petroleum exports to improve well-beings of its population, including construction of basic infrastructure and housing for low-income population as well as public health programs (Thailand);
- 125.67. Continue efforts to improve the mental health sector and combat maternal mortality (Djibouti);
- 125.68. Continue efforts to provide access to health care to all the population under a health insurance system at the national level (Djibouti);
- 125.69. Continue to implement programmes and measures to prevent and combat HIV/AIDS (Cuba);
- 125.70. Continue to implement the HIV/AIDS prevention, care and treatment programmes to further reduce the prevalence (Singapore);
- 125.71. Further increase efforts to reduce infections and to combat discrimination against persons infected with HIV/AIDS (Greece);
- 125.72. Prioritize the expansion of the successful HIV/AIDS Technical Support Units to all regions which do not have them in place (South Africa);

- 125.73. Avail itself of additional funds for HIV/AIDS programmes, thereby encouraging the international community to match the funds in the fight against the HIV/AIDS epidemic (South Sudan);
- 125.74. Continue, in assistance with Development Partners and civil society, its fight against the HIV and AIDS through advocacy, joint planning, monitoring and evaluation, for the eventual elimination of the disease (Bangladesh);
- 125.75. Ensure the realization, without discrimination, of the right to education for all (Portugal);
- 125.76. Continue to place emphasis on promoting universal access to education and improving the quality of its education system (Singapore);
- 125.77. Take the necessary steps to more effectively enforce compulsory education regulations, thus ensuring that equal access to education is a reality in all parts of the country (Hungary);
- 125.78. Continue with its efforts in enhancing girls' access to primary, secondary and tertiary education (Sri Lanka);
- 125.79. Make further efforts to increase girls' enrollment in school, as well as awareness-raising in the society regarding the importance of girls' education (Sudan);
- 125.80. Protect the rights of its most vulnerable children and ensure their full participation in education (Estonia);
- 125.81. Continue its efforts to increase the national net enrolment rate for the compulsory and free basic education and to further improve the quality of education being received by Ghanaian children in school, in line with the observations made by UNICEF (Bulgaria);
- 125.82. Consolidate its efforts in the implementation of its national priorities, including in the spheres of education, health and social services (Zimbabwe);
- 125.83. Continue to implement socio-economic development strategies, particularly the policies to try and guarantee quality education and health services for all the population (Cuba);
- 125.84. Speed up its implementation of the 2006 Persons with Disability Act (United Kingdom of Great Britain and Northern Ireland);
- 125.85. Strengthen the promotion and the protection of the rights of persons with disabilities (Senegal);
- 125.86. Adopt programmes to sensitize and encourage the community for positive engagement with persons with disabilities, and ratify the Convention on the Rights of Persons with Disabilities (Sudan);
- 125.87. Improve its domestic legal framework on the rights of persons with disabilities in line with the provisions of the relevant international convention (Italy);
- 125.88. Urgently strengthen efforts to reform policy so as to improve the lives of Ghanaians with disabilities in practice (Australia);
- 125.89. Undertake effectively policy measures and develop the necessary infrastructure to address issues concerning the rights of persons with disabilities (Malaysia);

- 125.90. Roll out the necessary measures for the oversight of activities of psychiatric hospitals and prayer camps in conformity with the Convention on the Rights of Persons with Disabilities (Mexico);
- 125.91. Continue its constructive engagement with the international community, particularly its development partners, allowing Ghana to pursue other measures to improve the welfare of its people and advance human rights (Philippines);
126. The recommendations below did not enjoy the support of Ghana.
- 126.1. Ratify ICCPR-OP2 (Australia, Spain, Rwanda);
- 126.2. Ratify ICCPR-OP2, aiming at the abolition of the death penalty (Switzerland);
- 126.3. Impose an immediate official moratorium on the death penalty with a view to abolish the capital punishment entirely as recommended by the Constitution Review Commission, while commuting the existing sentences to life imprisonment terms (Slovakia);
- 126.4. Abolish the death penalty (Greece);
- 126.5. Abolish de jure the death penalty (Spain);
- 126.6. Consider abolishing the death penalty (Slovenia);
- 126.7. Consider abolishing the death penalty or formalize the current de facto moratorium (Chile);
- 126.8. Consider abolishing the death penalty or formalising the current de facto moratorium (Mexico);
- 126.9. Consider abolishing the death penalty or establish an official moratorium on its use (Namibia);
- 126.10. Take necessary steps with a view to formally abolishing the death penalty (Turkey);
- 126.11. Continue the current practice of granting clemency and commuting death sentences, and establish a moratorium on the death penalty with a view to its final abolition (Germany);
- 126.12. Abolish by law the death penalty and consider ratifying the Second Optional Protocol to the Covenant on Civil and Political Rights (France);
- 126.13. Adopt a formal moratorium on the application of the death penalty, while it awaits de jure abolition (Belgium);
- 126.14. Ratify ICCPR-OP2, and formalize, in the meantime, the current de facto moratorium on the death penalty (Uruguay);
- 126.15. Take the necessary measures to remove the death penalty from existing laws and sign and ratify ICCPR-OP2 aiming at the abolition of the death penalty (Norway);
- 126.16. Decriminalize same-sex relations between consenting adults (France);
- 126.17. Decriminalize sexual activity between consenting adults of the same sex (Slovenia);
- 126.18. Decriminalize sexual activities between consenting adults and raise further awareness to promote tolerance in this area (Czech Republic);

- 126.19. Consider taking effective measures to combat the climate of homophobia (Slovenia);
- 126.20. Adopt measures and take steps aimed at raising public awareness to fight against the climate of homophobia that prevails in the country (Belgium);
- 126.21. Adopt proactive measures at all levels to combat violence, stigmatization and discrimination towards persons on the basis of their sexual orientation (Portugal);
- 126.22. Eliminate the type of crime of ‘unnatural sexual relations’, and adopt measures to eradicate discrimination motivated by sexual orientation and gender identity (Spain);
- 126.23. Ensure that the provisions in the Constitution that guarantee equality and dignity are equally applied to members of the LGBT community and ensure thorough and impartial investigation into all allegations of attacks and threats against individuals targeted because of their sexual orientation or gender identity (Norway);
- 126.24. Consider the report of the High Commissioner on sexual orientation and gender identity and determine which of the recommendations can be taken into account in the further detailing of government policies (The Netherlands);
- 126.25. Train police, first responders, justice system and social services officials to respect and fully protect all human rights of every Ghanaian, including those who are lesbian, gay, bisexual and transgender (United States of America);
127. Above recommendations from 126.1. to 126.15. cannot enjoy the support of Ghana until the referendum on the Constitution takes place.
128. All conclusions and/or recommendations contained in the present report reflect the position of the submitting State(s) and/or the State under review. They should not be construed as endorsed by the Working Group as a whole.

## Annex

### Composition of the delegation

The delegation of Ghana was headed by the Hon. Mr. Ebo Barton Odro, Deputy Attorney-General and Deputy Minister for Justice and composed of the following members:

- H.E Mrs. Ellen S. Nee-Whang, Ambassador and Permanent Representative, Ghana Permanent Mission, Geneva;
- Mrs. Amma A. Gaisie, Solicitor-General of Ghana, Accra;
- Ms. Vivian Laurretta Lamptey, Commissioner, Commission for Human Rights and Administrative Justice, Accra;
- Mr. Ben Quaye, Deputy Director-General, Ghana Prisons Service, Accra;
- Mr. Richard Quayson, Deputy Commissioner, Commission on Human Rights and Administrative Justice, Accra;
- Mrs. Merley Wood, Chief State Attorney, Attorney-General's Department, Accra;
- Mrs. Hannah Nyarko, Deputy Permanent Representative, Ghana Permanent Mission, Geneva;
- Mrs. Gifty Mahama Biyira, Director Of Administration, Ministry of Lands and Natural Resources, Accra;
- Ms. Alice Agoalewen Awarikaro, Deputy Superintendent of Police, Domestic Violence and Victim Support Unit, Ghana Police Service, Accra;
- Ms. Catherine Adu-Boadi, Director, Ministry of Women and Children's Affairs, Accra;
- Mrs. Sylvia A. Adusu, Principal State Attorney, Attorney-General's Dept. Accra;
- Ms. Davina Adjoa Seanedzu, Deputy Director, Ministry of Foreign Affairs and Regional Integration, Accra;
- Ms. Tricia Quartey, State Attorney, Attorney-General's Department, Accra;
- Mr. Jude Osei, First Secretary, Ghana Permanent Mission, Geneva;