



## U.S. DEPARTMENT of STATE

### Ghana

#### Country Reports on Human Rights Practices - [2007](#)

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Ghana is a constitutional democracy with a strong presidency and a unicameral 230-seat parliament. The country's population is approximately 21 million. In 2004 the ruling New Patriotic Party (NPP) candidate John Agyekum Kufuor was reelected president with 52.45 percent of the vote. Despite a few incidents of intimidation and minor irregularities, domestic and international observers judged the elections generally free and fair. While civilian authorities generally maintained effective control over security forces, there were some instances in which elements of the security forces acted independently of government authorities.

The government generally respected human rights and made significant improvements during the year; however, there were problems in several areas, including incidents of vigilante justice. Human rights problems included deaths resulting from the excessive use of force by police; vigilante justice; harsh and life-threatening prison conditions; police corruption and impunity; prolonged pretrial detention; forcible dispersal of demonstrations; corruption in all branches of government; violence against women and children; female genital mutilation (FGM); societal discrimination against women, persons with disabilities, homosexuals, and persons with HIV/AIDS; trafficking in women and children; ethnic discrimination and politically and ethnically motivated violence; and child labor, including forced child labor.

During the year the government took significant steps to improve the protection of human rights, including amending the criminal code to criminalize the practice of FGM and passing legislation on domestic violence.

#### RESPECT FOR HUMAN RIGHTS

##### Section 1 Respect for the Integrity of the Person, Including Freedom From:

###### a. Arbitrary or Unlawful Deprivation of Life

There were no reports that the government or its agents committed political killings; however, the use of excessive force by security forces resulted in the deaths of several criminal suspects and other persons during the year.

For example, on March 26, a man in Wa was killed after police pushed his motorcycle into a gutter when he failed to stop at their request. The cyclist broke his neck in the accident, and his girlfriend, who was also riding on the motorcycle, was knocked unconscious. Investigators recommended that the two police officers directly responsible for the incident be suspended and that the six other officers also on duty face a service inquiry.

According to media reports, on August 26, agents of the Bureau of National Investigations who were searching for a car thief mistakenly shot and killed a 26-year-old man. The president ordered security agencies to conduct a thorough investigation of the case. At year's end, the case had been forwarded to the attorney general's office for review.

On August 3, a joint police-military patrol team reportedly beat and killed a mini-bus driver in Suhum after arresting him. The Ministry of Interior set up a fact-finding committee on August 15 to investigate the death. The committee's report recommended compensation for the victim's family and disciplinary action against the leader of the police-military patrol team for failing to exercise proper control. The four security personnel believed to be responsible faced further investigation at year's end.

During the year at least two police officers were charged, tried, and convicted in connection with the April 2006 police killings of four persons at Dansoman Estates in Accra.

There were no developments in the May 2006 case in which police shot and killed a 26-year-old man after mistaking him for one of the robbers they were seeking, even though the government agreed in December 2006 to pay for the victim's funeral expenses and compensate the family of the victim.

Government forces continued to beat and forcibly evict hundreds of illegal residents, resulting in injuries and destruction of property. In May approximately 10,000 traders, carpenters, masons, traders, and farmers were evicted from areas alongside the Kumasi railway. Some of the squatters had lived in the areas for over 20 years. During the eviction, agents, servants, and officials of the railway authorities, destroyed property, beat inhabitants, and forced them to sleep without shelter. There were no reported deaths or injuries resulting from any forcible dispersion of demonstrators by security forces.

As in previous years, chieftaincy disputes resulted in deaths, injuries, and destruction of property. However, there were no reported killings resulting from disputes between indigenous locals and migrant herdsmen during the year.

On November 1, a chieftaincy conflict erupted in Anloga in the Volta Region, resulting in at least five deaths, including one police officer and two persons who died in police custody. Rooted in a decade-long chieftaincy dispute, the disturbances arose from opposition to the installation of a new chief in the Anlo traditional area. Media and NGO sources reported that police used excessive force, intimidation, and beatings in order to control the violence and to extract information. Police reportedly arrested over 75 suspects, including children and at least one elderly woman, immediately after the conflict erupted.

In November at least three persons were reportedly killed, and over 20 houses set ablaze, as a result of a chieftaincy dispute in Princes Town in the Western Region. A number of individuals were arrested and charged with rioting, causing harm, fighting with offensive weapons, and causing damage.

Numerous deaths resulted during the year from vigilante-style justice on suspected criminals by angry citizens and mobs. Security forces sometimes intervened to save the lives of the intended victims. In June the Deputy Inspector General of Police (IGP) issued a statement urging the public not to engage in vigilante justice, emphasizing that such actions were illegal and punishable by law. This sentiment was echoed throughout the year by the Commission on Human Rights and Justice (CHRAJ) and several religious leaders. In May the Minister of National Security warned of the negative consequences of mob justice for the country's legal process.

On October 18, Asaman District police arrested nine persons for allegedly killing a suspected thief in Pokuase by beating him and dragging him along the ground with his hands tied. The nine suspects remained in detention awaiting trial at year's end.

On April 10, a group of young men beat and killed the administrator of Goaso Government Hospital whom they suspected of participating in a gang responsible for multiple killings. Police charged 15 persons in connection with the killing. On December 10, four of these persons were granted bail while the remaining 11 were remanded in custody and ordered to reappear in January 2008. According to the police, at year's end authorities were processing documentation for the suspects' trial at the Sunyani High Court.

On May 7, a mob on the Kumasi-Techiman highway captured and set on fire a man suspected of having robbed a gas station that morning. Police investigations remained inconclusive and no arrests were made by year's end.

On August 14, three suspected armed robbers were lynched in Accra as they were allegedly attempting to escape after snatching a woman's bag. No suspects were arrested, and investigations remained inconclusive at year's end.

In December two alleged gang members suspected of burglary were beaten to death by neighbors of the homeowner. Police investigations remained inconclusive at year's end.

There were no developments in the April 2006 case in which a mob in Kumasi lynched a man mistakenly identified as a thief; in the May 2006 case in which a mob in Accra beat to death three men suspected of stealing goats; or in the September 2006 case in which a mob beat and killed a Kumasi man suspected of purse-snatching.

The trial of four men who in 2005 allegedly beat to death a 16-year-old student mistaken for a bag-snatcher was ongoing at year's end.

#### b. Disappearance

There were no reports of politically motivated disappearances.

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

The constitution and law prohibit such practices; however, there were credible reports that police beat and abused suspects, prisoners, demonstrators, and other citizens. Severe beatings of suspects in police custody reportedly occurred throughout the country but largely went unreported in official channels. In many cases, police denied allegations or claimed

that force was justified by the circumstances.

The many fatal cases of police brutality during the year led several nongovernmental organizations (NGOs), lawyers, and civil society organizations to publicly denounce the tendency of police to use excessive force and to call for the IGP to take action against those responsible. In August the IGP issued a directive to all regional, district, and unit commanders to take punitive action against personnel who used excessive force against suspects. This directive followed a case in which a taxi driver died in his cell, allegedly from severe beatings he received while being detained for traffic offences.

During the year a police officer detained a university student for making political comments. The student was beaten by another police officer and held overnight in Accra before being released the next day without charge.

There were no developments in the August 2006 case in which the police regional disciplinary board conducted the trial of a police officer in Sunyani who stood accused of shooting a bystander in 2005, or in the 2005 case in which the police officer who shot a taxi driver in 2004 for failing to stop was suspended from his job.

"Land guards" (private security enforcers hired by citizens to settle private disputes and vendettas) caused injury and property damage during the year. There were some allegations of police complicity with these extra-legal security agents, although police denied involvement. During the year the police Land and Property Fraud Unit arrested, prosecuted, and convicted a number of land guards in the Greater Accra Region.

Vigilante-style justice conducted by angry citizens and mobs against suspected criminals and witches resulted in deaths and injuries.

#### Prison and Detention Center Conditions

Prison conditions in most cases were harsh and sometimes life-threatening, despite government efforts to improve them. Much of the prison population was held in buildings that were originally colonial forts or abandoned public or military buildings, with poor ventilation and sanitation, dilapidated construction, and limited space.

According to the 2006 Prisons Service Annual Report, 12,847 prisoners were held in prisons designed to hold approximately one-third of that number. It was common for as many as 55 inmates to share a cell meant for 12. Overcrowding contributed to a prevalence of communicable diseases, medical facilities were inadequate, and the prisons supplied only the most basic medicines. Prisoners relied on families or outside organizations for additional food, medicine, and other necessities. Shortages of food, bedding, and clothing for prisoners persisted.

In July the Parliamentary Select Committee on the Judiciary visited the Nsawam Medium Security Prison to determine whether inmates' rights were being protected. Prisoners reportedly informed the delegation that some inmates had been incarcerated for years without a trial. As a result of the committee's findings and other reports compiled by the prison service, the government made some efforts to address the lengthy detention periods. In September the Attorney General's office launched its "Justice for All" initiative under which a special court sat at the James Fort Prisons in Accra. The initiative was intended to accelerate the judicial process and ease overcrowding in the country's prisons.

There were no developments in the September 2006 case in which an inmate at the Bibiani Prison was found hanging in his cell, allegedly killed by his cellmates.

In the Accra Central Police cells, female prisoners were kept in a small vestibule, separated from men by only a gate. In 2006 the minister for women and children's affairs called on judges to avoid giving custodial sentences to pregnant women and proposed alternative sentences such as community work, suspended sentences, probation, and fines. Nevertheless, judges continued to impose custodial sentences for pregnant women, especially those not known to be pregnant at the time of sentencing. This was in part because officials did not consistently carry out pregnancy tests as required by law.

Some juveniles inflated their ages to avoid lengthy rehabilitation sentences in the Borstal Institute, a juvenile detention center that the government operated like a prison. In response, the Department of Social Welfare and the Prison Service collaborated to transfer younger juveniles in adult prisons to juvenile correction centers and older juveniles back to the Borstal Institute.

Pretrial detainees were held with convicted prisoners.

The government permitted CHRAJ to visit prisons freely during the year, but the access of NGOs was restricted.

#### d. Arbitrary Arrest or Detention

The constitution and law provide for protection against arbitrary arrest and detention; however, the government did not

always observe these prohibitions.

#### Role of the Police and Security Apparatus

The police, under the jurisdiction of a 10-member Police Council, are responsible for maintaining law and order. The military continued to participate in law enforcement activities during the year. A separate entity, the Bureau of National Investigations, handles cases considered critical to state security and answers directly to the Ministry of National Security. The police maintained specialized units in Accra for homicide, forensics, domestic violence, visa fraud, narcotics, and cyber-crimes. However, there were significant barriers to extending such services nationwide, including a lack of office accommodation, police vehicles, and equipment outside of Accra.

The police service came under repeated criticism following incidents of police brutality, corruption, and negligence. Impunity remained a problem. Delays in prosecuting suspects, rumors of police collaboration with criminals, and the widespread perception of police ineptitude contributed to an increase in vigilante justice during the year. There were also credible reports that police extorted money by acting as private debt collectors, by setting up illegal checkpoints, and by arresting citizens in exchange for bribes from detainees' disgruntled business associates.

Government officials publicly stated that the government's policy of zero tolerance for corruption applied to police and other security officials.

The 33-person Police Intelligence and Professional Standards Unit (PIPS) investigated human rights abuses and police misconduct. During the year PIPS received 693 complaints and petitions, compared with 522 in 2006. There were 149 complaints related to harassment, unlawful arrest, and detention with human rights violations, compared with 70 in 2006 and 48 in 2005. There were 225 complaints of misconduct, compared with 98 in 2006. Of the total 693 complaints received, 78 had been completed and forwarded to the IGP, and 615 cases remained under investigation at year's end. Some of those forwarded to the IGP resulted in dismissals, reduction of rank, and transfers.

In August, as a result of PIPS investigations, 39 police officers were dismissed, and 26 were interdicted for offenses including murder, rape, extortion, stealing, and involvement in narcotics trafficking. The cases were at various stages of prosecution at year's end.

#### Arrest and Detention

The constitution provides that a detained individual should be informed immediately, in a language that the detained person understands, of the reasons for the detention and of his or her right to a lawyer and an interpreter at state expense. The law requires judicial warrants for arrest and provides for arraignment within 48 hours. The law requires that a detainee who has not been tried within a "reasonable time" as determined by the court be released either unconditionally or subject to conditions necessary to ensure that the person appear in court at a later date. The law also provides for bail. In practice, however, many abuses of these rights occurred, including detention without charge for periods longer than 48 hours, failure to obtain a warrant for arrest, and remand of prisoners into custody for indefinite periods while an investigation is conducted by renewing warrants or by simply allowing them to lapse.

The government continued to conduct arbitrary arrests and detentions during the year.

Authorities routinely failed to notify prisoners' families of their incarceration; such information often was obtained only by chance. The court has unlimited discretion to set bail, which was often prohibitively high. The court may refuse to release prisoners on bail and instead remand them without charge for an indefinite period, subject to weekly review by judicial authorities. On occasion, police also demanded money from suspects as a precondition for their release on bail.

Lengthy pretrial detention remained a serious problem. According to the Prisons Service's 2006 Annual Report, 29.5 percent of the prison population was in pretrial status. Detainees sometimes served more time in detention awaiting trial than the sentence for the crime required.

#### e. Denial of Fair Public Trial

The constitution and law provide for an independent judiciary; however, the judiciary was inefficient and subject to influence and corruption.

The law establishes two basic levels of courts: the lower courts and the superior courts. The lower courts consist of the circuit and district courts, which serve as juvenile courts and family tribunals. These courts try civil cases involving \$5,241 (5,000 cedis) or less; and criminal cases for offenses punishable by a fine not exceeding \$1,048 (1,000 cedis), imprisonment for a term not exceeding two years, or both. The superior courts consist of the Supreme Court, the Appeals court, the High court, the Commercial court, regional tribunals, and fast-track courts. Fast-track courts hear cases to conclusion within six months. The majority of cases filed before the fast-track court involved banking and commercial

matters, human rights, and defamation.

Members of the military are tried under the criminal code in a military court.

The Judicial Service has made efforts to mainstream alternate dispute resolution (ADR) procedures in order to decongest the courts and to address judicial inefficiency. Mediators have been trained throughout the country to implement ADR and mediation desks have been established in some district courts. An ADR secretariat was established within the Judicial Service. Commercial courts continued to use ADR as a compulsory step in the resolution of commercial disputes.

The Chieftaincy Act gives village and other traditional chiefs the power to mediate local matters and enforce customary tribal laws dealing with such matters as divorce, child custody, and property disputes. However, the authority of traditional rulers has steadily eroded because of a commensurate increase in the power of civil institutions, such as courts and district assemblies.

A judicial complaints unit, headed by a retired Supreme Court judge, addressed public complaints. During 2006 the unit received 632 complaints, of which 107 were resolved, 186 were under investigation, and 339 were pending.

#### Trial Procedures

The constitution and law provide for the right to a fair trial, and the judiciary generally enforced this right. Defendants are presumed innocent, trials are public, and defendants have a right to be present, to be represented by an attorney (at public expense if necessary), and to cross-examine witnesses. Defendants and their attorneys have access to government-held evidence relevant to their cases and have a right to appeal. Juries are used in murder trials. In practice, authorities generally respected these safeguards.

There were no developments in the trials of retired military personnel arrested in 2004 for allegedly plotting a coup against the government or of two suspects accused of plotting a coup in 2005.

#### Political Prisoners and Detainees

There were no reports of political prisoners or detainees.

#### Civil Judicial Procedures and Remedies

There is an independent and impartial judiciary in civil matters, and citizens had access to a court to bring lawsuits seeking damages for, or cessation of, a human rights violation.

Fast-track courts and automated commercial courts continued to operate in an effort to improve access to justice and to streamline resolution of disputes. A growing number of automated courts, whose proceedings were expedited throughout electronic data management, were established across the country.

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

The constitution and law prohibit such actions; however, in practice the government sometimes infringed on privacy rights. Although the law requires judicial search warrants, police seldom obtained them in practice.

Opposition party activists claimed the government engaged in surveillance and harassment of those it perceived to be opposed to the ruling party. Some civil society organizations expressed concerns that the government used surveillance, free of any oversight or regulation.

A government-commissioned report into the forced evictions of hundreds of persons from Dudzorme Island within Digya National Park on Lake Volta, and the reported drownings of at least 100 persons during the eviction by ferry, exonerated the government of responsibility for the disaster and blamed the ferry crew for overloading the boats. The report also stated that the government was not responsible for compensating the victims. During the year, the government issued a white paper accepting some of the committee's findings, but it did not implement the committee's recommendations by year's end.

There were no developments in the 2006 case in which a five-month-old baby was forced to spend the night in a Kumasi jail with her parents and aunt.

## Section 2 Respect for Civil Liberties, Including:

### a. Freedom of Speech and Press

The constitution and law provide for freedom of speech and of the press, and the government generally respected these rights in practice. Individuals criticized the government publicly without reprisal. The independent media were active and expressed a wide variety of views without restriction.

There were reports that police arrested, detained, and used excessive force against members of the media.

The Accra police officer who in September 2006 physically attacked a radio journalist formally apologized to the reporter, but the government took no legal action against the officer.

No investigations were conducted during the year into the November 2006 incident in which police officers from Tema, Ada, and Kisseih allegedly used excessive force to prevent members of the media from covering a press conference held at Kportsum, near Ada.

Journalists were occasionally subjected to physical and verbal harassment as a result of their reporting. For example, members of the two major political parties, NPP and the National Democratic Congress (NDC), verbally harassed journalists throughout the year for negative reporting on their respective parties.

There were no developments in the 2006 cases in which a photojournalist covering the proceedings of a narcotics smuggling trial was attacked by a group of persons supporting the defendants; supporters of the former Minister of Road Transportation attacked a photographer and two journalists working for the *Enquirer* newspaper who were covering the minister's indictment by CHRAJ for perjury and abuse of office; and two journalists were barred from a press conference, allegedly in retaliation for an article run by the journalists' newspaper.

The opposition claimed that government media denied it equal access and coverage on numerous occasions.

Government officials, including the president, called upon media to be more disciplined in their reporting but did not censor or abridge media output.

### Internet Freedom

There were no government restrictions on access to the Internet or reports that the government monitored e-mail or Internet chat rooms. Individuals and groups could engage in the peaceful expression of views via the Internet, including by e-mail. The Internet was accessible in Accra and large cities, but there was limited access in other parts of the country.

### Academic Freedom and Cultural Events

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

### b. Freedom of Peaceful Assembly and Association

#### Freedom of Assembly

The constitution and law provide for freedom of peaceful assembly; however, at times the government restricted this right. The government does not require permits for demonstrations, but police can deny use of a particular route.

As in previous years, police arbitrarily and forcibly dispersed demonstrations during the year. On June 1, police forcibly dispersed students at Takoradi Polytechnic Institute who declared an indefinite boycott of academic work on May 31 to protest the principal's alleged incompetence. Sixty-four students were arrested in connection with the clashes and charged with rioting with weapons and engaging police in a confrontation. At year's end, prosecutions in some cases were progressing, and charges in others were dropped.

As a result of the April 2006 riots in which Legon University students protested the result of student government elections, the university convened a disciplinary committee to investigate the students involved in the riots. However, no action was taken at the national level to investigate the conduct of police in this incident.

There were no developments in the other 2006 cases in which police forcibly dispersed crowds of demonstrators.

The ban on campus demonstrations remained in effect during the year, although it was neither challenged nor enforced.

#### Freedom of Association

The constitution and law provide for freedom of association, and the government generally respected this right in practice. Members of security forces are prohibited from joining political assemblies or groups within the security services, but they are allowed to participate outside police or military compounds.

#### c. Freedom of Religion

The constitution and law provide for freedom of religion, and the government generally respected this right in practice.

Some Muslims continued to feel a sense of political and social exclusion because of the pervasiveness of Christianity in many aspects of society. Factors such as the frequency of Christian-oriented prayers in public settings and the ubiquity of Christian slogans contributed to this perception of marginalization and discrimination among some members of the Muslim community.

Muslim students generally experienced significant religious freedom in public schools. Despite official policies promoting free religious practice in schools, Muslim and Seventh-day Adventist students continued to complain that school administrators occasionally failed to accommodate students' religious obligations when regulating school attire or scheduling examinations on holy days, for example.

Trokosi, a practice indigenous to the southern Volta region, involves pledging family members, most commonly teenagers but sometimes children under the age of 10, to extended service at a shrine to atone for another family member's sins. Trokosis helped with the upkeep of these shrines and poured libations during prayers. Trokosis sometimes lived near shrines, often with extended family members, during their period of service, which lasted from a few months to three years. Government agencies, such as CHRAJ, have at times actively campaigned against Trokosi, although local officials portrayed it as a traditional practice that was not abusive. Some NGOs maintained that Trokosis were subject to sexual exploitation and forced labor, while supporters of traditional African religions, such as the Afrikania Renaissance Mission, have said these NGOs misrepresented their beliefs and regarded their campaigns against Trokosi as religious persecution.

At year's end, police were investigating the case of a 16-year-old boy who ran away from his father, a priest at a shrine. According to the boy, his father's intention was to make his son a trokosi.

#### Societal Abuses and Discrimination

There were no reports of societal abuses or discrimination based on religious belief or practice; however, there were occasional reports of interreligious and intrareligious friction during the year.

There were no developments in the 2006 incident of physical confrontation between members of the Christ Apostolic Church (CAC) and the Ga traditional authority, a chieftaincy group for the ethnic Ga people in the Accra area. The CAC violated the annual one-month-long ban on drumming imposed by the Ga Traditional Council in Accra, which is granted legal authority over traditional practices by the Chieftaincy Act.

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

The government often took steps to promote interfaith understanding during the year.

For a more detailed discussion, see the [2007 International Religious Freedom Report](#).

#### d. Freedom of Movement, Internally Displaced Persons, Protection of Refugees, and Stateless Persons

The constitution and law provide for freedom of movement within the country, foreign travel, emigration, and repatriation, and the government generally respected these rights in practice.

Security officers manned checkpoints nationwide to prevent smuggling, seize illegal weapons, and catch criminals; however, the police acknowledged that some officers occasionally erected illegal barriers to solicit bribes from motorists. In serious cases, these officers were disciplined with a reduction in rank and salary or dismissal from the police force. The police continued to erect security checkpoints and conduct highway patrols in response to a continuing upsurge in highway robberies. Police roadblocks and car searches were a normal part of nighttime travel in larger cities. The regional police commanders monitored the activities of police personnel working at the checkpoints.

The constitution prohibits forced exile, and the government did not use it.

#### Protection of Refugees

The law provides for the granting of asylum or refugee status in accordance with the 1951 UN Convention relating to the Status of Refugees and its 1967 protocol. The government has established a refugee board to adjudicate claims for refugee status and to ensure that refugees receive all appropriate protections. The Office of the UN High Commission for Refugees (UNHCR) participated as an observer on the refugee board. The government provided protection against refoulement, the return of persons to a country where there is reason to believe they feared persecution. The government also granted refugee status or asylum. The country cooperated with the UNHCR and other humanitarian organizations in assisting refugees and asylum seekers. The country generally had a liberal policy of accepting refugees from other West African countries, although this did not generally extend to granting work permits or permanent residence. The law accords the right of protection even to those refugees who entered the country without documentation.

Sexual and gender-based violence remained a problem among refugee populations. The physical insecurity of refugees living in camps contributed to their vulnerability. Of the three cases of sexual assault reported in 2006, one perpetrator was given a six-month prison sentence. During the year the other two cases were concluded. A man convicted of defiling a 13-year-old girl (defined in national law as sexual intercourse with a person under the age of 16 years) received a 10-year prison sentence. The third case was discontinued for lack of evidence.

In the Budumburam refugee camp, approximately 16 sexual violence cases involving defilement, rape, and sodomy were reported to Women's Initiative for Self-Empowerment (WISE) and to the police during the year. A number of the cases were not prosecuted, however, because the victims were unwilling or unable to cooperate in the prosecution. At year's end six cases were being prosecuted in court, some involving juvenile offenders.

In the Krisan refugee camp, one reported rape was under police investigation at year's end. In the Volta Region, a rape case brought against a refugee was discontinued when the alleged victim did not appear in court.

In addition to the formal charges brought to the police and to court, some victims choosing not to make formal complaints sought counseling from WISE or other NGOs, or brought the matter to community leaders for traditional settlements. UNHCR also worked with other agencies in disseminating information on the new domestic violence law and conducted education campaigns and training on the prevention of and response to incidents of sexual and gender-based violence.

#### Section 3 Respect for Political Rights: The Right of Citizens to Change Their Government

The constitution and law provide citizens the right to change their government peacefully, and citizens exercised this right through periodic, free, and fair elections held on the basis of universal suffrage.

#### Elections and Political Participation

In 2004 presidential and parliamentary elections were held nationwide. John Agyekum Kufuor of the NPP was reelected with 52.45 percent of the vote. Despite some irregularities, domestic and international observers characterized the elections as generally free and fair. There were reports of a shortage of ballots at some polls and minor problems with the voter register, such as misspelled names or photos not matching names. In the parliamentary elections the NPP won 128 seats; the NDC won 94; the Convention People's Party won three; the Peoples' National Convention won four; and one independent candidate won a seat.

The country continued its transition from a one-party state to a multiparty constitutional system. The political system includes recognized opposition parties, which expressed their views freely. Registered political parties operated freely within the country; however, opposition parties and persons in private business continued to allege that government contracts were often awarded on the basis of ruling party membership.

Women held 25 of 230 parliamentary seats. Of the 44 ministers, seven were women. Of the 39 deputy ministers, 12 were women.

In addition to members of the country's six major ethnic groups and members of the Christian majority, the 230-seat parliament included members of several smaller ethnic groups, Muslims, and followers of traditional African religions. The NPP strongly favored members of the Ashanti ethnic group for high-level appointed positions.

#### Government Corruption and Transparency

Corruption in the executive and legislative branches continued to be a problem. The World Bank's worldwide governance indicators reflected that corruption was a problem. The opposition NDC accused the government of using anticorruption investigations to intimidate and harass its members. Opposition parties charged that corruption continued unabated and that the government failed to use the institutions and mechanisms at its disposal to address the problem. There were reports that government officials pressured businesses to steer contracts toward favored companies and individuals.

The case of Nana Konadu Rawlings, the wife of former president Jerry Rawlings, who was accused in 2006 of "willfully causing financial loss to the state" in connection with the purchase of a Ghana Industrial Holding Corporation cannery, was ongoing at year's end.

There were no developments in the ongoing trial of the former head of the Ghana National Petroleum Corporation on charges of causing financial loss to the state.

In November an Accra court convicted four persons for their involvement in a 2006 narcotics trafficking scandal. However, the government did not follow the trial judge's recommendation to prosecute a leading police official for his alleged complicity in the scandal.

There were no developments in a separate case in which the government declined to censure the IGP following allegations that a different senior police official requested a \$200,000 bribe to drop a case against a foreign cocaine trafficker.

At year's end CHRAJ was seeking a formal review of the Accra Fast Track High Court's March ruling that CHRAJ's investigations into allegations of corruption and conflict of interest by Richard Anane, the former minister of road transportation, were "null and void."

During the year CHRAJ received at least five cases under the 2006 whistleblower law: two cases from the Office of Accountability, and one case from the Serious Fraud Office. The law establishes a procedure for individuals to disclose information on illegal conduct or practice and provides for legal protection, and in some cases compensation, for whistleblowers.

During the year CHRAJ received a number of cases following its issuance of conflict of interest guidelines in December 2006. The public and official response to the guidelines was generally positive. At year's end, the attorney general's office was considering whether to transform the guidelines into law.

Although the constitution provides for public access to government information, parliament did not pass implementing legislation by year's end. The freedom of information bill drafted in 2002 was still being considered at year's end.

#### Section 4 Governmental Attitude Regarding International and Nongovernmental Investigation of Alleged Violations of Human Rights

At least 20 domestic and international human rights NGOs generally operated without government restriction, investigating and publishing their findings on human rights cases. Government officials generally were cooperative and responsive to their views.

The government body CHRAJ was charged with investigating alleged violations of human rights, including corruption of public officials, and taking action to remedy proven violations. It mediated and settled cases brought by individuals with grievances against government agencies or private companies.

CHRAJ operated with no overt interference from the government; however, some critics questioned its ability to independently investigate high-level corruption within the Kufuor administration. Its biggest obstacle was a lack of adequate funding and resources, which resulted in low salaries, poor working conditions, and the loss of many of its staff to other government and nongovernmental agencies. Public confidence in CHRAJ was high, resulting in an increased workload for its staff, whose salaries were often delayed due to a chronic lack of resources and administrative issues.

In 2006 the government began compensating victims of human rights abuses that occurred during the country's various periods of military rule between 1957 and 1993. The victims were identified by the National Reconciliation Commission, which was set up by the 2001 National Reconciliation Act to investigate and document cases of human rights violations during this specific period. The government set aside \$1,362,000 (1.3 million cedis) to compensate 2,177 victims. By June the government had compensated 1,268 persons over \$734,000 (700,000 cedis). An additional \$524,000 (500,000 cedis) was approved, from which 387 victims were paid by year's end, leaving 522 victims who had not yet been compensated \$105,000 (100,000 cedis).

## Section 5 Discrimination, Societal Abuses, and Trafficking in Persons

The constitution prohibits discrimination on the basis of race, sex, disability, language, or social status; however, enforcement by authorities was generally inadequate. Limited financial resources and a generally permissive societal attitude toward such discrimination contributed to its perpetuation. The courts were empowered to specifically order enforcement of these prohibitions.

### Women

The law criminalizes rape but not marital rape; however, rape remained a significant and underreported problem. When cases of rape were reported, perpetrators generally were arrested and prosecuted.

Violence against women, including domestic violence, remained a significant problem. In February parliament passed a bill outlawing domestic violence. In November the Ministry of Women and Children's Affairs (MOWAC) held a review meeting for stakeholders on the draft policy document and national plan on the Domestic Violence Act. The police service's Domestic Violence Victim Support Unit (DOVVSU) handled cases of domestic violence and child abuse, as well as juvenile offenses. Through November DOVVSU investigated 16,036 cases, many of which (5,875) involved nonpayment of maintenance. There were also 1,459 defilement cases and 397 rape cases. DOVVSU worked closely with the Department of Social Welfare, the national chapter of the International Federation of Women Lawyers (FIDA), the Legal Aid Board, and several human rights NGOs to combat domestic violence.

Prosecution of domestic violence cases remained difficult. At year's end the government continued to finalize a national plan of action and draft policy on domestic violence. Despite growing public awareness that domestic violence is a crime, government officials and NGOs did not have evidence that the new law had increased victims' willingness to report abuse or affected the number of arrests. Inadequate resources and logistical capacity in DOVVSU and other agencies, as well as only partial implementation of the Domestic Violence Act, hindered the full application of the new law during the year. In many cases, victims were discouraged from reporting abuse and from cooperating with prosecutors because of long delays in bringing such cases to trial. Victims frequently did not complete their formal complaints because they could not afford the fees that doctors charged to document the abuse in police medical forms. Although the new law waived these medical fees, doctors continued to require them in exchange for signing medical reports. There were credible reports that doctors sometimes charged more than the rate set by hospital administration to sign medical forms.

Unless specifically called upon by DOVVSU, police seldom intervened in cases of domestic violence, in part due to a lack of counseling skills, shelter, and other resources to assist victims.

In the Northern, Upper East, and Upper West regions of the country, where belief in witchcraft remained strong, rural women continued to be banished by traditional village authorities or their families for suspected witchcraft. Most accused witches were older women, often widows, who were identified by fellow villagers as the cause of difficulties, such as illness, crop failure, or financial misfortune. The banished women went to live in "witch camps," villages in the north of the country populated by suspected witches, some of whom were accompanied by their families. Various organizations, including Catholic Relief Services, provided food, medical care, and other support to residents of the witch camps. Government officials and the regional office of CHRAJ claimed that the number of women in the witch camps in the Northern Region had decreased slowly in recent years.

Although there were no confirmed reports of witches being assaulted during the year, experts believed that discrimination and intolerance towards witches continued.

The government, under the auspices of the DOVVSU, continued to charge and investigate persons who committed acts of violence against suspected witches and refrained from pursuing charges based solely on allegations of witchcraft.

There were no developments in the case of six pregnant girls forced to leave school in 2006. In contrast to the previous year, no such cases were reported.

There were no laws to specifically protect women from sexual harassment; however, some sexual harassment cases were prosecuted under the existing criminal code. Women's advocacy groups reported that sexual harassment was a problem.

Women continued to experience discrimination in access to employment. Women in urban centers and those with skills and training encountered little overt bias, but resistance to women entering nontraditional fields persisted. Women, especially in rural areas, remained subject to burdensome labor conditions and traditional male dominance. Traditional practices and social norms often denied women their statutory entitlements to inheritance and property, a legally registered marriage (and with it, certain legal rights), and the maintenance and custody of children. There were a number of female entrepreneurs, but poor access to credit remained a serious barrier for women who wanted to start or expand a business.

Women's rights groups were active in educational campaigns and in programs to provide vocational training, legal aid, and

other support to women. The government was active in educational programs, and many officials were active, outspoken advocates of women's rights.

#### Children

Although a birth certificate is not a legal precondition to attend school, in practice some children were reportedly denied education because their births were not registered.

The government was committed to protecting the rights and welfare of children, although its efforts were constrained by its limited financial and logistical resources.

Education is compulsory through primary and junior secondary school (the equivalent of grades one through nine). Despite the constitutional provision for "free compulsory and universal basic education," parents were required to purchase uniforms and writing materials. The government provided textbooks.

According to the Ministry of Education, Science, and Sports, the gross enrollment rate during the year was 92.1 percent at the primary level with 95 girls enrolled for every 100 boys, an increase from 93 in the 2004-2005 school year. At the junior secondary school (JSS) level, 74.7 percent of eligible children were enrolled, with 90 girls enrolled for every 100 boys, an increase from 88 in the 2004-2005 school year. Some children did not attend school because they worked to supplement their family's income or lived far from the closest school. Many children, particularly in rural areas, were affected by insufficient teachers and other resources at local schools. The indirect economic cost associated with enrollment was a significant obstacle for many children's families. In addition authorities did not regularly enforce children's attendance at school, and parents were rarely sanctioned for keeping their children out of school.

The government continued its Capitation Grant program, paying schools approximately \$3.20 (three cedis) per child to cover cultural, sports, and other school fees. The national School Feeding Programme also helped alleviate the incidental costs associated with school attendance in certain parts of the country.

The government strongly supported the UN's Education for All goals. During the year the Ghana Education Service (GES) actively campaigned to expand education for girls by providing scholarships at the JSS and Senior Secondary School levels and by offering financial incentives and free housing to female teachers to work in rural areas. The GES placed girls' education officers at regional and district levels, and there were community participation coordinators in every district office to mobilize communities to increase school enrollments for girls.

Children under five years of age, regardless of gender, had access to free health care at public hospitals and clinics.

The law prohibits defilement, incest, and sexual abuse against minors, but such abuse remained a serious problem. There were frequent reports that male teachers sexually assaulted and harassed female students. The girls often were reluctant to report these incidents to their parents, and social pressure often prevented parents from going to authorities. During the year there continued to be press reports of teachers and headmasters/headmistresses either arrested for sexual harassment of female students or dismissed for ignoring reported problems.

Through November, DOVVSU received 1,459 cases of child defilement and seven cases of attempted defilement.

Families continued to identify and isolate Trokosis, although the prevalence was unknown.

The law prohibits FGM, but it remained a serious problem in the northern regions of the country. Type II FGM--defined by the World Health Organization as the excision of the clitoris with partial or total excision of the labia minora--was more commonly performed than any other type. The typical age at which a girl was excised was 15, although it was often performed on younger girls. According to a 2005 study conducted by the Ministry of Health, approximately 15 percent of women between 12 and 19 in the three northern regions had undergone FGM, although some observers believed that NGO- and government-sponsored awareness campaigns regarding the illegality of FGM had driven the practice underground and that the actual rate in these regions was as high as 30 percent. Such intervention programs were somewhat successful in reducing the prevalence, although it was difficult to estimate their effectiveness precisely. Officials at all levels, including traditional chiefs, continued to speak out against the practice, and local NGOs continued their educational campaigns to encourage abandonment of FGM and to train practitioners in new skills so they could seek alternate sources of income. There were no prosecutions of practitioners during the year.

Forced child marriage, which is illegal, remained a problem. CHRAJ and NGOs reported that the problem had not improved during the year.

The migration of children to urban areas increased due to economic hardship in rural areas. Children were often forced to support themselves to survive, increasing both the occurrence of child labor and the school dropout rate. In 2005 MOWAC officials estimated that as many as 40,000 porters (children who carry loads on their heads), most of whom were girls

under 18, lived on the streets in major cities. These girls were among the most vulnerable child laborers, as many also engaged in prostitution or were sexually exploited in exchange for protection while living on the streets.

Local and international NGOs worked with the government to promote children's rights and were somewhat successful in sensitizing communities about protecting the welfare of children.

There were no developments in the November 2006 case in which an orphanage director in Accra denied media reports that young girls were being raped by older boys at the orphanage.

#### Trafficking in Persons

The law prohibits trafficking in persons and provides for a minimum prison sentence of five years for convicted traffickers. There were three arrests under this law by year's end, one of which was successfully prosecuted. The other two cases were pending at year's end. The country was a source, transit, and destination country for women and children trafficked for the purpose of forced domestic and commercial labor and sexual exploitation.

There was no reliable estimate of the number of internally or externally trafficked victims, although NGOs estimated this number to be in the thousands. Through November DOVVSU received 10 cases of child trafficking throughout the country.

Trafficking was both internal and international, with the majority of trafficking in the country involving children from impoverished rural backgrounds. The most common forms of internal trafficking involved children, mostly boys, from the Northern Region going to work in the fishing communities along the Volta Lake or in small mines in the west, and girls from the north and east going to Accra and Kumasi to work as domestic helpers, porters, and assistants to local traders. Local and international NGOs reported these children were often subjected to dangerous working conditions and were sometimes injured or killed as a result of the labor they performed. Local authorities supported projects sponsored by the International Organization of Migration (IOM) and other organizations to decrease the incidence of such trafficking. IOM and various NGOs offered micro-credit assistance and education to families who agreed not to provide their children to traffickers and to those whose children had been trafficked.

Children between the ages of seven and 17 also were trafficked to and from the neighboring countries of Cote d'Ivoire, Togo, the Gambia, Nigeria, and Equatorial Guinea to work as farm workers, laborers, divers, street hawkers, or domestics. Benin and Burkina Faso were also destination countries for trafficked children.

Much of the recruitment of children was done with the consent of the parents, who sometimes were given an advance payment or promised regular stipends from the recruiter and were told the children would receive food, shelter, and often some sort of training or education. Some parents sent their children to work for extended family members in urban areas. In other cases, children were given to professional recruiters, usually women, who placed the children with employers in cities. In many cases the children never received the education or vocational training the recruiters promised.

Women also were trafficked to Western Europe, mostly to Italy, Germany, and the Netherlands. International traffickers promised the women legitimate jobs; however, the women often were forced into prostitution once they reached their destination. The women were sometimes sent directly to Europe while others were trafficked through third countries. Some young women were trafficked to the Middle East, particularly Lebanon, where they worked in menial jobs or as domestic help. There were also reports that women from Nigeria, Benin, Togo and Burkina Faso were trafficked through the country in transit to Western Europe or the Middle East to work in the commercial sex industry.

Under the anti-trafficking law, DOVVSU has responsibility for enforcement, and the Department of Social Welfare within the Ministry of Manpower, Youth and Employment (MMYE) has responsibility for victim assistance, including locating family members and providing temporary shelter, counseling, and job skills training. Local police and social welfare officials reported insufficient resources to implement the law, particularly in rural areas without police stations.

In June the government established a 17-member Human Trafficking Board composed of all relevant ministries, the security services, the private sector, and other stakeholders. During the year the board met several times to discuss the national plan of action on human trafficking, which was not adopted by year's end.

There were no developments in the 2006 cases in which police intercepted children being trafficked internally and to Burkina Faso.

The government, the International Labor Organization (ILO), and NGOs continued to train security forces, immigration authorities, customs officials, and police on the new trafficking law. In 2006 the government established a Border Patrol Unit under the Immigration Service to monitor the flow of travelers in and out of the country, particularly along unapproved routes. By year's end officials of the Immigration Service, including the Border Patrol Unit, identified 26 traffickers who were transferred to the police. Various ministries worked with the ILO's International Program on the Elimination of Child Labor (ILO/IPEC), the IOM, and NGOs to address trafficking. The MMYE, in conjunction with ILO/IPEC, continued to

implement a National Plan of Action for the Elimination of Child Labor. International and local NGOs and MOWAC worked to identify and return children trafficked to fishing villages, and to support the fishermen's transition to alternate forms of income generation.

Authorities made efforts to shelter and reintegrate trafficking victims from the country and other West African countries. The government devoted little attention to rehabilitating child trafficking victims.

During the year the government continued to conduct community meetings and workshops for media and police to raise awareness of the trafficking law.

#### Persons with Disabilities

In 2006 parliament passed legislation that specifically provides for the rights of persons with disabilities, including protection against exploitation and discrimination in employment, health care, and other domains. While the government did not systematically or overtly discriminate against persons with disabilities, such persons often experienced societal discrimination in practice. The law provides persons with disabilities access to public buildings as far as is practical. The national council for the disabled, mandated by the law, was not established by year's end. Activists supporting the rights of persons with disabilities complained of the slow implementation of the Persons with Disability Act, especially the lack of legislative instruments which implement the new law. Despite the legal protection guaranteed in the law, discrimination against disabled persons in employment situations and the inaccessibility of public buildings continued to be a problem.

Persons with both mental and physical disabilities were frequently subjected to abuse and intolerance. Some religious groups believed that persons with mental disabilities were afflicted by demons and should be exorcised. The abuse of children with disabilities was common. There were reports that children with disabilities were tied to trees or under market stalls and caned regularly. There also were reports of family members killing children with disabilities. On October 4, the media reported the case of a mother who abandoned her seven-year-old disabled son, who could neither walk nor talk, at a hospital in Effiduase-Koforidua.

Human rights activists expressed concerns about camps in which individuals believed to be possessed by evil spirits were chained up for weeks, physically assaulted, and denied food and water. The camps targeted, in particular, persons with mental illnesses. Camp supervisors diagnosed mental illness as a "demonic affliction" and prevented patients from consuming food or water, often for seven consecutive days, as a method of cleansing victims of their evil spirits. Some victims were estimated to be as young as six years old. Families sent these victims to be exorcised of evil spirits or cured of their physical or mental illnesses. Victims were held at the camps until they were considered to be healed. Reports indicate that these practices occurred in the Greater Accra, Eastern, Central, Western, Ashanti, and Brong Ahafo regions. During 2006 visits to prayer camps, foreign embassy observers witnessed over 100 persons who were forcibly chained to beds or posts and one windowless cell designed for persons with mental illness. The country's psychiatric community was aware of this issue and was pushing for an updated mental health law to protect the rights of the mentally ill. At year's end the mental health bill had not been passed.

There were multiple government agencies and NGOs involved in addressing discrimination against persons with disabilities, including the Ministry of Health, the Department of Social Welfare in the MMYE, the Ministry of Education, and the Center for Democratic Development.

#### National/Racial/Ethnic Minorities

Although the government deemphasized the relevance of ethnic differences, its opponents complained that appointed senior government positions were dominated by Ashantis and other Akans at the expense of Ewes and northerners. The president and some of his ministers and close advisors were Ashanti, but the vice president and many ministers were of other ethnic origins.

There were numerous small-scale conflicts within ethnic groups during the year, most of which related to chieftaincy and land use issues. Efforts by NGOs to encourage reconciliation continued during the year.

There were no developments in the killings by security forces of three youths who attempted to forcefully enter the former palace of the Ya Na, the paramount chief of the Dagomba ethnic group.

There were no developments in the April 2006 shooting deaths in Bortianor of two persons belonging to different chieftaincy factions. Police reported that the case remained open.

#### Other Societal Abuses and Discrimination

The law criminalizes homosexuality, and lesbians and gays faced widespread discrimination, as well as police harassment and extortion attempts. There is a minimum misdemeanor charge for homosexual activity, and homosexual men in prison

often were subjected to sexual and other physical abuse.

Discrimination against persons with HIV/AIDS was a problem, and the fear of being stigmatized continued to discourage persons from being tested for HIV infection.

The government and NGOs subsidized many centers that provided free HIV testing to citizens, although there were reports that confidentiality was not consistently respected and preserved.

## Section 6 Worker Rights

### a. The Right of Association

The law allows workers, except for the armed forces, the police, the prison service, and some security and intelligence agency personnel, to form and join unions of their choice without previous authorization or excessive requirements, and workers exercised this right in practice. While unions no longer must seek government approval before registering, the 2003 Labor Act requires that trade unions or employers' organizations must register and be authorized by the Chief Labor Officer to attain a certificate of registration and be considered legal. The percentage of workers belonging to unions decreased in recent years, in part because of a relative lack of employment opportunities in the formal, unionized sectors that led many new entrants to the workforce to enter the informal sector. Moreover, some workers previously employed in the formal sector were forced to search for alternative employment in the informal sector.

The country's labor law does prohibit antiunion discrimination by employers; however, in practice some employers continued to fire employees for union activity contrary to the law.

### b. The Right to Organize and Bargain Collectively

The law allows unions to conduct their activities without interference, and the government protected this right in practice. However, the armed forces, police, prison service, security and intelligence personnel, and workers with policy-making and managerial functions do not have any possibility of bargaining. The law provides a framework for collective bargaining, and trade unions engaged in collective bargaining for wages and benefits with both private and state-owned enterprises without government interference. However, only unions that represented the majority of workers in a given company can obtain a Collective Bargaining Certificate, which is required to engage in collective bargaining.

The law recognizes the right to strike but restricts that right for workers who provide essential services, including "areas in an establishment where an action could result in a particular or total loss of life or pose a danger to public health and safety and such other services as the minister may by legislative instrument determine." During the year the Minister of Manpower, Youth and Employment formally designated the list of essential services. The list included services carried out by utility companies (water, electricity, etc) including the Volta River Authority, ports and harbors, medical centers, and the Bank of Ghana. In the case of these essential services, the parties to any labor disputes are required to resolve their differences within 72 hours; the deadline was meant to put pressure on employers and employees to operate efficiently with limited interruptions. The right to strike can also be restricted for workers in private enterprise whose services were deemed essential to the survival of the enterprise by a union and an employer. A union may call a legal strike 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. No union had ever gone through the complete dispute resolution process, and there were numerous unsanctioned strike actions during the year. There had been no legal strikes since independence.

In April health workers, with the exception of medical doctors, called a nationwide strike over wages. The government declared the strike illegal, in spite of the fact that the law did not yet stipulate medical services to be essential services. With two exceptions, the staffs of public hospitals were reduced to a skeleton crew or less, with little or no service provision. On May 9, the strike was called off when the government agreed to a 30 percent wage increase. On July 3, the government signed a Memorandum of Understanding outlining a new salary structure, but it had not been fully implemented by year's end. Although some health workers threatened to go on strike again, they did not do so, and efforts to implement the Memorandum of Understanding and mediation efforts were ongoing at year's end.

Existing labor law applies in export processing zones, including the right to organize.

### c. Prohibition of Forced or Compulsory Labor

The law prohibits forced or compulsory labor, including by children; however, there were reports that such practices occurred.

The law provides for employers found guilty of using forced labor to be fined no more than 250 penalty units (each unit of which was assigned a monetary value to adjust for the fluctuating exchange rate); however, limited resources inhibited the government's implementation of the law, and no fines were levied during the year. During the year the ILO continued to urge the government to revise various legal provisions that permit imprisonment with an obligation to perform labor.

#### d. Prohibition of Child Labor and Minimum Age for Employment

The law sets the minimum employment age at 15 years and 13 years for employment that is not likely to be harmful to the child and does not affect the child's attendance or capacity to benefit from school. The law prohibits night work and certain types of hazardous labor for those under 18, and provides for fines and imprisonment for violators; however, child labor remained a serious problem in the informal sector. The law allows for children age 15 and above 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. However, child labor laws were not enforced effectively or consistently, and law enforcement officials, including judges, police, and labor officials, were often unfamiliar with the provisions of the law that protected children. The 2006 Ghana Poverty Reduction Strategy II outlined a plan to intensify efforts to combat the worst forms of child labor. During the year, the 20 districts participating in the ILO/IPEC Timebound Programme mainstreamed activities to eliminate child labor into their medium-term development plans and budgetary allocations. During the year the MOWAC continued to conduct seminars on child labor to educate the media, police, civil servants, and the general public. Local custom and poverty encouraged children to work to help support their families and eroded societal observance of minimum age laws.

Children as young as seven worked in agriculture and as domestic laborers, porters, hawkers, miners, quarry workers, and fare collectors. The fishing industry on Lake Volta had a particularly high number of child laborers engaged in potentially hazardous work, such as diving into deep waters to untangle fishing nets caught on submerged tree roots. Child laborers were poorly paid and physically abused; they received little or no health care and generally did not attend school. According to government labor officials and the Ghana Employers Association, child labor problems were infrequent in the formal labor sector.

The law prohibits forced and compulsory labor by children; however, during the year children were reportedly sold, leased, or given away by parents to work in agriculture, fishing villages, quarry mines, shops, or homes. It was difficult to determine the extent to which forced and bonded labor by children was practiced.

There were newspaper reports of children being sold into various forms of involuntary servitude for either sexual exploitation or labor, such as 10- to 12-year-old boys working for fisherman in exchange for a yearly remittance to their families. The practice often involved the consent of their generally impoverished parents.

The extent of child labor in the cocoa industry was not precisely known. The government continued to implement its 2006 National Plan for the Elimination of the Worst Forms of Child Labor. In April the Ministry of Manpower announced the results of a pilot survey of child labor in the cocoa industry that was conducted in conjunction with foreign chocolate manufacturers. According to the survey, less than 5 percent of all children involved in cocoa production were involved in worst forms of child labor. At year's end the ministry was in the process of scaling up this survey to cover 60 percent of the country's cocoa-producing areas.

There were no developments in the April 2006 case in which two senior secondary school students were awaiting trial for attempting to sell three of their younger classmates for \$10,858 (10,000 cedis), or in the July 2006 case in which the family of a 14-year-old girl used her as collateral for a loan of \$597 (550 cedis).

Inspectors from the Labor Department of the MMYE are responsible for enforcement of child labor regulations, and district labor officers and the social services subcommittees of district assemblies are charged with seeing that the relevant provisions of the law are observed by annually visiting each workplace and making spot checks whenever they receive allegations of violations. Inspectors are required to provide employers with information about child labor violations and effective means to comply with provisions of the Labor Act. However, the government did not provide sufficient resources to law enforcement and judicial authorities to conduct these efforts.

During the year there were no prosecutions for child labor resulting from these inspections. Officials only occasionally punished violators of regulations that prohibit heavy labor and night work for children. In addition the inspectors' efforts were concentrated primarily in the formal sector, rather than in the informal sector where most child labor was performed. However, DOVVSU received four cases on child labor exploitation through November.

During the year the MMYE conducted in major cities throughout the country a "Capacity Building Workshop for Child Labor Unit and Key Officers of the Labor Department on the Interagency Collaboration and Coordination of Child Labor Monitoring System in Ghana." Additional meetings have been held on interagency collaboration and information-sharing of focal persons working on child labor issues within various districts. The MMYE has also been involved in sensitizing district assemblies on child labor issues in the cocoa sector. The MMYE chairs a National Steering Committee for the elimination of child labor and a national subcommittee on child labor in the cocoa sector.

During the year the MOWAC carried out awareness-raising initiatives in five regions, disseminating results of a 2005 study of child labor practices in cocoa farming. MOWAC conducted seminars on child labor to educate the media, police, civil servants, and the general public.

ILO/IPEC, government representatives, the Trade Union Congress, the media, international organizations, and NGOs continued to build upon the 2006 National Plan of Action for the Elimination of Child Labor in Ghana by increasing institutional capacity to combat child labor. With the support of the government, NGOs and foreign countries funded more recent programs to combat child labor. Education and sensitization workshops were conducted with police, labor inspectors, local governments, and communities. Forums were held throughout the country to develop and implement an ILO/IPEC Time-Bound Program, which aimed to eliminate all forms of child labor under specified time periods and benchmarks.

#### e. Acceptable Conditions of Work

A National Tripartite Committee composed of representatives of the government, labor, and employers set daily minimum wages. The daily minimum wage of \$1.66 (1.60 cedis) did not provide a decent standard of living for a worker and family. Furthermore, there was widespread violation of the minimum wage law in the formal sector, and the growing informal labor force remained unprotected. In most cases households had multiple wage earners, and family members engaged in some family farming or other family-based commercial activities. The MMYE was unable to credibly enforce this law.

On June 4, the president signed legislation creating a Fair Wages and Salaries Commission charged with ensuring fair, transparent, and systematic implementation of the government public service pay policy; advising government on matters related to salaries, wages, grading, classification, job analysis and job evaluation; and ensuring that decisions on those issues are implemented. By year's end the commission was not fully operational.

The law sets the maximum workweek at 40 hours, with a break of at least 48 consecutive hours every seven days. The government compensated extra duty hours only for overtime actually worked, in accordance with labor equity, rather than as an automatic salary supplement. Workers were also entitled to at least 15 working days' leave with full pay in a calendar year of continuous service or after having worked at least 200 days in a particular year. However, such provisions do not apply to task workers or domestic workers in private homes.

Occupational safety and health regulations exist, and the Factories Department within the MMYE was responsible for imposing sanctions on violators; employers who failed to comply were liable to a fine not exceeding 1,000 penalty units, to imprisonment for a term not exceeding three years, or to both. The law requires that employers report, no later than seven days from the date of occurrence, occupational accidents and diseases which occur in the workplace. In practice, safety inspectors were few and poorly trained, and they lacked the resources to effectively respond to violations. Inspectors did not impose sanctions or otherwise respond to violations during the year.

