

FACTSHEET – UPR 2017, GHANA

3rd CYCLE UNIVERSAL PERIODIC REVIEW

FEMALE GENITAL MUTILATION



SUMMARY OF KEY ISSUES FROM PREVIOUS UPR CYCLES AND RECOMMENDATIONS MADE

During the 2012 cycle, it was recommended to Ghana to combat female genital mutilation (FGM). Since FGM was banned in Ghana in 1994, several perpetrators have been successfully prosecuted.

In 2007, Parliament further strengthened the law against FGM by increasing the maximum penalty from five years to 10 years of imprisonment and extending the range of persons who can be prosecuted for engaging in FGM. Although these steps and prosecutions by Ghana have helped, pockets of FGM practice are still ongoing in several parts of Ghana in the Volta Region and Upper East Region.

NATIONAL FRAMEWORK

Ghana is a State Party to several instruments on the Right to Health and a prohibition against torture and cruel, degrading, and inhumane treatment, which places an obligation on the State to promote and respect these obligations. Some of these instruments include the Convention on the Elimination of all Forms of Discrimination against Women, International Covenant on Civil and Political Rights (ICCPR), International Covenant on Economic, Social and Cultural Rights (ICESCR), Convention against Torture (CAT), African Charter on Human and Peoples' Rights (ACHPR), Protocol on the Rights of Women in Africa (Maputo Protocol), Convention on the Rights of the Child, Universal Declaration of Human Rights and the Convention on the Rights of all Persons in society.

Progress at international, national, and sub-national levels include wider international involvement to stop FGM, international monitoring bodies and resolutions that condemn the practice, revised legal frameworks and growing political support to end FGM.

In Ghana, Articles 26 (2) prohibits “customary practices which dehumanize or are injurious to the physical and mental well-being of a person”.

ISSUES AND IMPACT

ISSUE

Ineffective Implementation of the laws on Female Genital Mutilation (FGM): Even though Parliament of Ghana has further strengthened the law against FGM by increasing the maximum penalty from five to 10 years imprisonment for persons involved in FGM practice, the legislation has not provided for mechanisms for monitoring and protecting vulnerable children and women against the practice of FGM.

IMPACT

Lack of appropriate mechanisms for monitoring the practice of FGM in the law has led to impunity and cross border activities that encourage the practitioners to move from one end of Ghana to neighbouring countries to avoid prosecution. Clearly, there is an urgent need to amend the legislation to further strengthen the law on FGM and stop impunity.

ISSUE

Abuse of Children and Women

Over 126 female including infants, adolescents, and teenagers who are recent victims of FGM have been found in almost all the villages and communities in the North Nkwanta District Hospital and other health facilities in the district by NGOs such as Women In the Lord's Vineyard (WITLOV). In addition, more than 200 new victims of FGMs have been found in the Bawku municipality and its environs by BEWDA NGO and over 50 victims from Wa municipality and its environs by PAWLA NGO. All these discoveries were made between 2013 and 2017, more than 20 years after FGM was criminalized by the State.

The incidence of FGM in these catchment areas has increased from about two to three cases per week to about four to five cases a week. This clearly indicates that women and children are abused daily through the practice of FGM. It is, therefore, possible that many of such cases occur at homes, healing camps and elsewhere which are not reported or found at the health facilities.

IMPACT

Some parent circumcisers are rapidly emerging in practicing communities. Some mothers have begun circumcising their children as early as eight days after birth during childnaming. These children grow up with complicated health issues mostly affecting their reproductive health system and some of the victims end up as school drop outs due to stigmatization.



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ISSUE

Inadequate Funding for FGM Programmes

Funding of FGM activities as a thematic area of Maternal and Child Reproductive Health has been totally absent or very minimal in the government budget over the years. Inadequate funding by Government to procure basic educational materials like image boxes, medications and logistics to rehabilitate victims, among others are common issues to be dealt in managing FGM in Ghana.

(i) Funding

Few donors, both local and international are interested in FGM issues. Unlike malaria, TB, cholera and HIV/AIDS issues where support is provided, government and politicians have gone quiet on the issue of FGM and little or no provision is made in the annual budgetary allocation from the annual Government subvention. Foreign donors had been the main financiers of FGM programs in Ghana.

(ii) Medication

Lack of medical examination on victims of FGM and appropriate recommendation for relevant treatment still remains absent from the government's health for all agenda over the years. Healthcare in Ghana is not supposed to be discriminatory; therefore efforts must be made to improve this area of reproductive health.

IMPACT

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.

RECOMMENDATIONS

1. Parliament should further strengthen the law on FGM with special attention to monitoring and protecting vulnerable victims to ensure their safety from the practitioners and parent practitioners.
2. Government must provide the statutory funding and other resources to support efforts at ending FGM and establish an authority to perform its work as mandated under the Statutory Fund.
3. Government and civil society organizations should embark on sensitization and public education on FGM and make it a high risk and low gain activity.

ABOUT THIS FACT SHEET

This Factsheet was prepared by: Women in the Lord's Vineyard (WITLOV)/Mind Freedom Ghana/Concern Health Education/ Gender Violence Survivors Support Network/ Network of Women in Growth Ghana/ Amnesty International/ Community and Family Aid Foundation/ Grace to Grace Foundation/ Society and Youth Foundation/ Relive Ghana/ The Light Foundation Ghana (TLF)/ One Love Initiative Foundation/ Community Outreach Alliance/ Patient Friend Foundation (PFF)/ Community Youth Development Foundation (CYDEF)/ POS Foundation/ KASA Initiative – JOINT UPR SUBMISSION – 2017 under the Ghana Human Rights Forum.

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