

# Joint Stakeholder Report: Human Rights Overview of Lesbian, Gay, Bisexual, and Transgender Intersex and Queer People in Ghana

Submitted for consideration at the  
United Nations Fourth Cycle of the Universal Periodic Review

**Principle submitting organization:**  
Solace Initiative (SI)



<https://solaceinitiative.org/>

Phone : +233 (0)30 273 6714, +233 (0)20 747 7530

**Email:** [info@solaceinitiative.org](mailto:info@solaceinitiative.org)

**Compiled by** Robert Amofo and Kwaku Adomako

**Date of submission:** 14<sup>th</sup> July, 2022

**Other submitting organizations:**

Rightify Ghana, LGBT+ Rights Ghana, CEPHERG, One Love Sisters Ghana, Courageous Sisters Ghana, Hope Alliance Foundation, OHF Initiative, PORSH, SAME, Glorious Interfaith Initiative, Interfaith Diversity Network of West Africa, Alliance for Dynamics Initiative, Key Watch Ghana, Sisters of the Heart, Resilience Sisters Ghana, Youth Alliance for Equality Foundation and Queer Ghana Education Fund.

## Introduction

1. This report is submitted for the fourth cycle of the UPR by Solace Initiative<sup>1</sup>, Rightify Ghana<sup>2</sup>, LGBT+ Rights Ghana<sup>3</sup>, CEPHERG<sup>4</sup>, One Love Sisters Ghana<sup>5</sup>, Courageous Sisters Ghana<sup>6</sup>, Hope Alliance Foundation<sup>7</sup>, OHF Initiative<sup>8</sup>, PORSH<sup>9</sup>, SAME<sup>10</sup>, Glorious Interfaith Initiative, Interfaith Diversity Network of West Africa, Alliance for Dynamics Initiative<sup>11</sup>, Key Watch Ghana<sup>12</sup>, Sisters of the Heart<sup>13</sup>, Resilience Sisters Ghana<sup>14</sup>, Youth Alliance for Equality Foundation and Queer Ghana Education Fund.
2. The information contained in this document was collated by the above organizations. They represent a national coalition of organizations that defend the rights of all persons including lesbian, gay, bisexual, trans\* intersex, queer and questioning persons (LGBTIQ+). The organizations met at a series of pre-submission fora to consult, discuss and identify relevant issues that need the attention of the Human Rights Council. This report was then validated for submission at a summit of over 70 CSOs, on 12-13 July 2022.
3. This report aims to direct the attention of the UPR Working Group to the serious and ongoing human rights violations that LGBTIQ+ groups and individuals face in the Republic of Ghana. It also highlights the status of implementation of previous recommendations Ghana accepted especially in the third cycle.
4. Ghana has signed and ratified/Acceded to the International Covenant on Civil and Political Rights (ICCPR), and the International Covenant on Economic Social and Cultural Rights (ICESCR). This report will highlight recent events that illustrate the following thematic issues relating to Sexual Orientation and Gender Identity (SOGI) as they relate to the international treaties to which Ghana is a party:
  - Introduction of law to criminalize LGBTIQ+ persons, in violation of Articles 2, 3, 10 of the ICCPR
  - Discriminatory applications of national laws, in violation of Articles 2, 3, 7, 9, 10, 14, 17 and 26 of the ICCPR and Articles 12(2), 15 (1) (2a&b) and Article 17(2) of

---

<sup>1</sup> Solace Initiative is an LGBTIQ+ organisation that works towards the protection of rights of LGBTIQ+ persons

<sup>2</sup> Rightify Ghana is an LGBTI human rights organisation that document and report human rights violations

<sup>3</sup> LGBT+ Rights Ghana is an LGBT organisation championing the rights and freedoms of Ghanaian LGBT+ persons.

<sup>4</sup> CEPHERG is an organisation that works on Sexual Reproductive Health and Right, HIV/AIDS programming and undertake activities for human rights protection of LGBT persons

<sup>5</sup> One Love Sisters Ghana is Muslim LBQT specific organization working towards creating an intentional safe and equitable environment for LBQT persons in Ghana.

<sup>6</sup> Courageous Sisters Ghana is an LBQ organization focused in promoting the human rights of the individuals

<sup>7</sup> Hope Alliance foundation is a human rights and health organisation

<sup>8</sup> OHF Initiative is a community-based organisation that works on advancing human rights and HIV/AIDS for Key Populations. Especially MSMs.

<sup>9</sup> PORSH is a health related LGBT organisation

<sup>10</sup> SAME is a community-based organisation that focus on human rights, health care and wellbeing of LGBT people in the Western Region of Ghana

<sup>11</sup> Alliance for Dynamics Initiative is a trans lead and Trans specific organization

<sup>12</sup> Key Watch Ghana is an Intersex and Non-Binary inclusive led and focused organization.

<sup>13</sup> Sisters of the Heart is a lesbian, bisexual and queer women organisation

<sup>14</sup> Resilient Sisters Ghana is an LBQ organisation that works on empowering women

- the Constitution of the Republic of Ghana;
  - Discrimination and violence against LGBTIQ+ persons incited by religious, traditional and political leaders, in violation of Articles 2(1), 7, 9, 17, and 26 of the ICCPR
  - Violent attacks by non-state actors in violation of Articles 2(1), 7, 9, 17, and 26 of the ICCPR and 17(2) Constitution of the Republic of Ghana
5. The end of the report provides recommendations and suggested questions to be asked during Ghana’s upcoming review, in January 2023.

## Status of Previous recommendations related to SOGI

6. Ghana has accepted a total of 6 recommendations that address human rights issues on sexual orientation and gender identity over the course of the Universal Periodic Review since Ghana’s first review in 2018.
7. During the third cycle, Ghana accepted 3 recommendations fully and 1 partially. The table below gives the status of the accepted recommendations by Ghana in the 3rd cycle:

<b>Third Cycle (2017-2022)</b>	
<b>Accepted recommendations</b>	<b>Status since the last review</b>
<b>Czechia:</b> Ensure that victims of discrimination and violence based on sexual orientation and gender identity have access to rehabilitation and remedy and that all perpetrators are punished (6.60)	Not implemented
<b>Ireland:</b> Take the steps necessary to protect LGBTI persons from violence and discrimination on the basis of their sexual orientation and gender identity (6.59).	Not implemented
<b>Italy:</b> Take measures to fight against violence and discrimination based on sexual orientation and gender identity (6.61)	Not implemented
<b>Colombia:</b> Continue strengthening the application of the Discrimination Complaint System that allows to protect the rights of people because of their sexual orientation and gender identity, and encourage that the education system include guidelines to prevent discrimination against students (7.2) <sup>15</sup>	Not implemented

<sup>15</sup> Recommendations have been examined by Ghana and have been partially accepted by Ghana. The explanation for partially accepting this recommendation can be found below in the section ‘SOGIESC Mentions During Ghana’s UPR Outcome (Item 6 of the Agenda of the Human Rights Council)’.

## The State of Ghana's Voluntary Commitments to Human Rights Protection (2017-2021)

8. Following the third cycle, Ghana committed itself to “take measures to fight against violence and discrimination...” (Ireland and Italy 2017), to “strengthen the discrimination reporting system” (Colombia 2017) as per the CHRAJ ‘action plan’ that the attorney general referred to and that to ensure that “victims against discrimination and violence... have access to rehabilitation and remedy and that all perpetrators are punished” (Chezia 2017).
9. However, despite the promises that Ghana made at the end of the third cycle, it has not made any strides toward ensuring the protection of persons from violence or discrimination based on lived or perceived sexual orientation, gender identity and expression, and sex characteristics (SOGIESC). It has not done so in the form of new/strengthened laws, policies, or public institutional commitments.
10. Instead, since the 2017 UPR, the actions of the state towards SOGIESC issues have worsened. A major action to this effect is the proposal of an anti-LGBTIQ+ law by some members of parliament to criminalize further LGBTIQ+ persons and prescribe sanctions against them.
11. Notwithstanding the worsening state of LGBTIQ+ persons in Ghana, NGOs included in this report can cite their involvement in piecemeal collaboration with police that helped initiate investigations into allegations of attacks and threats against LGBTIQ+ persons. The police have attempted to hold perpetrators accountable for “violence perpetrated against individuals<sup>16</sup> based on SOGIESC but to date, there is no record of perpetrators of violence against LGBTIQ+ persons prosecuted and punished.
12. Although investigations have been initiated, it is unclear whether full prosecution has ever been achieved through the formal legal system. These investigations are the fruits of the efforts of activists, not official state policy aimed at implementing the recommendations received in the third cycle of the UPR. Unsystematized, these state responses were not evidence of improvements but evidence of how activists attempted to mend the institutional gaps borne of a climate of indifference.
13. For example, in 2019 Kasoa-Buduburam a group of young men were luring men over Grindr to a place in Kasoa-Buduburam, in the Outskirts of Accra.
14. The four men would ambush the victims, strip naked and humiliate them while filming them. The four would hold the victims hostage for up to several days to extort money from. As videos leaked and went viral, some of the activists who are included in this submission used ad hoc means investigative techniques to identify and locate the house. Through the referral of high-ranking members of the police, they were able to engage reluctant local police to attempt to arrest the perpetrators, in part by posing as a new victim through Grindr. The police would not cooperate unless activists printed the necessary documents and even provided gas to drive their vehicles to the scene of the crime. Ultimately, the men were caught and police investigations found videos of over 20 victims, some of whom were army officials. Several victims were invited to come to court

---

<sup>16</sup> Priorities of which are reflected by recommendations made by Belgium and Canada in 2012, and Czechia, Ireland and Italy.

to assist in the prosecution of the perpetrators, but the general dysfunction (prosecutors and perpetrators not showing up, judges going on extended holidays) dragged the case so long that the victims decided to drop the case.

15. Ghana made six voluntary commitments to provide legal redress for instances of violence and discrimination while strengthening existing national human rights organs to this effect. Until 2021, the state had made little to no progress to achieve; instead, activists had to fill the gap. Otherwise, when it came to issues relating to SOGIESC, citizens emboldened to attack people they suspected to be sexual or gender minorities rarely had consequences as the state's attitude was characterized by a generalized indifference. However, in the following sections, we show a shift from indifference to active persecution.

## Improvement

16. At the time of the compilation of this report, there were no records of improvements made by the state towards advancing the human rights protection of LGBTIQ+ persons based on their real or perceived sexual orientation or gender identity.

## Regressions

### Introduction of law to further criminalize LGBTIQ+ persons

17. Notwithstanding the overwhelming recommendations Ghana has received since the second cycle (recommendations 126.16, 126.17, 126.18, 126.22) and the third cycle (recommendations 7.32, 7.34, 7.36, 7.8, 7.9, 7.10, 7.12, 7.27, 7.30) on decriminalization of LGBTIQ+ persons, these recommendations have never enjoyed the full or partial support of the state. There has been no effort to review or repeal the law.

18. In fact, a bill titled "Promotion of Proper Sexual Rights and Ghanaian Family Values Bill, 2021"<sup>17</sup> has been introduced in parliament through a private member's bill process by 8 members of parliament. The bill in its introductory section states:

"An act to provide for proper human sexual rights and Ghanaian family values; proscribe LGBTQ+ and related activities; proscribe propaganda of, advocacy for, or promotion of LGBTIQ+ and related activities..."<sup>18</sup>

19. If passed into law the bill will criminalize LGBTIQ+ identities, any activity to protect, promote or advocate for the rights of LGBTIQ+ persons, any person that supports or provides services to LGBTIQ+ persons and anyone found in contravention of some of the provisions of this bill could be imprisoned up to 10 years. While also institutionalizing psychological, hormonal and surgical 'conversion therapies' the Bill requires medical practitioners to report LGBTIQ+ persons who may seek medical treatment. The World Psychiatric Association stated in 2016 that "There is no sound scientific evidence that innate sexual orientation can be changed" and called attempts to change SOGIESC

---

<sup>17</sup> Samuel Nartey George et al., "Promotion of Proper Human Sexual Rights and Ghanaian Family Values Bill, 2021" (Parliament of Ghana, 2021), <https://cdn.modernghana.com/files/722202192224-0h830n4ayt-lgbt-bill.pdf>.

<sup>18</sup> Ibid.

“wholly unethical.”<sup>19</sup> The UN Independent Expert on Sexual Orientation and Gender Identity has also catalogued a litany of independent accounts of the harm this causes.<sup>20</sup>

20. Timeline of events leading to the further criminalization of LGBTIQ+ persons

May 5, 2018	The Executive Secretary and Spokesperson for the National Coalition for Proper Human Sexual Rights and Family Values (National Coalition) gave an exclusive interview to the Ghana News Agency, during which he announced that his coalition would present draft legislation to the parliament. The bill would be entitled “Comprehensive Solution Based Legislative Framework for Dealing with LGBT phenomenon’. It would provide psychological, and surgical support for people looking to change their sexual orientation and gender identity, while meting out punishments for people who ‘think it is a lifestyle.’ <sup>21</sup> This is a key element of the “Promotion of Proper Human Sexuality and Ghanaian Family Values Bill” later introduced in June 2021 to criminalize LGBTIQ+ identities, support, allyship and organizing.
Sept-Dec 2019	The National Coalition, political elites and religious leaders stall the introduction of CSE guidelines, claiming it is a subtle attempt to infuse an LGBT agenda into the curriculum. <sup>22</sup> This foments an anti-LGBTIQ+ that dovetails with the World Congress of Families (WCF) African Regional Conference (ARC).
Oct 31 to Nov 1, 2019	The World Congress of Families African Regional Summit takes place around the controversy surrounding CSE, reaffirming the belief that LGBT identities and movement building are alien to Africa and testing “holistic sexual therapy systems to bring healing and comfort to Africans and other persons with LGBTQI disorders.” <sup>23</sup> ‘Holistic sexual therapy system’ is the term the National Coalition and the Anti-LGBT bill’s proponents use to attempt to codify into law, and mainstream, conversion therapy.
July 17, 2020	Parliament enacts the Private Members Bill system, allowing "members of the House (the Parliament), citizens, CSOs and unions" to "draft and initiate legislation.” <sup>24</sup> Before this, only the executive branch of government could present bills to the Parliament.

<sup>19</sup> Dinesh Bhugra et al., “IAPA Position Statement on Gender Identity and Same-Sex Orientation, Attraction and Behaviours,” *World Psychiatry*, no. 3 (October 2016): 299–300, <https://doi.org/10.1002/wps.20340>. <https://www.ncbi.nlm.nih.gov/pmc/articles/PMC5032493/>

<sup>20</sup> Independent Expert on Violence and Discrimination Based on Sexual Orientation and Gender Identity, “OHCHR Practices of So-Called ‘Conversion Therapy’: Report of the Independent Expert on Protection against Violence And discrimination Based on Sexual Orientation and Gender Identity” (Geneva, Switzerland, May 1, 2020), <https://www.ohchr.org/en/documents/thematic-reports/practices-so-called-conversion-therapy-report-independent-expert>.

<sup>21</sup> Ghana News Agency, “Bill to Criminalise Homosexuality Coming Soon - Foh Amoaning,” *GhanaWeb*, May 29, 2018, General News edition, <https://www.ghanaweb.com/GhanaHomePage/NewsArchive/Bill-to-criminalise-homosexuality-coming-soon-Foh-Amoaning-655883>.

<sup>22</sup> Rita Nketiah, “‘God Has A New Africa’: Undercover in a US-Led Anti-LGBT ‘Hate Movement,’” *OpenDemocracy*, December 11, 2019, <https://www.opendemocracy.net/en/5050/god-has-a-new-africa-undercover-in-a-us-led-anti-lgbt-hate-movement/>.

<sup>23</sup> Nketiah.

<sup>24</sup> Ghanaian Times, “Parliament Adopts Proposal for Enactment of Private Members’ Bills,” *GhanaWeb*, July 17, 2020, <https://www.ghanaweb.com/GhanaHomePage/NewsArchive/Parliament-adopts-proposal-for-enactment-of-Private-Members-Bills-1010062>.

death of an unborn child.”<sup>25</sup> It will be later understood by this coalition and ally activists as a law bearing the mark of Ghana’s ‘Family Rights’ movement led in part by the National Coalition<sup>26</sup>

29 Jun 2021 | 8 PMs Introduce the Private Members’ Bill “Promotion of Proper Human Sexual Rights and Ghanaian Family Values Bill, 2021” to parliament. The Bill is written by the National Coalition<sup>27</sup>

### Discriminatory application of national laws

21. Ghana continues to hold on to its Criminal Offences Act 1960 (Act 29). Subsection (1)(b) of Section 104 of Ghana’s Criminal Offences Act criminalizes consensual “unnatural carnal knowledge”<sup>28</sup> but does not define what is and what is not natural. Ghanaian legal institutions and law enforcement often interpret “unnatural carnal knowledge” to mean the penetration of a male sexual organ into any opening of another human part that is not the female sexual organ.<sup>29</sup> Notwithstanding this definition, this law is used almost exclusively against LGBTIQ+ persons. This targets and discriminates against individuals based on their perceived or lived SOGIESC while providing no avenue for legal recourse and protection. Ghana’s police also increasingly use ‘Gross Indecency’ (Section 278) and Unlawful Assembly (Section 201) to harass and detain LGBTIQ+ persons disproportionately.
22. In February 2021 the police closed an LGBTIQ+ office space because they believed the activities of the organization in that office are in contravention of section 104 (1)(b) as stated above. The LGBTIQ+ organization was denied their rights to freedom of association (Article 21(1e) and freedom of assembly (Article 21(1d)) as contained in the Constitution of Ghana.
23. In July 2021 the police arrested some 21 LBQ women, trans and intersex activists who were holding a workshop in Ho, the capital town of the Volta Region. In a statement released by the Public Affairs Unit of the Volta Branch of the Ghana Police Service, they mentioned that they arrested and detained the 21 activists because their gathering was in contravention of Section 201 of the Criminal Offences Act 1960 (Act 29).<sup>30</sup> They were charged with unlawful assembly. Four UN Special Procedures released a ‘Joint Communication’ on 2 June 2021,<sup>31</sup> and a press statement on 4 June<sup>32</sup> expressing concern and listing the human rights that the detention violated. One Intersex person

<sup>25</sup> Joseph Opoku Gakpo, “Parliament Passes Road Traffic Amendment Bill,” *MyJoyOnline.Com*, December 18, 2020, sec. National, <https://www.myjoyonline.com/parliament-to-pass-private-members-bill/>.

<sup>26</sup> CDD Ghana, *Press Conference by the Coalition of Professors, Legal Minds and Human Rights Activists against Anti-LGBTQ Bill* (Accra, Ghana, 2021), [https://web.facebook.com/watch/live/?ref=watch\\_permalink&v=136365525333207](https://web.facebook.com/watch/live/?ref=watch_permalink&v=136365525333207).

<sup>27</sup> The National Coalition For Proper Human Sexual Rights And Family Values, “Institutional Profile,” October 18, 2021.

<sup>28</sup> Criminal Offences Act 1960 (Act 29) The Republic of Ghana

<sup>29</sup> Republic of Ghana, *Banousin v Republic*, No. J3/2/2014 (Supreme Court March 18, 2014).

<sup>30</sup> Public Affairs Unit, Volta , Ho, “21 LGBTQI Members Remanded for Unlawful Assembly in Ho” (Ghana Police Service, May 21, 2021), <https://twitter.com/ghpoliceservice/status/1395771457251205124?lang=en>.

<sup>31</sup> OHCHR, “Joint Communication from Special Procedures,” June 2, 2021.

<sup>32</sup> OHCHR, “Ghana: UN Rights Experts Condemn Arbitrary Arrest of LGBT Human Rights Defenders, Urge Their Release,” OHCHR, June 4, 2021, <https://www.ohchr.org/en/press-releases/2021/06/ghana-un-rights-experts-condemn-arbitrary-arrest-lgbt-human-rights-defenders>.

“was stripped naked and tortured in police custody. She says that police officers forcefully examined her genitals, shoved her into a male cell, insisted that she was not a woman and encouraged male prisoners to rape her.”<sup>33</sup> They were released on 11 June as not it was clear that doing so would have violated their rights<sup>34</sup>. Their case was dismissed on 2 Aug 2021. As of 17 June 2022, three of the 21 who were arrested are in constitutional litigation in the Ghana High Court seeking redress for discrimination. The 21 activists were detained for over 21 days and were denied bail four times.<sup>35</sup> The case was dismissed by the court due to a lack of evidence to continue with the case.

### Incitement to discrimination and violence from religious, traditional and political leaders

24. Religious, traditional and political leaders continue to incite violence, discrimination and denial of basic services against LGBTIQ+ persons because of their perceived sexual orientation or gender identity. Many religious leaders use their religion as a tool to call on their members to kill, arrest or beat up LGBTIQ+ persons. Some make hate speeches against the LGBTIQ+ community and promote conversion therapy as a solution to heal LGBTIQ+ persons. This is also perpetrated by traditional leaders who in some instances take their victims through degrading and inhumane treatments.
25. Political leaders continue to make hate speech against LGBTIQ+ persons and in some cases threaten to make stiffer laws to further criminalize LGBTIQ+ persons. In fact, in August 2021, 8 parliamentarians proposed the “Promotion of Proper Sexual Rights and Ghanaian Family Values, Bill, 2021” which is set to criminalize LGBTIQ+ identity, activism and support of any kind to the LGBTIQ+ community in Ghana.

### 26. Timeline of Events

Mar 21, 2021	The Church of Pentecost and the National Coalition hold a National Prayer Rally leading up to the introduction of the anti-LGBT-Bill four months later. <sup>36</sup> During this event present the parliamentarians that will present the bill; they also make it known that there is a network of journalists that intentionally slant all coverage relating to LGBT issues. The head of the Journalist Against LGBT+ stated that though the media should be impartial, “we as journalists believe that homosexuality is immoral” and something “we should not condone in our media space.” He ended his intervention by assuring the Christian council, and the ecumenical councils, “the media are strongly behind you. We are ready to fight for the lord.”.
Oct 28, 2021	The Spokesperson of the National Chief Imam, Sheikh Aremeyaw Shaibu says “LGBTQ+ is a violation of natural order...and a war against ...family values. He calls for Ghanaians "to avoid ...being misguided or miseducated using terminologies such as 'human rights and freedom". He continues, "[t]hese words are used to disguise the very context of the discussions." The National Chief Imam aligns himself with the National Coalition, "The spokesperson said words like 'hate and intolerance' are all distractions being used to divert attention on the core

<sup>33</sup> Rita Nketiah, “Ho21 Anniversary: Reflections on State-Sanctioned Violence Against LGBTI Ghanaians,” *Human Rights Watch* (blog), May 20, 2022, <https://www.hrw.org/news/2022/05/20/ho21-anniversary-reflections-state-sanctioned-violence-against-lgbti-ghanaians>.

<sup>34</sup> Nketiah.

<sup>35</sup> Rita Nketiah, “A Year on from the Ho 21 Arrests, Queer Ghanaians Fear More to Come,” *African Arguments*, May 20, 2022, sec. Ghana, <https://africanarguments.org/2022/05/a-year-on-from-the-ho-21-arrests-queer-ghanaians-fear-more-to-come/>.

<sup>36</sup> Church of Pentecost, *National Prayer Rally on LGBTQI+ Homosexuality: A Detestable Sin to God* (Accra, Ghana, 2021), [https://web.facebook.com/watch/live/?v=19655992227331&ref=watch\\_permalink](https://web.facebook.com/watch/live/?v=19655992227331&ref=watch_permalink).



issues and concerns.<sup>37</sup>

Mar 21, 2022 OpenDemocracy launches a report on the media disinformation campaign against Ghana's LGBTIQ+ community. From a sample of 138 false online reporting, 44% were on news websites, despite them being regulated by the state.<sup>38</sup>

"These instances are only a sample of what is available online, however, and did not include offline broadcasts or print content." ("The media disinformation campaign against Ghana's queer community")

They capture the head of the 'Journalists Against LGBT+' stating: "he called a local radio station to say: 'We will expose and show where the gays and lesbians live; 98% of Ghanaians are against it and if Ghanaians want to beat them, so be it.'"

Ghanaian journalists are driving an anti-LGBTIQ campaign that could result in one of the world's harshest homophobic laws.

### Violent attacks by non-state actors

27. The state has not taken any steps to address incidents of violence and discrimination against LGBTIQ+ persons since the third cycle. Individuals continue to physically abuse LGBTIQ+ persons because of their real or perceived sexual orientation or gender identity. Some are lured through social media platforms, beaten up, and have pictures taken of them naked and these pictures are used to blackmail them. The lack of examples of punishment of perpetrators of these acts against LGBTIQ+ people by the state has contributed to the perpetuation of these incidents by anti-LGBTIQ+ vigilante groups and others.
28. For example, among the recent submissions to the Parliament of non-reported cases of abuse, Rightify Ghana (a contributing NGO to this submission) included a particularly harrowing case of a former schoolteacher who used to live in Northern Kumasi. Now living in a European country, he recounted how he was reportedly fired in 2016 because of his feminine demeanour. His superiors accused him of 'recruiting' students into homosexuality. Then, in August 2019, when he was returning from an evening church service, a group of men attacked him. Accusing him of homosexuality, they brought him to an unfinished building where they raped him. They forced a wooden object up his rectum until he bled. He sought medical treatment at Mamponteng Health Center where nurses refused to treat him based on his perceived sexual orientation. When he sought legal redress from the police, they told him he deserved it. His cousin even instructed his mother to poison his food because he brought shame to the family. After finding out, he fled his home and eventually left Ghana permanently to claim asylum in another country.

<sup>37</sup> Ghana Broadcasting Corporation, *It's a Violation of Natural Order- Sheikh Aremeyaw Shaibu*. (Accra, Ghana: GTV Breakfast Show, 2021), <https://www.facebook.com/watch/?v=204644098476291>.

<sup>38</sup> Lydia Namubiru, "The Disinformation Campaign Targeting Ghana's LGBT Community," *OpenDemocracy*, March 21, 2022, <https://www.opendemocracy.net/en/5050/ghana-lgbt-queer-community-media-disinformation-campaign/>.

## Conclusion

The state has since the 3<sup>rd</sup> cycle UPR has not made any move towards implementing the recommendations from that cycle. Currently, parliament is considering an anti-LGBT law called “Promotion of Proper Human Sexual Rights and Ghanaian Family Values Bill, 2021” which if passed into law will further worsen the protection of LGBTIQ+ rights in Ghana.

Since the proposal of the Bill, incidents of violence against LGBTIQ+ persons has increased. Many religious and traditional leaders are promoting conversion therapy and some politicians continue to make hate speech against LGBTIQ+ persons.

## Recommendations

1. Take measures to ensure the realization of recommendations 7.32 and 7.29 by avoiding the passage of the “Promotion of Proper Human Sexual Rights and Ghanaian Family Bill, 2021” into law.
2. Implement recommendations 7.32, 7.34, 7.36, 7.8, 7.9, 7.10, 7.12, 7.27, 7.30 from the third cycle and repeal section 104 (1)(b) of the Criminal Offences Act 1960 (Act 29) and replace it with laws that protect LGBTIQ+ persons from violence and other human rights abuses based on real or perceived SOGIESC.
3. Reject the “Promotion of Proper Human Sexual Rights and Ghanaian Family Values Bill, and implement human rights laws that protect the LGBTIQ+ community from violence and discrimination.
4. Implement recommendations 6.59, 6.60, 6.61, 7.40 and 7.38 by providing training to recruits and police already in the service (especially officers that receive and process cases reported at the police stations) to understand LGBTIQ+ issues. The training should attune them to the violence LGBTIQ+ persons face, equipping the police with adequate tools, professionalism and knowledge of international and national human rights regulations to deal with assault and violence against LGBTIQ+ persons.
5. Use the National Commission for Civic Education and the Commission on Human Rights and Administrative Justice to hold public education campaigns on the duty to respect the rights of all persons including LGBTIQ+ persons
6. State should invite the Independent Expert on SOGI to conduct a state visit and draft a report that will help produce policies that help protect LGBTQ+ persons from the violence and discrimination they face.
7. Desist from using state resources and state laws to promote so-called conversion therapy and sanction any religious, medical or traditional institution or person that uses attempts to convert LGBTIQ+ persons.
8. Empower the National Media Commission to sanction any media house that uses its media platform to propagate misinformation, hate, discrimination or violence against the LGBTIQ+ community.