



SUMMARY OF KEY ISSUES FROM PREVIOUS UPR CYCLES AND RECOMMENDATIONS MADE

Ghana received two recommendations on **Business and Human Right** during the 3<sup>rd</sup> Cycle of the UPR process in 2017. **146.51:** Integrate and apply the Guiding Principles on Business and Human Rights to all its relevant policies including licensing extractive business (Republic of South Korea); and **147.18:** Expedite action on the review of the Minerals and Mining Act to ensure sound management of the extractive sector to include control of illegal mining activities and integrate community rights (Kenya). This submission highlights specific developments and follow-up measures by Ghana in relation to the recommendations from Ghana's third cycle UPR 2017 Report and makes other recommendations to the issues raised.

NATIONAL FRAMEWORK

1992 Constitution of Ghana (Chapter 5), Land Act, 2020 (Act 1036), Minerals and Mining Act 2006 (Act 703), Occupation Safety, Health and Environment of the Minerals and Mining (Explosives) Regulations, 2012 (LI 2177), Ghana National Climate Change Policy, Ghana National Climate Change Adaptation Strategy, Ghana Forest and Wildlife Policy, 2012, Minerals and Mining (Amendment) Act, 2015 (Act 900) and Minerals and Mining (Amendment) Act, 2019 (Act 995).

CURRENT ISSUES , CHALLENGES / IMPACT

**A. EMERGING ISSUES IN MINING**

1. Human rights abuses as a result of large- scale salt production in Ada Songor lagoon area in Ada East and West Districts, by private investors (the case of Electrochem Ltd);
2. Destruction of Communities due to Improper Explosives handling by Mining (the case of the Appiate community);
3. Human rights abuses perpetrated by Mining Companies in local communities (the case of the Ellembelle District and Adamus Resources)
4. Destruction of the environment, water bodies and lands due to the mining activities especially illegal mining (*galamsey*) affecting livelihoods and causing diseases.

**B. EMERGING ISSUES IN FORESTRY**

1. Human Rights Abuse in Managing Kalakpa Game Production Reserve: Right to Standard of Living Adequate for Health and Wellbeing.
2. African Plantation for Sustainable Development (APSD) in Atebubu: Large Scale Land Acquisition and Violation of Property Rights.

**C. EMERGING ISSUES IN CLIMATE CHANGE**

1. Sea Level rise and Coastal flooding in the Keta-Anlo Area in the Volta Region of Ghana: Threat to Social Security and Livelihood.

RECOMMENDATION

**A. Recommendations to the Emerging Issues in Mining**

1. The government of Ghana should ensure that the Ministry of Lands and Natural Resources (MLNR) and the Minerals Commission prioritise the review of the Minerals and Mining Act and the domestication of the African Mining Vision, ECOWAS Mining Code and the UN Guiding Principles on Business, Security and Human Rights.
2. The MLNR, the Forestry Commission (FC) and the Minerals Commission should enforce the status and profiling of the Ada Songor Lagoon as a Ramsar Site and UNESCO Biosphere Reserve and prevent it from mining.
3. The Commission for Human Rights and Administrative Justice (CHRAJ) should immediately initiate actions to investigate, prosecute and compensate the affected persons of accidents caused by companies as a result of negligence of health and safety standards.
4. The government of Ghana should develop a business and human rights action plan which would ensure that shareholders

and management of mining companies demonstrate their commitment to the UN Guiding Principle on Business and Human Rights by taking full responsibility for the incident and review the Occupation Safety, Health and Environment of the Minerals and Mining (Explosives) Regulations, 2012 (LI 2177).

**B. Recommendations to the Emerging Issues in Forestry**

1. The MLNR and the Forest Commission should as a matter of urgency collaborate with relevant agencies to appropriately resettle and/ or admit the communities within the Kalakpa reserves.
2. The MLNR and Parliament should develop a Legislative Instrument to regulate large-scale land acquisition in Ghana as recommended by the Land Act, 2020 (Act 1036).

**C. Recommendations to the Emerging Issues in Climate Change**

The government of Ghana and Ministry of Environment, Science, Technology and Innovation (MESTI) should:

1. Develop a Coastal Development Management Policy with allocated funds to implement it;
2. Adopt an eco-friendly, non-partisan, and participatory approach to development options of the coastal region of Ghana. This would ensure that people thrive with the environment and their heritage preserved;
3. Build the capacity of local authorities to offer first-hand help to affected communities and support these communities to mitigate the effects of climate change; and build the capacity of communities to be able to respond to climate crises.
4. Develop and implement coastal disaster risk preparedness and early warning systems for local people to make informed decisions and institute appropriate compensation schemes for loss and damage to alleviate the plight of climate disaster victims for alternate livelihoods.
5. Develop a Climate Change Framework and Response Policy in line with global standards and practices to respond to changes in the climate.

ABOUT THIS FACTSHEET	REFERENCE
<p><i>This factsheet was drafted under the auspices of the Ghana UPR Civil Society Platform by the following CSOs:</i>  A Rocha Ghana, Social Support Foundation, Wacam, Centre for Public Interest Law (CEPIL), Centre for Environmental Impact Analysis (CEIA), Livelihood Empowerment Ghana (LEG), Centre for Social Impact Studies (CESIS), NECPAD, Nana Adwoa Tanaa II (Queen Mother), Environmental Advocates, United Force for Development, Civic Response, Ayongo Foundation, New Generation Concern, Devascom Foundation, Foundation for Environmental Watch, Environmental Protection Association of Ghana, Greenglobe Ghana, Ada Songor Advocacy Forum, Muthashi Foundation, Strategic Youth Network for Development, Advocate for Biodiversity, Accelerated Rural Development Organization, Zenab Family Foundation, Hired Consult, Ellebelle Community Member, Agorvie Youth for Sustainable Development, Centre for Public Interest Law, AbibiNsoroma Foundation, Women in Law and Development in Africa, UCSOND, Vision for Alternative Development, Reformation of Hope Foundation, Renel Ghana Foundation, Ako Foundation, Bogoso Community Member, Save Our Environment Foundation, Youth Volunteers for the Environment, Greener Impact International, Defense Against Aids Poverty and Underdevelopment (DAAPU) and Kasa Initiative Ghana</p> <p><b>Contact Details:</b>  Emails: <a href="mailto:ghana@arocha.org">ghana@arocha.org</a>/ <a href="mailto:kasaghana@gmail.com">kasaghana@gmail.com</a>  Websites: <a href="https://ghana.arocha.org/">https://ghana.arocha.org/</a> and <a href="https://www.kasaghana.org">https://www.kasaghana.org</a>  0302546172/ 0244936660</p>	<p>Ada: <i>Indigenes demonstrate against Electrochem Ltd over salt mining in Songor lagoon, February 10, 2022-</i> Source: <a href="https://www.classfonline.com/Elikem-Adiku">classfonline.com/Elikem Adiku</a> - <a href="https://www.classfonline.com/news/general/Ada-Indigenes-demonstrate-against-Electrochem-Ltd-over-salt-mining-in-Songor-lagoon-30605">https://www.classfonline.com/news/general/Ada-Indigenes-demonstrate-against-Electrochem-Ltd-over-salt-mining-in-Songor-lagoon-30605</a></p> <p>The Chief Executive (2022). <i>The Emergency Plan of Action (EPoA) Ghana: Explosion in Apeate</i> Retrieved from: <a href="https://adore.ifrc.org/Download.aspx?FileId=491107">https://adore.ifrc.org/Download.aspx?FileId=491107</a></p> <p>Residents demand justice for illegal miner burnt by Adamus security personnel by Akwasi Agyei Annim December 28, 2021 <a href="https://citinewsroom.com/2021/12/residents-demand-justice-for-illegal-miner-burnt-by-adamus-security-personnel/">https://citinewsroom.com/2021/12/residents-demand-justice-for-illegal-miner-burnt-by-adamus-security-personnel/</a></p> <p>Appendix 2 <a href="https://bcp.gov.gh/acc/registry/docs/MINERALS%20AND%20MINING%20(EXPLOSIVES)%20REGULATIONS,%202012%20(LI%202177).pdf">https://bcp.gov.gh/acc/registry/docs/MINERALS%20AND%20MINING%20(EXPLOSIVES)%20REGULATIONS,%202012%20(LI%202177).pdf</a></p> <p>Appendix 2  Residents demand justice for illegal miner burnt by Adamus security personnel by Akwasi Agyei Annim December 28, 2021 <a href="https://citinewsroom.com/2021/12/residents-demand-justice-for-illegal-miner-burnt-by-adamus-security-personnel/">https://citinewsroom.com/2021/12/residents-demand-justice-for-illegal-miner-burnt-by-adamus-security-personnel/</a></p> <p>Appendix 2 <a href="https://bcp.gov.gh/acc/registry/docs/MINERALS%20AND%20MINING%20(EXPLOSIVES)%20REGULATIONS,%202012%20(LI%202177).pdf">https://bcp.gov.gh/acc/registry/docs/MINERALS%20AND%20MINING%20(EXPLOSIVES)%20REGULATIONS,%202012%20(LI%202177).pdf</a></p> <p>A documentary on illegal mining: <a href="https://www.youtube.com/watch?v=1dSdvrOncM0">https://www.youtube.com/watch?v=1dSdvrOncM0</a></p> <p>A documentary on APSD Plantation: <a href="https://www.youtube.com/watch?v=OoqSPH2fkj4">https://www.youtube.com/watch?v=OoqSPH2fkj4</a></p>

