



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

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

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**Responses to the list of issues and questions with regard to
the consideration of the combined third, fourth and fifth
periodic reports***

Ghana*

**Answers to issues and questions with regard to the consideration
of the combined third, fourth and fifth periodic report of Ghana
to the CEDAW Committee**

**Constitutional, legislative and institutional framework and status
of the Convention**

* The annexes to the present report will be made available to the Committee in the languages in which they were received. Issued without formal editing.

1. Please provide more detailed information on the process of preparing the report (CEDAW/C/GHA/3-5). This information should indicate which government departments were involved in its preparation, and the nature and extent of their participation; the extent of consultations with non-governmental organizations; and whether the report was adopted by the Government and presented to the Parliament.

First the national machinery for the Advancement of Women then The National Council on Women and Development (NCWD) was identified as the organization primarily responsible for the writing of the reports.

The role of other actors, both governmental and non-governmental was acknowledged.

Copies of the convention were circulated to policy-makers, members of Parliament, cabinet Ministers and non-governmental organizations, soon after ratification and subsequently to key Ministries, Departments and Agencies who have a role of implementation with respect to specific articles of CEDAW. These were: Ministries of Education, Health, Employment, Food and Agriculture, National Development Planning Commission, Finance and Economic Planning, Local Government and Rural Development.

Letters were written to key-Ministries, Agencies both governmental and non-governmental organizations to report on their programmes and activities in furtherance of the relevant provisions of the Convention.

Methodology/steps strategies adopted for preparation of the report

The report was drafted in accordance with specific guidelines. Listed below are various reports, including research documents and surveys that were consulted:

- (i) United Nations guidelines for reporting under the Convention on the Elimination of All Forms of Discrimination Against women
- (ii) CEDAW General Recommendations
- (iii) Other United Nations Declarations and Conventions
- (iv) Various Commitments, Resolutions and Declarations made by Government at International Fora
- (v) Government policy documents on Health, Education, Agriculture, Economic Development, Employment and Local Government and Rural Development
- (vi) The legal instrument that established the National Council on Women and Development in 1975
- (vii) The 1992 National Constitution and Existing Domestic laws of Ghana
- (viii) Research findings on **“Women in Public Life”** and on the **“Nature and Incidence of Violence against Women”**
- (ix) Various Demographic and Health Survey Reports
- (x) Report received on NGOs activities

- (xi) Civil Service Ministries Instrument **EI.18 of 24th October, 2001** which established the Ministry of Women and Children's Affairs now the National Machinery for the Advancement of Women and Children
- (xii) Government policy guidelines on Affirmative Action

A research was commissioned to identify the remaining Articles of the Convention yet to be incorporated into the domestic laws of Ghana and the harmonization of these provisions into domestic laws.

Data from the following two major researches were used:

- (i) Research on the "Nature and Incidence of Violence Against Women" sponsored by WHO, UNDP and Ghana Government.
- (ii) Research on "Women in Public Life" sponsored by Ghana Government, and the Department for International Development (DFID).

Listed below are other policy documents that were consulted:

- The Ghana Education Reforms and the implementation of the Free Compulsory and Universal Basic Education which resulted in the establishment of Girl's Education Unit to deal with issues of the girl child.
- Gender Policy document and Strategic Framework for Reducing gender imbalance and inequality.
- Government policy — on Poverty Reduction
- Specific gender polices for Health, Agriculture and Education.
- Reports on implementation of Beijing and Africa Platform for Action, 1999, 2000.

The Governing Board of the then NCWD requested the then Acting Executive Director to draft the report. The initial draft went through stages of review from zero draft to second, third, fourth and final drafts. The draft report was discussed by a sub-committee of seven board members of the then governing board of the National Machinery followed by a roundtable discussion of the draft with key Ministries and relevant agencies. A consultative stakeholders meeting was organized in November 1999 to discuss, review and make further inputs into the report.

The draft was again subjected to further review in 2001 to incorporate mission, functions and role of the new Ministry of Women and Children's Affairs established in 2001, as the apex National Machinery responsible for the advancement and development of women and children in Ghana.

In view of the above development-

- A core group of Experts were nominated from key sectors, namely Ministry of Women and Children's Affairs, Education, Health, Manpower Youth and Employment, the Judicial Service, Law Enforcement Agencies, Agriculture, National Population Council, Finance and Civil Society Organizations to revise specific sections of the report, to update the data and to restructure the report in conformity with new guidelines and new developments such as

implementation of NEPAD's plan and strategies, Millennium Development Goals and other General Assembly Resolutions such as the **"Right to Development programmes"**

- The core group of Experts was challenged into reducing the final draft document of 200 pages to 72 pages in conformity with new guidelines for reporting under Article 18 of United Nations Convention on Elimination of All forms of Discrimination Against Women issued at a Workshop organized by the CEDAW Committee held in Arusha Tanzania in 2002.

The final draft report was edited, by key staff of the Ministry of Woman and Children Affairs (MOWAC) and subjected to a final review at a consultative meeting held in September 2004. The report was finally approved by the Cabinet Minister responsible for women and children Affairs, the National Machinery for the Advancement of women and children in Ghana. The National Machinery for the Advancement of women has the mandate to prepare and submit the Report without Parliamentary endorsement.

The report was subsequently submitted to the CEDAW Committee and copied to the United Nations Commission on Human Rights in Geneva through Ghana's Permanent Mission on **26th January, 2005**.

2. Please elaborate further on the conformity of the non-discrimination and equality provision contained in article 17 of the 1992 Constitution with the definition of discrimination against women contained in article 1 of the Convention on the Elimination of All Forms of Discrimination against Women and article 4, paragraph 1, on temporary special measures as well as the Committee's general recommendation 25 thereon.

The Constitution generally conforms with CEDAW. Article 12 (2) of the 1992 Constitution of Ghana guarantees the fundamental Human Rights of every Ghanaian irrespective of race, place of origin, political opinion, colour, religion, creed or gender. Though the Constitution guarantees the right of every citizen, women are however discriminated against in subtle ways in the application of the law because of cultural considerations and societal perceptions of roles of women and men.

To address these cultural inhibition, article 17 (*4a – 4d*) of the 1992 constitution of Ghana enjoins Parliament to enact specific laws that are reasonably necessary to provide:

- (a) "For the implementation of policies and programmes aimed at redressing social, economic or educational imbalance in the Ghanaian society;
- (b) For matters relating to adoption, marriage, divorce, burial, devolution of property on death or other matters of personal law;
- (c) For the imposition of restrictions on the acquisition of land by persons who are not citizens of Ghana or on the political and economic activities of such person and for other matters relating to such persons; and
- (d) For making different provision for different communities having regard to their special circumstance, not being provision which is inconsistent with the spirit of this constitution."

In compliance with the above sections the Criminal Code has been amended to criminalize early and forced marriage, harmful widowhood rites and practices. The new Labour Law also

amended a section of the law which prohibited women from working underground and gives women equal opportunity to train in mining technology or enter into the Mining vocation.

Below are some of the policies that have been formulated, approved by cabinet and endorsed by Parliament to ensure gender equality and equity:

- (a) Gender and Children Policy
- (b) Early Childhood Care And Development Policy
- (c) The Gender Policy In Agriculture
- (d) The National Health Insurance Policy
- (e) Ghana ICT for Accelerating Socio-Economic Development
- (f) The Ghana Poverty Reduction And Wealth Creation Strategy
- (g) Ghana Educational Trust Fund
- (h) Capitation Grant

3. Please clarify the legal status of the Convention in Ghana. In particular, clarify whether the Convention is directly applicable in the courts. Kindly provide information on cases, if any, where the Convention has been directly invoked in, or used by, domestic courts.

The Convention is acknowledged as an international legal document, however only Articles of the Convention incorporated into the Ghana 1992 constitution and the laws of Ghana are directly applicable in the courts. For example Constitutional provisions relating to Fundamental Human Rights and Freedoms, the Rights of Women, Children, People with disabilities are in line with the provision of the Convention. Specific laws have been passed in conformity with certain articles of CEDAW, and these are being applied directly in our Law Courts. Examples are PNDC Laws 111, and 112 on Intestate Succession and Registration of Marriages. Under court rules counsel can cite international conventions such as CEDAW for its persuasive value only and it is not binding on the courts. Sensitization programmes for Judges and law enforcement Agencies on these conventions will be intensified.

4. Please explain how the Government plans to harmonize civil, religious and customary law with the Convention, in particular in relation to article 16 of the Convention?

The Ghana 1992 Constitution under Art 272 (b) provides “**that the National Houses of Chiefs shall undertake an evaluation of traditional customs and usages with a view of eliminating those customs and usages that are outmoded and socially harmful**”. The Matrimonial Causes Act 1971 (Act 367) which deals with distribution of marital property is under review to make it more gender responsive and more equitable. Under the UNFPA Country Programmes, the UNFPA is supporting the Government to undertake the following activities:

- (a) To strengthen capacity of national and local institutions including the Parliament, non – governmental organization (NGOs) and Civil Society organizations to effectively implement the national gender policy.
- (b) To promote enforcement of existing laws.

- (c) To strengthen institutions dealing with women and children issues.
- (d) To promote women's economic participation.
- (e) To enhance communities' capacity for eliminating negative cultural practices.
- (f) To promote implementation of Affirmation Action Policy for Women.
- (g) To promote gender sensitivity in budgeting and programming.

Specific activities to be undertaken include:

- (a) Advocacy to ensure the commitment of resources for enforcement of laws by policy makers and Local Government.
- (b) Undertake legal literacy programmes in the communities.
- (c) Support the establishment and/or strengthening of Para – legal centres in the districts.
- (d) Support training of identified law enforcement agencies such as the Police, Immigration, the Judiciary, and Commission on Human Right and Administrative Justice on gender and human rights related issues. Community fora organize involving traditional authorities on the effects of negative cultural practices on sexual and Reproductive Health and Reproductive Rights.

Under a Gender Equality Project document being prepared with support from African Development Bank, the Government under the auspices of the National Machinery will spearhead the process towards enactment of legislation on spousal property rights and on inheritance. The National Machinery's strategic implementation plan, strategic objective (F), deals with **“the promotion and protection of the Human Rights of Women”**. Under this strategic framework the National Machinery plans to promote the Legal Rights of Women through:

- (a) Organization of sensitization programmes to educate and create awareness on women's human rights and on existing law that protect their rights.
- (b) Collaboration with traditional authorities particularly Queenmothers and relevant agencies such as law enforcement to promote the rights of women.
- (c) Collaboration with Law Reform Commission and other stakeholders to review and call for elimination of discriminatory law in our statute books.
- (d) Constitute a monitoring team to compile documentation on issues relating to inheritance systems and spousal property rites.

5. Please provide further details on the work carried out by the national machinery for the advancement of women in conjunction with members of legislative bodies, academia and non-governmental organizations in order to integrate a gender perspective in legislation, policies, programmes and projects (see para. 31 of the report). In particular, please indicate any plans and timetables in place to undertake a comprehensive law review and reform to eliminate laws that continue to discriminate against women (see also the reference to a study in para. 33 (c)).

The National Machinery for the Advancement of Women in Ghana serves on a number of policy-making bodies such as the National Population Council, the National Education Trust, The

AIDS Commission, The Energy Commission, Steering Committee of the Social Investment Fund under the National Poverty Reduction Programme among others to ensure that policies and programmes have a gender perspective.

The Minister responsible for the Advancement of Women attends cabinet meetings and brings concerns of women into the agenda of cabinet.

Examples of work carried out by the National Machinery for the Advancement of Women in conjunction with stakeholders are:

- Seminars to brainstorm and to draft the Domestic Violence Bill
- Nationwide consultation to collate views on the draft Domestic Violence Bill and to see to its passage into Law
- Consultative meetings with traditional authorities and steering committee of the Land Policy Administration and Management System to bring into focus gender dimension to women's access to and control over land
- Workshops to sensitize the public on Land Rights and Registration
- National consultations on harmful socio-cultural practices and their implication for HIV/AIDS and Reproductive Health of women
- National seminar on government policies and their impact on women
- Ghana HIV/AIDS Policy and strategic framework for implementation
- Consultation on the revised National Population Policy and Strategic Implementation Plan
- Development of a monitoring and assessment tool for Women's Health with support from the World Health Organization. This was a collaborative effort of MOWAC, Ministry of Health Research Unit and WHO
- National consultative workshop on harmful traditional practices including Female Genital Mutilation
- Consultative workshop on the drafting, formulation and launching of MOWAC's three year Strategic Implementation Plan to operationalize the gender policy
- Consultative Workshop on the Review of the law on Female Genital Mutilation
- Consultative meeting on the integration of HIV/AIDS into Reproductive Health Programmes
- National consultation on the formulation of the Gender Policy for Women and Children
- National consultation on the drafting of the Human Trafficking Bill its passage into law and its dissemination

6. The report (para. 31 (h)) refers to Ghana's first action plan for women and its review. Please provide information about the priority areas addressed and the findings of the review, in particular the achievements, obstacles encountered and progress to date. Please also explain the relationship of the plan to the national Gender Policy, referred to in paragraph 33 (a). Please provide details on the follow-up to the review exercise.

The Ghana Plan of Action was first reviewed in 1999 prior to the Beijing+5 meeting and again in 2004 prior to the Beijing+10 Review meeting in 2005. Priority areas identified were:

- (a) Women in the Economy and Poverty;
- (b) Health and Environment;
- (c) The Girl Child;
- (d) Violence against Women;
- (e) Human Rights of Women;
- (f) Women in Power and Decision Making;
- (g) Women in the Media;
- (h) Institutional Mechanisms for the Advancement of Women;
- (i) Education and Training.

The Ghana National Plan of Action for the Advancement of Women was reviewed to reflect concerns from the Beijing Declaration (Beijing +5) outcomes, the function and structure of the New Ministry, priorities of Ghana's Growth and Poverty Reduction Strategy, the International Conference on Population and Development outcomes and the Millennium Development Goals. These are:

- Reaffirmation of Commitments of Government and the international community towards implementation of the Platform for Action and a common development agenda, with gender equality as an underlying principle
- The need to strengthen efforts towards ensuring Women's advancement
- The need for a holistic approach based on equal rights and partnerships, promotion and protection of all human rights and fundamental freedoms
- The need to adopt a gender perspective based on clear, research-based knowledge on the situation of women, girls and sex disaggregated data. The importance of gender mainstreaming and women's empowerment
- The need to define strategies and plans of actions in terms of short and long term goals, time bound measurable targets and indicators for monitoring and evaluating progress.

The Plan of Action was formulated along the lines of the Beijing critical areas of concern in terms of situational analysis, strategies achievements, gaps and the way forward.

Progress: Achievements, Challenges/Gaps — Way Forward

Achievement made since the development of the first and revised Plans of Action to date include:

- (a) The formulation of policy guidelines on Affirmative Action(AA) to address gender gaps in women's participation in decision making and power;

- (b) Establishment of Gender Desks within Ministries, Departments and Agencies (MDAS) to ensure gender mainstreaming at all levels;
- (c) Legislations enacted to address lapses in the Criminal Code of 1960, Act 29 in relation to some harmful traditional practices such as Trokosi (ritual servitude) and Female Genital Mutilation (FGM);
- (d) The Enactment of the Children's Act 560 of 1998;
- (e) The Women and Juvenile Unit was renamed Domestic Violence and Victim Support Unit (DOVVSU) to deal with gender-based violence;
- (f) The establishment of the Ministry of Women And Children Affairs with a Minister of Cabinet ranking to ensure that women's issues are addressed at the highest level of government;
- (g) The formulation and implementation of a gender policy and a strategic implementation framework to operationalize the policy;
- (h) The review of the Ghana National Plan of Action for the Advancement of Women to reflect concerns from Beijing+5, the function and structure of the New Ministry, best practices of Ghana's GPRS, ICPD+5 outcome and the MDGs;
- (i) The enactment of legislation on Human Trafficking which came into force on 9th December, 2005;
- (j) Drafting of a Bill on Domestic Violence now before parliament;
- (k) Drafting of a Disability Bill to address the needs of persons with disability, currently being debated in Parliament;
- (l) The setting up of a '**Women's Development Fund**' to improve Women's access to micro-credit facilities;
- (m) Streamlining of Land Administration and Management Systems to address gender issues in land acquisition, access, control and management;
- (n) Creation of economic opportunities for women through the institution of more micro-credit/financial schemes. So far over 200,000 women have benefited from approximately 70.2 billion from the Women's Development Fund;
- (o) Progress made in women's access to education and training, mainly through the provision of non formal education;
- (p) Skills training and programmes carried out for vulnerable and excluded groups under the Ghana Poverty Reduction Strategy - beneficiaries are mainly women;
- (q) Legal literacy education programmes organized to empower women by Civil Society Organizations;
- (r) Sectors such as the Ministries of Food and Agriculture, Health, Education, Trade and Industries have developed programmes for the benefit of Women.

Obstacles/Challenges

Despite progress made, there is still growing evidence of poverty among some groups and regions in the Country. Women generally suffer more from poverty due to cultural practices that prevent them from taking advantage of opportunities available to them. This include women's inability to own or control land, their limited rights and protection under the Law and their limited role in decision-making and access to credit.

There are still gender gaps in girls' education at the higher levels and in women's advancement generally. To address this, the GPRS and other policies have focused on girl-child education, economic empowerment of women, raising of the living standards of the vulnerable and the excluded, and reduction in maternal mortality rates.

The HIV/AIDS pandemic is still a challenge. The ratio of females to males infected with HIV/AIDS is 2:1, young men and women between the ages of 15 and 49 are most vulnerable to HIV infection. To address the problem, Ghana has formulated a comprehensive HIV/AIDS policy and strategies for combating the disease in the areas of control and management, care and support for People Living with HIV/AIDS.

Relationship between the Ghana Plan of Action and the National Gender Policy

The Ghana Plan of Action addresses the 12 critical areas of concern towards promoting Gender Equality Development and Peace. The Gender Policy provides broad policy guidelines, directives and a framework for promoting gender equality and equity in the allocation of national resource and in ensuring that women become critical beneficiaries of all development plans and programmes.

The Gender policy provides guidelines for the formulation of other sector specific gender oriented policies. The policy is to ensure that National Development objectives and processes are gender sensitive and responsive to the needs of both men and women, boys and girls. It is also to promote gender mainstreaming.

7. Please provide details on the staffing and other resources available to the National Council on Women and Development, the Ghanaian national machinery as well as the Ministry of Women and Children.

The Government of Ghana has shown commitment to its international obligations through the establishment of a Ministry for Women and Children's Affairs as the apex body for the Advancement of Women and Children in Ghana, and also through its budgetary allocations as indicated in the table below:

BUDGETARY ALLOCATION 2001 – 2006

YEAR	MINISTRY HEADQUARTERS €M	NCWD €M	GNCC €M	DONOR €M	TOTAL €M
2001	3.232	2.128	1.639	-	6.999
2002	3.395	1.682	1.633	-	6.709
2003	3.177	3.7435	2.7485	-	9.669
2004	8.253	6.230	6.080	2.028	20.563
2005	5.900	5.278	5.071	2.028	18.357
2006	8.222	4.571	4.566	5.252	27.971

The Ministry of Women and Children’s Affairs has a total staff strength of 182, out of which, 110 are professional technical staff and support staff. The Ministry has manpower approval to recruit about 428 people to augment the staffing levels. The Recruitment Plan for full staff complement of the Ministry of Women and Children’s Affairs and its Department is being done in phases over a 3 year period as follows:

- Phase I (2005 – 2006) - 60% of the technical staff employed for MOWAC and Department
- Phase 2 (2007 – 2008) - 70% of technical staff employed
- Phase 3 (2009 – 2010) - 65% of technical staff employed.

VIOLENCE AGAINST WOMEN

8. The report mentions, in paragraph 209, that “a domestic violence Bill proposed by government is at the time of submission of this report being discussed”, and gives details about the contents of the draft law (see paras. 64-68). Please provide an update on the status of this draft Bill, including the anticipated time frame for its adoption, and plans for enactment of the regulations referred to in paragraph 67.

The Domestic Violence Bill is now before Parliament. The Bill will be adopted and passed into Law hopefully before the end of the year. Processes towards enactment of regulations and other procedures for effective implementation of the domestic violence Act will proceed soon after the passage of the Bill into Law. It is worthy of note that implementation of aspects of the regulations referred to in paragraph 67 has already started. For example:

- Training of the police and court officials on domestic violence
- Education and counseling of victims and perpetrators of domestic violence

- Some shelters for victims have been provided by the Department of Social Welfare and some Civil Society Organizations.

There are plans to restructure and renovate existing rehabilitation centres for the purpose of sheltering victims of domestic violence and trafficking.

9. Please provide information on the impact of the laws criminalizing injurious customary practices such as Trokosi, widowhood rites and female genital mutilation (FGM). In particular, provide information about the enforcement of the law prohibiting FGM, and about cases which have been presented under the Criminal Code Amendment Act 1998 (Act 554).

The Laws criminalizing injurious customary practices such as Trokosi, Widowhood rites and FGM have provided the legal framework to enable cases to be prosecuted in Law courts. They also provide opportunity for victims to seek redress in the Law courts.

However, enforcement of the laws have been difficult because customary practices which are deep-rooted in belief systems cannot be eliminated by legislation alone. Advocacy and education are critical in ensuring enforcement. While the laws to a large extent serve as a deterrent for would-be violators, there are those others who violate the law in the name of culture, religion and the fear of retribution. Some women and members of families still voluntarily opt to under-go these practices out of fear. For example, a widow would opt to under-go widowhood rite in order to express her respect and love for her late husband and to prove to members of the community that she was not responsible for the death of the husband.

A young girl may opt to under-go the Trokosi system for fear that her family members will die if she did not serve in the shrine. The family members will not report cases of Trokosi victims to the police for fear of victimization by society and retribution from the gods thus making it difficult for the police to enforce the law.

A young girl will opt to under-go FGM inspite of the health hazards to prevent ridicule from her peers, exclusion from performing funeral rites for her mother, or the fear of not getting a husband if not mutilated are the underlying factors.

Advocacy and educational programmes to allay fears of women, girls and male authorities within communities where these practices are endemic are on going.

Enforcement of the Law has been monitored by MOWAC and some Civil Society Organization, for example, Ghana Association for the Welfare of Women and Federation of Women Lawyers, since the law became operational in 1985. Short comings and gaps that hinder effectiveness of the law have been identified and being addressed.

A Bill has been drafted to further amend section 69A of the Criminal Code. It seeks to redefine FGM and makes other people who aid and abet in the crime, offenders. The Bill also seeks to impose stiffer sentences i.e. a minimum of four (4) years imprisonment. This amendment will make enforcement more effective.

So far the courts have successfully prosecuted and sentenced two practitioners aged 45 and 70 years respectively to 5 years imprisonment each (**22nd September 2003 and 2005**).

10. The report refers, in paragraph 63, to research undertaken in 1998 on violence against women. Does the State party plan to undertake a population-based survey, or to include a module on violence against women in a future demographic and health survey to update its knowledge base, enhance statistical data on the incidence of various forms and manifestations of violence against women, and trends over time? In particular, was a violence against women module included in the 2003 Demographic and Health Survey?

The last population census was in the year 2000. It was both a population and Housing Census. A Specific survey on Child labor and trafficking have been conducted by the National Statistical Services and some Research Institutions. Data-base on the nature and incidence of violence has been established and being compiled on monthly bases by region by the Domestic Violence and Victim Support Unit of the Police Service to enhance statistical data on the incidence of various forms and manifestations of violence against women and trends over time.

The Ghana Demographic and Health Survey 2003, included a module on violence against women. Sections Cover **“men’s and women’s views and attitudes towards wife-beating of men’s and women’s attitudes towards justifiable actions if wife refuses sex”**. The findings indicated that one in four men agreed with at least one of the four specific actions, that is, **“the right to get angry and reprimand wife, to refuse to give her money or other means of financial support, to use force and have sex with her even if she does not want to and to have sex with another woman – if his wife refused to have sex with him”**. 15% of men said it is justifiable for men to get angry and reprimand the wife, 12 per cent said it is okay to have sex with another women, 10 per cent said it is justifiable to refuse financial support and 5 per cent said it is acceptable to use force if she refuses to have sex with him. The attached Tables from the 2003 demographic and Health survey report provides more information.

11. The report refers to the establishment of Women and Juvenile Units in police stations in 1998 (see paras. 32 and 208). Kindly provide further information about these units. In particular, indicate how many of these units exist, what are the resources available to them, and has an evaluation of their effectiveness been conducted and what were the findings?

The twenty (20) offices established in 2005 have increased in distribution throughout the Country as follows: 5 offices in Greater Accra, 6 offices in Ashanti Region, 3 in Brong Ahafo, 7 offices in Eastern Region, 2 in the Central Region, 9 in Western Region, 2 in Volta Region, 5 in Upper West Region and, 1 one each in Upper East Region and Northern Region respectively.

The Units/offices will be strengthened with the requisite logistic and human resources. Accommodation is a major challenge facing the secretariat especially at the Regional and District levels. Construction of the National Secretariat which was started in 2004 will be completed by the end of 2006. More shelters would be required once the Domestic Violence Bill becomes operational. Logistics in the form of vehicles in nine Regional Offices will be required to ensure effective supervision and follow-up activities. Other logistics in the form of computers and accessories, telephones, fax and photocopier machines are critical in information collection and collation from the regions.

It is the vision of the Domestic Violence and Victim Support Secretariat to equip all its Regional Offices with the needed logistics by the year 2007.

Reform initiatives:

A key component of Domestic Violence and Victim Support Units (DOVVSU) mandate is outreach and awareness programmes, which falls under the Preventive Model in Community Policing initiatives. This approach is proactive and seeks to educate children and women in the communities. Again, the Unit seeks to prevent crimes against women and children through public seminars and radio talk shows. To this end, the various regional units have made use of the local FM stations, visited both first and second cycle schools in their locality. With regards to outreach programmes, talk shows at beach parties, (in Sekondi –Takoradi), religious bodies gatherings, have been organized. DOVVSU has also been involved in the nationwide dissemination of the Domestic Violence Bill, the Child Trafficking Bill (now Human Trafficking Act) and the Juvenile Justice Act.

Seminars/Workshops

The Secretariat, participated in a dissemination seminar by the Department of Social Welfare, **(with sponsorship from UNICEF-Ghana)** on the Juvenile Justice Act. It also participated in the child labour and child trafficking workshop by ILO, and in 2005 has had a training workshop organized by MOWAC with sponsorship from UNFPA-Ghana, for 40 personnel from all over the country. Personnel in the regions have been invited and benefited from several seminars/workshops organized by NGOs and other organizations within their regions either as participants or as resource persons. Three workshops on **“how to handle victims of abuse”** sponsored by UNICEF-Ghana were held for one hundred and forty personnel posted to the unit, who have not had any training.

Evaluation

No evaluation of the effectiveness of the services provided has been conducted. It is hoped that this will be done in the future. The increase in the number of reported cases is however an indication that the sensitization is going-down well and people feel more confident to report.

Trafficking and exploitation of prostitution

12. It is mentioned that the Criminal Code as amended (Section 107) deals with trafficking in persons for purposes of prostitution (see para. 57 of the report). Please provide information about the trafficking cases which were successfully prosecuted under this legislation and the sentences that have been imposed on the perpetrators.

Data on cases of trafficking in persons for the purposes of prostitution is not available. However, a case of a young person who is alleged to have been trafficked to Abuja Nigeria is under investigation. The boy is under the care of the Women Trafficking and Child Labour Eradication Foundation, **(WOTCLEF)** an NGO in Abuja. The National Agency for the Prohibition of Trafficking in Persons and other related matters **(NAPTIP)** in Abuja Nigeria and the Ghana High Commission in Abuja, are investigating the case. The Ministry of Women and Children’s Affairs and relevant agencies in Ghana have managed to trace the legal guardian, the mother of the victim and are facilitating the processes towards the release of the victim and his repatriation to Ghana and the prosecution of the culprit.

The 2004/2005 statistics from the Ghana Police indicate that there is no record, or report or prosecution of the offence of Human Trafficking. The Human Trafficking Act, Act 694 came into effect on 9th December 2005. The Police can now prosecute specifically under the new law which clearly defines the offence and penalty. Hitherto, potential cases of Human Trafficking were treated or classified as “**Child stealing, abduction, exposing child to harm**” or “**Other offences**”. There is no record of prosecution for procurement provided for under section 107 of the Criminal Code. The DOVVSU is in the process of setting up a database specifically on Human Trafficking in accordance with the new Law.

13. Kindly provide detailed information about the Trafficking in Persons Prevention Bill, including the time frame for its adoption and its scope (see para. 58 of the report), and whether a national plan to combat trafficking has been prepared.

Ghana’s Human Trafficking Act 2005 (*Act 694*) came into force on 9th December, 2005. The Act is structured under six headings. The first is on **Prohibition and Offences to Trafficking** and covers meaning of trafficking, provision of trafficked person prohibited; use of trafficked persons prohibited, conveyance in trafficking, duty to inform, special mitigating factors and application.

The second deals with **Complaint and Arrest** and covers issues such as filing of complaints to police, police assistance, receipt of complaints by police, arrest by private person without warrant. The third relates to **Rescue, Rehabilitation and Reintegration** and covers, rescue of trafficked persons, temporary care of trafficked person, counselling of trafficked person, tracing of family of trafficked person, rehabilitation of trafficked person and compensation. The fourth, deals with **Human Trafficking Fund**, and covers, establishment of Fund, sources of money for the Fund, objective of the Fund, Management of the Fund, Payment from the fund, Accounts and Audit, Financial year and Annual Report.

The fifth, deals with **Trafficking Management Board**, its establishment, composition, functions, meetings, secretariat and allowances. The sixth part deal with **Miscellaneous** and covers issues of continued stay of illegal immigrants, extradition of trafficking offenders, power of police under the criminal procedure code Act 30 and Act 560, reference to Family Tribunal, No publication on Human Trafficking, Criminal Charges and Civil Claim, Confiscation of Property, Regulations and Interpretation.

The Act seeks to prevent, reduce and punish human trafficking as well as provide for rehabilitation and reintegration of victims. The Ministry of Women and Children’s Affairs has been made the coordinating body to see to the implementation of the Human Trafficking Act. A national committee, chaired by the Vice-President H.E. Aliu Mahama has been set up to oversee implementation of strategies to combat and prevent trafficking in persons.

Ghana is currently implementing an ECOWAS Plan of Action on Trafficking in Persons. Ghana is developing a more comprehensive National Plan of Action in collaboration with all stakeholders such the Immigration, Police, Social Welfare and Civil Society Organizations.

In dealing with the internal and cross-border dimensions of trafficking, a memorandum of understanding has been signed with the International Labour Organization leading to the launch of an ILO/IPEC programme in Ghana in the year 2000. Ghana is in the process of concluding a bilateral agreement with the Gambia. Sensitization and awareness creation campaigns including

radio, television and school programmes and direct sensitization of top ranking government officials and Civil Society Organizations are on-going. Officials of the Immigration Service and transport services have been sensitized on trafficking especially those involving children and young persons.

Participation in political and public life and representation at the international level

14. The report indicates that the Government adopted in 1998 an “Affirmative Action Policy” encompassing a quota of 40 per cent for women’s representation on all government and public boards, commissions, councils, committees and official bodies (see para. 40 of the report). The report, under article 7, shows that women’s participation in these appointed bodies remains low, but also indicates some success of the policy. Please indicate any measures the Government is contemplating to enhance full adherence to this policy.

- A directory on eminent women is being updated to provide and ensure relevant and timely availability of information on women eligible for appointment to policy-making boards and committees.
- An advocacy strategy for sensitizing appointing authorities on the implementation of the Affirmative Action Policy guidelines has been developed.
- A strategy for promoting implementation of the Affirmative Action for women has been developed under the Good Governance section of MOWAC’s Three-Year Strategic Implementation Plan.

Major activities to be implemented under the strategy are to:

- (a) Operationalize the implementation of the Affirmative Action for women;
- (b) Encourage management in public and private institutions to adopt and integrate Affirmative Action Policy in job-training and other related activities;
- (c) Promote and support relevant media and civil society organizations, NGOs and public/private strategic partnership to intensify advocacy for women’s participation in Public life and in decision-making;
- (d) Conduct studies on the success of implementation of the Affirmative Action Policy guidelines;
- (e) Support the development of database on women leaders and monitoring and evaluation strategy;
- (f) Build capacity of women to participate in public life.

15. The report acknowledges (see paras. 81, 85 and 86) that the representation of women in the national Parliament and in local assemblies is still very low. What kind of measures has the Government taken to increase the number of women in Parliament and in District assemblies, bearing in mind article 4, paragraph 1, of the Convention and the Committee’s general recommendation 25 on temporary special measures, as well as the Committee’s general recommendation 23 on women in political and public life?

The Government of Ghana under the auspices of the National Machinery for the advancement of women in collaboration with Ministry of Local Government and Rural Development and Civil Society Organizations (such as the National Association of Local Authorities, and Abantu for Development) has developed a strategy for enhancing women's participation in Local Governance in particular the 2006 District level election.

Priority areas covered in the strategic action plan are; resourcing and funding of women to enhance their campaign, effectiveness; capacity-building to enhance women's effectiveness in local governance, networking, strengthening of sub-structures for effectiveness; relevant and timely availability of information, data-gathering and dissemination and by articulating women's concerns effectively in policy circles.

A policy and institutional development programmes which seek to establish and strengthen national, regional and district institutions that enhance participation of women in decision-making as well as advocacy for family, community and public life programme have been developed. **"Women in Local Governance Fund"** has been launched to enhance participation of women in Local Governance.

Education and stereotypes

16. Please provide information about how the educational system promotes gender equality and the elimination of stereotypes and discrimination against women, including through teacher training in gender equality.

- Sponsorship of students (**especially female students**) by District Assemblies to Teacher Training Colleges as a means of boosting the number of female teachers.
- Organization of Access Courses for female students who could not make the mark to enter Teacher Training College as a means of encouraging more females into the teaching profession.
- Institution of the Capitation Grant and its impact on the enrolment of girls in basic schools: increase in the enrolment of girls by 18.3% as compared to 15.18% for boys since the inception of the grant at the beginning of the 2005/2006 academic year.
- Intensive construction of gender sensitive urinals and toilet facilities in basic schools to encourage privacy of girls in school (especially during their menstrual period and in a way helping build their self-esteem.
- World Food Programme (WFP) provision of on-site school feeding and food ration for girls towards the attainment of gender parity.
- The NEPAD school feeding programme operates in one school in one deprived district in each of the regions on a pilot basis. Children in primary one and primary six are given one meal a day. It will run for five years, and this year it is envisaged that it will operate in 5 schools in every district and feeding will start in July 2006. It is hoped that as the programme expands, more farmers (including women) will grow more food and have ready market and

therefore be economically empowered; while both girls and boys enrolment and retention figures go up.

- Provision of bicycles for girls in rural communities who commute long distances between home and school.

17. What measures are in place, including through awareness-raising, to change general social and cultural patterns of conduct that reinforce the idea of the inferiority of women?

- FAWE Ghana Chapter has commissioned the FAWE FM 105.9 at Fotobi Nsawam. It broadcasts in 2 Ghanaian languages (Akan and Ewe) in addition to English.
- Sensitization of communities by District Girls Education Officers through radio broadcasts on the importance of girls' education e.g. 17 Districts in the country of which 46% are in the Brong Ahafo Region with others spread around six other regions.
- World Vision has been sponsoring district radio programmes on sensitization in the Upper East Region.
- Sensitization of women's groups in selected communities to undertake various income generating activities and to participate in functional literacy programmes – the responsibility of these women in this programme is to make sure they enroll at least three girls each in school and monitor their progress to make sure they do not drop out while they also improve themselves.
- Regional and District Girl's Education Officers organize durbars at community levels to discuss issues of empowerment of women as well as discuss sex and gender roles in order to bring to light the importance of contributions that women make to development in society.
- Parents are being encouraged through sensitization activities, Participatory Learning and Action (PLA), (home and, school visit, talks in churches, mosques and market places) to send their girls to school as means of empowering them educationally and eventually, economically.
- Radio talk shows on community FM stations to create awareness on girls education and empowerment of women.

18. The report provides little information about the role of the media in promoting gender equality. Kindly provide such information.

The media has been promoting and highlighting activities on girls' education to inform and sensitize the public. Some of these activities are:

- Radio broadcast and publications in newspapers (local FM stations support DGEOs in the promotion of girls' education activities through the provision of free airtime).
- The print media publishes news on girls' education activities for the information of the general public.
- The establishment of Media Task Force to advocate for gender equality (girls' education) through the print and electronic media. Between 2003 and 2004 the Task Force lobbied for airtime and print space for the publication of issues concerning girls and women. It however

became non functional when the organization **Strategies for Advancing Girls' Education (SAGE)** spearheading its activities, folded up.

- Involvement of media house (print and electronic) in planning communication strategies and designing communication materials for the promotion of girls education in March 2005.
- Participation of media in community sensitization meetings towards the implementation of income generation activities in 16 deprived communities.
- Participation of media in meetings to discuss strategies to improve enrolment and retention of girls in 15 districts with the least Gender Parity Indexes.

Employment, poverty and rural women

19. The report refers to Ghana's Poverty Reduction Strategy, in response to the Millennium Development Goals, including efforts to address women's poverty. Kindly provide information on how the Convention on the Elimination of All Forms of Discrimination against Women has been used in the preparation of the Poverty Reduction Strategy and how the Strategy's implementation will also enhance implementation of the Convention.

The Convention was used extensively in the preparation of the GPRS II document and in relation to achieving the Millennium Development Goals of Promoting Gender Equality.

The document identified the following issues:

- (a) Prevalence of outmoded customs inimical to women's rights;
- (b) Lack of gender budgeting;
- (c) Inadequate access to economic resource and
- (d) Violence against women.

Strategies outlined in GPRS II document are:

- (a) Integration of Human Right and Gender into the Training Programmes for Law Enforcement Agencies and Social Workers;
- (b) Elimination of harmful traditional practices such as Trokosi. Widowhood rites and betrothal systems and their elimination;
- (c) Women's Empowerment and their participation in Public Life;
- (d) Introduction of Gender Budgeting across sectors;
- (e) Progressive implementation of the Affirmative Action Policy for women;
- (f) The strengthening of institutions dealing with women and children;
- (g) Incorporation of gender analysis in the policy formulation process;
- (h) Intensification of sensitization programmes on legal and women's rights especially in the rural areas and among traditional authorities and faith based organizations.

Enhancement of productivity, and income/wage with equal opportunities for men and women in all sectors of the economy, including the informal economy.

A cross-sectoral approach to employment policy implementation will underpin the overall national strategy. This will ensure the effective implementation of a coherent employment policy on the youth, women, the vulnerable and excluded, and a comprehensive and integrated employment creation, monitoring and evaluation system.

The Ministry of Manpower Development, Youth and Employment is still holding consultative meeting with stakeholders in connection with the development of a National Employment Policy.

20. The Special Rapporteur on violence against women, its causes and consequences expressed concern about the persistence of the belief in witchcraft in many parts of the country, in particular in rural areas. According to her report (E/CN.4/2003/75/Add.1, sect. II.A, para. 282), most accused witches are older women, often widows, who were identified by fellow villagers as the cause of difficulties, such as illness, crop failure or financial misfortune. They were subjected to violence and lynching, in addition to banishment. Many of them went to live in “witchcamps”, villages in the north populated by suspected witches. The report remains silent on this phenomenon. Please indicate the prevalence of this phenomenon and the legal protection offered to alleged witches.

The belief in witchcraft has gender implication in Ghana. It is women who are mostly accused of being witches for various reasons. Although witchcraft is spiritual in nature and it is said that only a witch can identify a fellow witch, women especially older women are accused of being witches and sent to witch camps.

Some Reasons for Branding Women as Witches are:

Women in their menopause especially older women who show some unusual behaviour are normally accused of being witches. Men who also want to divorce their wives only need to call them witches to achieve their aim since witchcraft is one of the grounds upon which a man can divorce his wife under customary marriage. Women who cannot give birth are sometimes accused of “**chewing**” all their babies. Being intelligent in school can also be attributed to witchcraft.

Lack of knowledge on health issues, which may lead to outbreak of diseases, are most of the time attributed to the work of witches and women especially the older women in the community are normally accused. Children not being able to prosper in life often accuse their mothers and grandmothers for being the cause.

In fact any thing that happens in our society for which no tangible reasons can be assigned is attributed to witchcraft and the culprits mostly women are beaten up or lynched thus causing a lot of pain and psychological trauma to the victims.

Some are abandoned in witches camps by their families where they are made to go through purification processes such as bathing with all kinds of concoction, which can be hazardous to their health. Victims suffer from rejection, and from being stigmatized and ostracized by their own communities, their children, loved once and companions.

Owners of witches’ camps can also exploit these women for their own benefits.

There are about three main “**Witches Camps**” or villages in the Northern Regions of Ghana. One of such villages is the Kukuo Witch Camp.

Kukuo Witch Camp

Kukuo is a big village situated about 5 kilometers to the South East of Bimbilla, the capital of North Nanumba District in the Northern Region. Though closer to Bimbilla, Kukuo falls within the administrative boundary of the newly formed District of South Nanumba whose capital is Wulensi. Kukuo has a population of about 1,429 and unlike the other alleged witches camps such as Gambaga out-cast home in the East Mamprusi District and Gnaani in Yendi Districts, the alleged witches are not isolated but are rather integrated in this community.

Some of these women are absorbed by some households while others live a type of solitary life in small huts with no windows. Some of these women are so old and weak that they are mostly indoors and are being attended to by colleagues and children or grand children who are mostly girls brought with them to serve them. The community has a primary school and no Junior Secondary School, a clinic which is yet to function and a small market square. It also has one functioning borehole which partially satisfies their water needs even though several attempts by some NGO’s have been made without success to address the water problem of the community. Their main source of water supply is from a river which lies behind a steep hill about 5 kilometers away from the community.

Due to interventions and sensitization, the population of the inmates of this camp has been reducing over the past few years.

The table below shows the statistics of the alleged witches from 2001 to the present.

YEAR	MALE	FEMALE	TOTAL
2001	-	137	137
2002	-	133	133
2003	-	129	129
2004	-	122	122
2005	-	114	114

The total number of dependants who are mostly grandchildren and mostly girls are 98.

Education

The community has only a primary school and so when the children complete primary six, they have to travel to Bimbila in another district to continue at the J.S.S level. However, most of them end up at primary six, because according to the alleged witches they cannot afford to cater for the children’s education after primary school.

Income generating activities

Though many of them are very old, the younger ones are engaged in food crop farming. Crops such as cassava, maize and groundnuts are cultivated because these do very well in this location. They also engage in food processing and the sale of snacks. When asked whether they face discrimination in their snack sales as a result of what people perceive them to be, their response was in the negative and were sure of paying back loans if they are given the chance. They were very enthusiastic about being assisted to expand their petty businesses, but lamented that water which is their priority need is so difficult to come by. **“They wished, the hill, depriving them of access to the river, could be removed to a different location”**, since they find it very difficult to climb it as they go for water.

A study conducted on the nature and incidence of violence against women 1998 included case studies on the alleged witches. Confinement of alleged witches in camps is considered a form of violence and a violation of women’s human rights. Sensitization programmes and dialogue with the people in the community to change their mindset is on going. The Department of Social Welfare, NGOs’ and other Civil Society Organizations are working together to reunite the members with their community. Currently the number of women in the camp have reduced as a result of this intervention.

The Commission for Human Rights and Administrative Justice (CHRAJ) is addressing the issue of legal protection in the area of human rights abuse. Furthermore, the Draft Ageing Policy when passed into Law will also provide legal protection to these women.

Discussions are going on to convert the **“witches camps”** into homes for the aged to take away the stigma and to ensure their proper care, protection and security.

21. The report draws attention to the high percentage of women in the informal sector and in self-employment. Please provide further information about the situation of women in the informal sector. In particular, please describe the impact of the measures available to enhance women’s economic empowerment (see paras. 174 and 175 of the report), and the results achieved.

Information about women in the informal sector is very sketchy because it is difficult to support it with empirical data. However, according to its mandate the Ministry of Manpower, Youth and Employment is in the process of putting up a comprehensive social protection framework which will cover the vulnerable and excluded in society. It will promote conditional and unconditional cash transfer systems and other support to displaced workers, **(while they seek employment)**, pregnant and lactating women, and provide target subsidies to the elderly, pensioners, smallholder trainers and people with disability.

The social protection strategy will also expand the coverage of the social feeding programme, and facilitate access to micro credit for small scale informal operators.

22. The report discusses the maternal mortality rates and differences in the health situation of urban and rural women, and also notes that 30 per cent of maternal deaths are due to abortions (para. 154). Please provide further explanation for this high percentage of maternal deaths due to abortions.

There is lack of data on abortion cases. However some hospital based studies done indicated that; 22% of maternal death is due to unsafe abortion (Daganus) 1993 KATH and (*Akosa 1998 KBTH*) indicate 30% maternal deaths.

But the high percentage of maternal deaths due to abortion could be attributed to: ignorance of the abortion law (**the criminal code, 1960 Act 29, Section 58 subsection 1, 2 and 3**), lack of geographic access; attitude of health professional; financial constraint; and moral reasons.

There is however a strategic plan for abortion care services which was developed in 2003. It has determined the magnitude of abortions in Ghana, in order to be able to increase accessibility and quality of Post Abortion Care (PAC) services, to increase awareness of existing law on abortion and to strengthen abortion care services as permitted by law. Of these deaths, 70% are due to hemorrhoid, eclampsia and other complications arising from pregnancy. Thirty per cent of maternal deaths are due to complications of unsafe abortion. This figure exceeds the WHO estimates of 13% for the Africa Region.

There is an abortion law which permit a victim of rape, or incest or where the continuance of a pregnancy would involve risk to the life of the pregnant woman or injury to her physical or mental health or where there is substantial risk of serious physical abnormality or disease to have safe abortion.

There is inadequate knowledge on the abortion law by service providers and the public and some stigma to abortion. While services are available for post-abortion care, there is limited availability to safe abortion services particularly in public sector facilities. Thus, women and girls resort to unsafe abortions – where the providers lack the skills or provide the services under unsafe conditions.

The review of the National Reproductive Health (RH) policy and standard documents includes the provision of abortion care services as permitted by law in addition to the other objectives such as:

- Prevention of unwanted pregnancy through family planning
- Management and referral of abortion complications
- Linkage of post-abortion clinics to other related health care services
- Public awareness creation on the danger of unsafe abortion
- Education of clients on complications of abortion.

There is a multi-sectoral strategic plan for comprehensive abortion care. The use of family planning would prevent unintended and unwanted pregnancies and reduce the need for abortion.

Family planning

Family planning use is low, 19%. Contraceptive prevalence rate (CPR) is high. Unmet need for family planning is high (34%) higher in rural (38%) than urban areas (28%). Women who do not desire children in the next 2 to 3 years (*spacers*) 12% and those who do not want to have any more children (22%). Also the provision and adoption of family planning following abortion is low. The contraceptive prevalence rate i.e. the use of modern contraceptive among married women is 19%

GDH 2003, one in three women who are at risk of pregnancy but want to delay a pregnancy for two years (spacing) or more or do not want to have any more children (limitation) are not using any family planning method to prevent pregnancy. This is worse in the rural areas (38%) than in urban (28%). The most cited reasons is fear of side effects, rumours, myths and misconceptions.

23. The report refers to the basic package of health services (para. 153), which includes services in response to harmful practices such as FGM, as well as to a draft gender and health policy (para. 158). Kindly elaborate further on the content and status of this draft policy, the goals it pursues, and the extent to which it targets women in rural areas.

The gender policy of the health sector aims at mainstreaming gender perspectives into Health. The gender and health policy is in draft and would be finalized by the end of the year. The goal of the policy is to contribute to the reduction of inequalities and inequities in the health outcomes of men and women in Ghana by mainstreaming gender in the health delivery. This would be achieved by bridging the gender gap of inequality and inequity in access to healthcare between men and women; improving quality of care by eliminating gender biases in the health delivery system and; narrowing the existing gender gap in the management structure of the Health Delivery system. The policy looks at gender issues related to access to health care, quality of care and management structures and identifies strategies to address them at all levels. Sensitization on gender issues in health is ongoing. In Reproductive Health, the involvement and partnerships with males is on the increase. Men as partners in Reproductive Health and Family Planning, and Safe Motherhood programmes are being promoted.

24. In the light of the increase incidence of HIV/AIDS, considered by the report as having serious gender dimensions (para. 159), and the continuing practice of unprotected sexual intercourse, please provide detailed information regarding the existence of reproductive and sexual health education programmes for both women and men and young people, as well as their availability in rural as well as urban areas, substantive content and impact.

In the light of concerns raised regarding increasing incidence of HIV/AIDS and gender dimensions of HIV/AIDS and the practice of unprotected sexual intercourse, the Ghana Aids Commission a Para-Ministerial and multi-sectoral body charged with the responsibility to manage the national response to the HIV/AIDS epidemic in Ghana has intensified efforts at Awareness creations, care and support of people living with AIDS and control and Management. The Government of Ghana established a Ghana AIDS Response fund (**GARFUND**) with the support of the World Bank in 2002.

Key achievements include the following:

- Increased level of awareness and advocacy
- Increased prevention, care and support service
- Increased level of community mobilization
- High commitment of the private sector to the national response
- National HIV/AIDS/STDs policy and Work Plan developed
- Anti-retroviral treatment for PLWHAs introduced and up-scaled

- Increased voluntary counseling and testing services.

The number of projects GARFUND has supported for NGO's/FBO'S/DA can be seen in the table below. The CBO's are community Based Organization who embark on awareness and sensitization programmes in the communities, and in the rural areas.

GARFUND Subprojects being funded (as at end of 2004)

Organization	1 ST CALL		2 ND CALL		3 RD CALL		4 TH CALL		TOTAL	
	No. Funded	No. Completed	No. Funded	No. Completed	No. Funded	No. Completed	No. Funded	No. Completed	No. Funded	No. Completed
MDAs	16	3	33	NIL	9	NIL	15	NIL	73	3
NGOs/FBOs/ DAs	141	17	270	24	277	9	190	NIL	878	50
CBOs	446	446	604	604	960	960	454	NIL	2 464	2 010
Private Sector	-	-	-	-	-	-	25	NIL	25	NIL
TOTAL	603	466	970	928	960	960	684	NIL	3 440	2 063

Source: Ghana AIDS Commission Annual Report 2004.

The 2004 Annual Report indicates that

- 98% of the organizations were into promotion of safer sex (e.g. condom use, IEC)
- 93% were into community level implementation (86% of them were CBOs)
- Of the subproject target population, 78 per cent were youth and the rest were adults.
- 76% of the organizations fully achieved their objectives; 22% achieved them partially and only 2% did not achieve them at all.
- 77% of the CBOs reports are activity-based.

The GHS has established a national programme on adolescent health and development. The GHS targets pre-adolescents and young people. The health component addresses all general health problems of young people including reproductive health. Adolescent sexual and reproductive health is a key component of the reproductive health programme for young people.

The health and development problems of adolescent boys and girls are addressed specifically. Adolescent health promotion is one of the key strategies the service is using on the programme.

Various initiatives taken by institutions to strengthen the integration of HIV/AIDS into sexual and reproductive health programmes are as follows:-

Ghana Health Services (GHS)

- A pilot programme was initiated to integrate HIV/AIDS into SRH at Atua and the St. Martin de Porres Hospitals in the Manya Krobo District due to the high prevalence of HIV/AIDS in the district. The programme has since been extended to 104 sites in other districts mainly in public health facilities based on lessons learnt from the two pilot hospitals
- HIV/AIDS is also being integrated into safe motherhood service delivery. These include services relating to Prevention of Mother to Child Transmission (PMTCT) especially HIV/AIDS pre-testing counseling testing, post- testing counseling, infant feeding counseling, voluntary counseling and testing (VCT)
- HIV/AIDS is also being integrated into family planning (FP) services through the promotion of Dual protection against Sexually Transmitted Infections (STIs) and unintended pregnancies using the male and female condoms. VCT is being integrated into FP services and being piloted at Korle-Bu Teaching hospital
- Training Manuals are being developed for PMTCT, VCT and HIV/AIDS Infant Feeding Counseling.

Ghana Education Service

- The Ghana education service has embarked on advocacy, sensitization and training programmes and has trained teachers on HIV/AIDS and Reproductive Health Issues
- In collaboration with the Ministry of Health a school Health Education Programme (SHEP) was established in 1992. The SHEP Unit has since 2000 intensified its HIV/AIDS Campaigns in schools and offices at all levels – national, regional and districts

- Population and Family Life Education is a key programme aimed at educating students to live responsible adult lives
- The Africa Youth Alliance (AYA) project funded by the Bill and Melinda Gates Foundation in four African Countries including Ghana focused on Adolescent Reproductive health programmes for the youth
- Manuals have also been developed for use in capacity building – (two HIV/AIDS Manuals for workplace and NGOs working in school;) 5-year programme of Action on HIV/AIDS for Basic and S.S.S. public school teachers/trainers) and a 5-year teacher’s Advocates programme for the Dissemination and change on Reproductive Health and HIV/AIDS have been developed.

Ministry of Local Government and Rural Development (Mlgrd)

- The Ministry co-ordinates multi-sectoral response for HIV/AIDS at the district level. This is done through the mobilization of human, financial and material resources for the District Response Initiative. Examples are Dutch funding for Care and Support programmes in the Ashanti and Eastern Regions
- A new initiative on composite programming and budgeting is being piloted in 26 districts by the Ministry of Local Government and Rural Development.

Ministry of Women and Children’s Affairs (Mowac)

The Ministry has been playing a critical role in addressing the gender dimension of HIV/AIDS and Reproductive Health through advocacy, policy and co-ordinating Workplace HIV/AIDS strategy including awareness creation, voluntary counseling and testing and condom distribution to its staff and vulnerable and excluded groups of women including migrant female workers. MOWAC also uses its Micro-credit scheme as an entry point for Reproductive Health and HIV/AIDS education and sensitization programmes.

Challenges

Effective and efficient programme implementation is however hampered by inadequate funding, non-coherence of programmes of various institutions, low capacity of human resource in the health sector and inadequate logistical support and unsuitable service delivery facilities.

Marriage and Family Relations

25. The report indicates, in paragraph 199, that Ghana has three different forms of marriages based on statutory, religious and customary laws, operating side by side, and with discrimination against women persisting in areas including property. How does the Government intend to ensure that the international legal obligations it has entered into are adhered to in the entire territory of the State party? Does the Government have any plans to enact uniform legislation on marriage and family in conformity with article 16 of the Convention?

The three forms of marriages operating side by side are legal under the law and the constitution guarantees freedom of choice. The Law stipulates that if you enter into a marriage under the ordinance then you cannot contract another marriage under customary Law and vice versa. The state is however encouraging monogamous forms of marriage whilst protecting the rights of women who find themselves in polygamous marriages. The Intestate Succession Law and the Matrimonial Causes Act 1971 (Act 367) dealing with property rights of spouses are gender neutral. The two laws apply to all the different forms of marriages in Ghana without any distinction. There are proposals however to review and amend the laws to make them more gender sensitive and responsive to the needs of women. The state is in the process of enacting a uniform legislation on spousal property distributions, in accordance with Article 22 (2) of the 1992 Constitution which provides that **“Parliament shall as soon as practicable after the coming into force of this constitution, enact legislation regulating the property rights of spouses”**.

A draft Property Rights of Spouses Bill prepared by the Attorney-General’s Department in 2002 will be discussed and worked-on further in view of the complexity of the subject, to incorporate issues relating to type and nature of properties to be distributed - whether moveable or immovable; the basis and formula for distribution, whether property should be distributed between spouses when they are still living together; and whether other extended family members are entitled to the property.

The National Machinery in collaboration with the Attorney General’s Department and the Law Reform Commission will initiate a consultative process to disseminate the draft bill to Civil Society Organizations and subject the bill to public debate. The Bill will be submitted to cabinet for approval and finally to Parliament for enactment into law.

26. The Government has acknowledged that women were not taking advantage of the law against bigamy (see para. 204 (g) of the report) and that there was a need for a national discussion on polygamy, one area that, according to the report (see para. 26), requires legal and policy reform. What kind of measures has the Government taken to raise women’s awareness and how does the Government intend to engage in a public open debate?

Government has signed the Protocol to the African Charter on Human and People’s Rights on the Right of Women in Africa and is going through the process of ratification.

Article 6 (c) of the Protocol enjoins states parties “to enact appropriate national legislative measures to guarantee that “Monogamy is encouraged as the preferred form of marriage and ensure that the rights of women in marriage and family, including polygamous marital relationships are promoted and protected. Seminars are on going to sensitize the public about the Protocol.

The Law on bigamy is explicit. Sections 262 – 272 of the Criminal Code, 1960 Act 29, deal with bigamy and related offences, and provides that whoever commits bigamy shall be guilty of a misdemeanour. In practice however, there seems to be a thin line between polygamy and bigamy, thus making it difficult for women to seek judicial redress. The Domestic Violence and Victim Support Unit formerly (WAJU) of the Police Services recorded four cases of bigamy in 2004 and six cases in 2005.

27. In the case of divorce, who usually acquires custody of children when the question is regulated by the Marriage Ordinance or the Mohammedans’ Ordinance, in the light of

information provided under the patrilineal systems of customary law (see para. 207 of the report)?

Irrespective of the type of marriage or the system of inheritance the Children's Act 1998 (Act 560) regulates issues of custody. Sections 43 and 45 deal with who can apply for custody. Section 45 (1) (2) provide for the circumstances under which custody can be granted. It states that the mother (irrespective of type of marriage) is the preferred person when it comes to the custody of a young child (below 7 years) and in all this, the best interest of the child is paramount

Section 45 (1) states *“that the family tribunal shall consider the best interest of the child and the importance of a young child being with his/her mother when making an order for custody or access”*; Section 45 (2) provides that a family tribunal shall also consider the age of the child, the views of the child if the views have been independently given; that it is preferable for a child to be with his parents except if his rights are persistently being abused by his parents, that it is desirable to keep siblings together; the need for continuity in the care and control of the child; and any other matter that the family tribunal may consider relevant.

Vulnerable groups of women**28. Please provide information about refugee women in the country and their economic and social situation.**

Ghana has over the years continued to offer settlement for Refugees mainly from West African countries and other war torn countries. UNHCR Ghana has intensified efforts to enhance the protection of refugee women within the framework of the Strategic Directions for Ghana Refugee Programme which include the five commitments of the High Commissioner to Refugee Women, the Memorandum of the Africa Bureau directive for the prevention of sexual abuse and exploitation and the Agenda for protection. UNHCR extended protection and assistance to refugee women on the basis of equality with refugee men, throughout 2005, and supported refugee women's participation in leadership and other organized structures in the refugee communities.

These initiatives provided an opportunity for refugee women to benefit from skills-training and income-generation/soft loans, supported day-care centres in refugee settlements to ensure that working refugee mothers left their children in responsible care, including specific support to a group of teenage refugee women for instance by providing sanitary towels for all refugee girls and women of reproductive age. The office also provided training on the prevention of, and response to sexual and gender based violence (SGBV) to the refugee community, police personnel and members of the Neighbourhood Watch Teams.

1ST Commitment — Participation of refugee women in refugee community management and leadership structures

UNHCR and its partners continued to underscore the importance of women's participation in all leadership and management structures in the settlement. In this light, all refugee leadership structures in the refugee settlements have adopted gender mainstreaming and representation as a pre-requisite in their composition. In Buduburam, the Liberia Welfare Council (LWC) has a woman as chairperson who assumed office in 2004 and continued throughout 2005. The LWC also has a special section on Women and Children Affairs.

In Krisan settlement, refugee leadership is based on 50% gender representation but during 2005 there were changes from the nationality-based committees to new ones based on thematic lines. Gender parity was not fully attained in the new thematic Committees though it was ensured that each committee had a female member present on it.

UNHCR continued to engage in direct empowerment strategies for refugee women's groups in the settlement. A number of these women's groups in Buduburam complemented the efforts of the existing Liberian Welfare Council (LWC). In total six women's groups are officially known to UNHCR and are operational in Buduburam settlement. UNHCR supported the groups in training on women's rights, refugee protection as well as accountability and maintaining focus on their mandate. Additionally, UNHCR supported all these women groups with equipment for their skills training programmes and stationery to run skills-training programmes for refugee women. An Africa funding agency for women's organizations, the African Women's Development Fund (AWDF) – has funded two refugee women's organizations in Buduburam settlement for projects on skills, training and creating awareness on violence against women and children in the refugee community.

2ND Commitment — Equal access to registration and documentation

The Ghana Refugee Law specifically provides for issuance of identity documents to all persons granted refugee status and all their family members. In 2005, all newly arriving female asylum seekers were individually registered with the office and the government, under the joint registration framework maintained by Ghana Immigration Service and UNHCR. However, they were not issued with identity documents but there is a plan to issue asylum seekers with identity cards. All refugee women and asylum seekers registered in the comprehensive registration and documentation exercise conducted by UNHCR and the government in 2003 hold individual registration card.

3RD Commitment — Integrated strategies on Sexual and Gender Based Violence (SGBV)

Since 2003, UNHCR has maintained an effective partnership and collaboration with the Women Initiatives For Self Empowerment (WISE), a local Women's Rights NGO, to implement a comprehensive plan for addressing Sexual and Gender Based Violence (SGBV) issues in the refugee communities. WISE continued to implement the comprehensive framework for combating SGBV through awareness raising campaigns, monitoring SGBV related violations and addressing reported cases through psychosocial counseling for survivors and their families, follow up with law enforcement, medical referral and legal support during prosecutions of suspected perpetrators of SGBV. Emphasis was placed on training and building up of services and other capacities in Buduburam settlement. This included the training of police personnel, social workers representatives of the various women groups, the Liberian Welfare Council Executives, health personnel, Peer Counsellors and SGBV Counsellors. The awareness creation in SGBV through various channels including school campaign, market place announcement, targeted the refugee community as a whole. WISE also organized Tailored Outreach Programs on important days like Father's Day, Mother's Day, Valentines Day etc. to educate the community.

Counselling programmes services have been extended to the Togolese refugees hosted in the Volta Region of Ghana, who suffered trauma and shock during the electoral violence in Togo which led to their flight to Ghana. Many refugee women lost their family members or do not know of the whereabouts of other family members. A comprehensive training programme was organized for staff of WFP and Law enforcement agencies including Ghana Police Service, Ghana Immigration Service and staff of implementing partners and other NGOs in the Volta Region.

In Krisan settlement, UNHCR continued to provide professional psychosocial care for refugee women through a psychologist working with the UNHCR Implementation Partner and the National Catholic Secretariat (NCS). Survivors of SGBV were also referred to Accra for specialized counseling. The office also organized training for the police and UNHCR partners on SGBV and the code of conduct. Selected leaders of the two main women's groups at the settlement, the Neighbourhood Watch team (NEWAT), peer counselors, health personnel and teachers were included in the WISE services providers training and had a fruitful sharing of experiences with their counterparts drawn from Buduburam refugee settlement. They were further trained in counseling skills in dealing with survivors of violence.

In order to enhance the physical protection of refugee women in the settlements, UNHCR secured the deployment of two more female police officers to Buduburam settlement increasing the total number to 4. A neighbourhood Watch Team, a volunteer group complemented the efforts of the police in ensuring the protection of the settlers and in maintaining law and order.

4TH Commitment — Refugee women's participation in the management and distribution of food and non-food items

The main distribution services in Ghana relate to food distribution for a fourth of the refugee population in Buduburam settlement, sanitary towels distribution to all refugee women of reproductive ages in the country, food and non-food items in the Volta Region for new Togolese Caseload. Food and non-food items were distributed in Krisan refugee settlement. During 2005, UNHCR worked closely with partner organizations and beneficiaries to secure the inclusion of refugee women in all distribution activities. In Krisan for example 50% of the refugees working with the distribution partner to package and oversee food distribution are refugee women. In Buduburam settlement refugee women's participation in the food distribution is 60%. In the Volta Region UNHCR and the implementing partners commenced inclusion of refugee women in the process of food distribution at the onset of the emergency – this is a new caseload of 15, 000 refugees who fled to Ghana in April/May 2005 and there are continued efforts to include more refugee women in all distribution activities.

5TH Commitment — Provision of sanitary materials to all refugee women and girls

This commitment was fully complied with during 2005 for all female refugee and asylum seekers of reproductive age living in the refugee settlement in Ghana, in the Volta Region as well as in the urban area.

Optional Protocol

29. Ghana signed the Optional Protocol to the Convention on the Elimination of All Forms of Discrimination against Women on 24th February 2000. Please indicate any progress towards its ratification.

A memorandum on the ratification of the optional protocol to CEDAW was approved by Cabinet and submitted to Parliament. The Parliamentary sub-committee on Gender and Children and the Committee on Constitutional Legal and Parliamentary Affairs discussed the memorandum and recommended its ratification in a report presented to Parliament. After an extensive discussion on the floor of Parliament a resolution was passed giving approval for its ratification as at **20th December, 2002**. The final processes towards ratification and communication to the CEDAW committee will be effected by the time Ghana presents its report in August 2006.
