

GHANA 2021 HUMAN RIGHTS REPORT

EXECUTIVE SUMMARY

Ghana is a constitutional democracy with a strong presidency and a unicameral 275-seat parliament. Presidential and parliamentary elections conducted in December 2020 were generally peaceful, although there were isolated incidents of violence during the voting and vote count, resulting in as many as eight deaths, some by security forces. Domestic and international observers assessed the elections to be transparent, inclusive, and credible.

The Ghana Police Service, under the Ministry of the Interior, is responsible for maintaining law and order; however, the military, which reports to the Ministry of Defense, continued to participate in law enforcement activities in a support role, such as by protecting critical infrastructure and by enforcing measures to combat COVID-19. The National Intelligence Bureau handles cases considered critical to state security and answers directly to the Ministry of National Security. Civilian authorities generally maintained effective control over the security forces. There were credible reports that members of the security forces committed some abuses.

Significant human rights issues included credible reports of: arbitrary or unlawful killings by the government or its agents; cases of cruel, inhuman or degrading treatment or punishment by the government or on behalf of the government; harsh and life-threatening prison conditions; arbitrary arrest or detention; serious restrictions on free expression and media, including violence and threats of violence against journalists, and unjustified arrests or prosecutions of journalists; substantial interference with freedom of assembly; serious government corruption; lack of investigation of and accountability for gender-based violence, including but not limited to domestic or intimate partner violence; crimes involving violence or threats of violence targeting persons with disabilities; crimes involving violence or threats of violence targeting lesbian, gay, bisexual, transgender, queer or intersex persons; existence of laws criminalizing consensual same-sex sexual conduct between adults; and existence of the worst forms of child labor.

The government took some steps to address corruption and human rights abuses by

officials, whether in the security forces or elsewhere in the government. Impunity remained a problem, however.

Section 1. Respect for the Integrity of the Person

a. Arbitrary Deprivation of Life and Other Unlawful or Politically Motivated Killings

There were a few reports that the government or its agents committed arbitrary or unlawful killings. Offices charged with investigating security force killings include the Special Investigations Branch of the Ghana Armed Forces and the Police Professional Standards Bureau.

On June 26, unidentified perpetrators beat #FixTheCountry movement supporter and social activist Ibrahim “Kaaka” Muhammed in Ejura, Ashanti Region. On June 28, he died in the hospital from his injuries. Muhammed, who was also a member of the Economic Fighters League (EFL), was a vocal anticorruption activist, and #FixThe Country had protested against restrictions on freedom of assembly (see section 2.b., Freedom of Assembly). EFL reported that Muhammed had received threats due to his activism, and police had warned him prior to his beating and death against disturbing the peace. An investigation into Muhammed’s death continued. On June 29, during protests in the wake of his death, security forces shot and killed two persons (see section 2.b., Freedom of Assembly).

During the 2020 election period, authorities, media, and observers reported as many as eight killings, with at least two killed by the National Elections Security Task Force (NESTF), composed of military and police units, and at least two deaths from civilian violence. Investigations continued into these deaths (see section 3, Freedom to Participate in the Political Process).

b. Disappearance

There were no reports of disappearances by or on behalf of government authorities.

c. Torture and Other Cruel, Inhuman, or Degrading Treatment or

Punishment

While the constitution and law prohibit such practices, there were credible reports police beat and otherwise abused detained suspects and other citizens. Victims were often reluctant to file formal complaints. Police generally denied allegations or claimed the level of force used was justified.

According to the *Conduct in UN Field Missions* online portal, there was one open allegation of sexual exploitation and abuse by the country's peacekeepers deployed to the UN Mission in South Sudan: a 2018 case involving 12 peacekeepers' alleged transactional sex with six adults. A UN investigation substantiated some of those allegations, leading the United Nations to repatriate the alleged offenders. As of December the United Nations awaited reporting from the government regarding what actions it has taken in response to the allegations the United Nations considered to be substantiated.

Impunity remained a significant problem in the Ghana Police Service, and the investigation and complaints processes did not effectively address reports of abuses and bribery.

Corruption, brutality, poor training, lack of oversight, and an overburdened judicial system contributed to impunity. Police often failed to respond to reports of abuses and, in many instances, did not act unless complainants paid for police transportation and other operating expenses. The Office of the Inspector General of Police and the Police Professional Standards Board investigated claims of excessive force by security force members.

Prison and Detention Center Conditions

Prison conditions were generally harsh and sometimes life threatening due to overcrowding, inadequate sanitary conditions, lack of medical care, physical abuse, and food shortages.

Physical Conditions: In September the Ghana Prisons Service reported prison overcrowding stood at 135 percent of capacity, with a prison population of 13,480 compared to a total prison capacity of 9,945 inmates, a 20 percent reduction in overcrowding from 2019. The Ghana Prisons Service held women separately from

men. Although authorities sought to hold juveniles separately from adults, there were reports detainees younger than age 18 were held with adults. Authorities held pretrial detainees in the same facilities as convicts but generally in separate cells, although due to overcrowding in convict blocks, Nsawam Prison held some convicts in blocks designated for pretrial detainees. The nongovernmental organization (NGO)-led Justice for All program with the support of the government continued to expedite judicial review for many pretrial (remand) prisoners, including virtually, reducing their numbers significantly. Paralegals and civil society were heavily involved in the program.

While prisoners had access to potable water, food was inadequate. Meals routinely lacked fruit, vegetables, or meat, forcing prisoners to rely on charitable donations and their families to supplement their diet. The prisons public relations officer identified feeding of inmates as a key problem. The Ghana Prisons Service facilitated farming activities for inmates to supplement their feeding. Authorities did not provide pretrial detainees food or changes of clothes. If community or family members were not able to provide them, prisons officers paid with their own funds.

Officials held much of the prison population in aging buildings or abandoned public or military buildings, which despite improvements had poor ventilation and sanitation, substandard construction, and inadequate space and light. The Ghana Prisons Service periodically fumigated and disinfected prisons. There were not enough toilets available for the number of prisoners, with as many as 100 prisoners sharing one toilet, and toilets often overflowed with excrement. There were no facilities to support intersex or transitioning persons.

The Ghana Prisons Service avoided large outbreaks of COVID-19 and other infectious diseases by designating certain facilities for new prisoners, testing the prisoners upon arrival, and putting them in isolation or quarantine as appropriate. The Ghana Prisons Service also conducted regular health checks on prisoners and relied on donations of personal protective equipment. Medical assistants provided medical services, but they were overstretched and lacked basic equipment and medicine. At Nsawam Prison a medical officer operated the health clinic. All prison infirmaries had a severely limited supply of medicine. All prisons were supplied with malaria test kits. Prisons did not provide dental care. Doctors

visited prisons when required, and prison officials referred prisoners to local hospitals to address conditions prison medical personnel could not treat on site, but the prisons often lacked ambulances to transport inmates off site properly. To facilitate treatment at local facilities, the Ghana Prisons Service continued to register inmates in the National Health Insurance Scheme. The Ankaful Disease Camp Prison held prisoners with the most serious contagious diseases. Religious organizations, charities, private businesses, and citizens often provided services and materials, such as medicine and food, to the prisons.

Although persons with disabilities reported receiving medicine for chronic ailments and having access to recreational facilities and vocational education, a study released in 2016 found that prison facilities disadvantaged persons with disabilities, since they faced problems accessing health care and recreational facilities. No prison staff specifically focused on mental health, and officials did not routinely identify or offer treatment or other support to prisoners with mental disabilities.

Administration: There was no prison ombudsperson or comparable independent authority to respond to complaints; rather, each prison designated an officer-in-charge to receive and investigate complaints. Authorities suspended access to visitors as a COVID-19 health measure, although visitors could still bring food.

Independent Monitoring: The government permitted independent monitoring of prison conditions by local nongovernmental organizations, which were independent of government influence. They monitored juvenile confinement and pretrial detention, bail, and recordkeeping procedures. Local news agencies also reported on prison conditions.

Improvements: The president pardoned 1,589 prisoners to mitigate the dangers to health caused by overcrowding, particularly the risks posed by the COVID-19 pandemic: 1,555 first-time offenders who had served half their sentences, 15 seriously ill prisoners, and 19 elderly prisoners.

As a COVID-19 mitigation strategy, the chief justice directed the judiciary to reduce sentences for a range of offenses to reduce the prison population. The chief justice also directed the justice sector to pursue alternatives to incarceration

including fines and noncustodial punishment, especially for minor crimes.

d. Arbitrary Arrest or Detention

The constitution and law provide for protection against arbitrary arrest and detention, but the government frequently disregarded these protections.

Arrest Procedures and Treatment of Detainees

The law requires detainees be brought before a court within 48 hours of arrest in the absence of a judicial warrant, but authorities frequently detained individuals without charge or a valid arrest warrant for periods longer than 48 hours. Officials detained some prisoners for indefinite periods by renewing warrants or simply allowing warrants to lapse while an investigation took place. The constitution grants a detained individual the right to be informed immediately, in a language the person understands, of the reasons for detention and of his or her right to a lawyer. Most detainees, however, could not afford a lawyer. While the constitution grants the right to legal aid, the government often did not provide it. The government has a Legal Aid Commission that provides defense attorneys to those in need, but the commission was often unable to do so. Defendants in criminal cases who could not afford a lawyer typically represented themselves. The law requires that any detainee not tried within a “reasonable time,” as determined by the court, must be released either unconditionally or subject to conditions necessary to compel the person’s appearance at a later court date. The definition of “reasonable time,” however, has never been legally determined or challenged in the courts. As a result, officials rarely observed this provision. The government sought to reduce the population of prisoners in pretrial detention by placing paralegals in some prisons to monitor and advise on the cases of pretrial detainees, and assist with the drafting of appeals, and by directing judges to visit prisons to review and take action on pretrial detainee cases.

The law provides for bail, including those accused of serious crimes, but courts often struggled to come to timely decisions concerning bail or used their unlimited discretion to set bail at prohibitively high levels.

Arbitrary Arrest: The general practice of holding detainees without proper warrant or charge continued (see Arrest Procedures and Treatment of Detainees).

On May 20, police arrested 21 lesbian, gay, bisexual, transgender, queer, or intersex (LGBTQI+) activists in the city of Ho on spurious unlawful assembly charges. Authorities released the activists on June 11, and dropped the case on August 5 (see section 6, Acts of Violence, Criminalization, and Other Abuses Based on Sexual Orientation and Gender Identity).

Pretrial Detention: Lengthy pretrial detention remained a serious problem. In September the Ghana Prisons Service indicated 1,595 prisoners, approximately 12 percent of all prisoners, were in pretrial status. The government kept prisoners in extended pretrial detention due to police failure to investigate or follow up on cases, case files lost when police prosecutors rotated to other duties every three years, slow trial proceedings marked by frequent adjournments, detainees' inability to meet bail conditions that were often set extremely high even for minor offenses, and inadequate legal representation for criminal defendants. The length of pretrial detention exceeded the maximum sentence for the alleged crime in numerous instances.

Inadequate recordkeeping contributed to prisoners being held in egregiously excessive pretrial detention, a few for up to 10 years. Judicial authorities continued implementing a case tracking system on a trial basis in seven different regions. The system tracked cases from initial arrest to remand custody in the prisons, prosecution in the courts, and incarceration or dismissal. The system was envisioned to be used by all judicial and law enforcement participants, including police, public defenders, prosecutors, courts, prisons, the Legal Aid Commission, the Economic and Organized Crimes Office, and NGOs, with the intention of increasing transparency and accountability. Some commentators believed the tracking system could be used to press for release of remand prisoners held for lengthy periods.

Detainee's Ability to Challenge Lawfulness of Detention before a Court: The law provides for the right of any person to challenge the lawfulness of his or her arrest or detention in court, but lack of legal representation for detainees inhibited this right.

e. Denial of Fair Public Trial

While the constitution and law provide for an independent judiciary, the judiciary was subject to unlawful influence and corruption. Judicial officials reportedly accepted bribes to expedite or postpone cases, “lose” records, or issue favorable rulings for the payer of the bribe.

A judicial complaints unit within the Ministry of Justice headed by a retired Supreme Court justice addressed complaints from the public, such as unfair treatment by a court or judge, unlawful arrest or detention, missing trial dockets, delayed trials and rendering of judgments, and bribery of judges. The government generally respected court orders.

Trial Procedures

The constitution and law provide for the right to a fair hearing, and an independent judiciary generally enforced this right. Criminal hearings must be public unless the court orders them closed in the interest of public morality, public safety, public order, defense, welfare of persons younger than age 18, protection of the private lives of persons concerned in the proceedings, and as necessary or expedient where publicity would prejudice the interests of justice.

Defendants are presumed innocent and have the right to be informed promptly and in detail of charges against them, with free assistance of an interpreter as necessary. Defendants have the right to a fair and public trial without undue delay, but trials were often delayed. Defendants have the right to be present at their trials, be represented by an attorney, and have one provided at public expense if unable to pay. Most indigent accused persons, however, represented themselves in court. The Legal Aid Commission represented some defendants in criminal cases. Although the law provides for a Public Defender Division, the government did not establish it. Defendants also have the right to adequate time and facilities to prepare their defense, present witnesses and evidence, and confront prosecution or plaintiff witnesses. Defendants have the right not to be compelled to testify or confess guilt, although generally defendants are expected to testify if the government presents sufficient preliminary evidence of guilt. Defendants have the right to appeal.

Military personnel are tried separately under the criminal code in a military court. Military courts, which provide the same rights as civilian courts, are not permitted to try civilians.

Village and other traditional chiefs may mediate local matters and enforce customary tribal laws dealing with such matters as divorce, child custody, and property disputes. Their authority continued to erode, however, because of the growing power of civil institutions, including courts and district assemblies.

Political Prisoners and Detainees

There were no reports of political prisoners or detainees.

Civil Judicial Procedures and Remedies

Citizens had access to courts to bring lawsuits seeking damages for, or cessation of, human rights abuses.

The constitution states the Supreme Court is the final court of appeal. Defendants, however, may seek remedies for allegations of human rights abuses at the Economic Community of West African States Court of Justice.

f. Arbitrary or Unlawful Interference with Privacy, Family, Home, or Correspondence

The constitution prohibits such actions, and there were no reports the government failed to respect these prohibitions.

Section 2. Respect for Civil Liberties

a. Freedom of Expression, Including for Members of the Press and Other Media

The constitution and law provide for freedom of expression, including for the press and other media, and the government generally respected this right, although security forces committed isolated acts of violence and harassment against journalists.

Freedom of Expression for Members of the Press and Other Media, Including Online Media: Independent media were active and expressed a wide variety of views without restriction.

Violence and Harassment: There were isolated attacks on journalists by members of security forces as well as by unknown assailants and occasional threats and intimidation. In April authorities arrested online news editor David Tamakloe, allegedly working on corruption stories concerning prominent members of the government. Authorities released him without charge. Media advocates characterized the arrest as a “preemptive move” and a “clear abuse of power” as no story had been published at the time of the arrest.

On May 11, Ministry of National Security officers detained and allegedly brutalized Caleb Kudah, a journalist with Omni Media Limited (OML), operator of Accra-based Citi FM radio and Citi TV. Authorities accused Kudah of filming a fleet of vehicles that had allegedly fallen into despair as a result of neglect at the Ministry of National Security facility, a restricted site. The security officers who detained Kudah reportedly beat and abused him during interrogation. On the same day, a SWAT team reportedly entered the OML offices in an attempt to arrest Zoe Abu-Baido, Kudah’s colleague. The Ministry of National Security accused Baido of possessing video files sent to her by Kudah immediately before his detention. Following public outrage the Ministry of National Security announced an internal probe into the incident which led to the suspension of the officers involved. Less than a week after his suspension, Ministry of National Security leadership re-assigned Lieutenant Colonel Acheampong, identified as the commander of the operation that apprehended and reportedly abused Kudah, to serve as commanding officer of a different unit of the Ghanaian Armed Forces.

On July 9, Assin Central Region Member of Parliament Kennedy Ohene Agyapong called for Erastus Asare Donkor, a journalist with Luv FM, to be “beaten and whipped” during a live television interview. The Media Foundation for West Africa and 642 professional journalists and supporters of press freedom presented a petition to the office of the speaker of parliament to request parliamentary debate on what they considered the deteriorating press freedom situation.

Censorship or Content Restrictions: The law provides for criminal penalties for those who post false or misleading information online, with penalties of up to five years in prison and substantial fines.

On May 5, radio station Angel FM suspended popular morning show host Godsbrain Smart for allegedly slandering senior government officials, in accusing them of inaction on corruption and calling them “fools.” Media commentators and political observers suggested the station owner feared loss of nonmedia business opportunities, and the suspension contributed to a “growing culture of silence” among media outlets.

Internet Freedom

The government did not restrict or disrupt access to the internet or censor online content, and there were no credible reports the government monitored private online communications without appropriate legal authority.

Academic Freedom and Cultural Events

There were no government restrictions on academic freedom or cultural events.

b. Freedoms of Peaceful Assembly and Association

The constitution and law provide for the freedoms of peaceful assembly and association, and while the government generally respected freedom of association, it restricted freedom of assembly.

Freedom of Peaceful Assembly

The Ghana Police Service routinely impeded demonstrations. Police used tear gas, water cannons, and rubber bullets on opposition demonstrators protesting the December 2020 election results. The demonstrators had not provided police the required five days’ notice ahead of the demonstrations. Police secured a restraining order against the opposition National Democratic Congress (NDC), prohibiting protests between December 20, 2020, and January 10. Authorities effectively suspended rallies and protests through May.

On June 25, authorities arrested 11 members of the #FixTheCountry movement as

they protested outside the Accra High Court as it considered an application to extend indefinitely a previously approved injunction against public assembly. Authorities subsequently released them on bail. The Supreme Court ultimately dismissed the case on the grounds that the Accra High Court exceeded its jurisdiction by approving the indefinite injunction against lawful political protest and rallies.

On June 29, following the burial of Ibrahim “Kaaka” Muhammed of #FixTheCountry (see section 1.a.), protests against his killing erupted in Ejura. Police and military officers deployed and clashed with protesters. Military officers reportedly fired into the advancing crowd, shooting and killing two persons and injuring at least four. Authorities launched an investigation into the killing of the two protesters, but did not release any results. Additionally, following a directive by President Akufo-Addo, the Ministry of Interior established a three-member committee to conduct a public inquiry into the killing of Muhammed and the two protesters. Authorities did not release the results of the inquiry.

c. Freedom of Religion

See the Department of State’s *International Religious Freedom Report* at <https://www.state.gov/religiousfreedomreport/>.

d. Freedom of Movement and the Right to Leave the Country

The constitution provides for freedom of internal movement, foreign travel, emigration, and repatriation, and the government generally respected these rights.

Foreign Travel: In a stated effort to curb human trafficking the government continued its ban on labor recruitment to Gulf countries after continuing reports of abuse endured by migrant workers; the policy restricted access to safe and legal migration, subsequently increasing worker vulnerability to trafficking. Media investigations revealed some recruitment agencies continued their operations despite the ban.

Effective December 14 all citizens were required to show proof of COVID-19 vaccination before departing the country.

e. Status and Treatment of Internally Displaced Persons

Not Applicable.

f. Protection of Refugees

The government cooperated with the Office of the UN High Commissioner for Refugees (UNHCR) and other humanitarian offices in providing protection and assistance to refugees, returning refugees, or asylum seekers, as well as other persons of concern.

Access to Asylum: The law provides for the granting of asylum or refugee status, and the government has established a system for providing protection to refugees. The law allows rejected asylum seekers to appeal and remain in the country until an appeal is adjudicated. A four-member appeals committee, appointed by the minister of the interior, is responsible for adjudicating the appeals, but the process continued to be subject to delays.

There were reports of residents of Burkina Faso (called Burkinabe), who fled insecurity, continuing to settle in the Upper West Region and registering as asylum seekers. The government continued security checks of the Burkinabe before commencing the registration process. UNHCR indicated that there continued to be challenges in accessing these regions and persons of concern due to the security situation.

Abuse of Migrants and Refugees: UNHCR reported a few cases of gender-based violence in the refugee camps despite awareness, response, and prevention programs by UNHCR and partners. In concert with the UN Population Fund, UNHCR worked to enhance the capacity of the Department of Social Welfare and the Ghana Health Service. UNHCR reported constraints regarding legal aid for survivors, but indicated in most cases survivors received pro bono services from individual lawyers. UNHCR noted a rise in xenophobic attitudes against Burkinabe, due to concerns regarding the security situation in the Sahel, and against Liberians due to some criminal incidents linked to the former Buduburam Refugee Camp.

Durable Solutions: UNHCR assisted in the voluntary repatriation of Ivoirian

refugees who originally came due to political instability at home. The government also worked with UNHCR to provide legal status for Ivoirian refugees who wished to integrate locally rather than return to Côte d'Ivoire.

UNHCR and the Ghana Refugee Board continued to work with the Liberian government to issue passports to Liberians who seek residency in the country, enabling them to receive residence and work permits. The Ghana Immigration Service also supported the process by issuing reduced-cost residency permits, including work permits for adults, to locally integrating former Liberian refugees.

UNHCR also worked with the government on local integration and alternative status options for long-term Togolese refugees who had largely integrated into host communities. UNHCR continued to encourage tripartite discussions on durable solutions for Togolese refugees and Ghanaian refugees in Togo.

Section 3. Freedom to Participate in the Political Process

The constitution and law provide citizens the ability to choose their government through free and fair periodic elections held by secret ballot and based on universal and equal suffrage.

Elections and Political Participation

Recent Elections: Domestic and international observers assessed the December 2020 presidential and parliamentary elections to be transparent, inclusive, credible, and reflecting the will of the people. Some observers noted concerns regarding the misuse of incumbency, the lack of enforcement of regulations on campaign financing, and unequal access to state-owned media during the campaign. Authorities, media, and observers reported at least two killings by security forces, at least two deaths from civilian violence, as many as eight deaths in total, and several injuries in the Greater Accra, Bono East, and Northern Regions (see section 1.a.).

In separate lawsuits in August, six residents of the Techiman South constituency who suffered injuries, and a father whose son died, sued the Inspector General of Police and the Attorney General, demanding \$2.5 million dollars as compensation for security force violence during the 2020 elections. The six residents claimed

they suffered physical injuries including gunshot wounds while they monitored the vote tabulation at the Techiman collation center. The suits also demanded an official investigation into security force killings and support for affected families. In March, two members of parliament from the NDC petitioned the Commission on Human Rights and Administrative Justice (CHRAJ) to investigate election-related deaths caused by members of the NESTF, police, and the Ghana Armed Forces teams that provided security for the elections.

Participation of Women and Members of Minority Groups: No laws limit participation of women or members of minority groups in the political process, and they did participate, although not in the same numbers as men. Three women ran for president, and there was one female vice-presidential candidate from one of the two largest parties, the NDC. Women held fewer leadership positions than men, and women in political campaigns and in elected office faced sexism, harassment, and threats of violence. Cultural and traditional factors limited women's participation in political life. Research organizations found that insults, concerns regarding physical safety, and overall negative societal attitudes toward female politicians hindered women from entering politics. Of the 275 members of the legislature, 40 were women, 20 each from the NDC and the ruling New Patriotic Party.

Section 4. Corruption and Lack of Transparency in Government

The law provides criminal penalties for corruption by government officials, but the government did not implement the law effectively, and officials frequently engaged in corrupt practices with impunity. There were numerous reports of government corruption. Corruption was present in all branches of government, according to media and NGOs, including recruitment into the security services. Since the first special prosecutor took office in 2018, no corruption case undertaken by that office resulted in a conviction. When the new special prosecutor took office in August, his staff included one investigator and one prosecutor, both seconded from other offices.

The government took steps to implement laws intended to foster more transparency

and accountability in public affairs. In July 2020 authorities commissioned the Right to Information (RTI) secretariat to provide support to RTI personnel in the public sector; however, some civil society organizations stated the government had not made sufficient progress implementing the law.

The country continued use of the national anticorruption online reporting dashboard, for the coordination of all anticorruption efforts of various governmental bodies.

Corruption: A June report by the auditor-general revealed widespread corruption and waste of public funds remained pervasive problems. For example, the honorary consul general and the Ghanaian consulate in Washington D.C. could not account for visa fees totaling \$355,000. The Free Senior High School Secretariat misspent more than \$3.16 million. A former minister of tourism retained three official vehicles for personal use after leaving office. The report concluded that corrupt practices resulted in \$340 million of financial mismanagement, including misapplication and misappropriation of funds, theft, and procurement mismanagement.

On August 31, the Ghana Center for Democratic Development released highlights from a survey conducted between May 23 and June 3. Less than 30 percent of respondents were optimistic regarding the government's ability to fight corruption. Approximately one-half were confident in the government's ability to uphold the rule of law, 53 percent believed the government did not adequately protect financial resources and 62 percent doubted government efforts to address corruption and official impunity. Transparency International's Global Corruption Barometer published in 2019 found 59 percent of respondents claimed there was rampant corruption in the Ghana Police Service, more so than any other government institution.

Section 5. Governmental Posture Towards International and Nongovernmental Investigation of Alleged Abuses of Human Rights

A variety of domestic and international human rights groups generally operated without government restriction, investigating and publishing their findings on

human rights cases. Government officials were often cooperative and responsive to the views of such groups.

Government Human Rights Bodies: Established as an autonomous agency, CHRAJ had offices across the country, and mediated and settled cases brought by individuals against government agencies or private companies. CHRAJ operated with no overt interference from the government; however, some critics questioned its ability to investigate high-level corruption independently. Its biggest obstacles were low salaries, poor working conditions, and the loss of many of its staff to other governmental organizations and NGOs. Public confidence in CHRAJ was high, resulting in an increased workload for its staff.

The Police Professional Standards Board also investigated human rights abuses and police misconduct.

Section 6. Discrimination and Societal Abuses

Women

Rape and Domestic Violence: The law criminalizes rape of women but not spousal rape. Sexual assault on a man may be charged as indecent assault. Prison sentences for rape range from five to 25 years, while indecent assault is a misdemeanor subject to a minimum term of imprisonment of six months. Domestic violence is punishable by a fine or a sentence of up to two years imprisonment. Rape and domestic violence remained serious problems. Authorities did not enforce the law effectively.

In July the Koforidua Circuit Court B sentenced a man to a nine-year, five-month term of incarceration for throwing acid on his girlfriend and her mother. The survivors sustained serious injuries that required hospitalization.

In August police in the Central Region arrested 14 men in connection with the alleged shooting and rape of a girl, age 13, who required hospitalization.

The Domestic Violence and Victim Support Unit (DOVVSU) of the Ghana Police Service worked closely with the Department of Social Welfare, the Domestic Violence Secretariat, CHRAJ, the Legal Aid Commission, the Ark Foundation,

UNICEF, the UN Population Fund, the national chapter of the International Federation of Women Lawyers, and several other human rights NGOs to address rape and domestic violence.

In 2020 there were two government-run shelters for survivors of domestic violence, the Madina Social Welfare Center and the Center for Abused Children. On June 21, DOVVSU established a third shelter, the national One-Stop Center colocated with the Criminal Investigations Department of the Ghana Police Service. This new facility hosted ancillary agencies of the DOVVSU-Legal Aid office, a shelter for survivors of domestic violence, a social welfare unit, a holding cell for suspects, an interviewing room for minors, and two courts with seconded judges and prosecutors for domestic violence cases.

DOVVSU continued to teach a course on domestic violence case management for police officers assigned to the unit. It had one clinical psychologist to assist domestic violence survivors. DOVVSU tried to reach the public through various social media accounts. DOVVSU also addressed rape through public education efforts on radio and in communities, participation in efforts to prevent child marriage and gender-based violence, expansion of its online data management system to select police divisional headquarters, and data management training.

Pervasive cultural beliefs in gender roles, as well as sociocultural norms and stereotypes, posed additional challenges to combatting domestic violence. For example, media reported in 2020 that the central regional coordinator for DOVVSU stated that “denying your spouse sex amounted to emotional abuse” and suggested that men whose wives denied them sex could report them to the DOVVSU.

Unless specifically called upon by the DOVVSU, police seldom intervened in cases of domestic violence, in part due to a lack of counseling skills and shelter facilities to assist survivors. Few of the cases in which police identified and arrested suspects for rape or domestic abuse reached court or resulted in convictions due to witness unavailability, inadequate training on investigatory techniques, police prosecutor case mismanagement, and, according to the DOVVSU, lack of resources on the part of survivors and their families to pursue cases. Police could refer survivors to government or NGO-operated shelters. In

cases deemed less severe, survivors were returned to their homes. Authorities reported officers occasionally had no alternative but to shelter survivors in the officers' own residences until other arrangements could be made.

Female Genital Mutilation/Cutting (FGM/C): Several laws include provisions prohibiting FGM/C. Although rarely performed on adult women, the practice remained a serious problem for girls younger than age 18 in some regions. According to the Ministry of Gender, Children, and Social Protection, FGM/C was significantly higher in the Upper East Region with a prevalence rate of 27.8 percent, compared with the national rate of 3.8 percent. According to the 2017 to 2018 *Multiple Indicator Cluster Survey* (MICS), women in rural areas were subjected to FGM/C three times more often than women in urban areas (3.6 percent compared with 1.2 percent). Intervention programs were partially successful in reducing the prevalence of FGM/C, particularly in the northern regions.

Other Harmful Traditional Practices: The constitution prohibits practices that dehumanize or are injurious to the physical and mental well-being of a person. Media reported several killings and attempted killings for ritual purposes. In the Northern, North East, Upper East, and Upper West Regions, families or traditional authorities banished rural women and men suspected of “witchcraft” to “witch camps.” Most of those accused of witchcraft were older women, often widows. Some persons suspected to be witches were killed. According to a local group, there were six witch camps throughout the country, holding approximately 2,000 to 2,500 adult women and 1,000 to 1,200 children. One camp saw its numbers go down significantly due to education, support, and reintegration services provided by the Presbyterian Church. The Ministry of Gender, Children, and Social Protection has the mandate to monitor witch camps but did not do so effectively.

The law criminalizes harmful mourning rites, but such rites continued, and authorities did not prosecute any perpetrators. In the north, especially in the Upper West and Upper East Regions, some widows were required to undergo certain rites to mourn or show devotion for a deceased spouse. The most prevalent widowhood rites included a one-year period of mourning, tying ropes and padlocks around the widow's waist or neck, forced sitting beside the body of the deceased spouse until burial, solitary confinement, forced starvation, shaving the widow's head, and

smearing clay on the widow's body. In the Northern and Volta Regions along the border with Togo, wife inheritance, the practice of forcing a widow to marry a male relative of her deceased husband, continued.

On April 8, police arrested two youths from Kasoa for a ritual killing. According to media reports, the youths were following instructions given to them by a "witch doctor" supposedly promoting a syncretic form of Christianity and local beliefs, using body parts of victims to bring wealth to practitioners.

Sexual Harassment: No law specifically prohibits sexual harassment, although authorities prosecuted some sexual harassment cases under assault and other provisions of the criminal code.

Reproductive Rights: There were no reports of coerced abortion or involuntary sterilization on the part of government officials.

The government provided access to sexual and reproductive health services for survivors of sexual violence through the National Health Insurance Scheme. This included emergency contraception as part of the clinical management of rape cases.

In 2017 the maternal mortality rate was 308 per 100,000 live births, according to the UN *Trends in Maternal Mortality* report. A lack of skilled birth attendance, especially in rural areas, was a major contributing factor. According to the UN Population Fund, the contraceptive prevalence rate was 27 percent for women ages 15 to 49.

Discrimination: The constitution and law provide for the same legal status and rights for women as for men under family, labor, property, nationality, and inheritance laws. While the government generally made efforts to enforce the law, predominantly male tribal leaders and chiefs are empowered to regulate land access and usage within their tribal areas. Within these areas women were less likely than men to receive access rights to large plots of fertile land. Widows often faced expulsion from their homes by their deceased husband's relatives, and they often lacked the awareness or means to defend property rights in court.

Systemic Racial or Ethnic Violence and Discrimination

The law protects members of racial or ethnic minorities from violence and discrimination, but it was unclear if the government enforced them effectively.

Unlike in 2020 when municipal authorities closed more than 100 shops owned or operated by Nigerian nationals in the Ashanti Region for violation of municipal or commercial regulations, border closures due to COVID-19 prevented foreign traders from entering the country and eliminated the tension between foreign traders and local authorities.

Children

Birth Registration: Citizenship is derived by birth in the country or outside if either of the child's parents or one grandparent is a citizen. Children unregistered at birth or without identification documents may be excluded from accessing education, health care, and social security. Although having a birth certificate is required to enroll in school, authorities indicated children would not be denied access to education based on a lack of documentation. According to the MICS, birth registration increased with levels of education and wealth and was more prevalent in urban centers than in rural areas. Authorities adjudicated birth registrations in a nondiscriminatory manner.

Education: The constitution provides for tuition-free, compulsory, and universal basic education for all children from kindergarten through junior high school. The government continued to implement tuition-free enrollment in senior high school, including by rolling out a "double-track" system that helped increase enrollment from 800,000 in the 2016-17 school year to 1.2 million in the 2019-20 school year.

Girls in the northern regions and rural areas throughout the country were less likely to continue and complete their education due to the weak quality of educational services, inability to pay expenses related to schooling, prioritization of boys' education over girls', security problems related to distance between home and school, lack of dormitory facilities, and inadequate sanitation and hygiene facilities. After closures of schools over several months in 2020 due to the COVID-19 pandemic, in August all public schools opened for the regular school

year with in-person learning.

Child Abuse: The law prohibits sex with a child younger than age 16 with or without consent and sexual abuse of minors. There continued to be reports of male teachers sexually assaulting and harassing both female and male students. Physical abuse and corporal punishment of children were concerns. Local social workers rarely effectively monitored cases of child abuse and neglect.

Child, Early, and Forced Marriage: The minimum legal age for marriage for both sexes is 18. Early and forced child marriage, while illegal, remained a problem, with 34 percent of girls living in the five northern regions of the country marrying before age 18. According to the MICS, child marriage was highest in the Northern, North East, Upper East, Savannah, and Volta Regions; it was lowest in the Greater Accra, Ashanti, and Ahafo Regions.

The Child Marriage Unit of the Domestic Violence Secretariat of the Ministry of Gender, Children, and Social Protection continued to lead governmental efforts to combat child marriage. The ministry's *National Strategic Framework on Ending Child Marriage in Ghana (2017-26)* prioritized interventions focused on strengthening government capacity to address neglect and abuse of children, girls' education, adolescent health, and girls' empowerment through skills development. The National Advisory Committee to End Child Marriage and the National Stakeholders Forum, with participation from key government and civil society participants, provided strategic guidance and supported information sharing and learning on child marriage among partners in the country. The Child Marriage Unit maintained a manual with fact sheets and frequently asked questions, and used social media accounts to reach wider audiences.

Sexual Exploitation of Children: The law prohibits commercial sexual exploitation of children, although it does not specifically mention sale, offering or use of children for commercial sex. Authorities did not effectively enforce the law. The minimum age for consensual sex is 16, and participating in sexual activities with anyone younger than 16 is illegal. The law criminalizes the use of a computer to publish, produce, procure, or possess child pornography.

Infanticide or Infanticide of Children with Disabilities: The law bans

infanticide, but several NGOs reported that communities in the Upper East Region killed “spirit children” born with physical disabilities who were suspected of being possessed by evil spirits. Local and traditional government entities cooperated with NGOs to raise public awareness concerning causes of and treatments for disabilities and to rescue children at risk of ritual killing. Authorities enforced governing prohibitions on infanticide.

Displaced Children: The migration of children to urban areas continued due to economic hardship in rural areas. Children often had to support themselves to survive, contributing to both child sexual exploitation and the school dropout rate. Girls living on the streets were among the most vulnerable to commercial sexual exploitation.

International Child Abductions: The country is not a party to the 1980 Hague Convention on the Civil Aspects of International Child Abduction. See the Department of State’s *Annual Report on International Parental Abduction* at <https://travel.state.gov/content/travel/en/International-Parental-Child-Abduction/for-providers/legal-reports-and-data/reported-cases.html>.

Anti-Semitism

The Jewish community has a few hundred members. There were no reports of anti-Semitic acts.

Trafficking in Persons

See the Department of State’s *Trafficking in Persons Report* at <https://www.state.gov/trafficking-in-persons-report/>.

Persons with Disabilities

Persons with disabilities could not access education, health services, public buildings, and transportation on an equal basis with others. The law prohibits discrimination against persons with disabilities and protects the rights of persons with disabilities’ access to health services, information, communications, transportation, public spaces such as schools and public buildings, the judicial system, and other state services, but the government did not effectively enforce the

law. Few adults with disabilities had employment opportunities in the formal sector. In September the Ghana Federation of Disability Organizations reported there was a slight increase in the number of workers with disabilities in the local government sector.

Some children with disabilities attended specialized schools that focused on their needs. The Ghana Education Service, through its Special Education Unit, supported education for children who are deaf or hard of hearing or have vision disabilities through 14 national schools for deaf and blind students, in addition to one private school for them.

Persons with both mental and physical disabilities, including children, were frequently subjected to abuse and intolerance. Authorities did not regularly investigate and punish violence and abuses against persons with disabilities. Children with disabilities who lived at home were sometimes tied to trees or under market stalls and were caned regularly; families reportedly killed some of them.

Thousands of persons with mental disabilities, including children as young as seven, were sent to spiritual healing centers known as “prayer camps,” where mental disability was often considered a “demonic affliction.” Some residents were chained for weeks in these environments, denied food for days, and physically assaulted. Officials took few steps to implement the law that provides for monitoring of prayer camps and bars involuntary or forced treatment. International donor funding helped support office space and some operations of the Mental Health Authority.

HIV and AIDS Social Stigma

Discrimination against persons with HIV and AIDS remained a problem. Fear of stigma, and fear that getting tested would mean immediate labeling as gay, discouraged persons from getting tested for HIV infection, and many of those who tested positive avoided seeking timely care. HIV-positive persons faced discrimination in employment and often were forced to leave their jobs or houses. The government and NGOs subsidized many centers that provided free HIV testing and treatment for citizens, although high patient volume and the physical layout of many clinics often made it difficult for the centers to protect confidentiality.

The law penalizes discrimination against a person with HIV or AIDS, although the government did not effectively enforce the law. The law contains provisions that protect and promote the rights and freedoms of persons with HIV or AIDS and those suspected of having HIV or AIDS, including the right to health, education, insurance benefits, employment, privacy and confidentiality, nondisclosure of their HIV and AIDS status without consent, and the right to hold a public or political office.

The Ghana AIDS Commission continued to raise concerns regarding how high levels of stigma and discrimination contributed to the spread of HIV in the country.

Acts of Violence, Criminalization, and Other Abuses Based on Sexual Orientation and Gender Identity

There were some reports of police violence against LGBTQI+ persons. LGBTQI+ persons faced police harassment and extortion attempts (see also section 1.d, Arbitrary Arrest). There were reports police were reluctant to investigate claims of assault or violence against LGBTQI+ persons. Stigma, intimidation, and the perceived negative attitude of some police toward LGBTQI+ persons were factors in preventing survivors from reporting incidents of abuse. LGBTQI+ activists also reported widespread attempts to blackmail LGBTQI+ individuals, with prosecution difficult due to police inaction. LGBTQI+ persons in prison were vulnerable to sexual and other physical abuse, which authorities generally did not investigate.

Beatings and public humiliation of LGBTQI+ persons by community members were common and growing in number. The attacks were sometimes shared on social media in an effort to further humiliate and ostracize LGBTQI+ persons. There was a notable increase in anti-LGBTQI+ statements by political, religious, and community leaders, and media coverage of these statements.

The law criminalizes the act of “unnatural carnal knowledge,” which is defined as “sexual intercourse with a person in an unnatural manner or with an animal.” The offense covers only persons engaged in same-sex male relationships and those in heterosexual relationships. There were no reports of adults prosecuted or convicted for consensual same-sex sexual conduct.

The law does not explicitly prohibit discrimination based on sexual orientation and gender identity. LGBTQI+ persons faced widespread discrimination in education and employment.

Activists working to promote the human rights of LGBTQI+ persons noted great difficulty in engaging officials on LGBTQI+ problems because of social and political sensitivity. Media coverage regarding homosexuality and related topics was almost always negative.

On February 2, the local NGO LGBT+ Rights Ghana inaugurated its new office space in the Ashongman area of Accra. After anti-LGBTQI+ activists complained in local media concerning the existence of the center, on February 15, police raided the center and closed it. The center remained closed at year's end.

On March 27, police arrested 22 persons in Kwahu-Obomeng, Eastern Region, for participating in an alleged lesbian wedding. Police arrived at a popular community location in response to reports that two women planned to be married. Police justified the arrests on the grounds the venue's owner complained participants were violating COVID-19 protocols. Authorities released them due to lack of evidence.

On May 20, police arrested 21 LGBTQI+ activists attending a conference in the city of Ho, Volta Region. On an official Twitter account, police acknowledged making the arrests because the suspects were believed to be pro-LGBTQI+. Authorities charged the "Ho 21" with unlawful assembly, conspiracy to commit a crime, and acts of "unnatural carnal knowledge." After multiple requests, on June 11, authorities released them on bail. On August 5, a court dropped all charges for lack of evidence, and ordered the return of the defendants' confiscated property including laptops and smart phones.

The LGBTQI+ activists reported harassment and humiliation by police during their detention. They also reported their inability to return to their previous lives, since they were suspended from work and banned from their communities after their identities were broadcast by police.

Other Societal Violence or Discrimination

Chieftaincy disputes, which frequently resulted from lack of a clear chain of

succession, competing claims regarding land and other natural resources, and internal rivalries and feuds, continued to result in deaths, injuries, and destruction of property. According to the West Africa Center for Counter Extremism, chieftaincy disputes and ethnic violence were the largest sources of insecurity and instability in the country. The government generally sought to tamp down violence and encourage dialogue and peaceful resolution of disputes.

Disputes continued among Fulbe herdsmen as well as between Fulbe herdsmen and farmers that at times led to violence. On September 3, officials from the Ministry of National Security reportedly arrested 31 Fulbe men at an Islamic school in Diare in the Northern Region on suspicion of ties to terrorist groups in Burkina Faso and Mali. After transporting them to Accra, authorities released 29 of the 31 men. One of the two men who remained in detention until their release in October was an Islamic cleric who founded the school.

There were frequent reports of killings of suspected criminals in mob violence. Community members often saw such vigilantism as justified in light of the difficulties and constraints facing judicial and police sectors. There were multiple reports police failed to prevent and respond to societal violence, in particular incidents of “mob justice.”

Section 7. Worker Rights

a. Freedom of Association and the Right to Collective Bargaining

The law provides for the right of workers, except for members of the armed forces, police, the Ghana Prisons Service, and other security and intelligence agency personnel, to form and join unions of their choice without previous authorization or excessive requirements. The law prohibits antiunion discrimination, but does not provide adequate protection against discrimination. The law requires trade unions or employers’ organizations to obtain a certificate of registration and be authorized by the chief labor officer, who is an appointed government official. Union leaders reported that fees for the annual renewal of trade union registration and collective bargaining certificates were exorbitant and possibly legally unenforceable.

The law provides for the right to conduct legal strikes but restricts that right for

workers who provide “essential services.” Workers in export-processing zones are not subject to these restrictions. The minister of employment and labor relations designated a list of essential services, which included many sectors that fell outside of the essential services definition set by the International Labor Organization (ILO). The list included services carried out by utility companies (water, electricity, etc.), ports and harbors, medical centers, and the Bank of Ghana. These workers have the right to bargain collectively. In these sectors parties to any labor disputes are required to resolve their differences within 72 hours. The right to strike may also be restricted for workers in private enterprises whose services are deemed essential to the survival of the enterprise by a union and an employer. A union may call a legal strike only if the parties fail to agree to refer the dispute to voluntary arbitration or if the dispute remains unresolved at the end of arbitration proceedings.

The law provides a framework for collective bargaining. A union must obtain a collective bargaining certificate from the chief labor officer in order to engage in collective bargaining on behalf of a class of workers. In cases where there are multiple unions in an enterprise, the majority or plurality union would receive the certificate but must consult with or, where appropriate, invite other unions to participate in negotiations. The certificate holder generally includes representatives from the smaller unions. Workers in decision-making or managerial roles are not provided the right to collective bargaining under the law, but they may join unions and enter into labor negotiations with their employers.

The National Labor Commission is a government body with the mandate of requiring employers and unions to comply with labor law. It also serves as a forum for arbitration in labor disputes. The government effectively enforced applicable laws, but penalties were not commensurate with those for other laws involving denials of civil rights, such as discrimination.

The law allows unions to conduct their activities without interference and provides reinstatement for workers dismissed under unfair pretenses. It protects trade union members and their officers against discrimination if they organize.

The government generally protected the right to form and join independent unions and to conduct legal strikes and bargain collectively, and workers exercised these

rights. Although the law makes specified parties liable for violations, specific penalties are not set forth. An employer who resorts to an illegal lockout is required to pay the workers' wages. Some instances of subtle employer interference in union activities occurred. Many unions did not follow approved processes for dealing with disputes, reportedly due to the perceived unfair and one-sided application of the law against the unions. The process was often long and cumbersome, with employers generally taking action when unions threatened to withdraw their services or declare a strike. The National Labor Commission faced obstacles in enforcing applicable sanctions against both unions and employers, including limited ability to enforce its mandate and insufficient oversight.

Trade unions engaged in collective bargaining for wages and benefits with both private and state-owned enterprises without government interference. No union completed the dispute resolution process involving arbitration, and there were numerous unsanctioned strikes.

b. Prohibition of Forced or Compulsory Labor

The law prohibits all forms of forced or compulsory labor. The government did not effectively enforce the law. The penalties for forced labor were not commensurate with those for other analogous serious crimes such as kidnapping, but the government prosecuted and imposed penalties in some cases of labor trafficking. Human trafficking, including forced labor, persisted with insufficient investigation and prosecution. NGOs, civil society, and human rights activists reported corruption within police ranks, the justice system, and political authorities that impeded prosecution, with perpetrators accumulating significant wealth from trafficking and forced labor and senior police officers intimidating NGO staff to deter their investigations.

There were reports of forced labor affecting both children and adults in the fishing sector, as well as forced child labor in informal mining, agriculture, domestic labor, portage, begging, herding, quarrying, and hawking (see section 7.c.).

Legal counsel encountered difficulties in investigating trafficking and gathering witnesses to testify, especially in cases perpetrated by a family member or involving victims from another country. Due to a lack of training on trafficking,

officers did not classify cases as criminal, but issued warnings and freed perpetrators. Some police officers who were trained were sidelined for unknown reasons.

Also see the Department of State's *Trafficking in Persons Report* at <https://www.state.gov/trafficking-in-persons-report/>.

c. Prohibition of Child Labor and Minimum Age for Employment

The government did not prohibit all of the worst forms of child labor. The law sets the minimum employment age at 15, or age 13 for light work unlikely to be harmful to a child or to affect the child's attendance at school. The law prohibits night work and certain types of hazardous labor for those younger than age 18. The law allows for children age 15 and older to have an apprenticeship under which craftsmen and employers have the obligation to provide a safe and healthy work environment along with training and tools. Although the government prohibits some hazardous work for children, the existing hazardous work list did not cover all occupations or activities in which child labor was known to occur, including in cocoa production.

Inspectors from the Ministry of Employment and Labor Relations enforced child labor regulations. Labor inspectors conducted inspections specifically targeting child labor in the informal sector, but the inspections were insufficient to deter child labor, and penalties were not commensurate with those for other analogous serious crimes, such as kidnapping.

The ILO, government representatives, the Trades Union Congress, media, international organizations, and NGOs continued efforts to increase institutional capacity to combat child labor.

The government continued to work closely with NGOs, labor unions, and the cocoa industry to eliminate the worst forms of child labor in the industry. Through these partnerships the government created several community projects, which promoted awareness raising, monitoring, and livelihood improvement.

In 2018 the government approved the *National Plan of Action Phase II on the Elimination of the Worst Forms of Child Labor (NPA2)*. While the NPA2 aimed to

reduce the prevalence of the worst forms of child labor to 10 percent by the end of the year, and specifically targeted the cocoa, fishing, and mining sectors, the government of Ghana did not release any updated statistics. The government, however, continued to take action under the framework of the *NPA2*. The National Steering Committee on Child Labor, for example, carried out a monitoring exercise in seven districts to ascertain the impact of child labor. The Ministry of Employment and Labor Relations established guidelines for Child Labor Free Zones and began pretesting the Ghana Child Labor Monitoring System.

Authorities did not enforce child labor laws effectively or consistently. Law enforcement officials, including judges, police, and labor officials, were sometimes unfamiliar with the provisions of the law that protected children.

Employers subjected children as young as age four to forced labor in the agriculture, fishing, and mining industries, including artisanal gold mines, and as domestic laborers, porters, hawkers, and quarry workers. NGOs estimated that almost one-half of child trafficking cases occurred in the Volta Region. In the fishing industry, victims engaged in hazardous work, such as diving into deep water to untangle fishing nets caught on submerged tree roots. The government did not legally recognize working underwater as a form of hazardous work. Officials from the Ministry of Fisheries and Aquaculture Development received training as part of a strategy to combat child labor and trafficking in the fisheries sector.

Child labor continued to be prevalent in artisanal mining (particularly illegal small-scale gold mining), fetching firewood, bricklaying, food service and cooking, and collecting fares. Children in small-scale mining reportedly crushed rocks, dug in deep pits, carried heavy loads, operated heavy machinery, sieved stones, and amalgamated gold with mercury.

Child labor occurred in cocoa harvesting. Children engaged in cocoa harvesting often used sharp tools to clear land and collect cocoa pods, carried heavy loads, and were exposed to agrochemicals, including toxic pesticides. The government did not legally recognize this type of work in agriculture, including in cocoa, as hazardous work for children.

Employers often poorly paid and physically abused child laborers, and the children received little or no health care. According to the MICS, one in every five children between ages five and 17 engaged in hazardous working conditions, and there were no significant disparities between boys and girls.

Parents or guardians often facilitated child trafficking by selling their children to relatives or others due to poverty or unpaid debts. This was especially prevalent with girls sold into domestic service.

Also see the Department of Labor's *Findings on the Worst Forms of Child Labor* at <https://www.dol.gov/agencies/ilab/resources/reports/child-labor/findings> and the Department of Labor's *List of Goods Produced by Child Labor or Forced Labor* at <https://www.dol.gov/agencies/ilab/reports/child-labor/list-of-goods>.

d. Discrimination with Respect to Employment and Occupation

The law stipulates that an employer may not discriminate against a person on the basis of several categories, including age, pregnancy, refugee status, gender, race, ethnic origin, religion, social or economic status, or disability, whether that person is already employed or seeking employment. The government did not effectively enforce prohibitions on discrimination. Penalties were not commensurate with laws related to civil rights, such as election interference. Discrimination in employment and occupation occurred with respect to women, persons with disabilities, HIV-positive persons, and LGBTQI+ persons (see section 6). For example, reports indicated few companies offered reasonable accommodation to employees with disabilities. Many companies ignored or turned down such individuals who applied for jobs. Women in urban centers and those with skills and training encountered little overt bias, but resistance persisted to women entering nontraditional fields or seeking related vocational education or training.

There were not sufficient systems in place to protect women from sexual harassment and other violence in the workplace. Employers terminated or laid off some women who resisted sexual harassment or violence under the guise of restructuring due to the COVID-19 pandemic.

e. Acceptable Conditions of Work

Wage and Hour Laws: The law provides for a national minimum wage for some sectors of the economy. A national tripartite committee composed of representatives of the government, labor, and employers set a minimum wage. The minimum wage exceeded the government's poverty line. There was widespread violation of the minimum wage law in the formal economy across all sectors. Many companies did not comply with the law.

The maximum workweek is 40 hours, with a break of at least 48 consecutive hours every seven days. Workers are entitled to at least 15 working days of leave with full pay in a calendar year of continuous service or after having worked at least 200 days in a particular year. These provisions, however, did not apply to piece workers, domestic workers in private homes, or others working in the informal sector. The law does not prescribe overtime rates and does not prohibit excessive compulsory overtime. Penalties for violations of minimum wage laws were not commensurate with those for similar crimes, such as fraud. The Ministry of Employment and Labor Relations was unable to enforce the wage law effectively.

Occupational Safety and Health: The government sets industry-appropriate occupational safety and health regulations. By law workers may remove themselves from situations that endanger their health or safety without jeopardy to their employment. This legislation covers only workers in the formal sector, which employed approximately 10 percent of the labor force. Few workers believed they were free to exercise this right. Employers were fined in cases of negligence, but penalties for violations of occupational health and safety laws were not commensurate with those for crimes such as negligence.

The government also did not effectively enforce health and safety regulations, which are set by a range of agencies in the various industries, including the Food and Drugs Authority, Ghana Roads Safety Commission, and Inspectorate Division of the Minerals Commission. The law reportedly provided inadequate coverage to workers due to its fragmentation and limited scope.

The government did not employ sufficient labor inspectors to enforce compliance. Inspectors were poorly trained and did not respond to violations effectively.

Inspectors did have the authority to make unannounced inspections. Inspectors did not impose sanctions and were unable to provide data as to how many violations they addressed. In most cases inspectors gave advisory warnings to employers, with deadlines for taking corrective action. Penalties were insufficient to enforce compliance.

Accidents in the mining sector were common, often in illegal mining. In May an illegal pit mine collapsed in Upper West Denkyira killing three. The unregulated mining sector attracted Chinese nationals who collaborated with citizens to run illegal mines. In June, four Chinese nationals were deported after being convicted of using fraudulent means to acquire residence and working without a required permit. The Chinese nationals were found prospecting for gold in Obuasi, the site of a productive mine owned by AngloGold that was suspended for months following the death of a miner in an accident in May. Civil society organizations stated that corruption and lax enforcement allowed unsafe illegal mining practices to continue.

Informal Sector: Approximately 90 percent of the working population was employed in the informal sector, according to the Ghana Statistical Service's *2015 Labor Force Report*, including small to medium-scale businesses such as producers, wholesale and retail traders, and service providers made up of contributing family workers, casual wageworkers, home-based workers, and street vendors. Most of these workers were self-employed.

Authorities did not enforce the minimum wage law in the informal sector. Legislation governing working hours applies to both formal and informal sectors. Employers largely followed the law in the formal sector, but they widely flouted it in the informal sector, and the government did not enforce it.