



**Convention on the Elimination
of All Forms of Discrimination
against Women**

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**Committee on the Elimination of Discrimination
against Women**

**Pre-session working group for the thirty-sixth session
7-25 August 2006**

**List of issues and questions with regard to the
consideration of the combined third, fourth and
fifth period reports***

Ghana

**Constitutional, legislative and institutional framework
and status of the Convention**

1. Please provide more detailed information on the process of preparing the report (CEDAW/C/GHA/3-5). This information should indicate which government departments were involved in its preparation, and the nature and extent of their participation; the extent of consultations with non-governmental organizations; and whether the report was adopted by the Government and presented to the Parliament.
2. Please elaborate further on the conformity of the non-discrimination and equality provision contained in article 17 of the 1992 Constitution with the definition of discrimination against women contained in article 1 of the Convention on the Elimination of All Forms of Discrimination against Women and article 4, paragraph 1, on temporary special measures as well as the Committee's general recommendation 25 thereon.
3. Please clarify the legal status of the Convention in Ghana. In particular, clarify whether the Convention is directly applicable in the courts. Kindly provide information on cases, if any, where the Convention has been directly invoked in, or used by, domestic courts.

* The list of issues and questions was submitted late in order to provide completion of consultation time among the pre-session working group.

4. Please explain how the Government plans to harmonize civil, religious and customary law with the Convention, in particular in relation to article 16 of the Convention?
5. Please provide further details on the work carried out by the national machinery for the advancement of women in conjunction with members of legislative bodies, academia and non-governmental organizations in order to integrate a gender perspective in legislation, policies, programmes and projects (see para. 31 of the report). In particular, please indicate any plans and timetables in place to undertake a comprehensive law review and reform to eliminate laws that continue to discriminate against women (see also the reference to a study in para. 33 (c)).
6. The report (para. 31 (h)) refers to Ghana's first action plan for women and its review. Please provide information about the priority areas addressed and the findings of the review, in particular the achievements, obstacles encountered and progress to date. Please also explain the relationship of the plan to the national Gender Policy, referred to in paragraph 33 (a). Please provide details on the follow-up to the review exercise.
7. Please provide details on the staffing and other resources available to the National Council on Women and Development, the Ghanaian national machinery as well as the Ministry of Women and Children.

Violence against women

8. The report mentions, in paragraph 209, that "a domestic violence Bill proposed by government is at the time of submission of this report being discussed", and gives details about the contents of the draft law (see paras. 64-68). Please provide an update on the status of this draft Bill, including the anticipated time frame for its adoption, and plans for enactment of the regulations referred to in paragraph 67.
9. Please provide information on the impact of the laws criminalizing injurious customary practices such as Trokosi, widowhood rites and female genital mutilation (FGM). In particular, provide information about the enforcement of the law prohibiting FGM, and about cases which have been presented under the Criminal Code Amendment Act 1998 (Act 554).
10. The report refers, in paragraph 63, to research undertaken in 1998 on violence against women. Does the State party plan to undertake a population-based survey, or to include a module on violence against women in a future demographic and health survey to update its knowledge base, enhance statistical data on the incidence of various forms and manifestations of violence against women, and trends over time? In particular, was a violence against women module included in the 2003 Demographic and Health Survey?
11. The report refers to the establishment of Women and Juvenile Units in police stations in 1998 (see paras. 32 and 208). Kindly provide further information about these units. In particular, indicate how many of these units exist, what are the resources

available to them, and has an evaluation of their effectiveness been conducted and what were the findings?

Trafficking and exploitation of prostitution

12. It is mentioned that the Criminal Code as amended (Section 107) deals with trafficking in persons for purposes of prostitution (see para. 57 of the report). Please provide information about the trafficking cases which were successfully prosecuted under this legislation and the sentences that have been imposed on the perpetrators.

13. Kindly provide detailed information about the Trafficking in Persons Prevention Bill, including the time frame for its adoption and its scope (see para. 58 of the report), and whether a national plan to combat trafficking has been prepared.

Participation in political and public life and representation at the international level

14. The report indicates that the Government adopted in 1998 an “Affirmative Action Policy” encompassing a quota of 40 per cent for women’s representation on all government and public boards, commissions, councils, committees and official bodies (see para. 40 of the report). The report, under article 7, shows that women’s participation in these appointed bodies remains low, but also indicates some success of the policy. Please indicate any measures the Government is contemplating to enhance full adherence to this policy.

15. The report acknowledges (see paras. 81, 85 and 86) that the representation of women in the national Parliament and in local assemblies is still very low. What kind of measures has the Government taken to increase the number of women in Parliament and in District assemblies, bearing in mind article 4, paragraph 1, of the Convention and the Committee’s general recommendation 25 on temporary special measures, as well as the Committee’s general recommendation 23 on women in political and public life?

Education and stereotypes

16. Please provide information about how the educational system promotes gender equality and the elimination of stereotypes and discrimination against women, including through teacher training in gender equality.

17. What measures are in place, including through awareness-raising, to change general social and cultural patterns of conduct that reinforce the idea of the inferiority of women?

18. The report provides little information about the role of the media in promoting gender equality. Kindly provide such information.

Employment, poverty and rural women

19. The report refers to Ghana’s Poverty Reduction Strategy, in response to the Millennium Development Goals, including efforts to address women’s poverty. Kindly provide information on how the Convention on the Elimination of All Forms of

Discrimination against Women has been used in the preparation of the Poverty Reduction Strategy and how the Strategy's implementation will also enhance implementation of the Convention.

20. The Special Rapporteur on violence against women, its causes and consequences expressed concern about the persistence of the belief in witchcraft in many parts of the country, in particular in rural areas. According to her report (E/CN.4/2003/75/Add.1, sect. II.A, para. 282), most accused witches are older women, often widows, who were identified by fellow villagers as the cause of difficulties, such as illness, crop failure or financial misfortune. They were subjected to violence and lynching, in addition to banishment. Many of them went to live in "witchcamps", villages in the north populated by suspected witches. The report remains silent on this phenomenon. Please indicate the prevalence of this phenomenon and the legal protection offered to alleged witches.

21. The report draws attention to the high percentage of women in the informal sector and in self-employment. Please provide further information about the situation of women in the informal sector. In particular, please describe the impact of the measures available to enhance women's economic empowerment (see paras. 174 and 175 of the report), and the results achieved.

Health

22. The report discusses the maternal mortality rates and differences in the health situation of urban and rural women, and also notes that 30 per cent of maternal deaths are due to abortions (para. 154). Please provide further explanation for this high percentage of maternal deaths due to abortions.

23. The report refers to the basic package of health services (para. 153), which includes services in response to harmful practices such as FGM, as well as to a draft gender and health policy (para. 158). Kindly elaborate further on the content and status of this draft policy, the goals it pursues, and the extent to which it targets women in rural areas.

24. In the light of the increasing incidence of HIV/AIDS, considered by the report as having serious gender dimensions (para. 159), and the continuing practice of unprotected sexual intercourse, please provide more detailed information regarding the existence of reproductive and sexual health education programmes for both women and men and young people, as well as their availability in rural as well as urban areas, substantive content and impact.

Marriage and family relations

25. The report indicates, in paragraph 199, that Ghana has three different forms of marriages based on statutory, religious and customary laws, operating side by side, and with discrimination against women persisting in areas including property. How does the Government intend to ensure that the international legal obligations it has entered into are adhered to in the entire territory of the State party? Does the Government have any

plans to enact uniform legislation on marriage and family in conformity with article 16 of the Convention?

26. The Government has acknowledged that women were not taking advantage of the law against bigamy (see para. 204 (g) of the report) and that there was a need for a national discussion on polygamy, one area that, according to the report (see para. 26), requires legal and policy reform. What kind of measures has the Government taken to raise women's awareness and how does the Government intend to engage in a public open debate?

27. In the case of divorce, who usually acquires custody in children when the question is regulated by the Marriage Ordinance or the Mohammedans' Ordinance, in the light of the information provided under the patrilineal systems of customary law (see para. 207 of the report)?

Vulnerable groups of women

28. Please provide information about refugee women in the country and their economic and social situation.

Optional Protocol

29. Ghana signed the Optional Protocol to the Convention on the Elimination of All Forms of Discrimination against Women on 24 February 2000. Please indicate any progress towards its ratification.
