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Overview

The review of Ghana before the Working Group of the UPR began on 5 May 2008 with a lengthy introduction by the Minister of Justice and Attorney General, Mr Joe Ghartey, and Minister of State for Education, Ms Elizabeth Ohene, on the various achievements and challenges faced in the country. The issues addressed in the presentation included: gender parity in politics; efforts to eradicate child labour; the independence of the judiciary and the right to fair trial; the impact of illegal mining activities on the enjoyment of human rights; efforts in ensuring compulsory free education; efforts to strengthen the National Human Rights Commission; and cooperation with civil society through various initiatives. Although no direct reference was made to questions submitted by States to the troika, it appeared that certain comments made by the delegation were based on questions received.

During the interactive dialogue many States commended the efforts made by Ghana in improving its human rights record, particularly in relation to access to education. A reasonable number of questions were also posed and recommendations for improvement provided by States. These included:

- violence against women and children¹, including the entering into force and implementation of the *Domestic Violence Act*² and eliminating harmful traditional practices such as female genital mutilation (FGM) and ‘trokosi’ (the ritual servitude of girls, including sexual abuse and forced labour);³
- the participation of women in political life, and the gender gap in education;⁴
- efforts made to protect children, including the need to abolish corporal punishment of children lawful in the home⁵, efforts to eradicate child labour⁶ and efforts to ensure that free compulsory education is achieved;⁷
- the existence of laws prohibiting sexual activity between consenting adults;⁸
- allegations of police brutality and efforts made in training of civil servants to enforce the law, poor prison conditions, delays in the judicial process and corruption in the judiciary;⁹
- the existence of the death penalty and the call for its abolition;¹⁰
- foreign debt as an impediment to the enjoyment of economic, social and cultural rights,¹¹ and the food situation in Ghana;¹²
- efforts taken to reduce the spread of HIV/AIDS and to fight discrimination against those affected by HIV/AIDS;¹³
- the herbal medicine economy and its medicinal values;¹⁴
- the consequences of cases of large scale illegal mining;¹⁵
- calls for free and fair upcoming elections and a peaceful transition.¹⁶

Nearly forty minutes out of the one hour allocated to the State under review had been taken up by the initial presentation, which resulted in Ghana only making two interventions among a list of 45 speakers. This meant that very few of the issues raised were adequately responded to by the State under review.

General information on Ghana

Membership of the Human Rights Council

Ghana is a member of the Human Rights Council (1st term, 2006 – 2008).

Members of the troika

Netherlands, Bolivia, Sri Lanka¹⁷

¹ The Democratic Republic of Congo, Turkey, Algeria, Guinea, Italy, Austria and Chile all raised general concerns.

² UK, Canada, Philippines, Ireland, Austria, Republic of Korea.

³ Ireland, Canada, United States, Portugal, Chile, Tanzania, Italy, Austria.

⁴ France, Hungary, Mexico, Netherlands, Burkina Faso, Slovenia, Algeria, Chile, Republic of Korea.

⁵ Finland, Italy, Turkey.

⁶ Azerbaijan, Malaysia, Cuba, Russian Federation, Philippines, Zambia.

⁷ Senegal, China, Hungary, Malaysia, Algeria, Portugal, Republic of Korea, Morocco.

⁸ Czech Republic, Romania, Slovenia.

⁹ UK, Switzerland, Czech Republic, Austria.

¹⁰ France, Mexico, Canada, Philippines, Italy, Switzerland, Portugal.

¹¹ Cuba, China.

¹² Luxembourg.

¹³ Romania, Ireland, Bosnia and Herzegovina.

¹⁴ DRC, South Africa.

¹⁵ Brazil, Germany.

¹⁶ United States.

National consultation

According to the national report, ministries, departments, and agencies of Government were actively involved in the consultative process in the drafting of the report.

Information submitted to the Working Group

State report

Ghana submitted its national report for the UPR on 8 April 2008.¹⁸ After a brief overview of the political, legal and economic system, Ghana's legislative instruments for the promotion and protection of human rights were presented. A chapter was dedicated to the international treaties that Ghana has ratified,¹⁹ and to its major national human rights institutions.²⁰ An extensive part of the report is dedicated to the main achievements and best practices of Ghana in the field of human rights. The main issues addressed include rights of persons with physical disabilities, rights of women and children, civil and political rights, the right to health and traditional medicines, right to fair trial and access to justice, protection of workers, and economic rights. The final part of the report focuses on the main challenges and constraints in the protection and promotion of human rights, especially those of women and children, and on key national priorities, which include prisoners, women and children, the implementation of the Livelihood Empowerment Programme against Poverty (LEAP), and the enactment of various Bills relevant to human rights.²¹

Official UN documents

In the compilation of UN documents,²² the Committee on the Elimination of Discrimination against Women (CEDAW) called upon the State to ratify the Optional Protocol to the Convention, while the Committee on the Rights of the Child (CRC) recommended that Ghana consider ratifying the Palermo Protocol on trafficking in persons. CRC and CEDAW commended progress made in the protection of women's and children's rights, and welcomed the adoption of specific measures such as the *Domestic Violence Act*, the Women Development Fund, and the *Children's Act*. Recurring issues of concern included discrimination and violence against women,²³ ethnic discrimination,²⁴ child abuse,²⁵ women's access to justice,²⁶ freedom of

¹⁷ Regional groups selected: Asian Group, Latin American and Caribbean Group (GRULAC), Western European and Others Group (WEOG). There were no objections by Morocco or by the members of the troika to the selection. For a full summary of the selection of troikas, see http://www.ishr.ch/hrm/council/councilalert/council_update_7session.pdf

¹⁸ A/HRC/WG.6/2/GHA/1, 8 April 2008. Available at:

http://lib.ohchr.org/HRBodies/UPR/Documents/Session2/GH/A_HRC_WG6_2_GHA_1_E.pdf

¹⁹ *International Convention on the Elimination of All Forms of Racial Discrimination (ICERD)*, *International Covenant on Economic, Social and Cultural Rights (ICESCR)*, *International Covenant on Civil and Political Rights (ICCPR)*, *First Optional Protocol to the International Covenant on Civil and Political Rights (ICCPR-OP1)*, *Convention on the Elimination of All Forms of Discrimination against Women (CEDAW)*, *Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (CAT)*, *Convention on the Rights of the Child (CRC)*, *International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families (ICRMW)*.

²⁰ Commission on Human Rights and Administrative Justice (CHRAJ), Parliament, Media Commission, Domestic Violence and Victims Support Unit (DOVVSU), Police Service, Prisoners Service, Electoral Commission, Courts.

²¹ Mental Health Bill, Alternative Dispute Resolution Bill.

²² A/HRC/WG.6/2/GHA/2, 4 April 2008. Available at:

http://lib.ohchr.org/HRBodies/UPR/Documents/Session2/GH/A_HRC_WG6_2_GHA_2_E.pdf

²³ CEDAW.

²⁴ CERD.

²⁵ CRC.

²⁶ CEDAW.

opinion and expression,²⁷ right to social security and adequate standard of living,²⁸ and right to education.²⁹ The Special Rapporteur on violence against women also called upon Ghana to enact legislation to strengthen women's protection and equality.

Other relevant stakeholders

Nine stakeholders reported to the universal periodic review.³⁰ The Commission on Human Rights and Administrative Justice (CHRAJ) reported that in spite of the fact that Ghana has not yet ratified certain international treaties, it has signaled its commitment to do so. Although Ghana retains the death penalty for a number of offences, Amnesty International noted some positive developments regarding the Government's position on the death penalty, including that 36 death row inmates had their sentences commuted as part of the 50th anniversary of Ghana's independence in March 2007. Issues of concern raised by the majority of stakeholders were discrimination on the basis of gender, female genital mutilation (FGM), detention conditions, child trafficking, child labour and corporal punishment, access to justice, the right to housing, and the right to basic education. According to CHRAJ, there was no doubt that there has been a distinct improvement in the promotion and protection of human rights in Ghana. However, several NGOs called on the Government to translate their declared good intentions and commitment to human rights and the rule of law into action.

Interactive dialogue³¹

Presentation by the State

The Minister of Justice and Attorney General of Ghana, Mr Joe Ghartey, opened his presentation by referring to reports of Canada and Chad that noted the improvements in the country, particularly in relation to freedom of expression. As the first country to be reviewed under the African Commission's peer review mechanism, it was concluded that there were no human rights violations under a five year period, and Mr Ghartey expected the same conclusion from the UPR process.

The Minister listed as challenges direct budget allocation in relation to education and implementation of the national health programme, programme on child labour and development, and laws on trafficking. He also recognised that corruption was a major challenge to the realisation of human rights, especially in light of such scarce resources. He stated, however, that institutional safeguards were in place and not a single political office holder had been found guilty in recent years.³² He also highlighted that the National Human Rights Commission was cooperating with civil society in addressing challenges in mining areas in order to minimise

²⁷ Special Rapporteur on the promotion and protection of the right to freedom of opinion and expression.

²⁸ CRC, CEDAW, United Nations Development Assistance Framework (UNDAF), Special Rapporteur on the right to food, UN-habitat.

²⁹ CERD, CEDAW, United Nations Educational, Scientific and Cultural Organization (UNESCO), United Nations Children's Fund (UNICEF).

³⁰ A/HRC/WG.6/2/GHA/3. Available at:

http://lib.ohchr.org/HRBodies/UPR/Documents/Session2/GH/Ghana%20_summary_A_HRC_WG6_2_GHA_3.pdf

Amnesty International, Commonwealth Human Rights Initiative, Centre on Housing Rights and Evictions, Food First Information and Action Network International, Global Initiative to End All Corporal Punishment of Children, International Lesbian and Gay Association, Ipas Ghana, Women in Law and Development in Africa, Commission on Human Rights and Administrative Justice.

³¹ Most statements made at the UPR Working Group can be found at <http://portal.ohchr.org/portal/page/portal/UPR>. Fill in the form at www.ohchr.org/english/bodies/hrcouncil/form.htm to receive username and password. Audiovisual archives of the meetings of the Working Group 'webcast' are available at www.un.org/webcast/unhrc/index.asp.

³² Of the four public officers charged, two were found not guilty, one was dead, and the other was missing.

abuse, and that the Attorney General's office and the Ghana Bar Association were cooperating in providing legal aid. The Government's budget for the Commission had increased from \$1,248,000 (USD) in 2002 to \$4,183,000 (USD) in 2008 and had shifted to cover administrative costs not covered by donors.

Mr Ghartey then turned to the rights of women and the enhancement of their participation in public life. He began by declaring that the Constitution does not allow the State to legislate for the composition of political parties, but that the Government has created a 'women and local government' fund. Female genital mutilation (FGM) has been criminalised and the criminal code has been amended to increase the minimum sentence from three to five years and the maximum sentence from eight to ten years' imprisonment. The Government has also involved local communities and trained local officials in the health hazards arising from FGM. Mr Ghartey also drew attention to the punishment of alleged witches who stay in camps for fear of retribution, and claimed that education programmes are underway to ensure their reintegration into society.

Concerning child rights, the Minister spoke of the drafting of a national action plan with the input of all stakeholders. 10,000 persons have been sensitised by education efforts related to human trafficking and a micro credit system has been established for rehabilitation and other child health efforts. A child labour unit is currently active in eleven districts, 'mobilising action against the worst forms of child labour'. Turning to the broader national health insurance scheme, he declared that 48% of the population are now members and that persons under 18 are exempt from cost if their parents registered (an anomaly that will be fixed soon). The Minister emphasised the importance and success of the *Traditional Medicine Purchase Act* and the herbal medicine research plant. However, the basic challenge of a 'brain drain' of medical professionals remained.

On fair trial and access to justice, the Minister noted that a programme is sending new magistrates to rural courts, and the Government is also mainstreaming alternative conflict resolution. The Attorney General's Office has also opened a human rights hotline. Concerning the independence of the Attorney General (also Minister of Justice), the Minister stated that the Constitution does not allow for an independent prosecutor, and that this is 'entrenched clause' which can only be amended through referendum during election time.

On the issue of mining and its impact on human rights, it was claimed that the *2006 Minerals and Mining Act* provided adequate protection. The States discourages illegal mining, and has registered illegal workers and provided them with training to carry on lawfully. The achievement of free compulsory education, now extended to 11 years of free education, and the provision of the capitation grant to every child, as well as school feeding programmes and free bus rides, was seen as one of the countries achievements.³³ However, problems of access and lack of facilities remain. According to the Minister for Education, Ms. Elizabeth Ohene, the effects of human rights education could also be witnessed by the freedom of expression now evident in the country, including 100 free radio stations, and public discussions on the radio to ensure that people know their rights and are protected.

The Ministers then turned to the Working Group to begin its interactive dialogue.

³³ Since 2005, there was an additional 616,439 (321,325 girls) enrolled students, an increase of 16.6 %, 36.58% at the primary level. The Minister of Education claimed that this could only be attributed to the capitation grant.

Table on the interactive dialogue

Country	Positive comments	Critical comments	Questions	Recommendations (including questions as recommendations, bold text denotes recommendations that enjoy the support of the State under review)	References to State report/ UN compilation/ OHCHR summary	Replies by the State under review
Pakistan	Impressive presentation and ‘balanced’ national report in compliance with <i>Resolution 5/1</i> . Input by NHRI and civil society enriched the report. Party to all major human rights instruments. Impressive strides towards democratic rule – smooth transition since 1992. Progress can be emulated by other States in similar situations. Sincere Efforts to improve lives of marginalised. Addressing poverty and traditional cultural mindsets.		Howe can the State ensure that cooperation with the national institution is more productive?			
India	National report presented broad overview of achievements and challenges. Successful initiatives to increase		Requested more information on girls in schools and on the functioning of the judicial complaints unit.			

Country	Positive comments	Critical comments	Questions	Recommendations (including questions as recommendations, bold text denotes recommendations that enjoy the support of the State under review)	References to State report/ UN compilation/ OHCHR summary	Replies by the State under review
	girls' participation in schools.					
France	Noted the general improvement of Ghana's human rights record.		No execution in the last ten years yet the death penalty is still in force. Will they abolish it or ensure a <i>de jure</i> moratorium? What tangible measures have been taken to penalise rape in marriage?	Strengthen measures to combat discrimination against women. (bold text denotes that recommendation enjoys support of the State)		Death penalty - is entrenched in the Constitution, but has not been used since 1993. The debate for its abolition will come up again at the next elections. Marital rape – can be prosecuted under the law, but remains to be tested.
Czech	Acknowledged the adoption of the <i>Domestic Violence Act</i> .		Requested additional information on violence against women accused of being witches.	Recommended that Ghana provide more funding for the <i>Domestic Violence Act</i> to strengthen its implementation; ensure that trials take place in due time; strengthen further measures to fight judicial corruption and	HRC and laws prohibiting sexual activity between consenting adults as a violation of the right to privacy.	

Country	Positive comments	Critical comments	Questions	Recommendations (including questions as recommendations, bold text denotes recommendations that enjoy the support of the State under review)	References to State report/ UN compilation/ OHCHR summary	Replies by the State under review
				provide more training of police; amend criminal code regarding sexual activity of consenting adults.		
Tunisia	Efforts made to stop police brutality, training of civil servants to enforce the law, training cycles for police prosecutors, the creation of a human rights hotline, as models of best practice for others			Continue to enforce these efforts.		
Senegal	National report is exhaustive, balanced and pertinent. Does not seek to conceal difficulties. Shares view of Ghana that education is central.		Requested further information on how system of judicial oversight works, as well as the ‘LEAP’ system, more information on the timeframe for its implementation.			LEAP consisted of cost effective subsistence grants to meet needs on conditional and unconditional basis until needs are met, then the recipients are linked to other State programmes. Will cover the poorest 20% and will target orphans and disabled persons – will cover over 160,000 persons.

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Finland	All three reports of the UPR presented comprehensive picture of situation in Ghana. Acknowledged efforts regarding women and children, including <i>Domestic Violence Act</i> and Victim Support Unit). Credited that State admitted that domestic violence was one of the most common issues, especially against children.	Corporal punishment of children lawful in the home.	Other efforts made to protect children	Recommended that Ghana strengthen efforts to fully recommend implement recommendations by CRC from 2006. Abolish corporal punishment. Implement the general recommendations of the UN study on violence against children in Ghana.	CRC recommendations of 2006.	
China	Commended laws for the promotion and protection of human rights, the NHRI, national action plans, improving prison conditions, trafficking, human rights education, and fostering national reconciliation. Has identified its own challenges.		Can regional conventions that have direct impact of functioning of police be invoked? How is Ghana coping with foreign debt as an impediment to realising human rights?			
Hungary	Clear political	Women's access.		Recommended that	Submit reports to	Gender gap - more boys

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	commitment to the UPR.			<p>Ghana consider request of the Special Rapporteur on education to visit the country; remove impediments of women’s access to justice; work with NHRI to raise awareness; and take proactive measures for women regarding property inheritance. Address the gender gap in education.</p>	<p>HRC and CAT in near future. CERD reference to insufficient levels of literacy. CEDAW reference to the gender gap in education and high dropout rates.</p>	<p>than girls in fact, perhaps because boys become more economically active quickly in the urban areas. In the rural areas there have been vast improvements – children given food to eat there and to take home, so it is in the interest of the family also. Gender gap improving everyday between secondary and tertiary education – affirmative action of letting girls go to university earlier to encourage enrolment. Property rights of stakeholders – have brought in gender responsiveness in budgeting and across the board in all policies.</p>
Romania	Commitment to UPR and building the rule of law. Continued efforts to promote and protect	Challenges for children and others regarding the fight against	What efforts taken to fight discrimination against those affected by HIV/AIDS.	Uphold the rule of law and fight against discrimination affecting minorities. Implement		

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	human rights, especially the right to health and the health insurance scheme.	HIV/AIDS.		effective programmes on HIV/AIDS education. Change the law on sexual relations between consenting adults.		
Luxembourg		Right to food seriously threatened in the region. 70% of rice is imported on account of 1980's liberalistaion policies. Small farmers losing out.	How is the situation in Ghana and how is it reacting to protect small farmers?			Food crisis is quite serious, so the LEAP programme (see Senegal above) will scale up so as to cover 56,000 more persons.
Mali	Ghana first country to submit to African peer review process		More information on LEAP system (para. 59 of national report)			(See Senegal above)
United Kingdom	Welcomed the frank answers to questions submitted by the UK in advance, and positive steps taken. Welcomed the State's signature of CAT.	Discrimination against women, and their low participation in decision-making. Domestic violence. Police brutality and mob justice.	What was being done to improve prison conditions?	Recommended that Ghana take further steps to address discrimination against women and vulnerable groups, including children; ratify OPCAT and OPCEDAW.	No ratification of OPCEDAW despite Parliament approval of ratification.	Confidence in police is not down, and additional training is ongoing. Prison conditions are continually improving and \$3 million (US) was invested in this improvement. Judiciary is not corrupt,

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		Poor prison conditions. Delays in the judicial process eroding public confidence.				and the bad apples are being ‘cleaned out’. Saturday courts are being created to clear the backlog. The Ministry for Justice is strong.
Democratic Republic of the Congo	Ratification of several relevant treaties. Improvements of methods of dealing with police and public authorities’ violations of human rights.		More information about the ‘booming herbal medicine economy’ and its medicinal values. Who has created these care camps for women accused of being witches and who is managing them.	Continue to fight against intra-familial violence.	Continue with the process of adopting outstanding treaties.	Herbal medicine - seeking to modernise its use and working with university to see that it conforms with best practices. The witch camps are self-made by those who are exiled from their communities, and the State is assisting the women at these camps.
Mexico	Positive view of the methods used by Ghana. Honest way of dealing in report with the treatment of women. Appreciate openness.		More information on implementation of recommendations of the previous Commission on Reconciliations.	Recommended that Ghana continue to fight discrimination against women. Take significant steps forward and continue with moratorium on the death penalty. Ratify the Convention on Disabilities and	Meet CEDAW recommendation of defining discrimination against women in domestic law.	Death penalty – see France above

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Netherlands	Welcome the open environment in which human rights can be discussed in Ghana, as evidenced by the country's free press.		If correct, as stated, that the Constitution does not allow for affirmative action for women in the political process, what other means are being pursued?	OPCAT. Recommended that Ghana reach out to the general public by informing it of its rights and how it can gain access to justice. Ratify the OPCAT.		Misunderstanding about statement on women's participation – in fact the Constitution 'seems' to suggest that it should be left to the political parties to internalise recommendations on their composition, and that Parliament cannot impose this.
Azerbaijan	Commends the creation of the NHRI and its ability to investigate. Efforts regarding women and children, including the creation of a Ministry and Women and Children's Affairs and plans to eradicate child labour.		How does the State intend to strengthen Ministry and Women and Children's Affairs, a proposed by various treaty bodies?		Mention of NHRI by various treaty bodies as independent institution. CEDAW's recommendation on bringing the Constitution in line with the Convention.	
Malaysia	One of most stable democracies in West Africa. First country reviewed under the African peer review mechanism.		How are children rescued from child labour integrated into the education system?			

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	Honest assessment and efforts regarding child labour and the enhancement of education.					
Cuba	‘Self-critical spirit’ and efforts made as developing country in overcoming external obstacles imposed, including in relation to women and persons with disabilities. Implementation of various laws. Efforts to fight poverty and the worst forms of child labour. Needs international solidarity and political cooperation.			Continue efforts on the progress it has already achieved in the realisation of economic, social and cultural rights.		
Russian Federation	Satisfied with creation of NHRI.		What are NHRI’s powers? What type of violations does it deal with most often? Does the media commission deal with individual complaints of citizens?			Media commission can and does take individual complaints. This does not impede the right to take cases to court, although usually a rejoinder satisfies the complainant.

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			Have studies been undertaken on the impact of child labour?			
Canada	Stands out in region in its protection and promotion of human rights, including freedom of expression. Commended zero tolerance policy on corruption.			Recommended the adoption of the Right to Information Bill as one of the pillars of human rights. Halt the practice of FGM and ‘trokosi’ (ritual servitude of girls including sexual abuse and forced labour). Ratify the Second Optional Protocol of the ICCPR and abolish the death penalty.	CEDAW concern of pervasiveness of patriarchal ideologies. CRC. Report of the Special Representative of the Secretary General on violence against women (2007).	Death penalty – see France above.
Philippines	‘Trailblazer’ in the region – first to ratify the CRC in the region. Creation of various acts and policies regarding domestic violence and child labour. Supports Ghana’s moratorium of the death penalty. Confident it shall continue in efforts					

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	made in important fields.					
Italy	Support the 15 year <i>de facto</i> moratorium on the death penalty.			Abolish death penalty in line with recent General Assembly resolution. Take further measures regarding violations against women – ban customary practice that are injurious to the person. Join CRC in calling for end to all corporal punishment, and conduct proper investigation into its practice and ensure that sanctions are applied to perpetrators.	CRC on corporal punishment.	Death penalty – see France above.
Burkino Faso	Welcomed constructive approach to human rights. Legal rights of women and children provides good protection, despite positions on the ground.			Urge continuation of efforts.		
South Africa	Applauded the Government on the role		Successes and challenges of			See response to Democratic Republic of

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	it plays. First State under African peer review mechanism.		programmes in place in relation to the use of herbal medicine (para. 50 of national report)? Success in putting the ‘capitation grant in place’? Information on programmes in place regarding clean drinking water?			the Congo.
Turkey	Acknowledged area-specific national action plans and the creation of an NHRI.		Do they share view that the NHRI is under-resourced?	Undertake a general national action plan for the protection and promotion of human rights, bringing together all specific action plans. Educate local leaders to prevent violence against women and children. End corporal punishment of children in all settings.		
Switzerland		Shared concern that police brutality is increasing, as		Recommended that Ghana strengthen efforts to protect women’s and		Police brutality - see response to UK, above. Death penalty – see France above.

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		well as an increase in ‘street justice’, perhaps due to the slowness of the justice system.		children’s rights; take necessary measures to improve judicial system. Intensify efforts to combat police brutalities. Issue moratorium on the death penalty leading to abolition.		Judicial system – see UK above.
Germany			Has Ghana been able to collect knowledge and figures on cases of trafficking? Elaborate on the consequences of cases of large scale illegal mining.			
USA	Commended constructive involvement in UPR.		What steps to ensure upcoming elections are free and fair and that there is a peaceful transition? Measures to ensure enforcement of FGM law? What efforts are taken to ensure the protection of Liberian and other refugees?			Elections have to be seen to the outside world to be free and fair. Luckily, don’t have precedent of interference. Money for independent electoral commission is being provided. Everybody is determined. Present Government will not stand in the way. Liberian refugees –

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						many wanted to be moved to third country, and Ghana agreed to begin repatriation to Liberia. 22 persons were not registered and lost appeal to stay at High Court. As long as persons have refugee status they are welcome to stay.
Slovenia		Women's unequal status, their status in the Constitution and deficiencies in the law to acquire citizenship.	What steps have been taken to eliminate polygamy? What has been done to eliminate harmful traditional customs against women?	Recommended eliminating harmful traditional customs in the shortest time possible. Decriminalise sexual activity between consenting adults. Integrate gender perspective in the process of the UPR.	CEDAW – eradication of harmful practices.	
Algeria	Noted appointment of a woman Chief Justice in 2007 as an example of Ghana's progress. First State under African peer review process. Commended school		How is Ghana addressing violence against women and children?	Recommended that Ghana provide technical and financial support for the advancement of women. Continue to give increased		

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	feeding programme and transportation to schools.			attention to the gender gap in education.		
Portugal	State clearly identified its challenges (including poverty, practices forbidden by law) which indicates a 'lively democracy'. Programmes against poverty and education programmes very positive. <i>De facto</i> abolitionist country	FGM and 'trokosi' (ritual servitude of girls including sexual abuse and forced labour) continue to occur.	How have education programmes reduced extreme poverty?	Recommended that Ghana abolish the death penalty; raise human rights and rule of law awareness.		Death penalty – see response to France above.
Ireland	Commended the existence of Ministry of Children and Women at the cabinet level, and the adoption of the <i>Domestic Violence Act</i> .	Violence against women and FGM still a problem.		Recommended that Ghana allocate greater resources to these issues. Expand coverage and services for the prevention of HIV/AIDS from women to children.	CEDAW and CRC-HIV/AIDS.	
Austria	Acknowledged independent NHRI and the adoption of the Domestic Violence Act. Commitment and cooperation of Ghana with UPR and Council.	Violence against women and children.	How can existing legislation help to fight impunity?	Recommended that Ghana increase funding and resources of NHRI. Introduce concrete grassroots programmes to		NHRI has powers and mandate to cover every human rights issue that can arise. In practice, in concentrates on women, children and vulnerable groups. Can deal with

Country	Positive comments	Critical comments	Questions	Recommendations (including questions as recommendations, bold text denotes recommendations that enjoy the support of the State under review)	References to State report/ UN compilation/ OHCHR summary	Replies by the State under review
				educate on cultural practices. Ensure equal access to judicial procedures by expanding legal aid services in rural areas. Combat corruption in the public sector.		individual complaints and systemic investigations, presently mining. Works very closely with civil society.
Brazil	Efforts made regarding children, refugees and access to justice. School feeding programme.		What steps have been taken to avoid the negative aspects of mining on the right to health and access to safe drinking water?	Include gender perspective and a rights-based approach to housing in the <i>Rent Act</i> in order to overcome inequalities.		
Zambia	Commend the human rights hotline and that it is being utilised. Changing of the prison service toward rehabilitation.		What is parental support offered for victims of child labour?			Parental support for victims of child labour – financial, security and education.
Guinea	Noted best institutional practices in documents submitted to UPR.		How does the State cooperate with the police in combating inter-familial violence?			
Republic of Korea	Supported the creation of an NHRI, the compulsory education system, and the creation		Has the 2006 Bill on domestic violence been adopted? What is its impact so far?	Encourage efforts to assure the right to food.	CEDAW and domestic violence. Special Rapporteur on freedom of	

Country	Positive comments	Critical comments	Questions	Recommendations (including questions as recommendations, bold text denotes recommendations that enjoy the support of the State under review)	References to State report/ UN compilation/ OHCHR summary	Replies by the State under review
	of the 2002 women's fund for micro credit.		What has the follow-up been to the inquiries by the Special Rapporteur on freedom of expression on the detention of two journalists?		expression and the detention of two journalists	
Chile	Acknowledged the transparency and honesty of report, including challenges and the consultations undertaken.		Sought more details on the real life impact of the domestic support unit regarding violence against women and more information on implementation of measures related to the eradication of FGM. More information on women's involvement in political life. Will beneficiaries of poverty alleviation benefit from medium or long-term follow-up?			
Bosnia and	Ratification of relevant		More information on		CRC and orphans	

Country	Positive comments	Critical comments	Questions	Recommendations <small>(including questions as recommendations, bold text denotes recommendations that enjoy the support of the State under review)</small>	References to State report/ UN compilation/ OHCHR summary	Replies by the State under review
Herzegovina	human rights instruments. Impressed by information in national report on work of the NHRI.		best practices regarding reporting of NHRI to Parliament. How is the situation regarding HIV/AIDS (CRC) being addressed?		from HIV/AIDS.	
Tanzania	Report points to number of challenges, but State has concrete <i>modus operandi</i> in addressing these.		FGM has been criminalised (para 66 of national report) yet practitioners have developed new techniques of moving abroad. What is being done regionally?			
Cote d'Ivoire	Referred to Ghana as 'pioneer' by being the first to undergo African peer review process.		How is it overcoming cultural resistance to increasing freedoms?			
Morocco	Sending two ministers shows seriousness. Ratified 'practically all' international human rights instruments.		Is Government decentralisation also being applied to human rights? Sought more information on programme for the education of children?			

Concluding comments

The Minister for Justice simply concluded by stating that he appreciated the comments and questions posed, and thanked the Working Group for providing Ghana with the opportunity to appear before it. The Chairperson thanked the Ghanaian delegation for their contribution and the meeting was closed, pending the adoption of the report of the Working Group on 7 May 2008.

Adoption of the report [7 May, 5.30 pm]

Sri Lanka introduced the report on behalf of the troika members by stating that were compelled to compress the length of the report at the request of the secretariat, and when collating the recommendations decided to merge recommendations, without changing their meaning or sense. On oral amendment was also made that recommendation 15, calling for Ghana to ‘pass the Freedom of Information Bill’ (Canada), would be moved from a recommendation that enjoyed the State’s support to one which would be examined by Ghana and to which they would provide response in due time.³⁴ Ghana stated that it learnt a lot from the process and hoped to take it forward when they returned home. They thanked the troika and all involved for comments ‘which will make Ghana a better place to live in’.

A reservation was raised by Canada before the adoption of the report in relation to the manner that paragraph 61 of the report of the Working Group on Ghana listed outstanding recommendations from the various paragraphs of the summary, but did not clearly indicate which recommendations within each paragraph had been accepted and which were outstanding. Reference was made in particular to paragraph 15, which details many recommendations made by the Czech Republic, some of which were accepted by Ghana, and others which were not. Canada feared that this may lead to further confusion. Egypt countered simply that those that are remaining in paragraph 15, to use as an example, are not explicitly accepted at is easy to cross reference as such from the recommendations that are listed in paragraph 59. The secretariat then took the floor to propose that it may be possible to split paragraph 15 and other such paragraphs where there is more than one recommendation, so that there is clear synchronisation of the paragraphs with those that are not accepted. On this basis, without any conclusive agreement on the matter, the report of Ghana was adopted.

³⁴ A/HRC/WG.6/2/L.2, available at the UPR extranet. Fill in the form at www.ohchr.org/english/bodies/hrcouncil/form.htm to receive username and password.

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