



HIGH COMMISSION OF THE REPUBLIC OF GHANA
LONDON

LON/CW/CAND

The High Commission of the Republic of Ghana to the United Kingdom of Great Britain and Northern Ireland presents its compliments to the Protocol Directorate of the Foreign, Commonwealth & Development Office (FCDO), all Diplomatic Missions and International Organizations accredited to the Court of St. James's and has the honour to inform of the decision of the Government of Ghana to present its candidature to the **Human Rights Council** for the term 2024-2026, at elections scheduled to be held in October, 2023 in New York.

Since the establishment of the Human Rights Council in 2006, Ghana has participated actively in its debates and activities and contributed effectively to the Council's collaborative effort to build the consensus necessary for the promotion and protection of Human Rights around the world.

Ghana has served three terms on the Council (2006-2008, 2008-2010 and 2015-2017) and remains committed to upholding a decent human rights record and promoting the interest of victims of human rights abuses around the world.

The Government of Ghana is, hereby, seeking the friendly support of all Member States of the United Nations in the Human Rights Council elections scheduled for October, 2023. Attached, hereto, is the aide memoire which provides more information on Ghana's candidature.

The High Commission of the Republic of Ghana avails itself of this opportunity to renew to the Protocol Directorate of the Foreign, Commonwealth & Development Office (FCDO) all Diplomatic Missions and International Organizations accredited to the Court of St. James's the assurances of its highest consideration. *AAG*

LONDON, 18TH JANUARY, 2023

**THE PROTOCOL DIRECTORATE OF THE FOREIGN,
COMMONWEALTH & DEVELOPMENT OFFICE**

**ALL DIPLOMATIC MISSIONS AND INTERNATIONAL
ORGANIZATIONS ACCREDITED TO THE
COURT OF ST. JAMES'S
LONDON**



AIDE MEMOIRE

GHANA'S CANDIDATURE FOR MEMBERSHIP TO THE HUMAN RIGHTS COUNCIL FOR THE TERM 2024-2026

INTRODUCTION

Voluntary pledges and commitments pursuant to General Assembly Resolution 60/251

Membership on the Human Rights Council

1. Since the establishment of the Human Rights Council, Ghana has participated actively in its debates and activities, thereby contributing effectively to the Council's collaborative effort to build the consensus necessary for the promotion and protection of human rights around the world.
2. Ghana consistently subscribes to the principle of non-politicization and objectivity in the work of the Council and believes that the Council should continue to endeavour to focus on the enhancement of international cooperation for the promotion and protection of human rights.
3. Ghana has served on the Human Rights Council three times which were 2006-2008, 2008-2010 and 2015-2017. In all these tenures, Ghana pursued the interests of victims of human rights abuses around the world.

International Human Rights Obligations

UN Treaty Signing and Ratification

4. Ghana has fared relatively well in terms of the signing and/or ratification of international human rights instruments. For instance, the Attorney-General and Minister of Justice, at the launch of the National Baseline Assessment on Business and Human Rights in Ghana held on July 4, 2022, indicated that Ghana has signed nine (9) international human rights treaties and subsequently ratified eight (8) of them. The State has also ratified all eight (8) fundamental ILO Conventions.
5. Ghana was among the first members of the African Union to subscribe to the African Peer Review Mechanism to be peer-reviewed. In the same vein, it welcomed the

system of universal periodic review of the Human Rights Council and was included in the second cycle of the review in 2012.

6. The commitment of Ghana to the promotion and protection of Human Rights is evident in the following treaties and agreements signed:

- The Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment
- The International Covenant on Civil and Political Rights
- The Optional Protocol to the International Covenant on Civil and Political Rights
- The Convention on the Elimination of All Forms of Discrimination against Women
- The International Convention on the Elimination of All Forms of Racial Discrimination
- The International Covenant on Economic, Social and Cultural Rights
- The International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families
- The Convention on the Rights of the Child
- The Rome Statute of the International Criminal Court
- The Convention on the Rights of Persons with Disabilities
- The Optional Protocol to the Convention on the Rights of Persons with Disabilities
- The Optional Protocol to the Convention on the Elimination of All Forms of Discrimination against Women
- The International Convention for the Protection of All Persons from Enforced Disappearance
- The Optional Protocol to the Convention on the Rights of the Child on the involvement of children in armed conflict
- The Optional Protocol to the Convention on the Rights of the Child on the sale of children, child prostitution and child pornography

- The Convention on the Prevention and Punishment of the Crime of Genocide
- The Convention on the Non-Applicability of Statutory Limitations to War Crimes and Crimes against Humanity
- The Convention relating to the Status of Refugees
- The African Charter on Human and Peoples' Rights and its Protocol on the Establishment of an African Court on Human and Peoples' Rights
- Other human rights instruments of the Organization of African Unity and the African Union, including the African Charter on the Rights and Welfare of the Child
- The United Nations Convention against Transnational Organized Crime and its supplemental Protocols, namely the Protocol to Prevent, Suppress and Punish A/69/221 4/5 14-60776 Trafficking in Persons, Especially Women and Children, and the Protocol against the Smuggling of Migrants by Land, Sea, and Air
- The Geneva Conventions relating to the protection of victims of international armed conflicts of 12 August 1949 and its additional Protocol relating to the protection of victims of international armed conflicts (Additional Protocol I) and Protocol relating to the protection of victims of non-international armed conflicts.

Human Rights at the National Level

7. Ghana operates an Executive presidential system of constitutional democracy with a strong presidency and a 275-seat unicameral Parliament. The population of the country is estimated at 30.8 million people according to the 2021 population and housing census. The fourth republic has witnessed the longest political stability regarding the country's political history.

8. Presidential and Parliamentary elections are held every four (4) years. Since 2000, the two (2) dominant political parties have alternated power three times. Hence, according to some experts, Ghana's democracy has been consolidated. Owing to these gains, the country is considered as the beacon of democracy in Africa.

CIVIL AND POLITICAL RIGHTS

Right to Vote / Freedom to participate in the Political Process

9. Ghana enjoys an open political space leading to competitive democratic elections. The right to vote is guaranteed under Article 42 of the 1992 Constitution. According to

Article 42, every person aged eighteen (18) and above may vote and /or be registered for the purpose of voting and referenda. This right was exercised freely by citizens during the 2020 elections. Domestic and international observers have appraised the 2020 elections as generally transparent, fair, inclusive, and credible.

Freedom of Expression / Right to Protest (Demonstration)

10. Freedom of expression and right to protest and demonstrate are constitutionally protected. The repeal of the criminal libel law has been widely recognised as a positive step towards Ghana's democratic consolidation. Moreover, Ghana's press freedom ranking over the years has been encouraging. Civil Society Organisations continue to operate freely without undue governmental interference.

Discrimination

11. Article 17(2) of the 1992 Constitution proscribes discrimination in all forms—gender, race, colour, ethnic origin, creed, and economic or social status. The country has managed well to create equal opportunities for its multi-cultural, ethnic and linguistically diverse population.

Right to Life / Police Brutality & Excessive Use of Force

12. The right to life is equally protected under Article 13 of the 1992 Constitution even though not absolute. Despite this provision, reports of excessive use of force by law enforcement officials resulting in death of civilians including those in custody in certain instances have received government's interventions through the establishment of commissions/committees of enquiry such as the appointment of Ayawaso-West Wuogon Commission of Inquiry and the Ejura Committee.

Right to Fair trial /Access to Justice

13. The Justice for all Programme provides access to court services within the premises of the prisons and has witnessed over 2000 inmates benefitting from the programme in varied ways. Government is also intensifying its efforts to increase access to legal representation (lawyers) in court since most accused persons cannot afford the expensive legal fees.

ECONOMIC, SOCIAL AND CULTURAL RIGHTS

Right to Education

14. Government continues to realise the constitutional right to education through policies such as the capitation grant, school feeding programme, tuition-free compulsory and universal basic education for children from kindergarten to junior high school and free senior high school (FSHS). The FSHS has seen an increase in enrolment from 800,000 in 2016/17 to 1.2 million learners in 2019/20 academic year. Following the implementation of the FSHS the progressive realisation of this constitutional right under article 25 (b) has been achieved.

Right to Health

15. Government's interventions over the years have improved the quality of health care for Ghanaians through public policy initiatives such as the National Health Insurance Scheme (NHIS) which provides access to primary and secondary healthcare for free. Maternal health care interventions have witnessed a decline of deaths from 580 per 100,000 live births in 2017 to 301 per 100,000 in 2021. Data on health personnel shows improvements in terms of doctors to patient ratio over the years but fall short of the WHO standard. Nurse to patient ratio has improved significantly between 2016 to 2020 exceeding the WHO standard of 1:1,000. Recent establishment and expansion of medical drone delivery services to improve rural healthcare has witnessed the delivery of 79,000 products to 925 healthcare facilities in deprived areas.

Right to Work

16. Article 24 of the 1992 Constitution guarantees the right to work under safe and satisfactory conditions, and to receive equal pay for equal work. In view of realising this right, government through policies such as Nation Builders Corp (100,000 youth covered), Youth Employment Agency (80,538 beneficiaries), National Afforestation Programme (44,682 beneficiaries) have offered employment to the youth.

GROUP RIGHTS

Children

17. Children issues continue to be at the centre stage of government policies across multi sectorial agencies. The leading ministry which is the Ministry of Gender, Children and Social Protection has spearheaded transformative public policies relating to children in addressing child marriage, trafficking, and teenage pregnancy. For instance, the National Strategic Framework on Ending Child Marriage in Ghana (2017-26). The Ministry's National Strategic Framework on Ending Child Marriage in Ghana (2017-26) prioritized interventions focused on strengthening government capacity to address neglect and abuse of children, girls' education, adolescent health, and girls' empowerment through skills development. The National Advisory Committee to End Child Marriage and the National Stakeholders Forum, with participation from key government and civil society participants, provided strategic guidance and supported information sharing and learning on child marriage among partners in the country. The Child Marriage Unit maintained a manual with fact sheets and frequently asked questions and used social media accounts to reach wider audiences.

Women & Girls

18. The status of Ghanaian women is relatively commendable. Women continue to occupy key positions within the organs of government, public and private sectors. They also play an important role in the socio-economic development of the country such as in trade, industry, mining, and the informal sectors. For instance, in 2019, the Mastercard

Foundation adjudged Ghana as one of the top three countries with highest percentage of women-owned businesses in the world. This feat could not have been achieved without an enabling environment created by government.

19. The gender parity between girls and boys at the basic level of education is almost 50-50. The 1992 constitution under Article 27 guarantees maternity leave to women and the promise of creating facilities to support women to enable them care for their children below school going age.

20. On access to reproductive health services, maternal mortality ratio has improved over the years. Government continues to provide access to contraceptives for women who decide to control childbirth. However, a lack of skilled birth attendants especially in deprived areas, has been identified as a setback for realising women's right to health. According to the UN population Fund, contraceptive rate for women 15-49 years was 27%.

21. In relation to sexual harassment, section 103 of the Criminal Offences Act, 1960 (Act 29) outlaws indecent assault which is often interpreted as acts including sexual harassment. Some organisations such as the University of Ghana and the Commission on Human Rights and Administrative Justice (CHRAJ) have in place sexual harassment policies to prevent, and respond to instances of sexual harassment within the workplace.

LGBT Persons

22. Ghana continues to remain a very tolerant society despite its diverse population. Although, it remains a relatively conservative society, the country is largely tolerant towards divergent views and orientations including sexuality. The Proper Human Sexual and Ghanaian Family Values bill (also known as the anti-LGBT bill) before Parliament continues to raise concerns from human rights groups about the unintended consequences of the bill on national HIV/AIDS interventions and other protected rights of LGBT persons. Owing to the sensitive nature of the issue within the country, Parliament has invited memoranda from the public of which CHRAJ as the national human rights body has proffered its expert opinion on the subject matter.

Migrants, Internally Displaced Persons (IDPs) & Refugees

23. Ghana continues to serve as a haven for migrants and refugees from countries in the sub region. Whilst Ghana has extensive legal framework for the protection of refugees, same cannot be said for internally displaced persons (IDPs) whose issues have not received much visibility in the media despite their suffering. One of the key reasons for the current situation is the non-ratification of the Kampala Convention on the Assistance and Protection of IDPs which provides a very comprehensive framework for assisting States, humanitarian agencies and the private sector on their respective roles in providing durable solutions relating to IDPs.

Persons with Disabilities (PWDs)

24. The rights of persons with disabilities are protected under Article 29 of the Constitution and Persons with Disabilities Act, 2006 (Act 715) with several progressive provisions. Government continues to respond to supporting rights initiatives of PWDs through the release of PWDs' share of the Common Fund and other useful interventions. However, employment rate among this group remains relatively low. In addition are accessibility challenges for public services. Persons with Albinism (PWAs) in certain parts of the country are faced with adverse cultural norms, practices and traditions which have the propensity to affect their ability to live as full members of the society.

CROSS CUTTING ISSUES

COVID-19

25. The outbreak of COVID-19 resulted in a host of actions taken by government with implications for several rights such as closure of schools, travelling restrictions, closure of businesses, and restriction of social and religious gatherings. Due to the devastating impact of the pandemic on people and livelihoods, government provided relief interventions in the form of food supplies, free water, and electricity for households as well as COVID-19 relief funds to cushion small businesses adversely affected by the pandemic. Despite these interventions, Ghana's 2022 Voluntary National Review on SDGs indicates that, with the outbreak of Covid-19 poverty is estimated to rise to 25.5 percent. This therefore requires government's renewed efforts in poverty intervention strategies such as increased allocation of funds to the social protection budget, reducing the information technology gap across households, and creating more sustainable jobs.

Business and Human Rights

26. Following the adoption of the UN Guiding Principles on Business and Human Rights (UNGPs) by the Human Rights Council in 2011, Ghana has taken steps to develop a National Action Plan on Business and Human Rights (NAP). In line with this, a Steering Committee has been inaugurated by government to develop the NAP. This is envisaged to provide a framework for preventing, addressing and mitigating adverse impacts of business activities on human rights in the country. In addition, a baseline assessment on the Voluntary Principles on Security and Human Rights in the extractive sector has been conducted. The Voluntary Principles serve as a guide to companies in the extractive sector to comply with human rights as they engage security officers to protect their companies' facilities and premises.