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**OPENING STATEMENT**

**BY**

**HONOURABLE GODFRED YEBOAH DAME, ATTORNEY-GENERAL AND MINISTER FOR JUSTICE OF THE REPUBLIC OF GHANA**

**AT**

**THE 4TH UNIVERSAL PERIODIC REVIEW (UPR) OF GHANA – 42ND SESSION OF THE UPR WORKING GROUP**

**24TH JANUARY 2023**

**Thank you, Mr. President,**

**Members of the Council,**

**Excellencies,**

**Distinguished delegations,**

**Colleagues,**

**Members of Civil Society Organisations,**

**Ladies and gentlemen,**

A very good afternoon to all of you. May I wish you all a Happy New Year. 2022 saw the world recovering from the ravages of the devastating COVID-19 pandemic which not only claimed lives all over the world but also severely impacted economies globally. The world is still reeling under the debilitating effect of the pandemic on the global economy, but we hope 2023 will mark a giant step in our joint quest to recover losses occasioned by the crisis. It is indeed refreshing that we can all gather here physically united in our desire to build a world filled with peace and tranquillity.

1. It is an honour to be here today to present Ghana’s National Report of the Fourth (4th) Cycle of the Universal Periodic Review (UPR) Working Group. My delegation and I bring you warm greetings from the President of the Republic of Ghana, His Excellency Nana Addo Dankwa Akufo-Addo, a strong advocate for human rights, as well as from the people of Ghana.
2. I express our profound appreciation to the Office of the High Commissioner for Human Rights, specifically the UPR Secretariat, for the well-coordinated manner in which this review is being conducted. Allow me to also congratulate and commend you, Mr. President, and your Bureau on your election, and the excellent manner you have conducted the work of the Council. Let me also express our gratitude to the distinguished members of the Troika; Eritrea, Georgia and Malaysia, and indeed, all delegates here for the work they will be conducting in preparing the report of the Working Group.
3. Ghana considers the UPR as the principal and most successful mechanism of the United Nations Human Rights Council in examining the human rights performance of all United Nations Member States. Human rights are fundamental to the sustenance of Ghana as a Republic and the delivery of prosperity and equality of opportunity to her citizens. They permeate every sphere of Ghana’s national life – from life on the streets to the education of her citizens and to the determination of the system of government the nation chooses for herself.
4. Ghana reaffirms her support for the UPR as a distinct and effective mechanism for taking stock of the global effort towards implementing human rights. We therefore welcome the opportunity to engage once again with the Human Rights Council to discuss the progress made by Ghana, as well as the challenges encountered in the implementation of the recommendations accepted during the third cycle review in 2017.

**Mr. President,**

1. In preparing our National Report, the Government of Ghana worked through its National Mechanism for Reporting and Follow-ups (NMRF), set up under the International Law Division of the Office of the Attorney-General. This committee consists of government officials from all the Ministries, Departments and Agencies of Government, as well as a representative from the Commission on Human Rights and Administrative Justice, our national human rights institute.
2. The Parliament of Ghana was consulted, and it made extensive contributions to the report through the Speaker of Parliament, the Rt. Hon. Alban Sumana Kingsford Bagbin, who is represented here by the First Deputy Speaker, the Honourable Joe Osei-Wusu, together with some officials from Parliament. Apart from these high ranking officials, Ghana’s delegation includes senior officials of the Office of the Attorney-General and Ministry of Justice, Ministry of Health, Ministry of Education, Ministry of Gender, Children and Social Protection, as well as the Permanent Mission to the UN in Geneva.
3. It is pertinent to indicate that during the third cycle review in 2017, Ghana accepted 212 recommendations out of the 241 received, and the State has made significant progress in its implementation, in spite of a few persisting challenges which the Government continues to address through progressive interventions.
4. Let me take this opportunity to thank the following States; Liechtenstein, the United Kingdom of Great Britain and Northern Ireland, Slovenia, Germany, Spain, Panama, the United States of America, and Portugal for the advanced questions forwarded for engagement at this platform. I will address some of the advance questions in the course of this presentation, and the others would be addressed by members of the delegation during the session. We also appreciate the participation of all States and civil society in this review today and look forward to engaging with them.

**Mr. President,**

**IMPLEMENTATION OF RECOMMENDATIONS FROM PREVIOUS CYCLES**

I proceed to highlight some key areas of implementation from our previous cycles.

1. Regarding Ghana’s commitment to ensuring the protection of all persons from violence, including LGBT+ persons, I must state Ghana abhors all forms of violence and brutality targeted at any group of persons in Ghana. The State does not lend its support to any person or organization that advocates for or inflicts harm on all persons, including minority groups and those of different sexual orientations. The Government, through the Attorney-General, has stated its position on the Promotion of Proper Human Sexual Rights and Ghanaian Family Values Bill 2021 currently before Parliament and which is being sponsored by some individual members of Parliament. The purport of the opinion of the Attorney-General is to ensure that the Bill is in compliance with the provisions of the Constitution of Ghana, particularly, Chapter 5 on fundamental human rights and freedoms. Our Parliament is also currently receiving submissions from human rights defenders on the Bill 2021.

**CORRUPTION**

1. Corruption has a knock-on effect on the protection of human rights internationally and on our efforts to combat environmental damage – both of which it puts in huge jeopardy. It inhibits the achievement of the Sustainable Development Goals, in particular, the goals on the eradication of poverty and hunger, and on the achievement of an inclusive and equitable quality education. Since 2017, the Government of Ghana has strengthened efforts to combat corruption through the following measures:
2. Establishment of the Office of the Special Prosecutor under the Office of the Special Prosecutor Act, 2017 (Act 959) to investigate and prosecute corruption, bribery and related criminal cases. This represented the single most courageous and significant legislative reform since independence to give impetus to the fight against corruption, as it resulted in a delegation of the prosecutorial powers of the Attorney-General in the area of corruption and corruption-related offences to an independent body.
3. Passage of the Witness Protection Act, 2018 (Act 975) to protect persons who assist law enforcement agencies by disclosing information on acts of impropriety.
4. The passage and full application of Right to Information Act, 2019 (Act 989). This law provides for the implementation of the constitutional right to information held by a public institution, in order to foster a culture of transparency and accountability in public affairs, subject only to exemptions stated in the Constitution which are necessary and consistent with the protection of the public interest in a democratic society.
5. Enactment of a new Companies Act, 2019 (Act 992). Through a variety of measures introduced by the Companies Act to ensure the timely provision of information to be entered into the companies register, processes to verify information provided by companies to the Registrar of Companies as well as the novel concept of declaration of beneficial ownership, the Office of the Registrar of Companies has become a strong partner for the Government in fighting corruption, achieving transparency and detecting inappropriate conflicts of interest. The phenomenon of the creation of shell companies and opaque financial systems, that provide an opportunity for the laundering and concealment of illicit wealth, is also being drastically reduced.
6. The passage of the Criminal Offences (Amendment) Act, 2020 (Act 1034), which categorizes corruption and corruption related offences as felonies, and provides for stronger correlative penalties.

**Mr. President,**

**CIVIL AND POLITICAL RIGHTS**

1. Ghana remains committed to ensuring that the rights related to name, identity, and nationality are protected. Several measures, including the following, have been taken to ensure the promotion and protection of these rights:
2. The use of technology to register births;
3. The visit by officers of the Births and Deaths Registry to refugee camps to register new births of refugees, asylum seekers and migrants who live in the camps; and
4. The free registration policy for children below the age of one.
5. To ensure a disciplined regime of law enforcement, the phenomenon of brute violence by police officers is on the decline with deliberate training of all police officers not to engage in acts of torture in the conduct of arrests, investigations, and interrogations. Acts of excessive use of force by police officers are thoroughly investigated, and internal disciplinary mechanisms are promptly instituted.
6. In addition, the Criminal and Other Offences (Procedure) (Amendment) Act, 2022 (Act 1079) was passed to formally introduce plea bargaining into the criminal jurisprudence of the country in respect of most offences. It is expected that the introduction of plea bargaining will contribute to reducing the caseload of the courts, decongest prisons, and aid in reformation.
7. The Justice for All Programme continues to be a major catalyst for alleviating prison overcrowding by setting up special courts to adjudicate cases involving remand prisoners in prisons throughout the country. The product of a focused collaboration between the Office of the Attorney-General and Ministry of Justice, the Judiciary, the Police Service, Prison Service and the Ghana Bar Association. It provides an opportunity for prisoners on remand without trial or whose trial has unduly delayed, to obtain a summary review of their cases and for them to be promptly discharged from prison. It received a major boost in 2021 with the institution of virtual court sittings. A remand prisoner sat in the confines of the prison where he was kept and still had his application for bail considered and granted by the court without the difficulty of being moved about town to attend a hearing in a physical courtroom.
8. Ghana considers the passage of an Alternative Sentencing Act an urgent necessity as a further mechanism to reduce congestion in our prisons. In this regard, a draft Community Sentencing Bill prepared by the Office of the Attorney-General is going through the process of stakeholder consultations. This bill will soon be laid before Parliament.
9. As a strong advocate for the promotion of universal ratification and implementation of the UN Convention against Torture by 2024, issues concerning the conditions of detention of detainees and inmates are a priority for the Government of Ghana. Several measures have been instituted to improve the conditions under which detainees and inmates are kept. Detainees are also equipped with basic skills in order to make life after detention easy and more bearable. These include:
10. The enforcement of the COVID-19 safety protocols in all prison establishments, the supply to inmates of Personal Protection Equipment (PPEs), and the routine fumigation and disinfection of the prisons.
11. The establishment of Health and Agriculture Directorates in the Ghana Prisons Service to improve inmates’ health and to boost agricultural activities in order to improve the diet of inmates.
12. The training of inmates in cash and food crop production, livestock rearing and poultry farming
13. The offer to inmates of programmes geared towards their reformation and rehabilitation. These include trade training, as well as formal and informal education, such as the West African Senior School Certificate Examination (WASSCE), and diploma and degree programmes in tertiary institutions.
14. The improvement of the facilitation of remand prisoners’ access to justice with the assistance of officers who have undergone training as paralegals in the Paralegal Unit manned by both officers and inmates. These officers also provide support services to prisoners in respect of the preparation and filing of appeals.
15. The current construction of new prisons to reduce the overcrowding in the existing prisons.

**Mr. President,**

**ECONOMIC, SOCIAL AND CULTURAL RIGHTS**

1. The denial of social and economic rights can result in regular agitations by the citizenry and be a spur for instability in any nation. Ghana has made significant progress in the protection of socio-economic rights of her citizens in recent times. Article 25 of the Constitution provides that all persons shall have access to equal education opportunities, and with a view to realizing this, basic education shall be free, and that, there shall be the progressive introduction of free education at the secondary school level. Since 2017, a major step has been taken towards delivering to all citizens of Ghana their educational rights by the introduction of Free Secondary School education to all persons in Ghana.
2. Ghana is instituting and implementing other measures and policies to boost the protection of the right to education. These include:
3. Strengthening other avenues for pre-tertiary education like the Free Compulsory Universal Basic Education programme as well as Technical and Vocational Education and Training institutions.
4. Launching the Back to School Campaign, which aims at ensuring that children, including pregnant school going girls and persons with disability, are accessing schools.
5. Ensuring access to adult education through the National Functional Literacy Programme run by the Complementary Education Agency.
6. Reforming laws to prohibit corporal punishment in all settings, and publishing guidelines for the use of positive disciple.
7. Launching the Ghana Accountability for Learning Outcome Project, which aims at improving the quality of education in low performing basic education schools and strengthening the education sector equity and accountability.
8. In order to ensure that the right to just and favourable conditions of work is protected in the mining industry, a new Mining and Minerals Bill has been prepared to, amongst others, include provisions on affirmative action towards bringing more women into the industry, enhancements in the obligations of mining firms to the Government and to host communities, and imposition of mandatory Corporate Social Responsibility requirements on firms.
9. In order to protect the right to health for all, Ghana is committed to ensuring the attainment of the highest standard of health. Measures and policies instituted include:
10. Passing a wide range of policies to improve the health of women, men, girls and boys, such as the Newborn Care Policy (2019-2023), which aims to guide the delivery of neonatal and child health services in Ghana.
11. Implementing Agenda 111, which is a national policy to build one hundred and eleven (111) district hospitals across the country to improve geographical accessibility for healthcare services. This policy will complement the already existing and operational policy for Community Health Planning Services (CHPS) Compounds, under which several health facilities have been built in rural, deprived and hard-to-reach communities across the country.
12. The use of drones for the aerial delivery of emergency health commodities and blood to hospitals and health facilities in remote areas, including CHPS Compounds and Zones.
13. The use of mobile clinics fully equipped with clinical-electrical equipment in remote communities that are without electricity grid connections.
14. The acquisition of over 307 state-of-the-art ambulances which have advance life support equipment and tracking devices for all 260 districts in Ghana, to enhance access to healthcare in emergency situations, and
15. The launch of the National Health Promotion Strategy 2022-2026, which aims to improve the quality of health promotion services in the country.

**Mr. President,**

**RIGHTS OF SPECIFIC PERSONS OR GROUPS**

1. Gender equality and the empowerment of all women and girls is a key priority for Ghana, as it is in line with the implementation of the Sustainable Development Goal number 5. Various initiatives have been adopted by the Government to achieve this goal. A draft Affirmative Action (AA) Bill is undergoing the process of stakeholder engagements as part of the process required before its presentation to Cabinet for approval and subsequent presentation to Parliament for enactment into law.
2. Ghana is also committed to effectively addressing the issue of violence against women through the following strategies:
3. Working on developing guidelines for engaging traditional authorities to address sexual and gender-based violence, harmful cultural practices, such as trokosi, and gender inequality in Ghana;
4. Continuously holding sensitization programmes on harmful cultural practices, such as female genital mutilation and other discriminatory practices against women;
5. Establishing the One Stop Centre within the Domestic Violence and Victim Support Unit of the Ghana Police Service to provide well-coordinated, effective, and efficient services for the protection and rehabilitation of victims of any form of violence, including those resulting from harmful traditional practices;
6. With support from UNICEF, refurbishing gender-based violence courts, where survivors of sexual and gender-based violence can testify in a separate room without being in contact with perpetrators; and
7. Launching the Orange Support Centre and the Boame Mobile app to facilitate quick response and referrals to appropriate institutions for redress. A multi-disciplinary team of experts is available to provide a range of services to victims and survivors.
8. The rights of our children are of immense value to the Government. In this regard, we have adopted several strategic measures and policies to strengthen the protection of these rights, including:
9. The sensitization of communities, which have been identified as sending and receiving victims of child trafficking, on the dangers associated with child trafficking and its impact on the child.
10. The establishment of focal units and desks in the various law enforcement agencies and Attorney-General’s Office to handle issues of human trafficking.
11. The launch of a national campaign to end child marriages.
12. Consultations to develop a Business and Human Rights National Action Plan that would mainstream child labour prevention practices in all business-related activities in Ghana.
13. The passage of the Cyber Security Act, 2020, which has specific provisions related to the prevention of and response to online child sexual exploitation and abuse.

Thank you.

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