

CONCLUDING OBSERVATIONS FROM THE PERIODIC REPORT OF GHANA

POSITIVE FACTORS

1. The regularity with which the Government of Ghana reports to the African Commission in compliance with its obligations under Article 62 of the African Charter is commendable.
2. The Commission notes with appreciation that the report was submitted in March 2000 allowing enough time for its examination. This is proof of the seriousness which Ghana accords to international obligations and dialogue with the African Commission.
3. The tremendous efforts being made by the Government of Ghana in disseminating and promoting human rights and introducing human rights education in school curricula are highly commendable.
4. The Commission commends the steps that the Government of Ghana has taken as per its report towards eradicating harmful cultural practices like Trokosi and female genital mutilation and encourages it to continue towards their total eradication.
5. The Commission further commends the Government of Ghana on its policy of free, compulsory and universal basic education.
6. The Commission commends the Government of Ghana on the setting up of the National Human Rights Institution – the Commission on Human Rights and Administrative Justice.

FACTORS INHIBITING THE ENJOYMENT OF THE RIGHTS UNDER THE AFRICAN CHARTER

1. Despite the Government's efforts to comply with the provisions of the Charter, it has not yet amended its domestic laws, more especially, the Constitution, to be in line with the Charter.
2. The strong gender differential in education is inhibiting the rights of the girl/child to the enjoyment of the rights under the Charter.
3. Harmful cultural practices like the banishment by traditional village authorities of teenagers who become pregnant, women who are suspected of witchcraft and its effects on these citizens, inhibits the enjoyment of the rights as set out in the Charter.
4. We note that there are inadequate measures in place to address the special needs of the vulnerable groups such as the elderly and people with disabilities.

5. We further note that the issue of vestal virgins, that is young virgins (Trokosi) being ceremoniously given to priests as slaves still continues in Ghana and its effects on these young girls inhibit the enjoyment of their rights under the Charter.
6. Trafficking in persons especially women and children, inhibit the enjoyment by these citizens of rights in the Charter.

AREA OF CONCERN:

Though we commend Ghana for the regularity with which it submits its report, the report lacks information on the in practical implementation of the provision of the Charter and the Constitution.

RECOMMENDATIONS

1. That the Government of Ghana amends its national laws and brings them in line with the Charter.
2. The Government of Ghana is advised to urgently introduce measures that will adequately address the situation of the vulnerable groups.
3. Article 270 of the Ghanaian Constitution which guarantees and insulates the institution of traditional village authorities from any control, is tantamount to institutionalizing the practices of banning pregnant teenagers and people suspected of witchcraft, and as such the Government of Ghana should endeavour to abolish this harmful practice.
This article should be amended to enable Government address this issue and eradicate this obnoxious practice.
4. The Government of Ghana should strengthen its policy of free, compulsory and universal basic education, to eliminate gender differential.
5. That the Government of Ghana must ensure that the Legal Aid Scheme in place serve every citizen.
6. That the Government of Ghana must look into its conditions of prison with a view to bringing them in line with the Charter and International standards.
7. The Government of Ghana must continue working closely with NGO's, towards making the rights under the Charter a reality for all its citizens.
8. We urge the Government of Ghana to ratify, as soon as possible, the Protocol on the Establishment of the African Court and the African Charter on the Rights and Welfare of the Child.

9. The Government of Ghana must urgently introduce stringent measures that will help towards the total eradication of all the harmful cultural practices that exist in Ghana.
10. The Government of Ghana must further strengthen its national institutions by aiming towards enhancing their independence.