



CHRAJ

THE COMMISSION ON HUMAN RIGHTS
& ADMINISTRATIVE JUSTICE

GHANA

EIGHTEENTH
ANNUAL REPORT 2011



The Speaker of Parliament
Parliament House
Accra

Madam Speaker,

In accordance with the provisions of Article 218 (g) of the 1992 Constitution, and Section 7 (1) (h) of the Commission on Human Rights and Administrative Justice Act 1993 (Act 456), I am pleased to present the Eighteenth Annual Report of the Commission for the period January 1 to December 31, 2011.

Yours sincerely,

Richard A. Quayson
Deputy Commissioner

Commission Members



Laretta Vivian Lamprey
Commissioner



Richard Ackom Quayson
Deputy Commissioner

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LIST OF ACRONYMS

ALAC	Advocacy & Legal Advice Centre
AIDS	Acquired Immune Deficiency Syndrome
ART	Anti-Retroviral Therapy
CHRAJ	Commission on Human Rights and Administrative Justice
CHRI	Commonwealth Human Rights Initiative (CHRI)
CPI	Corruption Perception Index
CSOs	Civil Society Organizations
DANIDA	Danish International Development Agency
DFC	DANIDA Fellowship Center
DFID	Department for International Development
DOVVSU	Domestic Violence and Victims Support Unit
EITI	Extractive Industries Initiative
EOCO	Economic and Organized Crime Office
ESCR	Economic Social and Cultural Rights
GACC	Ghana Anti-Corruption Coalition
GBC	Ghana Broadcasting Corporation
GDP	Gross Domestic Product
GES	Ghana Education Service
GII	Ghana Integrity Initiative
GSFP	Ghana School Feeding Program
HIV	Human Immune Deficiency Virus
ICT	Information and Communication Technology
LCD	Liquid-Crystal Display
LI	Legislative Instrument
MACC	Malaysia Anti-Corruption Commission
MDG	Millennium Development Goal
MoU	Memorandum of Understanding
MOWAC	Ministry of Women and Children Affairs
NACAP	National Anti-Corruption Action Plan
NAHRAP	National Human Rights Action Plan
NCCE	National Commission on Civic Education

NGO	Non-Governmental Organization
NHRI	National Human Rights Institution
NHIS	National Health Insurance Scheme
NSRC	National Road Safety Commission
PLWHA	Persons Living With HIV/AIDS
PRC	Planners Registration Council
PTA	Parents/ Teachers Association
SOHR	State of Human Rights Report
TV	Television
UN	United Nations
WFCL	Worst Forms of Child Labour

COMMISSIONERS' MESSAGE

It gives me much pleasure to present the 2011 Annual Report of the Commission on Human Rights and Administrative Justice (CHRAJ), the 18th edition since the Commission was established.

CHANGE IN LEADERSHIP

The year 2011 witnessed further changes within the leadership of the Commission.

Ms. Anna Bossman, who took over again as Acting Commissioner following the retirement of Mr. Emile Francis Short in November 2010, also took an early retirement in June 2011, after nine years of dedicated service to the Commission and the nation, leaving only one deputy commissioner at post. Her early retirement was a great loss to the Commission considering her immense experience and age.

The Commission is very grateful to Ms. Bossman for her remarkable contribution to the growth of the Commission over the years. She will be sorely missed by the Commissioners, staff and partners alike.

APPOINTMENT OF NEW COMMISSIONER

On July 27, 2011 Ms. Laretta Vivian Lamprey was appointed the substantive Commissioner of CHRAJ, and immediately assumed office. Ms Lamprey brings to the Commission a wealth of experience from the private sector that should broaden the outlook of the leadership and strengthen the Commission.

I take this opportunity to congratulate Ms. Lamprey on her appointment as the first female substantive Commissioner, and look forward to building another strong team to lead this very important institution.

2011 PERFORMANCE

The Commission has since its establishment undergone three fundamental stages.

The first phase (1993-2000) involved setting up, building structures and laying strong foundation, as well as introducing human rights and the ethos of anti-corruption to the people. The second phase (2001-2010) focused on creating the broad awareness and understanding of human rights, administrative justice, corruption and values of integrity in Ghana. The third phase relates to the period 2011-2015 (CHRAJ's Five-Year Strategic Plan) under which the Commission seeks to strengthen its institutional capacity to promote and protect human rights, integrity, accountability and ensure administrative Justice and enhance public service delivery.

In the year under review, the Commission continued to make remarkable strides in all its mandates notwithstanding poor budgetary support. Significant achievements were made towards advancing human rights, promoting administrative justice and building an ethical society that is able to resist corruption.

ADVANCING HUMAN RIGHTS

The Commission continued to strengthen various efforts to demand promotion and protection of the rights of the Ghanaian citizenry.

Public education and sensitization programmes undertaken during the year increased from 3051 to 3756, stepping up efforts at sensitizing the Ghanaian citizenry on human rights build their capacity to demand fulfilment and protection of rights.

In addition, the Commission successfully closed 11,456 human rights cases in the year and issued a report on the State of Human Rights in Ghana on December 9, in commemoration of the United Nations (UN) Human Rights Day.

The Commission further advanced the consultation process on the development of the National Human Rights Action Plan (NAHRAP) in order to incorporate human rights principles and standards in national development programming.

PROMOTING FAIR ADMINISTRATION AND BETTER SERVICE DELIVERY IN THE PUBLIC SERVICE

The Commission continued to strengthen the mechanisms for promoting good administrative practices in the public and private spheres in Ghana. The Commission embarked on numerous educational campaigns and increased the visibility of its administrative justice mandate nationwide. Staff acquired requisite skills and knowledge at various training workshops so as to effectively execute the administrative justice mandate of the Commission.

COMBATING CORRUPTION

The Commission continued to lay strong foundation and systems for improving integrity in Public Office and combating Corruption in the Ghanaian Society.

The Commission completed the National Anti-Corruption Action Plan (NACAP) initiated in 2009. This plan will be submitted to Parliament in 2012 for adoption. The Commission also successfully organised the Second National Integrity Conference in October, 2011 on the theme Building a Robust Ethics Infrastructure to Promote Integrity in Ghana. The Conference brought together participants from Government, Independent Governance Institutions, the Academia, Private Sector, Civil Society and the general public, to review progress made in the fight against Corruption. The Conference also sought to lay a strong foundation for a robust national integrity system.

CHALLENGES

The GPRS II and also the National Medium Term Development Policy Framework 2010 – 2013 set ambitious goals for the promotion of human rights and good governance. Whereas numerous efforts have been undertaken towards the achievement of these goals, the general situation of human rights and good governance in Ghana is still not satisfactory.

The rights to education, health and housing among other socio-economic rights, particularly of vulnerable populations, do not meet the requisite provisions of the 1992 Constitution of Ghana or international conventions that Ghana has acceded to.

Numerous complaints pertaining to various forms of violence, neglect and non-maintenance continue to be filed with the offices of the Commission nationwide. Although Ghana has achieved some success in integrating key treaties into its domestic laws, some Conventions such as the Optional Protocol to the Convention Against Torture (OPCAT) and the second Optional Protocol to the International Convention on Civil and Political Rights have not been ratified.

The country embarked on various efforts to address corruption such as strengthening the legal framework, developing a National Anti-Corruption Action Plan, as well as undertaking preventive measures to combat corruption. Yet such efforts are confronted by challenges such as under-resourced anti-corruption agencies and independent governance institutions; weak coordination and collaboration among anti-corruption agencies as well as weak assets declaration regime and excessive bureaucracy.

With respect to administrative justice, unfair practices and abuse of power continue to daunt the performance of the public and private sector. These practices include withholding, non-payment and underpayment of salaries as well as practices pertaining to social security, redeployment benefits, unlawful dismissals and terminations. Other mal administrative practices which feature predominantly in administrative justice complaints filed with the offices of the Commission include delays in dispensing justice and procedural unfairness.

The Commission is still beset with structural challenges such as poor funding, inordinate delays in the release of budgeted funds resulting in delayed investigations and implementation of planned programmes as well as increased cost of operations. The persistent and perennial poor conditions of service of staff continue to hamper the recruitment and retention of highly trained staff and professionals. Whereas the Commission acknowledges with gratitude the improvement in budgetary support for this year, it looks forward to a better budgetary allocation in subsequent years in view of the increasing demands of executing its three pronged mandate.

CONCLUDING REMARKS

Once again, we would like to express our deepest gratitude to the Royal Danish Embassy/DANIDA for their invaluable support, both financial and technical, that has enabled the Commission to chalk successes in the past and contribute towards the advancement of human rights and the sustenance of democratic governance, and peace in the country.

We are highly indebted to our dedicated staff, partners, as well as the media who have all contributed to strengthening the Commission. The Commission would not have been able to discharge its multiple mandates without your support.

A handwritten signature in black ink, appearing to read 'Richard A. Quayson', with a stylized flourish at the end.

Richard A. Quayson
Deputy Commissioner

PROFILE OF MS. LAURETTA VIVIAN LAMPTEY

Ms. Laretta Vivian Lamptey is the daughter of a distinguished Ghanaian diplomat, the late Ambassador George Odarthey Lamptey and Mrs. Agnes Rosetta Lamptey.

Ms. Lamptey attended the University of Ghana from 1977 to 1980 where she received her first law degree, an LLB (HONS.) exhibiting a deep interest in issues related to equal access to justice, and the integrity of the legal systems. Her undergraduate dissertation raised the question of “one law for the rich, one law for the poor” and examined potential flaws in Ghana’s Criminal Justice System and the challenges of ensuring equity in its administration.

She went on to attend the Ghana Law School from 1980 to 1982, and was admitted to the Ghana Bar in December 1982.

Upon completion of her Bar Exams, Ms. Lamptey studied for an LLM in Human Rights law at the Vrije Universiteit de Brussels. This career choice was strongly encouraged by her father, Ambassador Lamptey, who was himself for many years a member (and at one point Chairman) of the United Nations Committee on the Elimination of Racial Discrimination, one of the most important UN human rights bodies.

However, largely because of her focus (while studying for her LLB degree) on International Law and International Trade and Investment Law, as well as her proven research skills, Laretta was within six weeks of qualifying as a barrister asked to join the team appointed to renegotiate investment agreements governing the operation of the largest US investment in Ghana, VALCO. This became known as the VALCO Negotiation Team. She deferred her LLM to complete this very important national assignment which took two years, by the end of which Ms. Lamptey had developed considerable expertise in investment law and negotiations. She therefore continued to

participate in or handle several other negotiations in the area of natural resources and forestry, and was also assigned to the Ghana Minerals Commission to assist in the development and the drafting of the investment code for the mining sector, enacted as to the mining code, 1986.

Ms. Lamptey's experience as an Investment Lawyer led to her attending the London school of Economics and Political Science (LSE) on the prestigious Chevening Fellowship from the British government. She received an LLM in International Law from LSE in 1987.

Upon her return from UK, from 1990 to 1998 Ms. Lamptey chose to use the extensive financial aspects of the LLM in the corporate arena, as Head of Capital Market at Ecobank Ghana Limited and then as Head of Corporate Finance at Cal Merchant Bank. She however continued to use her legal skills as well in diverse ways, including being part of the committee which drafted the membership rules and the listing regulations of the Ghana Stock Exchange, as well as the drafting of the Securities Industry Law. Keen to keep those legal skills honed, she chose to handle the regulatory aspect of the 1994 landmark public offering of Ashanti Goldfields shares, as an additional responsibility beyond her role as co-lead manager (for Ecobank) of the Ghanaian and ECOWAS offering.

She worked with Loita Capital Partners in the Johannesburg, South Africa as Group Corporate Finance and Legal Advisor from 1990 to 2000, and subsequently as an independent legal and financial consultant based in Johannesburg.

Ms. Lamptey was appointed as the Commissioner for Human Rights and Administrative Justice and sworn into office on 27 July 2011.

Firmly committed to corporate governance, transparency and accountability in the corporate sector, Ms Lamptey has held a number of board appointments over the years. These include being a founder and member of the Governing Council of the Ghana Stock Exchange, a member of the boards of the Securities Discount Company (SDC), Gliksten W.A., and non-executive director of Ghana Commercial Bank.



*Ms. Lamptey's Swearing in as the Commissioner for CHRAJ by
His Excellency Prof. J.E. Atta-Mills, President of the Republic of Ghana*

BRIEF SUMMARY OF 2011 PERFORMANCE

HUMAN RIGHTS

The Commission achieved the following under of its human rights mandate:

- » Disposed of 11,477 human rights cases in the year;
- » Collaborated with the Ghana Education Service to establish 30 new Human Rights and Integrity Clubs in various basic schools;
- » Organized capacity building workshops for 103 patrons of human rights and integrity clubs across the country in collaboration with the Ghana Education Service with the aim of reinforcing the appreciation for human rights and integrity in schools;
- » Conducted a number of sensitization programmes for the public in partnership with the Ghana Broadcasting Corporation to promote the rights of the vulnerable;
- » Conducted a total of 3,756 public education programmes nationwide, representing an increase of 522 programmes over the previous year's performance.
- » Organized Course on Basic Human Rights for Health Professionals for three Nurses Training Colleges;
- » Broadened consultations toward the development of a National Human Rights Action Plan (NAHRAP) in line with the Commission's strategic frame work;
- » Assessed the status of human rights in Ghana, and presented the annual State of Human Rights Report on the UN International Human Rights Day, December 10.

ADMINISTRATIVE JUSTICE

The Commission achieved the following under its administrative justice mandate:

- » Disposed of 753 administrative justice cases;
- » Organized public education and sensitization programmes under its administrative justice mandate on issues of good governance, mal-administration and fair administrative practices;
- » organized a number of workshops for senior public officials;
- » Honoured several invitations from the public to educate them on issues of administrative justice.

ANTI- CORRUPTION

The Commission achieved the following under its anti-corruption mandate:

- » Completed investigations of 13 corruption cases.
- » Organized public education and sensitization programmes under its anti-corruption mandate on issues of corruption, integrity, and national strategies for combating corruption;
- » Held the Second National Integrity Conference in October, 2011.
- » Completed work on the National Anti-Corruption Action Plan (NACAP), as part of Ghana's national strategy for combating corruption over the next ten years.
- » Organized training programmes on the Code of Conduct for Public Officers for Members of Parliament and other public office holders.
- » Issued a report on the State of Corruption in Ghana as part of activities to mark International Anti-Corruption Day, on the 9th of December 9.

PART I: BRIEF OVERVIEW OF CHRAJ'S STATUTORY FUNCTIONS

1.1 MISSION STATEMENT

The Commission on Human Rights and Administrative Justice exists to enhance the scale of good governance, democracy, integrity, peace and social development by promoting, protecting and enforcing fundamental human rights and freedoms as well as administrative justice for all persons in Ghana.

1.2 VISION

The Commission envisions a society that is truly free, just and equitable, where human rights and human dignity are respected, where power is accountable, and governance is transparent.

1.3 MANDATE

The Commission on Human Rights and Administrative Justice exists to protect fundamental human rights and to promote good governance in Ghana.

The Commission has a broad mandate under Chapter 18 of the 1992 Constitution of Ghana and the CHRAJ Act, 1993 [Act 456]. This mandate is threefold, namely, human rights, administrative justice, and combating corruption. The Commission is therefore:

- » A National Human Rights Institution
- » An Ombudsman, an agency which promotes administrative justice
- » An Anti-Corruption Agency and Ethics Office of the Public Service of Ghana.

The Commission reports to the Parliament of Ghana.

1.3.1 HUMAN RIGHTS MANDATE

The Commission has a broad mandate to protect universal human rights and freedoms, especially those recognized under the 1992 Constitution of Ghana, which includes civil and political rights, economic, social, and cultural rights, and other international human rights instruments which Ghana has ratified. Specific mandate relating to human rights can be found in Article 218 (a), (c), and (f) of the 1992 Constitution of Ghana and Section 7(1) (a) (c) and (g) of the CHRAJ Act, 1993 [Act 456].

The Commission's human rights functions can be divided into two categories:

- a. Enforcement of Rights
- b. Promotion of Rights

A. ENFORCEMENT

The Commission investigates complaints of human rights violations by persons and institutions in both the private and public sectors. The Commission is mandated to resolve these complaints by various methods, including mediation, negotiation, and formal investigation/hearing. The CHRAJ Act gives the Commission sufficient powers to facilitate its investigations and resolve complaints. In addition, the Commission can seek any remedies in court, including enforcement of its recommendations.

The Commission also carries out special investigations into human rights abuses that are systemic, cultural or are otherwise deemed matters of public interest. The Commission conducts research, field investigations, and public hearings in the course of these investigations.

B. PROMOTION

The Commission is mandated by Article 218 (f) of the 1992 Constitution of Ghana to educate the public about human rights and freedoms. The Commission employs a wide variety of strategies and approaches to achieve this goal, including the use of mass media, publications, lectures and symposia, outreaches to rural communities and schools.

The Commission also monitors the human rights situation across the country periodically and issues reports. It organizes monitoring visits to detention facilities, hospitals, schools, communities among others

to assess the degree to which human rights are being respected. Reports on monitoring visits constitute a good resource of primary data as well as provide the Commission and other stakeholders' early warning signals of human rights abuses.

The Commission also conducts research on how bills and policies impact human rights and freedoms, to make appropriate recommendations for the strengthening of the human rights situation of the country.

1.3.2 ADMINISTRATIVE JUSTICE

This mandate relates to the Ombudsman function of the Commission as laid out in Articles 218 (a), (b) of the 1992 Constitution of Ghana and Section 7(1) (a), (b) of Act 456.

A. ENFORCEMENT

The Commission investigates complaints of maladministration, abuse of power, unfair treatment, discrimination, bias, neglect, delay, arbitrariness among others, made against public institutions and public officials.

The Commission also investigates complaints concerning the function of the Public Services Commission, the administrative organs of the State, the Armed Forces, the Police Service and the Prison Service, in so far as the complaints pertain to (i) a failure to achieve balanced structuring of those services; (ii) equal access for all to the recruitment of personnel to those services; or (iii) fair administration in relation to those services.

B. PROMOTION

As the Ombudsman of Ghana, the Commission has the mandate to promote administrative justice to ensure that government and its offices, departments and agencies are accountable, transparent and efficient. This oversight function is in place to secure improvement in public sector service delivery and assist public officials to avoid arbitrariness and discrimination thereby enabling such officials to uphold propriety, fairness, openness and impartiality in their decisions and actions.

1.3.3 ANTI-CORRUPTION

The Commission is one of the major anti-corruption agencies in Ghana. Its anti-corruption powers stem from Articles 218 (a) & (e); 284-288 of the 1992 Constitution of Ghana and Section 7(1) (a), (e) & (f) of Act 456.

A. DETERRENCE

The Commission is mandated, by Article 218(a) and (e), to investigate abuse of power and “all instances of alleged or suspected corruption and the misappropriation of public monies by public officials”. It also investigates allegations of conflict of interest and breach of the code of conduct under Chapter 24 of the 1992 Constitution of Ghana, as well as investigates complaints that relate to the failure to uphold work discipline and professional ethics in the public service.

The Whistleblower Act 2006, (Act 720) confers additional mandate on the Commission to investigate disclosures of impropriety (economic crime, waste, mismanagement, misappropriation of public resources, environmental degradation) and complaints of victimization of whistleblowers.

B. PREVENTION

The Commission works to reduce opportunities for corruption in public office by assisting to implement corruption prevention measures and putting in place robust systems for checking corruption. It promotes integrity, sound ethical standards and accountability in the public service and ensures compliance with conflict of interest rules and the Code of Conduct for Public Officials.

C. EDUCATION

The Commission carries out extensive public education and sensitization of the public on the evils of corruption. The objective is to influence and change the mindset and culture of tolerance to that of zero tolerance for corruption as well as foster public support to fight corruption at all levels of society. It sensitizes the public on protection available to whistleblowers under the law to stimulate greater public vigilance against corruption and impropriety. It also

offers training and support for public officials on compliance with the Code of Conduct for Public Officers and assists them manage conflict of interest, among others.

1.3.4 LIMITATIONS ON THE COMMISSION'S MANDATE

While no institution, body, or person in Ghana is excluded from the Commission's mandate generally, the Commission has no power to investigate:

- » A matter that is pending before a court or judicial tribunal;
- » A matter involving relations between the government and any other government or international organization; or
- » A matter relating to the exercise of the prerogative of mercy.

1.4 STRUCTURE

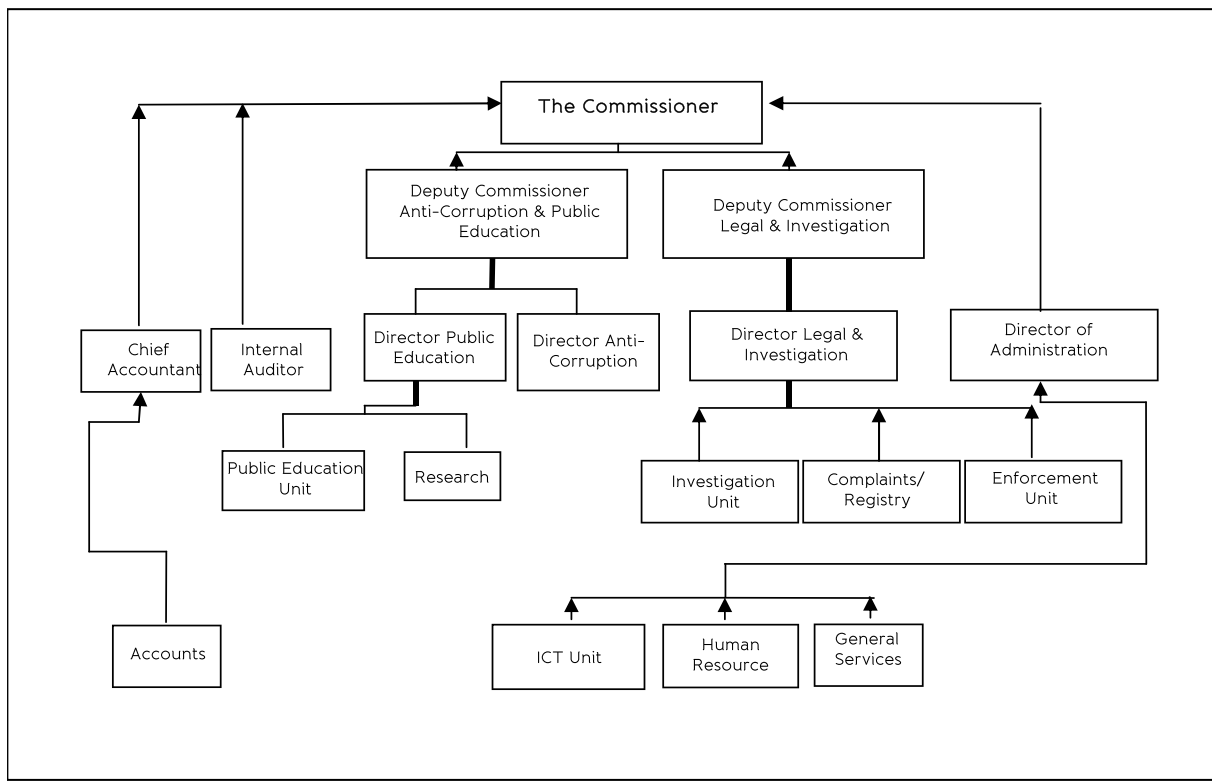
The Commission is made up of a Commissioner, who is the chair, and two deputies. The 3 Commissioners constitute the governing body of the Commission. The Commissioners are supported by Departmental Directors who have direct responsibility for the departments of the Commission, namely:

- » Legal and Investigations
- » Anti-Corruption
- » Public Education
- » Finance and Administration

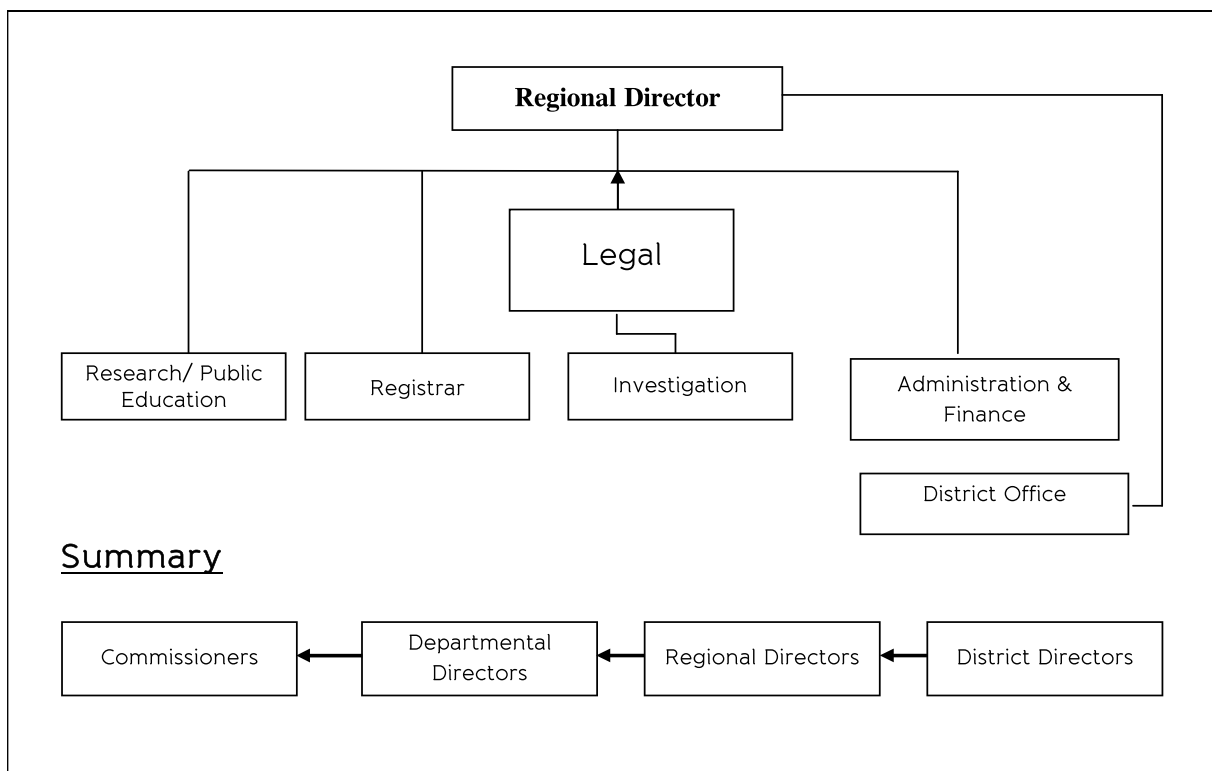
The Commission has ten (10) Regional Offices that coordinate the Commission's work in the 10 administrative regions of Ghana. In addition, it has two (2) Sub-Regional and ninety-nine (99) District Offices across the country that ensure that the services and work of the Commission are brought to the doorstep of the ordinary person in Ghana.

1.4.1 ORGANISATIONAL STRUCTURE

A. HEAD OFFICE



B. REGION



PART II: REVIEW OF 2011 PERFORMANCE

2.1 HUMAN RIGHTS MANDATE

The Commission is mandated to promote, protect, enforce and prevent violations of fundamental human rights and freedoms of all persons in Ghana.

A. PROMOTION

i. National Human Rights Action Plan (NAHRAP)

The Commission advanced efforts to facilitate processes for the development of the National Human Rights Action Plan (NAHRAP) in 2011. The process for engaging a consultant to conduct a baseline survey was completed in the year.

ii. Nationwide Monitoring of the State of Human Rights (SOHR)

The publishing of the SOHR report annually provides an essential source of primary data and promotes dialogue on state responsibility in ensuring rights based approaches to poverty eradication, resource allocation and social protection. The SOHR report promotes discussions on the planning and implementation of policies that seek to protect vulnerable persons in Ghanaian society.

The year 2011 marked six years of the Commission's focus on economic, social and cultural rights in its monitoring activities. The Commission therefore considered it prudent to constitute a review of recommendations, over the five year (2006-2010) period (2006-2010) by the Commission, to ascertain the extent of their implementation.

The review covered the following thematic areas:

- » Right to Basic Education
- » Right to Health
- » Children's Rights
- » Women's Rights

- » Rights of the Aged
- » Dehumanizing Religious Practices
- » Extremely Deprived Communities (Slums)

Respondent institutions included selected Ministries, Departments and Agencies (MDA's) and International Non-Governmental Organizations.

The 2011 SOHR report which details findings on this review concluded that the attainment of socio-economic rights of the Ghanaian citizenry, particularly populations regarded vulnerable, remains minimal.

iii. Public Education and Outreach

The Commission organised various educational programmes in the bid to promote fundamental rights and freedoms across the country. Key activities undertaken are as follows:

a. Commemoration of UN International Day In Support of Torture Victims

The Commission, during the year under review, held a symposium to mark the UN International Day In Support of Torture Victims. The symposium which was under the theme, "Torture: Negation of Human Rights and Dignity," was held on June 24, 2011.

There were various presentations on the theme by resource persons from CHRAJ, Amnesty International and other NGOs. The occasion attracted a large number of participants from the security agencies, Ghana Education Service, Educational institutions, religious bodies and NGOs. The event provided a platform for participants to share their experiences, and contribute towards the efforts by CHRAJ to eliminate torture in Ghanaian society.

b. Annual Human Rights Lecture

The Commission in collaboration with the Ghana Bar Association and Commonwealth Human Rights Initiative (CHRI) organized its Annual Human Rights Lectures in October to commemorate the International Day for the Eradication of Poverty. The lecture which focused on the theme "Advancing Human Rights: Prospects and Challenges" was chaired by Mr. Samuel Okudzeto, Chair of the CHRI.

Various speakers emphasized that endemic poverty contributed to many human rights abuses in Ghana. Poverty and persistent inequality had deprived many Ghanaians their human rights to good education, rule of law, healthcare and social justice, among others. To this end, participants called on governments to ensure accountability and transparency in the allocation and expenditure of public funds and the equivalent development of all parts of the country to work towards a poverty-free Ghanaian society.

c. Public Education through the Electronic Media

The Commission continued its collaboration with the Ghana Broadcasting Corporation (GBC) to promote the rights of the vulnerable. Public education activities in four (4) Ghanaian Languages (Ewe, Ga, Akan and Dagbani) were transmitted via Ghana Television Adult Education Programme.

This was complemented across the country by similar educational activities conducted by the regional and district officers, with the support of local radio stations.

d. Human Rights education for Trainee Nurses

The Basic Human Rights Course for Health Professionals, that was piloted in the Cape Coast and the Ankaful Nurses Training Colleges in the Central Region to improve respect for rights of patients, was extended to three more regions namely Western, Brong Ahafo and Upper East during the year. In all, 142 nursing students from the Cape Coast and the Bolgatanga Nurses Training Colleges completed the programme and were awarded certificates.

Participants in the Brong Ahafo and Western Regions were unable to complete the course due to changes in the academic calendar of their schools.

Figure 1



Graduation Ceremony at the Cape Coast Nurses and Midwifery Training College

e. Human Rights Education in Schools and Rural Communities

The Commission in the year under review organized 3,756 public education programmes nationwide, representing an increase of 522 over the previous year. These activities were carried out in communities, schools and on radio and TV stations.

In all, the education programs comprised 2,040(54.3%) community outreach programmes, 1,031(27.4%) schools interactions and 685(18.3%) radio/TV programmes. See Part 4 for a breakdown of educational activities in the various regions and districts.

Table 1: National Distribution of 2011 Public Education Programmes

Region	Community	Schools	Radio	Total	%
Western	194	70	47	311	8.2
Upper West	74	75	105	254	6.8
Upper East	116	97	65	278	7.4
Northern	290	148	86	524	14.0
Ashanti	344	150	47	541	14.4
Brong Ahafo	201	87	69	357	9.5
Volta	270	72	30	372	9.9
Greater Accra	65	36	12	113	3.0
Eastern	273	150	68	491	13.1
Central	132	92	149	373	9.9
Tema	66	43	2	111	3.0
Obuasi	15	11	5	31	0.8
Total	2,040 (54.3%)	1,031(27.4%)	685 (18.3%)	3,756	100

The educational activities focused on the three mandates of the Commission; Human Rights, Administrative Justice and Anti-Corruption. Educational programmes under the human rights mandate focused on Economic, Social and Cultural Rights. Discussions under other mandates covered issues of good governance, maladministration and the effects of corruption on national development.

See Statistical Overview in Part IV of this Report for additional information on the public education activities carried out by the Commission.

f. Human Rights and Integrity Week Celebrations

This year's annual Human Rights and Integrity week was celebrated from 5th to 9th December 2011. The activities undertaken included:

1. Peace March

The Commission as part of the Human Rights and Integrity week on Monday, December 5th, 2011, marched through some principal streets of Accra to formally launch the celebration. The aim of the march was to emphasize the need for greater tolerance, respect and peaceful co-existence; especially as the country heads into election 2012.

Participants included members of Human Rights and Integrity Clubs, Educational Institutions, Security Services, Media, and staff of the Commission.

Figure 2



Deputy Commissioner & CHRAJ Staff participate in Peace Walk through some principal streets of Accra

II. Gender Equality Day

As part of its contribution towards the promotion of gender equality in Ghana, a symposium was held on December 6, to assess women's participation in national politics at the highest level since the inception of the 1992 Constitution. The programme discussed mechanisms put in place to equip and empower women to handle these offices and the challenges they face. Participants at the symposium also made recommendations that could aid the Commission in its gender advocacy efforts in 2012, especially as the country prepares for the 2012 general elections.

III. Children's Day

The 2011 Children's Day was celebrated with a visit to the Good Shepherd Orphanage School at Bawjiase in the Central Region on December 7. The Commission took the opportunity to educate pupils

and teachers of the school on human rights, focusing especially on children's rights. Cognizant of the plight of children under such circumstances, the commission presented educational materials, one refrigerator, an LCD TV and a bookshelf to support the school, as well as Christmas packs for each of the children.

Figure 3



Donation from CHRAJ to the Good Shepherd Ophanage

IV. UN International Human Rights Day and Anti-Corruption day

As part of the activities to mark the 2011 Human Rights and Integrity Week celebrations, the Commission issued a report on the State of Human Rights and Corruption in Ghana on Friday, December 9, 2011.

The activity sought to commemorate the UN International Human Rights Day as well as Anti-Corruption day. The latter dwelt on the theme “**ACT – Against Corruption Today**”, while the theme on the former recognized the significance of social media and technology in assisting human rights defenders in new ways. The State of Corruption Report assessed progress made over a period of time in improving integrity in public office whereas the SOHR report assessed progress made in promoting and protecting human rights in Ghana.

Figure 4



A cross section of the public, staff and invited guests on the 9th of December to commemorate UN International Human Rights and Anti-Corruption day

g. Programmes pertaining to Human Rights and Integrity Clubs

I. Training of Human Rights Club Patrons

The Commission organized on two occasions, two-day residential Capacity Building Workshops for 103 patrons drawn from various human rights and integrity clubs across the country during the year. This number was made up of 55 patrons from basic schools in the Greater Accra Region as well as 48 patrons from both basic and secondary schools in the Eastern and Volta regions.

These workshops were specifically aimed at equipping patrons with knowledge on human rights and skills towards effective human rights education.

Figure 5

*Participants at the Greater Accra Workshop*

II. Youth Human Rights and Integrity Camp

The Commission held its maiden edition of Youth Human Rights and Integrity Camps from the 31st of July to the 6th of August 2011, at the Valley View University, near Oyibi in the Greater Accra region. The aim was to impart skills of citizenship to the students, give prominence to Human Rights and Integrity Clubs and ultimately to inculcate in the participating students and patrons sound human rights values to effectively act as agents of change in their various schools and communities.

In all, 100 students and their patrons selected from 13 Senior High Schools with Human Rights and Integrity Clubs in the Greater Accra and Eastern regions participated.

At the end of the Camp meeting, participants were given certificates and a number of human rights education materials for effective human rights education activities in their various schools and communities.

Figure 6



Participants and Facilitators at the Human Rights Camp in a group picture with the Deputy Commissioner, Mr. Richard Quayson after the opening ceremony

Figure 7



A cross section of participants during a presentation

III. Establishment and Inauguration of New Clubs

In 2011, the Commission collaborated with the Ghana Education Service to establish thirty (30) Human Rights and Integrity Clubs in various basic schools in the Ashiedu Keteke Sub Metro and the Bongo district in Upper East and Greater Accra regions respectively.

It also inaugurated a club at Holy Child College of Education in the Western Region.

h) Promotion of Gender Equality

Issues on gender equality received further attention in 2011 through the Commission's collaborative efforts with stakeholders to promote gender equality. The Commission also advanced the development of internal structures that enable it to carry out its work more effectively.

Through these efforts, the Commission sought to mainstream gender into its operations during the year, in order to strengthen its commitment to gender equality. The outcome of the process further contributed to the planning and implementation of gender related activities and budgets and also promoted the participation of women in the decision making process. The Commission remains in discussion with a group of consultants, and will embark on various initiatives in the coming year.

i. Promotion of Child's rights

In the bid to fulfill its role of promoting and protecting children's rights, the Commission undertook various activities as well as collaborated with various stakeholders. The Commission:

- » Collaborated with the Ministry of Women and Children's Affairs and other stakeholders to compile and validate Ghana's 3rd, 4th and 5th consolidated report to the UN Committee on the Rights of the Child; the final report was to be submitted in March 2012.
- » Assumed the role of a key implementation agency of the National Plan of Action for the elimination of the Worst Forms of Child Labour (WFCL) in Ghana, and continued to participate in all child labour related activities during the year. As required of all

implementation agencies, it also initiated the development of Institutional Action Plans on the Elimination of the Worst Forms of Child Labour. This initiative provided child labour specific information in support of improved planning and budgeting. Such information facilitated the costing of the National Plan of Action for the Elimination of the WFCL, needed for resource mobilisation and its implementation.

B. ENFORCEMENT/INVESTIGATION OF CASES

The Commission in the past year received a total of 11,477 human rights complaints representing 93.4% of all complaints reported. The Commission successfully closed 93.3% (11,465) these cases. Most of the complaints were related to children and women's rights.

See Statistical Overview in Part IV of this Report for additional information on the case work of the Commission.

2.2 ADMINISTRATIVE JUSTICE MANDATE

A. PROMOTION

A. Public Education and Outreach

The Commission continued to promote its administrative justice oversight role in the public sector during the year. It engaged in various outreach programs to raise awareness about the office's administrative justice mandate with members of the public. These educational activities covered issues of good governance, maladministration among others. In addition to carrying these educational activities through the media, the Commission also honored several invitations from the public to educate them on this mandate.

B. Enforcement/Investigation of Cases

Administrative justice cases received in the year totaled 767 complaints, with 753 of these cases closed by the end of the year. Most of the complaints reported to the Commission related to non-payment, cessation of employment, underpayment and withholding of salaries.

For a Statistical Overview and additional information on the case work of the Commission, please refer to Part IV of this Report.

2.3 ANTI-CORRUPTION MANDATE

The Commission continued its investigations, public education and community outreach programs in the pursuance of its anti-corruption mandate throughout the year.

A. PREVENTION

i. National Anti-Corruption Action Plan (NACAP)

The year, the Commission completed work on the National Anti-Corruption Action Plan (2012–2021). The formulation of the NACAP was facilitated by a group of experts and anti-corruption practitioners constituted into a Working Group (WG) with the Commission as the coordinating institution. The NACAP was validated during the 2nd National Conference on Integrity held in October, after which it was submitted to publishers for printing.

The document would be submitted to Parliament in March 2012 for consideration and adoption as Ghana's national strategy for combating corruption over the next ten years.

The development of the NACAP is one of the Commission's unqualified contributions towards the fight against corruption and the promotion of national development.

ii. The State of Corruption in Ghana (2011)

As part of activities to mark the International Anti-Corruption Day, the Commission on the 9th of December issued a report on the State of Corruption in Ghana for 2011. The persistent leaking of resources and lack of transparency in major industries continue to plague the development of Ghana despite several measures introduced to tackle corruption, some of which include:

- » The laying of an Anti-corruption legal framework before Parliament
- » The development of the National Anti-Corruption Plan (NACAP)
- » The organisation of Second National Conference on Integrity
- » The dissemination of the code of conduct for public officers

- » The strengthening the Economic and Organized Crime Office (EOCO)
- » The reformation of the Revenue and security agencies

In light of challenges such as the undue politicization of issues pertaining to corruption and crime, weak legislative enforcement, high corruption tolerance, and lack of funds, CHRAJ recommended the passage of outstanding Bills such as the Whistleblower (Amendment) Bill and the Public Officers Code of Conduct Bill. The Commission further called on the state to make substantial investment in the implementation of anti-corruption measures. It further urged politicians, public servants and ordinary members of the public to resolve to engage in concrete acts of resistance to the menace of corruption.

iii. Media Monitoring

During the year, the Commission continued its monitoring of media reports on corruption and related misconducts. It observed that there has been an increase in the number of reports and articles on corruption. Media reports monitored covered anti-corruption activities, allegations of corruption and efforts being made at making corrupt practices unattractive.

The usefulness of such monitoring exercises is to inform and educate the public as well as demand accountability from public officials.

iv. **Second National Conference on Integrity:** The Commission held the Second National Conference on Integrity from 12-14 October, 2011 under the theme: “Building a Robust Ethics Infrastructure to Promote Integrity in Ghana”. The Conference sought to build a stronger appreciation for national integrity by increasing public understanding of the role of integrity in good governance. It also developed practical strategies to consolidate measures and initiatives agreed on during the last Conference in 1998, thereby contributing to a stronger national integrity system.

Figure 8



A section of dignitaries with His Excellency John Mahama, Vice President of the Republic of Ghana at the opening of the Conference

The Conference was opened by His Excellency John Mahama, Vice President of the Republic of Ghana. The opening ceremony was chaired by Her Ladyship Georgina Theodora Woode, Chief Justice of the Republic of Ghana, while Mr. Justice Date Bah, Justice of the Supreme Court of Ghana, gave the key-note address on the Conference theme.

Figure 9



A cross section of the invited guests, diplomats and eminent persons

The Conference attracted about 150 participants drawn from key accountability institutions in Ghana such as the Office of the President; the Parliament of Ghana; Ministries, Departments and Agencies and several organizations from the Private Sector. There were also delegations from the Malaysian and Sierra Leonean Anti-Corruption Commissions as well as the Directorate on Corruption and Economic Crime from Botswana.

Presentations were made by participants from Malaysia, Botswana and Sierra-Leone who shared best practices in the anti-corruption efforts in their respective countries. It also provided a platform that stimulated ideas and fostered collaboration between the pillars of integrity in Ghana, international partners and anti-corruption agencies. The National Anti-Corruption Action Plan (NACAP) was also validated at the Conference.

A Forty one (41) point communiqué was issued at the end of the three-day conference.

v. Public Education and Outreach

The Commission's nationwide efforts to raise awareness and sensitise citizens on corruption and other related issues gathered momentum during the year. The following activities were organised:

- » Workshop on the Code of Conduct for officers of the Statistical Service: The Commission organized various workshops for officers of the Statistical Service from the Greater Accra, Central and Brong Ahafo regions on the Code of Conduct. The aim of the workshops was to promote and enhance national integrity in the Public Service.
- » Workshop on the Conflict of Interest Guidelines and the Code of Conduct for Assembly Members: Assembly members and Heads of various departments in the Gomaa West District were sensitized on the Conflict of Interest Guidelines and the Code of Conduct for Public Officers at Apam by the Commission.
- » Training for Parliamentary Select Committee for Members Holding Office of Profit: A two day training programme was organized by the Commission at Capital View Hotel, in December, 2011 for members of the Parliament select committee.

Members were taken through the Code of Conduct for Public Officers and Conflict of Interest Rules and their implications, and how to monitor members of Parliament and Ministers of State granted permission to hold Office of Profit.

B. ENFORCEMENT/INVESTIGATION OF CASES

In all, 13 of a total 21 complaints were closed in the reporting year, out of which one (1) was made under the Whistleblower Act. The complaints were grouped under abuse of office, misappropriation of money, fraud, conflict of interest, bribery and extortion; with most cases being combination of two or more offences.

See Statistical Overview in Part IV of this Report for additional information on the case work of the Commission.

2.4 SUMMARY OF 2011 CASE STATISTICS

2.4.1 Cases Received, Closed and Pending

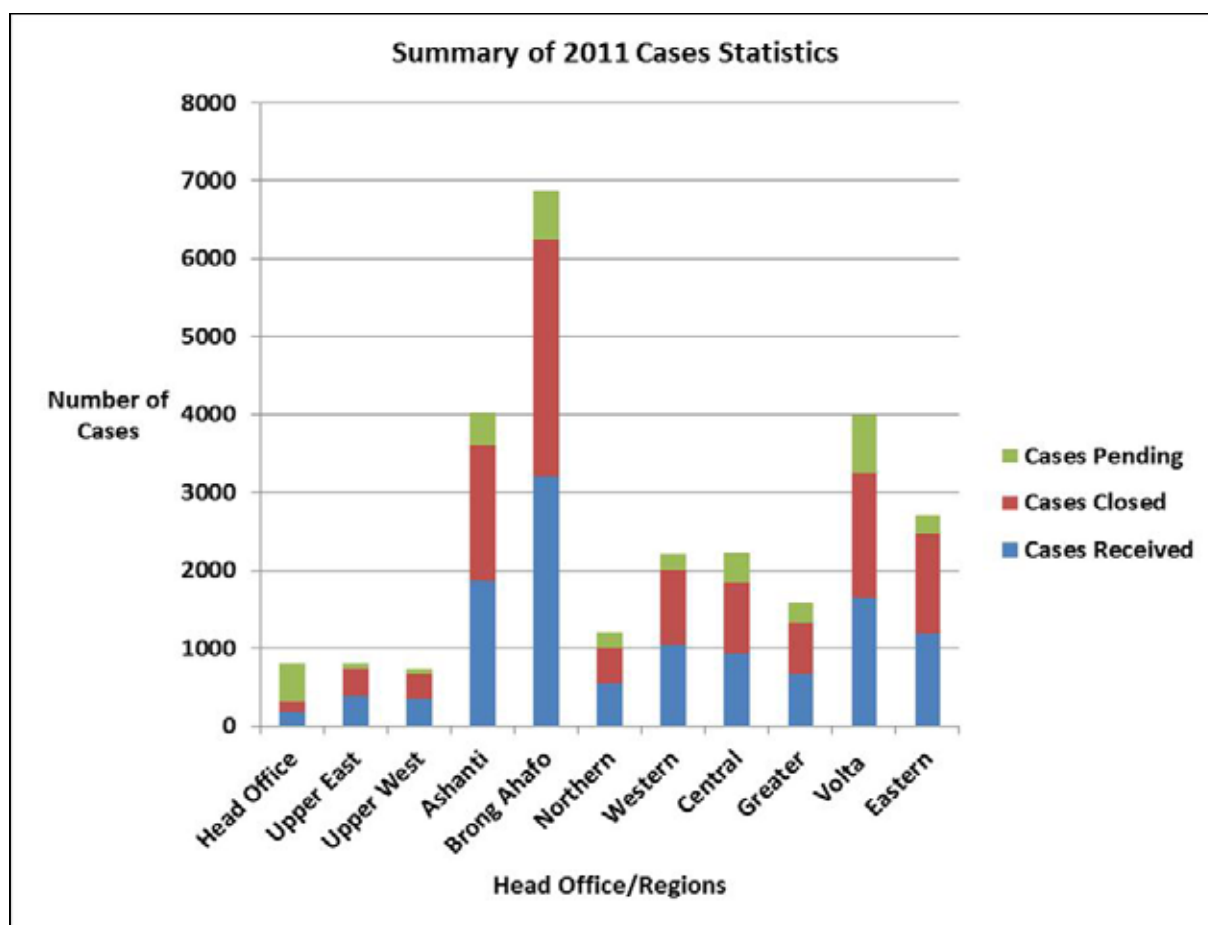
In the year 2011, the Commission received 12,018 complaints, representing 6.8% reduction over the cases received in the previous year. About 3,263 complaints were carried from the previous year to the year 2011, bringing the total complaints available for investigation to 15,281.

Out of the 15,281 cases available, the Commission was able to close 11,477 (75.1%) cases leaving 3,804 (24.9%) cases pending at the end of the reporting Period. See table 1 and figure 1 below for details.

Table 1: Cases Received, Closed and Pending By Regions

Head Office/Regions	Number of Complaints Received in 2011	Number of cases Carried from Previous Year	Number of Cases Available for Investigation in 2011	Total Number of Cases Closed	Total Number of Cases Pending
Head Office	184	437	621	142	479
Upper East	383	43	426	360	66
Upper West	350	41	391	320	71
Ashanti	1,792	237	2,029	1,631	398
Brong Ahafo	3,206	460	3,666	3,047	619
Northern	547	113	660	458	202
Western	1,048	121	1,169	960	209
Central	926	367	1,293	915	378
Greater	555	332	887	555	332
Volta	1,654	679	2,333	1,602	731
Eastern	1,189	334	1,523	1,276	247
Tema	116	78	146	97	49
Obuasi	68	21	137	114	23
Totals	12,018	3,263	15,281	11,477	3,804

Figure 1: Cases Received, Closed and Pending By Regions

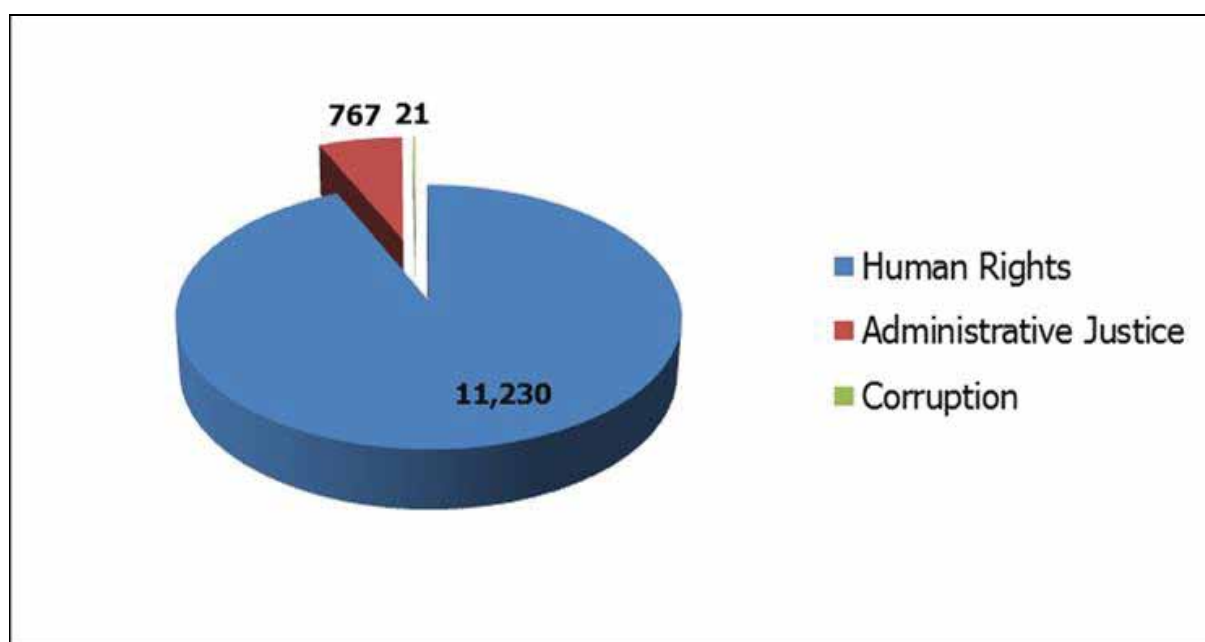


2.4.2 Classification of Complaints Received in 2011

The total complaints (12,018) received in the year 2011 were classified into “Human Rights”, “Administrative Justice” and “Corruption” to reflect the triple mandates of the Commission. A total of 11,230 complaints, representing 93.4% of all complaints received were Human Rights related cases; 767(6.4%) and Administrative Justice related cases, whilst 21 (0.2%) were Corruption related cases.

Respectively, 10,711, 753 and 13 cases closed were Human Rights, Administrative Justice and Corruption related. See Annex B.

Figure 2: Classification of Complaints Received in 2011 (By Proportions)



2.4.3 Mode of Closure of Cases

The Commission closed or finalized cases in three (3) basic ways, namely declined, discontinued or resolved.

Cases Declined: In the year 2011, 1,061 cases constituting 9.2% of the total closed cases were rejected or declined for reasons due to lack of mandate.

The Commission referred most of the complaints to appropriate institutions such as the Courts, Department of Social Welfare, Ghana Police Service, Labour Commission, Rent Office etc. for redress.

Cases Discontinued: The Commission discontinued investigations into 2,490 cases for reasons stated in Section 13 of the CHRAJ Acts, 1993. Cases discontinued constitute 21.7% of the total cases closed.

Cases Resolved: The Commission resolved 7,926 cases, representing 69.1% of the total closed cases. A total of 7,845 cases which constitute 99% of the resolved cases were settled through mediation whereas 81(1%) were decided on merit after full investigation.

The number of complaints resolved through mediation has increased considerably over the past four (4) years, accounting for 95% and 98.3% of cases in 2008 and 2009 respectively, and 99.1% and 99% in 2010 and 2011.

Time spent to resolve cases

Average time spent on mediated cases varied from 3 weeks to 3 months; whereas that of cases decided on merit after full investigation was 3 months to 2 years.

Figure 3. Proportion of Mode of Closure of Cases

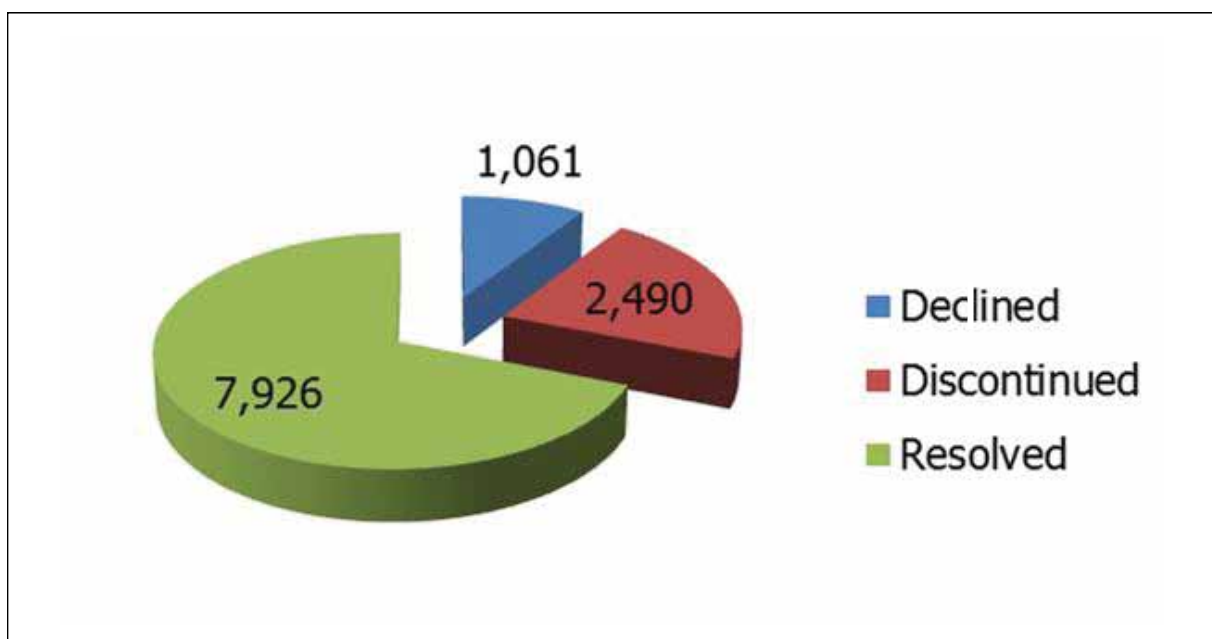


Table 2: Mode of Closure

Reasons/Mode of Closure of Cases	Human Rights	Administrative Justice	Corruption	Total	%
Lack of Mandate	889	154	5	1,048	
Late Submission of Complaints	9	4	0	13	
Total Declined	898	158	5	1,061	9.2%
Cases Withdrawn By Complainants	625	30	0	655	
Loss of Interest in Cases by Complainants	1,654	179	2	1835	
Total Discontinued	2,279	209	2	2,490	21.7%
Settled through Mediation	7,492	353	0	7,845	
Decided After Full Investigation	42	33	6	81	
Total Resolved	7,534	386	6	7,926	69.1%
Grand Total	10,711	753	13	11,477	100%

2.4.4 Trend Of Cases

Trend of Cases Received and Closed Over the Last 10 years

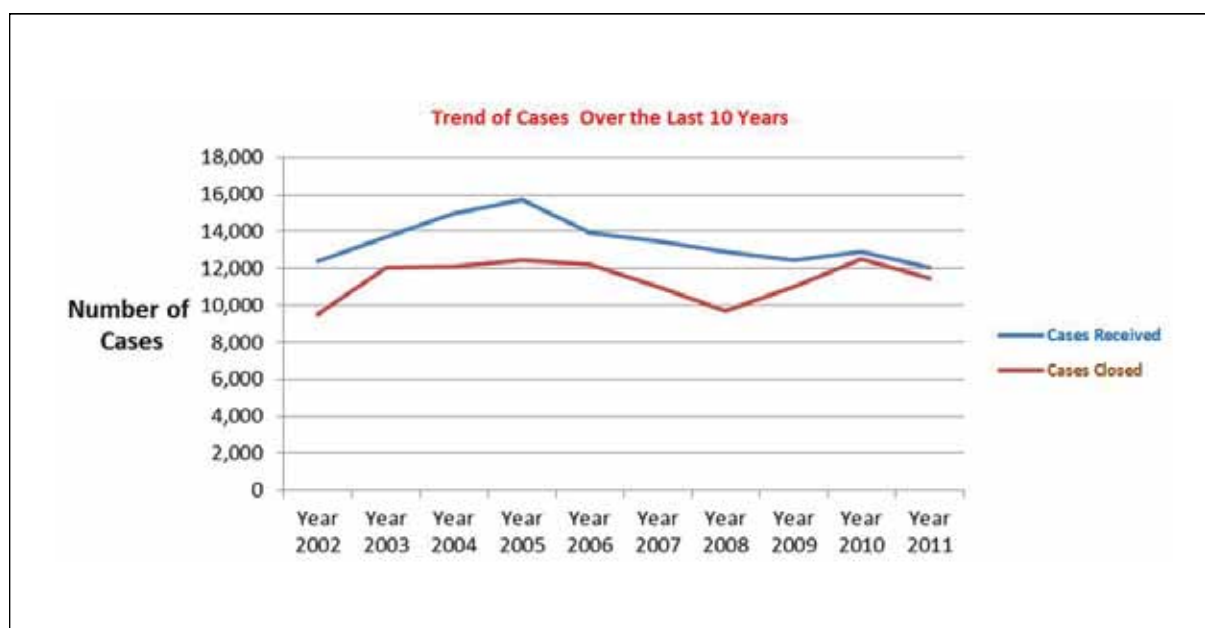
The 12,018 complaints received in 2011 was lower than the previous year's complaints of 12,900 by approximately 6.8%. It is also the lowest number of cases received since the year 2002 (10 year period).

Table 3: Cases Received, Closed and Pending for the Last 10 Years

Years	2002	2003	2004	2005	2006	2007	2008	2009	2010	2011
Cases Received	12,381	13,726	14,953	15,749	13,931	13,455	12,919	12,443	12,900	12,018
Cases Closed	9,496	12,065	12,116	12,422	12,238	11,003	9,693	10,987	12,491	11,477
Cases Pending	*	*	*	*	*	*	*	*	3,263	3,804
Percentage Closure	76.7%	87.9%	81%	79%	87.8%	81.8%	75%	88.3%	*79.3%	*75.1%

*The percentage closure was expressed on the total available cases in the year which included the cases carried from the previous year.

Figure 4: Trend of Cases (2002-2011)

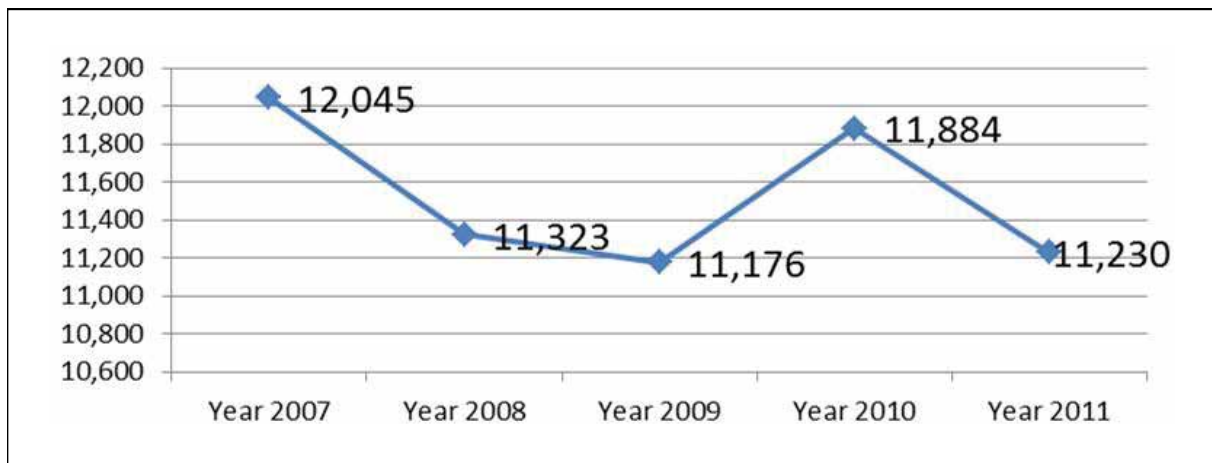


2.4.5 Trend of Complaints over the past 5 years

Trend of Human Rights Complaints

The reporting year's figure of 11,230 was lower than the previous year's figure of 11,884 by 5.5%, and the lowest over the past five years. See the figure below.

Figure 5: Trend of Human Rights Complaints over the Last 5 Years.



Trend of Administrative Justice Complaints

The Administrative Justice complaints received in 2008 numbered 1,460 but had gradually fallen to 767 in 2011. See the trend in figure 6.

Figure 6: Trend of Administrative Justice Complaints



Trend of Complaints Alleging Corrupt Practices

Corruption related cases received have declined steeply from 136 in 2008 to 21 in 2011.

Figure 7: Trend of Complaints Alleging Corrupt Practices

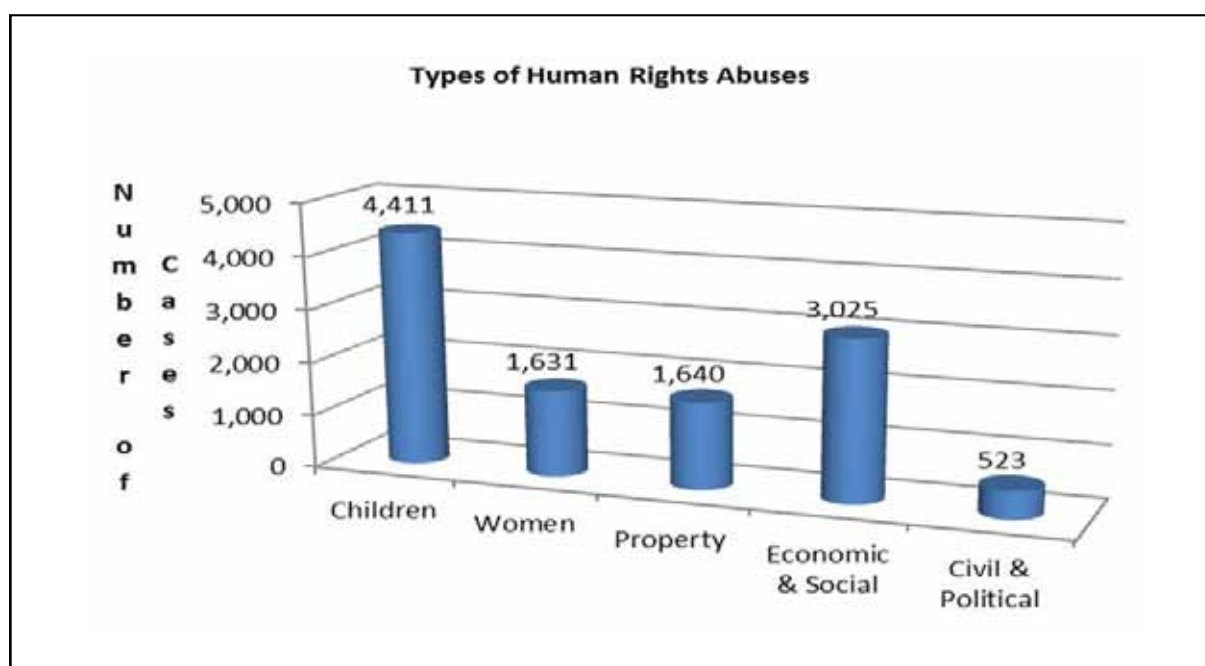


2.4.6 Typology of complaints, respondent bodies and mode of closure

a. Human Rights

The 11,230 human rights abuses received were categorized into Children's Rights, Women's Rights, Property Rights, Economic & Social Rights and Civil & Political Rights. See figure 6 below for the number of abuses under each type.

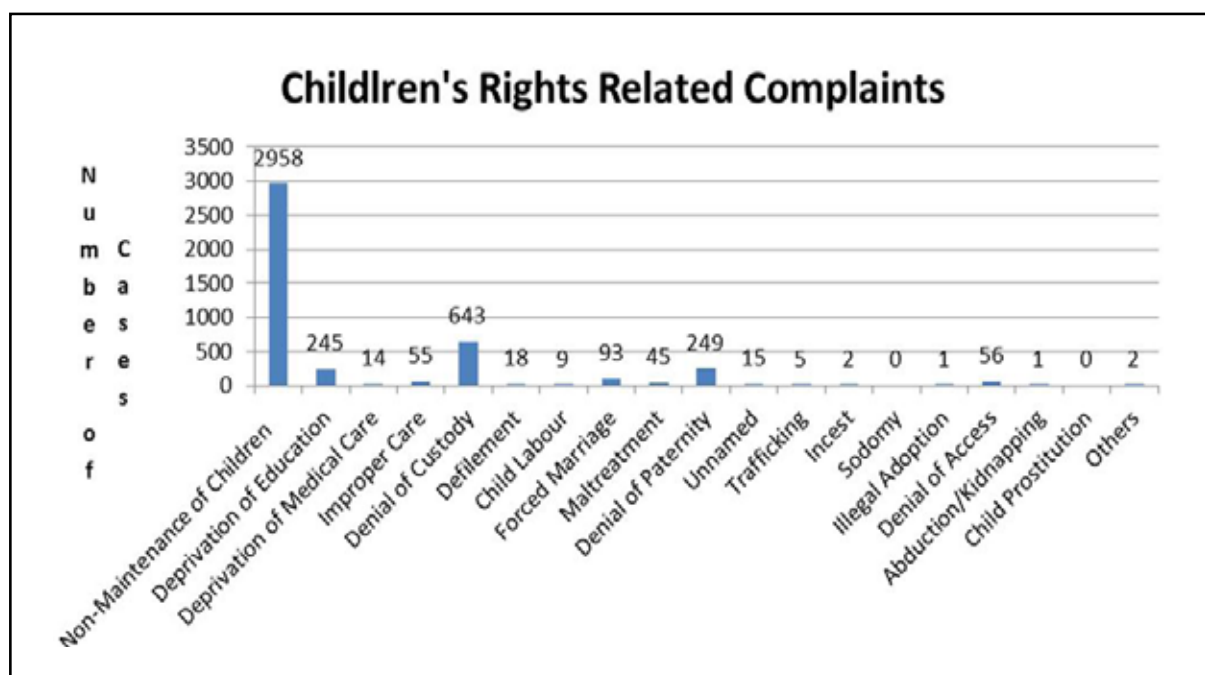
Figure 8: Types of Human Rights Complaints



The highest number of human rights complaints (4,220) filed with the offices of the Commission nationwide, relate to the rights of children. Non-maintenance of children account for the majority of such cases. Matters pertaining to unlawful custody, denial of access to children, deprivation of education and paternity dispute constitute other child right related complaints.

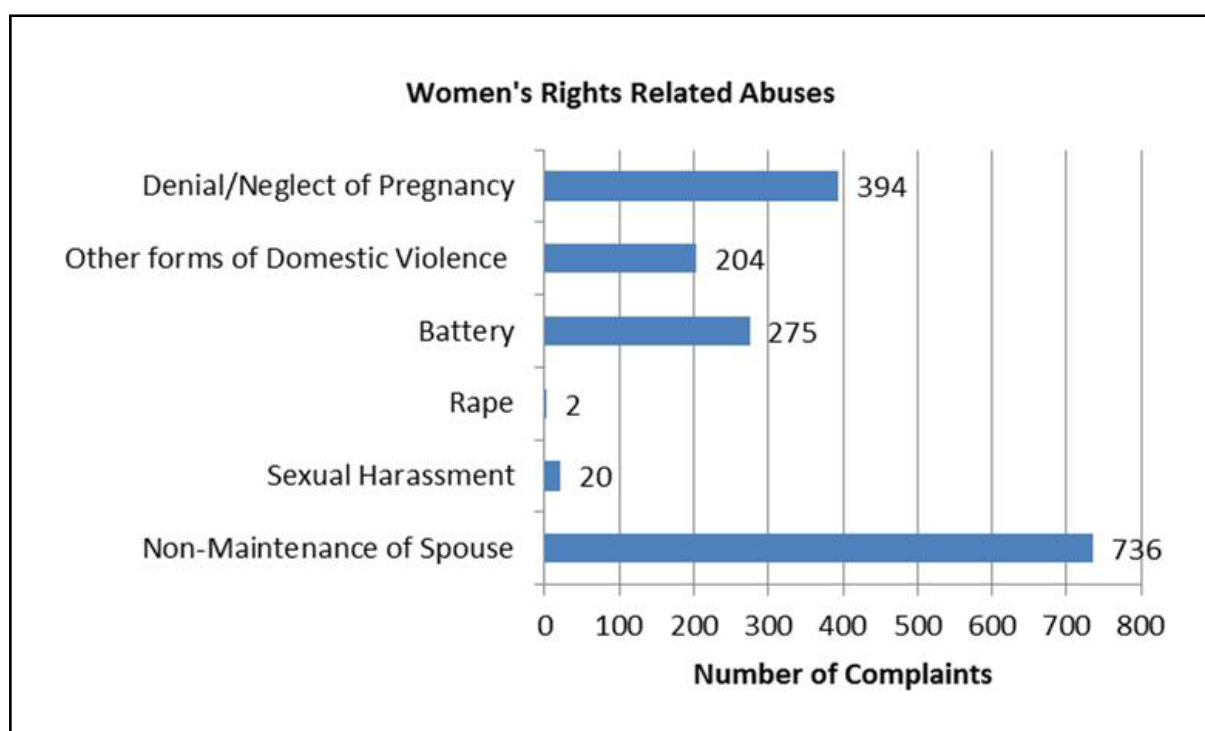
The Commission also received 93 cases of forced marriages and a few on trafficking, maltreatment, child labour and incest. See the detailed information in figure 9.

Figure 9: Nature of Children's Rights related Abuses



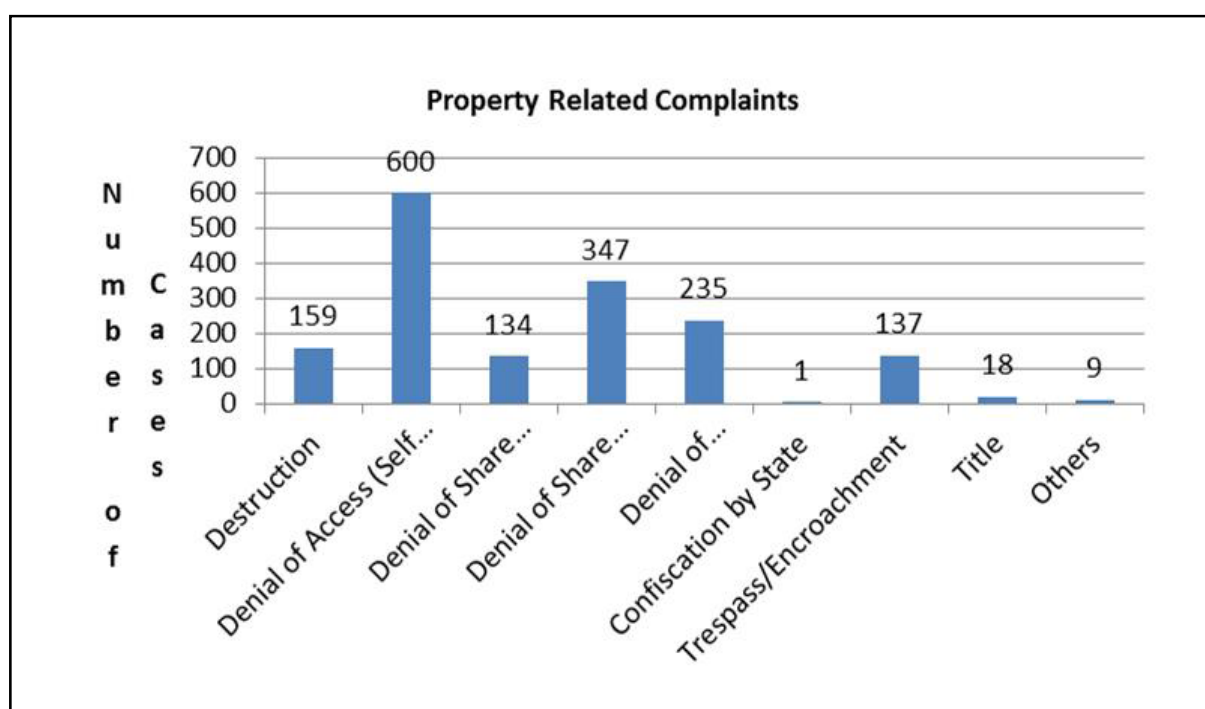
b. Women's Rights Related Abuses: Complaints alleging violation of the rights of women constitute the second highest of human rights complaints lodged with the offices of the Commission. About 69.3% of such complaints were in respect of non-maintenance and neglect of spouse. A substantial number of complaints alleged various forms of violence against women. The forms of violence include forced eviction, seizure and denial of access to personal belongings and battering. It is important to note that cases of female battery reported to the Commission increased from 92 in the year 2010 to 275 in the reporting year. See table 8 below for details. See figure 10 for details.

Figure 10: Nature of Women's Rights Abuses



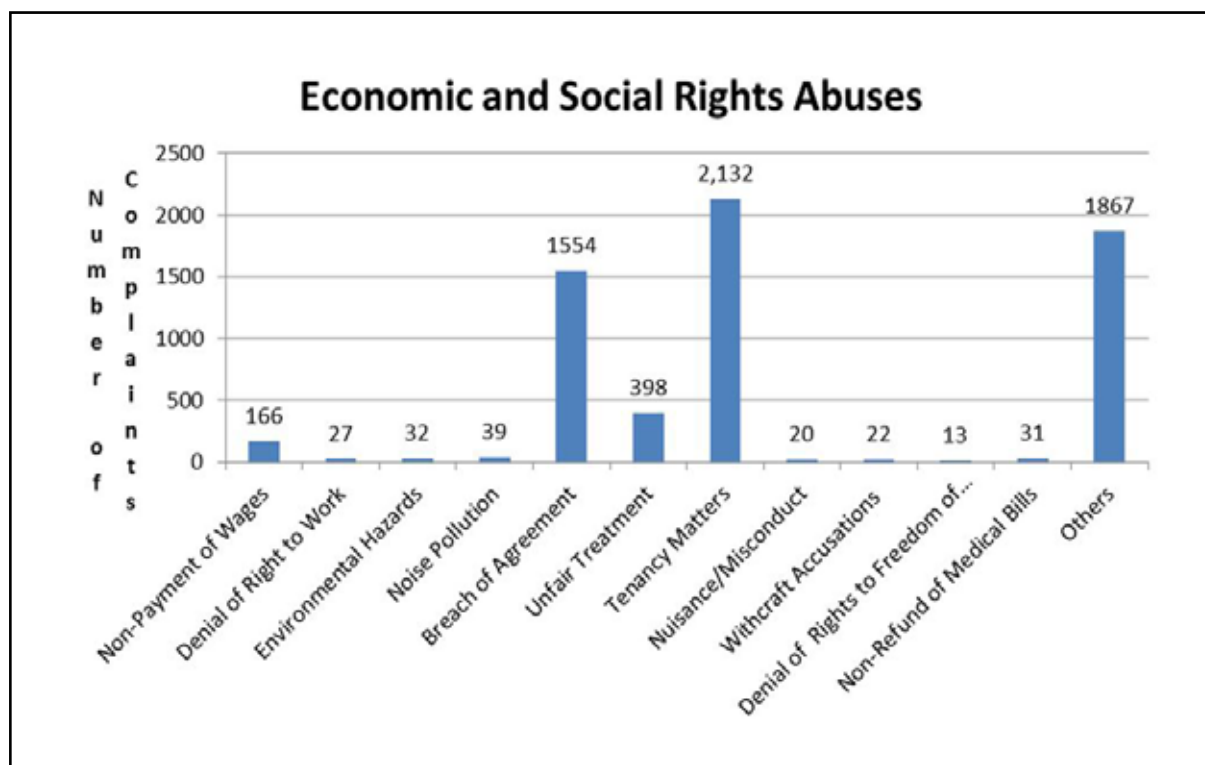
c. **Property Related Cases:** About 1,640 complaints were received in the reporting year. Almost 80.2% of the complaints received were related to denial of access and use of self-acquired and inherited properties.

Figure 11: Nature of Property Rights Abuses



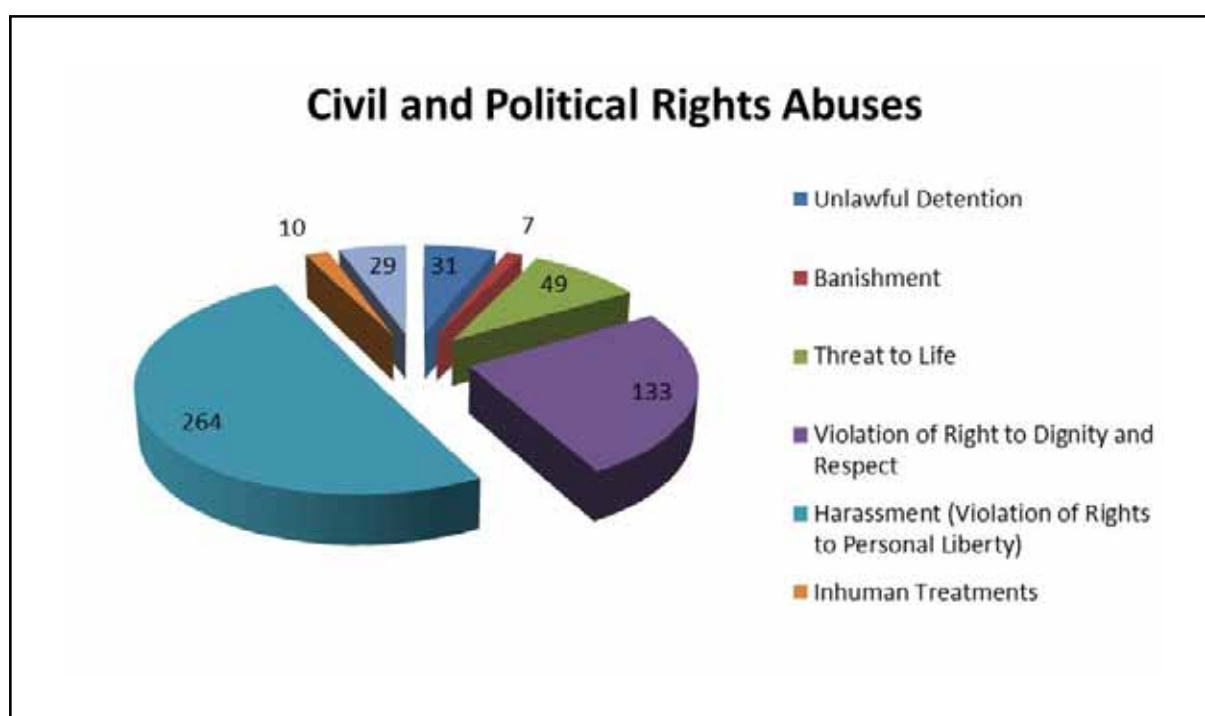
d. **Economic and Social Rights Related Cases:** Total complaints received during the reporting year were 3,025. Cases were mainly on abuses arising out of landlord tenancy problems. There were other cases of environmental hazards, violation of rights to freedom of worship and molestation of people accused of witchcraft. See figure 12 below for the detail number of abuses.

Figure 12: Nature of Economic and Social Rights Abuses



e. **Civil and Political Rights Abuses:** About 1,077 complaints were received under this category. 407 complaints, constituting 37.8% of such cases involve harassment, violation of rights to personal freedom, respect and dignity. See figure 13 below.

Figure 13: Nature of Abuses under Civil & Political Rights



Respondent Bodies in Human Rights Complaints Received in 2011

About 99.2% of the total number of cases was lodged against Private Individuals whereas 91 (0.8%) were against Institutions and Organizations. Among public institutions, the Ghana Police Service constitute the respondent body against whom the highest number of complaints were filed. These cases centered on manhandling, unlawful arrest and detention. Refer to figure table F for the individual respondent bodies and the corresponding number of cases lodged against them. For lists of respondent bodies and the corresponding number of complaints against them, see Annex F.

Mode of Closure of Human Rights Complaints

Out of 10,711 Human Rights cases closed, 898 were declined for lack of mandate and late submission of complaints. 2,279 were discontinued for various reasons. About 7,492 cases were settled through mediation while 42 were decided on merit after full investigation. For mode of closure of the nature of the abuses refer to Annex J.

b. Administrative Justice

Total number of administrative justice related cases amounted to 767. About 210 (27.4%) of these cases involve non-payment, unlawful

deductions, underpayment and withholding of salaries. Complaints on cessation of employment, payment of End of Service, Social Security and Redeployment benefits were also relatively high.

Respondent Bodies

A number of the complaints were lodged against organizations under Ministry of Interior, Education, Justice and Finance and Economic Planning. The majority of the cases were about undue delays in investigations and the dispensing of justice, failure to pay rightful entitlements and unlawful dismissals and terminations. See table G for the various organizations and the corresponding number of cases lodged against them.

Most of the problems arose out of complainants unable to access or obtain information about certain matters affecting them. Issues on unlawful dismissal and termination were often due to unfair hearing, procedural unfairness and failure to consider all relevant information

For detailed lists of respondent bodies and the corresponding number of complaints against them, see Annex G.

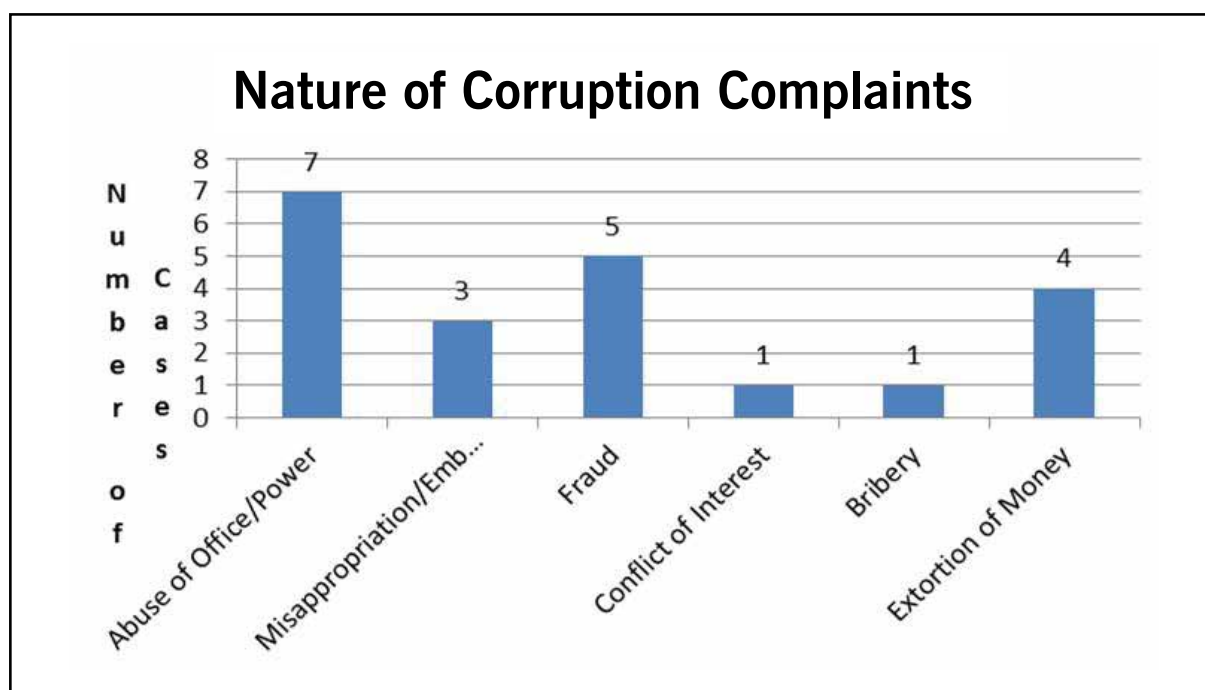
Mode of Closure of Administrative Justice Complaints

In all, 753 cases were closed, out of which 158 were declined, 209 discontinued, 33 decided after full-scale investigation and 353 settled through mediation. For mode of closure of the nature of the injustices refer to Annex K.

a. Complaints Alleging Corrupt Practices

In all, 21 complaints were received in the reporting year, out of which one (1) was made under the Whistleblower Law. Complaints were categorized as Abuse of Office, Misappropriation of Money, Fraud, Conflict of Interest, Bribery and Extortion. In most cases however, the individual complaints were a combination of or multiple offences.

Table 14: Nature of Corruption Complaints



Respondent Bodies

Complaints under this category were mostly received against private individuals who were holding official positions in public offices. The highest number of complaints was money extortions which were predominantly lodged against personnel in the Ghana Police Service. For detailed lists of respondent bodies and the corresponding number of complaints against them, see Annex H.

Mode of Closure

5 cases of allegations of corrupt practices were declined for lack of jurisdiction, 2 discontinued and 6 decided on merit after full investigation. For mode of closure of the nature of the alleged corruption refer to Annex L.

2.5 STATISTICS ON PUBLIC EDUCATION

A total of 3,756 educational activities were organized during the year, an increase of 23% from the previous year. The Tema sub-regional office was the best in terms of performance. It organized 111 public education programs during the year. The Upper West region followed with an average 50.8 public education programs. Below are tables

with details of the average number of PE activities carried by each office during the year as well as number of activities organized by each regional and district office .

Table M: Regional breakdown and ranking of Public Education activities carried out in 2011

REGION/SUB REGION	NO. OF OFFICES	TOTAL NO. OF PE ACTIVITIES CARRIED OUT	AVERAGE NO. OF PE ACTIVITIES PER OFFICE	RANKING
Greater Accra	5	113	22.6	11
Eastern	14	491	35.1	5
Volta	12	372	31	8
Ashanti	16	541	33.8	6
Brong Ahafo	13	357	27.5	10
Central	12	373	31.1	7
Western	11	311	28.3	9
Northern	13	524	40.3	4
Upper East	6	278	46.3	3
Upper West	5	254	50.8	2
Tema	1	111	111	1
Obuasi	1	31	31	8

PART III: OTHER PROGRAMMES

3.1 ADMINISTRATION

A. STAFF TRAINING

The Commission in 2011 advanced efforts to build the capacity of its staff towards a well resourced, highly motivated and committed staff, capable of meeting the Commission's present and future mandate and vision.

» **Induction Course for Upgraded /Newly Recruited officers**

The Commission organized a five day induction course for upgraded officers and newly recruited staff. This was intended to enable the upgraded and newly recruited staff to be integrated into the organization, and to promote a full understanding of the expectations of various roles as well as develop the sense of belonging. A total of 24 officers were trained.

» **DANIDA training programs for staff**

Thirteen members of staff of the Commission benefited from various training programs organized by the DANIDA Fellowship Centre (DFC).

The training programmes included:

Corruption Prevention, Education and Investigations, Financial Management, Women in Management, Public Sector Procurement Management, Organizational Change Management, Public Sector Leadership And Towards 2015: Effective Management For Development.

» **Workshop for Legal officers and Investigators in core Human Rights and their application in investigations and decisions**

During the year, the Commission continued its nationwide training program in mediation, negotiations and conciliation skills for legal officers and investigators initiated in 2010. The

objective of the program was to improve staff capacity in resolving complaints.

Participants were selected from the Upper East, Upper West and Northern as well as Eastern, Ashanti and Brong Ahafo regions.

» **Workshop for Directors, Legal officers and Investigators Administrative Justice/ Ombudsman function**

Preparation towards the internal realignment of the Commission's structures along the Constitutional mandates continued feverishly during the year. To this end, the capacity of Directors, Legal Officers and Investigators were built on the Administrative Justice and Ombudsman function during the period. The purpose of the training was to afford Participants the opportunity to have in depth knowledge of the Commission's Ombudsman's mandate for an enhanced performance regarding its administrative justice mandate.

Figure 9



CHRAJ staff being trained on the administrative justice mandate of the Commission

» **Workshop for district directors and Investigators on gender equality, gender mainstreaming and women's rights**

Various workshops on gender equality, gender mainstreaming and women's rights were organized for Investigators and District Directors during the year.

The purpose of the training workshops was to introduce participants to basic gender concepts and women's rights and to equip them to respond effectively to ensure quality intervention of concerns that may arise in their districts and regions.

» **International Training of Key officers in Human Rights, Administrative Justice, and Anti-corruption (Capacity Building of key staff of the divisions)**

Selected staff of the Commission received training in United Kingdom, Malaysia and Hong Kong in various courses such as Ombudsman and Complaints Handling Practices, Strategic Management of Anti-Corruption Programmes, Corruption Prevention and Risk Management in the Public Sector Organizations as well as Corruption Studies.

These were training of trainer's courses to enable officers acquire the requisite knowledge and subsequently share it with other staff.

» **Regional training of key officers in Human Rights, Administrative Justice and Anti- Corruption.**

A number of officers from the Commission also participated in various regional workshops in Sierra Leone and Benin. These workshops provided platforms for experience sharing across the regions on various human rights, administrative justice and corruption issues.

» **Others**

Procurement of logistics and office equipment

The Commission during the year procured 20 Double cabin Pickups, 60 motorbikes and 80 PCs and ancillary equipment for distribution to the Regional and District Offices. This is to

ensure improvement in service delivery in the regional and district offices.

A Stand-by generator was also procured for the Head Office to ensure uninterrupted power supply.

» **Refurbishment and renovation of Head Office**

As part of its effort to improve the working environment of its offices, the Commission refurbished certain parts of its offices, including the Reception and Hearing Room. Fifteen workstations and other furniture were also procured for some offices to improve space management.

3.2 PUBLIC/MEDIA RELATIONS

The Commission continued to enhance a good corporate image during the period by establishing and maintaining cordial relationships with other stakeholders, and its media partners. Media coverage of activities of the Commission saw a tremendous improvement during the year. The following media related activities were undertaken during the period:

» **World AIDS Day – December 1, 2011**

The Commission joined the international community on December 1, 2011 to commemorate World AIDS day by issuing a statement calling on all Ghanaians to embrace persons living with HIV by showing them respect, acceptance and affection.

The celebration was on the theme, “**Getting to Zero – Zero New HIV Infections, Zero Discrimination and Zero AIDS Related Deaths**”, and highlighted the need for all stakeholders to redouble efforts at dealing with the most destructive epidemic which continues to dog the human race.

Whilst the Commission took cognizance of the progress the nation had made in reducing the HIV prevalence rate, it believed that the infection rate of 1.5% (HSS 2010) still gave reason for concern given that the global target of zero infections rate by 2015 is far from being achieved.

The Commission expressed concern that victims of the HIV/AIDS pandemic continue to battle with stigmatization, discrimination, family isolation and lack of adequate healthcare.

» **International Day of Persons with Disabilities – December 3, 2011**

On December 3, 2011, the Commission issued a statement acknowledging the significant contributions by persons with disabilities towards the growth and development of the nation, as the world marked international day of persons with disabilities.

The day has been set aside since 1992 to promote an understanding of disability issues and galvanize support for the dignity, rights and well-being of persons with disabilities and to increase awareness of gains to be derived from the inclusion of persons with disability in every aspect of life. This day celebrated under the theme “**Together for a better world for all: Including persons with disabilities in development**”.

The Commission commended government for the launch of the Persons with Disability ICT Project, aimed at equipping persons with disabilities with the requisite skills. This project enabled such persons to take up opportunities and businesses that require skills and knowledge in ICT.

The Commission noted with regret, however, the delay in the issuance of Legislative Instrument (LI) needed for the full implementation of the Persons with Disability Act (Act 750). It therefore availed itself if need be, to help speed up the process.

» **Human Rights Defenders’ Awards**

In 2011, the Commission awarded four individuals for their outstanding contributions to the cause of human rights promotion and protection in the country. The four award winners were Madam Betty Ayagibah, Executive Director, Women and Orphans Movement; Mrs. Ethel MacHarrison,

Executive Director, Women in the Lord's Vineyard; Rev. Father Andrew Campbell, Leper's Aid Committee; and Solomon Joojo Cobbinah, a Broadcast Journalist with TV 3 Network.

The event, which was supported by the British High Commission, was on the theme, "Human Rights Defenders' Awards". The occasion was graced by some prominent people such as the Minister for MOWAC, a Supreme Court Judge, a former first lady and the British High Commissioner among others.

3.3 INTERNATIONAL RELATIONS AND COOPERATION

Linkages between the CHRAJ and other institutions have become a necessary component to ensure the achievement of its mission and vision. Thus, the Commission continued to build on this linkage through participation in the various international meetings.

a. Memorandum of Understanding (MoU) between CHRAJ and MACC - MALAYSIA

The Commission signed an MoU between their Malaysian counterpart during a visit by the Hon. Dato Hajah Sutinah Binti Sutin, Deputy Commissioner, Malaysia Anti-Corruption Commission and Mr. Abdul Wahab Abdul Aziz, Director, Malaysia Anti-Corruption Academy from the October 8th -15th 2011.

The objective of the MoU is to establish and enhance mutual effort between parties to increase capacity building of their officers in combating corruption. Specific areas of collaboration included skills building in the areas of corruption investigation, intelligence gathering, training, community education and prevention.

b. Collaborations and meetings with other regional human rights Networks and institutions

During the year, some officers represented the Commission at various regional meetings to foster cooperation among human rights and anti-corruptions agencies in Africa. These meetings held in Nigeria, Kenya and Burundi also aimed at promoting dialogue and sharing of best practices among these institutions.

c. International Visits

» Danish Ambassador

The Royal Danish Ambassador to Ghana, Mr. Carsten Nilaus Pedersen, paid a courtesy call on the Commissioner, in October, 2011. The Commissioner expressed gratitude for the significant monetary assistance of the Royal Danish Embassy through DANIDA that enables the Commission to carry out most of its outreach programs.

» Malaysian Counselor

In November 2011, Mr. Encik Tan Chee Keong, Counselor, High Commission of Malaysia, visited the Commission to familiarize himself with the work of the Commission, and to strengthen ties between the Commission and his outfit.

Figure 10



The Commissioner, Ms. Lamptey and Malaysian High Commissioner during a visit to the Commission

» **British High Commissioner and DFID Country Director**

During the year, the British High Commissioner Mr. Peter Jones, and Director of DFID, Ms. Sally Taylor paid a courtesy call on the Commissioner. The two used the occasion to congratulate the Commissioner on her appointment and pledged their unflinching support for the work of the Commission.

Figure 11



Ms. Lamptey with the British High Commissioner, Mr. Peter Jones, and Director of DFID, Ms. Sally Taylor in a photo shot during a courtesy call at the Commission.

The Commissioner briefed the delegation on the Commission's restructuring exercise and its effort at fighting corruption in Ghana.

» **Delegation from Benin**

An eight-member delegation from the Ministry of Administrative and Institutional Reforms of Benin visited the Commission during the year as part of a three-day working visit to the country, which was hosted by the National Commission for Civic Education (NCCE).

The delegation, led by Mr. Sounton Martial, Minister of Administrative and Institutional Reforms of Benin Republic, used the visit to learn at firsthand the work of the Commission and foster a future relationship of collaboration and networking with CHRAJ.

3.4 COLLABORATION WITH CSOS/NGOS

The NGOs Forum held four (4) successive meetings/activities aimed at enhancing human rights monitoring, capacity building, human rights education and deepening collaboration amongst member CSOs. The Forum's ultimate aim in carrying out these activities was to continue complementing the Commission's vision of fostering a culture of respect for human rights and peace in Ghana.

Similar collaborations took place in the regions and districts across the country during the year.

PART IV: CASES AND STATISTICS

4.1 SUMMARY OF SELECTED CASES

1. CASE NO: CHRAJ/2009/HQ/01314

ADMINISTRATIVE JUSTICE: (Negligence)

The complainant, a female adult, following an eye test at a hospital (the respondent), was scheduled for surgery on the left eye at a later date because the eye had developed cataract. On the day of the surgery, the medical officer mistakenly operated on the right eye and that caused the sight of the eye to deteriorate. She then sought medical treatment at two different health centers and was told that the surgery had damaged the eye. Unable to claim adequate compensation from the respondent, the complainant petitioned the Commission to assist her to procure medical certificate and any necessary documents that could assist her to advance her cause.

Through the Commission's intervention, a medical examination was conducted and all necessary reports were provided which enabled the complainant to claim appropriate compensation from the respondent.

2. CASE NO: CHRAJ/604/2008

HUMAN RIGHTS (Right to Education)

The Complainant, a male final year student at a Senior High School, indicated that the Respondent who is his father, since divorcing the wife, refused to maintain the complainant and his brother who was deaf and dumb. According to the Complainant, upon the death of their mother, they went to stay with their maternal grandmother who provided for their financial needs. The complainant indicated that at the time of lodging his complaint with the Commission he owed school fees and final examination fees. As a consequence, he would not be allowed to write the West Africa Senior School Certificate Examination (WASSCE) if he did not settle the fees. He further explained that when he demanded the fees from the Respondent, he beat him up and threw him out of his house. He was therefore petitioning the Commission to assist him claim money from the Respondent for payment of the fees.

In his response, the Respondent stated that his late wife took their children including the Complainant and they relocated at a different place after a quarrel ensued between them. According to the Respondent, after his wife's death the

Complainant reported him to the Commission. And in fulfillment of an agreement reached, he enrolled the Complainant in a school but he stopped attending and sold his textbooks, shoes and even his school uniform and joined his grandmother in fish mongering. After a while he (complainant) enrolled himself in a public school but was dismissed after he organized his fellow pupils to beat up a teacher. The Respondent further indicated that he opened a bank account for the Complainant's brother through which he sent money on a monthly basis. He conceded beating the Complainant on the day he came to demand his fees arrears because the Complainant insulted him saying that he was crazy and irresponsible.

The Commission's investigations revealed that the Complainant stayed with his mother after the separation, but upon her demise the Respondent could not stay with his children because he had remarried and his wife was not comfortable staying with his children. The children as a result went to live with their grandmother whilst the Respondent sent money for their upkeep. Furthermore, the Complainant and the Respondent had hostile disagreements because the Complainant usually got himself into trouble which required the Respondent's intervention and resolution.

Following the Commission's intervention, the Respondent paid the outstanding fees owed by the Complainant. This was confirmed by both the Complainant and the school's bursar. The Commission noted the Complainant's rudeness towards the Respondent and admonished him to be on good behavior. The case was therefore closed as settled since the relief the Complainant sought had been met.

3. CASE NO: 2011/HQ/02526

ADMINISTRATIVE JUSTICE (Providing False or Misleading Information)

The complainant is a Ghanaian woman based in Canada whose infant daughter (born in Canada) resided permanently in Ghana on a Canadian passport. The complainant applied for dual citizenship application forms from the Ministry of Foreign Affairs to enable her to apply for a dual citizenship certificate for her daughter. The complainant who resided in Kumasi asked her mother and sister to follow up on the application forms. The complainant's sister and her mother went to the office of the respondent (Ministry of Foreign Affairs) on two

different occasions but an officer at the Ministry informed them that the Ministry “has put a hold on issuance of certificate of dual citizenship to minors”. The Complainant said that she subsequently spoke the Officer on phone and the officer said “he had been ordered not to issue forms to minors such as my daughter and as a civil servant he was only following instructions”. The Complainant being dissatisfied, petitioned the Commission to assist her obtain the dual citizenship application form.

The Ministry of Foreign Affairs stated that it was not against the policy of the Ministry to issue dual citizenship forms to minors. The Respondent also denied ordering any officer at the Ministry not to sell dual citizenship forms to the public. The respondent further explained that, its staff in “his bid to explain the process of obtaining the dual citizenship created some misunderstanding”. The Respondent apologized to the complainant and requested her to send her mother or sister to purchase the forms for filing and submit it for the Ministry’s consideration.

The Commission recommended that the Ministry train its frontline officers and equip them to provide the right service to the public they serve.

4. CASE NO: CHRAJ/782/2008

HUMAN RIGHTS (Discrimination)

The Complainant who is male and has a physical disability, applied for loans from Micro Finance & Small Loan Centre, along with some other persons. According to the Complainant, he went through all formalities but when the Respondent (Micro Finance & Small Loan Centre) released a list of recipients for disbursement of the loan his name was excluded. He then reported the case to the press and this infuriated the loans’ disbursement officer of the Respondent’s institution who declined to speak to the Complainant anytime he called on the Officer.

According to the Complainant he strongly believed that he was not given the loan because of his physical disability. He was of the view that he had been discriminated against based on his disability hence this complaint.

The Respondent explained that there had been a lot of mismanagement in the organization culminating in a new directive issued for all loan applications. The new directive stipulated that applications for loans should be routed through the District Assemblies. The Respondent also stated that all those who applied for loans together with the Complainant were not successful because they did not follow the new directive. The list of all the applicants including the Complainant and the notice of the new directive were shown to the Commission.

The Commission invited the Complainant and explained the Respondent's new directive to him. The Complainant on a later date informed the Commission that he had reported to his District Assembly and had been taken through the process and had now applied for the loan.

The Commission concluded that since the Complainant was not the only person whose loan application was denied, the allegation of discrimination could not be sustained against the Respondent.

5. CASE NO: CHRAJ/2011/02506

HUMAN RIGHTS [Unlawful Detention, Right to Personal Liberty] ADMINISTRATIVE JUSTICE [Dereliction of Duty]

The Complainant, a male adult, lodged this complaint on behalf of his son who was detained at the Kwabenya Police Cells for seven (7) years without trial for allegedly possessing two wrappers of dried leaves suspected to be Indian hemp. According to the Complainant, he was informed about his son's detention by an inmate from the police cell. He subsequently visited his son (accused person) who informed him that since he was arrested sometime in 2004 he had been arraigned before court only once. Consequently, the Complainant enquired from the Kwabenya Police Station to ascertain the reason for such long detention without trial; he was informed that the police officer who arrested his son as well as the prosecutor were unknown to

the Police. The Complainant therefore petitioned the Commission to investigate the matter and seek the release of his son from police detention.

The Complainant provided the Commission with copies of the police charge sheet and record of proceedings of the District Court, Madina, in respect of the case. Based on the available documents, the Commission found the following:

- » That the accused person was arrested on 27th December 2004 for allegedly possessing two wrappers of dried leaves suspected to be Indian hemp.
- » That the accused person was arraigned before the District Court, Madina, on 4th January 2005 and remanded into prison custody.
- » That subsequently the case was called in court on five (5) different occasions in January 2005 through March 2006 even though the prosecution failed to arraign the accused person before the appropriate court for the trial to commence.
- » Notwithstanding the order of the court to remand the accused into prison custody, the accused was rather held at the Kwabenya Police Station.
- » That the prosecutor in charge of the case was no longer pursuing the matter, but the accused person continued to be detained at the Kwabenya Police Station.

In view of the above observations, the Commission on 21st March 2011 applied to the High Court (Human Rights Division), Accra, for bail pending trial for and on behalf of the accused person. The Court granted the application and ordered that the accused person be released on an unconditional bail. Subsequently, the Court order was served on the Kwabenya Police Station on the same day the bail application was granted and the detained person was released.

The Commission considered the conduct of the Ghana Police Service and in particular the prosecutor who was handling the matter as gross violation of the accused person's right to personal liberty. Furthermore, the Commission was of the view that the conduct of the prosecutor amounted to dereliction of duty.

The Commission found that the prosecutor breached the standard of care required of him to seek justice for all regardless of status or circumstance resulting in the gross violation of the accused person's right to personal liberty.

The Commission therefore recommended that the prosecutor should be sanctioned or disciplined by the Police Administration.

6. CASE NO: CHRAJ/96/2009

HUMAN RIGHTS (Non-Maintenance and Naming of Child)

The Complainant, a female adult in her late thirties and the Respondent were married for about 16 years with three children. The Complainant indicated that her husband who is the Respondent in this case accused her of infidelity, but she denied the allegation. Nonetheless, the Respondent incessantly pressured her to confess and admit to the allegation. When she could no longer bear the trauma, humiliation and the disgrace, she reported the matter to her parents for resolution. As a result, through the intervention of the Respondent's pastor and some elders, the matter was amicably resolved.

The Complainant said that she later became pregnant and the Respondent resumed his accusations of infidelity based on the advice of a spiritualist he had consulted. The Complainant said that due to psychological distress and pain, she felt sick and was admitted in the hospital for two days. She underwent an emergency caesarean two weeks later but the Respondent never visited her at the hospital. Her parents paid her medical bills but the Respondent refused to refund the money. He also refused to name and take care of the child, hence her complaint to the Commission.

In accordance with C.I. 67 of CHRAJ (Investigation Procedures) Regulation, 2010, Section 4 the Commission invited the Complainant and the Respondent for mediation. At the said mediation, it was agreed that the Respondent should name the child, remit money monthly for the maintenance of the child and pay all the medical bills incurred by the Complainant during delivery. It was also agreed that the parties should meet at the family level to resolve any marital misunderstanding before the naming ceremony.

However, the Respondent failed to comply with the terms of settlement agreed upon thereby necessitating a resort to the Court for enforcement.

4.2 DETAILED STATISTICAL TABLES

TABLE A: Classification of Number of Cases Received and Closed by

Offices	CASES RECEIVED				CASES CLOSED			
	Human Rights	Administrative Justice	Corruption	Total Received	Human Rights	Administrative Justice	Corruption	Total Closed
HEAD OFFICE	73	103	8	184	50	89	3	142
TEMA	32	36	0	68	40	55	2	97
OBUASI	104	12	0	116	108	6	0	114
Upper East Region								
BOLGATANGA REGIONAL OFFICE	35	17	0	52	31	17	0	48
ZEBILLA	53	1	0	54	51	1	0	52
BAWKU	27	0	0	27	26	0	0	26
BONGO	25	3	0	28	23	4	0	27
NAVRONGO	151	0	1	152	154	0	0	154
SANDEMA	69	1	0	70	52	1	0	53
SUB-TOTAL	360	22	1	383	337	23	0	360
Upper West Region								
WA	109	20	0	129	78	19	0	97
NADOWLI	51	0	0	51	49	0	0	49
JIRAPA	50	1	0	51	47	0	0	47
TUMU	75	2	0	77	76	1	0	77
LAWRA	40	2	0	42	47	3	0	50
SUB-TOTAL	325	25	0	350	297	23	0	320

Ashanti Region								
KUMASI	118	64	1	183	101	45	0	146
OFFINSO	334	7	0	341	302	7	0	309
BEKWAI	153	5	0	158	135	6	0	141
MAMPONG	76	11	0	87	79	7	0	86
EFFIDUASE	66	0	0	66	61	0	0	61
NEW EDUBIASE	73	1	0	74	67	1	0	68
EJURA	214	3	0	217	203	1	0	204
KUNTANASE	93	4	0	97	93	4	0	97
MANKRANSO	33	1	0	34	30	1	0	31
NKAWIE	103	11	0	114	85	8	0	93
MANSO NKWANTA	94	4	0	98	92	6	0	98
AGONA	76	4	0	80	72	6	0	78
KONONGO	63	4	0	67	58	1	0	59
JUASO	51	0	0	51	47	0	0	47
TEPA	59	0	0	59	59	0	0	59
MANPONTE NG	64	2	0	66	54	0	0	54
Sub-TOTAL	1670	121	1	1792	1538	93	0	1631
Brong Ahafo Region								
SUNYANI	297	41	3	341	278	36	1	315
BEREKUM	132	7	0	139	142	5	0	147
DORMAA	239	2	0	241	250	1	0	251
BECHEM	104	2	1	107	101	2	1	104
WENCHI	545	12	0	557	543	14	0	557
DROBO	142	1	0	143	106	0	0	106
ATEBUBU	364	3	0	367	238	1	0	239
KINTAMPO	126	5	0	131	143	4	0	147
TECHIMAN	488	7	0	495	507	8	0	515
KENYASE	147	3	0	150	171	2	0	173
GOASO	164	4	0	168	161	8	1	170
NKRONSA	257	5	0	262	224	5	0	229
KWAME DANSO	105	0	0	105	94	0	0	94
Sub-Total	3110	92	4	3206	2958	86	3	3047
Northern Region								
TAMALE	44	43	0	87	28	23	0	51
DAMONGO	17	0	0	17	15	0	0	15
ZABZUGU	9	0	0	9	9	0	0	9
GUSHEGU	14	0	0	14	11	0	0	11
TOLON-KUMBUGU	2	0	0	2	2	0	0	2
WALEWALE	33	3	0	36	28	4	0	32
SALAGA	54	2	0	56	61	3	0	64
YENDI	65	1	0	66	58	0	0	58
BOLE	35	0	0	35	23	0	0	23
SABOBA	77	0	0	77	77	0	0	77
BIMBILLA	82	0	0	82	77	0	0	77
SAVELUGU	31	10	1	42	18	5	0	23
GAMBAGA	23	1	0	24	15	1	0	16
Sub-Total	486	60	1	547	422	36	0	458

NKRONSA	257	5	0	262	224	5	0	229
KWAME DANSO	105	0	0	105	94	0	0	94
Sub-Total	3110	92	4	3206	2958	86	3	3047
Northern Region								
TAMALE	44	43	0	87	28	23	0	51
DAMONGO	17	0	0	17	15	0	0	15
ZABZUGU	9	0	0	9	9	0	0	9
GUSHEGU	14	0	0	14	11	0	0	11
TOLON- KUMBUGU	2	0	0	2	2	0	0	2
WALEWALE	33	3	0	36	28	4	0	32
SALAGA	54	2	0	56	61	3	0	64
YENDI	65	1	0	66	58	0	0	58
BOLE	35	0	0	35	23	0	0	23
SABOBA	77	0	0	77	77	0	0	77
BIMBILLA	82	0	0	82	77	0	0	77
SAVELUGU	31	10	1	42	18	5	0	23
GAMBAGA	23	1	0	24	15	1	0	16
Sub-Total	486	60	1	547	422	36	0	458
Western Region								
TAKORADI	49	27	0	76	51	27	0	78
TARKWA	68	2	0	70	51	7	0	58
ENCHI	104	0	0	104	85	0	0	85
SEFWI JUABOSO	61	0	0	61	47	0	0	47
AXIM	108	7	1	116	113	9	1	123
ASANKRANG WA	114	0	0	114	125	0	0	125
SEFWI WIAWSO	110	0	0	110	105	0	0	105
BIBIANI	280	0	0	280	225	1	0	226
AGONA NKWANTA	51	2	0	53	42	1	0	43
HALF ASSINI	29	9	0	38	35	9	0	44
DABOASE	25	1	0	26	25	1	0	26
Sub-Total	999	48	1	1048	904	55	1	960
Central Region								
CAPE COAST	80	18	0	98	76	14	1	91
DUNKWA- ON-OFFIN	121	3	0	124	128	5	0	133
AGONA SWEDRU	90	5	0	95	76	2	0	78
ABORA DUNKWA	55	0	0	55	54	0	0	54
WINNEBA	45	3	0	48	35	3	0	38
TWIFO PRASO	100	2	0	102	105	2	0	107
ASSIN FOSU	120	2	1	123	138	3	0	141
ELMINA	128	3	0	131	131	3	0	134
APAM	53	3	0	56	50	2	0	52
BREMAN ASIKUMA	46	4	0	50	40	2	0	42
AJUMAKO	42	1	0	43	44	1	0	45
Sub-Total	880	44	1	925	877	37	1	915

Greater Accra								
ACCRA	27	33	0	60	27	62	0	89
ADAFOAH	143	0	0	143	145	0	0	145
AMASAMAN	210	12	0	222	199	8	0	207
DODOWA	95	6	0	101	91	5	0	96
WEIJA	26	3	0	29	15	3	0	18
Sub-Total	501	54	0	555	477	78	0	555
Volta Region								
HOHOE	94	6	1	101	90	8	1	99
KADJEBI	62	0	0	62	57	0	0	57
HO REGIONAL OFFICE	70	26	2	98	52	14	1	67
SAGAKOPE	190	7	0	197	190	6	0	196
AKATSI	192	6	0	198	181	7	0	188
NKWANTA	124	3	0	127	150	3	0	153
ADIDOME	63	11	0	74	69	12	0	81
DENU	189	9	0	198	168	10	0	178
KPANDO	151	0	0	151	138	0	0	138
JASIKAN	46	3	0	49	41	4	0	45
KETE KRACHI	54	0	0	54	59	0	0	59
KETA	344	1	0	345	340	1	0	341
TOTAL	1579	72	3	1654	1535	65	2	1602
Eastern Region								
Koforidua	40	28	1	69	44	39	1	84
Nkwakwa	71	3	0	74	83	5	0	88
Kade	163	5	0	168	165	11	0	176
New Abirem	128	3	0	131	142	3		145
Begoro	103	1	0	104	101	1	0	102
Kibi	47	1	0	48	43	0	0	43
Nsawam	125	9	0	134	126	12	0	138
Suhum	31	3	0	34	32	5		37
Atimpoku	39	3	0	42	41	6	0	47
Akim Oda	71	1	0	72	52	0	0	52
Akropong	56	11		67	86	13	0	99
Odumasi Krobo	140	10	0	150	162	12	0	174
Donkorkrom	96	0	0	96	91	0	0	91
TOTAL	1110	78	1	1189	1168	107	1	1276
Grand Total				12,018				11,477

Table B: Head Office/Regional Breakdowns of Nature of Human Rights Complaints Received in 2011

NATURE OF ABUSES	H.O	U/E	U/W	A/R	B/A	N/R	W/R	C/R	G/R	V/R	E/R	TOTAL
Children's Rights												
Non-Maintenance of Children	33	134	63	357	536	83	295	339	225	477	416	2958
Deprivation of Education	2	13	10	35	51	16	21	13	8	48	28	245
Deprivation of Medical Care	0	3	0	8	0	3	0	0	0	0	0	14
Improper Care	0	0	1	10	8	3	4	4	12	10	3	55
Unlawful Custody	4	36	18	72	187	32	47	49	30	108	60	643
Defilement	0	0	0	6	2	1	1	0	2	5	1	18
Child Labour	0	0	0	0	1	0	0	1	0	7	0	9
Forced Marriage	1	2	0	2	12	57	3	2	0	13	1	93
Maltreatment	0	1	3	7	3	5	2	4	2	16	2	45
Denial of Paternity	1	4	5	36	88	17	15	10	14	37	22	249
Unnamed	1	1	0	4	3	0	1	1	0	2	2	15
Trafficking	0	0	0	1	0	0	1	1	1	1	0	5
Incest	0	0	0	0	1	0	0	0	0	1	0	2
Illegal Adoption	0	0	0	0	0	0	0	0	1	0	0	1
Denial of Access	0	3	1	2	8	2	5	4	10	4	17	56
Abduction/Kidnapping	0	0	0	0	0	0	0	1	0	0	0	1
others	1	0	0	0	0	1	0	0	0	0	0	2
SUB-TOTAL	43	197	101	540	900	220	395	429	305	729	552	4411
Women's Rights												
Non-Maintenance of Spouse	0	9	4	90	351	8	73	58	15	26	102	736
Sexual Harassment	2	0	0	4	8	2	0	0	1	3	0	20
Rape	0	0	0	0	0	1	0	0	0	0	1	2
Sex Discrimination	0	0	0	0	0	0	0	0	0	0	0	0
Discrimination Based on Pregnancy	0	0	0	0	0	0	0	0	0	0	0	0
Spousal Battery	0	9	6	28	162	10	6	5	11	24	14	275
Other Forms of Domestic Violence	2	4	0	30	64	0	24	21	14	45	0	204
Denial/Neglect of Pregnancy	1	18	10	39	78	57	46	29	17	72	27	394
SUB-TOTAL	5	40	20	191	663	78	149	113	58	170	144	1631
Property Rights												
Destruction	2	3	5	27	33	14	18	5	2	31	19	159
Denial of Access (Self Acquired)	2	12	30	101	162	16	75	87	17	57	41	600
Compulsory Acquisition of Property	0	0	0	0	0	0	0	0	0	0	0	0
Denial of Share (Jointly Acquired)	0	2	0	21	38	0	39	1	1	0	32	134
Denial of Share (Inheritance)	2	1	9	52	104	7	63	41	11	39	18	347
Denial of Access/Share (Intestate Succession)	1	5	3	54	63	0	77	5	5	19	3	235
Confiscation by State	0	0	0	0	1	0	0	0	0	0	0	1
Trespass/Encroachment	0	1	3	22	25	0	14	11	3	20	38	137
Title	1	2	0	7	5	0	1	1	0	1	0	18
Others				2	0	0	0	1	2	3	1	9
SUB-TOTAL	8	26	50	286	431	37	287	152	41	170	152	1640
Economic & Social Rights												
Non-Payment of Wages	0	2	4	10	9	7	5	6	4	18	6	71
Denial of Right to Work	0	0	0	3	3	0	0	3	0	10	2	21
Environmental Hazards	0	0	2	2	4	3	1	0	3	1	2	18
Noise Pollution	0	0	0	4	5	0	5	4	2	0	7	27
Breach of Agreement	1	2	13	126	271	21	37	67	23	92	114	767
Tenancy	0	19	19	375	438	7	44	37	13	91	32	1075
Nuisance/Misconduct	0	0	6	1	0	0	0	1	1	0	0	9
Witchcraft Accusations	0	0	0	0	0	12	0	0	0	0	0	12
Denial of Rights to Freedom of Worship	0	1	0	1	1	0	1	0	1	1	0	6

Non-Refund of Medical Bills	0	6	1	0	3	0	2	8	2	8	1	31
Others	5	39	74	189	243	85	41	31	46	168	67	988
SUB-TOTAL	6	69	119	711	977	135	136	157	95	389	231	3025
Civil & Political Rights												
Unlawful Detention	10	3	0	7	1	2	0	0	2	6	0	31
Non-Compliance with Courts Ruling	0	0	0	0	0	0	0	0	0	0	0	0
Unfair Trial	0	0	0	0	0	0	0	0	0	0	0	0
Banishment	0	0	0	0	0	0	0	1	0	3	3	7
Threat to Life	0	1	8	1	9	3	4	7	3	11	2	49
Violation of Right to Dignity and Respect	1	7	8	16	19	8	4	7	8	41	14	133
Denial of Bail or Release	0	0	0	0	0	0	0	0	0	0	0	0
Violation of Rights to Freedom of Worship	0	0	0	0	0	0	0	0	0	0	0	0
Harassment (Violation of Rights to Personal Liberty)	0	17	17	18	91	1	23	15	21	50	11	264
Inhuman	0	0	0	2	3	0	0	0	0	4	1	10
Treatments/Maltreatment												
Others	0	0	2	2	16	2	1	0	0	6	0	29
SUB-TOTAL	11	28	35	46	139	16	32	30	34	121	31	523
GRAND TOTAL	73	360	325	1,774	3110	486	999	881	533	1,579	1,110	11,230

Table C: Head Office/ Regional Breakdowns of Nature of Administrative Justice Complaints Received in 2011.

NATURE OF INJUSTICE	H.O	U/E	U/W	A/R	B/A	N/R	W/R	C/R	G/R	V/R	E/R	TOTAL
Unlawful Dismissal	11	6	4	19	10	4	3	2	6	10	11	86
Unlawful Termination of Appointment	2	1	2	11	7	8	5	6	17	5	10	74
Under Payment of Pension	3	0	0	0	0	1	0	0	0	1	1	6
Non-Payment of Pension	2	0	0	1	0	0	2	0	0	1	1	7
Pension Based on Lower Grade	0	0	0	0	0	0	0	0	0	0	0	0
Pension Based on Lower Grade	0	0	0	0	0	0	0	0	0	0	0	0
Withholding of Salaries	0	0	0	10	3	0	0	5	2	1	1	22
Under Payment of Salaries	0	0	0	1	0	11	0	0	0	0	0	12
Non-Payment of Salaries	7	3	4	6	14	0	3	9	12	4	13	75
Non-Payment of Salaries Arrears	8	0	0	14	10	0	4	5	6	2	1	50
Illegal Deduction of Salaries	1	0	6	4	11	7	6	6	0	8	2	51
Redundancy/Redeployment	0	0	0	2	0	1	0	0	1	2	0	6
Demotions	2	0	0	0	0	0	1	1	0	0	0	4
Denial/Delay of Promotions	0	0	0	1	0	1	0	0	2	1	0	5
Abuse of Power	3	0	0	0	0	0	0	0	0	0	0	3
Suspension/Interdiction	1	0	0	3	0	0	3	0	5	1	0	13
Non-Payment of Social Security Contribution	1	1	0	3	0	0	0	1	0	0	2	8
Non-Payment of Social Security Benefit	0	0	2	2	8	0	0	0	1	0	2	15
Failure to Act on Complaints	11	1	0	2	1	0	0	1	0	0	0	16
Failure to Prosecute (Police)	1	0	1	0	0	0	0	0	0	0	0	2
Delay in Dispensing Justice (Police)	0	0	0	3	0	6	2	0	7	8	5	31
Delay in Dispensing Justice (Labour Office)	0	0	0	0	0	0	0	0	0	0	0	0
Delay in Dispensing Justice (Attorney General)	0	0	0	0	0	0	0	0	0	0	0	0

Delay in Dispensing Justice (Judiciary)	0	0	0	1	0	0	0	0	0	0	0	1
Arbitrary Transfer	1	0	0	1	0	0	1	3	0	0	3	9
Non-Payment of End-of-Service	5	0	0	8	3	8	3	1	1	3	5	37
Non-Payment of Workmanship Compensation	2	3	0	2	0	1	0	0	0	0	2	10
Rudeness & Improper Attention	3	0	0	0	0	0	0	0	0	2	0	5
Non-Payment of Allowance	3	2	0	1	2	3	1	0	1	0	4	17
Wrongful Placement	2	0	0	0	0	0	0	0	0	0	0	2
Withdrawal from School	0	0	0	0	0	0	0	0	0	0	0	0
Premature Retirement	0	0	0	1	1	0	0	0	0	0	1	3
Denial of Study Leave	0	0	0	0	0	0	0	0	0	0	0	0
Forced Resignation	1	0	0	0	1	0	0	1	0	0	0	3
Withholding of Documents	1	0	0	6	0	1	0	0	2	1	2	13
Non-payment of Insurance Claim	1	0	1	3	1	0	0	0	0	1	1	8
Abuse of Office (Intimidation)	1	0	0	7	5	0	0	0	3	2	1	19
Negligence	1	0	0	0	0	0	0	0	1	0	0	2
Unfair Ruling	0	0	0	0	0	0	0	0	0	0	0	0
Non-Payment of Transfer Grants	0	0	0	0	0	0	0	0	0	0	0	0
Breach of Agreement	2	0	0	0	0	0	0	0	0	0	3	5
Others	27	5	5	21	15	8	14	3	23	19	7	147
TOTAL	103	22	25	133	92	60	48	44	90	72	78	767

(Note: Complaints received by Tema and Obuasi Sub regional offices were added to Greater and Ashanti Regions Respectively)

Table D: Head Office/Regional Breakdowns of Types of Corruption Complaints Received in 2011

Types of Corruption	H.O	U/E	U/W	A/R	B/A	N/R	W/R	C/R	G/R	V/R	E/R	TOTAL
Abuse of Office/Power	4	0	0	0	0	0	0	1	0	1	0	6
Misappropriation/Embezzlement	0	0	0	0	1	0	0	0	0	1	1	3
Fraud	1	1	0	1	2	0	0	0	0	0	0	5
Conflict of Interest	1	0	0	0	0	0	0	0	0	0	0	1
Bribery	1	0	0	0	0	0	0	0	0	0	0	1
Extortion of Money	0	0	0	0	1	1	1	0	0	1	0	4
Sub-Total	7	1	0	1	4	1	1	1	0	3	1	20
Corruption (Whistle Blower)												
Abuse of Office/Power	1	0	0	0	0	0	0	0	0	0	0	1
Misappropriation/Embezzlement	0	0	0	0	0	0	0	0	0	0	0	0
Sub-Total	1	0	0	0	0	0	0	0	0	0	0	1
GRAND TOTAL	8	1	0	1	4	1	1	1	0	3	1	21

TABLE E: Respondent Bodies in Human Rights Cases Received in 2011.

Respondent Bodies	Number of Complaints
Private Individual	11,139
Ghana Police Service	24
Dist/Municipal/Mtro Assemblies	7
Ghana Education Service	6
Private Companies	33
CEPS	1
Private Organization (Small Scale Enterprises)	2
Ghana Highway Authority	5
NHIS	1
Registrar General Dept	1
Ghana Armed Forces	1
Private Schools	1
Electricity Company of Ghana	2
VRA	1
Ghana National Fire Service	1
NGO'S	1
CHRAJ	2
ZOOMLION	1
EPA	1
Total	11230

Table F: Respondent Bodies in Administrative Justice Cases Received in 2011

RESPONDENT BODIES	Number of Complaints
ORGANIZATIONS UNDER MINISTRY OF JUSTICE (25 CASES)	
Attorney-General	5
Judiciary	20
ORGANIZATION UNDER MINISTRY OF INFORMATION (4 CASES)	
Ghana News Agency	2
Ghana Post	2
ORGANIZATION UNDER MINISTRY OF FINANCE AND ECONOMIC PLANNING (51 CASES)	
Controller & Accountant General	14
Banking Institutions	26
SSNIT	8
Ghana Audit Service	1
Ghana Revenue Authority	2
ORGANIZATION UNDER MINISTRY OF TRANSPORTATION(6 CASES)	
Ghana Railway Authority	1
Urban Roads	1
Metro Mass Transit	4
ORGANIZATION UNDER MINISTRY OF EDUCATION (103 CASES)	
Universities	9
Polytechnics	5
Private Schools/colleges	15
Public Schools/Colleges	31
Ghana Education Service	39
West African Examination Council	2

GNAT	2
ORGANIZATIONS UNDER MINISTRY OF EMPLOYMENT AND SOCIAL WELFARE (5 CASES)	
Department of Social Welfare	5
ORGANIZATION UNDER LOCAL GOVERNMENT & RURAL DEVELOPMENT (24 CASES)	
Regional Coordinating Councils	3
District Assemblies	21
ORGANIZATION UNDER MINISTRY OF INTERIOR (79 CASES)	
Ghana Prisons Service	9
Ghana Immigration Service	1
Ghana Police Service	66
Ghana Disaster Management Organization	2
Ghana Armed Forces	1
ORGANIZATIONS UNDER MINISTRY OF HEALTH (25 CASES)	
Ghana Health Service	25
ORGANIZATION UNDER MINISTRY OF YOUTH & EMPLOYMENT (2 Cases)	
National Youth Employment Programme (NYEP)	2
ORGANIZATION UNDER MINISTRY OF ENERGY (4 CASES)	
Volta River Authority	2
Electricity Company of Ghana	2
ORGANIZATION UNDER MINISTRY OF LANDS & NATURAL RESOURCES (2 CASES)	
Lands Commission	2
SPECIFIC MINISTRIES (11CASES)	
Food & Agriculture	1
Health	7
Interior	3
OTHERS	426
GRAND TOTAL	767

Table G: Respondent Bodies in Corruption Complaints Received in 2011.

Respondent Bodies	Number of Complaints
Ghana Police Service	6
Private Companies/Enterprise	2
District Assemblies	2
Department of Forestry	1
Judiciary	1
Chieftaincy Institutions	1
Ghana Private Road Transport Union (GPRTU)	1
National Youth Employment Programme	1
Ministry of Youth and sports	1
Forestry Commission	1
Ghana Education Service	1
Others	3
Total	21

Table H: Regional Breakdowns of Mode of Closure

Regions /Head Office	HUMAN RIGHTS				ADMINISTRATIVE JUSTICE				CORRUPTION			
	Declined	Discontinued	Settled	Total Closed	Declined	Discontinued	Settled	Total Closed	Declined	Discontinued	Settled	Total Closed
Head Office	24	10	16	50	67	12	10	89	3	0	0	3
Upper East	42	45	250	337	3	2	18	23	0	0	0	0
Upper West	53	39	205	297	1	3	19	23	0	0	0	0
Ashanti	157	228	1153	1538	26	17	50	93	0	0	0	0
Brong Ahafo	80	807	2,071	2,958	1	27	58	86	1	1	1	3
Northern	38	100	284	422	5	7	24	36	0	0	0	0
Western	114	140	650	904	14	15	26	55	0	1	0	1
Central	109	189	579	877	2	8	27	37	0	0	1	1
Greater	56	69	352	477	18	22	38	78	0	0	0	0
Volta	102	277	1,156	1,535	2	25	38	65	0	0	2	2
Eastern	96	353	719	1,168	8	49	50	107	0	0	1	1
Tema-Sub	10	7	23	40	11	20	24	55	1	0	1	2
Obuasi-Sub	17	15	76	108	0	2	4	6	0	0	0	0
Total	898	2,279	7,534	10,711	158	209	386	753	5	2	6	13

Table G: Respondent Bodies in Corruption Complaints Received in 2011.

Nature of Abuses	Declined		Discontinued		Resolved		Total Closed
	Lack of Mandate	Delay in Presentation	Loss of Interest	Withdrawn	Mediation	Decided	
CHILDREN'S RIGHTS RELATED CASES							
Non-Maintenance of Children	184	0	452	145	2,038	2	2821
Deprivation of Education	17	0	24	13	166	2	222
Deprivation of Medical Care	0	0	1	0	6	0	7
Improper Care	3	0	9	1	34	1	48
Unlawful Custody	62	0	111	26	415	0	614
Defilement	13	0	0	0	5	0	18
Child Labour	0	0	1	0	7	0	8
Forced Marriage	4	0	13	9	65	0	91
Maltreatment	3	0	7	1	32	0	43
Maltreatment	3	0	7	1	32	0	43
Denial of Paternity	22	0	44	25	151	2	244
Unnamed	0	0	1	2	7	0	10
Trafficking	2	0	0	0	2	0	4
incest	1	0	0	0	1	0	2
Illegal Adoption	0	0	0	0	1	0	1
Denial of Access	3	0	6	3	37	0	49
Abduction/Kidnapping	0	0	0	0	0	0	0
others	1	0	0	0	0	0	1
Sub-Total	315	0	669	225	2967	7	4183
WOMEN'S RIGHTS RELATED CASES							
Non-Maintenance of Spouse	36	1	109	48	504	2	700
Sexual Harassment	3	0	1	0	11	0	15
Rape	2	0	0	0	0	0	2
Sex Discrimination	0	0	0	0	0	0	0
Discrimination Based on Pregnancy	0	0	0	0	0	0	0
Spousal Battery	39	0	40	13	166	1	259
Other Forms of Violence	16	0	42	20	138	0	216
Denial/Neglect of Pregnancy	31	0	46	46	218	2	343
Sub-Total	127	1	238	127	1037	5	1535
PROPERTY RIGHTS RELATED CASES							
Destruction	13	0	31	10	101	1	156
Denial of Access (Self Acquired)	61	1	72	33	417	3	587
Compulsory Acquisition of Property	0	0	1	0	0	0	1
Denial of Share (Jointly Acquired)	8	1	18	10	62	0	99
Denial of Share (Inheritance)	32	2	64	20	200	4	322
Denial of Access/Share (Intestate Succession)	26	3	30	11	151	3	224
Confiscation by State	0	0	1	0	0	0	1
Tresspass/Enchroachment	20	0	32	7	63	0	122
Title	5	0	2	5	6	0	18
Others	2	0	3	0	8	0	13
TOTAL	167	7	254	96	1008	11	1543

ECONOMIC AND SOCIAL RIGHTS RELATED CASES							
Non-Payment of Wages	5	0	8	7	46	0	66
Denial of Right to Work	2	0	7	1	16	0	26
Environmental Hazards	3	0	1	3	10	1	18
Noise Pollution	0	0	1	1	18	0	20
Breach of Agreement	49	0	119	28	534	4	734
Tenancy (Non-Payment of Rent/Threat of Ejection/	43	0	148	40	838	7	1076
Nuisance/Misconduct	0	0	0	1	7	1	9
Witchcraft Accusations	1	0	0	0	1	0	2
Denial of Rights to Freedom of Worship	0	0	0	1	4	0	5
Medical Care	3	1	4	1	28	0	37
Others	100		131	51	700	0	982
Sub-Total	206	1	419	134	2202	13	2975
CIVIL AND POLITICAL RIGHTS RELATED							
Unlawful Detention	9	0	4	5	6	2	26
Non-Compliance with Courts Ruling	5	0	0	0	0	0	5
Unfair Trial	0	0	0	0	0	0	0
Banishment	1	0	0	1	1	0	3
Threat to Life	11	0	1	4	29	0	45
Violation of Right to Dignity and Respect	26	0	21	8	66	3	124
Denial of Bail or Release	0	0	0	0	0	0	0
Violation of Rights to Freedom of Worship	0	0	1	0	0	0	1
Harassment (Violations of Rights to Personal Liberty)	16	0	39	22	158	0	235
Inhuman Treatments/Maltreatment	1	0	3	2	3	1	10
Others	5	0	5	1	15	0	26
TOTAL	74	0	74	43	278	6	475
GRAND TOTAL	889	9	1654	625	7492	42	10,711

Table J: Mode of Closure of Administrative Justice Cases

Nature of Injustices	Declined		Discontinued		Resolved		Total Closed
	Lack of Mandate	Delay in Presentation	Loss of Interest	Withdrawn	Mediation	Decided	
Unlawful Dismissal	17	1	17	3	37	6	81
Unlawful Termination of Appointment	15	0	16	3	31	9	74
Under Payment of Pension	3	0	1	0	1	0	5
Non-Payment of Pension	4	0	2	0	5	1	12
Withholding of Salaries	5	0	5	1	13	1	25
Non-Payment of Salaries	7	1	22	1	36	5	72
Non-Payment of Salaries Arrears	11	0	8	1	25	0	45
Illegal Deduction of Salaries	8	0	17	1	23	1	50
Redundancy/Redeployment	2	0	2	0	1	1	6
Demotions	1	0	2	0	0	1	4
Denial/Delay of Promotions	0	1	0	0	0	0	1
Suspension/Interdiction	2	0	2	0	4	1	9
Non-Payment of Social Security Contribution	1	0	4	0	14	0	19
Non-Payment of Social Security Benefit	1	0	6	0	4	0	11

Failure to Act on Complaints	4	0	1	1	0	0	6
Failure to Prosecute (Police)	1	0	0	0	1	0	2
Delay in Dispensing Justice (Police)	3	0	8	0	24	0	35
Delay in Dispensing Justice (Labour Office)	1	0	0	0	0	0	1
Delay in Dispensing Justice (Judiciary)	0	0	0	0	1	0	1
Arbitrary Transfer	1	0	2	2	3	1	9
Non-Payment of End-of-Service	6	1	8	0	17	3	35
Non-Payment of Workmanship Compensation	6	0	4	0	5	0	15
Rudeness & Improper Attention	4	0	1	0	0	0	5
Non-Payment of Allowance	2	0	2	0	8	0	12
Wrongful Placement	3	0		0	0	0	3
Withdrawal from School	0	0	0	0	0	0	0
Premature Retirement	0	0	0	1	0	1	2
Denial of Study Leave	0	0	0	0	1	0	1
Forced Resignation	1	0	0	0	2	0	3
Withholding of Document	0	0	3	0	4	0	7
Non-payment of Insurance Claim	3	0	1	0	4	0	8
Abuse of Office/Power (Intimidation)	3	0	5	2	7	0	17
Negligence	2	0	0	0	0	0	2
Non-Payment of Transfer Grants	0	0	1	0	1	0	2
Breach of Agreement	3	0	0	0	0	0	3
Others	34	0	39	14	81	2	170
TOTAL	154	4	179	30	353	33	753
Total	158		209		386		753

Table K: Mode of Closure of Corruption Cases

Types of Corruption	Declined		Discontinued		Resolved		Total Closed
	Lack of Mandate	Delay in Presentation	Loss of Interest	Withdrawn	Mediation	Decided	
Abuse of Office/Power	2	0	0	0	0	0	2
Misappropriation/Embezzlement	0	0	1	0	0	1	2
Fraud	2	0	0	0	0	2	4
Conflict of Interest	0	0	1	0	0	0	1
Extortion of Money	1	0	0	0	0	3	4
Total	5	0	2	0	0	6	13
Total	5		2		6		13

Table L: Summary of Cases

Head Office /Regions	Cases Received in the reporting year(2011)	Cases carried to the reporting Year	Cases <i>Available</i> for the reporting Year (2011)	2011 Cases Closed	Previous Years Cases Closed	Total Cases Closed	Total Cases Pending at the end of 2011
Head Office	184	437	621	112	30	142	479
Upper East	383	43	426	334	26	360	66
Upper West	350	41	391	294	26	320	71
Ashanti	1,792	237	2029	1,584	47	1631	398
Brong Ahafo	3,206	460	3666	2,576	471	3047	619
Northern	547	113	660	379	79	458	202
Western	1,048	121	1169	896	64	960	209
Central	926	367	1293	798	117	915	378
Greater	555	332	887	423	132	555	332
Volta	1,654	679	2333	1,441	161	1602	731
Eastern	1,189	334	1523	1,010	266	1276	247
Tema-Sub	68	78	146	22	75	97	49
Obuasi-Sub	116	21	137	96	18	114	23
Total	12,018	3,263	15,281	9965	1,512	11,477	3,804

4.2 DETAILED STATISTICAL TABLE OF PUBLIC EDUCATION

Month/Region	J	F	M	FQ	A	M	J	SQ	MID-YR	J	A	S	TQ	O	N	D	FQ	TOTAL	%
GREATER ACCRA	3	18	1	22	18	24	17	59	81	3	2	15	20	4	8	0	12	113	3
Regional Office	0	0	0	0	3	8	1	12	12	2	0	0	2	0	0	0	0	14	12.4
Amasaman	2	2	1	5	2	5	5	12	17	0	0	0	0	0	0	0	0	17	15
Ada Foah	0	0	0	0	3	6	1	10	10	0	0	5	5	0	1	0	1	16	14.2
Weija	0	3	0	3	0	5	2	7	10	1	2	2	5	0	0	0	0	15	13.3
Dodowa	1	13	0	14	10	0	8	18	32	0	0	8	8	4	7	0	11	51	45.1
EASTERN	18	37	37	92	27	35	55	117	209	47	35	52	134	51	62	35	148	491	13.1
Regional Office	2	3	3	8	8	11	8	27	35	7	6	10	23	7	8	9	24	82	16.7
Suhum	3	4	4	11	0	2	2	4	15	1	6	5	12	6	6	0	12	39	7.9
Nsawam	2	2	1	5	0	0	10	10	15	5	0	3	8	6	6	3	15	38	7.7
Asamankese	0	4	5	9	2	2	7	11	20	3	4	3	10	4	3	3	10	40	8.1
Kibi	0	3	4	7	4	4	4	12	19	1	0	5	6	5	7	2	14	39	7.9
Oda	2	3	5	10	4	3	3	10	20	2	4	4	10	2	4	4	10	40	8.1
Nkaw'kaw	0	1	1	2	2	1	2	5	7	1	3	2	6	3	2	1	6	19	3.9
Akropong	0	2	2	4	0	0	2	2	6	4	4	3	11	1	4	2	7	24	4.9
Asuogyaman	5	5	3	13	0	0	0	0	13	13	2	0	15	0	8	0	8	36	7.3
New Abirem	2	3	4	9	0	2	2	4	13	0	2	2	4	0	1	2	3	20	4.1
Manya Krobo	0	0	0	0	1	1	3	5	5	0	0	3	3	6	6	3	15	23	4.7
Donkorkrom	0	2	3	5	3	3	3	9	14	5	0	9	14	4	4	4	12	40	8.1
Begoro	0	2	2	4	3	6	6	15	19	2	1	1	4	5	0	2	7	30	6.1
Kade	2	3	0	5	0	0	3	3	8	3	3	2	8	2	3	0	5	21	4.5

VOLTA	37	30	50	117	27	31	33	91	208	29	31	37	97	29	21	17	67	372	9.9
Regional Office	7	7	7	21	8	5	4	17	38	2	5	6	13	4	6	2	12	63	16.9
Keta	2	3	2	7	2	3	2	7	14	2	2	3	7	2	3	2	7	28	7.5
Ketu	3	2	3	8	4	5	4	13	21	4	3	3	10	3	4	2	9	40	10.8
Akatsi	12	6	6	24	2	3	2	7	31	0	3	6	9	3	0	0	3	43	11.6
North Tongu	2	3	3	8	2	2	3	7	15	3	3	3	9	3	2	2	7	31	8.3
South Tongu	2	2	3	7	2	2	2	6	13	3	3	3	9	3	2	2	7	29	7.8
Kpando	0	1	2	3	0	3	4	7	10	0	0	4	4	2	2	1	5	19	5.1
Hohoe	2	0	0	2	0	0	2	2	4	4	2	0	6	0	0	0	0	10	2.7
Jasikan	3	1	2	6	1	2	4	7	13	5	5	2	12	4	0	0	4	29	7.8
Kadjebi	0	1	16	17	1	0	2	3	20	2	0	2	4	1	1	3	5	29	7.8
Nkwanta	4	2	4	10	3	4	2	9	19	2	3	3	8	4	1	1	6	33	8.9
Kete Krachi	0	2	2	4	2	2	2	6	10	2	2	2	6	0	0	2	2	18	4.8
ASHANTI	25	45	40	110	35	52	81	168	278	54	39	51	144	56	51	12	119	541	14.4
Regional Office	8	6	5	19	11	15	7	33	52	8	3	8	19	11	8	1	20	91	16.8
New Edubiase	0	0	0	0	1	2	0	3	3	0	0	0	0	4	0	0	4	7	1.3
Offinso	3	2	8	13	0	1	8	9	22	4	0	6	10	4	4	1	9	41	7.6
Kuntenase	2	2	2	6	2	2	2	6	12	3	3	4	10	4	9	2	15	37	6.8
Juaso	2	2	2	6	0	4	2	6	12	1	1	2	4	5	4	1	10	26	4.8
Manso Nkwanta	0	0	5	5	0	4	5	9	14	8	6	6	20	0	0	0	0	34	6.3
Konongo	2	3	1	6	2	3	2	7	13	4	3	3	10	2	3	0	5	28	5
Ejura	2	2	2	6	2	2	2	6	12	2	2	5	9	4	4	0	8	29	5.4
Tepa	2	2	2	6	2	2	2	6	12	2	2	1	5	1	1	1	3	20	3.7
Mankranso	0	0	0	0	1	1	1	3	3	2	2	1	5	0	0	0	0	8	1.5
Mampong	0	7	3	10	0	3	4	7	17	0	1	3	4	0	5	1	6	27	5

Nkawie	1	8	1	10	2	0	5	7	17	3	3	3	3	9	8	1	0	9	35	6.5
Agona	1	3	2	6	3	3	2	8	14	4	3	3	3	10	5	4	2	11	35	6.5
Mampong	0	2	3	5	3	1	34	38	43	4	2	2	2	8	2	1	2	5	56	10.4
Efiduase	2	2	1	5	4	4	1	9	14	4	4	2	4	10	1	2	0	3	27	5
Bekwai	0	4	3	7	2	5	4	11	18	5	4	2	4	11	5	5	1	11	40	7.4
BRONG AHAFO	15	32	27	74	28	25	23	76	150	28	41	50	119	37	33	18	88	357	9.5	
Regional Office	0	4	7	11	2	0	0	2	13	2	11	2	15	2	0	0	2	30	8.4	
Dormaa	2	3	0	5	3	0	2	5	10	3	2	5	10	5	4	2	11	31	8.7	
Wenchi	2	3	3	8	2	4	2	8	16	4	4	8	16	7	6	5	18	50	14	
Jaman/Drobo	1	1	0	2	1	2	0	3	5	1	3	5	9	2	4	1	7	21	5.9	
Nkoranza	0	1	4	5	0	0	7	7	12	2	3	8	13	1	1	0	2	27	7.6	
Techiman	0	2	0	2	1	1	0	2	4	2	2	4	8	2	1	0	3	15	4.2	
Tano-North/Bechem	0	3	1	4	6	6	2	14	18	2	1	5	8	2	1	1	4	30	8.4	
Asunafo/Goaso	0	2	2	4	1	2	1	4	8	0	2	0	2	2	5	1	8	18	5	
Asutifi/Kenyasi	4	4	0	8	4	0	0	4	12	2	2	1	5	4	2	1	7	24	6.7	
Berekum	0	0	0	0	2	2	0	4	4	3	2	3	8	1	3	1	5	17	4.8	
Atebubu	0	2	3	5	0	2	3	5	10	2	4	0	6	2	1	1	4	20	5.6	
Kwame Danso	5	5	5	15	5	5	5	15	30	5	5	5	15	5	5	5	15	60	16.8	
Kintampo	1	2	2	5	1	1	1	3	8	0	0	4	4	2	0	0	2	14	3.9	
CENTRAL	6	23	18	47	21	37	40	98	145	58	44	29	131	36	42	19	97	373	9.9	
Regional Office	3	11	2	16	5	10	13	28	44	4	4	8	16	6	2	3	11	71	19	
Agona Swedru	3	4	4	11	7	3	6	16	27	4	2	3	9	1	3	2	6	42	11.3	
Ajumako	0	0	0	0	0	1	2	3	3	1	2	2	5	2	3	0	5	13	3.5	
Twifo Praso	0	0	1	1	0	3	4	7	8	7	15	0	22	2	15	1	18	48	12.9	
Abura Dunkwa	0	0	0	0	0	0	0	0	0	0	0	0	0	6	0	2	8	8	2.1	

Elimina	0	0	0	0	0	2	2	2	4	4	2	2	2	6	3	1	2	6	16	4.3
Mfantsiman (Saltpond)	0	0	1	1	3	2	2	6	7	6	0	0	6	1	1	1	0	2	15	4
Gomoa (Apam)	0	2	3	5	0	2	1	3	8	0	0	2	2	1	1	4	2	7	17	4.6
Breman Asikuma	0	1	0	1	0	1	0	1	2	15	5	0	20	0	0	0	0	0	22	5.9
Winneba	0	3	4	7	5	6	5	16	23	8	10	9	27	10	9	6	25	75	20.1	
Dunkwa Offin	0	2	3	5	1	2	2	5	10	8	2	3	13	2	1	0	3	26	7	
Assin Fosu	-	-	-	-	2	4	3	9	9	3	2	0	5	2	3	1	6	20	5.3	
WESTERN	12	42	28	82	26	35	24	85	167	25	33	23	81	20	29	14	63	311	8.2	
Regional Office	6	13	6	25	2	6	5	13	38	1	2	2	5	1	6	2	9	52	16.7	
Tarkwa	2	4	6	12	3	3	4	10	22	4	3	4	11	4	4	3	11	44	14.1	
Axim	0	2	3	5	1	2	0	3	8	0	7	0	7	0	0	1	1	16	5.1	
Sefwi- Wiawso	1	2	2	5	1	2	2	5	10	0	0	0	0	1	2	0	3	13	4.2	
Asankragwa	0	7	0	7	0	4	5	9	16	2	6	3	11	2	4	0	6	33	10.6	
Juaboso	0	1	1	2	1	2	0	3	5	2	2	0	4	0	2	2	4	13	4.2	
Enchi	1	2	2	5	2	2	2	6	11	3	0	1	4	2	2	2	6	21	6.8	
Half Assini	1	3	1	5	1	1	0	2	7	1	2	1	4	2	0	1	3	14	4.5	
Bibiani	0	4	0	4	4	4	0	8	12	4	4	4	12	0	0	0	0	24	7.7	
Agona Nkwanta	0	0	3	3	5	4	6	15	18	4	1	0	5	0	5	2	7	30	9.6	
Daboase	1	4	4	9	6	5	0	11	20	4	6	8	18	8	4	1	13	51	16.5	
NORTHERN	34	52	58	144	32	35	56	123	267	54	32	32	118	41	63	35	139	524	14	
Regional Office	12	12	11	35	0	3	19	22	57	3	1	3	7	6	11	6	23	87	16.6	
Savelugu	3	5	2	10	5	2	5	12	22	8	1	2	11	0	2	3	5	38	7.3	
Tolon	3	5	5	13	4	3	3	10	23	3	3	0	6	4	7	3	14	43	8.2	
Walewale	0	4	8	12	0	3	6	9	21	6	0	3	9	4	15	0	19	49	9.4	

Gambaga	0	3	4	7	4	5	3	12	19	3	3	0	6	0	0	0	0	25	4.8
Bole	1	0	4	5	2	0	0	2	7	3	3	0	6	3	3	4	10	23	4.4
Damango	2	3	3	8	0	2	2	4	12	2	3	4	9	5	4	0	9	30	5.7
Salaga	3	3	3	9	3	3	3	9	18	4	3	4	11	4	4	4	12	41	7.8
Bimbila	1	2	3	6	3	4	4	11	17	3	4	4	11	4	2	3	9	37	7
Yendi	3	3	3	9	3	3	3	9	18	3	3	2	8	3	3	3	9	35	6.7
Saboba	3	3	8	14	3	3	4	10	24	5	5	4	14	4	5	3	12	50	9.5
Zabzugu	2	3	3	8	3	3	3	9	17	7	0	4	11	4	4	4	12	40	7.6
Gushegu	1	6	1	8	2	1	1	4	12	4	3	2	9	0	3	2	5	26	5
*UPPER EAST	6	18	37	61	21	24	25	70	131	20	18	21	59	31	28	29	88	278	7.4
Regional Office	0	0	11	11	4	4	6	14	25	3	3	4	10	4	4	4	12	47	16.9
Bawku	3	5	7	15	5	5	5	15	30	3	4	3	10	4	6	4	14	54	19.4
Bulsa-Sandema	0	0	3	3	3	4	3	10	13	4	3	3	10	10	6	6	22	45	16.2
Bawku West-Zebilla	1	4	5	10	4	4	2	10	20	2	2	2	6	4	3	5	12	38	13.7
Navrongo	2	7	6	15	3	4	4	11	26	4	4	6	14	5	5	5	15	55	19.8
Bongo	0	2	5	7	2	3	5	10	17	4	2	3	9	4	4	5	13	39	14
UPPER WEST	2	31	36	69	24	33	28	85	154	12	5	21	38	16	18	28	62	254	6.8
Regional Office	0	3	3	6	3	2	15	20	26	3	3	3	9	6	4	10	20	55	21.7
Lawra	0	3	6	9	3	11	0	14	23	0	0	3	3	0	6	1	7	33	13
Nadowli	0	2	5	7	0	9	1	10	17	0	0	2	2	0	0	1	1	20	7.9
Jirapa	1	1	2	4	2	2	0	4	8	0	0	5	5	5	4	13	22	35	13.8
Tumu	1	22	20	43	16	9	12	37	80	9	2	8	19	5	4	3	12	111	43.6
TEMA	0	13	35	48	6	2	27	35	83	4	6	2	12	10	2	4	16	111	3
OBUSI	1	2	3	6	1	4	5	10	16	2	2	3	7	5	3	0	8	31	0.8
TOTAL	159	343	370	872	266	337	414	1,017	1889	336	288	336	960	336	360	211	907	3756	

PART V: SPECIAL REPORTS

5.1. HIGHLIGHTS OF THE REPORT ON THE STATE OF HUMAN RIGHTS IN GHANA BY THE COMMISSION ON HUMAN RIGHTS AND ADMINISTRATIVE JUSTICE (CHRAJ) ON THE OCCASION OF INTERNATIONAL HUMAN RIGHTS DAY AT THE OLD PARLIAMENT HOUSE, ACCRA ON DECEMBER 10, 2011

5.1.1 Introduction

The 2011 State of Human Rights Report gives us a unique opportunity to ascertain the advancement of economic, social and cultural rights based upon a review of implementation of recommendations contained in the report. These reports are published annually on December 10, when the Commission joins the international community to commemorate International Human Rights Day.

The year 2011 marks the 6th year in which the Commission has focused on monitoring economic, social and cultural rights since Ghana's National Human Rights Institution (NHRI) determined that advancement of economic, social and cultural rights lag behind civil and political rights. We reiterate that the foremost purpose of the State of Human Rights Report is to promote dialogue on state responsibility in ensuring that the rights based approach to poverty eradication, economic growth and resource allocation is employed in the planning and implementation of policies in order to protect vulnerable persons in the Ghanaian society.

Although Ghana has made solid progress in building a democratic society, promoting human rights and observing civil liberties, the country still has a long road to travel in establishing a culture of peace and human rights.

During the period under review; i.e. 2005-2011, human rights reports issued by the Commission raised serious issues of concern including:

- » Communal violence between Kusasi's and Mamprusi's
- » Police brutalities and mob justice (Mob Killings)
- » Police brutalities against residents of Nakpanduri
- » Child sexual exploitation
- » Child labour
- » Discrimination against women and girls
- » Cruel, inhuman and degrading treatment meted out to some physically and mentally ill people in prayer camps
- » Cruel, inhuman and degrading treatment, and the plight of persons suspected of witchcraft in witch camps in the three northern regions
- » Persons with disabilities and their mental and physical health
- » Stigmatization and discrimination against PLWHA
- » Status of persons living in very deprived communities- slums

The Commission's reports also extensively covered detention facilities, protection of the rights of people living in mining communities in the country and the burning issue of corruption and human rights and the right to development.

Ghana joined the middle income bracket countries with Gross Domestic Product (GDP) per capita of \$1318.00 in December 2010.¹ Oil production in Ghana begun in mid December, 2010 and is expected to greatly boost economic growth.

Ghana is touted as one of the best performing economies in Africa. Overall, poverty is said to have declined from 52 percent in 1992 to 28 percent in 2006 and Ghana is likely to succeed in halving its poverty rate /level by 2015.¹

In the view of the Commission, despite progress made in achieving the first Millennium Development Goal (MDG) by the set deadline of 2015, poverty is still practically endemic in the country.

There is still a vast amount of work to be done in achieving the MDGs pertaining to youth unemployment, extremely poor sanitation and

¹<http://go.worldbank.org/A4V7NOYALO>

falling educational standards amongst other challenges faced by the country today.

This review seeks to further evaluate Ghana's compliance with its international and regional human rights obligations, deepen the foundation of country's democracy and entrenching a culture of peace and human rights in the country.

This review concentrates on the following thematic areas:

- » Right to Basic Education
- » Right to Health
- » Children's Rights
- » Women's Rights
- » Harmful Cultural Practices (e.g., Trokosi, widowhood rites, prayer/healing camps)
- » Extremely Deprived Communities (Slums)

The 2011 Report is based on the Commission's own findings through its investigations and monitoring activities, research, decisions and recommendations made over the last six years. It is complemented by reports and information received from NGOs, the Academia, Partner Organizations, other monitoring bodies and the Media.

The Commission takes this opportunity to express its gratitude to the Ministry of Education, Ministry of Health, Accra Psychiatric Hospital, Department of Social Welfare, the Police Service, the Prisons Service, National Commission for Civic Education (NCCE) and the Media for supporting us in monitoring human rights across the country.

We would also like to thank DANIDA in providing the much needed funding support for the Commission's work towards advancing human rights in the country.

⁴See the 2011 United Nations Children's Fund (UNICEF) report on "Situation Analysis of Ghanaian Children and Women" indicates, among other things, that nearly half a million children were not enrolled despite the implementation of the Free Compulsory Universal Basic Education.⁴

5.1.2 Findings

The Right to Education

Basic Education

The delivery and expansion of quality education remains a profound challenge, notwithstanding important initiatives such as the Ghana School Feeding Programme (GSFP) and the Capitation Grant by the Government. Lack of trained teachers in public schools contributes to the poor quality of education at the basic school level. Less than 60% of primary school teachers have had proper professional training, but the districts had only 37 per cent of trained teachers.²

According to the results of the monitoring exercises over the five (5) year period, a large number of schools especially basic schools in rural communities lack adequate teaching and learning materials, notwithstanding the Free Compulsory Universal Basic Education policy of the government. The continuous existence of non-school going children who are supposed to enjoy free basic education is disturbing.³

Of the 211 basic public schools inspected in 2010 to evaluate the disbursement of the Capitation Grant, the Commission found that the grant has improved funding support to the schools and increased supply of teaching and learning materials to the schools. However, 60% of schools monitored continue to charge fees (PTA and printing levies) to support their operations, due to the inadequacy of the grant. Delay in the release of the grant also undermines the efficacy of the capitation grant program.

However, 60% of schools monitored continue to charge fees (PTA and printing levies) to support their operations, due to the inadequacy of the grant. Delays in the release of the grant undermine the efficacy of the capitation grant program.

² Ibid.

³ Daily Graphic ,Tuesday,November 15,2011,Page 11

The Commission commends the Government for increasing the capitation grant to GH¢ 4.50 per child per term in 2009. However, the rate is still too low and recommend that the grant should be increased to GH¢ 7.00 per child in 2012. Also, the Commission calls on the government to release the grant to the schools before the commencement of each school term. The Capitation Grant should be administered in such a manner that would ensure that all Ghanaian children benefit from high quality basic education.

The Commission notes that the combined effect of the school feeding programme and the capitation grant has increased school enrolment, retention and attendance of pupils in deprived communities.

Corporal Punishment

Although several countries, including New Zealand and Australia have recognized the harmful effects of corporal punishment and thus have abolished it, Ghana still maintains caning as the main form of corporal punishment in our public schools, where teachers freely wield canes. During the period under review, the Commission found out that the GES policy on corporal punishment was not respected. In the late 1970s Ghana Education Service (GES) partially banned corporal punishment in schools but allowed head teachers or their deputies to administer it. It is evident that a number of teachers abuse this policy and sometimes injures pupils/students. The Commission has had occasion to recommend that corporal punishment be discontinued in schools. Until this is done, the Commission recommends that the GES put in place mechanisms to ensure strict supervision and compliance with its policy on corporal punishment in schools.

Right to healthcare

Despite significant efforts by the Government towards the provision of health care, quality health care delivery continues to be a major challenge in the country. Reports of maternal and infant deaths threaten Ghana's quest to achieve the MDG goal on maternal and infant mortalities.

⁵ Retrieved from <http://www.theghanaijournal.com/2010/05/28/>

the-millennium-development-goals-can-ghana-achieve-them-by-2015/ on 22nd November, 2011, para 8

⁶ 2008 Ghana Millennium Development Goals Report , page 43

Our media often presents scenes and stories of overcrowding in health centers as a result of inadequate health personnel and health infrastructure. The National Health Insurance Scheme has encountered bottlenecks including complaints of the inability of the Scheme to satisfy some beneficiaries. Most of the health facilities monitored lacked very essential medical equipment, communication equipment, transportation and accommodation.

Maternal Health

In spite of several interventions initiated by the government to achieve MDG five, set to reduce by three-quarters the maternal mortality ratio by 2015, progress seems to be very slow.

Maternal Mortality Ratio has improved marginally from 560 maternal deaths per 100,000 live births in 2003 to 451 maternal deaths per 100,000 live births to 2008. ⁵If the current trend continues, maternal mortality will reduce approximately to 340 per 100,000 by the set date of 2015. It will be unlikely for Ghana to meet the MDG target of 185 per 100,000 live births unless steps are taken to accelerate the pace of maternal health interventions.⁶

Infant Mortality

According to the 2008 Ghana Millennium Development Goals Report, although evidence shows that there has been significant reduction in both infant and under-five mortality rates in recent times, it is unlikely that the 2015 target of reducing the child mortality rates will be achieved unless there is an effort to scale-up and sustain the recent child survival interventions which have brought about the current improvement. The Commission urges more concerted efforts aimed at achieving the Millennium Development Goals on infant health.

National Health Insurance Scheme

Our monitoring revealed that there are delays experienced by card bearing members in accessing medication compared to persons who pay with cash.

The Commission recommends that the Scheme be managed in such a way as to ensure that poor and vulnerable persons benefit fully from the Scheme.

HIV/AIDS

Ghana is working tirelessly to halt, and reverse the spread of HIV/AIDS by 2015. Practicing safe sex, especially among the most vulnerable, reducing mother-to-child transmission, promoting voluntary counseling and testing, and increasing use of Anti-retroviral Therapy (ART) for Persons Living with HIV/AIDS (PLWHAs) are some of the measures that we should all redouble our efforts at implementing. In addition we must continue to heighten awareness and sensitize the public to reduce further the spread of HIV/AIDS in the country, while we avoid stigmatizing and discrimination against PLWHA.

Interactions with PLWHA in the Upper East Region revealed that the indigents amongst them are unable to pay the minimum fee of GH¢ 5:00 before collecting their medication. Therefore, the Commission recommends that the minimum fee be waived so that PLWHA can collect their medications without being embarrassed by their inability to pay.

Children's rights

The general situation of the majority of children in Ghana leaves much to be desired. Many Ghanaian children face extreme poverty. Many of the children in our public schools and rural communities are visibly stunted or malnourished.

The Commission found out that Ghanaian children are increasingly suffering sexual abuse and child labour in the form of exploitative farming, fishing, trading and artisanal small scale mining. Such children are often exploited and subjected to all manner of abuse.

⁷ Ghana Demographic Profile 2011

http://www.indexmundi.com/ghana/demographics_profile.html date accessed 29-11-2011

The Commission reiterates its calls on all stakeholders to strengthen their promotional and protection efforts to secure a life of respect and dignity for all children in the country. The Commission strongly advises parents, especially fathers, not to renege on their responsibilities to their families. The Commission further calls upon the law enforcement agencies to very rigorously prosecute perpetrators to serve as a deterrent to others.

Women's rights

A number of domestic and International Legislations and Conventions exist to protect and promote the rights of women.

Though specific programmes have also been designed to implement majority of these Conventions, gender disparities and inequalities still persist in both public and private domains. Harmful and discriminatory social practices against women and girls often justified in the name of culture still persist.

There have been increasing reports of violence against women over the last six years. CHRAJ's monitoring exercises conducted over the years confirm persistent violence and discrimination against women and girls, notwithstanding the promotional efforts by stakeholders including the Ministry of Women and Children's Affairs and a plethora of Human Rights NGOs as well as the passage of laws to protect the rights of women and children.

Disparities exist in the political, economic, social and cultural lives of women in Ghana. It is based on such findings that the Commission recommends the elimination of all forms of violence against women and provision of adequate resources for states institutions working on women's issues to economically empower women to be independent. Weak capacity of appropriate enforcement and related agencies; limited coverage of the institutions dealing with women's rights are all contribution factors limiting women's participation in governance. The Commission reiterates the call on the Government to promote the laws that protect and promote women's rights and vigorously enforce these laws. The Commission calls upon the Government to increase the pace of implementation of the policy of affirmative

action for women to ensure more effective participation of women in governance.

Rights of the aged

The 2011 Ghana Demographic Profile 2011⁷ showed that the proportion of the elderly (65 years and over) forms 3.6 per cent of the population, a decrease from 5.3 per cent in the 2000 Ghana Population and Housing Census Report. Until the recent survey the proportion of the aged to the total population was increasing in Ghana. Unfortunately, the increase in numbers has also shed light on the lack of adequate protection mechanisms, and on the existing gaps in policies and programmes to address the situation of older persons. The Commission sees the majority of the country's senior citizens as vulnerable persons because the traditional social system no longer supports them; owing largely to economic constraints. It is important that Government prioritizes the rights of the elderly and implements measures aimed towards protection and promotion of the rights of elderly persons in the country.

Ghana has participated in drawing and adopted the various international and regional conventions as well as initiatives on the aged, including the Madrid International Plan of Action on Ageing (MIPAA), which seeks to address three main areas of concern; ie older persons and development; health and well-being into old age and enabling and supportive environment for ageing.

In an effort to meet its international obligations, the government in 2010 approved a National Ageing Policy. The government has also put in place programmes to address the challenges faced by the aged in areas such as rural development, migration and urbanization; health and wellbeing into ageing; income security and social protection and eradication of poverty among others ⁸ Specific interventions by the Government include introduction of the National Social Protection Strategy, 2006 and the Ghana National Disability Policy as well as coverage for the elderly under the National Health Insurance Scheme

⁸ Ghana Country Report on the implementation of The Madrid International Plan of Action on Ageing (MIPAA), August 2007, http://www.un.org/ageing/documents/review_map/GHANA.pdf date accesses 29-11-2011

(NHIS). A micro finance credit scheme for older women has been introduced. In addition, the Department of Social Welfare and the Ministry of employment and Social welfare under the Community Care Programme developed strategies to render care and support to the Aged. Counseling, social and public education programmes are carried out by their field workers at the district and community levels.

Despite these interventions there are still many issues concerning the aged that require urgent attention and action. These issues are mainly discrimination against the aged, abuse, neglect, violence, chronic health conditions and lack of access to healthy food and clean water resulting in nutrition deficiencies; lack of public support and institutional care systems; lack of geriatric specialists in the health sector; high cost of assistive devices.

The Commission calls upon the Government to establish the National Ageing Council to facilitate effective institutional coordination and implementation of policies on the aged.

Dehumanising cultural and religious practices

The burning of an elderly woman in Tema, last year after she had been accused of witchcraft typifies the type of discrimination and vulnerability imposed on women under the guise of cultural beliefs and practices in Ghana.⁹ Increasing numbers of domestic violence cases are also reported annually by the Domestic Violence and Victims Support Unit (DOVVSU).

Suspected witches who have taken refuge in the Gambaga, Kukuo, Kpatinga and the Ngaani camps in the Northern region are now resistant to reintegration into their communities because they are afraid they will be killed if they go back to their communities.¹⁰ Truly they may all be killed if we hasten their re-union with their families.

Concerted efforts aimed at fighting against such dehumanizing cultural practices as female genital mutilation, trokosi, inhuman and

⁹ Daily Graphic, Friday November 26, 2010, pages 1 and 3

¹⁰ See The Ghanaian Times, Wednesday, November 30, 2011 ¹¹ The 2011 Budget Statement and Economic Policy, Page 98, Item 362

harmful widowhood rites, early marriages and witchcraft accusations have been made through advocacy and sensitization by the Ministry of Women and Children's Affairs, Civil Society Organizations, Faith Based Organizations and the Commission. These advocacy and sensitization programmes are important because such cultural practices and domestic violence are prohibited. Despite efforts by the Commission and other stakeholders these dehumanizing practices have not stopped. Traditions die hard.

The Commission urges victims as well as witnesses not to remain silent anymore. To report all cases of violence against women, defilement and rape to the police to be investigation and for possible prosecution.

Right to housing

(Extremely Deprived Communities (Slums))

The Commission notes with concern that people living in slums that were monitored have large families and households that sometimes ranged up to fifty. Their housing arrangements are not in line with those prescribed by the Committee on Economic Social and Cultural Rights (ESCR) spelt out in the General Comments. The Committee on ESCR held that the right to adequate housing contains not only one form of shelter or another, but provides a broad explanation of adequate shelter as privacy, adequate space, adequate security, adequate lighting and ventilation, adequate basic infrastructure and adequate location with regard to work and basic facilities, all at reasonable cost.

The Accommodation for slum dwellers that were monitored fall far short of these standards. The slums have wooden structures haphazardly built with no road or drainage systems. Sanitary conditions are precarious and a threat to life in the slums that lack toilets. Children were seen idling about and playing games when other children were at school. The slums are congested and prone to fire outbreak. Most of the slum dwellers have no education and are unemployed. The healthcare situation of the slums was not satisfactory. These communities have no educational facilities for the children.

The Commission's monitoring exercise, this year, confirms that the Town and Country Planning and the Metropolitan/ Municipal Assemblies had done little to improve the lives and living conditions of the members of deprived communities during the long- term, period under review.

The Metropolitan/Municipal Assemblies, continue to collect toll tickets and taxes from the petty traders, hair dressers, tailors and seamstresses who operate their business in kiosks but the Assemblies had not done anything to improve sanitation and drainage in the these deprived communities. Instead more wooden structures are been added to the already haphazard communities without any measures being taken.

The Commission calls upon the Government to fully implement the policy on Town and Country Planning captured in the 2011 Budget Statement and Economic Policy that provides that:

The Town and Country Planning Department under the Ministry of Environment, Science and Technology will revise the existing land use plans to facilitate the provision of basic infrastructure such as roads, water, electricity, sewerage and waste management as part of measures to upgrade the existing slums in towns and cities and prevent the formation of new ones.

The department will also pursue the passage of the land use and planning bill and its accompanying regulations to provide a coherent and modernised legal framework that will enhance enforcement of planning and building regulations. A Planners Registration Council (PRC) will be established to regulate the professional conduct of Planners in the country.¹¹

Road Traffic accidents

Reports by the media indicate that carnage on our roads has increased. A survey conducted by the National Road Safety Commission (NSRC) indicated that the total number of accident deaths increased from

¹¹ The 2011 Budget statement and Economic Policy, PAGE 98, Item362

1,437 in the first ten year period (1991-2010) to 1,986 between 2001 and 2010.¹² This, the Commission considers as a threat to Ghanaian citizens' right to life.

Of particular concern is the increase in the number of children involved in road accidents and dying. A total of 838 children aged 0-15 years died through road accidents while 2,864 were injured between 2009 and 2010, according to available statistics at the National Road Safety Commission (NSRC). Child fatalities increased to 0.5 percent from 2009 to 2010 due to the unsolved problems with pedestrian safety.¹³

The UN Convention on the Rights of the Child states that children have the right to a safe environment and protection from injury. Yet many Ghanaian children continue to be killed or seriously injured on our roads.

The National Road Safety Commission (NSRC) attributes the increased number of accidents on our roads to inadequate road infrastructure, human error and high speeding by most commercial drivers. Many drivers are reckless. They ignore pedestrians even when pedestrians are using the approved routes like the zebra crossing.¹⁴

Drivers are to be blamed for most of the accidents because most of them are involved in drink-driving and other traffic offences¹⁵. Recently twenty-six persons died in a horrific accident on the Tamale-Bolgatanga highway on Saturday, 26th November, 2011.¹⁶ At this rate, Ghanaian drivers seem determined to undermine efforts by the UN to halt the increasing trends of fatalities and injuries by 2015, and reducing same by 50% by the year 2020 as declared by the UN in the Decade of Action 2011-2020. The Commission strongly advises drivers to behave responsibly and not to drink and drive.

¹² Ghanaian Times , Wednesday, November 9, 2011

¹³ Ghanaian Times, Thursday, November 3 , 2011, page 3

¹⁴ Ghanaian Times, Thursday, November 3 , 2011, page 3

¹⁵ Ghanaian Times , Wednesday, November 9, 2011

¹⁶ The Daily Graphic, Monday , November 28, 2011

The Commission also calls on the government to ensure that appropriate steps are taken by the licensing authorities to ensure that only qualified drivers drive on our roads. Police patrols on our roads should also be intensified.

5.1.3 Complaints Received and number of promotional activities undertaken

Over the past six years the Commission received over 81,397 complaints; approximately 82% of the complaints received annually were resolved mostly through mediation. The total number of complaints received in 2010 was 12,900. Between January 1, 2011 and October 31, 2011 the Commission received 10,500 complaints. It is likely that when a final tally is made the Commission would have received approximately 12,000 complaints, reflecting the trend of the number of complaints received annually in the last six years.

The complaints received were in three categories in line with the Commission's triple mandates; namely Human Rights, Administrative Justice and Anti-Corruption. Human rights cases constituted 88.8% of the total number of cases handled. Of the remaining 11.2% cases, 9.9% were in the area of administrative justice, whilst 1.3% of the cases were corruption cases.

Public Education

During the period under review, the Commission conducted approximately 16,062 interactive public education programmes in schools and communities across the country.

The Commission, between January, 2006 and August, 2011 was supported by media, especially the plethora of radio stations in the country to produce an estimated 16,101 radio talk shows and TV appearances. The media, therefore, extensively covered the Commission's outreaches and public education programmes in communities and schools.

As a nation, we urgently need to redouble our efforts at eradicating poverty and entrenching a culture of human rights to ensure that everyone in the country enjoys life in dignity and respect. As part of our strategy to build a solid democratic country, I wish to, once more,

emphasize the fundamental contribution of human rights education to the realization of human rights.

“Human rights education aims at developing an understanding of our common responsibility to make human rights a reality in every community and in society at large. In this sense, it contributes to the long- term prevention of human rights abuses and violent conflicts, the promotion of equality and sustainable development and the enhancement of people’s participation in decision-making processes within a democratic system as stated in the Commission on Human Rights resolution 2004/71.”¹⁷

5.1.4 2012 Elections

Tension is already mounting in anticipation of the 2012 general elections. Already some politicians and their followers have begun trading insults with their rivals. Successful democratic politics in the Commission’s new must be based on dialogue and persuasion, but not force and verbal abuses.

In the coming year the Commission will intensify its human rights monitoring programme to cover the right to vote. The Commission will complement the efforts of other election monitors to ensure that people are not afraid to enjoy their right to participate fully in the democratic process of the country.

The Commission admonishes the leaders of the political parties and their followers to respect each other, and operate in a prudent and competitive manner.

It is especially appropriate for the Commission to maintain its focus on economic, social and cultural rights, now that Ghana has attained a lower middle income status with its oil find. This focus would continue to gauge the advancement of economic, social and cultural and the extent to which the rights of vulnerable persons are protected alongside the political development of the country.

¹⁷ See UN General Assembly, Fifty-ninth session, Agenda item 105 (b), 2 March 2005

In conclusion, Ghana still has a very long way to go in advancing human rights, combating lawlessness, and fostering a culture of peace among the country's growing population. We must not be complacent if we are seen today as a leading peaceful nation in Africa.

5.2 2011 STATE OF CORRUPTION REPORT

Brief statement of corruption in Ghana by Ms. Laretta Vivian Lamptey, Commissioner of CHRAJ on the international Anti-Corruption Day on Friday December 9, 2011

The UN Resolution No. 58/4, dated October 31, 2003, the 9th of December was declared an International Anti-Corruption Day, to be observed by the international community each year to create awareness about the evils of corruption and to enlist public support in combating corruption.

It is my pleasure, once again, to present to you a brief statement on the State of Corruption in Ghana in 2011 on the occasion of the 8th Anniversary Celebrations of the International Anti-Corruption Day, which is under the theme: “[ACT – Against Corruption Today](#)”.

This year's celebration seeks to encourage the active participation of all sections of the society in addressing the root causes of corruption as well as strengthening the capability of state institutions to combat corruption.

[Distinguished Invited Guests, Ladies and Gentlemen,](#)

I do not intend to bore you with statistics about the level or extent of corruption in the country in 2011. Exactly a year ago, the Commission drew attention to the following:

1. A Send Foundation Report on the National Health Insurance Scheme that revealed a number of abuses of the Scheme including cheating in various ways, over-invoicing by some service providers, fraud, irrational prescriptions by health professionals, and impersonation.
2. A World Bank Report indicating that absenteeism of lecturers/teachers in public educational institutions and schools,

absenteeism of doctors in public health facilities, diversion of medicaments/drugs from public facilities for sale in private pharmacies/stores, and dilution of subsidized fertilizer before it reaches farmers, posed a challenge in the development of the country.

3. A Revenue Watch Index – Transparency study which also disclosed weak transparency in our extractive industries placing us in the category of countries with “[Scant Revenue Transparency](#)”, alongside Tanzania, Algeria, Democratic Republic of Congo, Equatorial Guinea, Saudi Arabia, Kuwait and Turkmenistan.

This year, the Auditor-General’s report on the Public Accounts for the year ended December 31, 2010, revealed that a total of GH¢173,174,541 was unaccounted for as a result of financial irregularities in the country’s public accounting system.

At the beginning of 2011, we read or heard of the report of Anas Aremeyaw Anas, whose covert investigations revealed serious corrupt practices at Tema Harbour, which led to the loss of huge sums of money to the state.

Last week Transparency International released its Corruption Perception Index (CPI). Ghana scored 3.9 points to rank 69 out of 183 countries worldwide, which is below the mark of 4.1 points that the country scored in 2010. This score sends us back to the scores of 2009 and 2008.

Just this morning, the Ghana Integrity Initiative released a corruption perception study it conducted in the country.

The evidence of corruption in the country is there, despite the fact that some reports are “perceptions”. Nothing has changed much since 2010. Therefore, unlike last year, the Commission’s statement on the state of corruption in Ghana in 2011 focuses more on the measures we undertook during the year to combat corruption.

5.2.1 Measures undertaken

The country responded to the various forms of corruption in diverse ways, including enhancing the legal framework, developing of an Anti-Corruption Action Plan, building integrity as well as undertaking preventive, educational and enforcement measures to combat corruption.

Anti-Corruption Legal Framework

In the year under review, a few legislative instruments were laid before Parliament. These include:

- » The Anti-Money Laundering Regulations, 2011 (L.I.1987);
- » Fees and Charges (Amendment) Instrument, 2011 (L.I. 1986);
- » Internal Audit Regulations, 2010 (L.I. 1966), and
- » Audit Service Regulations, 2011 (C.I. 70)

Yet to be laid are the Public Officers (Code of Conduct) Bill, the Whistleblower (Amendment) Bill and Freedom of Information Bill.

Development of a National Anti-Corruption Plan:

The development of the National Anti-Corruption Action Plan (NACAP), which begun in 2010 was concluded and preparations are being made for its presentation to Parliament for adoption.

I shall return to NACAP later in my Statement but suffice it to say that the NACAP offers a framework for effectively mobilizing broad public support and resources for anti-corruption activities in a focused and sustained fashioned.

Second National Conference on Integrity

As part of measures to promote integrity, the Second National Conference on Integrity (the Conference), was held in October 2011. It was under the theme: “Building a robust ethics infrastructure to promote integrity in Ghana.”

The conference attracted about 200 participants drawn from key accountability Institutions in Ghana, Office of the President, Parliament of Ghana, Ministries, Departments and Agencies, Private Sector, and Delegation from Malaysia Anti-Corruption Commission, Sierra Leone

Anti-Corruption Commission and the Directorate on Corruption and Economic Crime, Botswana.

The conference sought among other things, to increase understanding of the role of integrity in good governance, to develop practical strategies to consolidate measures and initiatives during the last conference in 1998, and to build a stronger national integrity system.

The conference also provided a forum that stimulated ideas, fostered collaboration amongst the pillars of integrity in Ghana and international partners and anti-corruption agencies. Finally the conference validated the National Anti -Corruption Action Plan.

A communiqué issued at the end of the conference drew Government's attention to the following recommendations:

1. That government adequately resource CHRAJ as the independent anti-corruption institution to effectively discharge its anticorruption mandate;
2. That the Attorney-General and Minister for Justice see to the enactment of the Public Officers (Code of Conduct) Bill, the Whistleblower (Amendment) Bill and the preparation of legislation on witness protection;
3. That Attorney-General and Minister for Justice consider amending the Criminal Offences Act, 1960 (Act 29) to widen the definition of corruption in conformity with the United Nations Convention Against Corruption and the Africa Union Convention on Preventing and Combating Corruption and Related Offences;
4. That the assets declaration regime for public officers be made more robust and that the declarations be verifiable and be subject to public scrutiny;
5. That children and the youth be introduced to ethics and integrity education and training to imbibe the culture of integrity before their moral values are corrupted, and

6. That steps should be taken to ensure the de-politicisation of issues pertaining to corruption and crime.

Dissemination of the Code of Conduct for Public Officers

The dissemination of the Code of Conduct for Public Officers continued throughout the country including workshops, seminars, community outreach programmes and multi-media programmes in the Districts.

The Commission acknowledges the initiatives of the Statistical Service of Ghana and the Gomoa West District Assembly in providing training on the Code of Conduct for Public officers to their staff.

Engagement with the Youth and Students

To inculcate integrity in the younger generation, a number of anti-corruption activities were organised for the youth and students by either the Commission or its partners, members of the GACC. The activities included:

- » A Human Rights and Integrity Camp for selected secondary students, where they were taught human rights, corruption and integrity.
- » Several Human Rights and Integrity Clubs were organised across the country.
- » Patrons of Human Rights and Integrity Clubs underwent some training in Ho in the Volta Region.
- » The GACC organised training for youth groups in the country to create awareness about the need for credible and corruption free elections.

The Commission and the Advocacy & Legal Advice Centre (ALAC) of the Ghana Integrity Initiative (GII) continued to organise community outreach programmes on corruption for a number of communities in the regions. The activities sought to raise the awareness of the communities about corruption and to empower the citizenry to report corruption to the appropriate agencies.

The media also continued to report on corruption allegations throughout the year, thus putting corruption issues in the public domain. Of particular significance is the work of Anas Arimeyaw Anas

of the New Crusading Guide, whose investigations revealed serious corrupt practices at Tema Harbour.

5.2.3 Other measures

Other measures were undertaken including strengthening the Economic and Organised Crime Office (EOCO)¹⁸, reforming in the Revenue and Security Agencies¹⁹ as well as signing unto and extending the Extractive Industries Initiative (EITI) to the oil and Gas sector.

The EITI process, a voluntary initiative, supports improved governance through the verification and full publication of company payments and government revenues from oil, gas, and mining.

5.2.4 Major issues for attention

Despite measures implemented over the period, corruption remains one of the most serious crimes in the country. The effectiveness of the measures was hampered by the following factors:

- » Politicization of issues pertaining to corruption and crime
- » Weak coordination and collaboration among anti-corruption agencies
- » High tolerance for corruption and public cynicism and apathy toward the fight against corruption
- » Under-resourced anti-corruption agencies and independent governance institutions
- » Abuse of incumbency
- » Excessive bureaucracy
- » Weak enforcement of legislation
- » Weak assets declaration regime
- » Ethical Leadership

Inadequate Resources

In terms of resources, the Commission notes that the 2012 budget allocated to Anti-Corruption Agencies has been enhanced generally. The Commission's allocation increased by 49% points, the allocation to the Ministry of Interior increased by 53% points, Attorney General's

¹⁸ "Corruption: Government Disappointed" In: The Ghanaian Times, Tuesday, December 6, 2011

¹⁹ *ibid*

Department increased by 41% points, Audit Service increased by 29% points and Parliament's allocation was increased by 65% points.

5.2.5 Conclusion and Recommendations

Legatum Prosperity Index

Distinguished Guests, Ladies and Gentlemen, before I conclude I would like to inform you that despite the state of affairs, Ghanaians are said to be happy and prosperous people.

According to the Legatum Prosperity Index, which defines prosperity as wealth and wellbeing, the most prosperous nations in the world are not necessarily those that have a high GDP, but those that have happy, healthy and free citizens.

The 2011 Index which assessed 110 countries based on 89 different variables, each of which has a demonstrated effect on economic growth and personal wellbeing, revealed that of the 110 countries, Ghana ranked 78 worldwide and 3rd in Sub-Saharan Africa as a country which performed creditably well in governance and personal freedoms and the 20th worldwide with respect to public confidence in national government despite high perception of corruption.

What this Index tells us is that if we put more effort into the fight against corruption, we would witness more economic growth and prosperity and wellbeing.

Distinguished Ladies and Gentlemen, I have tried to present to you an overview of corruption in the year 2011 and how the country responded to it. Corruption has found a niche in public life and in the lives of many Ghanaians to the extent that it can be described as a way of life rather than a fact of life. Such a situation is unacceptable. Ghana deserves better. We are encouraged that Government is "disappointed" about the country's score of 39 on the CPI.

5.2.6 Way Forward

The nature and extent of corruption in the country requires an approach that combines prevention, education and deterrent measures. It must involve all: government, public, state institutions and all other stakeholders. In other words, we need to tackle corruption holistically. That is why NACAP is very significant.

The NACAP is a key strategic response to the lack of holistic approach to combating corruption in Ghana, an issue of poor coordination and institutional weaknesses.

The development of the NACAP has taken account of the challenges, limitations and shortcomings that characterized previous measures. It integrates anti-corruption measures into the programs and activities of all public sector organizations, particularly MDAs and MMDAs, and key actors in the private sector. It targets the private sector and embraces the activities of state and non-state actors.

NACAP has the aim of contextualising and mobilising efforts and resources of stakeholders, including Government, individuals, civil society, private sector and the media, to prevent and fight corruption through the promotion of high ethics and integrity and the vigorous enforcement of applicable laws.

Political Will

NACAP will achieve its objectives if all of us do not only condemn or denounce corruption but demonstrate a credible intent to fighting it. This can be manifested in several ways, including the following:

1. The state makes substantial investment in the implementation of anti-corruption measures;
2. Politicians, public servants, ordinary members of the public, should resolve to engage in concrete acts of resistance to the menace of corruption;
3. We should ensure that state institutions and the private sector have credible internal policies to deal with corruption, such as establishing internal mechanisms for reporting corruption and related misconduct, conducting corruption risk assessments and sealing corruption opportunities in the organisations, and acting expeditiously on allegations of corruption in the organisations.

Thank you all for coming and wish you Merry Christmas and Happy New year in advance.

PART VI: FINANCIAL REPORT

6.1 BRIEF REPORT ON THE COMMISSION'S FINANCIAL DISBURSEMENT FOR 2011

The Commission's bank balances as at January 1, 2011 are as follows

Salaries Account	-	GH¢115,332.02
Treasury Account	-	GH¢14,283.99
Donor Account/DANIDA	-	GH¢629,989.09

6.2 BUDGET ESTIMATE FOR 2011 FISCAL YEAR

In 2011, the Government of Ghana approved a budget estimate of GH¢ 8,777,644.00 for the Commission's programme of activities for 2011 in the Government's fiscal policy statement.

Below is a table of the amounts approved and released for the period 2010 and 2011.

Personnel	2010				2011		
	Approved	Released	Outstanding		Approved	Released	Outstanding
Emolument	4,126,915.00	4,836,254.75	709,339.75 TM		5,260,218.00	7,808,234.63	(2,548,016.63)
Administration	1,100,000.00	1,100,000.00	0		834,418.00	834,418.00	-
Service	655,409.00	505,631.95	749,777.05		834,418.00	637,139.74	197,278.26
Investment	1,697,180.00	29,571.27	1,667,608.73		1,848,590.00	399,802.90	1,448,787.10
Total	7,579,504.00	6,471,462.97	1,108,041.03		8,777,644.00	9,679,595.27	(901,951.27)

6.3 SUPPORT FROM DEVELOPMENT PARTNERS

In the year under review, the Commission also received funding support from DANIDA totaling GH¢ 3,269,363.72

TM Represents extra funds for payment of staff salaries

DANIDA FUND

Status		Amount
Opening Balance	-	629,989.09
Amount Received	-	3,269,363.72
Total Amount Available	-	3,899,352.74
Amount Disbursed	-	3,368,083.16
Closing Balance	-	531,269.58

The closing balances of the Commission's account as at December, 2011;

Salaries Account	-	GH¢48,100.96
Treasury Account	-	GH¢ 65.83
DANIDA Account	-	GH¢531,269.58

PART VII: LEGISLATIVE FRAMEWORK

6.1 CHAPTER EIGHTEEN OF THE 1992 CONSTITUTION OF GHANA

COMMISSION ON HUMAN RIGHTS AND ADMINISTRATIVE JUSTICE

216. There shall be established by Act of Parliament within six months after Parliament first meets after the coming into force of this Constitution, a Commission on Human Rights and Administrative Justice which shall consist of –

- a. Commissioner for Human Rights and Administrative Justice; and
- b. two Deputy Commissioners for Human Rights and Administrative Justice

217. The President shall appoint the members of the Commission under article 70 of this Constitution.

218. The functions of the Commission shall be defined and prescribed by Act of Parliament and shall include the duty:

- a. to investigate complaints of violations of fundamental rights and freedoms, injustice, corruption, abuse of power and unfair treatment of any person by a public officer in the exercise of his official duties;
- b. to investigate complaints concerning the functioning of the Public Services Commission, the administrative organs of the State, the Armed Forces, the Police Service and the Prisons Service in so far as complaints relate to the failure to achieve a balanced structuring of those services or equal access by all to the recruitment of those services or fair administration in relation to those service;

- c. to investigate complaints concerning practices and actions by persons, private enterprises and other institutions where those complaints allege violations of fundamental rights and freedoms under this Constitution.
- d. (d) to take appropriate action to call for the remedying, correction and reversal of instances specified in paragraphs (a), (b) and (c) of this clause through such means as are fair, proper and effective, including -
 - i. negotiation and compromise between the parties concerned;
 - ii. causing the complaint and its finding on it to be reported to the superior of an offending person;
 - iii. bringing proceedings in a competent Court for a remedy to secure the termination of the offending action or conduct, or the abandonment or alteration of the offending procedures; and
 - iv. bringing proceedings to restrain the enforcement of such legislation or regulation by challenging its validity if the offending action or conduct is sought to be justified by subordinate legislation or regulation which is unreasonable or otherwise ultra vires;
- e. to investigate all instances of alleged or suspected corruption and the misappropriation of public moneys by officials and to take appropriate steps, including reports to the Attorney-General and the Auditor-General, resulting from such investigations;
- f. to educate the public as to human rights and freedoms by such means as the Commissioner may decide, including publications, lectures and symposia; and
- g. to report annually to Parliament on the performance of its functions.

219. (1). The powers of the Commission shall be defined by Act of Parliament and shall include the power:

- a. to issue subpoenas requiring the attendance of any person before the Commission and the production of any document or record relevant to any investigation by the Commission.
 - b. to cause any person contemptuous of any such subpoena to be prosecuted before a competent Court;
 - c. to question any person in respect of any subject matter under investigation before the Commission;
 - d. to require any person to disclose truthfully and frankly any information within his knowledge relevant to any investigation by the Commissioner.
- (2.) The Commissioner shall not investigate-
- a. a matter which is pending before a court or judicial tribunal; or
 - b. a matter involving the relations or dealings between the Government and any other Government or an international organisation; or
 - c. a matter relating to the exercise of the prerogative of mercy.
220. An Act of Parliament enacted under article 216 of this Constitution shall provide for the creation of regional and district branches of the Commission.
221. A person shall not be qualified for appointment as a Commissioner or a Deputy Commissioner for Human Rights and Administrative Justice, unless he is –
- a. in the case of Commissioner, qualified for appointment as a Justice of the Court of Appeal; and
 - b. in the case of a Deputy Commissioner, qualified for appointment as a Justice of the High Court.

222. The Commissioner and Deputy Commissioners shall not hold any other public office.
223. (1). The Commissioner and deputy Commissioners shall enjoy the terms and conditions of service of a Justice of the Court of Appeal and High Court respectively.
- (2). The Commissioner and Deputy Commissioners shall cease to hold office upon attaining the ages of seventy and sixty-five years respectively.
224. Where the Commissioner dies, resigns or is removed from office or is for any other reason unable to perform the functions of his office, the President shall, acting in consultation with the Council of State, appoint a person qualified to be appointed Commissioner to perform those functions until the appointment of a new Commissioner.
225. Except as provided by this Constitution or by any other law not inconsistent with this Constitution the Commission and the Commissioners shall, in the performance of their functions, not be subject to the direction or control of any person or authority.
226. The appointment of officers and other employees of the Commission shall be made by the Commission acting in consultation with the Public Services Commission.
227. The administrative expenses of the Commission including salaries, allowances and pensions payable to, or in respect of, persons serving with the Commission, shall be charged on the Consolidated Fund.
228. The procedure for the removal of the Commissioner and Deputy Commissioners shall be the same as that provided for the removal of a Justice of the Court of Appeal and a Justice of the High Court respectively under this Constitution.
229. For the purposes of performing his functions under this Constitution and any other law, the Commissioner may

bring an action before any court in Ghana and may seek any remedy which may be available from that court

230. Subject to the provisions of this Constitution and to any Act of Parliament made under this Chapter, the Commission shall make, by constitutional instrument, regulations regarding the manner and procedure for bringing complaints before it and the investigation of such complaints.

6.2 CHAPTER TWENTY-FOUR: CODE OF CONDUCT FOR PUBLIC OFFICERS

284. A public officer shall not put himself in a position where his personal interest conflicts or is likely to conflict with the performance of the functions of his office.

285. No person shall be appointed or act as the Chairman of the governing body of a public corporation or authority while he holds a position in the service of that corporation or authority.

286. (1) A person who holds a public office mentioned in clause (5) of this article shall submit to the Auditor-General a written declaration of all property or assets owned by, or liabilities owed by, him whether directly or indirectly;

- a. within three months after the coming into force of this Constitution or before taking office, as the case may be,
 - b. at the end of every four years; and
 - c. at the end of his term of office.
2. Failure to declare or knowingly making false declaration shall be a contravention of this Constitution and shall be dealt with in accordance with article 287 of this Constitution.
 3. The declaration made under clause (1) of this article shall, on demand, be produced in evidence-
 - a. before a court of competent jurisdiction; or

- b. before a commission of inquiry appointed under article 278 of this Constitution; or
 - c. before an investigator appointed by the Commissioner for Human Rights and Administrative Justice.
- 4. Any property or assets acquired by a public officer after the initial declaration required by clause (1) of this article and which is not reasonably attributable to income, gift, loan, inheritance or any other reasonable source shall be deemed to have been acquired in contravention of this Constitution.
- 5. The public offices to which the provisions of this article apply are those of –
 - a. the President of the Republic;
 - b. the Vice-President of the Republic;
 - c. the Speaker, the Deputy Speaker and a Member of Parliament;
 - d. Minister of State or Deputy Minister;
 - e. Chief Justice, Justice of the Superior Court of Judicature, Chairman of a Regional Tribunal, the Commissioner for Human Rights and Administrative Justice and his Deputies and all judicial officers;
 - f. Ambassador or High Commissioner;
 - g. Secretary to the Cabinet;
 - h. Head of Ministry or government department or equivalent office in the Civil Service;
 - i. chairman, managing director, general manager and departmental head of a public corporation or company in which the State has a controlling interest; and
 - j. such officers in the public service and any other public institution as Parliament may prescribe.
- 6. The Auditor-General shall make a written declaration of his assets and liabilities to the President in the manner and subject to the conditions provided in clauses (1) to (3) of this article.
- 7. Before entering upon the duties of his office, a person appointed to an office to which the provisions of this article

apply, shall take and subscribe the oath of allegiance, the oath of secrecy and the official oath set out in the Second Schedule to this Constitution, or any other oath appropriate to his office.

287. (1). An allegation that a public officer has contravened or has not complied with a provision of this Chapter shall be made to the Commissioner for Human Rights and Administrative Justice and, in the case of the Commissioner of Human Rights and Administrative Justice, to the Chief Justice who shall, unless the person concerned makes a written admission of the contravention or non-compliance, cause the matter to be investigated.

(2). The Commissioner of Human Rights and Administrative Justice or the Chief Justice as the case may be, may take such action as he considers appropriate in respect of the results of the investigation or the admission.

288. In this Chapter, unless the context otherwise requires, “public officer” means a person who holds a public office.

6.3 ACT OF THE PARLIAMENT OF THE REPUBLIC OF GHANA ENTITLED THE COMMISSION ON HUMAN RIGHTS AND ADMINISTRATIVE JUSTICE ACT, 1993

AN ACT to establish a Commission on Human Rights and Administrative Justice to investigate complaints of violations of fundamental human rights and freedoms, injustice and corruption; abuse of power and unfair treatment of persons by public officers in the exercise of their duties, with power to seek remedy in respect of such acts or omissions and to provide for other related purposes.

DATE OF ASSENT: 6TH JULY, 1993

BE IT ENACTED by Parliament as follows:

PART I - ESTABLISHMENT OF COMMISSION ON HUMAN RIGHTS AND ADMINISTRATIVE JUSTICE.

Section 1 - Establishment of the Commission.

There is established by this Act a body to be known as the Commission on Human Rights and Administrative Justice in this Act referred to as “the Commission”.

Section 2 - Composition of the Commission.

1. The Commission shall consist of -
 - a. A Commissioner for Human Rights and Administrative Justice in this Act referred to as “the Commissioner”; and
 - b. two Deputy Commissioners for Human Rights and Administrative Justice, in this Act referred to as “the Deputy Commissioners”.
2. The President shall, acting in consultation with the Council of State appoint the Commissioner and the Deputy Commissioners.

Section 3 - Qualification of Commissioners.

1. A person shall not be qualified for appointment as a Commissioner or a Deputy Commissioner for Human Rights and Administrative Justice, unless he is-

- a. in the case of the Commissioner, qualified for appointment as a Justice of the Court of Appeal; and
 - b. in the case of a Deputy Commissioner, qualified for appointment as a Justice of the High Court.
2. The Commissioner and Deputy Commissioners shall not while holding office as Commissioners hold any other public office.

Section 4 - Terms and Conditions of Service of Commissioners.

1. The Commissioner and Deputy Commissioners shall enjoy the terms and conditions of service of a Justice of the Court of Appeal and High Court respectively.
2. The Commissioner and Deputy Commissioners shall cease to hold office upon attaining the ages of seventy and sixty-five years respectively.
3. Where the Commissioner or a Deputy Commissioner dies, resigns or is removed from office or is for any other reason unable to perform the functions of his office, the President shall, acting in consultation with the Council of State, appoint a person qualified to be appointed Commissioner or Deputy Commissioner to perform those functions until the appointment of a new Commissioner or Deputy Commissioner.

Section 5 - Removal of Commissioners.

The procedure for the removal of the Commissioner and Deputy Commissioners shall be the same as that provided for the removal of a Justice of the Court of Appeal and a Justice of the High Court respectively under article 146 of the Constitution.

Section 6 - Independence of Commission and Commissioners.

Except as provided by the Constitution or by any other law not inconsistent with the Constitution, the Commission and the Commissioners shall, in the performance of their functions not be subject to the direction or control of any person or authority.

PART II - FUNCTIONS OF THE COMMISSION

Section 7 - Functions of the Commission.

The functions of the Commission are-

- a. to investigate complaints of violations of fundamental rights and freedoms, injustice, corruption, abuse of power and unfair treatment of any person by a public officer in the exercise of his official duties;
- b. to investigate complaints concerning the functioning of the Public Services Commission, the administrative organs of the State, the offices of the Regional Co-ordinating Council and the District Assembly, the Armed Forces, the Police Service and the Prisons Service in so far as the complaints relate to the failure to achieve a balanced structuring of those services or fair administration in relation to those services;
- c. to investigate complaints concerning practices and actions by persons, private enterprises and other institutions where those complaints allege violations of fundamental rights and freedoms under the Constitution;
- d. to take appropriate action to call for the remedying, correction and reversal of instances specified in paragraphs (a), (b) and (c) of this subsection through such means as are fair, proper and effective, including-
 - i. negotiation and compromise between the parties concerned;
 - ii. causing the complaint and its finding on it to be reported to the superior of an offending person;
 - iii. bringing proceedings in a competent court for a remedy to secure the termination of the offending action or conduct, or the abandonment or alteration of the offending procedures; and

- iv. bringing proceedings to restrain the enforcement of such legislation or regulation by challenging its validity if the offending action or conduct is sought to be justified by subordinate legislation or regulation which is unreasonable or otherwise ultra vires.
- e. to investigate allegations that a public officer has contravened or has not complied with a provision of Chapter Twenty-four (Code of Conduct for Public Officers) of the Constitution;
- f. to investigate all instances of alleged or suspected corruption and the misappropriation of public moneys by officials and to take appropriate steps, including reports to the Attorney-General and the Auditor-General, resulting from such investigations;
- g. to educate the public about human rights and freedoms by such means as the Commissioner may decide, including publications, lectures and symposia; and
- h. to report annually to Parliament on the performance of its functions.

(2) All costs and expenses related to investigations conducted by the Commission into a complaint shall be borne by the Commission.

Section 8—Special Powers of Investigation.

1. The Commission shall for the purposes of performing its functions under this Act, have power -
 - a. to issue subpoenas requiring the attendance of any person before the Commission and the production of any document or record relevant to any investigation by the Commission;
 - b. to cause any person contemptuous of any such subpoena to be prosecuted before a competent court;
 - c. to question any person in respect of any subject matter under investigation before the Commission;

- d. to require any person to disclose truthfully and frankly any information within his knowledge relevant to any investigation by the Commissioner.
2. The Commissioner shall not investigate -
- a. a matter which is pending before a court or judicial tribunal; or
 - b. a matter involving the relations or dealings between the Government and any other Government or an international organisation; or
 - c. a matter relating to the exercise of the prerogative of mercy.

Section 9—Initiation of Legal Proceedings.

For the purposes of performing his functions under the Constitution, this Act and any other law, the Commissioner may bring an action before any court in Ghana and may seek any remedy which may be available from that court.

Section 10 - Regional and District Branches of Commission.

1. There shall be established in each Region and District of Ghana Regional and District branches respectively of the Commission.
2. There shall be appointed by the Commission an officer who shall be the head of a Regional or District branch of the Commission.
3. The Commission may create such other lower structures as would facilitate its operations.

Section 11—Functions of Regional and District Representative of Commission.

1. A representative of the Commission in a Regional or District office of the Commission shall-
 - a. receive complaints from the public in the Region or District;
 - b. make such on-the-spot investigation as may be necessary; and

- c. discharge any other duties relating to the functions of the Commission that may be assigned to him by the Commissioner.

PART III - PROVISIONS RELATING TO COMPLAINTS AND INVESTIGATIONS

Section 12 - Provisions Relating to Complaints.

1. A complaint to the Commission shall be made in writing or orally to the national offices of the Commission or to a representative of the Commission in the Regional or District branch.
2. Where a complaint is made in writing it shall be signed by the complainant or his agent.
3. Where a complaint is made orally, the person to whom the complaint is made shall reduce the complaint into writing and shall append his signature and the signature or thumbprint of the complainant.
4. Notwithstanding any law to the contrary, where a letter written by-
 - a. a person in custody; or
 - b. a patient in a hospital, is addressed to the Commission, it shall be immediately forwarded, unopened and unaltered to the Commission by the person for the time being in charge of the place or institution where the writer of the letter is detained or of which he is a patient.
5. A complaint under this Act may be made by any individual or a body of persons whether corporate or unincorporated.
6. Where a person by whom a complaint might have been made under this Act has died or is for any sufficient reason unable to act for himself, the complaint may be made by his personal representative or by a member of his family or other individual suitable to represent him.

Section 13 – Refusal to Investigate.

1. Where in the course of the investigation of any complaint it appears to the Commission–
 - a. that under the law or existing administrative practice there is adequate remedy for the complaint, whether or not the complainant has availed himself of it; or
 - b. that having regard to all the circumstances of the case, any further investigation is unnecessary, it may refuse to investigate the matter further.
2. The Commission may refuse to investigate or cease to investigate any complaint–
 - a. if the complaint relates to a decision, recommendation, act or omission of which the complainant has had knowledge for more than twelve months before the complaint is received by the Commission; or
 - b. if the Commission considers that:
 - i. the subject matter of the complaint is trivial;
 - ii. the complaint is frivolous or vexatious or is not made in good faith; or
 - iii. the complainant does not have sufficient personal interest in the subject matter of the complaint.
3. Notwithstanding subsection (2) of this section, if within six months after the Commission’s refusal or ceasing to investigate any complaint under this section, fresh evidence in favour of the complainant becomes available, the Commission shall, at the request of the complainant, re-open the case.
4. Where the Commission decides not to investigate or to cease to investigate a complaint, it shall within 30 days of the decision inform the complainant of its decision and the reasons for so refusing.

Section 14 – Procedure in Respect of Investigations.

1. Where the Commission decides to conduct an investigation under this Act, it shall give the authority or person concerned

and to any other person who is alleged in the complaint to have taken or authorized the act or omission complained of, an opportunity to comment on any allegations contained in the complaint and the representative of the authority or person concerned shall submit his comments within such time as the Commission may specify.

2. The public may be excluded from investigations conducted by the Commission.
3. Without prejudice to the generality of the provisions of this section, the Commission may obtain information from such persons and in such manner, and make such inquiries as it considers necessary.
4. The Commission may pay to a person by whom a complaint is made and to any other person who attends and furnishes information for the purposes of an investigation under this Act-
 - a. sums in respect of expenses properly incurred by them; and
 - b. allowances by way of compensation for the loss of their time, in accordance with such scales and subject to such conditions as may be determined by the Commission having regard to the rates for the time being applicable to the courts.

Section 15 – Evidence at Investigations.

1. Subject to this section the Commission may require any person who, in its opinion, is able to give any information relating to a matter being investigated by the Commission-
 - a. to furnish the information to it;
 - b. to produce any document, paper or thing that in its opinion relates to the matter being investigated and which may be in the possession or control of that person.
2. The Commission may summon before it and examine on oath or affirmation:

- a. a person required to give information or produce anything under subsection (1) of this section;
 - b. a complainant;
 - c. any other person who the Commission considers will be able to give information required under subsection (1) of this section.
3. Subject to subsection (4) of this section, a person who is bound by law to maintain secrecy in relation to, or not to disclose, any matter may not:
 - a. supply information to or answer a question put by the Commission in relation to that matter; or
 - b. produce to the Commission a document, paper or thing relating to it, if compliance with that requirement would be in breach of the obligation of secrecy or non-disclosure.
4. A person to whom subsection (3) of this section applies may be required by the Commission to supply information or answer a question or produce a document, paper or thing that relates to a matter under investigation; and subject to section 16 of this Act, it shall be the duty of that person to comply with the requirement.
5. A witness before the Commission shall be entitled to the same privileges to which he would have been entitled if he were a witness before the High Court.
6. No person shall be liable to prosecution for an offence under any enactment by reason of his compliance with a requirement of the Commission under this section.

Section 16 – Production of Official Documents.

Article 135 of the Constitution which relates to production of official documents in court shall apply to proceedings before the Commission as it applies to proceedings before a court.

Section 17 – Maintenance of Secrecy.

1. The Commissioner or a Deputy Commissioner and every person holding an office or appointment under the Commission shall maintain secrecy in respect of all matters that come to their knowledge in the exercise of their functions.
2. Every person holding office or appointment under the Commission who is likely to have access to confidential information of the Commission shall before proceeding to carry out his functions under this Act, take and subscribe to the Oath of Secrecy set out in the Second Schedule to the Constitution.
3. The Commission shall determine the category of persons to whom subsection (2) of this section shall apply.

PART IV – PROCEDURE AFTER INVESTIGATION BY THE COMMISSION

Section 18 – Procedure after Investigations.

1. Where after making an investigation under this Act, the Commission is of the view that the decision, recommendation, act or omission that was the subject matter of the investigation –
 - a. amounts to a breach of any of the fundamental rights and freedoms provided in the Constitution; or
 - b. appears to have been contrary to law; or
 - c. was unreasonable, unjust, oppressive discriminatory or was in accordance with a rule of law or a provision of any Act or a practice that is unreasonable, unjust, oppressive, or discriminatory; or
 - d. was based wholly or partly on a mistake of law or fact; or
 - e. was based on irrelevant grounds or made for an improper purpose; or

- f. was made in the exercise of a discretionary power and reasons should have been given for the decision, the Commission shall report its decision and the reasons for it to the appropriate person, Minister, department or authority concerned and shall make such recommendations as it thinks fit and the Commission shall submit a copy of its report and recommendations to the compliant.
2. If within three months after the report is made no action is taken which seems to the Commission to be adequate and appropriate, the Commissioner, may after considering the comments, if any, made by or on behalf of the department, authority or person against whom the complaint was made, bring an action before any court and seek such remedy as may be appropriate for the enforcement of the recommendations of the Commission.

Section 19 – Reports of Commissioner.

1. The Commissioner shall, annually submit a report to Parliament which shall include a summary of the matters investigated, and the action taken on them by the Commission during the preceding year.
2. Parliament may debate the report of the Commission and may pass such resolution as it considers fit.
3. A resolution of Parliament shall not alter a decision made by a court on a matter instituted before the court by the Commissioner.
4. The Commissioner may, in the public interest or in the interest of any person or department or any other authority, publish reports relating:
 - (a. generally to the exercise of the functions of the Commission under this Act; or

- b. to any particular case investigated by the Commission whether or not the matters in the report have been the subject of a report to Parliament.

PART V - MISCELLANEOUS PROVISIONS

Section 20 - Appointment of Staff.

The appointment of officers and other employees of the Commission shall be made by the Commission acting in consultation with the Public Services Commission.

Section 21 - Expenses of Commission Charged on Consolidated Fund.

The administrative expenses of the Commission including all salaries, allowances and pensions payable to or in respect of, persons serving with the Commission are charged on the Consolidated Fund.

Section 22 - Proceedings Privileged.

1. Subject to the supervisory jurisdiction of the Supreme Court, no proceedings shall lie against the Commission or against any person holding an office or appointment under the Commission for anything done, reported or said by him in the course of the exercise or intended exercise of his functions under this Act, unless it is shown that he acted in bad faith.
2. Anything said, any information supplied, or any document, paper or thing produced by any person in the course of an inquiry by or proceedings before the Commission under this Act is privileged in the same manner as if the inquiry or proceedings were proceedings in a court.
3. For the purposes of the rules of law relating to defamation any report made by the Commission under this Act shall be privileged, and a fair and accurate report on it in a newspaper or a broadcast shall also be privileged.

Section 23 - Entry of Premises.

For the purposes of this Act, the Commissioner or any public officer authorised by him, may at any time enter any premises occupied by a department, authority or a person to whose act or omission this Act

applies and inspect the premises and, subject to sections 16 and 17 of this Act carry out on the premises any investigation that is within the jurisdiction of the Commission.

Section 24 - Offences and Penalties.

Any person who -

- a. without lawful justification or excuse, willfully obstruct, hinders or resists a member of the Commission or an officer authorized by the Commissioner in the exercise of any powers under this Act; or
- b. without lawful justification or excuse, refuses or willfully fails to comply with any lawful request of the Commissioner or a Deputy Commissioner or any other person under this Act; or
- c. willfully makes any false statement to or misleads or attempts to mislead the Commissioner or any other person in the exercise of his functions under this Act, commits an offence and is liable on summary conviction to a fine not exceeding ₦500,000.00 and in default of payment to imprisonment for a term not exceeding six months or to both.

Section 25 - Provisions of this Act to be in Addition to Provisions of any other Law.

The provisions of this Act are in addition to the provisions of any other Act or any rule of law under which

- a. a remedy or right of appeal or objection is provided for any person; or
- b. any procedure is provided for the inquiry into or investigation of any matter, and nothing in this Act shall be taken to limit or affect a remedy or right of appeal or objection or procedure.

Section 26 - Regulations.

1. Subject to the provisions of the Constitution and to any Act of Parliament made under the Constitution, the Commission shall make, by constitutional instrument, regulations regarding the manner and procedure for bringing complaints before it and the investigation of such complaints.

2. The exercise of the power to make regulations may be signified under the hand of the Commissioner or in his absence, a Deputy Commissioner.

Section 27 - Interpretation.

In this Act a reference to a member of a complainant's family means-

- a. in the case of a person belonging to a family based on the paternal system-mother, father, wife, son, daughter, brother, sister, father's brother, father's father, father's brother's son, and brother's son;
- b. in the case of a person belonging to a family based on the maternal system-mother, father, wife, son, daughter, brother, sister, mother's mother, mother's brother, mother's sister, sister's son, sister's daughter, mother's sister's son and mother's sister's daughter".

Section 28 - Repeal and Saving.

1. The Ombudsman Act, 1980 (Act 400) is repealed.
2. Notwithstanding the repeal of the Ombudsman Act, 1980 (Act 400)-
 - a. any regulation made under it and in force on the coming into force of this Act shall until altered, amended or revoked, continue in force and shall be applied with such modifications as may be necessary for giving effect to the provisions of this Act; and
 - b. any complaint pending before the Ombudsman immediately before the coming into force of this Act may be proceeded with under, and shall be subject to the provisions of, this Act.

CONSTITUTIONAL INSTRUMENT (C.I.67) COMMISSION ON HUMAN RIGHTS AND ADMINISTRATIVE JUSTICE (INVESTIGATIONS PROCEDURE) REGULATIONS, 2010

ARRANGEMENT OF REGULATIONS

Regulation

1. Lodging of Complaints
2. Contents of complaint
3. Transmission of Complaint
4. Mediation
5. Allegations of corruption
6. Full investigation
7. Investigation panels
8. Report to the Commission
9. Institution of Action
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6.4 COMMISSION ON HUMAN RIGHTS AND ADMINISTRATIVE JUSTICE (INVESTIGATIONS PROCEDURE) REGULATIONS, 2010

IN exercise of the powers conferred on the Commission on Human Rights and Administrative Justice by section 26 of the Commission on Human Rights and Administrative Justice Act, 1993 (Act 456) and pursuant to section 7(f) of the Commission on Human Rights and Administrative Justice Act, 1993 (Act 456) and article 296 (c) of the 1992 Constitution of the Republic of Ghana, these Regulations are made this 22nd day of March 2010.

Lodging of Complaints

1. A complaint made to the Commission shall be submitted to
 - a. the national office of the Commission; or
 - b. a representative of the Commission at the regional and district branch of the Commission.

2. A complaint made to the Commission may be made
 - a. in writing,
 - b. orally,
 - c. by facsimile, or
 - d. by electronic mail.

3. A complaint made in writing may be addressed to the Commissioner or the Commissioner's regional or district representative and the complainant shall
 - a. Sign,
 - b. thumb print, or
 - c. authenticate, the written complaint.

4. Where a complaint is made orally or a complainant cannot read and write, the complaint shall be reduced into writing by
 - a. the Officer to whom the complaint is made at the registry of the Commission, or
 - b. a person chosen by the complainant.

5. A person who reduces into writing an oral complaint of a complainant shall
 - a. read and explain the contents of the written complaint to the complainant;
 - b. write on the document that the complainant has fully understood or appeared to understand and appreciate the contents of the complaint; and
 - c. ensure that the complainant appends the complainant's signature or thumb print on the written complaint.

Contents of complaint

1. A person who lodges a complaint with the Commission shall include
 - a. the full name and contact address of the complaint;
 - b. the body, organisation or person against whom the complaint is made;
 - c. particulars of the complaint together with copies of relevant documents;

- d. the nature of injustice perpetrated as a result of the action, inaction or omission of the body, organisation or person against whom the complaint is made;
 - e. the relief sought by the complainant; and
 - f. any other information relevant to the complaint.
- 2. A person who lodges a complaint with the Commission on behalf of another person shall put into writing
 - a. the capacity in which the person lodges the complaint, and
 - b. the reason for lodging the complaint.
- 3. The Commission shall determine the time frame within which a complainant shall receive a response to a complaint lodged with the Commission.
- 4. A complainant shall provide additional information requested by the Commission in respect of a complaint within three months after receipt of the request in writing from the Commission.
- 5. Subject to sub-regulation (4) a complaint may lapse if information requested is not provided within the stipulated time.
- 6. Sub-regulations (5) shall not affect a complaint that is of public interest.

Transmission of Complaint

- 1. The Commission shall transmit a copy of the complaint to and request a response from
 - a. the person against whom the complaint is made, and
 - b. the head of the body or organization of the person against whom the complaint is made after receiving a complaint that is within the mandate of the Commission.
- 2. A person against whom a complaint is made or the head of the body or organization of the person against whom a complaint is made, shall submit a response to the Commission
 - a. ten days after the date of receipt of the complaint, or
 - b. within a period that the Commission shall determine.

3. The Commissioner or a representative of the Commissioner, may assign
 - a. an investigator, or
 - b. an officer of the Commission to conduct preliminary investigations into a complaint lodged with the Commission.
4. The Commission may request
 - a. the services of a police officer,
 - b. a public institution, or
 - c. a person with expert knowledge relevant to the subject matter of the Commission's investigations in the performance of its functions.
5. The Commission may, without limiting sub-regulation (4), obtain information from a person in a manner that the Commission considers necessary.
6. The Commission may forward a report of its preliminary investigations to the parties for their comments.

Mediation

1. The Commission may invite the parties concerned after receiving a response to a complaint and settle the matter by mediation.
2. The Commission is not precluded from inviting the parties for a settlement by mediation after receipt of a complaint
3. The Commission shall reduce into writing the terms of settlement of a complaint by mediation and ensure that the parties concerned and the mediator sign the written terms of settlement.
4. The Commission shall keep a copy of the signed terms of settlement.
5. The terms of settlement after mediation are binding on the parties.

Allegations of corruption

1. The Commission may receive or act on an allegation from any source in respect of

- a. alleged or suspected corruption, and
 - b. misappropriation of public moneys by officials.
2. The Commission may conduct a preliminary investigation into the allegations.
3. Where the Commission is of the view that further investigation is required, the Commission shall transmit a copy of the allegation to and request a response from the
 - a. person against whom the allegation is made, and
 - b. the superior officer of the person against whom the allegation is made.
4. A person against whom an allegation is made or the superior officer of a person against whom an allegation is made shall submit a response to the Commission
 - a. ten days after the date of receipt of the allegation, or
 - b. within a period that the Commission shall determine.
5. The Commission may employ the services of another person to assist it in its investigations

Full Investigation

1. Where the Commission decides to institute full investigation into a complaint or an allegation, the Commission shall invite
 - a. a person likely to be affected by the investigation, and
 - b. a person that the Commission may consider necessary to assist in the investigation.
2. The invitation from the Commission shall be in writing and shall state the date, time and place of the meeting.
3. The date for attendance shall not be less than seven days after the date of the notice.
4. The Commission shall inform a person who appears before the Commission in answer to a complaint or allegation
 - a. of the particulars of the complaint or allegation, and
 - b. of the opportunity to provide a response to the complaint or allegation and question any witnesses.

5. A person to be investigated before the Commission may appear in person and may be presented by a lawyer of the person's choice.
6. The Commission shall give a person before the Commission in an investigation a fair hearing and shall conduct an investigation informally and expeditiously.
7. The Commission shall not be bound by a legal or technical rule of evidence applicable to proceedings before a court of law.
8. The Commission shall keep the record of the Commission's investigation in writing.

Investigation Panels

1. The Commission may constitute a panel to investigate a complaint or allegation of corruption and misappropriation of public moneys on the recommendation of
 - a. a member of the Commission,
 - b. an investigator of the Commission, or
 - c. an Officer of the Commission
2. A panel constituted under sub-regulation (1) shall comprise
 - a. a member of the Commission or a lawyer in the employment of the Commission who shall be the chairperson, and
 - b. not less than two officers of the Commission
3. Without limiting sub-regulation (2) the Commission may co-opt a person to join an investigative panel constituted by the Commission.
4. A person appearing before an investigative panel may object to the membership of the panel to the Commission and the Commission shall rule in respect of the objection.

Report to the Commission

1. A panel constituted under these Regulations other than the three members of the Commission shall report on a matter the panel has investigated with recommendations to the Commission.

2. The Commission shall consider the report and may
 - a. accept the recommendations.
 - b. reject the recommendations, or
 - c. request further investigation to be conducted.

Institution of Action

The Commission may for the purpose of section 9 and 18(2) of the Act authorize a person in writing to institute an action in court in the name of the Commission.

Employment of other persons

The Commission may employ the services of any person to assist the Commission during the Commission's investigations.

Interpretation

In these Regulations unless the context otherwise requires
“mediation” means a process under which the parties discuss their dispute with an impartial person who assists them to reach a resolution”
“writing” includes letter, electronic mail and facsimile.

Revocation

The Commission on Human Rights and Administrative Justice (Complaint Procedures) Regulation, 1994 (C.I.7) are hereby revoked.

Dated at Accra this ...day of ... 2011

Emile Francis Short

COMMISSION ON HUMAN RIGHTS
AND ADMINISTRATIVE JUSTICE