

Country Policy and Information Note Ghana: Actors of protection

Version 2.0 March 2025

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Executive summary

Ghana has a constitution and other legislation to protect fundamental human rights and penalise criminal activity, including acts that may amount to persecution.

There is a functioning police force and judiciary, which are generally accessible.

In general, the state is both willing and able to offer sufficient protection to people fearing non-state actors, including 'rogue' state actors.

However, protection may be difficult to access for those living in Bawku in northern Ghana because of localised violence.

Women, those living in rural areas, those without financial means, and people with disabilities, may face some barriers to accessing protection depending on their circumstances. Lesbian, gay, bisexual, trans and intersex people will not in general be able to obtain protection (see the Country Policy and Information Note <u>Ghana:</u> <u>Sexual orientation, gender identity and expression</u> for specific guidance and information).

All cases must be considered on their individual facts, with the onus on the person to demonstrate that they are not able to obtain sufficient protection from the state.

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Assessment

Section updated: 24 March 2025

About the assessment

This section considers the evidence relevant to this note – that is the <u>country</u> <u>information</u>, refugee/human rights laws and policies, and applicable caselaw – and provides an assessment of whether, **in general** the state (or quasi state bodies) can provide effective protection.

Decision makers **must**, however, consider all claims on an individual basis, taking into account the specific facts of each case.

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1. Material facts, credibility and other checks/referrals

1.1 Credibility

- 1.1.1 For information on assessing credibility, see the instruction on <u>Assessing</u> <u>Credibility and Refugee Status</u>.
- 1.1.2 Decision makers must also check if there has been a previous application for a UK visa or another form of leave. Asylum applications matched to visas should be investigated prior to the asylum interview (see the <u>Asylum</u> <u>Instruction on Visa Matches, Asylum Claims from UK Visa Applicants</u>).
- 1.1.3 Decision makers must also consider making an international biometric datasharing check, when such a check has not already been undertaken (see <u>Biometric data-sharing process (Migration 5 biometric data-sharing</u> <u>process)</u>).
- 1.1.4 In cases where there are doubts surrounding a person's claimed place of origin, decision makers should also consider language analysis testing, where available (see the Asylum Instruction on Language Analysis).

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- 1.1.5 The information in this section has been removed as it is restricted for internal Home Office use only.
- 1.1.6 The information in this section has been removed as it is restricted for internal Home Office use only.

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1.2 Exclusion

- 1.2.1 Decision makers must consider whether there are serious reasons to apply one (or more) of the exclusion clauses. Each case must be considered on its individual facts.
- 1.2.2 If the person is excluded from the Refugee Convention, they will also be excluded from a grant of humanitarian protection (which has a wider range of exclusions than refugee status).

1.2.3 For guidance on exclusion and restricted leave, see the Asylum Instruction on Exclusion under Articles 1F and 33(2) of the Refugee Convention, Humanitarian Protection and the instruction on Restricted Leave.

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- 1.2.4 The information in this section has been removed as it is restricted for internal Home Office use only.
- 1.2.5

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2. **Protection**

- 2.1.1 In general, the government takes reasonable steps to prevent persecution by operating an effective legal system for the detection, prosecution and punishment of acts constituting persecution, and a person is generally able to access protection.
- 2.1.2 Corruption, sympathy or weakness of some individuals in the justice system does not mean that the state is unwilling to afford protection, and there may be various sound reasons why criminals may not be brought to justice.
- 2.1.3 As such, the state is both willing and able to provide sufficient protection to persons fearing non-state, including 'rogue' state, actors. The onus is on the person to demonstrate otherwise.
- 2.1.4 Protection may be difficult to access for those living in Bawku in northern Ghana because of localised violence.
- 2.1.5 Women, those living in rural areas, those without financial means, and people with disabilities, may face some barriers to accessing protection depending on their circumstances. Lesbian, gay, bisexual, trans and intersex people will not in general be able to obtain protection (see the Country Policy and Information Note <u>Ghana: Sexual orientation, gender identity and expression</u>).
- 2.1.6 The Constitution and other legislation protect fundamental human rights and penalise various forms of criminal activity (see <u>Legal framework)</u>.
- 2.1.7 The criminal justice system is composed of the security forces police, armed forces and intelligence services and judiciary, comprising a hierarchy of courts of first instance and appellate courts, with the Supreme Court serving as the apex court (see <u>Structure and roles of security forces</u> and <u>Judicial system</u>).
- 2.1.8 While the criminal justice system is properly constituted and functioning, its effectiveness is hampered by inefficiency, a lack of resources and training, and corruption, particularly in the police. Its effectiveness may also vary from place to place, depending on levels of crime and violence and on the size and capability of the security forces and judiciary locally. However, these shortcomings do not point to a system incapable of offering effective protection (see <u>Capability of security forces</u> and <u>Judicial system</u>).
- 2.1.9 The government generally maintains control over the security forces and has some functioning mechanisms in place to investigate and punish abuse and

corruption (see <u>Capability of the security forces</u>, <u>Human rights violations by</u> the security forces and <u>Oversight and accountability</u>).

- 2.1.10 The Ghana Police Service (GPS) is the primary law enforcement agency, with more than 30,000 officers across the country. The ratio of police officers to citizens one to approximately every 700 citizens is lower than the UN-recommended rate of one to every 450 people. Sources indicate the police lack equipment and training, but there are police stations throughout Ghana. The police are reportedly dissatisfied with their pay, although sources suggest even low-ranking officers receive more than the average Ghanaian income. Corruption and bribery are commonplace, and the GPS is perceived as corrupt by the majority of the population. Sources indicate that some police may have links with organised crime. However, the head of the GPS has been praised for his leadership and efforts to modernise the service (see Capability of the security forces).
- 2.1.11 The army assists with protecting critical infrastructure and has played an increasing role in other law enforcement activities. It has been called upon to assist the GPS, particularly during election periods (see <u>Structure and roles</u> of the security forces and <u>Capability of the security forces</u>).
- 2.1.12 Sources suggest police response to crimes is variable and that, in some cases, they do not respond at all. However, the police continue to arrest and detain people for breaches of the law. Data on arrests and prosecutions is limited; the government does not make such information publicly available. One source an NGO reported that in 2021, 610 arrests were made nationwide for violent crime, which it did not define, but it is unclear where this data originates. However, anecdotal data from the sources cited in this note, and the fact that there are around 14,000 people in the prison system, indicate that the government does arrest people for committing various criminal acts (see <u>Capability of the security forces</u> and <u>Bibliography</u>).
- 2.1.13 Sources also report some human rights violations by the security forces, including repression of and use of excessive force at protests, ill-treatment or torture of detainees, assaults, and the use of arbitrary arrest and detention. However, compared to the sizes of the security forces and the population, such violations are not commonplace (see <u>Human rights violations</u>).
- 2.1.14 The Office of the Inspector General of Police and the Police Professional Standards Board investigate claims of excessive force by police force members. There is no independent oversight body for the police. The police rarely release the results of internal investigations, and sources suggest they are not held to account for corruption. There are mechanisms to investigate reports of abuse by the armed forces. When soldiers reportedly ill-treated a large group of detainees in 2023, the armed forces conducted an internal investigation but did not release the results. A parliamentary committee also investigated the incident and recommended compensation for the detainees and prosecution of the soldiers, but there is no information on implementation of its recommendations. In general, sources suggest police officers and members of the security forces responsible for misconduct and human rights violations are rarely held to account either through the courts or by extrajudicial oversight bodies (see <u>Oversight and accountability</u>).
- 2.1.15 The law provides for an independent judiciary which does operate with some degree of independence, but political interference and corruption remain

problems. To increase the effectiveness of courts, the government is building additional courthouses and using technology such as virtual courts in order to expand accessibility, although it is common for those living in rural areas to seek redress through an informal justice system (see <u>Judicial system</u>).

- 2.1.16 Access to the formal courts and legal redress are also hampered by the high costs of litigation and by some delays. However, the Justice For All Programme, in which judges and others visit prisons to conduct hearings for prisoners in pre-trial detention, has been highly successful with the proportion of remand prisoners dropping significantly. The Legal Aid Commission provides legal aid, and those earning below the minimum wage are generally eligible. However, the lack of lawyers under the scheme means legal aid is only available to about half of those who need it. Civil society and other organisations sometimes train staff and volunteers to serve as 'paralegals' to provide basic legal assistance at police stations and prisons (see Judicial system).
- 2.1.17 Women may face obstacles to accessing protection depending on their needs and circumstances. In the Georgetown Institute for Women, Peace and Security's Women Peace and Security Index 2023, Ghana scored above the regional and global averages for women's access to justice, ranking 63rd among 177 countries worldwide. The US State Department noted that women have the same legal status as men and the law is generally respected and enforced. However, they also observed that while the GPS has established the Domestic Violence and Victim Support Unit to tackle rape and domestic violence, the law was not effectively enforced insofar as few arrests led to convictions. Police can refer survivors to government- or NGO-operated shelters, although in cases regarded as less severe. survivors are returned to their homes. Public opinion also indicates that the police take action against gender-based violence (GBV), with Afrobarometer polling from 2022 finding that 86% of respondents thought the police would take reports of GBV seriously. Women may also be able to obtain assistance via the informal justice system, such as arbitration through traditional rulers or elders. Women use the informal justice system more than men because they are more likely to lack the resources to access the formal court system (see Capability of the security forces and Informal conflict resolution).
- 2.1.18 There is some information that people with disabilities may face difficulties in accessing justice in respect of physical access to infrastructure, communication barriers or negative attitudes, although there is also some evidence of the government trying to meet their needs. One organisation, the International Federation of Women Lawyers (FIDA), reportedly trained paralegals to assist people with disabilities and other vulnerable groups in accessing the justice system. Authorities reportedly do not regularly investigate and punish violence and abuses against people with disabilities (see <u>Accessibility of law enforcement</u> and <u>Accessibility</u>).
- 2.1.19 There is no published data on the number of prosecutions, convictions or sentences in the sources consulted. However, courts continue to hear cases and convict people leading to their imprisonment. In some cases, alternative dispute resolution may be available (see <u>Judicial system</u>).
- 2.1.20 The Commission for Human Rights and Administrative Justice provides extrajudicial oversight of corruption and human rights violations. However, sources report that it lacks resources and only about a third of adults are

aware of its existence. The Office of the Special Prosecutor (OSP) also investigates and prosecutes official corruption. Both the executive and the judiciary have reportedly sometimes interfered in the OSP's work (see <u>Oversight and accountability</u>).

2.1.21 For further guidance on assessing state protection, see the Asylum Instruction on <u>Assessing Credibility and Refugee Status</u>.

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Country information

About the country information

This section contains publicly available or disclosable country of origin information (COI) which has been gathered, collated and analysed in line with the <u>research</u> <u>methodology</u>. It provides the evidence base for the assessment which, as stated in the <u>About the assessment</u>, is the guide to the current objective conditions.

The structure and content follow a <u>terms of reference</u> which sets out the general and specific topics relevant to the scope of this note.

This document is intended to be comprehensive but not exhaustive. If a particular event, person or organisation is not mentioned this does not mean that the event did or did not take place or that the person or organisation does or does not exist.

The COI included was published or made publicly available on or before **14 February 2025**. Any event taking place or report published after this date will not be included.

Decision makers must use relevant COI as the evidential basis for decisions.

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3. Legal framework

3.1 International human rights instruments

- 3.1.1 Ghana has signed and ratified 8 UN core international human rights treaties and 5 additional protocols, including:
 - International Convention on the Elimination of All Forms of Racial Discrimination
 - International Covenant on Civil and Political Rights
 - International Covenant on Economic, Social and Cultural Rights
 - Convention on the Elimination of All Forms of Discrimination against
 Women
 - Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment
 - Convention on the Rights of the Child
 - Convention on the Rights of Persons with Disabilities¹

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3.2 Legal system

- 3.2.1 The Central Intelligence Agency (CIA) in their <u>World Factbook</u>, last updated 5 February 2025, described Ghana's legal system as a 'mixed system of English common law and customary law'².
- 3.2.2 The Republic of Ghana Judiciary, in an undated entry on their website, stated:

'Ghana's legal system was built on a foundation of received Anglo-Saxon

¹ OHCHR, <u>Dashboard</u>, accessed 24 February 2025

² CIA, World Factbook, <u>Ghana</u> (Government), updated 5 February 2025

common law, statutory law, and other documents, such as those heralding the legal existence of various military regimes. In addition to this received and imposed law, there is an enduring body of largely unwritten customary usages and practices that still are a contextual feature of the modem legal system of Ghana.

'The legal pluralism is evidenced by a coexistence of indigenous customary laws and practice, which received Anglo-Saxon common law, and some religious law, especially in the areas of marriage and inheritance ...'³

- 3.2.3 Article 11 of the 1992 Constitution of the Republic of Ghana 1992 states:
 - (1) The laws of Ghana shall comprise-
 - (a) this Constitution;

(b) enactment made by or under the authority of the Parliament established by this Constitution;

(c) any Orders, Rules and Regulations made by any person or authority under a power conferred by this Constitution;

(d) the existing law; and

(e) the common law.

(2) The common law of Ghana shall comprise the rules of law generally known as the common law, the rules generally known as the doctrines of equity and the rules of customary law including those determined by the Superior Court of Judicature.

(3) For the purposes of this article, "customary law" means the rules of law which by custom are applicable to particular communities in Ghana.⁴

Regarding the administration of justice, Article 125 of the Constitution states: 3.2.4

(1) Justice emanates from the people and shall be administered in the name of the Republic by the Judiciary ...

(2) Citizens may exercise popular participation in the administration of justice through the institutions of public and customary tribunals and the jury and assessor systems ...

(5) The Judiciary shall have jurisdiction in all matters civil and criminal, including matters relating to this Constitution ...'5

3.2.5 For information on the courts and other functions of the judicial system, see Judicial system.

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3.3 Constitution and criminal law

3.3.1 The Constitution of the Republic of Ghana 1992 provides for the establishment of, among other things, armed forces⁶, a police service⁷ and a prisons service⁸.

³ The Republic of Ghana Judiciary, <u>Summary</u>, no date

³ The Republic of Ghana Judiciary, <u>Summary</u>, no date
⁴ The Republic of Ghana Judiciary, <u>Constitution – The Laws of Ghana</u>, 1992
⁵ The Republic of Ghana Judiciary, <u>Constitution – The Judiciary</u>, 1992
⁶ The Republic of Ghana Judiciary, <u>Constitution – The Armed Forces of Ghana</u>, 1992
⁷ The Republic of Ghana Judiciary, <u>Constitution – The Police Service</u>, 1992
⁸ The Republic of Ghana Judiciary, <u>Constitution – The Prisons Service</u>, 1992

- 3.3.2 A code of criminal law is established in the <u>Criminal Code, 1960 (Act 29)</u>⁹, and criminal procedure is set out in the <u>Criminal Procedure Code, 1960 (Act 30)</u>¹⁰.
- 3.3.3 The constitution provides for the following rights and freedoms, among others:
 - the right to life (except in the case of capital punishment see below)
 - equality before the law
 - the right of an individual to enforce their rights and freedoms in a court of law
 - the presumption of innocence
 - freedom of speech and expression, including freedom of the press and other media
 - freedom of thought, conscience and belief
 - freedom to practise any religion
 - freedom of association
 - freedom of assembly, including freedom to take part in processions and demonstrations
 - freedom of movement
 - freedom to form or join political parties and participate in political activities¹¹
- 3.3.4 Regarding the freedom of assembly, the <u>Public Order Act 1994</u> requires the police to be notified at least five days before a protest. It does not expressly exempt spontaneous assemblies¹².
- 3.3.5 The US State Department (USSD), in their 2023 Country Report on Human Rights Practices (USSD 2023 human rights report), dated 22 April 2024, stated that the following practices are prohibited by the constitution and by law:
 - arbitrary arrest and detention¹³
 - torture, beatings, and other abuse of detained suspects and other citizens¹⁴
- 3.3.6 Freedom House (FH), a US-based non-governmental organisation that monitors freedom and democracy across the world, in their Freedom in the World 2024 report (FH FitW 2024 report), covering events in 2023, stated: 'Ghanaian law generally protects individuals from unlawful use of physical force by others, including security agencies ...'¹⁵
- 3.3.7 The Institute for International and Comparative Law in Africa and the Centre for Human Rights of the University of Pretoria, South Africa, commented on

⁹ WIPO Lex, <u>Criminal Code, 1960 (Act 29, as amended up to 2003), Ghana</u>, 1960

¹⁰ WIPO Lex, Criminal Procedure Code, 1960 (Act 30, as amended ...), Ghana, 1960

¹¹ The Republic of Ghana Judiciary, <u>Fundamental Human Rights and Freedom</u>, 1992

¹² GhaLII, Public Order Act, 1994, 30 December 1994

¹³ USSD, <u>Human rights report 2023</u> (section 1d), 22 April 2024

¹⁴ USSD, Human rights report 2023 (section 1c), 22 April 2024

¹⁵ FH, <u>Freedom in the World 2024</u> (section f3), 2024

the law on police use of force in the Ghana entry on their website, the Law on Police Use of Force Worldwide (ICLA/CHR use of force website entry 2022), updated 2022. The entry stated that section 36 of the 1960 Criminal Code, which governs the use of force in arrest and detention 'allows intentional lethal use against an unarmed felon, which would be a serious violation of international law.' It further noted: 'There are also serious concerns about the permissiveness of the right to use lethal force to disperse an unlawful assembly, as set out in Section 37 of the 1960 Code.'¹⁶

- 3.3.8 The USSD 2023 human rights report outlined constitutional and legal provisions ensuring fair treatment for those arrested, detained and tried for crimes, including judicial independence, the right to a fair trial and the right to legal aid¹⁷
- 3.3.9 The Constitution provides for capital punishment for high treason¹⁸, and under the law, murder is punishable by death¹⁹. Amnesty International (AI), an international human rights organisation, in their report, 'Death Sentences and Executions 2023' (AI death sentences report 2023), dated 30 May 2024, stated that in July 2023, Ghana's Parliament voted in favour of bills to remove the death penalty from the criminal and military codes²⁰. It reported that then-President Nana Akufo-Addo had refused to assent to the bills, which had not become law by the end of 2023²¹.
- 3.3.10 Recent information on the status of the bills could not be found in the sources consulted for this note (see <u>Bibliography</u>). For information on application of the provisions on capital punishment, see <u>Death penalty</u>.
- 3.3.11 Regarding gender-based violence, the USSD 2023 human rights report stated: 'The law criminalized the rape of women, including spousal and domestic or intimate partner rape. Rape of a man could be charged as indecent assault, a misdemeanor. Prison sentences for rape ranged from five to 25 years, while indecent assault was a misdemeanor subject to a minimum term of imprisonment of six months. Domestic violence was punishable by a fine or a sentence of up to two years in prison.'²²
- 3.3.12 It also reported: 'In July parliament criminalized the 'naming, accusing, or labelling' of another person as a witch, with offenders facing up to five years in jail.

'The law criminalized harmful mourning rites ...'23

3.3.13 However, AI, in a statement, 'Ghana: New President must tackle pressing human rights issues' (AI human rights statement 2025), dated 7 January 2025, reported:

'On 27 July 2023, the parliament passed the Criminal Offences (Amendment) Bill which criminalizes various behaviours including accusing someone of witchcraft. In December 2023, the President declined to sign it into law claiming that it should have been introduced in parliament as a

¹⁶ ICLA/CHR, <u>Law on police use of force in Ghana</u> (National legislation), updated 2022

¹⁷ USSD, <u>Human rights report 2023</u> (sections 1d and 1e), 22 April 2024

¹⁸ The Republic of Ghana Judiciary, <u>The Constitution</u> (Article 3(3)), 1992

¹⁹ WIPO Lex, <u>Criminal Code, 1960 (Act 29, as amended up to 2003), Ghana</u>, 1960

²⁰ AI, <u>Death sentences and executions report 2023</u> (page 30), May 2024

²¹ AI, <u>Death sentences and executions report 2023</u> (page 37), May 2024

²² USSD, <u>Human rights report 2023</u> (section 6), 22 April 2024

²³ USSD, Human rights report 2023 (section 6), 22 April 2024

public bill instead of a private member bill ...

'The new government should pass a new legislation specifically criminalizing witchcraft accusations and ritual attacks, including protective measures for potential victims.'24

- 3.3.14 The USSD 2023 human rights report stated: 'Several laws included provisions prohibiting FGM/C [Female genital mutilation/cutting].²⁵
- 3.3.15 Regarding trafficking, the USSD's Trafficking in Persons Report 2024 (USSD TiP report 2024), dated 24 June 2024, stated:

'The 2005 Human Trafficking Act, amended in 2009, criminalized sex trafficking and labor trafficking. The Human Trafficking Act prescribed penalties of a minimum of five years' imprisonment, which were sufficiently stringent and, with respect to sex trafficking, commensurate with those prescribed for other grave crimes, such as rape. However, the 2015 regulations for this Act, which are non-discretionary and have the force of law, provided specific guidance on sentencing depending on the circumstances; in general, the term is not less than five years' imprisonment and not more than 25 years' imprisonment, but if a parent, guardian, or other person with parental responsibilities facilitates or engages in trafficking, they are liable to a fine, five to 10 years' imprisonment, or both. By allowing for a fine in lieu of imprisonment, these penalties were not commensurate with those for other grave crimes, such as rape.²⁶

- 3.3.16 The ENACT (Enhancing Africa's Capacity to Respond More Effectively to Transnational Organised Crime) project, part of the European Union's Pan-African Programme²⁷, noted in its Ghana profile within the Organized Crime Index 2023 (ENACT Ghana profile 2023) that: 'There is a legal framework in place to address organized crime in Ghana ... The country still relies on outdated laws to combat human smuggling, despite the need for alignment with international standards.²⁸
- 3.3.17 Regarding corruption, the ENACT Ghana profile 2023 stated: '... Ghana has a strong anti-corruption legal framework ... '29
- 3.3.18 For information on:
 - the law on issues relating to sexual orientation, gender identity and expression, see the Country Policy and Information Note Ghana: Sexual orientation, gender identity and expression (SOGIE)
 - other legislation, see the searchable Legislation section of the Ghana Legal Information Institute (GhaLII)³⁰
 - enforcement of constitutional and legal prohibitions and rights in practice, see Security forces, Human rights violations by security forces and Judicial system

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²⁴ AI, Ghana: New President must tackle pressing human rights issues ..., 7 January 2025

²⁵ USSD, Human rights report 2023 (section 6), 22 April 2024

²⁶ USSD, Trafficking in Persons Report 2024 (Prosecution), 24 June 2024

 ²⁷ ENACT, <u>About the project - The Organized Crime Index</u>, no date
 ²⁸ ENACT, <u>Criminality in Ghana</u> (Ghana profile, page 6), 2023

²⁹ ENACT, Criminality in Ghana (Ghana profile, page 6), 2023

³⁰ GhaLII, Home, no date

4. Structure and roles of the security forces

4.1 Ghana Police Service

- 4.1.1 The Overseas Security Advisory Council, 'a public-private partnership between the U.S. Department of State's Diplomatic Security Service (DSS) and security professionals from U.S. organizations operating abroad'³¹, in its Ghana Country Security Report (OSAC security report 2024), last updated 22 August 2024, stated: 'The Ghana Police Service (GPS) is the primary law enforcement agency throughout Ghana ... The head of GPS is the Inspector General of Police, who is headquartered in Accra ... Under the Interior Ministry, GPS is responsible for maintaining law and order ...'³²
- 4.1.2 The Ministry of the Interior website, in an undated entry about the <u>Ghana</u> <u>Police Service</u>, stated: 'The key functions of the Service are:
 - 'Prevention and detection of crime,
 - 'Apprehension and prosecution of offenders,
 - 'Maintenance of law and order,
 - 'Protection of life and property.'³³
- 4.1.3 Privately-owned online media portal³⁴ Modern Ghana, in an article dated 18 May 2022, quoted a Tema Regional Police superintendent as stating that the Criminal Investigation Department (CID) of the Ghana Police Service comprised:
 - a Homicide Unit
 - an Intelligence Unit
 - a Legal and Prosecutions Unit
 - an Anti-Human Trafficking Unit
 - an Anti-Armed Robbery Unit
 - a Property Fraud Unit
 - a Documentation and Visa Fraud Unit
 - a Criminal Data Services Bureau, responsible for maintaining offenders' criminal records, processing fingerprints and conducting criminal background checks for job applicants³⁵.
- 4.1.4 The UK government, in information for British citizens on its website, updated 20 September 2024, stated: '<u>Domestic Violence and Victim Support</u> <u>Unit</u> (DOVVSU) is a unit in the Ghana Police Service. It has the capacity to oversee matters of domestic abuse against women and children. DOVVSU has a mission to prevent, apprehend and prosecute culprits of domestic violence and child abuse.'³⁶
- 4.1.5 Moses Agaawena Amagnya, policing lecturer at Staffordshire University, in a

³¹ OSAC, <u>About Us</u>, no date

³² OSAC, Ghana Country Security Report (Law Enforcement), updated 22 August 2024

³³ Ministry of the Interior, <u>Ghana Police Service</u>, no date

³⁴ Modern Ghana, <u>About Modern Ghana</u>, no date

³⁵ Modern Ghana, Police criminal investigation is a gradual process — Crime Officer, 18 May 2022

³⁶ UK government, Ghana: information for victims of rape and sexual assault, no date

paper published 31st March 2022 (Amagnya 2022), based on various sources including interviews with police prosecutors in Accra and Kumasi, stated: 'Although Ghana's current Constitution (1992) mandates the Attorney General (A-G) to prosecute all cases for the government, the A-G authorise[s] the police to prosecute under Article 88(4) of the Constitution (1992). So, in a majority of minor criminal offences, the police determine and review charges, decide whether to initiate prosecutions, and conduct prosecutions at the lower courts.'³⁷

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4.2 Armed Forces of Ghana

- 4.2.1 The CIA World Factbook stated that the Ghana Armed Forces consist of the Army, Navy and Air Force³⁸.
- 4.2.2 The CIA World Factbook reported: 'The military's primary missions are border defense, assisting with internal security, peacekeeping, and protecting the country's territorial waters, particularly its offshore oil and gas infrastructure ...'³⁹
- 4.2.3 The OSAC security report 2024 stated: '... [T]he military, which reports to the Ministry of Defense, continued to participate in law enforcement activities in a support role, such as by protecting critical infrastructure.⁴⁰
- 4.2.4 Regarding expansion of the armed forces' role, the Danish Institute for International Studies, 'an independent public research institution'⁴¹, in a policy brief dated 10 December 2021 (DIIS policy brief 2021), reported: 'Since the early 1990s, the Ghana Armed Forces have played an increasingly central role in addressing a wide range of internal security concerns, from chieftaincy disputes and armed robberies to illegal mining and logging ...'⁴²
- 4.2.5 State-owned⁴³ Ghana News Agency, in an article dated 6 December 2024, reproduced a press release issued by the armed forces the same day. The press release highlighted that the military could be called upon to provide assistance to the GPS, particularly during elections, in order to maintain law and order⁴⁴.
- 4.2.6 In an article dated 7 December 2024, Ghana News Agency reported that military personnel were stationed near certain polling stations in Bawku in the Upper East Region because of recent volatility there⁴⁵.
- 4.2.7 For information on:
 - the availability of law enforcement and judicial functions in Bawku, see <u>Accessibility of law enforcement</u> and <u>Accessibility</u>
 - commercial activities by the armed forces, see General effectiveness

³⁷ Amagnya, MA, <u>Due process in police-led ...</u> (pages 6-7), IJPSM, 31 March 2022

³⁸ CIA, World Factbook, <u>Ghana</u> (Military and security), updated 5 February 2025

³⁹ CIA, World Factbook, Ghana (Military and security), updated 5 February 2025

⁴⁰ OSAC, <u>Ghana Country Security Report</u> (Law Enforcement), updated 22 August 2024

⁴¹ DIIS, <u>About DIIS</u>, no date

⁴² DIIS, Halt and Vanguard, 10 December 2021

⁴³ GNA, <u>About Ghana News Agency</u>, no date

⁴⁴ GNA, <u>Ghana Armed Forces announces election deployment</u> ..., 6 December 2024

⁴⁵ GNA, Voting progressing smoothly despite security concerns in Bawku, 7 December 2024

4.3 National Intelligence Bureau

- 4.3.1 The OSAC security report 2024 stated: 'The National Intelligence Bureau handles cases considered critical to state security and answers to the Ministry of National Security.'⁴⁶
- 4.3.2 Privately-owned⁴⁷ Ghanaian news website 3News.com, in an article dated 15 January 2025, reported: 'The NIB [National Intelligence Bureau] plays a critical role in safeguarding national security by gathering and analyzing intelligence on threats to the country's internal and external security.'⁴⁸
- 4.3.3 The Ghana Report, a privately-owned digital news portal⁴⁹, in an article dated 23 November 2020, stated: 'The NIB has investigative jurisdiction to arrest or detain and interrogate over a wide range of criminal offenses. Among the duties of the NIB are dealing with organized crime and financial crime, espionage, sabotage, terrorism, hijacking, piracy, drug trafficking, and providing intelligence to counter threats to Ghana's national security ...'⁵⁰

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4.4 Economic and Organised Crime Office

4.4.1 The Economic and Organised Crime Office (EOCO, formerly the Serious Fraud Office), stated in an undated entry on its website that it is an operationally independent agency under the Office of the Attorney-General and the Ministry of Justice. It investigates and, on the authority of the attorney-general, prosecutes serious offences including human trafficking⁵¹.

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5. Capability of the security forces

5.1 General effectiveness

- 5.1.1 The World Justice Project's (WJP) Rule of Law Index 2024 measures the rule of law based on the experiences and perceptions of the general public and in-country legal practitioners and experts worldwide⁵². Overall, Ghana ranked 62nd out of 142 countries and scored 0.55, where 1 signifies the strongest adherence to the rule of law and 0 signifies the least⁵³. For the 'Order and Security' indicator, which 'measures how well a society ensures the security of persons and property', Ghana scored 0.71, ranking 74th among 142 countries worldwide and fifth among 34 countries in sub-Saharan Africa⁵⁴.
- 5.1.2 Regarding the police, the Bertelsmann Stiftung Ghana Country Report 2024 (BTI Ghana report 2024), dated 19 March 2024, covering the period 1 February 2021 to 31 January 2023, stated: '... [T]he police have managed to

⁴⁶ OSAC, <u>Ghana Country Security Report</u> (Law Enforcement), updated 22 August 2024

⁴⁷ 3News.com, <u>About Us</u>, no date

⁴⁸ 3News.com, <u>Charles Kipo: Ghana's new Director-General ...</u>, 15 January 2025

⁴⁹ I-zar Group, The Ghana Report, no date

⁵⁰ The Ghana Report, <u>Why BNI changed name to National Intelligence Bureau</u>..., 23 November 2020

⁵¹ EOCO, <u>Functions Of The Office</u>, no date

⁵² WJP, <u>Our Approach</u>, no date

⁵³ WJP, WJP Rule of Law Index, 2024

⁵⁴ WJP, WJP Rule of Law Index Ghana Insights, 2024

establish a certain degree of law and order in most parts of the country.⁵⁵

- For information on geographical disparities in the availability of law 5.1.3 enforcement, see Accessibility of law enforcement.
- 5.1.4 The USSD, in their 2022 Country Report on Human Rights Practices (USSD 2022 human rights report), dated 20 March 2023, stated: 'Police often failed to respond to reports of crimes.⁵⁶ It did not provide further information on frequency of response.
- 5.1.5 There was no information on police response to reports of crime in general in the USSD 2023 human rights report. For information in the USSD 2023 human rights report on police response to reports of gender-based violence, see Response to gender-based violence.
- Privately-owned Ghanian legal news website⁵⁷ Dennislaw News, in an article 5.1.6 dated 12 April 2022 (Dennislaw article 2022), based on statistics from the Bureau of Public Safety, a non-profit organisation⁵⁸, stated: 'Reported arrests efforts [sic] for violent crimes by the Ghana Police Service have been found to be the highest in 2021, after three years. Reported police arrest efforts for the period increased from 470 in 2020 to 610 in 2021. This represents a 29.8 per cent increase in arrests, the highest since 2018.³⁹ It did not indicate a source or methodology for the Bureau of Public Safety statistics. It did not define 'violent crimes' but reported that the 3 most commonly reported violent crimes in 2021 were murder/manslaughter, armed robbery and aggravated assault⁶⁰.
- There were no national or regional Ghana arrest statistics for other offence 5.1.7 types in the sources consulted for this note (see Bibliography). For statistics on crime and security in Ghana, see the Country Policy and Information Note Ghana: Internal relocation.
- 5.1.8 Noting that the number of crimes reported to the police in 2023 fell 10.1% compared to the previous year, Ghana's National Development Planning Commission, in their 'National Annual Progress Report 2023' (NDPC progress report 2023), dated June 2024, stated: 'The general decline in crime may be due to key programmes being implemented by the Ghana Police Service. This included the Police visibility initiative and awareness creation on the Ghana Police television channel.⁶¹ It did not give further information on any correlation between these programmes and the decrease in reported crime.
- 5.1.9 The OSAC security report 2024 stated: 'The Ghana Police Service is almost solely a reactive force and demonstrates moderate proactive techniques and ability to deter crime. Police checkpoints on highways and chokepoints entering neighborhoods in Accra are common after dark ... There is a visible police presence in Accra'62
- 5.1.10 The same report observed: 'GPS are likely to answer emergency phone

⁵⁵ Bertelsmann Stiftung, BTI 2024: Ghana (page 6), 19 March 2024

⁵⁶ USSD, Human rights report 2022 (section 1c), 20 March 2023

⁵⁷ Dennislaw News, <u>Dennislaw News</u>, no date

⁵⁸ MyJoyOnline, Bureau of Public Safety kicks against police protection for MPs, 27 October 2020

 ⁵⁹ Dennislaw News, <u>Police arrests for violent crimes highest in 2021 – Report</u>, 12 April 2022
 ⁶⁰ Dennislaw News, <u>Police arrests for violent crimes highest in 2021 – Report</u>, 12 April 2022

⁶¹ NDPC, <u>2023 National Annual Progress Report</u> (page 103), June 2024

⁶² OSAC, Ghana Country Security Report (Police Response), updated 22 August 2024

calls, but GPS cannot consistently respond to emergency events. GPS has limited response capability in Accra and this capability diminishes with distance from the capital. GPS is likely to request callers come to the station if they want police to investigate a crime. Response times for medical and security emergencies may exceed two hours, if police do respond.⁶³

5.1.11 Regarding police training, privately-owned⁶⁴ online news outlet GhanaWeb, in an article dated 22 October 2022, reported:

'The Federal Bureau of Investigations [sic] (FBI) of the United States has begun a seven-day training programme for officers of the Criminal Investigations Department (CID) of the Ghana Police Service in Accra. The workshop on violent crime analysis and criminal profiling is under the auspices of the US Department of Justice. Thirty-six detectives drawn from the various units of the CID are taking part in the programme ...

'The Deputy Chief of Mission at the US Embassy, Gary Pergl said the seminar forms part of the US government's commitment to enhance the investigative capabilities of the Ghana Police Service. He assured the Ghana Police of the FBI's continued support.'⁶⁵

- 5.1.12 The NDPC progress report 2023 stated: '... [T]he Ghana Police Service made progress in trainings, with 2500 officers receiving specialized training in 2023. This effort aimed to enhance the capabilities of the existing force, ensuring that officers are better equipped to handle high-risk operations and maintain public order.⁶⁶
- 5.1.13 Regarding barriers to effectiveness, the ENACT Ghana profile 2023 reported: 'Missing police evidence, procedural violations, and a shortage of investigative capabilities obstruct the effectiveness of law enforcement.'⁶⁷ The source did not elaborate as to the extent of any of these issues.
- 5.1.14 Halidu Musah, senior lecturer at the Simon Diedoung Dombo University of Business and Integrated Development Studies in Wa in the Upper West Region⁶⁸, authored an academic paper published 27 September 2023 (Musah 2023), based primarily on fieldwork conducted in the Sawla-Tuna-Kalba District in the Savannah Region between October 2022 and January 2023. He reported that police and non-police respondents differed in the factors they regarded as hampering local law enforcement efforts. Among the 44 police respondents, the 3 factors most commonly cited were 'Inadequate personnel' (88%), 'Inadequate logistics' (81%) and 'Stakeholder interference' (63%), where multiple answers were possible. Among the 68 non-police respondents, who included 26 assembly members, the 3 factors most commonly cited were 'Bribery and corruption' (85%), 'Non-prosecution' (63%) and 'Police-criminal relationship' (54%).'⁶⁹
- 5.1.15 For more information on:
 - personnel, see <u>Resources</u>, below

⁶³ OSAC, <u>Ghana Country Security Report</u> (Law Enforcement), updated 22 August 2024

⁶⁴ GhanaWeb, About GhanaWeb, no date

⁶⁵ GhanaWeb, FBI Trains Ghana Police, 8 October 2022

⁶⁶ NDPC, <u>2023 National Annual Progress Report</u> (page 102), June 2024

⁶⁷ ENACT, Criminality in Ghana (Ghana profile, page 7), 2023

⁶⁸ ResearchGate, Musah Halidu - Senior Lecturer, no date

⁶⁹ Musah, H, <u>Violent crime and security challenges</u> ... (page 200), IJARSS, September 2023

- bribery, corruption and links to other crime among the security agencies, see <u>Corruption and links to illegal activities</u>
- 5.1.16 Economic policy analyst⁷⁰ Korsi Dzokoto, in an opinion piece, 'A new dawn for the Ghana Police Service: Human Resources and Welfare Reforms' (Dzokoto police article 2024), published on the website of privately-owned business newspaper⁷¹ Business & Financial Times (B&FT) on 22 October 2024, observed: 'Currently, women are underrepresented in the police service, and this limits the perspectives and approaches that the service can bring to bear in solving security issues.'⁷²
- 5.1.17 As regards public opinion, Afrobarometer, 'an independent pan-African research network'⁷³, in a survey (Afrobarometer survey 2022), dated 20 October 2022, based on interviews with a 'nationally representative sample of 2,400 adult Ghanaians' in April 2022, found that 28% of citizens trusted the police 'somewhat' or 'a lot', compared to 40% in 2017. It also found that approximately 22% considered that the police 'often' or 'always' operated in a professional manner and respected all citizens' rights⁷⁴.
- 5.1.18 The OSAC security report 2024 noted: 'Public perception of the police is very negative. The local population perceives the rule of law to benefit those in power and/or with wealth.'⁷⁵
- 5.1.19 Regarding the effectiveness of the national chief of police, Dumenu Charles Selorm, a prolific GhanaWeb columnist⁷⁶, in an opinion piece dated 25 July 2024, commented: 'The remarkable success of the [Ghana police] Intelligence Unit can be attributed to the visionary leadership within the Ghana Police Service. The Inspector General of Police (IGP) has been pivotal in the development and resourcefulness of this remarkable unit. His unwavering commitment to modernizing the police force has laid the groundwork for the unit's accomplishments ...'⁷⁷
- 5.1.20 The article also noted: 'By leveraging advanced technology and innovative investigative techniques, the unit has successfully tackled a wide range of criminal activities, from organized crime and drug trafficking to cybercrime and financial fraud.'⁷⁸
- 5.1.21 Modern Ghana, in an article dated 31 July 2024, reported:

'The Inspector General of the Liberian National police, Hon. Gregory O. W. Coleman, has lauded the transformation of the Ghana Police Service under the leadership of Dr. George Akuffo Dampare, describing him as an inspiration to law enforcement leaders across Africa.

'IGP Coleman commended Dr. Dampare for his exemplary leadership since assuming office, noting that his approach has become a model for his peers on the continent."⁷⁹

⁷⁰ GhanaWeb, <u>'We are reaping fruits of poverty' - Korsi Dzokoto ...</u>, 2 November 2024

⁷¹ B&FT, <u>About Us</u>, no date

⁷² B&FT, <u>A new dawn for the Ghana Police Service ...</u>, 22 October 2024

⁷³ Afrobarometer, <u>What we do</u>, no date

⁷⁴ Afrobarometer, AD563: Bribery, unprofessionalism ... (page 2), 20 October 2022

⁷⁵ OSAC, <u>Ghana Country Security Report</u> (Rule of Law ...), updated 22 August 2024

⁷⁶ GhanaWeb, <u>Columnist Dumenu Charles Selorm</u>, no date

⁷⁷ GhanaWeb, The Ghana Police Intelligence Unit: The wow factor ..., 25 July 2024

⁷⁸ GhanaWeb, <u>The Ghana Police Intelligence Unit: The wow factor</u>, 25 July 2024

⁷⁹ Modern Ghana, Your leadership inspires me, others in Africa ..., 31 July 2024

5.1.22 Daily Mail Ghana, 'a Ghanaian-based independent digital news media'⁸⁰, in an article dated 7 August 2024, reported:

'Two Canadian academics have acknowledged what they describe as impactful transformation taking place in the Ghana Police Service under the leadership of Dr. George Akuffo Dampare.

'The two, Professor David McGuire and Professor Edward Akuffo from University of Fraser Valley, who paid a courtesy call on the IGP [Inspector-General of Police] and his team at the Police headquarters on 6th July 2024 expressed their admiration for some of the strategic interventions that have changed the face of policing in the country under current leadership.

'During a tour of the Police Headquarters, the professors visited the studios of the GH Police TV, the Police Surveillance Centre, The Police Shop and the Emergency Command Centre. They noted the immense benefits these facilities would offer to officers of the Police Service and the Ghanaian public.'⁸¹

5.1.23 Regarding the effectiveness of the delineation of roles within the security forces, the DIIS policy brief 2021 commented: 'Politicians that task the military to carry out policing functions stretch soldiers into roles that they are neither trained for, nor fully equipped to perform ...

'One could argue that the Ghanaian model – i.e. that the armed forces have a central role to play in internal operations – works, as everyday security has not been overly militarised in the country. Nevertheless, it does reflect that the police are weak and unable to play the role that is expected of them.'⁸²

5.1.24 In relation to commercialisation of the armed forces' services, the High Street Journal, a Ghanaian privately-owned online news outlet⁸³, in an article dated 19 December 2024, reported on a policy brief, 'Restoring Civilian Democratic Control: Reforming Ghana's Civil-Military Relations' by security consultant Festus Aboagye. The article stated:

"... The security consultant contended that the commercialization of military services became rife under the Akufo-Addo-led government leading to several military-civilian clashes resulting in casualties and injuries.

'Col. Aboagye observes that it has become a normal practice in recent times to see the military providing security protection services under formal contract to private persons, lands in dispute, businesses, and more often foreign-owned mining companies.

'There has been a troubling trend of military involvement in land guarding, directly and indirectly, sometimes under military contracts. For instance, in Danfa near Aburi, soldiers have been seen protecting land allegedly owned by Chinese companies. Additionally, the military has reportedly entered into contracts to provide security for private residences and businesses, protecting high-end properties and assets," Col. Aboagye narrated.⁸⁴

5.1.25 Privately-owned⁸⁵ News Ghana, in an article dated 14 October 2024,

⁸⁰ Daily Mail Ghana, <u>Home</u>, no date

⁸¹ Daily Mail Ghana, Canadian professors commend IGP Dampare ..., 7 August 2024

⁸² DIIS, Halt and Vanguard, 10 December 2021

⁸³ High Street Journal, <u>About</u>, no date

⁸⁴ High Street Journal, Security Analyst Calls for an End to Commercialization ..., no date

⁸⁵ News Ghana, <u>About Us</u>, no date

reported: 'There was a near-violent clash between personnel from the Greater Accra Regional Police Command and soldiers from the 48 Engineer Regiment of the Ghana Army over a disputed parcel of land in Teshie. The soldiers were allegedly providing landguard services ...

'Several residents criticized the military's leadership for allowing their personnel to engage in landguard activities, which are illegal under Ghanaian law.'⁸⁶

5.1.26 For information on the armed forces' effectiveness in countering extremism, see Effectiveness against extremism and localised violence in northern Ghana.

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5.2 Resources

- 5.2.1 The OSAC security report 2024 stated that the Ghana Police Service employed more than 30,000 officers⁸⁷.
- 5.2.2 The NDPC progress report 2023 stated: 'The Police officer-citizen ratio declined to 1:712 in 2023 from 1:694 in 2022 falling below the UN policng [sic] standard of 1:500.'⁸⁸
- 5.2.3 The UN Development Programme, in a policy brief, 'Peace and Development Analysis in Ghana' (UNDP policy brief 2022), dated April 2022, observed that among the challenges facing the security forces was '... inadequate resource allocation for the performance of identified duties and functions which affects the quality and diversity of logistical resources available ...'⁸⁹
- 5.2.4 The ENACT Ghana profile 2023 reported: 'Capacity limitations, particularly surrounding investigative techniques, ... pose a challenge to effective law enforcement operations.'⁹⁰
- 5.2.5 The OSAC security report 2024 stated: 'Police often lack the equipment, resources, training, and personnel to respond to calls for assistance or other emergencies. Local police may lack the resources to respond to and investigate serious crimes throughout the country, including areas of Accra.'⁹¹
- 5.2.6 Regarding community policing, the ENACT Ghana profile 2023 stated: 'Ghana ... introduced local community policing in 2022 ...^{'92} It also stated: 'Efforts to establish community policing units across the country with international cooperation have been initiated to strengthen police-public partnerships.'⁹³
- 5.2.7 Privately-owned news website⁹⁴ Citi Newsroom, in an article dated 27 October 2022, reported: 'The Youth Employment Agency (YEA) [a

⁸⁶ News Ghana, <u>Teshie: Police Clash With Military Personnel ...</u>, 14 October 2024

⁸⁷ OSAC, <u>Ghana Country Security Report</u> (Law Enforcement), updated 22 August 2024

⁸⁸ NDPC, <u>2023 National Annual Progress Report</u> (page xxiv), June 2024

⁸⁹ UNDP, Peace and Development Analysis in Ghana (section 2), April 2022

⁹⁰ ENACT, <u>Criminality in Ghana</u> (Ghana profile, page 7), 2023

⁹¹ OSAC, <u>Ghana Country Security Report</u> (Police Response), updated 22 August 2024

⁹² ENACT, <u>Criminality in Ghana</u> (Ghana profile, page 7), 2023

⁹³ ENACT, Criminality in Ghana (Ghana profile, page 6), 2023

⁹⁴ Citi Newsroom, <u>About Us</u>, no date

government agency⁹⁵] is to recruit at least 15,000 unemployed Ghanaian youth nationwide as Community Protection Assistants (CPAs) in close collaboration with the Ghana Police Service. This is pursuant to the Agency's mandate to create jobs for the unemployed youth of the country, as well as, assist the Ghana Police Service in preventive and social community policing.'⁹⁶

- 5.2.8 Regarding funding for the police estate, Ghana News Agency, in an article dated 7 August 2023, reported: 'The East Kwabenya Residents Association, with support from the Nazareth Presbyterian Church of Ghana Kwabenya, is raising funds to complete the construction of a police station in the area [in the Greater Accra Region].'⁹⁷
- 5.2.9 Ghana News Agency, in an article dated 23 July 2024, stated: 'The Residents Landlords Association of Amamorley in the Ga North Municipal Assembly are working with the Assembly Members to construct a police station to enhance the security of the community.

'The project, expected to be completed in 36 months, is funded partly from proceeds from ground rent payments, contributions from landowners, and some business in the community, with support from the Municipal Assembly \dots^{98}

- 5.2.10 The article quoted a member of the assembly as saying: 'The central and local government cannot do it all, so that's what we intend to do as a community ...'⁹⁹
- 5.2.11 Musah 2023, discussing the findings of fieldwork conducted in the Sawla-Tuna-Kalba District in the Savannah Region between October 2022 and January 2023, quoted one police respondent as stating: 'The District Police Command has no standard cells where we can lock suspects. We have no female and juvenile cells where such persons can be separated from their counterparts. As we speak the whole district has only three police stations taking care of over two hundred communities.'¹⁰⁰
- 5.2.12 Referring to interviews of police prosecutors in Accra and Kumasi, Amagnya 2022 reported: 'A major challenge raised by interviewees was the lack of logistics and resources relating to office spaces, official vehicles, libraries, and books ... Several participants stated that they use their cars or hired cars to transport accused persons to and from courts, which the state does not reimburse.'¹⁰¹
- 5.2.13 Regarding the armed forces, the CIA World Factbook reported that in 2023, Ghana spent an estimated 0.4% of its gross domestic product on the military¹⁰², placing it 162nd out of 166 countries ranked by the World Factbook according to their military expenditure as a percentage of GDP¹⁰³.
- 5.2.14 The CIA World Factbook also stated that in 2024, Ghana had approximately

⁹⁵ YEA, <u>Home page</u>, no date

⁹⁶ Citi Newsroom, <u>YEA to recruit 15,000 youth as Community Protection Assistants</u>, 27 October 2022

⁹⁷ GNA, East Kwabenya Residents Association raises funds to complete ..., 7 August 2023

⁹⁸ GNA, <u>Amamorley residents to construct police station</u>, 23 July 2024

⁹⁹ GNA, <u>Amamorley residents to construct police station</u>, 23 July 2024

¹⁰⁰ Musah, H, <u>Violent crime and security challenges ...</u> (page 202), IJARSS, September 2023

¹⁰¹ Amagnya, MA, <u>Due process in police-led ...</u> (page 17), IJPSM, 31 March 2022

¹⁰² CIA, World Factbook, <u>Ghana</u> (Military and security), updated 5 February 2025

¹⁰³ CIA, World Factbook, Military expenditures Comparison, no date

16,000 active Armed Forces personnel. It reported: '[T]he military's inventory is a mix of older and some newer Chinese, Russian, and Western equipment, including US, which has donated items such as patrol boats; the government in recent years has committed to an increase in funding for equipment acquisitions, including armor, mechanized, and special forces capabilities for the Army, light attack aircraft for the Air Force, and more modern coastal patrol vessels for the Navy (2024)[.]'¹⁰⁴

5.2.15 Ghana News Agency, in an article dated 17 November 2024, reported: '[Then President Nana Afuko-Addo] detailed the provision of significant military assets to the Ghana Armed Forces (GAF), including 104 armored personnel carriers, 70 utility troop-carrying vehicles, 20 armored vehicles, and 85 assorted Toyota vehicles.

'Additionally, the military has been equipped with 40 jeep vehicles, explosive ordinance disposal gear, advanced communication and surveillance, systems, various weaponry, and four unmanned aerial vehicle (UAV) systems.

'The President stated that the government had strengthened the Navy with offshore patrol vessels and fast patrol boats ...

'He also disclosed plans to acquire six more fighter aircraft for the Airforce \dots '¹⁰⁵

5.2.16 Regarding pay and conditions, Avenuegh.com, a website listing job vacancies and university courses, among other things, in an entry dated 9 September 2021, featured information on pay in the Ghana Police Service. Without indicating a source for the information, the entry stated:

'The Ghana Police Service personnel are paid based on the newly introduced Single Spine Salary Structure (SSSS) implemented in 2010. The Ghana Police Service salary is also paid according to ranks in the service ... A graduate recruit in the Ghana Police Service earns more than a regular officer ...

'The Salary of the Ghana Police is not made public ...'¹⁰⁶

5.2.17 GESHub.org, 'a Ghanaian focused educational blog'¹⁰⁷, in an undated entry that did not provide a source for its information, reported:

⁶A university graduate aspiring to join the Ghana Police Service is initially assigned the Chief Inspector Rank, entailing a monthly salary of GhC3,500 [GBP182.04 on 5 February 2025¹⁰⁸].

'On the other hand, a recruit with a WASSCE [West African Senior School Certificate Examination] qualification is placed in the Constable Rank, with a monthly earnings of GhC2,800 [GBP145.60 on 5 February 2025¹⁰⁹].

'The Ghana Police Service Structure incorporates provisions for bonuses and allowances, which are accessible to both male and female members of the Ghana Police Service. However, the allocation of these allowances and

¹⁰⁴ CIA, World Factbook, <u>Ghana</u> (Military and security), updated 5 February 2025

¹⁰⁵ GNA, <u>Security retooling projects strengthen Ghana's capabilities</u>..., 17 November 2024

¹⁰⁶ Avenuegh.com, <u>Ghana Police Salary & Rank Structure ...</u>, 9 September 2021

¹⁰⁷ GESHub.org, <u>About</u>, no date

¹⁰⁸ Xe.com, <u>Currency converter</u>, converted 5 February 2025

¹⁰⁹ Xe.com, Currency converter, converted 5 February 2025

bonuses depends on factors such as years of service, rank, and individual performance.¹¹⁰

- 5.2.18 The GSS databank, Statsbank Ghana, in searchable data from the GSS Annual Household Income and Expenditure Survey, showed that median hourly earnings in Quarter 3 2023 were 6.9 cedis (GBP0.36 on 5 February 2025¹¹¹)¹¹², which equates to 1,104 cedis (GBP57.39¹¹³) a month, based on 20 8-hour days.
- 5.2.19 The Dzokoto police article 2024 reported: 'Currently, there are significant gaps in the compensation structure between different security agencies, which has long been a source of discontent for police personnel.'¹¹⁴

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5.3 Operational independence

5.3.1 The UNDP policy brief 2022 observed:

'Ghana's security sector is beset by challenges and weaknesses. These include the absence of operational independence of the statutory security forces from political interferences which undermines their operational and professional independence; intensifying dominance of party interests over security sector institutions resulting in the uncertainty and unwillingness of security sector actors to take actions against politically important individuals ... politicised recruitment processes which creates disciplinary problems in the chain of command.'¹¹⁵

5.3.2 Independent international affairs think tank¹¹⁶ Clingendael, the Netherlands Institute of International Relations, in a report, 'A beacon of democracy?: How hyper-political competition increases the risk of violent extremism in Ghana' (Clingendael extremism report 2024), dated July 2024, based on various sources, examined, among other things, the respective roles of state forces and so-called political vigilantes ('groups of civilians – almost always young men – engaged by Ghanaian political parties as security personnel, mostly during political campaigning'¹¹⁷). It stated:

'The ruling party appoints people from within the security apparatus, and thus can feel confident in calling on state forces to protect their rallies and political events. In turn, ruling parties often rely less on their vigilantes, and only call on them when using the security forces would result in bad press. The opposition, however, have less trust in state security forces and are thus more reliant on vigilante groups to ensure the safety of their political events or on voting day.'¹¹⁸

5.3.3 Ghana News Agency, in an article dated 7 October 2024, reported: 'President Nana Addo Dankwa Akufo-Addo has stated that the Executive was not involved in the recent arrests of Ghanaian protestors. He said that the arrests and subsequent arraignment were due to breaches of the rule of

¹¹⁰ GESHub, Ghana Police Service Ranks & Salary Structure, no date

¹¹¹ Xe.com, Currency Converter, converted 5 February 2025

¹¹² Statsbank Ghana, <u>Median hourly earnings by Date and Region</u>..., accessed 5 February 2025

¹¹³ Xe.com, <u>Currency Converter</u>, converted 5 February 2025

¹¹⁴ B&FT, <u>A new dawn for the Ghana Police Service</u> ..., 22 October 2024

¹¹⁵ UNDP, Peace and Development Analysis in Ghana (section 2), April 2022

¹¹⁶ Clingendael, <u>About us</u>, no date

¹¹⁷ Clingendael, <u>A beacon of democracy?</u> ... (page 40), July 2024

¹¹⁸ Clingendael, <u>A beacon of democracy?...</u> (page 45), July 2024

law and emphasised that that should not be misinterpreted as an effort to suppress dissent.^{'119}

- 5.3.4 The Dzokoto police article 2024 noted: 'For years, the Ghana Police Service has been plagued by allegations of political influence in its operations and appointments. This has undermined the professionalism of the police force and eroded public trust in the institution ...' The article further commented that political influence, among other things, played a role in promotion within the police service¹²⁰.
- 5.3.5 Regarding the armed forces, the DIIS policy brief 2021 commented that because of increasing use of the armed forces to address internal security issues, '... concerns are rising about the militarisation of internal security in Ghana, and equally importantly, the implications of political interference from and direction by the executive ...'¹²¹
- 5.3.6 Security consultant Festus Aboagye, in a policy brief, 'Counting Stars The paradox of sporadic Military Rank inflation in Ghana's democracy, published on 16 January 2025 by 3News.com, observed:

'This policy brief examines [then] President Nana Addo Dankwa Akufo-Addo's decision in January 2025 to promote Ghana's Chief of Defence Staff (CDS) to a 4-Star General rank while elevating other service chiefs to Lieutenant General or equivalent ranks. This is only the second instance of a 4-Star General in Ghana's almost 68-year military history ...

"... [T]hese promotions occurred without proper parliamentary scrutiny, bypassing established democratic oversight mechanisms ... The circumvention of proper democratic processes is particularly concerning given Ghana's history of military interventions in politics, raising critical questions about civil-military relations and democratic oversight."¹²²

- 5.3.7 Regarding EOCO, privately-owned online news magazine¹²³ GhanaPlus, in an article dated 26 January 2025, reported that security analyst Adam Bonaa, speaking on Starr radio, commented: '[Outgoing EOCO Executive Director] Addo-Danquah's appointment to EOCO was not about placing the right person in a key role but was driven by the desire to satisfy political interests.'¹²⁴ It did not provide further information on the nature of the political interests.
- 5.3.8 Privately-owned Ghanaian news and entertainment website¹²⁵ YEN.com.gh, in an article, 'Tiwaa Addo-Danquah Reportedly Sacked As EOCO Boss, Sent Back To Police Service', dated 24 January 2024, reported: 'She ... faced criticism for handling some corruption-related cases, like the Cecilia Dapaah scandal. EOCO was compelled to deny claims from the Office of the Special Prosecutor that it is reluctant to probe alleged corruption by former Sanitation Minister Cecilia Dapaah.'¹²⁶
- 5.3.9 For more information on the Office of the Special Prosecutor and other

¹¹⁹ GNA, <u>Ghanaian protesters arrested for breaching rule of law ...</u>', 7 October 2024

¹²⁰ B&FT, <u>A new dawn for the Ghana Police Service</u>..., 22 October 2024

¹²¹ DIIS, <u>Halt and Vanguard</u>, 10 December 2021

¹²² 3News.com, Festus Aboagye: Counting Stars—The paradox ...', 16 January 2025

¹²³ SignalHire, <u>GhanaPlus.com Overview</u>, no date

¹²⁴ GhanaPlus, <u>Security Analyst Criticizes Maame Tiwaa Addo-Danquah's ...</u>, 26 January 2025

¹²⁵ YEN.com.gh, <u>About Yen.com.gh</u>, no date

¹²⁶ YEN.com.gh, <u>Tiwaa Addo-Danquah Reportedly Sacked As EOCO Boss ...</u>, 24 January 2025

oversight bodies, see Oversight and accountability.

5.4 Corruption and links with other illegality

- 5.4.1 The ENACT 2023 Ghana profile stated: 'Police corruption is ... widespread, eroding public trust.¹²⁷
- The FH FitW 2024 report stated: 'Police have been known to accept bribes 5.4.2 ...¹²⁸ The statement was repeated from the Freedom in the World 2023 report (FH FitW 2023 report), covering events in 2022¹²⁹.
- 5.4.3 The OSAC security report 2024 observed: 'Police are known to harass the citizenry at roadblocks for bribes.'130
- 5.4.4 The BTI Ghana report 2024 stated: 'Many citizens say there is widespread corruption in vital public institutions but are afraid of retaliation if they report cases of wrongdoing to the authorities. However, there is a greater level of trust among the general public in the Ghana Armed Forces ... as compared to the political class.¹³¹ It did not provide further information on these statements.
- 5.4.5 The same report stated, without further detail: 'Law enforcement agencies, including the police, tend to lack public trust.¹³²
- 5.4.6 The UN Office on Drugs and Crime, in a report on a survey of 15,000 Ghanaians conducted in December 2021, dated 20 July 2022, stated: 'In Ghana, the prevalence of bribery is highest in relation to police officers (53.2 per cent) ... [A] though only one fifth of adults had contact with police officers in the 12 months prior to the survey, around half of them had to pay a bribe to, or were asked to pay a bribe by, a police officer.'¹³³
- The Afrobarometer survey 2022 found: 5.4.7
 - 'About one in 10 citizens (8%) say they requested police assistance during the previous year. Six times as many (49%) report encountering the police in other situations, such as at checkpoints, during identity checks or traffic stops, or during an investigation.
 - Among citizens who asked for help from the police, 50% say it was difficult to get the assistance they needed, and 45% say they had to pay a bribe.
 - Among those who encountered the police in other situations, 36% say they had to pay a bribe to avoid problems.
 - Two-thirds (65%) of Ghanaians say "most" or "all" police officials are corrupt, an 8-percentage-point increase compared to 2019 (57%).'134
- 5.4.8 The same survey found: 'Ghanaians are almost unanimous (96%) in the belief that there is corruption in the police force. Two-thirds (65%) of citizens

¹²⁷ ENACT, Criminality in Ghana (Ghana profile, page 6), 2023

¹²⁸ FH, Freedom in the World 2024 (section f2), 2024

 ¹²⁹ FH, <u>Freedom in the World 2023</u> (section f2), 2023
 ¹³⁰ OSAC, <u>Ghana Country Security Report</u> (Rule of Law ...), updated 22 August 2024
 ¹³¹ Bertelsmann Stiftung, <u>BTI 2024: Ghana</u> (page 15), 19 March 2024

¹³² Bertelsmann Stiftung, BTI 2024: Ghana (page 6), 19 March 2024

¹³³ UNODC, <u>Corruption in Ghana: People's Experiences and Views</u> (pages 27-28), 20 July 2022

¹³⁴ Afrobarometer, <u>AD563: Bribery, unprofessionalism</u> ... (page 2), 20 October 2022

say that "most" or "all" police are corrupt – the worst rating among 15 key institutions and leaders the survey asked about … and 12 percentage points higher than in 2019 (57%). In addition, one-third (31%) of respondents say "some" police officials are corrupt. Only 3% of Ghanaians think "none" of them are corrupt.¹³⁵ The extent of perceived or actual corruption was not measured by the survey.

- 5.4.9 For more information on the 15 institutions and leaders that respondents were asked about, see page 8 of the <u>Afrobarometer survey 2022</u>.
- 5.4.10 Regarding other illegality, the Afrobarometer survey 2022 found that 4 in 10% citizens (39%) believed the police routinely engaged in illegal activities, while only 17% thought this 'rarely' or 'never' happened¹³⁶. It did not define which illegal activities.
- 5.4.11 The ENACT 2023 Ghana profile stated: 'State-embedded actors within security and intelligence services, including immigration, tax, and customs administrations, and some elements of the Ghana Police Service, are reportedly implicated in facilitating drug and arms trafficking, illicit mining, and other organized criminal activities.'¹³⁷
- 5.4.12 It also stated: '... [R]eports of Ghanaian police officers engaging in robberies of bullion vans have raised concerns about the involvement of law enforcement in organized crime, blurring the line between the police service and criminal networks. Ghana's law enforcement capacity against organized crime is hampered by corruption permeating all levels of the police infrastructure, with the police being perceived as one of the most corrupt institutions in the country.'¹³⁸
- 5.4.13 The USSD TiP report 2024 stated:

'The government did not report any investigations, prosecutions, or convictions of government employees allegedly complicit in human trafficking crimes; however, official corruption and complicity in trafficking crimes remained significant concerns, inhibiting law enforcement action. Observers alleged some traffickers operated with the support or acquiescence of law enforcement or justice officials and some officials interfered in law enforcement proceedings. Traffickers reportedly bribed law enforcement officials ... During previous reporting periods, some law enforcement officers reportedly solicited bribes from suspects ...; in past years, some senior police officers reportedly attempted to intimidate civil society from reporting trafficking cases.'¹³⁹

5.4.14 Regarding efforts to tackle corruption, Ghana Statistical Service, in a press release dated 6 September 2024, stated:

'The Ghana Statistical Service (GSS) is coordinating an Independent Final Evaluation of the Ghana National Anti-Corruption Action Plan (NACAP), being implemented from 2015 to 2024, as part of Ghana's efforts to fight corruption.

'The evaluation is being conducted by national consultants and with

¹³⁵ Afrobarometer, <u>AD563: Bribery, unprofessionalism ...</u> (page 8), 20 October 2022

¹³⁶ Afrobarometer, <u>AD563: Bribery, unprofessionalism ...</u> (page 8), 20 October 2022

¹³⁷ ENACT, <u>Criminality in Ghana</u> (Ghana profile, page 5), 2023

¹³⁸ ENACT, Criminality in Ghana (Ghana profile, page 6), 2023

¹³⁹ USSD, <u>Trafficking in Persons Report 2024</u> (Prosecution), 24 June 2024

technical support from the Independent Evaluation Section (IES) of the United Nations Office on Drugs and Crime (UNODC).¹⁴⁰

- 5.4.15 The press release stated that evaluation would target all NACAP stakeholders, including the law enforcement agencies. It reported that after completion of the evaluation, 'the second NACAP (2025-2034) will be developed in consultation with relevant stakeholders'¹⁴¹.
- 5.4.16 There was no updated information on the status of the second NACAP, in the sources consulted (see <u>Bibliography</u>).
- 5.4.17 For information on corruption in the judicial system, see <u>Judicial corruption</u>.

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5.5 Accessibility of law enforcement

- 5.5.1 Regarding geographical disparities in availability of law enforcement, the West Africa Centre for Counter-Extremism, 'an independent regional organization focused on Preventing Violent Extremism and conflicts in West Africa'¹⁴², in an article dated 15 April 2024, stated: 'In some areas of Northern Ghana, there's a perception of weak governance, ineffective law enforcement, and limited state presence.'¹⁴³ The article did not specify particular areas of northern Ghana.
- 5.5.2 The BTI Ghana report 2024 stated: 'In rural areas, traditional leaders play a key role in maintaining law and order, as the security forces are less visible there. Inadequate police presence has contributed to a surge in armed and highway robberies within some rural communities in recent years ... [A]n abundance of small arms ... stretches the limited resources of the security agencies.'¹⁴⁴
- 5.5.3 For more information on traditional leaders, see the Ghana Sentinel article <u>The Role of Traditional Leaders in Modern Ghanaian Politics</u>, dated 15 January 2025¹⁴⁵.
- 5.5.4 The BTI Ghana report 2024 also reported:

'Instances of police abuse are connected to poor training and challenging work conditions. In areas without a significant or permanent presence of public security officers, civil rights are often determined and protected based on traditional law, which does not necessarily follow the letter of public law. This specifically refers to individuals and groups who display socially unacceptable behavior or are accused of spiritual crimes that are hard to prove (e.g., "witches").¹⁴⁶

5.5.5 The OSAC security report 2024 stated: 'The Ghana Police Service (GPS) has labeled certain areas as "flashpoints" because of the large amount of crime, the lack of police presence, and other factors in the area that make them dangerous for everyone, including the police ... Per the GPS, these flashpoints include:

¹⁴⁰ GSS, <u>Independent Evaluation of Ghana's National Anti-Corruption</u>..., 6 September 2024

¹⁴¹ GSS, Independent Evaluation of Ghana's National Anti-Corruption ..., 6 September 2024

¹⁴² WACCE, <u>Home</u>, no date

¹⁴³ WACCE, VE Drivers in Northern Ghana, 15 April 2024

¹⁴⁴ Bertelsmann Stiftung, <u>BTI 2024: Ghana</u> (page 6), 19 March 2024

¹⁴⁵ Ghana Sentinel, <u>Traditional chiefs shaping modern Ghanaian politics</u>, 15 January 2025

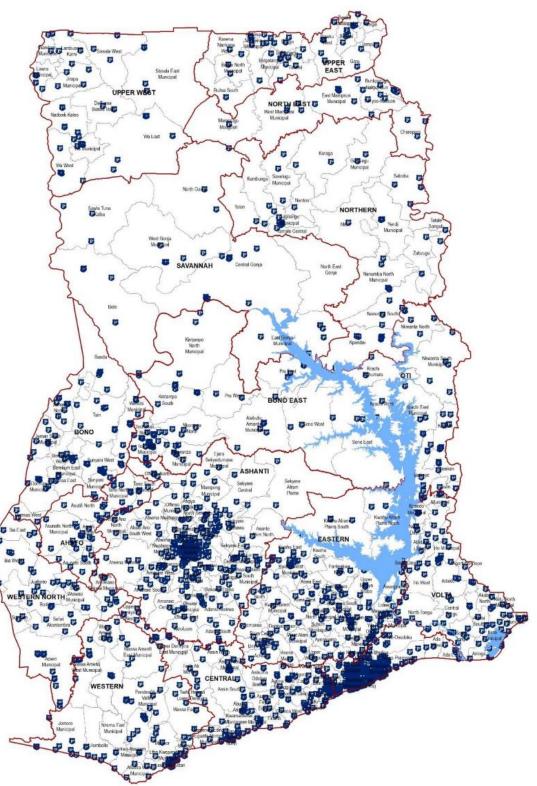
¹⁴⁶ Bertelsmann Stiftung, <u>BTI 2024: Ghana</u> (page 13), 19 March 2024

- 'Accra City:
 - o Madina & environs
 - Adenta & environs
 - o Dansoman & environs
- 'Ashanti Region:
 - Adum & Asafo areas
 - Ejura-Manpong-Yeji Highway
- 'Bono Region:
 - o Sankore
 - o Hwidiem
 - o Kenyasi
- 'Bono East Region:
 - Kintampo-Buipe-Tamale Highway
 - o Atebubu-Prang-Yeji Highway
- 'Eastern Region:
 - Kibi (aka Kyebi)
 - o Akim Oda
 - Kwahu Afram Plains (usually highways)
- 'North East Region:
 - o Masia-Bulgataya Road
- 'Northern Region:
 - Tamale (primarily robberies at fuel stations)
- 'Savanah Region:
 - Sawla- Damongo-Fufulso Highway
- 'Tema City:
 - Ashaiman & environs
 - o Community 25
 - Golf City
- 'Upper East Region:
 - o Bolga-Wa Road
- 'Upper West Region:
 - Sawla-Tuna Highway
- 'Volta Region:
 - o Aflao
- 'Western Region:

o Tarkwa'¹⁴⁷

- 5.5.6 Regarding availability of police stations, Ghana Statistical Service, in a report, 'Ghana 2021 Population and Housing Census Volume 2: Proximity of Residential Structures to Essential Service Facilities' (GSS proximity report 2021), dated October 2021, stated: 'A greater number of police stations are located in the southern sector of the country, notably Greater Accra, Ashanti, Eastern and Central regions. Police stations are sparsely distributed in the middle belt, stretching from the Afram Plains north-westward towards the Tumu gap in the Upper West Region; and evenly distributed in the Upper East, Volta and Western regions ...¹⁴⁸
- 5.5.7 The report presented the geo-location of police stations nationwide in a map, which is reproduced below. The map shows a greater concentration of police stations in the south of the country, particularly in and around Accra and Kumasi, and a sparser distribution in the middle belt:

¹⁴⁷ OSAC, <u>Ghana Country Security Report</u> (Law Enforcement), updated 22 August 2024
 ¹⁴⁸ GSS, <u>Ghana 2021 population and housing census Vol. 2</u> (page 15), October 2021



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5.5.8 The GSS proximity report 2021 also stated: 'Forty-five percent of urban residential clusters have a police station facility compared to eight percent in rural clusters ...¹⁵⁰ A residential cluster was defined as 'a geographical area comprising a locality or a group of localities with 1,000 or more

 ¹⁴⁹ GSS, <u>Ghana 2021 population and housing census Vol. 2</u> (page 15), October 2021
 ¹⁵⁰ GSS, <u>Ghana 2021 population and housing census Vol. 2</u> (page 16), October 2021

inhabitants¹⁵¹. The report stated that the Greater Accra Region had the highest proportion of residential structures within 5 kilometres of a police station, at 89.1%, whereas the Savannah Region had the lowest, at 13.0%¹⁵², based on straight-line distances¹⁵³.

- The Afrobarometer survey 2022 found that 35% of Ghanaians lived within 5.5.9 easy walking distance of a police station¹⁵⁴. For the survey methodology, see page 5 of the Afrobarometer survey 2022 report.
- 5.5.10 There was no comparable data on availability of police stations in the UK, in the sources consulted (see Bibliography).
- 5.5.11 Regarding affordability of law enforcement, the USSD 2022 human rights report stated: 'In many instances, police did not respond to complaints unless members of the public paid for police transportation and other operating expenses.¹⁵⁵ The USSD 2023 human rights report did not refer to such payments¹⁵⁶.
- 5.5.12 The USSD TiP report 2024 stated in relation to human trafficking cases that during previous reporting periods, 'some law enforcement officers reportedly ... sought payment from victims or civil society for transportation or operating expenses to initiate investigations'157
- 5.5.13 With regard to accessibility for people with disabilities, Ghana News Agency, in an article dated 23 August 2024, reported: 'Participants at a consultative meeting on gender-based violence have called for the inclusion of sign language education in the training curriculum of the Ghana Police Service.

'They said this would help bridge the communication gap between people with hearing impairment and the Police to help facilitate access to justice.¹⁵⁸

5.5.14 For information on accessibility of the judicial system, see <u>Accessibility</u>.

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5.6 Effectiveness against extremism and localised violence in northern Ghana

- 5.6.1 The CIA World Factbook, in an entry updated 5 February 2025, reported: '[I]n 2022, Ghana began beefing up its military presence in the north of the country against threats from the terrorist organization Jama'at Nasr al-Islam wal Muslimin (JNIM), a coalition of al-Qa'ida linked militant groups, which has conducted attacks in the neighboring countries of Burkina Faso, Cote d'Ivoire, and Togo ...'159
- The Africa Center for Strategic Studies, an academic institution within the US 5.6.2 Department of Defense, funded by the US Congress¹⁶⁰, in a security brief, 'Recalibrating Coastal West Africa's Response to Violent Extremism' (ACSS West Africa brief 2024), dated 22 July 2024, based on various sources, reported that Ghana had invested in border security and intelligence

¹⁵¹ GSS, <u>Ghana 2021 population and housing census Vol. 2</u> (page 4), October 2021

¹⁵² GSS, <u>Ghana 2021 population and housing census Vol. 2</u> (page 42), October 2021

¹⁵³ GSS, Ghana 2021 population and housing census Vol. 2 (page iii), October 2021

¹⁵⁴ Afrobarometer, AD563: Bribery, unprofessionalism ... (page 2), 20 October 2022

¹⁵⁵ USSD, <u>Human rights report 2022</u> (section 1c), 20 March 2023
¹⁵⁶ USSD, <u>Human rights report 2023</u>, 22 April 2024

¹⁵⁷ USSD, Trafficking in Persons Report 2024 (Prosecution), 24 June 2024

¹⁵⁸ GNA, Include sign language education in Police recruitment training, 23 August 2024

¹⁵⁹ CIA, World Factbook, Ghana (Military and security), updated 5 February 2025

¹⁶⁰ Reliefweb, Africa Center for Strategic Studies, no date

gathering. It stated: 'The government has also sent soldiers and law enforcement to boost security in communities where intercommunal tensions are high and there is a known presence of violent extremist groups. The professional conduct of the Ghanaian security forces has helped reduce violence and tension in northern Ghanaian communities, demonstrating that these efforts are a critical element of an effective conflict prevention strategy.'161

- 5.6.3 The Clingendael extremism report 2024 observed: '... [T]he absence of real attacks [by JNIM] on Ghanaian soil seems to result from JNIM's calculus of ... not provoking a relatively strong army', among other things¹⁶².
- It also stated: 'Ghana's [sic] has worked on a multi-faceted approach to 5.6.4 border security, including joint operations with neighbouring countries under the Accra Initiative, to prevent extremist infiltration. Yet, to avoid escalation it also appears to have accepted de facto non-aggression with JNIM.'163
- Reuters news agency, in an article dated 26 October 2024, reported: 'In a 5.6.5statement on Saturday [26 October], Ghana's security ministry said there were no "non-aggression policy" or tacit agreements with militant groups.

"The ministry strongly rejects the portraval of Ghana [in a Reuters article dated 24 October 2024¹⁶⁴] as a 'supply line' for militants. Ghana's counterterrorism efforts are rightly commended by her partners in the relentless regional and global fight against terrorism," the statement said.¹⁶⁵

Regarding Bawku in the Upper East Region, Ghana News Agency, in an 5.6.6 article dated 28 October 2024, reported:

'The Ghana Police Service has announced that it is collaborating with the Ghana Armed Forces to bring the security situation in and around Bawku under control.

'This response follows an incident on Sunday [27 October], where unidentified gunmen blocked the Bolgatanga-Tamale highway near Gbimsi, a community close to Walewale, opened fire, and killed eight people, setting several vehicles ablaze.

"Apart from the Police and Military deployment in Bawku and its surroundings, there is also a joint Police and Military presence along the Bolgatanga-Walewale Tamale highway to ensure security and manage traffic," the police said in a statement.'166

5.6.7 The Austrian Centre for Country of Origin Research and Documentation (ACCORD), in their 'Query response on Ghana: State protection in the Bawku conflict context', dated 21 November 2024, cited email correspondence, dated November 2024, with Dramani Aminu, senior lecturer at the Kwame Nkrumah University of Science and Technology (KNUST) in Kumasi. It quoted him as commenting: 'In the case of Bawku, I don't see how the state can provide sufficient security that can ensure public safety if the state, by way of politicians and people in power, is directly involved in stirring

¹⁶¹ ACSS, Recalibrating Coastal West Africa's Response to Violent Extremism (page 6), 22 July 2024

¹⁶² Clingendael, <u>A beacon of democracy?</u>... (page 11), July 2024
¹⁶³ Clingendael, <u>A beacon of democracy?</u>... (page 11), July 2024
¹⁶⁴ Reuters, <u>In Ghana, Sahel jihadis find refuge and supplies, sources say</u>, 24 October 2024

¹⁶⁵ Reuters, <u>Ghana rejects Reuters report on jihadis finding refuge in its north</u>, 26 October 2024

¹⁶⁶ GNA, The Police, Armed Forces working to bring Bawku security situation ..., 28 October 2024

the violence. The current Vice President, for instance, is heavily accused of being responsible for the latest resumption of the Bawku crisis.¹⁶⁷

5.6.8 For information on court closures amid the violence in Bawku, see <u>Accessibility</u>.

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5.7 Response to gender-based violence

- 5.7.1 The UN Human Rights Council Working Group on the Universal Periodic Review, in their 'Summary of stakeholders' submissions on Ghana' (UNHRC stakeholders' submissions 2022), dated 31 October 2022, stated: 'JS11 [Joint submission 11, submitted by Power to You(th) Ghana Consortium, Tamale] and JS7 [Joint submission 7, submitted by International Federation of ACATS Action by Christians for the Abolition of Torture, Paris] called on the government to prosecute all allegations of violence against women, including traditional harmful practices and domestic violence ...'¹⁶⁸
- 5.7.2 The Georgetown Institute for Women, Peace and Security and the PRIO Centre on Gender, Peace and Security compile an annual Women Peace and Security Index (WPS Index), which 'scores and ranks 177 countries in terms of women's inclusion, justice and security'¹⁶⁹. In their 2023 index, Ghana scored 2.81 and ranked 63rd for the indicator 'Access to Justice'¹⁷⁰, defined as 'Extent ... to which women are able to exercise justice by bringing cases before the courts without risk to their personal safety, participating in a free trial, and seeking redress if public authorities violate their rights'¹⁷¹. The Access to Justice score was '[b]ased on Varieties of Democracy's [V-Dem, a project hosted by the University of Gothenburg, Sweden] aggregate expert judgments ranking countries on a scale of 0 (no access to justice for women) to 4 (secure and effective access to justice for women)'¹⁷². The average Access to Justice score for sub-Saharan Africa in the 2023 WPS Index was 2.205¹⁷³. The average global score was 2.27¹⁷⁴.
- 5.7.3 The USSD 2023 human rights report commented on women's rights generally, observing: 'The constitution and law provided for the same legal status and rights for women as for men under family, labor, property, nationality, and inheritance laws ... the government generally made efforts to enforce the law ...'¹⁷⁵
- 5.7.4 With regard to the protection of women against gender-based violence, specifically rape and domestic violence, the USSD 2023 human rights report stated:

'Although the <u>Domestic Violence and Victim Support Unit</u> (DOVVSU) of the Police Service, working with other government offices, sought to address rape and domestic violence, authorities did not enforce the law effectively.

'Unless specifically called upon by the DOVVSU, police seldom intervened in

¹⁶⁷ ACCORD, <u>Query Response on Ghana: State Protection</u>..., 21 November 2024

¹⁶⁸ UNHRC, <u>Summary of stakeholders' information</u> (paragraph 44), 31 October 2022

¹⁶⁹ GIWPS, <u>2023 Women, Peace & Security Index</u>, no date

¹⁷⁰ GIWPS, <u>Ghana</u>, 2024

¹⁷¹ GIWPS, 2023 Women, Peace & Security Index (Report, page 16), 2024

¹⁷² GIWPS, <u>2023 Women, Peace & Security Index</u> (Report, page 16), 2024

¹⁷³ GIWPS, <u>2023 Women, Peace & Security Index</u> (Report, page 86), no date

¹⁷⁴ GIWPS, <u>2023 Women, Peace & Security Index</u> (Report, page 86), no date

¹⁷⁵ USSD, <u>Human rights report 2023</u> (section 6), 22 April 2024

cases of domestic violence, in part due to a lack of counseling skills and shelter facilities to assist survivors. Few of the cases in which police identified and arrested suspects for rape or domestic abuse reached court or resulted in convictions due to witness unavailability, inadequate training on investigatory techniques, police prosecutor case mismanagement, and, according to the DOVVSU, lack of resources on the part of survivors and their families to pursue cases.¹⁷⁶

- 5.7.5 For more information on the affordability of protection, see Accessibility of law enforcement, Lawyers and legal aid and Accessibility.
- 5.7.6 The USSD report also explained:

'Police could refer survivors to government or NGO-operated shelters. In cases deemed less severe, survivors were returned to their homes. Authorities reported officers occasionally had no alternative but to shelter survivors in the officers' own residences until other arrangements could be made.

'There were three government-run shelters for survivors of domestic violence, the Madina Social Welfare Center, the Center for Abused Children, and the DOVVSU's national One-Stop Center collocated with the Criminal Investigations Department of the Police Service.

'DOVVSU taught a course on domestic violence case management for police officers assigned to the unit, which had one clinical psychologist to assist domestic violence survivors. DOVVSU reached out to the public through various social media accounts. It also addressed rape through public education efforts on radio and in communities, participation in efforts to prevent child marriage and other forms of gender-based violence, expansion of its online data management system to select police divisional headquarters, and data management training. Pervasive cultural beliefs regarding gender roles, as well as sociocultural norms and stereotypes, posed additional challenges to combatting domestic violence ...'177

- Regarding public perceptions of the response to gender-based violence, the 5.7.7Afrobarometer survey 2022 found almost 9 in 10 respondents (86%) considered it 'likely that the police will take reports of gender-based violence seriously'. This included 62% who saw this as 'very likely'¹⁷⁸.
- The UNHRC stakeholders' submissions 2022 stated: 'JS15 [Joint 5.7.8 submission 15, submitted by Women's Initiative for Self Empowerment, Accra] recommended that Ghana enforce the law of the arrest and detention of all perpetrators of Female Genital Mutilation (FGM) in the pocket areas in Ghana.¹⁷⁹ According to an article dated 29 January 2025 on the website of the International Institute for Sustainable Development, an independent think tank¹⁸⁰, FGM 'hotspots' were the Upper East, Upper West and Bono regions¹⁸¹.

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¹⁷⁶ USSD, <u>Human rights report 2023</u> (section 6), 22 April 2024

 ¹⁷⁷ USSD, <u>Human rights report 2023</u> (section 6), 22 April 2024
 ¹⁷⁸ Afrobarometer, <u>AD563: Bribery, unprofessionalism ...</u> (page 12), 20 October 2022

¹⁷⁹ UNHRC, Summary of stakeholders' information (paragraph 47), 31 October 2022

¹⁸⁰ IISD, Mission and Goals, no date

¹⁸¹ IISD, Tackling FGM in Ghana: The Role of Inclusive Data and Policy, 29 January 2025

5.8 Efforts to combat organised crime

- Regarding law enforcement efforts against organised crime, the ENACT 5.8.1 Ghana profile 2023 cited 'limited synergy between agencies', among other things, as hampering effective implementation of organised crime laws¹⁸².
- In relation to human trafficking, the USSD TiP report 2024 stated: 5.8.2

'The Ghana Police Service (GPS), Ghana Immigration Service (GIS), and the Economic and Organized Crime Office had dedicated, specialized antitrafficking units. The Ghana Marine Police operated specialized patrols on Lake Volta to identify and investigate child labor and trafficking cases. Fifteen courts had specialized training, procedures, and trauma-informed facilities for cases involving women and child victims, which included trafficking cases. The government, both independently and in collaboration with NGOs, provided extensive training to law enforcement, judicial officials, and other front-line actors on trafficking definitions and legal concepts, investigative and prosecutorial techniques, trauma-informed investigative practices, and victim identification and protection. The GPS and GIS police academy provided anti-trafficking training to new police officers; however, observers reported police officers outside of the specialized anti-trafficking units required additional training on the 2005 anti-trafficking law and identification of trafficking crimes. Stakeholders also reported a need for additional training on specialized investigative procedures and evidence collection. Government officials and NGOs reported a lack of sufficient funding and resources impeded anti-trafficking law enforcement efforts.'183

- 5.8.3 The report further stated: 'Authorities initiated investigations of 109 trafficking cases (31 sex trafficking cases, 65 labor trafficking cases, and 13 cases of unspecified forms of trafficking) and continued six investigations (two sex trafficking and four labor trafficking cases) in 2023, compared with initiating investigations of 133 cases in 2022.¹⁸⁴
- 5.8.4 Regarding EOCO, Ghana's Ministry of Finance, in their 'Office of the Attorney-General and Ministry of Justice: Programme Based Budget Estimates for 2024' (MoF Attorney-General budget estimates for 2024), which did not provide a publication date, stated: 'EOCO investigated a total of 570 cases [in 2023 of economic and organised crime], and out of these, 14 cases are currently being prosecuted in various courts.¹⁸⁵
- YEN.com.gh, in an article dated 18 September 2023, reported: 5.8.5

'The FBI has lauded Ghana's EOCO for its success in the fight against organised crime ...

Since taking over the helm of affairs as EOCO's Executive Director, Maame Yaa Tiwaa Addo-Danguah has led the Office to chalk one success or the other [sic, chalk up one success after another].

'Not long ago, she launched EOCO's five-year strategic plan to revamp the mission and vision statements and to communicate a clear direction for the

¹⁸² ENACT, Criminality in Ghana (Ghana profile, page 6), 2023

¹⁸³ USSD, <u>Trafficking in Persons Report 2024</u> (Prosecution), 24 June 2024

 ¹⁸⁴ USSD, <u>Trafficking in Persons Report 2024</u> (Prosecution), 24 June 2024
 ¹⁸⁵ MoF, <u>2024 Programme Based ...</u> (Office of the Attorney-General ..., page 13), no date

Office.'186

5.8.6 For information on accusations that Addo-Danquah's appointment served political interests, see <u>Political interference</u>.

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5.9 Response to attacks on media houses and journalists

- 5.9.1 The UNHRC stakeholders' submissions 2022 stated: 'JS12 [joint submission by Reformation of Hope Foundation, Accra] called on the government to end impunity for crimes against journalists by conducting thorough and independent investigations where necessary.'¹⁸⁷
- 5.9.2 The Media Foundation for West Africa (MFWA), 'a regional independent non-governmental organisation with a network of national partner organisations in all 16 countries in West Africa'¹⁸⁸, in an article, 'Ghana: 14 attacks on media houses in ten years, only one redressed' (MFWA media article 2023), dated 12 October 2023, reported: 'At least 14 incidents of attacks on media houses have been recorded in Ghana in the past decade, with only one receiving redress [as of 12 October 2023].

'The disturbing trend of invasions of media house premises, including by armed men, destruction of studio equipment, violent disruption of transmission, assault and intimidation of presenters and guests was tracked from 2014-2023.'¹⁸⁹

- 5.9.3 The article reported that the perpetrators included political party activists, a controversial pastor, organised groups and unknown individuals¹⁹⁰.
- 5.9.4 For information on attacks on media houses and journalists by the security forces, see <u>Freedom of expression</u>.
- 5.9.5 The article reported that following an attack on 13 January 2022 on Radio Ada, a community radio station in the Greater Accra region, in which a group of about 12 assailants assaulted journalists, held an unspecified number of people hostage and vandalised equipment, the police offered a reward for information leading to the arrest of suspects. It stated: 'Yet, a year later, the Management of the station lamented to The Fourth Estate [a non-profit investigative journalism project of the MFWA¹⁹¹] that the police were not showing commitment to the case. A year and ten months on, the perpetrators are still at large.'¹⁹²
- 5.9.6 There was no more recent information on the status of the Radio Ada case, in the sources consulted for this note (see <u>Bibliography</u>).
- 5.9.7 The FH FitW 2024 report stated: '... [I]n May [2023], a journalist with Angel FM in Accra was attacked by a group of people while he was collecting information for a story; two of the assailants were arrested and bailed.'¹⁹³

¹⁸⁶ YEN.com.gh, FBI Commends Tiwaa Addo-Danguah-Led EOCO ..., 18 September 2023

¹⁸⁷ UNHRC, <u>Summary of stakeholders' information</u> (paragraph 43), 31 October 2022

¹⁸⁸ MFWA, <u>About</u>, no date

¹⁸⁹ MFWA, Ghana: 14 attacks on media houses in ten years, only one redressed, 12 October 2023

 ¹⁹⁰ MFWA, Ghana: 14 attacks on media houses in ten years, only one redressed, 12 October 2023
 ¹⁹¹ The Fourth Estate, Home page, no date

¹⁹² MFWA, <u>Ghana: 14 attacks on media houses in ten years, only one redressed</u>, 12 October 2023

¹⁹³ FH, Freedom in the World 2024 (section d1), 2024

5.9.8 State-owned¹⁹⁴ Ghanaian Times, in an article dated 23 January 2025, reported:

'The Ghana Journalists Association (GJA) says it will pursue justice for slain investigative journalist, Ahmed Suale, at the International Criminal Court (ICC), if the Ghana Police Service fail to arrest and prosecute persons involved in the alleged murder. It has, therefore, given the police up to March 2025 to bring closure on the matter ...

'The GJA President indicated that the association would file a case at the Economic Community of West African States (ECOWAS) Community Court of Justice ...

'The GJA President also hinted that the association would seek justice for Latif Iddrisu of Multi-media Group who was assaulted in the line of duty at the Criminal Investigations Department of the Ghana Police Service (CID) six years ago.'¹⁹⁵

5.9.9 For information on convictions and sentencing relating to attacks on journalists and media houses, see <u>Effectiveness</u>.

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5.10 Effectiveness during elections

- 5.10.1 The African Union, in their 'Preliminary Statement of the African Union Election Observation Mission [AUEOM] to the Republic of Ghana, 9th December 2024', stated: 'The AUEOM acknowledges the level of professionalism exhibited by the security personnel deployed to the polling stations visited. No armed security was seen at the polling stations, and the police are commended for their swift response where they were called in to restore order.'¹⁹⁶
- 5.10.2 The MWFA, in statement dated 12 December 2024, commented regarding the safety of journalists covering the 7 December general election:

'... It is to the credit of the police and all other actors that the media enjoyed a relatively conducive environment to report the various processes freely, safely and effectively.

'The exemplary display of professionalism by the police also boosted the confidence of the media and contributed to the almost incident-free media coverage. The safety and security enjoyed by journalists during the recent elections is a remarkable progress, compared to previous elections coverage.'¹⁹⁷

5.10.3 For information on deployment of the armed forces during elections, see <u>Armed Forces of Ghana</u>.

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6. Human rights violations by the security forces

6.1 Freedom of assembly

6.1.1 The German Federal Office for Migration and Refugees (BAMF), in 'Briefing

¹⁹⁶ African Union, Preliminary Statement Of The African Union ... (page 6), updated 9 December 2024

¹⁹⁴ Media Ownership Monitor, <u>The Ghanaian Times</u>, 19 July 2017

¹⁹⁵ Ghanaian Times, <u>GJA to pursue justice for Latif Iddrisu, late Ahmed Suale ...</u>, 23 January 2025

¹⁹⁷ MWFA, <u>MFWA commends government for keeping the internet on ...</u>, 12 December 2024

Notes cw39/2023' (BAMF brief of September 2023), dated 25 September 2023, based on various sources, stated:

'On 21.09.23, police officers from the Ghana Police Service in Accra arrested 49 protesters at the announced Occupy Jubilee House demonstration ... According to media reports, hundreds of people followed a call by the group Democracy Hub to meet at a bus station and then proceeded to Jubilee House, the seat of the Ghanaian government. In front of the seat of government, Democracy Hub intended to protest against the high cost of living, economic mismanagement and corruption problems in the government, the reports said ... However, the police stopped the protest march on the way ...

'On the two following days, hundreds of people gathered again to continue the protests under the supervision of riot police. According to Democracy Hub, the group had previously notified the authorities of the protests planned from 21.09 to 23.09.23. The Ghana Police Service had then appealed to the court to obtain an injunction against the protest and justified the subsequent arrests on the grounds of non-compliance with this injunction. Democracy Hub, on the other hand, says it did not receive a court order to this effect in the run-up to the planned protests.'¹⁹⁸

- 6.1.2 BAMF, in 'Briefing Notes cw25/2024', dated 17 June 2024, based on various sources, reported: 'Led by several civil society groups, hundreds of people demonstrated in the capital Accra on 08.06.24 against the recurring power cuts in the country ... The date of the protest had to be postponed once, until an agreement was reached between the organisers and the Ghanaian police ... '¹⁹⁹
- 6.1.3 Al, in an article, 'Ghana: New President must tackle human rights issues' (Al new president article 2025), dated 7 January 2025, stated: 'Several violations of the right to peaceful assembly were documented in 2024.' It gave 2 examples: a planned protest in Accra in July that was banned by police citing lack of personnel for security, and protests in Accra in September, at which police made more than 50 arrests, maintaining that they were preventing the protest from being held at Revolution Square for security reasons²⁰⁰.
- 6.1.4 The AI new president article 2025 reported that the September 2024 protests were 'against allegations of corruption'. The article also referred to 'the repression of peaceful protests last year [2024] over the environmental impact of so-called "galamsey" mining'.²⁰¹ BAMF, in 'Briefing Notes cw40/2024' (BAMF brief of September 2024), dated 30 September 2024, based on various sources, stated that 3 days of protest had been planned by civil society group Democracy Hub 'to denounce the government's mismanagement. A central issue of the protest was the government's handling of illegal mining in the country.'²⁰²
- 6.1.5 The AI new president article 2025 commented: 'Over the last years, the security forces abused the requirement for protest organizers to provide prior

²⁰¹ AI, <u>Ghana: New President must tackle pressing human rights issues</u>, 7 January 2025

¹⁹⁸ BAMF, <u>Briefing Notes cw39/2023</u> (Ghana section), 25 September 2023

¹⁹⁹ BAMF, Briefing Notes cw25/2024 (Ghana section), 17 June 2024

²⁰⁰ AI, <u>Ghana: New President must tackle pressing human rights issues</u>, 7 January 2025

²⁰² BAMF, <u>Briefing Notes cw40/2024</u> (Ghana section), 30 September 2024

notification about a planned assembly to ban or repress protests.

"Throughout the previous administration, we had repeated incidents of police preventing protests. We usually notify them three months ahead, so they don't have an excuse, but they still [stop demonstrations]," said activist Oliver Barker-Vormawor, one of the organizers of the September 2024 protest.²⁰³

- 6.1.6 For more information on the September 2024 protests and those arrested, see <u>Arbitrary arrest and detention without charge</u>, <u>III-treatment and torture</u> and <u>Independence of the Attorney-General's Office</u>.
- 6.1.7 BAMF, in 'Briefing Notes cw42/2024' (BAMF brief of October 2024), dated 14 October 2024, based on various sources, reported: 'On 11.10.24 bishops of the archdiocese of Accra protested in Accra together with hundreds of people, including Catholic parishioners and civil-society groups, against illegal gold mining, which is known as "galamsey" ... Thousands of people had previously demonstrated for an end to "galamsey" illegal gold-mining in Accra from 03.10. to 05.10.24.'²⁰⁴
- 6.1.8 There was no mention of any attempts to ban the October 2024 protests, in the BAMF brief of October 2024 or in the other sources consulted for this note (see <u>Bibliography</u>).
- 6.1.9 Regarding dispersal of protestors by the armed forces, BAMF, in 'Briefing Notes cw24/2023', dated 12 June 2023, based on various sources, stated: 'Media reports indicate that on 30.05.23, Ghanaian army personnel fired shots to disperse a protest by miners and their families in the town of Obuasi in the Ashanti region.'²⁰⁵

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6.2 Freedom of expression

- 6.2.1 The FH FitW 2023 report stated that in 2022, 'radio host, Kwabena Bobie Ansah, was arrested for publishing allegedly false news and for offensive conduct toward the first and second ladies of Ghana; another journalist, Sacut Amenga-Etego, was arrested and detained for illegally filming the premises of a High Court. A radio show host commonly known as "Captain Smart" was arrested and detained by the NIB for alleging that President Akufo-Addo was involved in an illegal mining operation.'²⁰⁶
- 6.2.2 The FH FitW 2024 report stated:

'Government agencies occasionally limit press freedom by harassing and arresting journalists, especially those reporting on politically sensitive issues ... Security officers have attacked journalists with impunity in recent years ...

'In March 2023, Noah Dameh, a radio journalist, was placed in police custody for a week for allegedly violating a [criminal code] provision on sharing purportedly false news ...

"... In October, soldiers physically attacked and then detained radio journalist Nicholas Morkah after he filmed them attacking another man in

²⁰³ AI, <u>Ghana: New President must tackle pressing human rights issues</u>, 7 January 2025

²⁰⁴ BAMF, Briefing Notes cw42/2024 (Ghana section), 14 October 2024

²⁰⁵ BAMF, Briefing Notes cw24/2023 (Ghana section), 12 June 2023

²⁰⁶ FH, <u>Freedom in the World 2023</u> (section d1), 2023

Birim Central Municipal District. Morkah was handed to police, who alleged that he engaged in "offensive conduct" and released him on bail.²⁰⁷

- 6.2.3 The MFWA media article 2023 reported that of the 14 incidents the MFWA documented between 2014 and 2023 in which media houses and/or journalists were attacked, in 5 cases the perpetrators were state security agents. It named these as 'National Security, National Intelligence Bureau and Fire Service'²⁰⁸.
- 6.2.4 Al Jazeera, a Qatari state-owned news organisation²⁰⁹, in an article, 'Ghana police arrest 49 as high cost of living triggers street protests' (Al Jazeera protests article 2023), dated 22 September 2023, reported that at the Jubilee House protest in Accra on 21 September 2023, 'Some journalists were also picked up [by the police] and later released.'²¹⁰
- 6.2.5 For information on:
 - the law enforcement response to attacks on the media, see <u>Response</u> to attacks on media houses and journalists
 - police treatment of the media during the December 2024 general election, see <u>Effectiveness during elections</u>

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6.3 Arbitrary arrest and detention without charge

- 6.3.1 The USSD 2022 human rights report stated: 'The constitution and law provide for protection against arbitrary arrest and detention, but the government frequently disregarded these protections.'²¹¹ The USSD 2023 human rights report stated that the government 'sometimes' disregarded these rights²¹². It did not give further details on frequency or explain the change.
- 6.3.2 The USSD 2022 and 2023 human rights reports described the holding of detainees without proper warrant or charge as a 'general practice', and both stated: '... [A]uthorities frequently detained individuals without charge or a valid arrest warrant for periods longer than 48 hours.'²¹³ ²¹⁴ The reports did not provide further information about frequency.
- 6.3.3 The FH FitW 2024 report stated: 'Police have been known to ... make arbitrary arrests, and hold people without charge for longer than the legally permitted limit of 48 hours.'²¹⁵ It did not give further information about this statement, which was repeated from the FH FitW 2023 report²¹⁶.
- 6.3.4 The Ghana Center for Democratic Development, 'an independent, not-forprofit research and advocacy think tank'²¹⁷, in a press release, 'CDD-Ghana condemns abuse of due process in the arrest and detention of protesters by

²⁰⁷ FH, Freedom in the World 2024 (section d1), 2024

²⁰⁸ MFWA, <u>Ghana: 14 attacks on media houses in ten years, only one redressed</u>, 12 October 2023 ²⁰⁹ AI Jazeera, <u>About Us</u>, no date

²¹⁰ Al Jazeera, Ghana police arrest 49 as high cost of living triggers ..., 22 September 2023

²¹¹ USSD, <u>Human rights report 2022</u> (section 1d), 20 March 2023

²¹² USSD, Human rights report 2023 (section 1d), 22 April 2024

²¹³ USSD, Human rights report 2022 (section 1d), 20 March 2023

²¹⁴ USSD, Human rights report 2023 (section 1d), 22 April 2024

²¹⁵ FH, <u>Freedom in the World 2024</u> (section f2), 2024

²¹⁶ FH, Freedom in the World 2023 (section f2), 2023

²¹⁷ CDD-Ghana, <u>About Us</u>, no date

the police' (CDD-Ghana press release 2024), dated 26 September 2024, stated that among those arrested at the Democracy Hub protests in September 2024 were 'ordinary bystanders who were merely going about their daily activities'. It stated that the center condemned, among other things:

'The refusal by the police to release the complete list of arrested individuals ... The ongoing denial of access to legal counsel for detainees ... The failure to notify lawyers of the detained individuals before their arraignment before the Circuit Court ... The unlawful transfer of detainees from police cells to prison without court approval ... The prolonged detention of protesters beyond 48 hours without being brought before a competent court ... The continued denial of access for family members to meet with their detained relatives'²¹⁸.

6.3.5 For more information on the September 2024 protests and the status of the protestors' cases, see <u>Freedom of assembly</u>, <u>Ill-treatment and torture</u> and <u>Independence of the Attorney-General's Office</u>.

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6.4 Ill-treatment and torture

- 6.4.1 For information on attacks on journalists by the security forces, see <u>Freedom</u> <u>of expression</u>.
- 6.4.2 The USSD 2023 human rights report stated: '… [T]here were credible reports police beat and otherwise abused detained suspects and other citizens. Victims were often reluctant to file formal complaints. Police generally denied allegations or claimed the level of force used was justified.²¹⁹ These statements were repeated from the USSD 2022 human rights report.
- 6.4.3 The Afrobarometer survey 2022 found: 'Many respondents ... believe that the police routinely use excessive force in dealing with criminals (40%) and in managing protests or demonstrations (33%).'²²⁰
- 6.4.4 The UNHRC stakeholders' submissions 2022 stated: 'ROH [Reformation of Hope Foundation, Accra] stated that the Police in Ghana used excessive force in their attempt to control and manage demonstrations and protests which often resulted in different abuse including grave assault and unwarranted arrest of civilians.'²²¹
- 6.4.5 For more information on unwarranted arrests, see <u>Arbitrary arrest and</u> <u>detention without charge</u>.
- 6.4.6 The USSD 2023 human rights report stated: 'In March the armed forces conducted an operation in Ashaiman, a suburb of Accra, after armed robbers killed an off-duty soldier. Soldiers detained 184 persons, while bystanders filmed the stripping, handcuffing, and beating of dozens of men. Senior defense leaders claimed the operation was justified but regretted the excessive use of force by the soldiers. Authorities later released all 184

²²⁰ Afrobarometer, AD563: Bribery, unprofessionalism ... (page 11), 20 October 2022

 ²¹⁸ CDD-Ghana, <u>CDD-Ghana condemns abuse of due process</u>..., 26 September 2024
 ²¹⁹ USSD, <u>Human rights report 2023</u> (section 1c), 22 April 2024

²²¹ UNHRC, <u>Summary of stakeholders' information</u> (paragraph 38), 31 October 2022

persons without charge, and police arrested the armed robbers.²²²

- AI, in their State of the World's Human Rights 2024 (AI 2024 report), dated 6.4.7 23 April 2024, covering events in 2023, reported on the same incident, noting that 'the military used excessive force, including beating and kicking people ...' It did not give information about how many were beaten or kicked, but stated that 184 people were detained during the operation²²³.
- 6.4.8 For information on investigations into the Ashaiman incident, see Armed forces.
- 6.4.9 Referring to the Jubilee House protests in September 2023, the BAMF brief of September 2023 stated:

'Several national organisations and parties, including Amnesty International Ghana and the major opposition party National Democratic Congress (NDC), condemn the arrests and alleged police violence and brutality. At a meeting between police and Democracy Hub leaders on 22.09.23, the authorities said they had no reports of police violence in their files on the demonstration and would require evidence from the public to launch possible investigations.

'In a statement released on 24.09.23 by the Ghana Police Service, the Deputy Commissioner of Police apologized. He said the Ghana Police Service had in the past provided security for protesters and wanted to continue to do so within the law and promote a democratic environment.'224

- 6.4.10 Ghana News Agency, in an article, '[Civil society organisations] CSOs slam Police for 'manhandling, arbitrary arrest' of Democracy Hub Protesters', (GNA civil society article 2024), reported that following the Democracy Hub protests in September 2024, 34 civil society organisations had issued a joint statement condemning the actions of the Ghana Police Service following reports of 'police manhandling' of protestors, among other allegations²²⁵.
- 6.4.11 Similarly, the CDD-Ghana press release 2024 stated that CDD-Ghana condemned, among other things, '[t]he unnecessary manhandling and brutality of citizens exercising their civic and political rights to protest'226.
- 6.4.12 Regarding the same protests, the BAMF brief of September 2024 stated:

'According to media reports, the Ghanaian police are accusing some of the protesters of attacking officers during the protest. Democracy Hub in turn accuses the police of staging an attack on peaceful demonstrators. Among those arrested is activist Oliver Barker-Vormawor ... Barker-Vormawor is currently being treated in a police hospital. According to his legal counsel, he had already stated on 24.09.24 while in custody that he is seriously ill. However, the police had not provided him with medical care in time. The police have denied these allegations.²²⁷

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6.5 Deaths in custody

6.5.1 The USSD 2022 human rights report stated: 'On April 24 [2022], police in

²²² USSD, Human rights report 2023 (section 1c), 22 April 2024

²²³ AI. The State of the World's Human Rights, 24 April 2024

 ²²⁴ BAMF, <u>Briefing Notes cw39/2023</u> (Ghana section), 25 September 2023
 ²²⁵ GNA, <u>CSOs slam Police for "manhandling, arbitrary arrest"</u>..., 30 September 2023

²²⁶ CDD-Ghana, <u>CDD-Ghana condemns abuse of due process</u>..., 26 September 2024

²²⁷ BAMF, Briefing Notes cw40/2024 (Ghana section), 30 September 2024

Nkoranza (Bono East Region) arrested Albert Donkor and brought him to the local police station, alleging he was involved in a series of armed robberies. Donkor died while in police custody hours later. In a departure from typical practice, police did not announce an operation or arrest had taken place until more than three weeks later.' The report added that, as of November 2022, an internal investigation into Donkor's death, among other things, had not been concluded²²⁸.

- 6.5.2 The Ghanaian Times, in an article, 'Police brief families on investigations into death of riot victim, robbery suspect at Nkoranza' (Ghanaian Times investigations article 2023), dated 17 April 2023, gave a different version of events. It reported: 'The deceased [Donkor] led the Police to the hideout of his accomplices, but they came under fire as they approached. The Police returned fire and after the exchange, Albert Donkor was found with gunshot wounds. He was rushed to a hospital but was pronounced dead on arrival.' The article stated a post mortem was carried out by an independent pathologist in August 2022 but the police were still awaiting the pathologist's report²²⁹.
- 6.5.3 Sources consulted do not refer to any further deaths in custody (see <u>Bibliography</u>).

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6.6 Enforced disappearances

- 6.6.1 The USSD 2022 and 2023 human rights reports stated: 'There were no reports of disappearances by or on behalf of government authorities.'²³⁰²³¹
- 6.6.2 No other source consulted indicated police involvement in enforced disappearances (see <u>Bibliography</u>).

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6.7 Extrajudicial killings

6.7.1 The USSD 2022 human rights report stated:

'There were a few reports that the government or its agents committed arbitrary or unlawful killings ... In February police chased a man suspected of a traffic violation into a traditional chief's palace in Yendi (Northern Region) and opened fire, killing another man and injuring eight others with stray bullets. In the immediate aftermath, police announced the suspension with reduced pay of the six officers involved, but as of November police had not released the results of an internal investigation.'²³²

- 6.7.2 The USSD did not include details as to how many reports constituted 'a few' arbitrary or unlawful killings in their report.
- 6.7.3 The USSD 2022 human rights report stated that during a protest in May 2022 following news of the death of armed robbery suspect Albert Donkor, 'Police fired live ammunition into the crowd, killing a protestor.' It reported that, as of November 2022, an internal investigation whose scope included

²³⁰ USSD, <u>Human rights report 2022</u> (section 1b), 20 March 2023

²²⁸ USSD, <u>Human rights report 2022</u> (section 1a), 20 March 2023

²²⁹ Ghanaian Times, Police brief families on investigations ..., 17 April 2023

²³¹ USSD, <u>Human rights report 2023</u> (section 1b), 22 April 2024

²³² USSD, <u>Human rights report 2022</u> (section 1a), 20 March 2023

the death of the protestor had not been concluded²³³. The Ghanaian Times investigations article 2023 reported: 'The key finding of the investigation into the circumstances surrounding the death of [the protestor] is that he died as a result of a head injury, fall and brain tumor and not as a result of a gunshot.'²³⁴

- 6.7.4 For further information on the Albert Donkor case, see <u>Deaths in custody</u>.
- 6.7.5 However, the USSD 2023 human rights report stated: 'In contrast with 2022, there were no reports the government or its agents committed arbitrary or unlawful killings, including extrajudicial killings, during the year.'²³⁵

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7. Judicial system

7.1 Organisation

7.1.1 The STAR Ghana Foundation, which works 'towards the development of a vibrant, well-informed and assertive civil society'²³⁶, in their 'Report on Access to Justice - Scoping Study of the Justice (Formal and Informal) Sector in Ghana' (STAR Ghana Foundation justice sector report 2013), dated 23 April 2013, while reporting on events over 10 years ago provided a useful description of the justice systems that remans accurate, stated:

'Access to Justice avenues in Ghana may be broadly divided into formal and informal systems. The former is almost always sanctioned by the State in the sense that they are State sponsored or are endorsed by the State. The latter are private initiatives and may or may not be state sanctioned. Indeed, they may actually be classified as illegal operatives by the State.

'The formal avenues for Access to Justice include:

1. The Regular Courts for the resolution of civil and criminal disputes-the Magistrate Court, the Circuit Court, the High Court and Regional Tribunal, the Court of Appeal, and the Supreme Court;

2. The resolution of chieftaincy disputes through the Judicial Committees of the Traditional Councils and Houses of Chiefs;

3. Quasi-judicial bodies such as the Commission on Human Rights and Administrative Justice (CHRAJ);

4. Administrative Complaints to offending institutions such as Ministries, Departments and Agencies of Government; and

5. Formal Alternative Dispute Resolution (ADR) mechanisms such as court connected ADR.

'Informal Access to Justice avenues are too diverse and numerous to be contained in any report. The major categories include:

1. Community-based dispute resolution mechanisms that resolve interpersonal disputes including criminal matters ...;

2. Chieftaincy-based ADR where chiefs as part of their general stewardship

²³³ USSD, <u>Human rights report 2022</u> (section 1a), 20 March 2023

²³⁴ Ghanaian Times, Police brief families on investigations ..., 17 April 2023

²³⁵ USSD, <u>Human rights report 2023</u> (section 1a), 22 April 2024

²³⁶ STAR Ghana, <u>About Us</u>, no date

and superintendence over their people resolve interpersonal disputes ...;

3. Faith based resolution systems and processes, where various religious groups use their Pastors, Imams etc as mediators and conciliators in the resolution of social problems against the background of religious doctrines; and

4. Extra-legal dispute resolution mechanisms by criminal groups that are disillusioned by the formal systems of Access to Justice, act in full realization that they are illegal, determine issues, give awards and specify sanctions and enforce same. ²³⁷

- 7.1.2 For more information on informal justice, see <u>Informal conflict resolution</u>.
- 7.1.3 The Republic of Ghana Judiciary, in an undated summary of the judiciary on their website, stated: 'The Judiciary is the branch of government given authority to interpret, apply and enforce the laws of Ghana. The Judiciary shall be made up of the Supreme Court, the Court of Appeal, High Court and Regional Tribunals and such Lower Courts and Tribunals as Parliament may establish and shall have the Chief Justice as the Head, who shall be responsible for its administration and supervision.'²³⁸
- 7.1.4 An undated entry on the Republic of Ghana Judiciary website, 'Hierarchy of the courts' (Republic of Ghana Judiciary hierarchy entry, undated) stated:

'There are two types of courts in Ghana;

- The superior courts, which include the Supreme Court, the Court of Appeal, the High Court and the Regional Tribunals.
- The lower courts, which include the Circuit Courts, District Courts or any other Lower Courts that parliament sets up.²³⁹
- 7.1.5 It also stated:

'The supreme court is the highest court in Ghana ... The Court is made up of not less than nine "Justices of the Supreme Court", although it usually needs five to sit at one time to hear a case. The Supreme Court deals with.

- Appeals from the Court of Appeal
- Appeals from the High court in cases involving treason,
- Applications for judicial review of High court actions.
- Application for interpretation of constitution.
- Electoral Petitions.

"... As the highest Court in the country, the decisions of the Supreme Court are final and cannot be appealed.

'The Court of Appeal is the second highest Court in the country. The Court of Appeal only deals with appeals from the Courts below it - the High Courts, Regional Tribunals and the Circuit Courts. The Court of Appeal never deals with cases being heard for the first time.

'The Court of Appeal is made up of the Chief Justice and at least 10 other

²³⁷ STAR Ghana, <u>Report on Access to Justice – Scoping Study ...</u> (pages 3 to 4), 23 April 2013

²³⁸ Republic of Ghana Judiciary, <u>Summary</u>, no date

²³⁹ Republic of Ghana Judiciary, <u>Hierarchy of the courts</u>, no date

Justices, but only three are required to hear an appeal.

'The High Court is the third highest Court in Ghana. The Court is able to deal with any case. It also tries serious criminal offences such as rape, murder, treason and it hears civil cases with value from GH 50,000.00 [GBP2,583.01 as of 14 February 2025²⁴⁰].

'The High Court also deals with criminal appeals from the Circuit Courts, and all appeals from the District Courts, the Juvenile Courts and the Family Tribunal. It is responsible for supervising the Courts below it as well. The High Court can also hear any case involving any of the fundamental human rights and freedoms in the Constitution.

'A High Court is made up of

(a) A single Justice in most cases.

(b) A single Justice and a jury (in serious criminal cases).

- (c) A single Justice with assessors (in both criminal & civil matters).
- (d) Three Justices in cases of treason.

'There are also a number of specialized high courts ..., [i]ncluding;

- Commercial court
- Land courts
- Divorce and matrimonial courts
- Probate and letters of accommodation [sic] courts ...
- Industrial/labor courts
- Financial courts
- Human Right courts

'The circuit [court] is the second lowest court in the country, and the higher of the two lower courts. The court deals with all civil cases involving sums up to GH50,000.00. [I]t also deals with cases involving landlords and tenants, and ownership, possession, or title to land[.] It can hear all criminal cases other than treason and those punishable by death. These cases are dealt with by the high court.

'The circuit courts deal with cases involving the probate and letters of administration, where the value of the property of the deceased person is not more than GH50,000.00. [T]hey deal with cases involving custody of children.

'Appeals from Circuit courts in civil cases go to the court of appeal, and in criminal cases to the high court ...

'District Courts are the lowest courts in the country ... and they also handle the highest number of cases.

'The District Courts deal with:

• Civil cases where the amount claimed does not exceed gh20,000.00

²⁴⁰ Xe.com, <u>Currency converter</u>, accessed 14 February 2025

[GBP1.033.14²⁴¹].

Criminal cases where the maximum fine is 500 penalty units or • imprisonment for a term of not more than 2 years ...

'A penalty unit is a fine of a certain amount decided by the government from time to time. At the moment, one penalty unit is Twelve Ghana Cedis (GH 12.00[)]. So a fine of 500 penalty units would be Six Thousand Ghana Cedis.

'The family courts and motor courts are both District Courts. District Courts can also be designated as Juvenile Courts to deal with criminal cases where the accused person is less than 18 years old ...

'Unlike all of the other courts that are presided over by Judges, District courts are presided by Magistrates.²⁴²

7.1.6 For information on the appointment of additional Court of Appeal justices to address delays, see Effectiveness, below.

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7.2 Effectiveness

- The BTI Ghana report 2024 stated: 'The protection of civil rights is hampered 7.2.1 by the judicial system's inadequacies and the unwillingness of community members to assist in investigations.²⁴³
- 7.2.2 The WJP Rule of Law Index 2024 measured the country's criminal justice system, including perceptions of its effectiveness, impartiality and level of corruption, and ranked Ghana 69th out of 142 countries with a score of 0.45, the same score as in 2022 and 2023^{244} .
- 7.2.3 The BTI Ghana report 2024 stated: 'Trust in the judiciary has gradually been eroded due to court actions, lack of capacity and resources, and the public perceptions of these factors.²⁴⁵ Among other things, '... high costs, the slow delivery of justice and other challenges in the judicial service mean that public confidence levels in Ghana's justice system are quite low'²⁴⁶. It stated there were 'unduly lengthy legal procedures and sometimes incomprehensible verdicts ...'²⁴⁷.
- 7.2.4 The FH FitW 2024 report stated that challenges in the judicial system included 'delays in dispensing justice'²⁴⁸. The statement was repeated from the FH FitW 2023 report ²⁴⁹.
- 7.2.5 There was no published data on the overall number of prosecutions, convictions, acquittals or sentences in the sources consulted for this note (see Bibliography).
- 7.2.6 Ghana News Agency, in an article dated 3 October 2024, reported: '[Then Attorney-General Godfred Yeboah] Dame noted that there were currently over 140 illegal mining cases involving more than 850 accused individual

²⁴¹ Xe.com, <u>Currency converter</u>, accessed 14 February 2025

²⁴² Republic of Ghana Judiciary, Hierarchy of the courts, no date

²⁴³ Bertelsmann Stiftung, BTI 2024: Ghana (page 13), 19 March 2024

²⁴⁴ WJP, WJP Rule of Law Index, 2024

 ²⁴⁵ Bertelsmann Stiftung, <u>BTI 2024</u>: <u>Ghana</u> (page 11), 19 March 2024
 ²⁴⁶ Bertelsmann Stiftung, <u>BTI 2024</u>: <u>Ghana</u> (page 11), 19 March 2024

²⁴⁷ Bertelsmann Stiftung, BTI 2024: Ghana (page 12), 19 March 2024

²⁴⁸ FH, Freedom in the World 2024 (section f1), 2024

²⁴⁹ FH, Freedom in the World 2023 (section f1), 2023

pending in courts across the Western, Eastern, Ashanti, Greater Accra, and Upper East Regions of Ghana. He said that some of the cases had been outstanding since 2020 ... '250

- 7.2.7 There was no directly comparable data for the UK, but a BBC News article dated 12 December 2024, reporting on delays in the justice system for England and Wales, stated: 'In some cases, victims reporting serious crimes such as rape won't see suspects tried for four years ...²⁵¹ The Independent, in an article dated 9 January 2025, stated: 'Court listings are now running into 2027, with prosecutors warning victims are facing wait times of between two and five years before a case goes to trial.²⁵²
- Regarding backlogs at the Ghanaian Supreme Court, Graphic Online, in an 7.2.8 article dated 8 July 2024, guoted data from a letter dated 7 February 2024 from the Chief Justice to then President Nana Addo Dankwa Akufo-Addo. Using information from the article, CPIT has created the table below to show the number of cases before the Supreme Court, the number of Supreme Court justices, the number of cases concluded and the backlog of cases, for each of the legal years from 2018/19 to $2022/23^{253}$:

Legal year	Number of cases	Number of justices	Number of cases concluded	Backlog
2018/19	761	14	559	202
2019/20	869	18	653	216
2020/21	906	16	694	221
2021/22	799	14	385	414
2022/23	939	12	344	595

Regarding prosecutions and convictions, the USSD TiP report 2024 stated: 7.2.9

'The government initiated prosecutions of 47 alleged traffickers (15 for sex trafficking, 29 for labor trafficking, and three for unspecified forms of trafficking) and continued prosecutions of two alleged sex traffickers. Courts convicted 19 traffickers under the 2005 anti-trafficking law, including 10 sex traffickers and nine labor traffickers, and sentenced them to between one month and 15 years' imprisonment. This compared with initiating prosecutions of 28 alleged traffickers, continuing prosecutions of seven alleged traffickers, and convicting 10 traffickers in 2022. In some cases, the government prosecuted alleged traffickers under the Children's Act of 1998 when there was insufficient evidence to obtain a conviction under the antitrafficking law. The government prosecuted and convicted three defendants for exploitative child labor under the Children's Act; courts issued fines to all three defendants ...²⁵⁴

7.2.10 Regarding prosecution of corruption, the NDPC progress report 2023 stated: 'The proportion of corruption cases prosecuted by the Office of the Attorney General increased to 55 percent in 2023 from 45 percent in 2021, with

²⁵⁰ GNA, <u>AG urges police to conclude investigations ...</u>, 3 October 2024
²⁵¹ BBC News, <u>Record court backlog as victims wait years for justice ...</u>, 12 December 2024
²⁵² The Independent, <u>Major justice reforms needed ...</u>, 9 January 2025
²⁵³ Graphic Online, <u>595 cases backlog ...</u>, 8 July 2024

²⁵⁴ USSD, Trafficking in Persons Report 2024 (Prosecution), 24 June 2024

ongoing investigation into some cases.²⁵⁵ It did not provide further information on this statement.

7.2.11 Regarding judicial outcomes for attacks on media houses and journalists, the MFWA media article 2023 reported:

'In what was hailed as a major push-back against impunity, a court in Accra ruled on January 13, 2023, that Ghana's National Security Coordinator, the Inspector General of Police and the Attorney General render an apology to Emmanuel Ajarfor Abugri, Editor of ... ModernGhanaonline.com for the abuse of his rights [in relation to a raid in June 2019 in which self-described national security operatives reportedly arrested, detained and tortured the editor and a reporter]. The Human Rights Division Court 2 also ordered the heads of these institutions to pay compensation and costs to the journalist. The respondents are also to pay for the journalist's gadgets ... seized by National Security agents.

'Unfortunately, ... the respondents have so far failed to comply.'256

- 7.2.12 The article reported that following an attack by 3 men on a presenter and producer at Radio Benya in Elmina in the Central Region in May 2022, "The authorities just wanted to make a show to appease the various calls for action against the attackers. The court discharged the culprits …, although it was established they were the guys who stormed our studios, and despite the evidence in the form of the studio equipment that was destroyed," Programme Manager at Benya FM, Osman Kwaku Dawood, lamented to the MFWA in a telephone chat.²⁵⁷
- 7.2.13 Referring to the physical assault of a radio presenter live on air at Dagbon FM in Tamale on 3 May 2023, the MFWA media article 2023 stated: '... [T]he World Press Freedom Day attack on Dagbon FM has received redress, albeit only symbolic. The political activist Mumuni Osman and his accomplice were on May 10, 2023, sentenced to a fine of GH¢3,600.00 (300 USD) [GBP185.95 at the exchange rate prevailing on 14 February 2025²⁵⁸] each or in default serve a custodial sentence of 18 months' imprisonment in hard labour.'²⁵⁹
- 7.2.14 Privately-owned online news portal²⁶⁰ MyJoyOnline, in an article dated 16 October 2023, reported: 'An Achimota Magistrate Court has convicted and fined the 16 New Patriotic Party (NPP) members who invaded the premises of UTV and obstructed its primetime show. According to the court, each person is to pay an amount of GH¢2400 [GBP123.70 at the rate prevailing on 14 February 2025²⁶¹].

'The convicts were charged with conspiracy to commit crime and rioting. They pleaded guilty to the charges. This follows their invasion of UTV studios on Saturday, October 7, 2023, during the live broadcast of United Showbiz.'²⁶²

²⁵⁵ NDPC, <u>2023 National Annual Progress Report</u> (page 106), June 2024

²⁵⁶ MFWA, <u>Ghana: 14 attacks on media houses in ten years, only one redressed</u>, 12 October 2023

²⁵⁷ MFWA, <u>Ghana: 14 attacks on media houses in ten years, only one redressed</u>, 12 October 2023

²⁵⁸ Xe.com, Currency converter, accessed 14 February 2025

 ²⁵⁹ MFWA, <u>Ghana: 14 attacks on media houses in ten years, only one redressed</u>, 12 October 2023
 ²⁶⁰ Multimedia Group, <u>Home</u>, no date

²⁶¹ Xe.com, <u>Currency converter</u>, accessed 14 February 2025

²⁶² MyJoyOnline, <u>NPP thugs who invaded UTV convicted; fined GH¢2,400 each</u>, 16 October 2023

- 7.2.15 For information on the law enforcement response to attacks on the media. see Response to attacks on media houses and journalists.
- 7.2.16 Regarding reforms to the judicial system, the BTI Ghana report 2024 stated: 'The government had introduced automation and fast-track courts to address shortcomings ...'²⁶³. It did not provide further details about these measures or information on their effectiveness.
- 7.2.17 Ghana News Agency, in an article dated 9 February 2022, reported 'Government of Ghana in 2018 launched the first-ever electronic criminal justice case tracking system, which tracks criminal cases from one justice sector institution to another. The CTS is currently being use in seven regions of Ghana and six Municipal [sic] and Districts in the Volta region.' The article quoted Enock Jengre, a rule of law specialist at the Legal Resources Centre, as saying at a sensitisation workshop that the CTS would address the challenge of delays in the criminal justice system.'264
- 7.2.18 There was no data on the impact of the CTS on delays, in the sources consulted (see **Bibliography**). For information on the CTS in relation to corruption, see Judicial corruption.
- 7.2.19 In an article dated 8 October 2023, Ghana News Agency reported that 17 courts in the Greater Accra Region were designed as virtual courts in 2022^{265} .
- 7.2.20 Modern Ghana, in an article, 'Court of Appeal gets 16 new Judges; five provident panel locations established' (Modern Ghana Court of Appeal article 2024), dated 25 July 2024, reported that 16 new justices had been appointed to the Court of Appeal as a response to the backlog of cases. However, it noted: 'These appointments ... will also cater for the void created by four Justices of Appeal ... who have retired from the court by virtue [of] reaching the statutory age of retirement, and a fifth Justice ... who is due to retire ...⁷²⁶⁶
- 7.2.21 A Ghana News Agency article dated 3 January 2025 reported that in his State of the Nation Address delivered the same day, then President Nana Addo Dankwa Akufo-Addo

'... highlighted major achievements, including addressing the challenges in court infrastructure. He mentioned that 100 courthouses had been constructed with 90 already completed and operational, marking the largest intervention in the judiciary's history.

"The establishment of the Court of Appeal complex in Kumasi, along with twenty (20) townhouses and a guest house for justices in the Northern Sector, now enables appeals from eleven (11) regions to be handled locally, reducing delays in justice delivery.²⁶⁷

7.2.22 For information on other measures to improve the judicial system, see Judicial corruption, Lawyers, paralegals and legal aid, Witness protection and victim support, Alternative dispute resolution and Accessibility.

- ²⁶⁴ GNA, Ghana Case Tracking System prevents delays in criminal justice ..., 9 February 2022
- ²⁶⁵ GNA, Digitization of courts, documents and processes ...', 8 October 2023
- ²⁶⁶ Modern Ghana, <u>Court of Appeal gets 16 new judges ...</u>, 25 July 2024
 ²⁶⁷ GNA, <u>President Akufo-Addo: Government has enhanced ...</u>, 3 January 2025

²⁶³ Bertelsmann Stiftung, BTI 2024: Ghana (page 12), 19 March 2024

7.3 Independence

- 7.3.1 The Fund for Peace, a nongovernmental organisation based in Washington. D.C.²⁶⁸, in their 'State Resilience Index Annual Report 2022', dated December 2022, noted: 'In practice, Ghana's robust and independent judiciary plays an important role in upholding respect for civil and political liberties.'269
- 7.3.2 The FH FitW 2023 report stated: '... [T]he judiciary has demonstrated greater levels of impartiality in recent years.²⁷⁰ The FH FitW 2024 report stated: '... [T]he judiciary has demonstrated some impartiality in recent years ...²⁷¹ The latter did not provide further information on this statement or a reason for the change.
- The USSD 2023 report stated: '... [T]he government sometimes did not 7.3.3 respect judicial independence and impartiality, and the judiciary was subject to unlawful influence ... '272 The same report stated: 'The government generally respected court orders.'273
- 7.3.4 The FH FitW 2024 report stated: 'In September 2023, former president [and incumbent president from January 2025] John Mahama accused the Akufo-Addo administration of appointing NPP [New Patriotic Party] supporters to the judiciary, calling on NDC [National Democratic Congress] supporters to become judges and "balance out" the branch.'274
- 7.3.5 The BTI Ghana report 2024 stated:

'The system [of judicial independence] appears to be stable and wellrespected. The Supreme Court has repeatedly intervened in cases where fundamental rights were endangered or procedures were in guestion, for instance when it allowed additional candidates to participate in the presidential elections in 2016, and blocked attempts to curb the freedom of the press in 2016 ... [However], the frequent "unanimous" decisions pronounced by the Supreme Court in highly charged political and constitutional matters have tended to erode public confidence and respect for the Independent judiciary ... There is no apparent evidence of government meddling in judicial procedures ...'275

7.3.6 Africa Confidential, a specialist publication on Africa, in a sidebar to an article on its website dated 10 January 2025, stated:

> 'On 17 December [2024], activist and legal academic Stephen Kwaku Asare petitioned the President to remove Chief Justice Gertrude Torkornoo for alleged misbehaviour and incompetence.

> 'In focus is Torkornoo's practice of requesting the President to appoint specific judges and later presenting them for the Judicial Council's approval. The petitioner argues that this subverts the constitutional order and means

²⁶⁸ FFP, Who We Are, no date

²⁶⁹ FFP, State Resilience Index Annual Report 2022, 7 December 2022

²⁷⁰ FH, Freedom in the World 2023 (section f1), 2023

²⁷¹ FH, Freedom in the World 2023 (section 11), 2023
²⁷¹ FH, Freedom in the World 2024 (section 11), 2024
²⁷² USSD, Human rights report 2023 (section 1e), 22 April 2024
²⁷³ USSD, Human rights report 2023 (section 1e), 22 April 2024

²⁷⁴ FH, Freedom in the World 2024 (section f1), 2024

²⁷⁵ Bertelsmann Stiftung, BTI 2024: Ghana (pages 11-12), 19 March 2024

the Judicial Council and President are merely rubber-stamping her selections. The petitioner also wants Torkornoo removed for alleged improper interference with judicial panels ...

'Mahama may try to move the petition forward. He and the NDC [Mahama's party, the National Democratic Congress] have accused outgoing President Nana Addo Dankwa Akufo-Addo of packing the Supreme Court. Currently, only two judges on the 15-judge court were appointed by a president other than Akufo-Addo. And the outcomes of many politically charged cases handled by the Supreme Court have gone against the NDC. That has fuelled accusations of anti-NDC hostility by the court and, in particular, Chief Justice Torkornoo, who selects the panel of judges for each case.'²⁷⁶

7.3.7 An update to the article, dated 13 January 2025, stated that on 6 January 2025, outgoing President Nana Addo Dankwa Akufo-Addo had dismissed the petition. However, it noted: 'This dismissal does not prevent a new petitioner trying to secure the removal of Chief Justice Torkornoo under new President John Dramani Mahama's government.'²⁷⁷

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7.4 Independence of the Attorney-General's Office

7.4.1 Graphic Online, in an article dated 12 February 2025, reported:

'The Attorney General (A-G), Dr. Dominic Akuritinga Ayine, has dismissed claims that President John Dramani Mahama influenced his decision to discontinue several high-profile criminal cases.

'Since assuming office last month, Dr. Ayine has terminated cases involving key state officials, including Finance Minister Dr. Cassiel Ato Forson and Bank of Ghana Governor Dr. Johnson Asiama.

'Speaking at a press conference in Accra on Wednesday, February 12, Dr. Ayine clarified that these decisions were made independently by his office after a thorough professional review of the cases. He emphasized that President Mahama played no role in the discontinuation of any case ...

'He added that the Constitution mandates him to act fairly, reasonably, and without bias ...

'The Attorney-General's decision affected seven major cases, including that of former Deputy Governor of the Bank of Ghana, now Acting Governor, Johnson Asiama, whose charges related to the collapse of UniBank and UT Bank were withdrawn ...

⁶Other notable cases dropped include those against activist Oliver Barker-Vormawor, Ama Governor, and others, reigniting debates on protest rights and political suppression.²⁷⁸

- 7.4.2 For more information on the Oliver Barker-Vormawor case, <u>see Human</u> rights violations by the security forces and <u>Pre-trial detention</u>.
- 7.4.3 A Modern Ghana opinion piece dated 4 October 2024 noted:

'In Ghana's current political and legal framework, the roles of the Attorney-

²⁷⁶ Africa Confidential, <u>Mahama may struggle</u> ... (sidebar), 10 January 2025

²⁷⁷ Africa Confidential, <u>Mahama may struggle to walk the talk</u> (update to sidebar), 10 January 2025 ²⁷⁸ Graphic Online, <u>A-G denies President Mahama's influence</u>...', 12 February 2025

General and the Minister of Justice are combined under a single office ...

'The Attorney-General, as the chief legal advisor to the government, is responsible for providing impartial legal counsel, prosecuting criminal cases, and protecting the public interest. In contrast, the Minister of justice is a political appointee who oversees the administration of the justice system and the formulation of legal policy. By combining these roles, there is a risk of the Attorney-General's independence and objectivity being compromised, as they may be influenced by the political considerations of the minister of Justice ...

'Critics have argued that this arrangement has contributed to the politicization of the criminal justice system, with the potential for selective prosecution and undermining of the rule of law.'279

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7.5 Appointment of judicial officers

- 7.5.1 According to Article 144 of the Constitution, the Chief Justice of Ghana is to be appointed by the President of Ghana acting in consultation with the Council of State and with the approval of the Parliament of Ghana. Article 144 also states that Supreme Court justices are appointed on the advice of the Judicial Council in consultation with the Council of State and with the approval of Parliament²⁸⁰.
- 7.5.2 GhanaWeb, in an article dated 28 February 2020, reported:

'Ghana's judiciary has begun recruiting lawyers with "high moral character and integrity" to serve as judges for the high and lower courts across the country.

'Applicants must be Ghanaians enrolled on the roll of lawyers in Ghana', a recruitment notice issued Friday said ...

'Those seeking to become high court judges must have at least 10 years' standing at the Ghana Bar and not less than five years' for those applying [to] become circuit court judges. Those with at least three years can only apply to be considered as magistrates.

'Qualified candidates shall be required to write examination and ICT proficiency test. There will also be a post examination interview.²⁸¹

- 7.5.3 For information on:
 - the dismissal of judges, see Judges and lawyers •
 - a December 2024 petition to remove the chief justice over judicial • appointments, see Judicial independence

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Corruption 7.6

The FH FitW 2023 report cited 'the perception of corruption and bribery' as 7.6.1 one factor continuing to pose challenges for the judicial system²⁸². The FH

²⁷⁹ Modern Ghana, Why Ghana Needs a Separate Attorney-General, 4 October 2024

 ²⁸⁰ The Republic of Ghana Judiciary, <u>Constitution – The Judiciary</u>, 1992
 ²⁸¹ GhanaWeb, <u>Ghana looking for lawyers with 'high moral character'...</u>, 28 February 2020

²⁸² FH, Freedom in the World 2023 (section f2), 2023

FitW 2024 report cited only 'the perception of corruption'²⁸³. The latter did not provide information specifically on the reason for the change, but it also stated: 'In August 2023, Chief Justice Gertrude Torkornoo called on Ghanaians not to pay bribes to those who allegedly work for judges.²⁸⁴

- The USSD 2023 human rights report stated: 'Judicial officials reportedly 7.6.2 accepted bribes to expedite or postpone cases, lose records, or issue favourable rulings.²⁸⁵ This information was repeated from the USSD 2022 human rights report²⁸⁶. The source did not expand on the extent to which this occurs.
- 7.6.3 The BTI Ghana report 2024 cited corruption as a reason for lack of public trust in the judicial system and referred to it as one of the system's 'most significant challenges'287.
- The ENACT Ghana profile 2023 stated: 'Corruption is a challenge within 7.6.4 Ghana's judicial system ... A high percentage of Ghanaians perceive judges and magistrates to be engaged in corrupt practices, which has led to a distrust of the court system and even instances of attempted mob justice ... [S]ome reports suggest a decrease in judicial corruption in recent years ...²⁸⁸ The profile did not define what it meant by a 'high percentage'.
- 7.6.5 For information on a joint statement on corruption issued in December 2023 by the Judicial Service and the Office of the Special Prosecutor, see Other anti-corruption bodies.
- 7.6.6 Regarding efforts to tackle judicial and other corruption, then Attorney-General and Minister for Justice, Godfred Yeboah Dame, in a statement delivered at the 10th Conference of the State Parties to the UN Convention Against Corruption (UNCAC), in December 2023 in Atlanta, reported:

'A digitised environment ultimately helps to eliminate and prevent corruption in various institutions and agencies ... The Electronic Case Distribution System (ECDS) of the Judicial Service has been extended to cover superior and circuit courts. In addition, Ghana has introduced [an] integrated Criminal Justice Case Tracking System (CTS) to enable key actors in the justice delivery system to electronically access and track the various stages of criminal cases from the point of arrest, investigation, prosecution, conviction, rehabilitation and release.

'Ghana has enacted the following legislation to deal with corruption:

'... [T]he Witness Protection Act, 2018 ... to protect persons who assist law enforcement agencies by disclosing information on acts of impropriety

"... An amendment of the Whistleblower Act ..., which introduces a reward system for whistleblowers ...

'Establishment of the Office of the Special Prosecutor ..., a significant legislative reform to give impetus to the fight against corruption ...

'[R]ecognizing that the haven for economic crimes is an atmosphere

²⁸³ FH, Freedom in the World 2024 (section f2), 2024

 ²⁸⁴ FH, <u>Freedom in the World 2024</u> (section f2), 2024

²⁸⁵ USSD, <u>Human rights report 2023</u> (section 1e), 22 April 2024
²⁸⁶ USSD, <u>Human rights report 2022</u> (section 1e), 20 March 2023
²⁸⁷ Bertelsmann Stiftung, <u>BTI 2024</u>: <u>Ghana</u> (pages 11-12), 19 March 2024

²⁸⁸ ENACT, Criminality in Ghana (Ghana profile, page 6), 2023

conducive to its concealment, and that access to information is a vital tool in the elimination of corruption, the Government of Ghana in 2019 ensured the passage of the Right to Information Act 2019 ...'289

- 7.6.7 The speech listed 8 other laws whose passage, it noted, had 'immeasurably boosted the capacity of the State in the fight against corruption'²⁹⁰.
- 7.6.8 For more information on:
 - use of technology in the judicial system, see Accessibility
 - witness protection, see Witness protection and victim support •
 - the Office of the Special Prosecutor, see Other anti-corruption bodies •

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7.7 Pre-trial detention

- 7.7.1 The FH FitW 2024 report stated: 'Constitutional protections for due process and defendants' rights are mostly upheld.²⁹¹ The statement was repeated from the FH FitW 2023 report ²⁹².
- The USSD 2023 human rights report stated that the government sometimes 7.7.2 disregarded the right of a person to challenge the lawfulness of their arrest or detention in court²⁹³. It did not give further information about this statement.
- 7.7.3 Regarding the 'reasonable time' within which the law required that a detainee was either tried or released, the USSD 2023 human rights report stated: 'The definition of "reasonable time" ... was never legally determined or challenged in the courts, and courts often struggled to come to timely decisions regarding release and often set bail at prohibitively high levels. As a result, officials rarely observed this provision.'294
- 7.7.4 The same report also stated:

'Lengthy pretrial detention was a serious problem. Officials detained some prisoners for indefinite periods by renewing warrants or simply allowing warrants to lapse while an investigation took place. Other problems included: the government keeping prisoners in extended pretrial detention (up to many months) due to police failure to investigate or follow up on cases; the loss of case files when police prosecutors rotated to other duties every three years: slow trial proceedings marked by frequent adjournments; detainees' inability to meet bail conditions that were often set extremely high even for minor offenses; and inadequate legal representation for criminal defendants. In some instances the length of pretrial detention exceeded the maximum sentence for the alleged crime.' ²⁹⁵

7.7.5 Centre for Social and Development Reform (CDS Reform), a nongovernmental organisation based in Tamale, northern Ghana²⁹⁶, in an

²⁸⁹ Godfred Yeboah Dame, Statement by Ghana ..., December 2023

²⁹⁰ Godfred Yeboah Dame, Statement by Ghana ..., December 2023

²⁹¹ FH, Freedom in the World 2024 (section f2), 2024

²⁹² FH, Freedom in the World 2023 (section f2), 2023
²⁹³ USSD, Human rights report 2023 (section 1d), 22 April 2024
²⁹⁴ USSD, Human rights report 2023 (section 1d), 22 April 2024

²⁹⁵ USSD, Human rights report 2023 (section 1d), 22 April 2024

²⁹⁶ CDS Reform, About Us, no date

undated entry on its website, reported:

'Many remand prisoners in Northern Ghana are being held in prison on expired warrant of commitment. A warrant of commitment is the document that gives the prison the authority to hold a prisoner and contains the reason why someone is in prison. The warrant of commitment of remand prisoners contains a time limit; a judge should decide every 14 days whether or not the warrant should be renewed. This often does not happen, due to system inefficiencies and lack of resources, but is an important safeguard against holding prisoners for no reason or without following due process.'²⁹⁷ The entry did not provide data on the number or proportion of remand prisoners held on expired warrants of commitment.

7.7.6 Regarding the pre-trial detention of activists, GhanaWeb, in an article dated 7 February 2025, reported that the arrests of activist Oliver Barker-Vormawor and others during the Democracy Hub protests in September 2024 'made international news headlines after the state refused to grant them bail and kept them in cells for nearly three days.

'All the [53] arrested protesters were brought before the court and charged. In October 2024, seven of the were discharged by a court in Accra after the state dropped all charges against them. The remaining protesters, including Oliver Barker-Vormawor, were released from police custody after meeting a GH¢20,000 [GBP1,030.07 as of 14 February 2025²⁹⁸] bail condition with two sureties.'²⁹⁹

- 7.7.7 For information on the withdrawal of charges against Oliver Barker-Vormawor and the other remaining Democracy Hub protesters in February 2025, see <u>Independence of the Attorney-General's Office</u>.
- 7.7.8 The USSD 2023 Human rights report stated:

'The government sought to reduce the population of prisoners in pretrial detention by placing paralegals in some prisons to monitor and advise on the cases of pretrial detainees and assist with the drafting of appeals, as well as by directing judges to visit prisons to review and take appropriate action on pretrial detainee cases. In October the government issued guidelines and encouraged prosecutors and defense attorneys to plea bargain in advance of trial.'³⁰⁰

- 7.7.9 For more information on paralegals, see Lawyers, paralegals and legal aid.
- 7.7.10 Regarding the Justice For All Programme, Citi Newsroom, in an article dated 25 July 2024, reported that 12 inmates at Nsawam Medium Prison who were awaiting trial for alleged crimes including murder had been discharged after evidence showed that little had been done to progress their cases. The article stated:

'Some of these individuals, who have been in custody for close to a decade, had made no more than four appearances in court since their arrest ...

'Despite [constitutional human rights] provisions, there are instances where individuals are kept on remand without timely prosecution of their cases.

²⁹⁷ CDS Reform, <u>Justice for All (J4A)</u>, no date

²⁹⁸ Xe.com, <u>Currency converter</u>, accessed 14 February 2025

²⁹⁹ GhanaWeb, <u>Attorney General discontinues case ...</u>, 7 February 2024

³⁰⁰ USSD, <u>Human rights report 2023</u> (section 1d), 22 April 2024

'In an attempt to address this, the Judiciary initiated the Justice for All programme [in 2007³⁰¹], where hearings are held within selected prisons for selected inmates who fall within this bracket to provide them with a hearing.

'At the Nsawam Medium Prison facility, hearings were held for 24 inmates, out of which 12 were discharged, 10 were granted bail, and two were denied bail.

'Among the discharged individuals was Kwabena Nyarko, who was arrested in July 2016 but had been on remand since then. Although he was granted bail in 2017, set at 50,000 Ghana Cedis [GBP2,583.01 as of 14 February 2025³⁰²], he could not meet the bail terms. Considering the inaction on the part of state prosecutors, Justice Kofi Akuffo [a judge on the Justice For All Programme] discharged the accused ...

'Another inmate, Samuel Owusu Addo, had been on remand for nearly 11 years for allegedly committing murder. However, state prosecutors had no evidence regarding the status of his case or details of his last court appearance. Consequently, Justice Kofi Akuffo discharged him.'³⁰³

- 7.7.11 The article reported that the programme was facilitated by a civil society organisation, the PoS Foundation, and noted: 'The judiciary has successfully reduced cases of prolonged detention through the ... programme ...'³⁰⁴
- 7.7.12 The World Prison Brief database showed that as of 3 February 2025, pretrial detainees comprised 10.5% of the prison population of Ghana. This had fallen from 28.8% in 2008³⁰⁵.
- 7.7.13 For comparison, the World Prison Brief database showed that as of 30 September 2024, the latest date for which data was available, pre-trial detainees comprised 20.3% of the prison population of the UK. This had increased from 15.3% in 2010. The database did not provide the UK figure for 2008³⁰⁶.

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7.8 Trial proceedings

- 7.8.1 The USSD 2023 human rights report further stated that the judiciary generally enforced the right to a fair and public trial³⁰⁷. The statement was repeated from the USSD 2022 human rights report³⁰⁸.
- 7.8.2 The USSD 2023 human rights report stated that although defendants had the right not to be compelled to testify, 'generally defendants were expected to testify if the government presented sufficient preliminary evidence of guilt'³⁰⁹. This information was repeated from the USSD 2022 human rights report³¹⁰.

³⁰¹ GNA, <u>Justice For All Programme discharges 12 inmates ...</u>, 25 July 2024

³⁰² Xe.com, <u>Currency converter</u>, accessed 14 February 2025

³⁰³ GhanaWeb, <u>Justice For All Programme: 12 discharged ...</u>, 25 July 2024

³⁰⁴ GhanaWeb, Justice For All Programme: 12 discharged ..., 25 July 2024

³⁰⁵ World Prison Brief, <u>Ghana</u>, updated 3 February 2025

³⁰⁶ World Prison Brief, United Kingdom: England & Wales, updated 30 September 2024

³⁰⁷ USSD, <u>Human rights report 2023</u> (section 1e), 22 April 2024

 ³⁰⁸ USSD, <u>Human rights report 2022</u> (section 1e), 20 March 2023
 ³⁰⁹ USSD, <u>Human rights report 2023</u> (section 1e), 22 April 2024

³¹⁰ USSD, <u>Human rights report 2022</u> (section 1e), 22 April 2024

7.9 Prison population

- 7.9.1 Regarding the prison population, the World Prison Brief database, hosted by the Institute for Crime & Justice Policy Research (ICPR) at Birkbeck, University of London, based on various sources, stated that as of 3 February the prison population in Ghana stood at 13,966. The figure included pre-trial detainees (unless held in police facilities) as well as convicted and sentenced prisoners³¹¹.
- 7.9.2 The same source reported that Ghana had a prison population rate the number of prisoners per 100,000 of the national population of 41. According to the 14th edition of the World Prison Brief World Prison Population List, dated 1 May 2024, based on various sources, the world prison population rate, based on United Nations estimates of national population, was 140 per 100,000. The median rate for West African countries was 50 per 100,000³¹².
- 7.9.3 For information on the proportion of remand prisoners to the overall prison population, see <u>Pre-trial detention and trial proceedings</u>.

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7.10 Death penalty

- 7.10.1 The AI death sentences report 2023 stated that 10 death sentences were imposed in Ghana in 2023 and that 180 people were known to be under sentence of death at the end of that year³¹³. It reported that no executions were carried out in 2023³¹⁴ and that the last known execution was in 1993³¹⁵.
- 7.10.2 BBC News, in an article dated 25 January 2024, reported: 'Six Ghanaians, including three soldiers, have been sentenced to death by hanging for their involvement in a coup plot three years ago ... Defence lawyers said they would appeal against the ruling in the Supreme Court.'³¹⁶

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7.11 Lawyers, paralegals and legal aid

7.11.1 The USSD 2023 human rights report stated:

'Most detainees ... could not afford a lawyer. While the constitution granted the right to legal aid, the government often did not provide it. The government had a Legal Aid Commission providing defense attorneys to those in need, but the commission was often unable to do so due to the limited number of available attorneys and high volume of cases. Defendants in criminal cases who could not afford a lawyer typically represented themselves.'³¹⁷ This information was repeated from the USSD 2022 human rights report³¹⁸.

7.11.2 The FH FitW 2024 report stated: '... [M]any people unable to afford lawyers

³¹¹ World Prison Brief, <u>Ghana</u>, updated 3 February 2025

³¹² World Prison Brief, World Prison Population List (14th edition) (page 2), 1 May 2024

³¹³ AI, <u>Death sentences and executions report 2023</u> (page 35), May 2024

³¹⁴ AI, <u>Death sentences and executions report 2023</u> (page 35), May 2024

³¹⁵ AI, <u>Death sentences and executions report 2023</u> (page 37), May 2024

³¹⁶ BBC News, <u>Ghana coup plot: Soldiers among six sentenced to death by hanging</u>, 25 January 2024

³¹⁷ USSD, <u>Human rights report 2023</u> (section 1d), 22 April 2024

³¹⁸ USSD, <u>Human rights report 2022</u> (section 1d), 20 March 2023

are forced to represent themselves in court.'³¹⁹ It did not give further information about this statement, which was repeated from the FH FitW 2023 report³²⁰.

- 7.11.3 Legal practitioner Joseph Kwaku Asamoah, course consultant at the Kofi Annan International Peacekeeping and Training Centre in Accra, in a paper, 'Removing the Barriers of Access to Justice - The role of the Legal Aid Commission in Ghana' (Asamoah 2023), dated 2023, commented: '... [T]he cost of legal services remains a major obstruction to accessing justice in Ghana.'321
- 7.11.4 Regarding the number of lawyers, Amagnya 2022 guoted a police prosecutor as stating in a research interview: '... [I]t is quite difficult to conduct prosecutions now than in the past when we [had] only a few lawyers [...], and so many cases were trialled without legal representations. However, lawyers are now everywhere, even in the villages, making it easy to access legal services ...'322
- 7.11.5 GhanaWeb, in an article dated 21 October 2023, reported that 1,074 lawyers were called to the bar in 2022, and that this number increased to 1092 in 2023. It stated that before 2022, the highest number called to the bar in any given year was 549, in 2020^{323} .
- 7.11.6 As of 7 February 2025, the Ghana Bar Association listed 8,413 lawyers nationwide in its searchable Lawyer Locator database³²⁴.
- 7.11.7 Citi Newsroom, in an article dated 15 October 2024, reported: 'Gertrude Emefa Donkor, a newly qualified lawyer and the immediate Past SRC [Students' Representative Council] President of the Ghana School of Law, has raised alarm over the shortage of lawyers in Ghana [in a TV appearance] ...

'Ms Donkor revealed that Ghana's current lawyer-to-population ratio stands at one lawyer for every 5,000 citizens, far below the ideal ratio of 1 to 250.'325

- 7.11.8 TBD Marketing, a London-based marketing agency for law firms³²⁶, in an entry on its website dated 12 December 2023, stated that the UK has one lawyer for every 648 people. It noted that the definition of 'lawyer' varies depending on the jurisdiction³²⁷.
- 7.11.9 Regarding legal aid, section 2 of the Legal Aid Scheme Act 1997 provided that a person is entitled to legal aid if they earn the minimum wage or less³²⁸. MyJoyOnline, in an article dated 6 February 2025, stated: 'As of February 2025, Ghana's national daily minimum wage stands at 18.15 cedis [GBP0.94³²⁹], or approximately 363 cedis [GBP18.87] per month, based on a

³¹⁹ FH, <u>Freedom in the World 2024</u> (section f2), 2024

³²⁰ FH, Freedom in the World 2023 (section f2), 2023

³²¹ Asamoah, JK, <u>Removing the Barriers of Access to Justice</u> ... (page 99), JLGP, 2023

³²² Amagnya, MA, <u>Due process in police-led ...</u> (page 19), IJPSM, 31 March 2022 ³²³ GhanaWeb, <u>From 11 to 1097 – All the calls to Ghana bar since 1928</u>, 21 October 2023

³²⁴ Ghana Bar Association, Lawyer Locator, accessed 7 February 2025

³²⁵ Citi Newsroom, Ghana needs more lawyers to ensure justice for all ..., 15 October 2024

³²⁶ TBD Marketing, TBD Marketing Agency for Lawyers, no date

³²⁷ TBD Marketing, <u>Which country has the most lawyers per head?</u>, 12 December 2023

³²⁸ Ghana Legal, Legal Aid Scheme Act (section 2), 1997

³²⁹ Xe.com, <u>Currency converter</u>, accessed 7 February 2025

20-working-day calculation.'330

- 7.11.10 Asamoah 2023 stated: 'The Legal Aid Commission (LAC) plays an important role in providing representation to the poor in both criminal and civil cases. However, despite the important role of legal aid in the justice delivery system, the Legal Aid Commission is faced with inadequate central government funding leading to the exclusion of many poor and vulnerable people from the justice net.³³¹
- 7.11.11 The paper also stated: '[The Legal Aid Commission Act 2018] enjoin[s] the Commission to establish offices in all regional and district capitals respectively to provide legal advice and services to the poor and the vulnerable in society. The aim of these provisions is to expand the frontiers of access to justice to cover all qualified persons irrespectively of geographical location. However, in the performance of its functions, the Commission is faced with myriad of operational and administrative challenges. This includes inadequate human capital, inadequate and poor state of infrastructures, lack of effective publicity and outreach programmes, lack of capacity building for staff, and low remunerations for staff.'332
- 7.11.12 For information on geographical discrepancies in the accessibility of the judicial system, see Accessibility.
- 7.11.13 Ghana's Ministry of Finance, in their 'Office of the Legal Aid Commission: Programme Based Budget Estimates for 2024' (MoF legal aid budget estimates for 2024), which did not provide a publication date, stated:

'The [Legal Aid] Commission received 4,580 Court cases [in 2023] and resolved 1,370 cases in the various courts. These cases were made up of Civil and Criminal cases which include Marital/Matrimonial, Maintenance, Divorce, Manslaughter, Murder, Rape, Defilement, among others.

'Regarding Alternative Dispute Resolution, the Commission received 7,934 cases and resolved 4,260. These cases were made up of Landlord/Tenancy, Debt recovery, Family related matters, among others.³³³

- 7.11.14 Regarding public awareness of legal aid, the MoF legal aid budget estimates for 2024 stated: 'Under public education the Commission [in 2023] continued with its education and sensitization of the general public on the services of the Commission. These educational programs are done on various radio, tv stations and other media channels in the various regions and districts.³³⁴
- 7.11.15 Regarding the number of legal aid lawyers, a policy brief by Ghanaian nongovernmental organisation³³⁵ Legal Resources Centre, 'Access to Justice and Legal Aid in Ghana; Exploring the Role of Legal Aid Commission' (LRC policy brief 2022), dated August 2022, reported: 'Available data as at 17th June, 2022 suggests that Ghana had a total of 4,199 lawyers in good standing. However, as at June 2021 the Legal Aid Commission had only 35 lawyers to render legal services to over 30 million Ghanaians. The implication of this gap is that the demand for legal aid services far outweighs

- ³³¹ Asamoah, JK, <u>Removing the Barriers of Access to Justice ...</u> (page 100), JLGP, 2023
 ³³² Asamoah, JK, <u>Removing the Barriers of Access to Justice ...</u> (pages 108-109), JLGP, 2023
- ³³³ MoF, <u>2024 Programme Based</u> ... (Office of the Legal Aid Commission, page 11), no date ³³⁴ MoF, <u>2024 Programme Based</u> ... (Office of the Legal Aid Commission, page 11), no date
- ³³⁵ LRC, About LRC, no date

³³⁰ MyJoyOnline.com, Understanding Ghana's National Tripartite Committee ..., 6 February 2025

supply ...'336

7.11.16 It also stated: '... [O]nly about half of the people who apply for legal aid services offered by the Commission are able to access it due to inadequate staffing at the Commission ... The whole of the Northern, North East and Savannah regions [combined] have only one Legal Aid lawyer to offer varied legal support services to persons who require legal aid services in these regions. Similarly, Upper West and Votal/Oti regions each has one Legal Aid lawyer ...'337

7.11.17 Ghana News Agency, in an article dated 11 May 2023, reported:

'International Federation of Women Lawyers (FIDA) has organised a training course at Peduase in the Eastern Region to prepare paralegals for assisting citizens, women, children, and Persons with Disabilities (PWDs) to access justice easily.

'Paralegals are trained to assist lawyers in providing legal services to clients, including conducting legal research, drafting legal documents and interviewing witnesses.' It stated that there would be 20 participants for 3 days of training³³⁸.

7.11.18 In an article dated 31 October 2024, Ghana News Agency stated:

'The United Nations Development Programme (UNDP) has collaborated with the Legal Aid Commission (LAC) to organize paralegal training designed to empower volunteers and LAC personnel to assist poor and vulnerable individuals in accessing legal aid services.

'The paralegals, who are to provide front-end services at police stations and work with prison officers, will learn about investigation and prosecution processes and components of common crimes.

'... [T]he workshop is hosting about 48 participants ...'339

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7.12 Witness protection and victim support

7.12.1 The Platform to Protect Whistleblowers in Africa (PPLAAF), an NGO based in France, Senegal and South Africa³⁴⁰ that provides legal, media, advocacy and other services for whistleblowers³⁴¹, stated in a report 'Whistleblowers in Ghana: overview of the legal framework and practices' (PPLAAF Ghana report 2023), dated December 2023:

'Ghana's Witness Protection Act establishes a Witness Protection Agency to provide protection to "persons who possess important information and face potential risk or intimidation due to their cooperation with the law enforcement agencies with respect to investigation and prosecution." However, there is no evidence that the law has been implemented effectively.

'In deciding whether to include a witness in the Witness Protection

 ³³⁶ LRC, <u>Access to Justice and Legal Aid in Ghana ...</u> (page 1), August 2022
 ³³⁷ LRC, <u>Access to Justice and Legal Aid in Ghana ...</u> (page 5), August 2022
 ³³⁸ GNA, <u>FIDA trains paralegals towards improved access to justice ...</u>', 11 May 2023

³³⁹ GNA, <u>UNDP, LAC boost legal aid with paralegal training</u>, 31 October 2024

³⁴⁰ Idealist, <u>Plateforme de Protection des Lanceurs d'Alerte Africains</u>, no date

³⁴¹ PPLAAF, Frequently asked questions (Why we are different), no date

Programme, the Attorney-General must consider: (a) the seriousness of the offense which the relevant evidence or statement relates to, (b) the nature and importance of any relevant evidence or statement, (c) the nature of the perceived danger to the witness, (d) the nature of the relationship of the witness with other witnesses being assessed for inclusion, (e) any psychological or psychiatric evaluation of the witness, and (g) whether there are viable alternative methods of protecting the witness, and (g) whether the witness has a criminal record. Authorized protective action includes allowing witnesses to establish a new identity, relocating witnesses, providing accommodation for witnesses, providing transport for the property of witnesses, providing reasonable financial assistance to witnesses, and providing counselling and vocational training services to witnesses.³⁴²

7.12.2 The Open Government Partnership, which brings together 77 countries, 150 local governments and 'thousands' of civil society organizations and works to promote transparent and accountable governance³⁴³, in an entry on their website, dated 2023, reported:

'The Witness Protection Act, 2018 ... was passed by the Parliament of Ghana to establish a Witness Protection Agency, provide for a Witness Protection Programme and for related matters. The [government's] commitment [to provide effective protection for witnesses in criminal trials] sought to actualize implementation of the law by advocating for the establishment of the Witness Protection Agency and promoting public awareness through civic education, sensitization programs, and stakeholder trainings. ... [A] revised commitment incorporated public-facing milestones, including nationwide public education and awareness campaigns, and broadening of the audience for training beyond security agencies to encompass a wider stakeholder engagement.

'The five milestones foreseen in this commitment were not implemented. A review of the Office of the Special Prosecutor website indicates three steps available to protect the safety and welfare of a witness, but does not provide further information on how these are coordinated, nor how such services can be sought. A review of the published Budget Estimates for Ministries, Departments, and Agencies does not show any financial allocation for the Witness Protection Agency ...'³⁴⁴

- 7.12.3 There was no more recent information on implementation of the Witness Protection Act, in the sources consulted (see <u>Bibliography</u>).
- 7.12.4 The BTI Ghana report 2023 stated: '... [C]hallenges [in the judicial system] include inadequate resources available to victims.'³⁴⁵
- 7.12.5 The ENACT Ghana profile 2023 stated:

'Victim and witness support programmes in Ghana encounter significant limitations and challenges. Efforts have been made to expand the provision of trauma-informed care to rescued victims of human trafficking through the refurbishment of a new secretariat. Progress has been observed in supporting human trafficking victims, but assistance for drug users remains scarce, with only a few state-funded facilities offering rehabilitation and

³⁴² PPLAAF, Ghana Country Report (page 14), December 2023

³⁴³ OGP, <u>About</u>, no date

³⁴⁴ OGP, Witness Protections (GH0030), no date

³⁴⁵ Bertelsmann Stiftung, <u>BTI 2024: Ghana</u> (page 13), 19 March 2024

treatment. Witness and victim support primarily relies on private rehabilitation institutions, often funded by religious organizations. However, the absence of shelters for victims of other crimes raises doubts about the impartiality, independence, and professionalism of the support efforts for victims and witnesses in Ghana.³⁴⁶

7.12.6 Regarding protection for victims of human trafficking, the USSD TiP report 2024 stated:

'The government increased victim protection efforts. The government reported identifying and referring to services 944 trafficking victims (including 123 sex trafficking victims and 821 labor trafficking victims) in 2023, compared with identifying and referring 574 victims 2022. The majority of identified victims were children (505). Most identified victims were also Ghanaian (616) ...

'Observers noted the government increased interagency coordination on victim protection and its collaboration with civil society. The government continued implementing SOPs [standard operating procedures] to identify trafficking victims and refer them to services, and it developed an abridged, child-friendly version of the procedures to use with child victims. The government trained social workers, service providers, law enforcement, and NGOs on the SOPs ...

'The government operated a shelter for adult female trafficking victims and, with an international organization's support, operated a shelter for child trafficking victims. Two government-run shelters for child abuse victims could accommodate child trafficking victims. Officials could also refer victims to 12 private shelters, including two shelters that could accommodate adult male victims. However, observers reported overall shelter capacity, especially for child trafficking victims and victims in rural areas, remained insufficient. Government services for trafficking victims included shelter, medical care, needs assessments, psycho-social care, education and skills training, interpretation for foreign national victims, assistance obtaining identity documents, registration with the national health service, and assistance during legal proceedings. Through its Human Trafficking Fund (HTF) and DSW [Department of Social Welfare], the government expended 2,050,000 Ghanaian cedis (\$172,270) [GBP105,900.29 as of 14 February 2025³⁴⁷] for victim services and shelter operations in 2023, a significant increase compared with expending 1,440,000 cedis (\$121,010) [GBP74,399.50 as of 14 February 2025³⁴⁸] in 2022.'349

- 7.12.7 Regarding survivors of rape, Jacob Mensah Agboli, of the Narcotics Control Commission, Accra, in a paper published on 5 December 2023, based on various sources, stated: '... [R]ape victims in Ghana receive no psychological or social support.' He added that they receive no compensation³⁵⁰.
- 7.12.8 For further information on support for survivors of gender-based violence, see <u>Response to gender-based violence</u>.

³⁴⁶ ENACT, <u>Criminality in Ghana</u> (Ghana profile, page 7), 2023

³⁴⁷ Xe.com, <u>Currency converter</u>, accessed 14 February 2025

³⁴⁸ Xe.com, <u>Currency converter</u>, accessed 14 February 2025

³⁴⁹ USSD, <u>Trafficking in Persons Report 2024</u> (Protection), 24 June 2024

³⁵⁰ Agboli, JM, <u>Dealing With Rape Cases in Ghana</u> (page 16), SOTRP, 5 December 2023

7.13 Alternative dispute resolution (ADR)

7.13.1 Lawyer Monthly, a news website and monthly legal publication³⁵¹, in an article dated 30 September 2022, stated: 'The Alternative Dispute Resolution Act, 2010 (Act 798) codified the practice of ADR in Ghana and serves as the foremost legislative framework that governs the various forms of ADR within the country.'³⁵²

7.13.2 It also reported:

'... [A]rbitration, mediation and negotiation are the primary and prevalent systems of ADR available in Ghana today. Mediation and negotiation are non-adjudicatory, whereas arbitration is adjudicatory.

'During arbitration, parties to a dispute may submit their case to a neutral third party whose role is to evaluate the arguments of each party and render a decision based on the substantive merits of the case. The neutral third party shall then issue a final decision which becomes an award that is binding on the parties. A Ghanaian High Court may enforce the arbitral tribunal's decision through enforcement proceedings initiated by a successful party.

'On the other hand, mediation, which is also known as assisted negotiation, involves parties employing the services of a neutral third party to act as a facilitator who assists the parties in resolving their common dispute. Parties can enter into a mediated agreement if mediation is successful.

'Regarding negotiation, parties, either on their own or through their representatives, may convene and attempt to resolve their issues without the involvement of a third party. This is undertaken by exchanging offers and counteroffers with the aim of reaching a settlement through negotiation. In cases where negotiation is successful, the parties may enter into a negotiated settlement which may form the basis of a consent judgment that may then be formally adopted in a Ghanaian court if the negotiation is court-connected.'³⁵³

7.13.3 Ghana News Agency, in an article dated 1 March 2024, reported: 'The Judicial Service of Ghana, has since 2005, successfully settled 36,191 cases representing 47 percent of the 77,264 mediated cases through its Alternative Dispute Resolution (ADR) system ...' It noted: 'The ADR process [has] created space and the necessary environment for people, particularly the poor and vulnerable, to meaningfully access justice³⁵⁴.

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7.14 Informal conflict resolution

- 7.14.1 For information on the categories of informal justice, see Organisation.
- 7.14.2 The BTI Ghana report 2024 stated: 'Informal arbitration procedures, such as those through traditional rulers or elders, are more easily accessible [than expensive formal justice] and still play an important role, particularly in rural

³⁵¹ Lawyer Monthly, <u>About</u>, no date

³⁵² Lawyer Monthly, <u>The Adoption of ADR in Ghana</u>, 30 September 2022

³⁵³ Lawyer Monthly, <u>The Adoption of ADR in Ghana</u>, 30 September 2022

³⁵⁴ GNA, <u>ADR resolves 36,191 cases in 19 years</u>, 1 March 2024

areas.'355

7.14.3 The STAR Ghana Foundation justice sector report 2013 stated that community-based dispute resolution mechanisms 'sometimes illegally resolv[e] issues involving felonies such as murders and rape without knowing that they are acting illegally' and that chieftaincy-based ADR 'again, sometimes illegally resolv[es] issues involving felonies'³⁵⁶.

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7.15 Accessibility

- 7.15.1 The BTI Ghana report 2024 stated: 'The average citizen finds the cost of going to court too expensive, meaning that only those with financial means can afford legal proceedings.'357
- 7.15.2 For information on affordability and availability of lawyers, see Lawyers, paralegals and legal aid.
- 7.15.3 Regarding accessibility for people with disabilities, the USSD 2023 human rights report stated: 'The law prohibited discrimination against persons with disabilities and protected the rights of persons with disabilities to have access to ... the judicial system, and other state services ... but the government did not effectively enforce the law³⁵⁸. The statement was repeated from the USSD 2022 human rights report³⁵⁹.
- 7.15.4 Regarding geographical accessibility, the Republic of Ghana Judiciary hierarchy entry, undated, stated: 'The [Supreme Court] sits only in Accra.' It did not provide corresponding information for the Court of Appeal. It reported: 'There is at least one high court in each of the regional capitals in Ghana', adding that specialist high courts, such as commercial courts and land courts, were found 'in some places'. It did not provide further information on this statement. It also reported: 'Circuit courts [are] found in the regional and district capitals of Ghana.' Regarding District Courts, it stated, without giving further information: 'These are the most accessible Courts ... The District Courts are found in most districts in Ghana.'360
- 7.15.5 The Modern Ghana Court of Appeal article 2024 reported that provident panels of the Court of Appeal would be established in 5 locations around the country. It did not specify a time frame for their establishment³⁶¹.
- 7.15.6 Musah 2023, discussing the findings of fieldwork conducted in the Sawla-Tuna-Kalba District in the Savannah Region between October 2022 and January 2023, guoted a respondent from the police service as stating: 'We operate in a district without a court where people can seek justice. We rely on Bole District Court, Tamale and Wa for any justice administration. The public blame us for not prosecuting offenders whilst due to distance and cost to the various courts, they are often discouraged from seeking justice from the court but prefer settling criminal cases at home or refuse to cooperate

³⁵⁵ Bertelsmann Stiftung, <u>BTI 2024: Ghana</u> (page 12), 19 March 2024

³⁵⁶ STAR Ghana Foundation, <u>Report on Access to Justice</u> (pages 3-4), 28 April 2013

 ³⁵⁷ Bertelsmann Stiftung, <u>BTI 2024: Ghana</u> (page 12), 19 March 2024
 ³⁵⁸ USSD, <u>Human rights report 2023</u> (section 6), 22 April 2024
 ³⁵⁹ USSD, <u>Human rights report 2022</u> (section 6), 20 March 2023
 ³⁶⁰ Republic of Ghana Judiciary, <u>Hierarchy of the courts</u>, no date

³⁶¹ Modern Ghana, <u>Court of Appeal gets 16 new judges</u> ...', 25 July 2024

with the police by supplying the needed evidence.³⁶²

- 7.15.7 The USSD TiP report 2024 stated: 'Judicial resources were concentrated in urban areas, leaving some victims in rural communities with limited access to the formal justice system.³⁶³
- 7.15.8 Similarly, Asamoah 2023 commented:

'The concomitant effect of the imbalanced geographical distribution of the courts in Ghana is that indigents and rural dwellers will have limited physical access to justice. While the courts are predominantly situated in areas of economic buoyance, places with high population density with limited economic resources, on the other hand, are often denied construction of court premises. This is demonstrated by the fact that although the land size of Accra, the capital city of Ghana, is smaller than other Regions, the capital city has more High Courts than other Regions with large land coverage. The impact of geographical distance to courts in Ghana, especially in rural areas, is that people are not able to access justice due to the costs of travel to court by parties with the associated high transport cost to lawyers ...'³⁶⁴

- 7.15.9 For information on the introduction of virtual courts, see Effectiveness.
- 7.15.10 Regarding access to justice for women, Adongo and others 2023 observed: ... [M]ore women than men use the informal justice system because they lack the resources to meet the requirements of litigation in the formal court system ...'³⁶⁵
- 7.15.11 With regard to accessibility of the judicial system to people with disabilities, Gifty Owusu, of Kwame Nkrumah University of Science and Technology, Ghana, Maxwell Peprah Opoku, Joslin A Dogbe, Wisdom Kwadwo Mprah, William Nketsia and Vincent Opoku Karikari, in a paper, 'Criminal justice in Ghana as experienced by people with disabilities: An analysis of the availability, accessibility, acceptability, and quality of services', dated 13 April 2022, based on various sources including interviews with 20 people, stated: '... [W]e found that the criminal justice system was unfriendly toward persons with disabilities due to factors such as lack of funds, inaccessible physical environments, language and communication barriers, and negative attitudes towards persons with disabilities.'366
- 7.15.12 Ghana News Agency, in an article dated 27 December 2023, observed: 'Court users who are physically challenged or aged find it difficult to access the Kaneshie District Court. This is because it is disability unfriendly. Consequently, such people are often carried to the Court to seek redress.

'Judges, occasionally descend to use a different room in the building for cases involving physically challenged persons. The aged, some very weak, have the difficult task of climbing the first or second floor of the building to access justice. The staircases on the building have long intervals, making it impossible for people with severe disabilities to access the courtrooms.

7.15.13 The Republic of Ghana Judiciary, in an undated article on its website, reported that among the features of 2 new courts being opened in the

³⁶⁴ Asamoah, JK, <u>Removing the Barriers of Access to Justice</u> ... (page 99), JLGP, 2023

³⁶² Musah, H, <u>Violent crime and security challenges</u> ... (pages 101-102), IJARSS, September 2023 ³⁶³ USSD, Trafficking in Persons Report 2024 (Prosecution), 24 June 2024

 ³⁶⁵ Adongo, AA, and others, <u>Gender and Access to Justice ...</u> (page 65), CSS, 2023
 ³⁶⁶ Owusu, G, and others, <u>Criminal justice in Ghana ...</u> (Abstract),

Greater Accra Region were 'ramps to aid movement of persons with disability.'³⁶⁷

- 7.15.14 Regarding the closure of courts because of insecurity, GhanaWeb, in an article dated 1 November 2024, reported that the chief justice had temporarily closed 7 courts in the Upper East Region because of tensions in Bawku³⁶⁸. Citi Newsroom, in an article dated 9 November 2024, stated that the chief justice had ordered the reopening of 4 of the courts³⁶⁹. There was no further information on the status of the other 3 courts, in the sources consulted for this note (see <u>Bibliography</u>).
- 7.15.15 For information on the accessibility of the security forces, see <u>Accessibility of</u> <u>law enforcement</u>.

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8. Oversight and accountability

8.1 Police

8.1.1 The ICLA/CHR use of force website entry 2022 stated:

'In Ghana, there is no fully independent, specific police oversight body. The Inspector-General of Police as the head of the Police Service is directly responsible for the operational control and administration of the national police. Referrals for disciplinary action are forwarded to him by the Police Intelligence and Professional Standards Bureau.

'The external Police Council also has the power to recommend disciplinary action for police officers. Regional Police Committees advise the Police Council on any matter relating to the administration of the Police Service in a specific region.

'Ghana's Commission for Human Rights and Administrative Justice is mandated to consider complaints of human rights violations by a public official, including a police officer.'³⁷⁰

- 8.1.2 For information on the commission's other mandates and effectiveness, see <u>Commission for Human Rights and Administrative Justice (CHRAJ)</u>.
- 8.1.3 The USSD 2022 human rights report stated:

'Impunity remained a significant problem in the Ghana Police Service, particularly regarding corruption and bribery. The investigation and complaints processes did not effectively address reports of abuses and bribery. Results of internal police investigations were almost never publicly released.

'Corruption, brutality, uneven training, lack of oversight, and an overburdened judicial system contributed to police impunity ... The Office of the Inspector General of Police and the Police Professional Standards Board investigated claims of excessive force by police force members.'³⁷¹

8.1.4 The USSD 2023 human rights report stated: 'Impunity was a significant

- ³⁶⁹ Citi Newsroom, <u>Bawku conflict: Chief Justice orders reopening ...</u>, 9 November 2024
- ³⁷⁰ ICLA/CHR, <u>Law on police use of force in Ghana</u> (Police oversight), updated 2022

³⁶⁷ Republic of Ghana Judiciary, <u>Access to Justice at Grassroots ...</u>, no date

³⁶⁸ GhanaWeb, <u>CJ defends closure of courts amid rising Bawku conflict ...</u>, 1 November 2024

³⁷¹ USSD, <u>Human rights report 2022</u> (section 1e), 20 March 2023

problem in the Police Service³⁷². It did not provide further information on this statement.

- 8.1.5 The GNA civil society article 2024 reported that 34 civil society organisations that released a joint statement following the September 2024 Democracy Hub protest had demanded an independent investigation into the conduct of law enforcement agencies³⁷³.
- 8.1.6 There was no information on any response to their demand, in the sources consulted for this note (see Bibliography).

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8.2 Armed forces

- 8.2.1 The USSD 2023 human rights report stated that following an armed forces operation in the Accra suburb of Ashaiman in March 2023, in which soldiers ill-treated detainees, the armed forces conducted an internal investigation but did not release the results³⁷⁴.
- 8.2.2 The AI Ghana annual report for 2023 stated: 'The deputy defence minister apologized that innocent people were caught up in the operation. Parliament's Committee on Defence and the Interior stated that it had conducted investigations but, at the end of the year, no report had been published.'375
- GhanaWeb, in an article dated 27 January 2024, stated that the Committee 8.2.3 on Defence and the Interior had presented its final report on the Ashaiman incident. The committee's recommendations included compensation for those injured and prosecution of the military personnel involved³⁷⁶.
- 8.2.4 There was no information on whether the committee's recommendations had been implemented, in the sources consulted (see Bibliography).
- 8.2.5 For more information on the Ashaiman incident, see III-treatment and torture.

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8.3 Judges and lawyers

- The Republic of Ghana Judiciary website featured an online complaints 8.3.1 form³⁷⁷.
- 8.3.2 Graphic Online, in an article dated 6 December 2023, reported:

'A judge who had an amorous relationship with a woman in a divorce petition which was pending in his court, has been dismissed by the Judicial Service of Ghana ...

'The Chief Justice of Ghana, Justice Gertrude Torkornoo, in a letter dated November 13, 2023, sighted by the Daily Graphic, informed Alfred Kwabena Asiedu that he had been dismissed from the Judicial Service.

"The Disciplinary Committee, after investigating the above-mentioned matter, found that you misconducted yourself as a Judge as there was

³⁷² USSD, <u>Human rights report 2023</u> (section 1c), 22 April 2024
³⁷³ GNA, <u>CSOs slam Police for "manhandling, arbitrary arrest"</u>..., 30 September 2024
³⁷⁴ USSD, <u>Human rights report 2023</u> (section 1c), 22 April 2024

³⁷⁵ AI, Human rights in Ghana 2023, 24 April 2024

³⁷⁶ GhanaWeb, Full text: Parliamentary committee report on Ashaiman ..., 27 January 2024

³⁷⁷ Republic of Ghana Judiciary, Lodge a Complaint, no date

ample evidence that you were involved in an improper relationship with the Petitioner, who had a divorce case pending before you," [the letter stated].'378

- Regarding lawyers, the MoF Attorney-General budget estimates for 2024 8.3.3 stated that in 2023, the General Legal Council (Ghana School of Law) 'successfully disposed of 95 disciplinary cases against Lawyers, out of 180 Complaints received.'379 It did not provide information on the outcome of the cases.
- 8.3.4 For information on a petition to remove the chief justice, and its subsequent dismissal, see Independence.

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- Commission for Human Rights and Administrative Justice (CHRAJ) 8.4
- 8.4.1 The BTI Ghana report 2024 stated: 'The Commission for Human Rights and Administrative Justice aims to protect and preserve human rights.³⁸⁰
- 8.4.2 Al, in a report, 'Anti-corruption fights in peril: Crackdown on anti-corruption human rights defenders in West and Central Africa', dated July 2023, stated: ... Ghana's independent Commission for Human Rights and Administrative Justice (CHRAJ) has the legal authority to undertake preventive, investigative and punitive actions related to corruption and human rights violations ...'381
- Modern Ghana, in an article dated 25 November 2024, reported: 'The 8.4.3 Commission on Human Rights and Administrative Justice (CHRAJ) has called for the prosecution of the Board of Trustees of the National Cathedral Project, citing violations of Ghana's procurement laws.³⁸²
- 8.4.4 In an article dated 4 December 2024, Graphic Online reported that the head of the CHRAJ had deployed 300 observers nationwide to monitor the 7 December general election³⁸³.
- 8.4.5 Regarding awareness, the GSS bribes report 2023 stated that only 36.5% of 15,000 respondents surveyed in 2021 were aware of the existence of the CHRAJ³⁸⁴.
- 8.4.6 Similarly, the BTI Ghana report 2024 stated of the CHRAJ: '... [O]rdinary citizens remain largely unaware of its existence or of its lack of resources.'385

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Other anti-corruption bodies 8.5

The ENACT 2023 Ghana profile stated: '... [E]nforcement [of anti-corruption 8.5.1 legislation] challenges persist, and anti-corruption bodies face concerns regarding their independence and limited resources.' It also reported: 'Corruption investigations are often hindered by the involvement of officials in

³⁷⁸ Graphic Online, CJ fires judge over misconduct, 6 December 2023

³⁷⁹ MoF, <u>2024 Programme Based</u> ... (Office of the Attorney-General ..., section 3), no date

 ³⁸⁰ Bertelsmann Stiftung, <u>BTI 2024: Ghana</u> (page 13), 19 March 2024
 ³⁸¹ AI, <u>Anti-Corruption Fight in Peril – Crackdown on Human Rights Defenders ...</u>, July 2023
 ³⁸² Modern Ghana, <u>CHRAJ recommends prosecution of National Cathedral ...</u>, 25 November 2024 ³⁸³ Graphic Online, CHRAJ deploys 300 election observers, 4 December 2024

³⁸⁴ GSS, Enhancers and Barriers to the Payment of Bribes (page 31), March 2023

³⁸⁵ Bertelsmann Stiftung, <u>BTI 2024: Ghana</u> (page 13), 19 March 2024

the entities responsible for probing such cases.'386

8.5.2 The FH FitW 2024 report stated:

'Legislation adopted in 2017 established the Office of the Special Prosecutor (OSP) as an additional institution to investigate official and private corruption. Kissi Agyebeng, a lawyer and academic, became the special prosecutor in 2021 following the resignation of Martin Amidu, the first person to hold the role. Amidu had resigned in 2020, citing a lack of resources and interference from the executive. In its June 2023 report, the OSP said four criminal cases were pending in Ghanaian courts, including that of the Public Procurement Authority's former chief executive. In July, the OSP announced the arrest of Cecelia Abena Dapaah, who had resigned as minister of sanitation days before, on suspicion of corruption.

'In November 2023, Agyebeng said recent judicial decisions were undermining the OSP's work in prosecuting Akufo-Addo appointees accused of corruption and threatened to resign. In a joint statement issued by the OSP and Judicial Service in December, both institutions resolved to work together to fight corruption.'³⁸⁷

- 8.5.3 For more information on corruption in the judicial system, see <u>Judicial</u> <u>corruption</u>.
- 8.5.4 The ENACT Ghana profile 2023 commented: '... [T]he effectiveness of some institutions, such as the Office of the Special Prosecutor and the Auditor General, is still dependent on various factors, including government support, resource allocation, and public pressure. Despite the challenges, however, the work of these entities has proven to be critical in exposing corruption cases and financial improprieties over the years.'³⁸⁸
- 8.5.5 Ghana News Agency, in an article dated 19 January 2024, reported: 'The Office of the Special Prosecutor says it is investigating over 152 cases of corruption at various stages ...'³⁸⁹
- 8.5.6 Regarding awareness, the GSS bribes report 2023 stated that only 28.2% of respondents were aware of the existence of the OSP³⁹⁰.

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³⁸⁶ ENACT, <u>Criminality in Ghana</u> (Ghana profile, page 6), 2023

³⁸⁷ FH, <u>Freedom in the World 2024</u> (section c2), 2024

³⁸⁸ ENACT, <u>Criminality in Ghana</u> (Ghana profile, page 6), 2023

³⁸⁹ GNA, OSP Report: More than 150 corrupt cases ..., 19 January 2024

³⁹⁰ GSS, Enhancers and Barriers to the Payment of Bribes (page 31), March 2023

Annex A: ACCORD correspondence

The excerpt below was provided to CPIT by the Austrian Centre for Country of Origin and Asylum Research and Documentation (ACCORD).

In correspondence with ACCORD for their <u>Query Response on Ghana: State</u> <u>Protection in Connection with the Bawku Conflict [a-12451]</u> (in German), Dramani Aminu, senior lecturer at the Kwame Nkrumah University of Science and Technology (KNUST) in Kumasi, Ghana, commented:

'Regarding your questions, I don't think anyone can say that there is no security in Ghana. However, the country is facing serious security issues. [...] In the case of Bawku, I don't see how the state can provide sufficient security that can ensure public safety if the state, by way of politicians and people in power, is directly involved in stirring the violence. The current Vice President, for instance, is heavily accused of being responsible for the latest resumption of the Bawku crisis. He is blamed for supplying arms, AK 47, to one side of the factions who are his tribe's men.' (11 November 2024)

'The best luck we have regarding this conflict has to do with the fact that, once a person is out of Bawku and its environs, he/she is safe and adequately safe as far as the conflict is concerned. In fact, in the past few years, one only had to move from the Bawku municipality and he/she is out of threats. So, in those days, once a person moved from Bawku to a nearby town, say Pusiga, this individual was safe. With the prolongation of the conflict, however, this is no longer the case. One thing the state must put measures in place to prevent is not to allow the parties to engage in any act that can trigger the crisis down south (e.g. Accra and Kumasi) where several of the two primary actors in the conflict live in the same geographical areas. Let's not forget that the country has witnessed such a situation before during the Konkomba-Nanonba conflict. For now, once outside Bawku and its environments, the is little to no threat at all to lives and property so far as this particular conflict is concerned.' (14 November 2024)

Research methodology

The country of origin information (COI) in this note has been carefully selected in accordance with the general principles of COI research as set out in the <u>Common</u> <u>EU [European Union] Guidelines for Processing Country of Origin Information (COI)</u>, April 2008, and the Austrian Centre for Country of Origin and Asylum Research and Documentation's (ACCORD), <u>Researching Country Origin Information – Training</u> <u>Manual</u>, 2024. Namely, taking into account the COI's relevance, reliability, accuracy, balance, currency, transparency and traceability.

Sources and the information they provide are carefully considered before inclusion. Factors relevant to the assessment of the reliability of sources and information include:

- the motivation, purpose, knowledge and experience of the source
- how the information was obtained, including specific methodologies used
- the currency and detail of information
- whether the COI is consistent with and/or corroborated by other sources

Commentary may be provided on source(s) and information to help readers understand the meaning and limits of the COI.

Wherever possible, multiple sourcing is used and the COI compared to ensure that it is accurate and balanced, and provides a comprehensive and up-to-date picture of the issues relevant to this note at the time of publication.

The inclusion of a source is not, however, an endorsement of it or any view(s) expressed.

Each piece of information is referenced in a footnote.

Full details of all sources cited and consulted in compiling the note are listed alphabetically in the <u>bibliography</u>.

Terms of Reference

The 'Terms of Reference' (ToR) provides a broad outline of the issues relevant to the scope of this note and forms the basis for the <u>country information</u>.

The following topics were identified prior to drafting as relevant and on which research was undertaken:

- Legal framework relevant laws and policies that:
 - protect individuals and groups from treatment that may amount to persecution in the constitution, and penal and criminal procedural codes;
 - regulate the operation and function of security/protection forces and judiciary, including arrest and detention rights
 - o any discriminatory laws, policies or programmes applicable to protection
- Organisations responsible for law enforcement usually police but may include other agencies such armed forces, intelligence services or civilian militias:
 - structure and size (and number of security officers as a ratio of the wider population)
 - o resourcing, pay, equipment and training
 - \circ numbers of investigations, arrests (and types of crimes) and prosecutions
 - \circ $\,$ occurrence of corruption, misconduct and human rights violations
 - accessibility existence (or lack of) barriers to obtaining protection for particular groups, by location or other factors.
 - $\circ~$ application discrimination in enforcement of law against particular groups, by location or other factors
 - reform ongoing or planned reform
- Oversight bodies of security forces
 - size, structure, remit and powers of units within enforcement agencies, the courts and independent organisations including national human rights institutions
 - o process for raising complaints
 - numbers of investigations and outcomes, including any evidence of investigations and punishment for corruption, misconduct and human rights violations
 - $\circ~$ application discrimination against particular groups, by location or other factors
- Judiciary
 - structure, size and composition, including juvenile, family and military courts
 - o selection process for magistrates/judges
 - o resourcing, pay, equipment and training
 - independence from executive or other state bodies government influence on court composition and judgements

- fair trial availability to legal aid and representation; witness protection programmes and their effectiveness; open and public trial; rights of appeal to higher courts
- accessibility existence (or lack) of barriers to accessing the judicial process for particular groups, by location (different provinces or rural/urban) or other factors
- o occurrence of corruption, misconduct and human rights violations
- o numbers of cases, outcomes including convictions and acquittals
- o informal justice systems, types of case and effectiveness

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Version control and feedback

Clearance

Below is information on when this note was cleared:

- version **2.0**
- valid from 24 March 2025

Official – sensitive: Not for disclosure – Start of section

The information in this section has been removed as it is restricted for internal Home Office use only.

Official – sensitive: Not for disclosure – End of section

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Changes from last version of this note

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Feedback to the Home Office

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Independent Advisory Group on Country Information

The <u>Independent Advisory Group on Country Information</u> (IAGCI) was set up in March 2009 by the Independent Chief Inspector of Borders and Immigration to support them in reviewing the efficiency, effectiveness and consistency of approach of COI produced by the Home Office.

The IAGCI welcomes feedback on the Home Office's COI material. It is not the function of the IAGCI to endorse any Home Office material, procedures or policy. The IAGCI may be contacted at:

Independent Advisory Group on Country Information

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Information about the IAGCI's work and a list of the documents which have been reviewed by the IAGCI can be found on the Independent Chief Inspector's pages of the <u>gov.uk website</u>.