

FACTSHEET – UPR 2017, GHANA

3rd CYCLE UNIVERSAL PERIODIC REVIEW

VIOLENCE AGAINST GIRLS (VAG)



SUMMARY OF KEY ISSUES FROM PREVIOUS UPR CYCLES AND RECOMMENDATIONS MADE

Ghana was to strategically plan regarding domestic violence, in particular violence against women and girls. Furthermore, Ghana was to take necessary legislative and practical measures to eradicate violence against women and girls in all its forms and to promote gender equality. Ghana committed to enforcing the Domestic Violence Act 2007, (Act 732) and laws prohibiting harmful practices, including “trokosi”.

Other recommendations included strengthen awareness-raising campaigns on the issue of violence against women, bringing perpetrators of such crimes to justice. To fully implement the Domestic Violence Act, Ghana needs to further strengthen the system including adequate funding to allow all victims of violence receive protection services including coverage of cost of their medical examination and eliminate long delays in court proceedings.

NATIONAL FRAMEWORK

Ghana's 1992 Constitution, promotes the protection of the human rights of its citizenry, including children. In 1990, Ghana ratified the (UNCRC) and domesticated it in the Children's Act, 1998 (Act 560). Ghana is also party to the UNCRC Optional Protocol on the involvement of children in armed conflict; however it has not yet ratified the OP on the sale of children, child prostitution and child pornography, nor the OP on a communications procedure. In 2005, Ghana ratified the African Charter on the Rights and Welfare of the Child (ACRWC).

The national legal framework for protection of children's rights in Ghana encompasses the *Juvenile Justice Act, 2003 (Act 653)* – specifically to protect children within the juvenile system; *the Criminal Offences (Amendment) Act, 1998 (Act 554)*, the *Human Trafficking Act 2005, (Act 694)*, the *Domestic Violence Act, 2007 (Act 732)* and the *Persons with Disability Act, 2006 Act 715*. To enhance engagement with community and other key actors, the government has developed a communication for development tool kit (C4D), to support the implementation of the Child and Family Welfare Policy, the Justice for Children Policy and other legal and policy framework supporting Ghana's child protection programmes

Prevalence of sexual and gender-based violence, particularly affecting girls and young women remains high. More than half of VAC cases reported to the DOVVSU in 2013 was defilement. According to DCI-Ghana's 2016 study, child respondents had experienced at least one forms of sexual violence. 39.4% has suffered indecent assault, 17.9% defilement, 8% rape and 5.4% had experienced incest.

Currently, there is an estimated of 1.9 million children engaged in labour - 21.8% of the children population in Ghana - and child trafficking is an acute problem with no evidence of being reduced despite Government and civil society efforts in recent years to address these problems

Parliament in response to public out cry against the practice, enacted the Criminal Code (Amendment) Act, 1998, (Act 554) and criminalized all customary practices of servitude and ritual enslavement such as Trokosi making it an offence punishable by a minimum of three (3) years in jail. There has also been an increase in governmental efforts to address the issue of Trokosi. Non-governmental organizations (NGOs) are also working with communities to provide development infrastructure such as schools and boreholes while encouraging shrine priests to accept livestock or monetary donations, instead of young virgin girls, from families seeking to appease the gods.

CHALLENGES

IMPACT

1 Inadequate programme intervention

Services for children victims of violence are inadequate and non-existent in most parts of the country. State agencies like DOVVSU and DSW are supposed to provide such services but do not have sufficient budget to fulfil their mandate. Other service providers, mostly NGOs, are unable to meet the needs of all children victims of violence. Moreover, coordination among the different actors is lacking and there are not efficient referral mechanisms.

1. Due to the growing challenges related to accessibility to services for children victims of violence, there is a high number of children that do not receive the services they are entitled to. In addition, a high number of children continue to suffer abuse, violence and exploitation within most of communities in Ghana since there is a lack of prevention mechanisms.



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2. Weak Child protection system

Child protection systems and services are inadequate in the communities, where there is no coordination between the formal and informal systems. Victims of violence or exploitation do not have immediate access to these services. Underreporting and stigma associated with sexual violence are fuelled by ignorance, cost, inadequate facilities and resources as well as delayed prosecution.

3. Child labour issues

Child labour remains a challenge despite its prohibition in the Children’s Act 1998, (Act 560). The development of children in street situation, including ‘kayayie’ is hampered as they are denied of their rights to education, health and shelter, among others.

4. Trokosi

Trokosi, a practice where young girls are sent to fetish shrines to live and atone for the crimes of their family members persists partly due to lack of enforcement of legislation especially arrest and prosecution.

Victims of (sexual) violence continue to bear the costs of medical examination that prove crucial not only for their physical and psychological recovery but also to enable them to access justice. In addition, investigation procedures and subsequent prosecution of offenders remain a major challenge, leading to a high rate of impunity.

Considering the various difficulties to access education and decent work opportunities, children continue to be caught in some forms of child labour, in particular artisanal and small-scale mining: 29.8% of children interviewed by DCI-Ghana indicated that they had experienced child labour.

4. These young girls suffer a lot of abuses in these shrines including child labour and sexual violence. Some end up as child brides of the priests.

These young girls suffer a lot of abuses in these shrines including child labour and sexual violence. Some end up as child brides of the priests. Failure to arrest and prosecute offenders continues to be a major setback in the efforts to stop the practice.

RECOMMENDATIONS

1. Allocate adequate financial and human resources to the Ministry of Gender, Children and Social Protection, Department of Children, Department of Social Welfare, Child Labour Unit, Domestic Violence and Victim Support Unit (DOVVSU) of the police, to effectively implement the Child and Family Welfare Policy and the Justice for Children Policy, among others.
2. Establish centres and strengthen the capacities of existing centres that provide psycho-social, rehabilitation and reintegration services for victims of violence, with the effective involvement of local communities and relevant civil society organisations.
3. Take practical measures to ensure access to justice for all victims of violence, including by ensuring that victims do not have bear the costs of medical examination, and allocate sufficient resources to the Police and Justice Department to enable investigation, prosecution and punishment of offenders.
4. Enforce legislation on Trokosi, arrest and prosecute offenders.

ABOUT THIS FACT SHEET

This information sheet was coordinated by child rights partners including Ghana NGO Coalition on the Rights of the Child (GNCRC), Defence for Children, Ghana, Plan International Ghana and Ghana Human Rights NGOs Forum.

REFERENCES:

Ghana Living Standard Survey 2015, DOVVSU report 2009, 2013 and 2015

