



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

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

**List of issues and questions in relation to the combined  
sixth and seventh periodic reports of Ghana**

**Addendum**

**Replies of Ghana\***

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\* The present document is being issued without formal editing.



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## Abbreviations

AfDB	African Development Bank
AHTU	Anti-Human Trafficking Unit
AWLA	African Women Lawyers Association
CEDAW	Convention on the Elimination of Discrimination against Women
CGSA	Centre for Gender Studies and Advocacy
CHPS	Community Health and Planning System
CMC	Community Mediation Centres
CHRAJ	Commission for Human Rights and Administrative Justice
CHSS	Centre for Health and Social Services
CRC	Constitutional Review Commission
DCD	Department of Community Development
DOVVSU	Domestic Violence and Victim Support Unit
DSW	Department of Social Welfare
EONC	Emergency Obstetric and Neo-natal Care
EOCO	Economic and Organised Crime Office
FDB	Food and Drugs Board
FIDA	International Federation of Women Lawyers
GADS	Gender and Agricultural Development Strategy
GES	Ghana Education Service
GHS	Ghana Health Service
GIS	Ghana Immigration Service
GLSS	Ghana Living Standards Survey
GRSCDP	Gender Responsive Skills and Community Development Project
GSGDA	Ghana Shared Growth and Development Agenda
HIRD	High Impact Rapid Delivery
IGF	Internally-Generated Funds
ILGS	Institute for Local Government Studies
ILO	International Labour Organisation
IOM	International Organisation for Migration
IPT	Intermittent Preventive Treatment
LEAP	Livelihood Empowerment against Poverty
LESDEP	Local Enterprises Skills Development Programme

LIPW	Labour Intensive Public Works
MES	Ministry of Employment and Social
MMDA	Metropolitan, Municipal and District Assemblies
MOFA	Ministry of Food and Agriculture
MoGCSP	Ministry of Gender, Children and Social Protection
MOH	Ministry of Health
MOWAC	Ministry of Women and Children's Affairs
MSD	Management Services Division
NDMO	National Disaster Management Organisation
NBSSI	National Board for Small-Scale Industries
NCPD	National Council on Persons with Disability
NDPC	National Development Planning Commission
NHIA	National Health Insurance Authority
NHIS	National Health Insurance Scheme
NTS	National Targeting System
NYEP	National Youth Employment Programme
OHCS	Office of the Head of Civil Service
SP	Sulphadoxine Pyrimethamine
SSNIT	Social Security and National Insurance Trust
WAJU	Women and Juvenile Unit
WISE	Women's Initiative for Self-Empowerment
YESDP	Youth Enterprises Skills Development Programme

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## Foreword

In June 2012, Ghana submitted its Sixth and Seventh Consolidated Periodic Report to the Committee on the Elimination of Discrimination against Women. After reviewing the report, the Committee made some observations and raised them as list of issues to be answered by the Government of Ghana. This report provides concise responses to the matters raised by the Committee.

This report does not only seek to respond to issues raised by the Committee, but also highlights significant efforts made in addressing important needs and concerns of women in Ghana within the reporting period.

The report provides comprehensive insights into steps taken to strengthen the legislative framework, develop policies, implement plans and programmes aimed at enabling women to realize their potentials. In carrying out these important initiatives, we have had many challenges, we are however committed to creating a conducive environment in Ghana that addresses inequalities, discrimination, mainstreams gender and empowers women.

MoGCSP is poised to work with other stakeholders, including civil society to address the issues raised in the report.

It is hoped that the issues raised will be useful in guiding national policies, government and non-governmental development programmes, academic and other research work that relates to women's development.

**Hon. Nana Oye Lithur**  
Minister for Gender, Children and  
Social Protection (MOGCSP)  
Government of Ghana



## Chapter One Introduction

### 1.0 Introduction

1. In line with its reporting obligations under the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW), Ghana submitted its Combined Sixth and Seventh Periodic Report to the Committee on the Elimination of Discrimination against Women on 12th June 2012. The Committee has since reviewed the Report and submitted a List of Issues and Questions. This Report consequently provides responses to the matters raised in the List of Questions and Issues.

### 1.1 Constitutional, Legislative and Institutional Framework

2. In defining customary law, the Constitution makes draws two important boundaries. First, the definition of ‘common law’ under article 11(2) includes the rules of customary law as defined by the Superior Courts of Judicature. Secondly, article 11(3) defines ‘customary law’ as the rules of law, which by custom, are applicable to particular communities in Ghana. Accordingly, the harmonisation of customary law with statute and constitutional law is an ongoing process that is done through the judicial process, where decisions of the courts interpret customary law in line with the constitution and statute law.

3. There is also an ongoing law reform process to ensure that some key statutes which address matters of customary law are updated to reflect the progressive realisation of women’s rights under CEDAW and other human rights treaties ratified by Ghana. To this end, the ongoing constitutional review process and amendment of specific laws are to be noted. The Attorney-General’s Department is working on amendments to the Intestate Succession Law, 1985 (PNDCL 111) to correct some flaws in the original law. The Department has also prepared a draft Property Rights of Spouses Bill and Intestate Succession Bill, which was approved by Cabinet in 2014 and is being considered for promulgation by Parliament. Further, the Ministry of Gender, Children and Social Protection (MOGCSP) has sponsored an Affirmative Action Bill on which consultations are currently being held, prior to its submission to Cabinet for approval.

4. The Law Reform Commission has undertaken research to develop new unified harmonised marriage law for the country.

5. As requested by the Committee in the List of Issues and Questions, the following are key laws that are furthering the provisions of the Convention in Ghana:

- (a) Matrimonial Causes Act, 1971 (Act 367)
- (b) Human Trafficking Act, 2005 (Act 694)
- (c) Disability Act, 2006 (Act 715)
- (d) Whistle Blowers Act, 2006
- (e) The Domestic Violence Act, 2007 (Act 732)
- (f) Female Genital Mutilation (FGM) Amendment (Act 484)
- (g) Children’s Act, 1998 (Act 560)
- (h) Criminal Offences Act

6. The National and Regional Houses of Chiefs — both of which are constitutional institutions — have begun the process of fully integrating Queen-mothers into both Houses. The National and Regional Houses of Chiefs are vested with powers and given functions under the constitution to regulate matters of customary law and practice. The inclusion of Queen-mothers therefore marks a significant step in strengthening their role in national and traditional governance and as women in leadership and decision-making. There have also been established, 10 Regional Associations of Paramount Queen-mothers in the 10 administrative Regions of Ghana. Through these Associations, Queen-mothers discuss and address matters relating to the welfare of women. Notably, for the first time in Ghana's history, Paramount Queen-mothers in 2010 were paid allowances as their male counterparts. The amount paid was increased from one hundred and fifty Cedis (¢150.00) to three hundred Cedis (¢300.00) per month.

## **1.2 Access to Justice**

7. The Whistle Blower Act, 2006 (Act 720) is intended as an anti-corruption device to be used by citizens to report and expose instances of corruption, fraud, exploitation and other impropriety in both the private and public sectors. The Act therefore targets economic crimes, miscarriage of justice, environmental destruction, wastage in Government, among others.

8. In 2013, Cabinet approved an amendment to the Act affording greater protection to private citizens who report corruption to the security agencies. The measures are intended to protect whistle-blowers from retaliation and vilification by their managers. Further, the amendments create a reward fund for whistle-blowers as an incentive to report impropriety.

9. In addition to the Human Rights Court, the Judiciary has established two Gender-based and Sexual Offences Courts to expedite the adjudication of cases of violence and abuse. The Family and Juvenile Courts, which are constituted in the District Courts, use alternative dispute resolution (ADR) methods to settle cases — primarily on maintenance of children — to facilitate access to justice for women who often bear the brunt of non-maintenance of children. Research shows women feel more comfortable with the ADR adjudication process. The Family Court also has jurisdiction to deal with criminal cases and civil protection orders under the Domestic Violence Act. Apart from these state agencies, civil society organisations such as the African Women Lawyers Association (AWLA), human Rights Advocacy Centre (HRAC), LAWA, WISE, ABANTU for Development, International Federation of Women Lawyers (FIDA), Ark Foundation, Netright, Legal Resources Centre (LRC) and the Domestic Violence Coalition have carried out a number of awareness creation programmes on counselling, legal representation, law reform and women and children's rights and access to justice for women across the country. Both English and local language media have been used for these programmes, all in a bid to enhance women's access to justice.

10. The judicial processes in Ghana are cumbersome and most poor people do not have access to the formal channels for justice services. Legal services are expensive, well beyond the pocket of the ordinary Ghanaian seeking justice. Cost is therefore a major challenge for persons seeking to use the formal court processes to access justice. Women are affected when the need arise for them to access legal services. In view of this, legal aid services are also provided for women who cannot afford legal

fees. The Ghana Legal Aid, HRAC, WISE, FIDA, Ark Foundation, WilDAF provide various types of legal aid services in order to facilitate women's access to justice. Between 2008 and April 2014, the HRAC alone has provided 2,905 clients pro bono legal services, most of them for women and children who were not in the position pay. One hundred and seventy-four (174) pro bono lawyers were involved in these legal aid services offered by the HRAC.

11. Another initiative for improving access to justice is the introduction of the Community Mediation Centres (CMC). The CMC is the initiative of the Legal Aid Scheme, which is supported by the United Nations Development Programme (UNDP). The CMCs provide a platform where individuals or groups in dispute could resolve the dispute with the assistance of a trained third party neutral, referred as the Mediator.

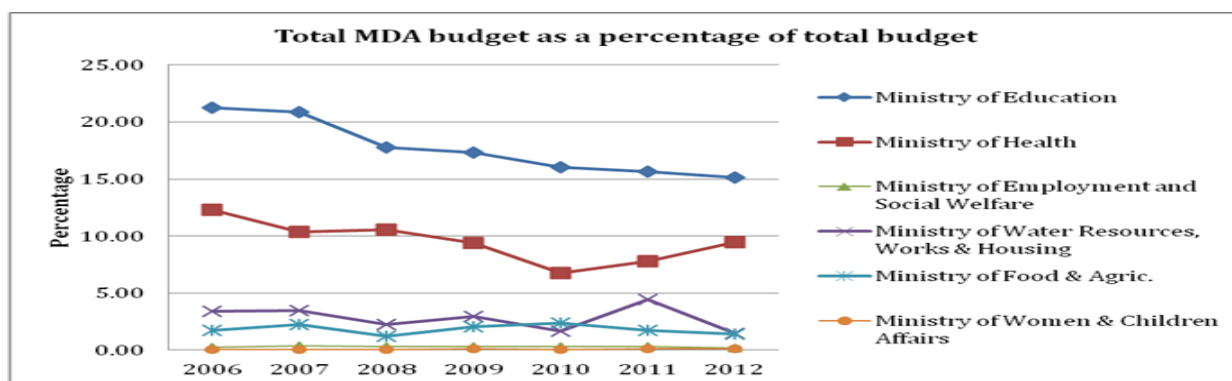
12. The CMC centres handle civil cases such as tenancy issues, employment disputes, family conflicts, maintenance and custody of children and such minor criminal cases that are permitted under the law such as assaults, acts tending to disturb peace, neglect of dependants and cases referred by the police, the courts and other social service providers. The objective of the CMCs is to offer an alternative to adversarial, cumbersome and expensive means of conflict resolution to improve access to justice for all people within the community and to create awareness about mediation centres as a preferred alternative to the centres.

#### **1.4 National Machinery for the Advancement of Women**

13. To further strengthen the realisation of women's rights and to better coordinate the provision of services to women, among others, the Ministry of Women and Children's Affairs (MOWAC) was restructured in 2013 and re-designated as the Ministry of Gender, Children and Social Protection (MoGCSP) by Executive Instrument (E.I) 1. The new Ministry was thus a merger of MOWAC, the Department of Social Welfare (DSW), the National Council on Persons with Disability (NCPD) and the Social Protection Division of the Ministry of Employment and Social Welfare (MESW). In consonance with the Ghana Shared Growth and Development Agenda (GSGDA), MoGCSP has a new and expanded mandate to ensure gender equality, promote the welfare and protection of children, and empower the vulnerable, excluded, aged and persons with disability for sustainable national development.

14. In spite of the expansion of MOWAC to MoGCSP, the budgetary allocations still remain under 1 percent of the total national budget, as seen in Figure 1 below.

Figure 1  
Budgetary Allocations for MDAs (2011-2013)



15. In 2013, MoGCSP was allocated GH¢53,382,672 in the Annual Budget Estimates to implement its programmes. This comprised the following:

- (a) GH¢38,166,022 representing the total GOG approved annual budget;
- (b) GH¢14,966,650 representing the total budget from donors; and
- (c) GH¢250,000 representing Internally Generated Funds (IGF).

16. In pursuit of effective implementation of its expanded mandate, MoGCSP has engaged the services of the Management Services Division (MSD) in the Office of the Head of Civil Service (OHCS) to undertake a restructuring exercise involving the development of a new organisational structure and performance management framework to improve the operations of MoGCSP. The Ministry has also developed an Agenda for Change which sets out its new vision and direction and how they fits into the national developmental agenda. Presently a five-year Strategic Development Plan is also being developed for MoGCSP. Together it is expected that these measures would enhance the performance and delivery of staff on MoGCSP's outputs and enable it meet its targets. The new organogram would also facilitate the revision of job descriptions for staff and ensure that each directorate, department and division of the Ministry has competent staff to carry out its functions.

17. On 30th November 2009, MoGCSP launched the Gender Responsive Skills and Community Development Project (GRSCDP), which is co-sponsored by the African Development Bank (AfDB) and the Government of Ghana. The GRSCDP is an intervention aimed at promoting gender-equitable socio-economic development through institutional capacity building and improvement of women's gainful employment and entrepreneurship. The Project focuses on sustained poverty alleviation among women at both national and local levels.

18. The positive impact made by the GRSCDP include the training of 1,534 officers from the Department of Gender, Home Science Instructors of the Department of Community Development (DCD), staff of AfDB-funded projects, District Planning Coordinating Units (DPCU) of the 59 beneficiary Districts, staff of MMDAs, including Gender Desk Officers, who were trained by the Institute for Local Government Studies (ILGS) on strategies to mainstream gender into planning under the GRSCDP.

19. MoGCSP has also developed the Gender Analysis Framework and Planning Templates to guide DPCUs and the inclusion of gender in planning processes for poverty reduction, local economic development, agriculture and infrastructural development at the local level.

### 1.5 Temporary Special Measures

20. The Ghana Shared Growth and Development Agenda (GSGDA) — the national medium-term development policy framework — provides the overall framework for improving the participation of women in key sectors of the economy, as well as putting in place measures to bridge the inequality gap between men and women. The GSGDA is also aligned to the Government's own development programme, the *Better Ghana Agenda*. Among the goals of the *Better Ghana Agenda* is 'affirmative action to rectify errors of the past, particularly as they relate to discrimination against women'.<sup>1</sup> The GSGDA therefore provides broad policy guidelines and strategic direction to increasing the role of women in existing sectors of the economy such as agriculture and emerging areas like the energy, oil and gas sectors.

21. In the employment sector, the National Development Planning Commission (NDPC) notes in the 2012 Annual Progress Report on the implementation of the GSGDA among the achievements in the sector, the adoption and implementation of a National Employment Policy (2012-2016) and the development of a National Human Resource Development Policy.

22. One of the strategies of this Policy is the mainstreaming of vulnerable groups into (including youth, women, people with disabilities and children) into national employment programmes, particularly the establishment of special employment schemes. In this vein, the Policy builds on previous successes such as the International Labour Organisation (ILO) Decent Work Programme (DWP), which was successfully piloted in Ajumako-Enyan-Essiam and Awutu-Afutu-Senya Districts of the Central Region; the National Forestation Plantation Programme (NFPP) which restored over 51,000 hectares of forest plantations, generating about 32,000 full-time farming jobs and 1,038,832 temporary jobs for the youth between 2001 and 2004; and the National Mass Cocoa Spraying Programme (NMCSP), started in 2001 and which generated 60,000 seasonal jobs in 2004.<sup>2</sup> Guided by these programmes, the Policy would pursue the following strategies for women:

- (a) Eliminating impediments to women's access to productive employment opportunities;
- (b) Increasing women's education and training in entrepreneurship, general management and business management, skills training and confidence building;
- (c) Specific policy interventions to encourage women to go into high income earning activities including cash crop farming, agro-processing, horticulture production for export, and ICT;

<sup>1</sup> National Development Planning Commission, *Medium Term National Development Policy Framework: Ghana Shared Growth and Development Agenda (GSGDA), 2010-2013 Volume 1: Policy Framework* (2010), p. 1.

<sup>2</sup> National Employment Policy 2012-2016, pp. 43-44.

(d) Expanding business advisory services targeted at promoting businesses of women and provision of financial and non-financial assistance including access to market-based income generating opportunities, women-friendly technologies, adequate special micro-credit schemes, and easy access to business advice; and

(e) Measures to remove unfavourable institutional culture that portrays women differently from what they really are at the work place.

### 1.5.1 Social Protection

23. To strengthen the country's social protection system, MoGCSP, in conjunction with the Ministries of Health, Education, Food and Agriculture, and Local Government and Rural Development are developing a National Targeting System (NTS) to be used by all government agencies in identifying, prioritising and selecting households living in vulnerable conditions. The NTS has a two-stage process of first developing a national registry of households, collecting key data such as number of persons in a household and their living conditions. The second stage involves national social intervention programmes using the registry in their programming. The NTS is targeting the following social intervention programmes:

(a) Livelihood against Poverty (LEAP) programme managed by MoGCSP;

(b) Labour Intensive Public Works (LIPW) being implemented by the Ministry of Local Government and Rural Development;

(c) The Exempt Category under the National Health Insurance Scheme implemented under Ministry of Health;

(d) Pro-Poor interventions for poor peasant farmers including block farming under the Ministry of Food and Agriculture;

(e) Free School Uniform and Exercise books implemented under Ministry of Education;

(f) School Feeding Programme under Ministry of Local Government;

(g) The Local Enterprise and Skills Development Programme (LESDEP); and

(h) The National Youth Employment Programme (NYEP)/ and Ghana Youth Employment and Enterprise Development Programme.

24. LEAP has been the nation's flagship social intervention programme. At the close of 2013, LEAP was covering 72,780 households in 100 districts. Of the total number of beneficiaries, 66.37 percent constitute women, and 73.70 percent also are women care givers. The target is to reach 100,000 households by the end of 2014. Seven thousand six hundred and sixteen (7,616) beneficiaries received electronic payment of LEAP grants piloted in 3 ecological zones. The World Bank is supporting this initiative. *LEAP 1000 Project*, USAID sponsored programme, which focuses on preventing stunting in children aged 0-3 years within the three Northern regions. Seven thousand (7000) women will benefit from the project.

25. In relation to the aged, MoGCSP has registered over 3630 aged persons above 65 years, out of a targeted 10,000 on the National Health Insurance Scheme (NHIS) database in two short months in 2014 in a piloted biometric registration programme for the aged in collaboration with the National Health Insurance Authority (NHIA).

## 1.6 Policies

26. The National Human Resource Development Policy was developed in 2011. A draft Implementation Action Plan for the Policy was developed and submitted to Cabinet for approval in 2012.

27. In the health sector, the aim of the Health Sector Gender Policy of 2009 is to contribute to ensuring better health for both men and women through health research, policies and programmes which are underscored by gender considerations. The Policy is therefore designed to promote equity and equality between men and women. Under the aegis of the Policy, the Ministry of Health (MoH) has been able to develop strategies to analyse and prioritise gender issues in planning, implementation, monitoring and evaluation of policies, programmes, projects and research.

28. Some of the specific strategic interventions made by the Health Sector Gender Policy include increasing general access to health care for both men and women, gender and life expectancy, sexual and reproductive health, gender and HIV/AIDS, sexual and gender based violence, gender and mental health, traditional and cultural practices and its implications on the health seeking behaviours of males and females, gender issues on health, nutritional health and some of the emerging trends and issues with gender and health implications.

29. The adoption of the new National HIV/AIDS, STI Policy is one of the most significant policy initiatives made within the reporting period that is worthy of mentioning. The first National HIV & AIDS, STI policy was developed in 2001. The revised National HIV and AIDS, STI policy was published in February, 2013.

30. Issues of gender are integrated within the various thematic areas of the Policy. However, the revised National HIV and AIDS, STI Policy provides a Chapter on Mitigation of Social and Economic Effects of HIV and AIDS, which throws highlights on issues related to gender norms and stereotypes.

31. Beyond the policy framework, the Ghana Health Service noted in its 2011 Annual Report the successes of some measures taken in favour of pregnant women. The GHS reported that in spite of challenges encountered with shortages of *Sulphadoxine-Pyrimethamine* (SP) for the prevention of malaria in pregnancy, Intermittent Preventive Treatment (IPT) increased with 545,032 (69.4 percent) pregnant women received IPT1 — an increase of 2.3 percent over 2010. In addition, 418,684 (53.3 percent) received IPT2, whilst 283,682 (36.1 percent) received IPT3.<sup>3</sup>

## 1.7 Stereotypes and Harmful Practices

32. Since its establishment in 1993, the Commission for Human Rights and Administrative Justice (CHRAJ) has sustained a vigorous campaign and opposition to all aspects of injurious and dehumanizing cultural practices such as female genital mutilation, widowhood rites, forced marriages, ritual servitude, maltreatment of women accused of witchcraft, as well as other violent practices that subject women and girl children to cruel treatment and acts that detract on their dignity.

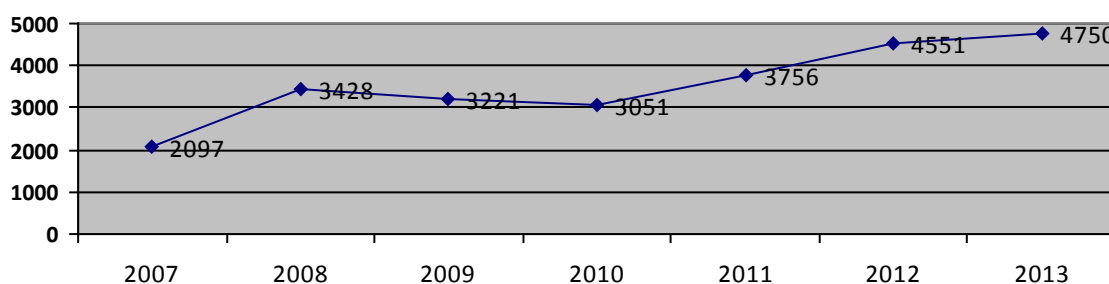
33. CHRAJ — under its monitoring mandate — has continued to monitor *trokosi* shrines and worked with local NGOs to advocate for and secure the release of

<sup>3</sup> Ghana Health Service, Ghana Health Service 2011 Annual Report, p. 30.

women and girls in servitude in the shrines. CHRAJ has noted from its monitoring that while the number of trokosis has decreased significantly over the past years, the practice is still prevalent and trokosis are continuously being admitted to shrines.

34. In the case of widows, CHRAJ has intervened in cases where widows have been abused to protect them. The Commission has collaborated with the Ghana Police Service in some instances to curtail the perpetuation of harmful widowhood rites on women. These successes have been chalked by CHRAJ mainly through its intensive public awareness campaigns conducted on gender-based violence. The number of public education programmes conducted by CHRAJ from 2007 to 2013 is provided in Figure 2.

**Figure 2: Public Education Programmes Held by CHRAJ (2007-2013)**



35. Other legislative interventions such as the amendment of the Intestate Succession Law and the introduction of a Property Rights of Spouses Bill are intended to combat negative cultural practices which subjugate women's rights to inheritance as a result of customary practices.

36. The phenomenon of women being accused of witchcraft still exists in the Northern, Upper East and Upper West Regions of the country. Currently, a total of six alleged witch camps are located in five Districts in the Northern Region. These are: Kukuo, Gnani-Tindang, Gambaga, Bonyase, Tindan-zhie (Kpatinga) and Nabuli in Nanumba South, Yendi, East Mamprusi, Central Gonja and Gushegu Districts respectively. According to the Anti-Witchcraft Allegations Campaign Coalition (AWACC) Field Monitoring, as at May 2012, the population of the witch camps were as follows:

(a) **Kukuo Camp:** 137 alleged witches and 172 of the children and grandchildren. 66 percent of the women are 70 years of age and above, with a majority of them coming from Bimbilla and its surrounding communities and Nakpali in the Zabzugu District. There are no males in the camp.

(b) **Gnani-Tindang Camp:** There are 273 alleged witches and wizards consisting of 173 (80.4 percent) women and 42 (19.6 percent) men, and 231 children and grandchildren. Unlike the Kukuo camp this camp has both sexes and there is no discrimination among them. Two ethnic groups can be distinguished, namely; the Dagombas and the Kokombas. Like the Kukuo camp, majority (72 percent) of the population in the Gnani-Tindang camp is aged 70 years and above.

(c) **Tindan-zhie Camp (Kpatinga):** There are 40 alleged witches and over 100 children and grandchildren. As pertains in the other camps, more than 70 percent of the population is aged 70 years and above.



(d) **Nabuli Camp:** There are 140 women alleged to be witches in this camp. There are no children in the Nabuli Camp. It has however been noted as the newest and fastest growing camp. Population: 140 women. This camp has no children living in it. In 2012 it was noted as being the newest and fastest growing of the camps.

(e) **Bonyase Camp:** There are 3 alleged witches and no children in this Camp.

(f) **Gambaga Camp:** There are 88 alleged witches with a majority aged 60 years and above.

37. Allegations of witchcraft are highly gendered, with older females, widows, childless or unmarried women bearing the brunt of the scourge due to strongly-held customary beliefs about such women not meeting certain gender stereotypes. Efforts to address the phenomenon have therefore engaged the attention of both governmental and non-governmental institutions. Measures taken so far include the following:

(a) Awareness-raising programmes on the witches camps and their harmful effects on women by the National Commission for Civic Education (NCCE);

(b) Comprehensive Research on the witches camps by the NCCE;

(c) Development of a Roadmap on eliminating the witch camps by ActionAid-Ghana and the Go Home Project of the Presbyterian Church of Ghana working on witch camps. The Roadmap has been handed over to the MoGCSP, which is currently studying it to determine how best to strengthen the collaboration and collective efforts towards removing the camps. The Ministry is thus working with the partners mentioned here to close down at least one camp.

38. As part of our effort to leverage and improve upon the living conditions of alleged witches, steps have been taken by MoGCSP; these include giving cash transfers under LEAP to the inmates of the witches camp. Together with the Ghana Health Service, MoGCSP provides basic needs such as food, potable water, sleeping arrangements (re-roofing of huts) and medical screening. This is to ensure their protection and basic health needs. The Lordina foundation is constructing a vocational Skills Training Institute for the gambaga Witchcamp and its surrounding communities. Notwithstanding all this effort, MoGCSP is working progressively on reintegrating the alleged witches in their home villages. This process is more sustainable and promotes the rights of the women to live freely. A roadmap has also been developed to facilitate the reintegration process. The media has been very instrumental in educating the public about the situations of the women in the witch camps.

39. Two years after the implementation of the reintegration roadmap, 132 alleged witches have already been reintegrated into their communities. Some challenges have however, been encountered in the reintegration process as community people find it difficult in accepting the women, and as a result will require increased sensitization by the private sector and development organisations to aid in the process.

40. The Mental Health Bill was passed into law as the Mental Health Act, 2012 (Act 846) on 31st May 2012, replacing the Mental Health Decree of 1972. The passage of the Act marked a major milestone in the re-focusing of mental health care in Ghana from an institution-based system to a community-based approach

which seeks to address the stigma and discrimination that persons with mental disabilities are often met with. Government has established the Mental Health Authority.

41. The Act addresses these issues — among others — affecting mental health care in Ghana:

(a) Protection of the rights of persons with mental disabilities as well as special protection measures for vulnerable groups including women, children and the aged;

(b) Setting standards for the treatment of persons in need of mental health care; and

(c) Establishment of a Mental Health Fund.

42. Section 94 of the Mental Health Act makes it an offence to neglect a person with a mental disability, discriminate against such a person within the terms of the Act or breach any of his or her fundamental rights under any other law. The punishment is a fine of not more than five hundred penalty units or to a term of imprisonment not exceeding 2 years, or both a fine and a term of imprisonment. This sanction will therefore apply to persons who operate camps which keep women and all other persons with mental disabilities.

## **Chapter Two**

### **Violence against women**

#### **2.1 The Domestic Violence Act, 2007 (Act 732)**

43. The Domestic Violence Act, 2007 (Act 732) is set out in three parts. The first part covers the prohibition of domestic violence within an existing or previous relationship and defines domestic violence to include physical, sexual, economic and emotional abuse. It also defines a domestic relationship and provides that a single act can amount to domestic violence. There are provisions on the filing of complaints to the police, police assistance and arrests by the police. The second part of the Act makes provisions for protection orders, and procedures to activate these. The final part of the Act covers miscellaneous provisions including the relation of the Act to the Criminal Code, the promotion of reconciliation by the Court, publication of proceedings, criminal charges and protection, civil claims for damages, regulations and interpretation.

44. A number of activities have been undertaken towards implementation of the National Policy and Plan of Action on Domestic Violence (2009-2019). Against the backdrop of the Domestic Violence Act, the focus of activities under the Policy has been to ensure the effective implementation of the Act. Some of the key activities carried out by the Ministry include the following:

(a) Developed and implemented a communications strategy for the Domestic Violence Act;

(b) Conducted a comparative study of implementation of the Domestic Violence Act within the courts in Ghana. A pilot study was undertaken in 3 Regions (Eastern Region, Volta and Greater Accra) to examine how the Domestic Violence Act was being implemented within the courts;

(c) Designed and developed domestic violence awareness-raising bulletin boards and posted them throughout all of Ghana's Regions;

(d) Conducting research on the prevalence of domestic violence in Ghana. Celebration of 16 Days of Activism Campaign. The activities involved the participation of women accused of witchcraft living in witch camps in 'anti-gender-based violence' events; a youth symposium; an event to honour the Domestic Violence and Victim Support Unit (DOVVSU) for its work to end gender-based violence, including honouring individual police officers for their proactive efforts in this endeavour;

(e) Held a stakeholders meeting to redesign the medical referral forms in the health service to make them more sensitive to victims of domestic violence and sexual abuse;

(f) Reviewed and finalised the Legislative Instrument for the Domestic Violence Act;

(g) Convened a High-Level Ministerial Conference on Sexual and Gender-Based Violence, resulting in the signing of a Communique and the formation of an Inter-Ministerial Working Group on Sexual and Gender-Based Violence to deal with cross-cutting issues around sexual and gender-based violence.

45. The challenges that have been encountered in the implementation of the Act so far include the following:

(a) Insufficient resources, both financial and human to fully implement the Policy;

(b) Absence of regional offices for the Domestic Violence Secretariat, resulting in heavy reliance on non-governmental stakeholders to assist with implementation. These stakeholders also face resource constraints and lack of capacity;

(c) Lack of consistent data.

46. Although the Domestic Violence Act does not explicitly mention marital rape, the Act is linked with the Criminal Offences Act (revised in 2007) under which marital rape is an offence. Marital rape is criminalised pursuant to repeal of section 42(g) by the Statute Revisions Act. Part Three of the Domestic Violence Act covers miscellaneous provisions including its relationship of the Criminal Offences Act. Under section 32 of the Domestic Violence Act, where an act committed within the domestic setting is an offence which attracts a sentence of more than three years imprisonment under the Criminal Offences Act, the police is expected to bring the action under the latter Act and not the Domestic Violence Act. Offences which attract sentences of more than three years imprisonment include rape, defilement, incest, serious bodily harm, causing harm with a weapon, manslaughter and murder.

47. Since 2009, Government agencies with mandates to prevent all forms of violence against women have made significant efforts in embarking on various advocacy and awareness creation initiatives to communicate and mobilize community members to address violence against children. The Departments of Social Development, Gender and Children of the MoGCSP have interacted with over 250,000 people in about 250 communities across the entire country on violence against women and children.

48. Other government agencies such as the Commission for Human Rights and Administrative Justice (CHRAJ), Domestic Violence and Victim Support and Anti-Human Trafficking Unit (AHTU) of the Ghana Police Service, Ghana Education Service (GES) and the Ghana Health Service have also engaged with various communities on violence against women. The essence of these programmes is to increase publicity and awareness on violence against women and its effects. The media has been a strong ally in publicizing and publishing various news items on violence against women and children.

49. There are mechanisms at the national and institutional levels to track progress through periodic assessments. Periodic surveys such as the Multiple Indicator Cluster Survey (MICS), Demographic and Health Survey (GDHS), Core Welfare Indicators Questionnaire (CWIQ) and the Ghana Living Standards Survey (GLSS) produced by the Ghana Statistical Service serve as solid monitoring tools for measuring progress on violence against women and girls to inform and guide interventions for prevention of domestic violence.

50. In response to the Committee's concern about the lack of comprehensive data on violence against women, DOVVSU and the DV secretariat has made diligent effort to compile data on domestic violence in Ghana from the cases it receives. CHRAJ has also been compiling data on the gender-related cases it receives. The data collected is provided in Annex 1 of this Report. DFID is supporting Government to generate data on gender based violence.

51. Other measures taken to prevent and reduce the incidence of domestic violence include the following:

(a) Translated the Domestic Violence Act into six (6) local languages in 2009;

(b) Organised training programmes for media practitioners, traditional leaders, and DOVVSU officers in six (6) Regions of Ghana;

(c) Established regional, district and community steering committees on Domestic Violence in 2011;

(d) Established a Domestic Violence Victim Support Fund in 2011. It is intended to support victims of domestic violence and to assist the implementation of relevant anti-domestic violence interventions. The Fund became fully operational with its first disbursement in May 2014;

(e) Drafted a referral system for victims of trafficking to enhance access to appropriate services.

## **2.2 Challenges and Difficulties**

52. The difficulties encountered by Ghana in effectively prosecuting cases of domestic violence mostly cover the following:

(a) Difficulty in adducing evidence in cases of emotional/psychological abuse;

(b) Difficulty getting funds for medical treatment for clients and medical reports;

(c) Delays in reporting the abuse;

(d) Difficulty penetrating through the walls of the Ghanaian culture, since issues of sexual and gender-based violence are often seen as a private matters, dealt with within families and communities;

(e) Difficulty in getting evidence from witnesses to build a good case for prosecution;

(f) Victim/survivors discontinuation of complaints or unwillingness to pursue cases;

(g) Inadequate shelters for survivors of abuse; and

(h) No institutional framework to provide post exposure prophylaxis.

53. The Domestic Violence and Victim Support Unit (DOVVSU) of the Ghana Police Service — was established in October 1998 as the Women and Juvenile Unit (WAJU) in fulfilment of Ghana's treaty obligations to protect the population, especially women and children, from violence. WAJU was changed to DOVVSU in 2005. DOVVSU is mandated to enforce all laws with a focus on violence associated with gender, women and children; respond to cases of sexual and gender-based violence, child abuse and child protection; protection of all vulnerable persons from abuse; and investigation of all cases of sexual and gender-based violence and child abuse. Since its creation, over 180,000 cases have been reported to the Unit.

54. DOVVSU provides the following services in line with its mandate:

(a) Receiving and responding to complaints — DOVVSU has a 'walk-in' system that allows victims and witnesses to directly report cases. The Unit also has a telephone line which is operated as part of the Ghana Police Service crisis response intervention linked to the Service and hospitals in the country.

(b) Conduct of investigations into cases — This involves crime scene management (evidence-gathering and maintenance of evidence quality and integrity), building dockets for prosecution and ensuring that women and children who need special care and attention have access to expert attention.

(c) Referral system for victims — This covers referral to medical services (particularly the Police Hospital); referral to legal services (mostly provided by the Legal Aid Board, the Ark Foundation, HRAC, International Federation of Women Lawyers (FIDA) and Women's Initiative for Self-Empowerment (WISE)); referral to shelters (provided by the Ark Foundation, Department of Social Welfare (DSW)); referral to WISE for emotional counselling, however some officers of DOVVSU have been trained to provide basic counselling to clients and traumatised victims; and referral of dockets to the Attorney-General's Department for advice on prosecution.

55. DOVVSU currently has over 100 Offices and Desks nationwide in some Divisions and Districts of the Ghana Police Service. DOVVSU's target is to establish Desks in all Police Stations and Posts, which number over 700 countrywide. The activities of all the DOVVSU Offices and Desks are coordinated from the National Secretariat at the Ghana Police Headquarters in Accra.

56. DOVVSU is constrained by inadequate financial, technical and human resources to enable it effectively fulfil its mandate. The Unit is also bedevilled with the challenges related to prosecution noted above in this Report.

57. Although there are efforts to mainstream curriculum on sexual and gender-based violence into Police training, the Unit is in immediate need of training for its officers on effective prosecution of domestic violence and sexual and gender-based violence cases; gender issues and dynamics; basic counselling skills; and proper handling of victims.

58. As regards shelters for victims of violence, there are currently 3 State-funded shelters in the Greater Accra, Upper West and Volta Regions respectively. Unfortunately all three are currently non-operational due to lack of funding. It is expected that the shelters will be fully renovated by 2015.

59. School-related gender based violence occurs in schools and educational institutions in Ghana. A study by the Human Rights Advocacy Centre (HRAC) indicates that though research demonstrates that male and female students are equally vulnerable to SRGBV, the dominant perception in Ghana is that girls are more susceptible. The study also showed that 66 percent of respondents did not know about SRGBV. The study report indicates that very few teachers are likely to report SRGBV to the Police even if the need arises. Another research by the Department of Children (DOC) on the use of corporal punishment in school also showed that SRGBV is prevalent in schools in Ghana. A study commissioned by Plan Ghana in 2009 on sexual abuse in schools also found that 55 percent of girls were more vulnerable to sexual abuse than boys (45%). In terms of national response to SRGBV, some of the steps taken are the application of law, advocacy work by both government and non-government organizations, community sensitization, research, dissemination of IEC materials, and application school code of conduct.

### **2.3 Trafficking in women and exploitation of prostitution**

60. Cross border trafficking occurs in Ghana, and there is evidence of it happening especially for sexual exploitation of women and children. The trafficking of children is prevalent internally. Girls, especially, are forced into labour, domestic servitude, head portering, street hawking and prostitution. Boys on the other hand are trafficked to do fishing, mining, and quarrying. Trafficking for agricultural labour is reducing due to ILO and ECOWAS Projects.

61. For men, cross country trafficking or illegal migrant smuggling is connected with fraudulent recruitment agencies and young men stowing away on ships to Europe, America and the Arab world including Kuwait and Saudi Arabia to do construction work. Ghanaian women and children are also trafficked to Nigeria, Côte d'Ivoire, Burkina Faso, The Gambia, South Africa, Israel, Syria, Lebanon, Russia, France, the United Kingdom, Germany, and the United States for forced labour and sex trafficking. Some women and girls voluntarily migrating from China, Nigeria, Côte d'Ivoire, Burkina Faso, and Benin have also been subjected to commercial sexual exploitation after arriving in Ghana.

62. The key obstacles to implementation of the Human Trafficking Act are mainly:

- (a) Ineffective collaborative mechanisms to fight trafficking;
- (b) Inadequate Government budgetary allocation to carry out mandated activities in the Human Trafficking Act by MoGCSP and for that matter the Human Trafficking Secretariat;

(c) The Anti-Human Trafficking Unit (AHTU) remains under-staffed and under-funded. AHTU officials are the only state officials mandated to prosecute trafficking cases yet their limited resources hamper government's ability to adequately address the number of cases brought to the Unit each year.

63. To combat these challenges, the Human Trafficking Secretariat has submitted a number of funding proposals to the key donor partners — UNICEF, USAID, and Solidarity Fund of the French Government. The Secretariat has also collaborated with the International Organisation for Migration (IMO), the International Labour Organisation (ILO) and other local NGOs on various activities to implement the Act for which these organisations have the resources.

64. In 2012, AHTU identified about 409 trafficking victims. The DSW also continued with its support of finding a shelter for trafficking victims. In May 2011, 232 Ghanaian law enforcement officials working with agents from INTERPOL carried out a three-part operation against child trafficking. Although there is no formal protocol for referral of cases, AHTU was able to refer some of the 409 trafficking victims identified in 2012 to Government and NGO-run facilities for protective care.

65. In all the AHTU, Ghana Immigration Service (GIS), and the Economic and Organised Crime Office (EOCO) identified 91 suspected trafficking cases in 2012. The AHTU was able to secure the conviction of 29 traffickers, marking an increase of four convictions over that of 2011.

66. In spite of the challenges, the Government has made efforts to strengthen the institutional framework and capacity of officers. The AHTU opened its ninth Regional Office in the Eastern Regional capital, Koforidua in August 2011. On capacity-building, EOCO conducted two training courses for its anti-human trafficking unit in 2012. In the same year, about 50 Police Officers also participated in an international workshop on human trafficking. The GIS, with support from UNICEF and IOM have trained a number of immigration officers across the country in data collection, personal identification registration systems and in-depth passport verification to better detect fraud, particularly in cases of suspected human trafficking.

67. A number of public education and awareness campaigns have been carried out by AHTU, MoGCSP and the IOM. In 2012 MoGCSP collaborated with a local NGO to educate 500 communities in the Kraboa-Coaltar District of the Eastern Region on the dangers of human trafficking. The Ministry also worked with the Police and IOM to broadcast anti-human trafficking radio programmes in the Upper East, Eastern, and Greater Accra Regions. It also aired human trafficking documentary programs on television.

68. Prostitution remains a criminal offence under the Criminal Offences Act, however efforts are made to ensure the protection of sex workers as part of the country's broader legal framework. Chapter 5 of the Constitution guarantees a wide range of fundamental rights and freedoms. The Police — who often confront sex workers are mandated by the Police Service Act to perform their functions as proscribed by law. Section 10 of the Act prohibits torture, violence, ill treatment and conforms this to article 15 of the Constitution. The Police are also required to respect, maintain and protect human rights and human dignity of all persons, and are supposed to act impartially and in accordance with the law. Section 97 of the

Criminal Offences Act also prohibits rape and section 247 prohibits extortion by Police Officers — an act commercial sex workers often complain about.

69. For women who want to quit prostitution, the Government has put in place various simple loan schemes to assist people who will want to venture into small scale businesses through the National Board for Small-Scale Industries (NBSSI), Local Enterprises and Skills Development Programme (LESDEP), Youth Enterprises and Skills Development Programme (YESDEP) and the Youth Empowerment Synergy (YES), to name a few. The Livelihood Empowerment against Poverty (LEAP), the nation's flagship social intervention programme is also available. NGOs and faith-based organisations have also provided support programmes and interventions for prostitutes.

70. Given the stigma attached to prostitution and the criminal implications attached to it, comprehensive data on commercial sex workers is not readily available. That notwithstanding, the Ghana AIDS Commission conducted a mapping and size estimation and Integrated Bio-Behavioural Studies of Female Sex Workers (FSW) and Men who have Sex with Men (MSM) in 2012 to provide updated evidence for programming and decision making. A Most-At-Risk Strategy to ensure that key populations receive targeted comprehensive HIV and AIDS Services was developed and is being implemented to reduce vulnerability and spread of the epidemic among this sub-population.

## **Chapter Three**

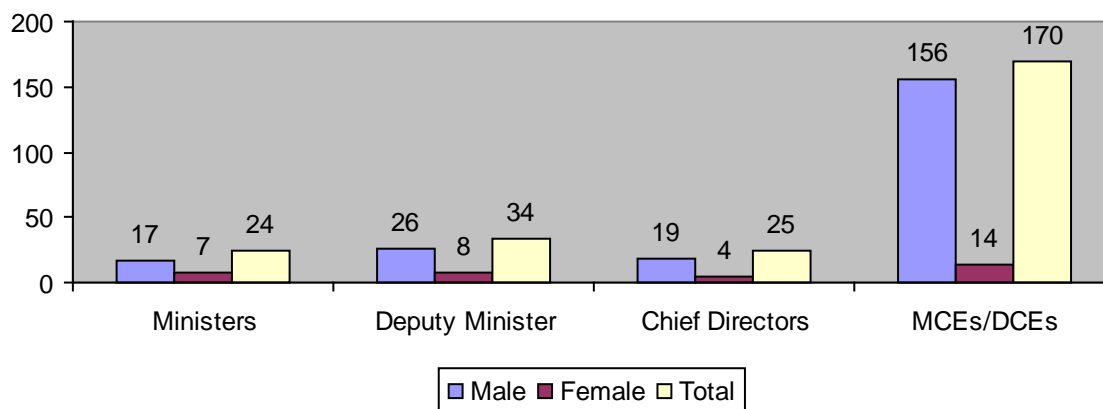
### **Participation in political and public life**

#### **3.1 Affirmative Action**

71. The Affirmative Action Policy formulated in 1998 by the Government after Beijing Plan of Action set targets of 40 percent representation of women at all levels of governance, on Public Boards, Commissions, Councils, Committees and Official Boards including Cabinet and Council of State. As the country progresses towards meeting these targets, the trend has been mixed. In the traditional governance institutions efforts have been made to ensure the active participation of Queen-mothers in the Traditional Councils and Houses of Chiefs. In other governance structures — particularly in political positions — women are still under-represented (Ghana MDG Report, 2013). Women, however, are still under-represented in key national and regional governance institutions. At the highest level of Government, women make up 29 percent of Ministers, 23 percent of Deputy Ministers, 16 percent of Chief Directors and eight percent of District/Municipal/Metropolitan Chief Executives as indicated in Figure 3.

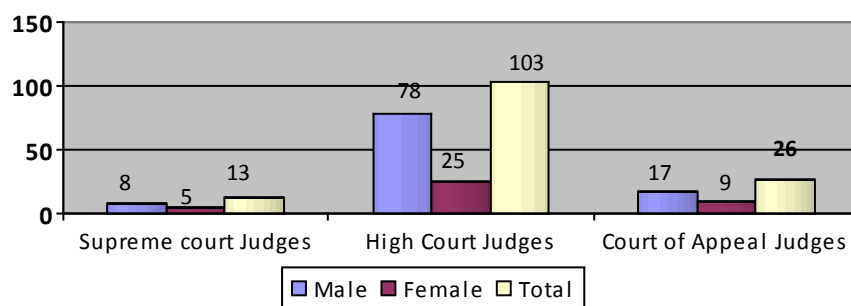


**Figure 3: Number of Female Ministers, Deputy Ministers, Chief Directors, and MCEs/DCEs in Ghana**



72. Within the judiciary, women still continue to lag behind their male counterparts. Currently, there are only 29 women parliamentarians out of 275, while in the superior courts there are 5 out of 13 at the Supreme Court, 9 out of 26 at the Court of Appeal and 25 out of 103 at the High Court.<sup>4</sup>

**Figure 4: Number of Female Judges at the Supreme Court, High Court and the Court of Appeal**



73. The Affirmative Action Bill is currently in its second draft form, having received comments on it from the Attorney-General's Department. A workshop was held in June 2014 with key stakeholders to discuss the second draft and move the Bill forward towards finalisation.

74. For the first time in Ghana's history there have been many appointments of females to key top public offices. The Chief Justice of Ghana is female, the Deputy Chief of Staff of Office of the President, the former Speaker of Parliament, the Commissioner on Human Rights, Chairperson of NCCE, Director General of Ghana Prisons, Director General Ghana Aids Commission, Director General, Ghana Aids commission, Comptroller and accountant general, and Government Statistician.

<sup>4</sup> <http://www.chrajghana.com/?p=744>.

75. One of the key legislation that mandates the participation of women is the National Peace Council Act, which requires that one of the two members of the National Peace Council appointed by Government should be a woman.

76. Since 2002, various Governments have made efforts to increase women's participation in the District Assemblies through administrative guidelines that require varied percentages of appointed members to be women. However, because they are often mere administrative guidelines and processes, not all the Assemblies have not fulfilled them. Generally, most Government institutions have gender policies in place which are aimed at promoting the empowerment of women.

77. To enhance women's participation in political life, two of the country's major political parties, the National Democratic Congress (NDC) and the New Patriotic Party (NPP) have reduced the cost of filing fees for women parliamentary contestants. These political parties and others in the country have stated quotas for women's ministerial appointments in their manifestoes.

78. Civil society organisations including ABANTU for Development, Women in Law and Development (WiLDAF), and Action Aid-Ghana have carried out awareness-raising programmes and advocacy which have accounted for the marginal increases in women's participation in decision-making at national and local levels.

79. Regarding the participation of women in the chieftaincy institution, as noted previously in this Report, for the first time in Ghana's history, Paramount Queen-mothers in 2010 were paid allowances just like their male counterparts. The amount paid was increased from one hundred and fifty Cedis (¢150.00) to three hundred Cedis (¢300.00) per month.

80. There are also now 10 Regional Associations of Paramount Queen-mothers in all the 10 administrative Regions of Ghana. Through these Associations, Queen-mothers discuss and address matters relating to the welfare of women.

81. The process has commenced to fully integrate Queen-mothers into the Regional Houses of Chiefs and the National House of Chiefs, both of which are constitutional bodies vested with powers and functions related to matters of customary law and practice.

82. In order to ensure women's equal access to and full participation in power structures and decision making on land through the development of policies, the MOLNR through the LAP, have built capacity of some selected women traditional leaders (Queen Mothers) to participate and contributes effectively in decision making on land at the national and customary levels. From the Project's analyses, women's representation and participation in decision making on land under LAP has increased at the formal and customary levels. The Project through continuous engagement with stakeholders ensures a more equitable information and access to opportunities and benefits for women and men. For example, the Ministry, through LAP promotes adequate women's participation in LAPs processes relating to rural parcel land demarcation and registration, deeds and titling, and alternative dispute resolution mechanisms at the Customary Land Secretariats (CLSs).

### **3.2 Nationality**

83. In its findings, the Constitution Review Commission (CRC) notes that a previous attempt had been made though the Constitution (Amendment) Bill of 1999

to make the acquisition of Ghanaian citizenship through marriage gender neutral. This Bill was however not passed into law.<sup>5</sup> Accordingly, the CRC recommended that article 7 of the Constitution — which governs citizenship by marriage — be made gender neutral.<sup>6</sup> This recommendation has been accepted by the Government in its White Paper on the CRC's Report.<sup>7</sup> Citizenship is gender neutral under the Constitutional Amendment Bill, 2014.

## **Chapter Four Education**

### **4.1 Introduction**

#### **4.1.1 Enrolments**

84. The country continues to make progress towards achieving gender parity at Senior High School (SHS), with the GPI and share of female enrolment both increasing. The transition rates from JHS to SHS1 are higher for females than males, and the SHS completion rate for female students increased notably from 28 percent to 38 percent between 2012/13 and 2013/14.

85. The percentage of females enrolled in public institutions has been rising in recent years. In 2012/13, 33.6 percent of public university students were female, 33.1 percent of polytechnic students, and 43.3 percent of Colleges of Education students were female.

86. Available data for 2013/14 shows increasing progress towards the goals of gender parity at Senior High School level. The GPI on GER increased from 0.86 to 0.91, and the proportion of enrolment which is female from 45.9 percent to 46.9 percent.

87. The proportion of enrolment in Ghana Education Service (GES) Technical and Vocational Institutions (TVIs) which was female increased from 16.5 percent in 2012/13 to 18.3 percent in 2013/14.

88. In 2012/13, 9,404 students were admitted into the public Colleges of Education (CoEs), and 2,439 into the private CoEs, giving a total of 11,843 new entrants with 46.4 percent female representation.

89. The percentage of enrolment in public institutions which is female has also been rising in recent years. In 2012/13 33.6 percent of public university students were female, 33.1 percent of polytechnic students, and 43.3 percent of CoE students were female.

90. Ghana achieved 100 percent Gross Enrolment Ratio (GER) in four out of the ten administrative Regions meeting the MDG Goal on education in 2010 ahead of the 2015 deadline. The six other regions are below the national average but working steadily towards achieving the 100 percent mark. The success has been due to

<sup>5</sup> Constitution Review Commission, Report of the Constitutional Review Commission: From a Political to a Developmental Constitution (2011), p. 638, para. 46.

<sup>6</sup> Constitution Review Commission (2011), p. 639, para. 53.

<sup>7</sup> White Paper on the Report of the Constitution Review Commission presented to the President, p. 42.

initiatives such as the capitation grant, school-feeding programme and free school uniform programme.

91. Under the National School Feeding Programme, over 1.6 million pupils are fed with one hot nutritious meal on every school going day. This has increased school enrolment, attendance and retention by 80 percent.

92. The 'Take Home Ration' initiative by the Ghana Education Service (GES) and the World Food Programme (WFP) in 1988/89 in the northern parts of the country has helped to bridge the gender disparity in education in deprived communities. Currently, food rations have been provided to 90,000 girls in the three northern regions. As a result of this partnership between the GES and the WFP providing the 'Take Home Rations', the Upper East and Upper West Regions of the country were the first two out of the ten Regions to attain gender parity in education in Ghana.

93. 10,400 Senior House school students, 60 percent of who will be girls, will receive a scholarship package under the secondary education improvement project of the Ministry of Education over the next three years from 2015.

94. To bridge the gender gap in access to education, a total of 15,700 girls from JHS have benefited from scholarships through the Participatory Approach to Student Success. Under the Gender Responsive Skills and Community Development Project (GRSCDP), MoGCSP granted scholarships to 668 girls from 2011/2012 and 2012/2013 academic years, and presented equipment to government vocational institutions.

95. To improve ICT in education, 60,000 laptops have been provided to Basic Schools in all ten regions of Ghana under the Basic School Computerisation Program. 50,000 Basic School teachers have also benefited from ICT training.

96. For the 2012/13 academic year, the Ministry of Education has provided Capitation Grant amounting to GH¢24,472,840.00 for 5,741,198 pupils in basic schools. The Ministry of Education has also subsidised the registration cost of 391,079 candidates for the Basic Education Certificate Examination (BECE) to the tune of GH¢9,031,338.00.

97. Under the GRSCDP, MoGCSP granted scholarships to 668 girls from the 2011/2012 to the 2012/2013 academic years, and presented equipment in 59 districts, including 25 to Department of Community Development-run institutions and 8 to the National Vocational Training Institute (NVTI). In 2014, the GRSCDP supplied equipment for carpentry, masonry, mechanical, dressmaking and catering to technical and vocational institutions.

## **Chapter Five Employment**

### **5.1 Introduction**

98. As Ghana grows to become a middle income country with her economic growth being led by the oil and gas sector. The current version of the Ghana government's policy on the oil industry makes reference to the issue of gender, stating that 'while government will provide equal opportunities for all citizens of the Republic of Ghana, the participation of women in the oil and gas industry will be

actively encouraged.’ In the immediate future, efforts will be made to clearly define the role of women in the policy frameworks guiding the oil industry.

99. Apart from the oil industry, the manufacturing sector has also witnessed efforts to improve women’s participation in the sector. These include:

(a) Within one and a half years of launching and implementing the Labour Intensive Public Works (LIPW) programme over 88,908 people have so far been employed under the Program, with 52,177 being women.

(b) The Business Development Unit of MoGCSP has established a micro credit scheme, training programs and alternative livelihood programs for women in the services and manufacturing sector.

(c) Alternative livelihood programs (such as soap making) have been initiated by MoGCSP and other NGOs for poor women such as head porters.

(d) One hundred and fifty (150) financial and business training programs were organized for women in services sector in year 2007. In this same year, a total of 10,907 women were trained in financial and business management skills in six of the ten regions in Ghana (i.e. Greater Accra, Ashanti, Brong-Ahafo, Central, Eastern and Northern).

(e) A Social Security and National Insurance Trust (SSNIT) Program has been established for the informal sector.

100. Efforts made in the agricultural sector include the following:

(a) In 2008, MoGCSP procured 43 agro-processing equipment (i.e. groundnut, cassava, palm-nut and she abutter equipment) from GRATIS Foundation, and distributed them to 43 women’s groups in nine regions in the country. Over 3,440 households in the various communities are benefiting from the operations of the equipment.

(b) A start-up capital of ₵2,000.00 was disbursed to the 43 women’s groups to purchase raw materials for their operations.

(c) Again in 2008, MoGCSP built the capacity of 7,940 women in agro-processing and food processing skills to enable them make significant contributions towards sustainable national development.

(d) An assessment of the Gender and Agricultural Development Strategy (GADS) was done in 2008 by the Ministry of Food and Agriculture (MoFA) and concrete recommendations made to improve the situation of women in agriculture.

(e) A draft Gender Strategy was developed in January 2009 for the Land Administration Project (LAP) and the land sector agencies. The specific objectives of the Gender Strategy are to ensure rights of women’s existing land holdings, in customary rural and peri-urban areas; equitable information and access to opportunities, benefits and decision making in land administration in Ghana. Both women and men will be well informed to participate in land demarcation and registration, customary land secretariat operations, deeds and titling, dispute resolution processes, policy dialogue, monitoring and evaluation.

101. Although there is no specific national policy framework on sexual harassment, complaints of sexual harassment can be filed at the National Labour Commission (NLC). The NLC is mandated to investigate and determine all labour and workplace

related issues brought before it. Further, a case of sexual harassment can be presented to DOVVSU or presented directly to the courts.

102. It must be added that the University of Ghana — the nation's premier university — launched its first sexual harassment policy, the first ever for a public university in Ghana, in March 2011.

## **Chapter Six**

### **Health**

#### **6.1 Maternal Mortality and Morbidity**

103. MM has dropped from 740 per 100,000 live births in 1990 to 350 per 100,000 live births in 2010. It is projected to fall to 185 in 2015. A number of measures have been taken to reduce the rate of maternal mortality and morbidity. A few of these measures are noted below:

(a) Implementation of free maternal health services, repositioning family planning and training as well as repositioning reproductive and child health staff;

(b) Establishment of a safe motherhood task force which is operational and supporting Government's efforts to increase the number of midwives through direct midwifery training. Consequently, the opening of new midwifery training schools resulted in a 13 percent increase in national enrolment between 2007 and 2009;

(c) Implementation of the High Impact Rapid Delivery (HIRD) approach as a complementary strategy to reduce maternal and child mortality. Several Districts have indicated progress in service indicators achieved and innovative strategies implemented with regard to improving maternal health. Other notable interventions are the Ghana VAST Survival Programme, Prevention of Maternal Mortality Programme (PMMP), and Safe-Motherhood Initiative;

(d) Implementation of Projects such as the Making Pregnancy Safer Initiative, Prevention and Management of Safe Abortion Programme, Maternal and Neonatal Health Programme and Roll Back Malaria Programme, Intermittent Preventive Treatment (IPT) have contributed to the reduction of maternal mortality and morbidity;

(e) Implementation of Emergency Obstetric and Neonatal Care (EmONC) is being implemented in all 10 Regions, although not with the full complement of required human and technical resources. Four regions have so far received EmONC equipment, namely Eastern and Brong-Ahafo in 2009 and Ashanti and Northern regions in 2010;

(f) Under NHIS maternity care is free;

(g) Access to healthcare in rural areas has increased with Community based health Planning and Services increasing from 868 in 2009 to 1675 in 2011.

#### **6.2 Malaria Control**

104. With malaria being a cause of morbidity in Ghana, the adoption of a multi-interventional approach by the National Malaria Control Programme (NMCP) of the Ghana Health Service (GHS) is a welcome measure. A key initiative under

this approach is the campaign to increase the ownership and use of insecticide-treated nets (ITNs) dubbed, ‘Door-to-Door and Hang Up’. The campaign was started in the Northern Region targeting children under six years and pregnant women. The NMCP reported in an evaluation of the initiative six months after its commencement that there was a dramatic increase and usage of ITNs in the Northern Region, building on which the programme was rolled out nationwide.

105. Other malaria prevention interventions include:

- (a) The scaling up of the Intermittent Preventive Treatment (IPT) to provide chemoprophylaxis for pregnant women;
- (b) Improving malaria case management in all health facilities; and
- (c) Intensifying community education on the synergy between malaria and environmental sanitation.

### **6.3 Fistula**

106. From 2013 to 2014, fistula repairs have been done by MoGCSP for sixty eight (68) women from the Upper East, Upper West, Volta and Central Regions of Ghana, in collaboration with a team of doctors at the Mercy Health Centre, Mankesim. Beneficiaries have also received assistance to reintegrate into their society.

### **6.4 Centre for Health and Social Services (CHSS)**

107. The Centre for Health and Social Services (CHSS) is working towards expanding the Community Health and Planning Systems (CHPS) from the current 3.3 percent to 30 percent over the next three years also improve the efficiency of the system from the current 36 percent to 70 percent through policy transformation for Universal Coverage in Maternal and Child Health Service.

### **6.5 Registration of the Aged on the National Health Insurance Scheme (NHIS)**

108. In 2014, 3,530 aged persons have been registered on the National Health Insurance Scheme (NHIS) database within two months in a piloted biometric registration programme for the aged in collaboration with the National Health Insurance Authority (NHIA).

### **6.6 Permissible Abortion**

109. Although information on awareness-raising campaigns on permissible abortion in Ghana, a study<sup>8</sup> conducted by a consortium of five organisations reveals that a number of women are more likely to opt for medical abortion, when given the opportunity. The consortium comprising Marie Stopes International — Ghana (MSIG), Engender Health, IPAS, Population Council and Willows Foundation — in collaboration with the Ministry of Health commenced a programme in 2006 called Reducing Maternal Mortality and Morbidity (R3M) to accelerate efforts towards achieving MDG 5. Through the R3M, the consortium was granted a provisional licence by the Food and Drugs Board (FDB) to introduce Mifepristone and Misoprostol — a medical abortion regimen — into Ghana. A study conducted in

<sup>8</sup> Osei Kuffour Emmanuel, et al, ‘Introduction of Medical Abortion in Ghana’ 2011 Population Council Inc.

10 health facilities across Accra, Koforidua, Oda and Kumasi showed that acceptability of medical abortion was very high. As much as 81 percent of respondents indicated that they would use the medical abortion procedure again.

110. The R3M partners have provided LAPM methods to 106,126 women, and comprehensive abortion care to 133,291 women.

111. The Ghana Health service has developed Protocols Standards and Guidelines for providing comprehensive abortion care.

## 6.7 HIV/AIDS

112. The HIV/AIDS epidemic in Ghana is classified as a generalised epidemic with a prevalence of more than one percent in the population.<sup>9</sup> According to the 2012 National HIV Prevalence and AIDS Estimates Report, an estimated 225,478 people are living with HIV/AIDS of which 100,336 are males, 125,141 are females and 30,395 are children. New infections as at 2012 were 12,077 of which 10,373 were adults and 1,704 were children. Further disaggregated data from UNAIDS puts the figure of women aged 15 years and above living with HIV/AIDS at 120,000 as at 2012.<sup>10</sup>

113. According to the ‘Ghana Country AIDS Progress Report: January 2010 — December 2011’ prepared by the Ghana AIDS Commission (GAC),<sup>11</sup> the HIV prevalence in Ghana varies with geographic areas, gender, age and residence. The prevalence in the urban sites was higher than in rural sites.

114. From the annual HIV Sentinel Surveillance Surveys conducted on pregnant women at the level of ante-natal care — and more recently the Estimation and Projection Package (EPP) Model — the HIV/AIDS prevalence has continued to drop over the last decade.<sup>12</sup> The median HIV prevalence has declined from 3.6 percent in 2003 to 2.1 percent in 2011 as can be seen in figure 5 below. Currently as per the EPP Model, the national prevalence stands at 1.37 percent among the general population. The 2012 National HIV Prevalence and AIDS Estimates Report records this figure as the lowest prevalence in about 10 years.

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<sup>9</sup> The World Health Organisation (WHO) classifies a prevalence rate of 1 percent or more in the general population as a generalised epidemic.

<sup>10</sup> See UNAIDS Countries — Ghana. Available at <http://www.unaids.org/en/regionscountries/countries/ghana/>.

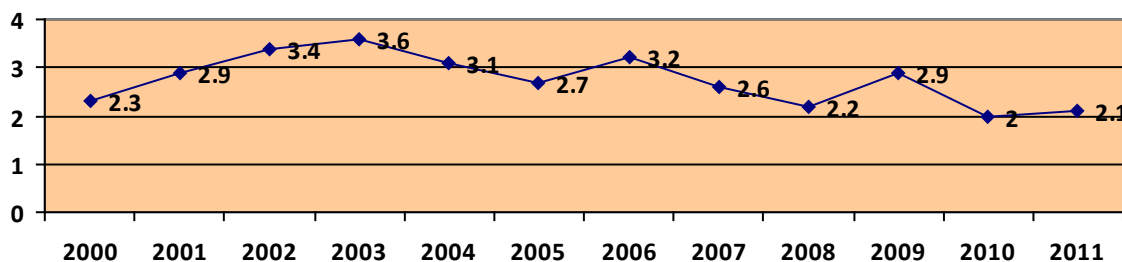
<sup>11</sup> See GAC, (2012) *Ghana Country AIDS Progress Report*, 2012, p. 12.

<sup>12</sup> GAC, (2012) *Ghana Country AIDS Progress Report*, 2012, p. 21.



**Figure 5: Trend in Median HIV prevalence from 2000 – 2011**

Source: HIV Sentinel Surveillance Report, 2011



115. Ghana is also noted by the Joint United Nations Programme on HIV and AIDS (UNAIDS) as one of five countries in West Africa whose prevalence declined by more than 25 percent between 2001 and 2011.

116. PMTCT services have been integrated into sexual and reproductive health services.<sup>13</sup> This has ensured wider access to women in reproductive ages. It is also recorded that in 2012, 70 percent of all HIV-positive persons received Anti-Retroviral (ARV) medication to prevent MTCT, an increase from the 2011 coverage of 50 percent. The 2013 Global AIDS Report further notes that in Ghana, the risk of a woman living with HIV transmitting the disease to her child has reduced from 31 percent in 2009 to 9 percent (7 percent-11 percent) in 2012.<sup>14</sup> In addition, the Report finds that in Ghana, the coverage of services for women living with HIV to prevent MTCT increased dramatically from 32 percent (27 percent-38 percent) to more than 90 percent in 2012. Worthy of note is also the fact that there is a 76 percent reduction in new infections among children.<sup>15</sup>

## Chapter Seven

### Rural women

#### 7.1 Introduction

117. The Government of Ghana through the Ministry of Lands and Natural Resources (MOLNR) initiated a land reform process in 1999 to stimulate economic development, reduce poverty and promote social stability. In 2003, the first phase of the Land Administration Project (LAP) was initiated to develop a decentralized, fair, efficient and transparent land administration system in Ghana to reduce poverty. In response to national gender initiatives and demands from civil society as indicated in the Women's Manifesto of Ghana (ABANTU, 2004), the Project took steps to map gender dimensions of land administration and developed a gender equality mainstreaming strategy with the objective of providing a coherent and sustained approach to addressing women and men's concerns in land administration for equitable development, gathering gender-sensitive data using appropriate participatory appraisal tools and incorporating this in the implementation and

<sup>13</sup> GAC, (2013) 'Achievements and Challenges with respect to MDG 6', p. 3.

<sup>14</sup> UNAIDS (2013), p. 37.

<sup>15</sup> Ghana AIDS Commission (2013), p. 3.

monitoring processes of LAP. Key thrust of the Strategy includes Public Education, Capacity Building, Institutional Reforms, Advocacy and Networking with Civil Society Organizations.

118. Implementation of the Gender Mainstreaming Strategy Action Plan began in 2012 under the Second Phase of LAP with funding from the World Bank, Department Foreign Affairs, Trade and Development Canada formerly CIDA and the Government of Ghana.

119. The Ministry has integrated gender perspectives in LAP planning and ensures adequate women's representation and involvement in decision making on land. It is also promoting women's access to and control over land, collect gender disaggregated data and evaluates Project implementation to inform policy reforms in the land sector and land administration in Ghana in general.

120. Between January to December 2010, 787 titles were registered at the Lands Commission by women nationwide to secure their interest in land and 581 land titles were jointly registered (registration that involved wife and husband, Brother and Sister etc.).

121. Similarly, between January and December 2010, 1,675 deeds were registered by women nationwide and 849 deeds were registered jointly at the Lands Commission. The number of titles and deeds registered from 2012 to 2013 by females were 4652 and 12,956 were registered by males with 2,685 joint registration.

122. The Ministry of Food and Agriculture (MOFA) has also developed a Gender and Agricultural Development Strategy (GADS), to support its gender mainstreaming processes.

123. Among the challenges faced in the implementation of this policy is fact that women are often users of land and not owners, thus affecting their decision-making power over land matters. The second phase of the LAP (LAP II) is aimed at increasing women's ownership of land in addition to user rights.

124. To improve women's access to and control over productive resources, the block farm program of MOFA targets women and youth. The program aims at increasing farmers' access to land, improved seeds, fertilizers and extension services. Land allocation is facilitated and improved seeds and fertilizer provided on credit and after production, farmers pay back in kind or cash. In 2012 total beneficiaries were 18,782 of which males were 14,924 and females 6,265 making up 18.9 percent of female beneficiaries. In 2013 a total number of 13,425 farmers benefited with 9,411 males and 3,844 females making up 18.6 percent females.

125. The Ministry of Local Government and Rural Development (MOLGRD) currently has a draft policy on rural development which will also address key gender issues in the sector.

## **7.2 Disadvantaged groups of women**

126. The National Disaster Management Organisation (NADMO) is an agency under the Ministry of the Interior, mandated to manage disasters. Working with NADMO, MoGCSP provided 7,331 market traders affected by fire in four (4) markets with cash grants to replenish their businesses, thereby enabling them to recover and improving their ability to generate income in 2013.

127. While Ghana did not receive any refugees from the Central African Republic, it nonetheless supported relief efforts by hosting the UN Humanitarian Response Depot in Accra, where Irish Aid pre-positioned its relief supplies bound for the Central African Republic.

### **7.3 Marriage and Family Relations**

128. Although Ghana has recorded an decline in polygamy, the legal framework provides ample protection for spouses in polygamous unions. Polygamous marriage is contracted according to customary law, which is recognised a part of the laws of Ghana in article 11 of the Constitution. As stated previously, the Matrimonial Causes Act applies to marriages contracted under customary law.

129. The legal framework is being further strengthened with the introduction of a new law on intestate succession (the Intestate Succession Bill) and the Property Rights of Spouses Bill. The latter legislation is in fulfilment of the constitutional injunction to Parliament to pass a law regulating the property rights of spouses with a view to achieving equity and equality of spouses to property jointly acquired during their marriage. The draft Bill therefore makes provision for couples both — married and cohabiting — to equal access to jointly acquired property during the pendency of their union and sets standards and rules to guide courts in the determination of such matters. This is affirmed by the supreme court case of Mensah vs Mensah.

130. Generally spouses who marry under customary and Islamic law have their matrimonial property issues dealt with by these laws. However, with the promulgation of the Matrimonial Causes Act, 1971 (Act 367) such spouses can apply to the court and can be subject to the Act. Thus, a party to a marriage contracted under customary or Islamic law can apply to the state courts to have that marriage dissolved and matrimonial issues arising from that dissolution, dealt with under the . In such cases, the court is required to apply not only the provisions of Act 367 but also take account of the spouses' personal laws on divorce and matrimonial causes. (Section 41(2))

#### **7.3.1 Child Marriage**

131. Child marriage continues to be a challenge to the Ghanaian society. According to the Multiple Indicator Cluster Survey (MICS) of 2006, 22 percent of women aged 20 to 29 years in Ghana got married before the age of 18 years. For women in the 30 to 44 years category, 30 percent married before the age of 18 years. Consequently on the average, nearly 1 in 4 women is getting married while still a child. The 2006 MICS further showed that about 4.4 percent of women aged 15 to 49 years first got married before the age of 15 years. The rural areas presented a higher rate of 5.5 percent compared to 3.3 percent of women from the urban areas getting married before 15 years.

132. The results of the 2011 MICs survey show that 6 percent of women aged 15 to 49 years got married before 15 years of age, while 27 percent got married before 18 years. In the rural areas, the prevalence of women marrying before 15 years rose to 8 percent, while in the urban areas it stood at 4 percent.

133. Statistics from the Domestic Violence and Victim Support Unit (DOVVSU) of the Ghana Police Service indicate that between 2005 and 2010, 69 cases of forced

marriage were handled by the Unit. The figures show an increasing trend with 10 cases handled in 2007 rising to 21 cases by 2011.

134. The cumulative effects of early and forced marriage in Ghana presented above are not far off. From the MICS data, poorer and less educated women and girls are most vulnerable to early and forced marriage. Girls who are married are less likely to have an education.

135. To address these challenges, MoGCSP and UNICEF-Ghana have taken the initiative to carry out a three-year project commencing in 2014, aimed at achieving six key objectives, namely:

- (a) Establishment of a coordinating unit on early marriage within the National Domestic Violence Secretariat with a Monitoring and Evaluation system;
- (b) Development of a national strategic framework for eliminating early marriage in Ghana;
- (c) Creation of platforms for awareness-creation, experience-sharing, learning and strategizing around the elimination of child marriage;
- (d) Increased public responsiveness to issues of child marriage through social communication;
- (e) Strengthen response mechanisms through improved service delivery in shelters;
- (f) Establish a Monitoring and Evaluation System to measure progress; enhance learning; and improve results over the duration of the project.

136. The NCCE has also carried out awareness-raising and education programmes to address harmful social and cultural practices which impact on the institution of marriage as well. They include the following:

- (a) NCCE collaboration with the Department of Gender to provide platforms during various constitution week celebrations to sensitize the monthly women's forum on the need to eliminate FGM from the society;
- (b) Educational programs on doing away with Trokosi, widowhood rights, wife beating, emotional and psychological torturing of women were held in communities across the country as a follow up to research conducted by the NCCE;
- (c) Education on the need to do away with child marriages is continuing, while education on assisting and empowering female persons with disabilities who are affected by various forms of violence is yet to begin.