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**QUARTERLY PRESS BRIEFING**

**THURSDAY, 29TH JULY 2021**

**PALOMA HOTEL, ACCRA**

**Theme**: ***The State of Ghana’s Human Rights***

Chairperson, International Board Chair of Amnesty International, Board Members of Amnesty International Ghana, members of the Press, Staff and members of Amnesty International Ghana, Partners and Colleagues from Civil Society, distinguished Ladies and gentlemen, we are happy to have you all at this first in-a-series Quarterly Press Briefing.

Amnesty International Ghana recognizes that Chapter 5 of the 1992 Constitution of Ghana establishes fundamental rights and freedoms which shall be respected and upheld by the Executive, Legislature and Judiciary and all other departments and agencies of government.

We recognize that there have been considerable improvements in the human rights situation in Ghana since 1992 through the implementation of national laws and international instruments with the support and contributions of Civil Society Organisations, Coalitions and individuals.

However, there remain several human rights concerns which require immediate action.

**VIOLENCE AGAINST WOMEN**

Amnesty International Ghana is concerned that violence against women and girls continues to be widespread in Ghana including domestic violence, sexual assault and rape. Despite the establishment of the Domestic Violence and Victim Support Unit to assist in the rehabilitation and re-integration of victims of gender-based violence, Amnesty International Ghana is worried that we do not have sufficient social services and shelters for victims of domestic violence.

We are happy to mention the collaboration between UNFPA Ghana and the Domestic Violence Secretariat of the Ministry of Gender, Children and Social Protection for the Orange Support Centre and Boame App initiative to create a safe avenue for survivors of SGBV. This initiative is highly commendable and must be supported by all.

The persistence of certain harmful practices such as female genital mutilation, trokosi (ritual servitude), forced early marriage and witchcraft accusations leading to confinement in witch-camps, notwithstanding their prohibition by law, is concerning.

We recall that in its recommendation to Ghana in 2016, the UN Human Rights Committee regretted the lack of information on possible cases of prosecutions of perpetrators and measures of redress granted to victims of harmful practices.

The passage of the Domestic Violence Act, 2007 is a positive development. However further legislative reforms are needed to ensure effective action against all forms of violence against women, whether inside or outside the home. Furthermore, the Domestic Violence and Victims Support Units (DoVVSU), established within the police service, remain under-resourced with serious shortcomings in their services to victims of domestic violence.

Amnesty International Ghana urges the government to:

* ensure that laws against those who commit acts of violence against women are enforced;
* ensure adequate budget is allocated for the implementation of the national action plan for the Domestic Violence Act; to strengthen its efforts to prevent and combat all forms of domestic violence by ensuring that the relevant provisions of the Domestic Violence Act of 2007 are effectively enforced;
* strengthen the Domestic Violence and Victim Support Unit and ensuring access of victims to effective remedies and means of protection, including an adequate number of shelters and support services available in all parts of the country;
* ensure that law enforcement authorities continue to receive appropriate training to deal with cases of domestic violence,
* further enhance its efforts to prevent and eradicate harmful traditional practices; and
* proactively investigate cases of traditional harmful practices and ensure that victims have access to effective remedies and adequate protection, rehabilitation and reintegration mechanisms.

**THE DEATH PENALTY**

This month, Sierra Leone abolished the death penalty both in law and in practice making it the 22nd country in sub-Saharan Africa to abolish the death penalty for all crimes. While welcoming the de facto moratorium on executions in Ghana, Amnesty Ghana is concerned that death sentences are still imposed and that a high number of persons remain on death row for a long period. In recent years, several influential figures including Members of Parliament and the Judiciary, have voiced their opposition to the death penalty in Ghana.

In 2020, Amnesty Ghana and its partners presented a petition to the President of the Republic of Ghana with a recommendation to consider amending specific Sections of the Criminal Offences Act, 1960 (Act 29).

His Excellency, the President, was impressed with Amnesty Ghana’s proposal and suggested that the Attorney General and Minister of Justice should prepare a Bill to Cabinet for consideration and onward submission to Parliament. His Excellency, the President, proposed a bipartisan approach to the debate and possible approval. We welcome this positive development.

Amnesty Ghana reiterates its position that:

* Ghana’s death penalty retentionist policy is out of step with the rest of the world;
* Abolishing the death penalty will reinforce Ghana’s commitment to protecting human rights;
* The death penalty violates human rights, including the right to life, the right not to be subjected to torture or other cruel, inhumane, or degrading treatment or punishment.

Amnesty International Ghana calls on the government to, among other things:

* Commit to steps being taken to amend the laws of Ghana to abolish the death penalty;
* Commute all death sentences to life imprisonment.

**OVERCROWDING IN PRISONS AND OTHER PLACES OF DETENTION**

Amnesty International has observed that Ghanaian prisons are under resourced; there are poor medical and sanitary facilities and not enough beds or bedding. Amnesty International is concerned at the very high rate of overcrowding and poor conditions in prisons. As cells are extremely overcrowded, people sleep on the bare floor and some inmates are forced to take turns to sleep.

Amnesty International Ghana urges the government to:

* take all necessary steps to ensure that all prisoners awaiting trial are able to effectively exercise their right to promptly challenge the lawfulness of their detention before a court, apply for release pending trial and receive a prompt and fair trial;
* respect and fully implement the United Nations Standard Minimum Rules for the Treatment of Prisoners and the Body of Principles for the Protection of All Persons under Any Form of Detention or Imprisonment,
* take measures to improve the conditions and treatment of persons held in custody;
* take steps to address the problem of prison overcrowding, including by introducing a genuine policy on the use of non-custodial penalties, in accordance with the United Nations Standard Minimum Rules for the Treatment of Prisoners (the Mandela Rules)
* ensure that inmates are not given any disciplinary responsibility over other inmates;
* given the recent ratification of the Optional Protocol to the Convention against Torture and other Cruel, Inhuman or Degrading Treatment of Punishment, Ghana should expedite its efforts to establish a national mechanism for the prevention of torture, as well as an effective mechanism for receiving and processing complaints lodged by detainees.

**EXCESSIVE USE OF FORCE AND FIREARMS BY LAW ENFORCEMENT OFFICERS**

Amnesty International Ghana is deeply concerned about the frequent resort to use of excessive force and killings by law enforcement and security personnel. We are concerned that riot control procedures are not being followed by the members of the security services who have frequently resorted to the use of lethal force. Amnesty Ghana is concerned that in most cases, no specific information on prosecutions of perpetrators and compensation to victims has been provided.

We are concerned about the lack of detailed information on specific measures taken or being taken by the authorities to prevent such violations, including bringing the regulations on the use of lethal force in compliance with Ghana’s obligation under article 6 of the International Covenant on Civil and Political Rights,

Amnesty Ghana observes that the mechanism to investigate police abuses is not fully independent, as complaints against police officers are investigated by fellow officers.

We urge the government to take urgent steps to establish an independent mechanism to carry out investigations of alleged misconduct by police officers.

We further urge the government to take measures to ensure that the law and practice are in accordance with the United Nations Basic Principles on the Use of Force and Firearms by Law Enforcement Officials.

**ASSAULT AND HARASSMENT ON JOURNALISTS**

The 1992 Constitution of Ghana recognizes media freedom and independence, and this creates an obligation for the authorities to protect journalists.

Amnesty international Ghana appreciates the vital role that journalists play in holding state officials to account and informing the public.

We are deeply concerned about journalists being threatened, harassed, subjected to physical attacks and/or arrested without any justifiable cause. These abuses by national security operatives and other authorities send a worrying message to journalists and anyone who tries to question the government.

Amnesty Ghana condemns any form of violence against journalists and calls on government to live up to its responsibility to guarantee the safety and protection of journalists and all media outlets in the country.

We call on the government to protect journalists who are doing their work peacefully from harassment, attacks and arbitrary arrests, prosecute those responsible and compensate the victims.

We further call on the government to ensure that Ghana complies with the African Commission Declaration of Principles on Freedom of Expression and Access to Information in Africa which requires states to “take effective legal and other measures to investigate, prosecute and punish perpetrators of attacks against journalists and other media practitioners, and ensure that victims have access to effective remedies.”

**DISCRIMINATION BASED ON SEXUAL ORIENTATION**

Amnesty International Ghana has received numerous calls from the media on a private member’s bill yet to be submitted to Parliament. Among several other things, “The Object of the Bill is to provide for proper human sexual rights and Ghanaian family values; proscribe LGBTQ+ and related activities; proscribe propaganda of, advocacy for or promotion of LGBTTQQIAAP+ and related activities; provide for the protection of and support for children, persons who are victims or accused of LGBTTQQIAAP+ and related activities and other persons; and related matters.”

Some religious and political leaders, as well as media persons, and individuals have shared their views and opinions on the subject and the ongoing debate about the Bill. As a human rights organisation that works for the enjoyment of fundamental human rights and freedoms of all without distinction, we respect everyone’s views and opinions.

We would like to state clearly that Amnesty International Ghana **does not promote or advocate** for LGBTQ+.

It is important to mention that a resolution adopted in 2014 by the African Commission on Human and Peoples’ Rights, among other things:

* Condemns the situation of systematic attacks by State and non-state actors against persons on the basis of their real or perceived sexual orientation or gender identity.
* Calls on State Parties to ensure that human rights defenders work in an enabling environment that is free of stigma, reprisals or criminal prosecution as a result of their human rights protection activities, including the rights of sexual minorities.

Amnesty International Ghana urges authorities in Ghana to ensure that all human rights defenders, including those who work for organisations protecting LGBTI people, can operate in a safe and enabling environment.

Authorities must ensure that hate speech and threats against LGBTI people and those defending their fundamental human rights guaranteed by Article 21 of the 1992 Constitution are thoroughly investigated and those responsible are brought to justice.

Ghanaian authorities must investigate harassment, intimidation, unlawful surveillance, physical attacks and criminalization of human rights defenders, particularly those facing multiple and intersecting forms of discrimination, such as LGBTI defenders.

Perpetrators must be brought to justice, whether they are state or non-state actors, and victims must be provided with effective remedies.

As partners in the business of saving lives and the protection of fundamental human rights and freedoms, the Media must not contribute to hate speech, discrimination, misinformation, and hostility towards human rights defenders, including those who defend the rights of LGBTI people.

**COMPLIANCE WITH GHANA'S INTERNATIONAL AND REGIONAL HUMAN RIGHTS OBLIGATIONS**

Ghana has ratified many international and regional human rights treaties, including the International Covenant on Civil and Political Rights (ICCPR), International Covenant on Economic, Social and Cultural Rights (ICESCR) and the African Charter on Human and Peoples' Rights. The State has obligations to respect, protect and fulfil the human rights of everyone within its jurisdiction, without discrimination on the basis of gender, ethnicity, social origin, political opinion or other prohibited grounds. These human rights include the right to life, the right not to be subjected to torture or other cruel, inhuman or degrading treatment or punishment, the right to a fair trial, the right to freedom of expression, including the freedom to seek, receive and impart information and ideas, and the right to an adequate standard of living.

Many of these rights are also recognised in Ghana's Constitution.

Amnesty International Ghana calls on the government to:

* ensure that all international human rights obligations are fully implemented in Ghana's national legislation;
* take the necessary steps to ensure the prompt ratification, without reservations, of the second Optional Protocol to the International Covenant on Civil and Political Rights on the abolition of the death penalty, and the Optional Protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment;
* ensure that Ghana complies with its reporting obligations under international and regional human rights treaties, by presenting all overdue periodic reports to the relevant treaty monitoring bodies.

Amnesty International Ghana looks forward to meeting the Press on a quarterly basis in collaboration with partners to help in setting the human rights agenda for awareness-raising, public education and urgent action as our collective contribution to making our country and the world a better place for all.

Mr. Chairman, Distinguished Ladies and Gentlemen, we urge all of us to stand together for human rights and justice.

Thank you very much for your kind attention and support.

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