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UNIVERSAL PERIODIC REVIEW

Report of the Working Group on the Universal Periodic Review

Ghana

Addendum

**Views on conclusions and/or recommendations, voluntary commitments and replies presented
by the State under review**

Views on conclusions and/or recommendations, voluntary commitments and replies presented by the State under review

1. The Permanent Representative of Ghana to the United Nations Office at Geneva, in his opening remarks, welcomed the report of the Working Group on the Universal Periodic Review, which was discussed on 7 May 2008. The report covered, inter alia, the interactive dialogue held during the review and the conclusions and recommendations made by delegations. The Government of Ghana confirmed its acceptance of the 22 recommendations listed in paragraph 68 of the report. In accordance with the undertaking made by the delegation at the review, the Government had carefully examined the other recommendations listed in paragraph 69 of the report and wished to reply as follows.

2. Regarding the abolition by law of the use of corporal punishment in all situations, all punishment in Ghana must be reasonable. Corporal punishment in its classical sense had been abolished. Caning could only be exercised by the principal of the school and only in specific circumstances and under specific guidelines; any breach of these guidelines was sanctioned by law. Unreasonable punishment in the home was also sanctioned by existing laws, including the Domestic Violence Act, the Children's Act and the Criminal Code of Ghana.

3. Concerning the recommendation on the adoption of a legal moratorium on the death penalty and the ratification of the Optional Protocol to the International Covenant on Civil and Political Rights aimed at the abolition of the death penalty, the Representative referred to the previous response of Ghana at the universal periodic review session held in May 2008, and reiterated the fact that this was an entrenched provision in the Constitution that required a referendum before it could be amended. In the interim, the Government would continue to maintain the de facto moratorium on the application of the death penalty.

4. Regarding the enactment of the Freedom of Information Bill, Ghana shared the view of those who had made the recommendation for such a law, that it was important and that it was intended to consolidate democracy. It was with this mind that the Right to Information Bill was being prepared within the framework of ongoing consultations with relevant stakeholders.

5. With regard to the recommendation concerning the implementation of measures to abolish polygamy in Ghana, in accordance with the Convention on the Elimination of All Forms of Discrimination against Women, Ghana informed the Council that there were three forms of marriage in the country: the ordinance marriage, the customary law marriage and Islamic marriage. With the exception of ordinance marriage, the other forms of marriage were in conformity with the customs and traditions of Ghana. With regard to faith-based marriages, chapter 5 of the Constitution guaranteed freedom of religion. There was therefore a problem in abolishing the practice since it would be an infringement of the right to practise one's faith.

6. The recommendation on combating discrimination against minority groups, immigrants and children with disabilities was found to be rather curious, and Ghana was therefore not able to accept it, given that the situation that the Government was required to fight against did not even exist. The Constitution of Ghana guaranteed the protection of rights of all individuals and groups resident within its territory and, for that matter, all acts that tended to deny any such individual or group of people their inalienable rights could be sanctioned. Ghana continued to host a large number of immigrants, including those who had fled their countries as a result of social unrest, economic deprivation or otherwise, and who, over the years, had come to consider Ghana their home. Such people were guaranteed their rights as long as they abided by the rules and regulations that

contributed to making the country a safe haven for both its citizens and foreigners. The Disability Act and the Children's Act had both been passed to protect the rights of children with disabilities.

7. In his closing remarks, the Permanent Representative stated that Ghana was thankful to all Member States and the stakeholders who had participated in the review exercise for their very important and constructive contributions, offered by way of comments, observations, criticisms or recommendations. The review had been enriched by those contributions and Ghana was grateful. He conveyed the sincere appreciation of Ghana to the troika members - Sri Lanka, Bolivia and the Netherlands - for their understanding, commitment and cooperation, which were vital to achieving the balanced report that they had before them. In a similar vein, he thanked the Secretariat for its extremely helpful role in facilitating the compilation of the report. The delegation of Ghana further wished to reiterate the importance that Ghana attached to the promotion and protection of human rights and to the universal periodic review process, which sought to improve the human rights situation on the ground. Ghana would continue to discharge its responsibilities by ensuring that all its citizens enjoyed the full compliments of a safe and sound society in which the respect for human rights was pre-eminent.
