



Commission on Human Rights  
And Administrative Justice  
CHRAJ, Ghana

Twenty-fourth Annual Report  
2017



The Rt. Hon Speaker of Parliament  
Parliament House  
Accra

Mr. 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 Twenty-fourth Annual Report of the Commission for the period January 1 to December 31, 2017.

Yours sincerely,

  
**Joseph Whittal**  
Commissioner



## Commission Members



Joseph Whittal, Commissioner



Richard Quayson, Deputy Commissioner

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## LIST OF ACRONYMS

AAACA	Association of Anti-Corruption Agencies in Commonwealth Africa
AC	Ant-Corruption
AJ	Administrative Justice
AOMA	African Ombudsman and Mediators' Association
ARAP	Anti-Corruption, Rule of law and Accountability Programme
CAACC	Commonwealth Africa Anti-Corruption Centre
CAGD	Controller and Accountant General Department
CEFM	Child, Early and Forced Marriage
CHRAJ	Commission on Human Rights and Administrative Justice
CPRs	Civil and Political Rights
CRC	Convention on the Rights of the child
DOVVSU	Domestic Violence and Victims Support Unit
ESCRs	Economic, Social and Cultural Rights
EU	European Union
GACC	Ghana Anti-Corruption Coalition
GANHRI	Global Alliance of National Human Rights Institutions
HR	Human Rights
IAACA	International Association of Anti-Corruption Authorities
ICC	International Coordinating Conference
IHRD	International Human Rights Day
IOI	International Ombudsman Institute
IPs	Implementing Partners
IWD	International Women's Day
MDAs	Ministries, Departments and agencies
MMDAs	Metropolitan, Municipal, and District Assemblies
MONICOM	Monitoring and Evaluation Committee
MoU	Memorandum of Understanding
OPCAT	Optional Protocol on the Convention Against Torture
NACAP	National Anti-Corruption Action Plan

NACIWA Network of African Anti-Corruption Institutions in West Africa  
NANHRI Network of African National Human Rights Institutions  
NCCE National Commission for Civic Education  
NDPC National Development Planning Commission  
NHRAP National Human Rights Action Plan  
NHRIs National Human Rights Institutions  
NGOs Non-Governmental Organisations  
NNHRI-WA Network of National Human Rights Institutions in West Africa  
SDGs Sustainable Development Goals  
SOGIE Sexual Orientation and Gender Identity Expression  
SSNIT Social Security and National Insurance Trust  
UNCAC United Nations Conventions Against Corruption

## THE COMMISSIONER'S MESSAGE

It gives me much pleasure to present the 2017 Annual Report of the Commission on Human Rights and Administrative Justice (CHRAJ), the 24th edition since the establishment of the Commission.

The Commission executed its three prong mandates to the best of its ability. Fundamental human rights of persons living in Ghana were upheld, protected and enforced through investigations of complaints lodged with the various offices of the Commission. Through public education programmes, the Commission increased human rights awareness amongst its citizenry and monitored the human rights situation to detect early warning signs of human rights abuses to prevent recurrence.

The Commission ensured fairness, as well as avoidance of arbitrariness and discrimination by public officials and public institutions. Investigations were conducted into complaints related to non-compliance of standards and code of conduct concerning the functioning of the Public Services and administrative organs of the State.

The Commission increased institutional and public engagements to encourage reporting through anti-corruption mechanisms within their operations and create awareness towards a corruption free society.

The Commission is indebted to its staff who have kept faith with this noble institution and worked relentlessly towards the attainment of a free, just and equitable society we all hope for.

We are hopeful that we can achieve more as resource allocation to the Commission continues to improve.



Joseph Whittal  
**Commissioner**

## THE YEAR AT A GLANCE

Implementation of the programme for the 2017 reporting year was guided by the goals of the Commission largely expressed under the three mandate areas: Human Rights; Administrative Justice; and Anti-corruption.

The Commission received an overall total of 9,216 complaints, an increase of 2.9% over the cases received in 2016, and finalized 9,272<sup>1</sup> complaints representing approximately 78% out of 11,88<sup>2</sup> cases available for investigation. There was an increase of 8.2% in the cases closed as compared to that of 2016.

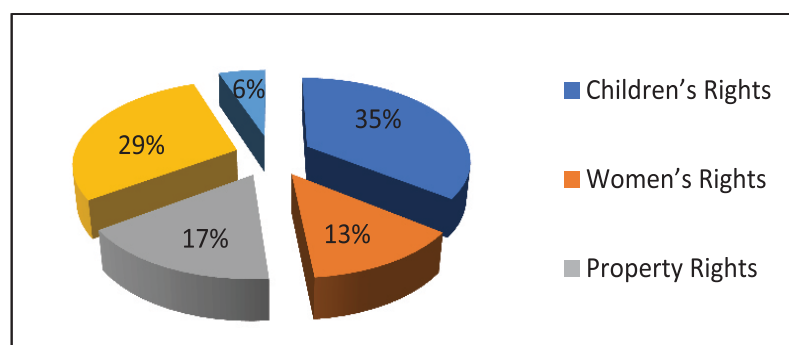
### Human Rights mandate

The Commission received and classified a total of 8,768 complaints under the Human Rights mandate and finalized 8,946<sup>3</sup> complaints. This represents about 2.5% and 8% increase in total complaints received and finalized respectively over 2016. Five thousand one hundred and seventy-three (5,173) complaints, representing 59% of the total complaints were reported by females while 3,595 constituting 41% were reported by males.

The nature of human rights complaints recorded was categorized as follows:

- Children's Rights;
- Women's Rights;
- Property Rights;
- Economic, Social and Cultural Rights; and
- Civil and Political Rights.

Figure 1: Type of Human Rights Complaints



<sup>1</sup> This figure includes cases carried over from the previous year (2016)

<sup>2</sup> 2672 cases were carried over from 2016 to 2017, making the total cases available for investigation to be 11,888.

<sup>3</sup> Supra, note 1

In addition to complaints received and investigated, there were many other human rights promotional activities carried out in furtherance of this mandate. Among others, the Commission:

- conducted 3,311 human rights education activities throughout Ghana. The mode of education comprised community outreaches, school interactions and Television/Radio programmes;
- conducted desk review on the prevalence of Child, Early and forced Marriage (CEFM) in the country;
- organised 5-day training workshop on stigma and discrimination reduction for selected staff in the Upper East and Upper West Regions. The aim was to enhance the capacity of staff to handle complaints and investigations devoid of stigma and discrimination; and
- organised, in collaboration with the Network of African National Human Rights Institutions (NANHRI), sensitization workshop on Sexual Orientation, Gender Identity and Expression (SOGIE) rights for 30 participants made up of Regional Directors and selected staff from the Head Office in Accra in October, 2017.
- in collaboration with Department of Gender; Northern Regional House of Chiefs; Presbyterian Church of Ghana; the Muslim Community; and Domestic violence and Victims Support Unit of the Ghana Police Service, re-integrated 46 women detained in ‘witch camps’ in the Gushegu District of the Northern Region into their respective families.

### **Administrative Justice mandate**

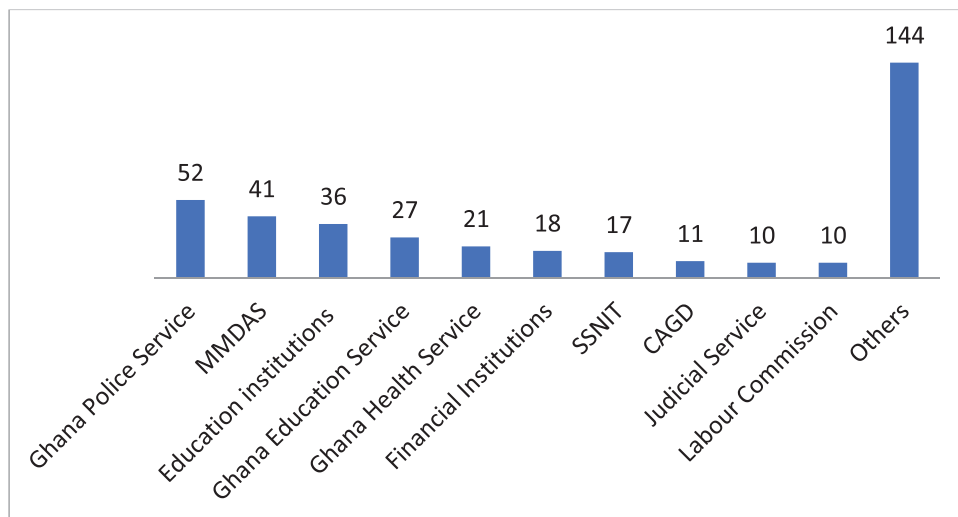
The Commission received and classified a total of 387 Complaints under this mandate and finalized 311 complaints. This represents an approximate increase of 13.5% and 7.2% of total complaints received and finalized respectively over the 2016. Three hundred and twenty-one (83%) of total complaints were reported by males while 66 (17%) were reported by females.

The administrative justice related complaints were lodged against the State and its Agencies numbering more than 50 institutions with the Ghana Police Service in the lead. Lead respondent institutions include:

- Ghana Police Service,
- MMDAs,
- Education Institutions,
- Ghana Education Service,
- Ghana Health Service,
- Financial Institutions,
- Social Security & National Insurance Trust (SSNIT) ,
- Judicial Service,

- Labour Commission,
- Controller & Accountant General Department (CAGD),
- Others

Figure 2: Respondent Bodies in Administrative Justice Complaints



The Commission undertook the following Administrative Justice related promotional activities:

- Conducted a total of 763 sensitization programmes on the Commission's oversight role over the public service and good administrative practices;
- Organised two round-table discussions for selected Public Sector Institutions (MDAs, MMDAs and Security Agencies); and
- Strengthened staff capacity on Ombudsman protection mechanisms through staff training programmes.

### Anti-Corruption mandate

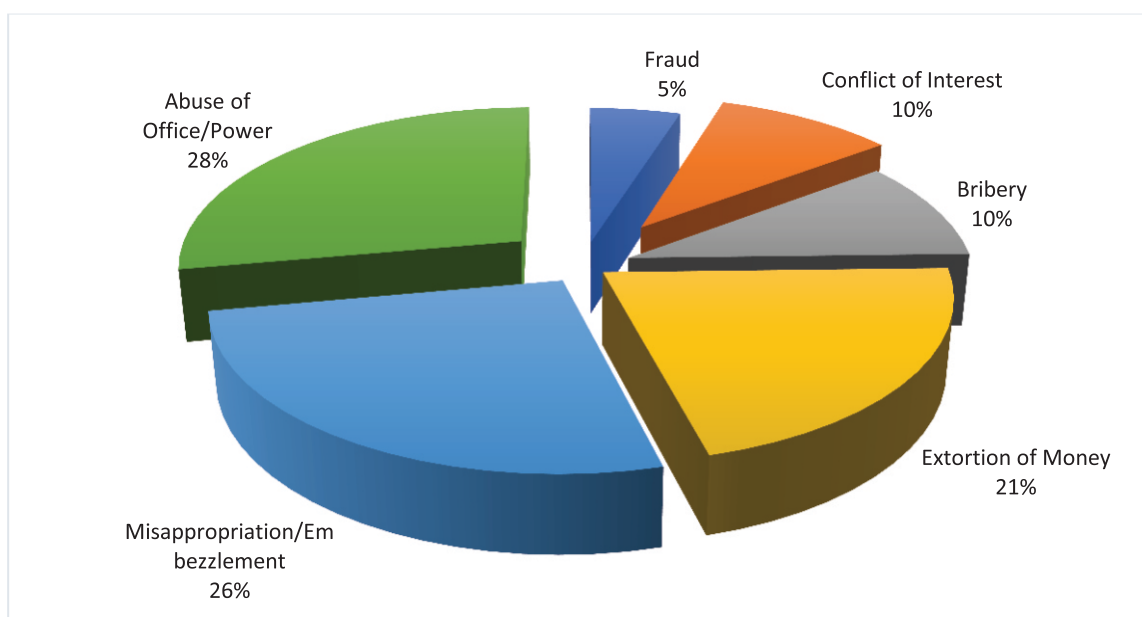
The Commission classified a total of 61 cases under this mandate; and finalized 15 cases.

The nature of Corruption complaints recorded is shown below:

- Misappropriation/Embezzlement;
- Fraud;
- Conflict of Interest,
- Bribery;
- Extortion of money; and
- Abuse of Office/Power



Figure 3: Nature of Corruption Complaints



The Commission also carried out a number of corruption prevention and related activities, including:

- organised a total of 1,141 anti-corruption awareness programmes through community outreaches, school programmes, radio and television broadcast.
- developed standardised Reporting Tool for NACAP Implementing Partners (IPs).
- organised a High-Level National Anti-Corruption Conference on 9<sup>th</sup> December 2017 as part of activities to mark the 2017 National Anti-Corruption and Transparency Week.
- organised a round-table discussion on the Office of the Special Prosecutor's Bill, 2017.
- organised validation workshop on Integrity Compliance Tools for 39 designated Ethics Officers of Public Sector Institutions and CHRAJ Directors.
- organised two round-table discussions with stakeholders to review some of Ghana's Anti-Corruption legislation, including:
  - i. Criminal Offences (Amendment) Act Bill,
  - ii. Whistleblower Act Amendment Bill, and
  - iii. Independent Public Prosecutor's Bill.

## Management and Administration

The Commission's total staff strength stood at 672 at the end of the 2017 reporting year, representing a reduction of 28 staff over 2016. The Commission had a staff shortfall of 145.

## **Affiliations and partnerships (International Cooperation)**

The Commission has formal working relations with a number of International and Regional Organisations in its mandate areas. Through working with these bodies, the Commission is able to share experiences and best practices for purposes of improving upon its operations/performance while contributing to strengthening other sister institutions. The Commission is a member of the following:

- Global Alliance of National Human Rights Institutions (GANHRI);
- Network of African National Human Rights Institutions (NANHRI);
- Network of National Human Rights Institutions in West Africa (NNHRI-WA);
- International Ombudsman Institute (IOI);
- African Ombudsman and Mediators Association (AOMA);
- International Association of Anti-Corruption Authorities (IAACA);
- Association of Anti-Corruption Agencies in Commonwealth Africa (AAACA); and
- Network of Anti-Corruption Institutions in West Africa (NACIWA).

The Commission, among others, participated in the following Regional and International Conferences:

- Conference on the Optional Protocol on the Convention Against Torture (OPCAT) in Abidjan, Côte d'Ivoire in March, 2017;
- Training workshop on Sexual Orientation and Gender Identity Expression (SOGIE) in Kenya in March 2017;
- Meeting on the 'Role of National Human Rights Institutions in Protecting and Promoting Human Rights Online' in Johannesburg, South Africa in May, 2017;
- The 8<sup>th</sup> Session of the Implementation Review Group of the UNCAC Programme in Vienna, Austria in June 2017;
- Commonwealth Observer Mission in Papua New Guinea's 4th national elections in June/July 2017;
- Conference on 'The Role and Responsibilities of Human Rights Organizations in Combating Extremism, Hate Speech and Terrorism' in Cairo, Egypt in July, 2017;
- The 13<sup>th</sup> Meeting of the Open-Ended Inter-Governmental Working Group on Asset Recovery in Vienna, Austria in August 2017; and
- The Commonwealth Africa Anti-Corruption Centre (CAACC) training programme on Financial Investigations and Asset Recovery in Botswana in August, 2017.

## **PART 1: OVERVIEW OF THE COMMISSION**

### **1.1. Vision statement**

We envisage 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.

### **1.2. 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 and administrative justice for all persons in Ghana.

This mission statement will be achieved by:

- Ensuring a culture of respect for the rights and responsibilities of all people in Ghana.
- Dispensing and promoting justice in a free, informal and relatively expeditious manner.
- Ensuring fairness, efficiency, transparency and application of best practices.
- Using a well - trained and motivated workforce and the most modern technology.

### **1.3. Mandates**

CHRAJ has triple mandates comprising Human Rights, Administrative Justice and Anti-Corruption. The Commission therefore is:

- a National Human Rights Institution;
- an Ombudsman; and
- an Anti-corruption Agency.

#### **1.3.1. Human Rights**

**1.3.1.1.** Article 218 (a), (c) and (f) of the 1992 Constitution and Section 7(1) (a) (c) and (g) of the Commission on Human Rights and Administrative Justice Act, 1993 (Act 456) mandates the institution to protect universal human rights and freedoms relating to civil, political, economic, social and cultural rights and other International Human Rights instruments which Ghana has ratified. The Commission's human rights functions are divided into two broad categories:

- (i) Protection and Enforcement, and
- (ii) Promotion and Prevention.

**1.3.1.2.** In protecting and enforcing fundamental human rights CHRAJ investigates complaints of human rights violations by persons and institutions both private and public. The Commission resolves complaints through various methods - mediation, negotiation, and formal hearings and by instituting actions and proceedings in court. Additionally, the Commission carries out special investigations into human rights abuses that are systemic, cultural or other areas of public interest. In the course of investigations, the Commission conducts research, field investigations, as well as public hearings.

**1.3.1.3.** CHRAJ is mandated by Article 218 (f) of the 1992 Constitution to conduct public education programmes as part of fulfilling the function of promoting human rights. The Commission has the discretion to use a wide variety of methods including, mass media, publications, lectures, and symposia.

**1.3.1.4.** In order to prevent human rights abuses, the Commission monitors the human rights situation across the Country. The Commission organizes monitoring visits to detention facilities, hospitals, schools, communities, to ensure that human rights are being respected and to inform the citizenry of the presence and existence of a National Human Rights Institution. These monitoring visits ensure that the Commission can detect early warning signs of human rights abuses to prevent violations from taking place.

### **1.3.2. Administrative Justice**

**1.3.2.1.** The Administrative Justice function of the Commission replaces the office of the Ombudsman, which was created by the Ombudsman Act of 1970. This mandate is contained in Articles 218 (a) and (b) of the 1992 Constitution and Section 7(1) (a) and (b) of Act 456.

**1.3.2.2.** The Commission is mandated to protect and promote Administrative Justice to ensure that the government and its officers and all public services and officials are accountable and transparent. The Commission ensures that the administrative organs of the State provide equal access to employment and services and that they are administered fairly. In particular, this function of the Commission is to ensure that public officials avoid arbitrariness and discrimination in their decisions and actions. It also investigates “complaints concerning the functioning 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 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 services” – Article 218 (b).

### **1.3.3. Anti-Corruption**

**1.3.3.1.** The Commission’s Anti-Corruption powers are derived from Article 218 (a) and (e); 284-288 of the 1992 Constitution and Section 7(1) (a), (e) and (f) of Act 456. The Commission investigates and works to prevent corruption.

**1.3.3.2.** Under this mandate, the Commission:

- i) Investigates abuse of power and “all instances of alleged or suspected corruption and the misappropriation of public monies by officials” (Article 218 (e));
- ii) Investigates allegations of breaches of the code of conduct under Chapter 24 of the 1992 Constitution;
- iii) Promotes integrity and ethics in the public service; and
- iv) Conducts training and public education to sensitize public officials and the general public on corruption.

## **1.4. Functions of the Commission**

### **1.4.1. Original functions**

The functions of the Commission as set out in Section 7 of its enabling law, Act 456 pursuant to Article 218 of the 1992 Constitution are:

1.4.1.1 to investigate and remedy complaints arising from:

- violations of human 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;
- the functioning of the Public Services Commission, the administrative organs of the State, the offices of the Regional Coordinating Council and the District Assembly, the Armed Forces, the Police Service and the Prison 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;
- practices and actions by persons, private enterprises and other institutions where those complaints allege violations of fundamental rights and freedoms under the 1992 Fourth Republican Constitution of Ghana; and

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) negotiations 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 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 regulation by challenging its validity if the offending action or conduct is sought to be justified by subordinating legislation or regulation which is unreasonable or otherwise ultra vires.

**1.4.1.2** to investigate allegations that a Public Officer has contravened or has not complied with a provision of Chapter 24 of the Constitution to wit Code of Conduct of Public Officers;

- 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 Auditor General resulting from such investigation.
- to educate the public as to human rights freedoms by such means as the Commissioner may decide, including publications, lectures and symposia;
- to deal with confiscated properties as provided by Section 35 (2) of the transitional provisions of the 1992 Constitution;
- to report annually to Parliament on the performance of its functions

#### ***1.4.2. Additional functions***

The Commission has been granted additional functions in subsequent legislation including:

**1.4.2.1** Office of the Administrator of Stool Lands Act, 1994 (Act 481)

Section 7 provides as follows:

“A beneficiary of stool land revenue aggrieved by the apportionment of the stool land revenue, may submit a complaint to the Commission on Human Rights and Administrative Justice.”



#### **1.4.2.2 Children’s Act, 1998 (Act 560);**

Section 48(2) provides that:

“The following persons may apply to a family tribunal for a maintenance order ... (d) The Commission on Human Rights and Administrative Justice”

#### **1.4.2.3 The Juvenile Justice Act 2003 (Act 653);**

Section 42(2) provides that:

“...the Commission on Human Rights and Administrative Justice may visit and inspect any centre.”

#### **1.4.2.4 Human Trafficking Act, 2005 (Act 694);**

Section 6 of Act 694 provides as follows:

“A person with information about trafficking

(a) Shall inform the police, or

(b) The Commission on Human Rights and Administrative Justice...”

#### **1.4.2.5 Whistleblower Act, 2006 (Act 720).**

The Act 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.

Section 3(1) (h) provides as follows:

“Disclosure of impropriety may be made to any one or more of the following ... the Commission on Human Rights and Administrative Justice”.

Section 13(1) provides as follows:

“A Whistleblower who honestly and reasonably believes that that whistleblower has been subjected to victimisation or learns of a likely subjection to victimisation because a disclosure has been made, may in the first instance make a complaint to the Commission”

These enactments have broadened the power and authority of the Commission to improve and deepen the standards for promotion and protection of fundamental human rights and freedoms and to instil discipline and ethical and integrity behaviour and practices in public administration.

### ***1.5. Special Powers of investigation***

The Commission may, for the purposes of performing its functions (Sec. 8(1)):

- issue subpoenas requiring the attendance of a person before the Commission and the production of a document or record relevant to an investigation by the Commission;
- cause a person contemptuous of a subpoena issued by the Commission to be prosecuted before a Court;
- question a person in respect of a subject matter under investigation before the Commission;
- require a person to disclose truthfully and frankly any information within the knowledge of that person relevant to an investigation by the Commission.

### ***1.6. Limitation on powers of investigation***

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 organisation; or
- A matter relating to the exercise of the prerogative of mercy.

### ***1.7. Structure of the Commission***

The Commission is made up of a Commissioner, who is the chair, and two Deputy Commissioners. The three Commission members constitute the governing body of the Commission. The Commission Members are supported by Departmental Directors who have direct responsibility for the departments of the Commission. The departments are as follows:

- Human Rights
- Administrative Justice
- Anti-Corruption
- Public Education
- Research
- Finance, and
- Administration



**Human Rights Department:** This department is responsible for the Commission's mandate to protect universal human rights and freedoms relating to civil, political, economic, social, and cultural rights and other international human rights instruments of all persons in Ghana which Ghana has ratified.

**Administrative Justice Department:** This department is responsible for the Commission's mandate to protect and promote Administrative Justice to ensure that the government and all public services are accountable and transparent.

**Anti-Corruption Department:** This department is responsible for the Commission's mandate to investigate abuse of power, corruption, allegations of conflict of interest, disclosures of impropriety and complaints of victimization of whistleblowers, as well as to promote integrity and ethics in the public service, train and educate public officials and general public.

**Public Education Department:** This department is responsible for educational campaigns and awareness raising programs to educate the public on the Commission's mandates, services, and how to access the services.

**Research Department:** The Research Department supports the Commission's research functions and ensures that they are well coordinated, sustained and supported with requisite concerted efforts and relevant documentation.

**Finance Department:** This department is responsible for providing financial support for operational planning, day-to-day financial services to the Commission, and meeting external and internal financial reporting and budgeting requirements.

**Administration Department:** This department is responsible for effective operation of the office including all personnel functions along with budget, logistical and transportation services for the office.

The Commission has its Head Office located in Accra; and 10 Regional Offices that coordinate the Commission's work in the 10 administrative Regions of Ghana. In addition, it has 2 Sub-Regional and 97 District Offices across the country ensuring that services of the Commission are accessible by the ordinary person in Ghana.

Altogether, the various layers of the organisational structure provide an effective medium through which the Commission performs its statutory and

constitutional mandates. In particular, the spread of 110 offices across the entire country ensures accessibility to all persons to the offices of the Commission as well as the services rendered by it.

## **PART 2: STRATEGIC GOALS**

Implementation of the programmes for the reporting year was guided by the goals of the Commission expressed under the three mandate areas: Human Rights; Administrative Justice; and Anti-corruption.

### ***2.1. Human Rights Mandate***

#### **Strategic goal 1: promote and protect fundamental human rights and freedoms**

The Commission sought to improve public capacity to demand promotion, respect and fulfillment of their rights, and enhance capacity of duty-bearers to respond appropriately to human rights demands by:

- Promoting and protecting the rights of the vulnerable including, women, children and the disabled; the right to work and employment; civil and political rights (CPRs); economic, social, and cultural rights (ESCRs);
- Incorporating human rights principles and standards in national development programming;
- Promoting human rights generally; and
- Enhancing gender equality.

### **SDG Implementation Strategy**

CHRAJ was selected as a co-opted member of the National Coordinating Committee for the implementation of the United Nations Sustainable Development Goals (SDGs) set up by the Ghana National Development Planning Commission (NDPC). The Committee made up of representatives from the various MMDAs/MDAs has the mandate of ensuring the implementation of the SDGs aligns with all aspects of Ghana's developmental plans. CHRAJ as a national human rights institution ensures that the SDG implementation in Ghana is done from a human rights perspective.

### **Capacity Building on Stigma and Discrimination**

The Commission organised a 5-day training workshop on stigma and discrimination reduction for some selected staff in the Upper East and Upper West Regions. The aim was to enhance the capacity of staff to prevent stigma and discrimination. The training took place in Upper East Region in August 2017. In addition, the Commission in collaboration with the Network of African National Human Rights Institutions (NANHRI) organised a sensitization workshop on Sexual Orientation, Gender Identity and Expression (SOGIE) rights for 30 participants made up of Regional Directors and selected staff from the Head Office in Accra in October, 2017.

## **Child Labour Research**

On the protection of children's rights, CHRAJ finalized the second phase of a research report on child labour titled 'A qualitative study of child labour in Ghana's fishing communities along the Volta Lake'. A 2-day validation workshop was organised to review, validate and finalize the composite report. The study covered the period October 2016 to March 2017, targeting 12 fishing communities.

## **Case Content Study on Child Rights Related Cases**

During the year under review, CHRAJ began a brief analysis of child rights-related complaints received by the Commission nationwide over a 10-year period (2006-2015). Issues of interest included, referrals, transfers and follow-up; and trends in case content supervision. The analysis revealed high number of child rights complaints, with various dynamics such as the evolving nature of child abuse. Specifically, some of these child rights-related complaints include; forced marriage, trafficking, non-maintenance and child prostitution.

## **Human Rights NGOs Forum**

The Commission in an effort to strengthen collaboration with human rights NGOs and civil society organizations in Ghana generally, organized a Human Rights NGOs Forum. The forum which was held in August 2017, had 30 participants in attendance.

## **Human Rights Education**

There were 3,311 human rights education conducted throughout the country. The human rights education was organized through community outreaches, school interactions and TV/Radio programmes. Some of the subject areas for the public education activities included child labour, harmful cultural practices, parental responsibilities, stigma and discrimination against key populations and right to health and education.

## **Re-integration of 46 women into communities**

The Commission, in collaboration with other stakeholders, successfully re-integrated 46 women detained in 'witch camps' in the Gushegu District of the Northern Region into their respective families. Family and/or community



members sent the women to the said detention camps after having made allegations of witchcraft against them. The conduct of detaining the women in the ‘witch camps’ is clearly unlawful and violates their fundamental human rights and freedoms guaranteed by Chapter 5 of the Fourth Republican Constitution of Ghana. Over the years, the Commission has been part of a five-member Re-integration Committee<sup>4</sup> with the support of Action-Aid, Ghana that works to correct this anomaly through re-integration of the women into their families/communities. Members of the Committee provide post-integration support including, periodic visits to educate family members about the women’s fundamental human rights under the law. The Commission gives technical support in this regard. One of such family visitations is shown below.



Committee members giving education to a cross-section of family members of re-integrated women



<sup>4</sup> The other members of the Committee are: Department of Gender; Northern Regional House of Chiefs; Presbyterian Church of Ghana; the Muslim Community; and Domestic violence and Victims Support Unit of the Ghana Police Service

Re-integration Committee in a meeting with Bunkpurugu and Dobunyanto Chiefs and Elders to strategize for the protection of persons suspected of witchcraft.

### **Repatriation<sup>5</sup> of 29 women**

The year under review also witnessed the arrival of 40 women suspected of witchcraft to Gambaga Camp, of which 29 were repatriated by the Camp manager. The Commission's public education on respect for fundamental human rights and freedoms of all persons influenced "Witch Camps" Managers' understanding of the unlawful character of the detentions generally. As a result, the Gambaga Camp Manager repatriated 29 women, who were brought there by family members for detention, to their respective families/communities.

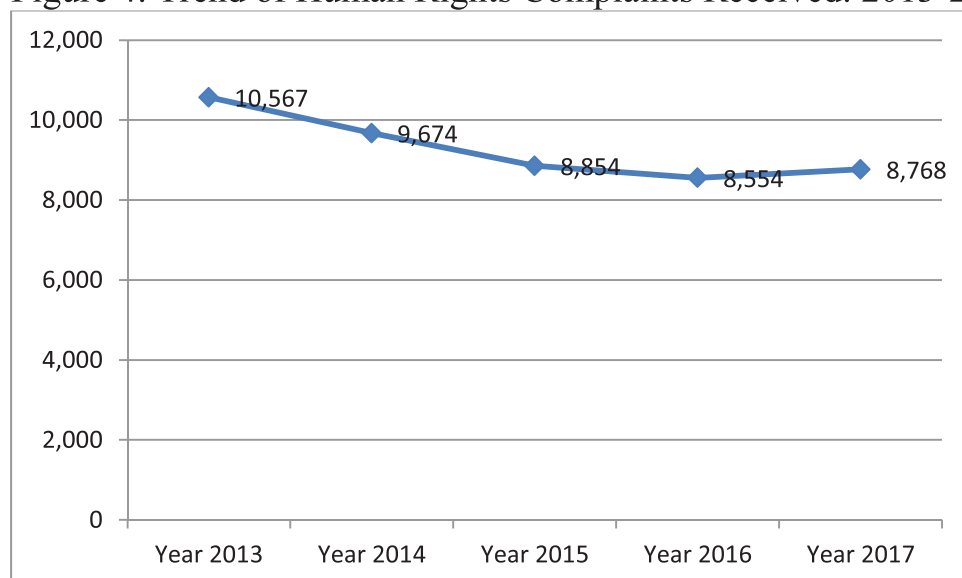
## **Investigations and Enforcement of Human Rights Complaints**

### **Receipt of Human Rights Complaints**

In 2017, a total number of 8,768 complaints were received as against 8,554 complaints in 2016. This shows about 2.5% increment over the previous year's complaints.

### **Trend of Receipt of Human Rights Complaints 2013-2017**

Figure 4: Trend of Human Rights Complaints Received: 2013-2017.

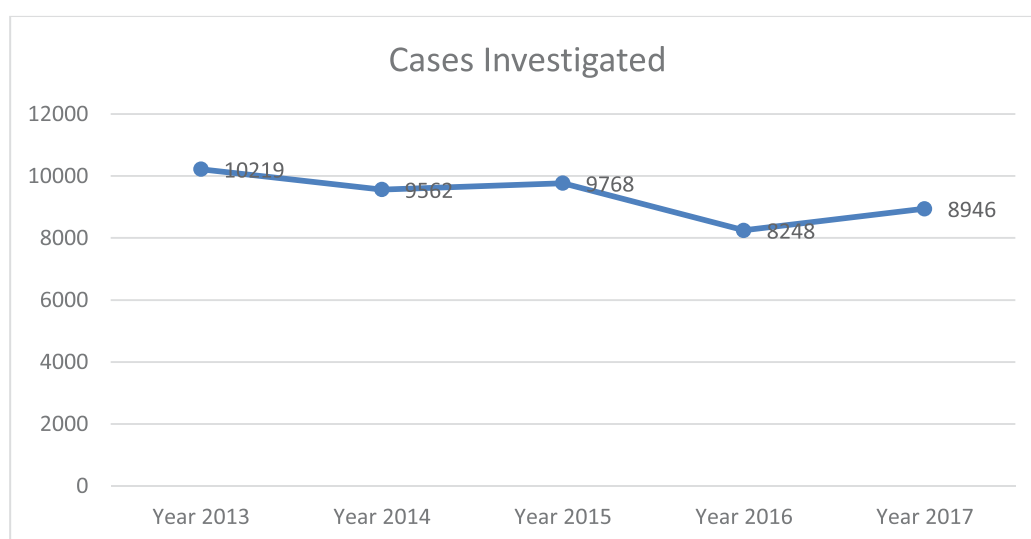


<sup>5</sup> Re-integration as used here refers to the return of suspected witches from a "Witch Camp" to the family/community by the Camp Manager due to their understanding/appreciation of respect for the fundamental human rights and freedoms of such persons

## Complaints Investigated: 2017

The Commission investigated 8,946 complaints which were higher than the previous year's figure of 8,248 by 8.5%. This is an indication of higher output of work than previous year. During preliminary investigations or assessment, 927 complaints representing 10.4% of the complaints were referred to other public institutions like Labour Commission, Department of Social Welfare and Ghana Police Service which were better placed to address the issues raised. Five thousand six hundred and fifty-five (5,655) complaints, representing 63% of finalized complaints were successfully mediated while appropriate decisions by the Commission were reached on the remaining 26.6% of the cases. See fig. 5 below for trend of complaint investigated over the past 5 years.

Figure 5: Trend of Complaints Investigated: 2013-2017



## Nature of Human Rights Complaints 2017

The 8,768 human rights complaints received were categorised into specific rights such as Children's Rights, Women's Rights, Property Rights, Economic, Social and Cultural Rights, and Civil and Political Rights related. See figure 6 below.

Figure 6: Types of Human Rights Complaints 2017

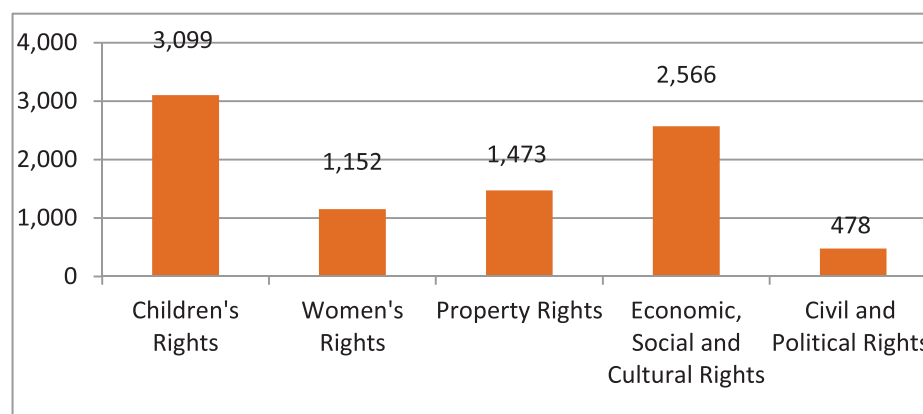
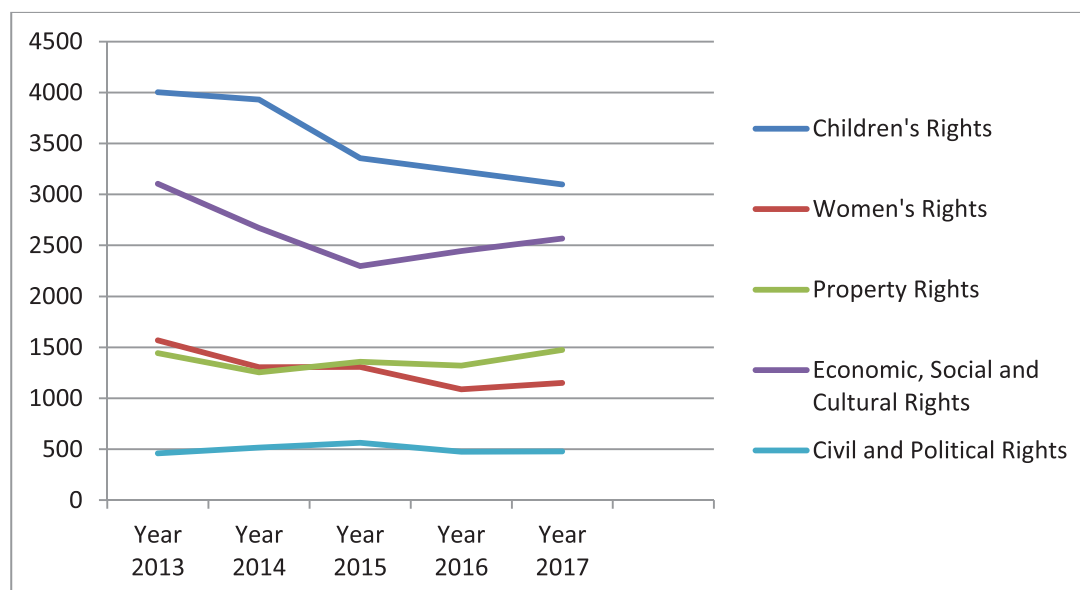


Figure 7: Trend of Types of Human Rights Complaints; 2013-2017



- **Children's Rights Related Complaints:** This category of complaints reduced steadily over the past five (5) years. It was the highest among types of complaints accounting for about 35.3%. Issues involving failure to send remittances for provision of necessities of life to the child in the areas of education, health, food, shelter, and clothing were predominant.
- **Women's Rights Related Complaints:** This category of complaints comprised rights peculiar to women. Complaints were mainly on domestic violence, sexual harassment and lack of basic necessities of life such as food, clothing and shelter. This type of cases decreased over the past four (4) years but increased slightly in 2017.
- **Property Related Complaints:** Complaints were predominantly on right to own property. This type of complaints has been fluctuating over the past five (5) years.
- **Economic, Social and Cultural Rights Related Complaints:** The complaints were basically labour rights violations and abuses in the private sector, right to housing, shelter and clean environment.
- **Civil and Political Rights Related Complaints:** Most of the complaints in this category involved harassment, right to personal liberty and dignity.

## Respondent Bodies

Eight thousand three hundred and seventy-one (8,371) complaints, representing 95.5% of total Human Rights complaints were lodged against private individuals; while the remaining were mostly against private institutions.



## **Sex Distribution of Complainant**

Five thousand, one hundred and seventy-three (5,173) complaints, representing 59% of total complaints were reported by females; whereas 3,595, constituting 41% were reported by males.

## **Summary of cases**

CASE No.: 435/13

CHRAJ/435/2017/387

The Complainant, a British national, filed a complaint with the Commission raising two key issues.

Firstly, the Complainant alleged that on a number of occasions, visitors who patronise his Beach Resort incite his staff against him by telling them to disrespect him. The Complainant described the conduct of the visitors as racial discrimination and called on the Commission to cause the respondents to desist from such acts. Based on this information, the Commission conducted a preliminary assessment into the allegation of racial discrimination against the Complainant. However, the Complainant could not provide identity or any details of the Respondents to facilitate investigations. In accordance with Regulations 2(1) (b) of C.I. 67 (2010) which required the Complainant to provide particulars of the Respondent, the Commission declined investigations into the allegation pertaining to racial discrimination.

Secondly, the Complainant alleged that, although L.I. 2111 (2006) does not mandate the National Identification Authority (the Respondent) to charge fees for the acquisition of national identity card for a particular group of persons; yet the Respondent instituted fees and charges policy for foreign nationals in the acquisition of non-citizen identity card. The Complainant asserted that unlike foreign nationals the Respondent provides free national identity cards for citizens. The Complainant described the fees and charges policy as unfair and discriminatory.

The Respondent denied any wrong doing. The Respondent confirmed that it charges foreign nationals fees upon application for Non-citizen identity card. The fees and charges are approved under the Fees and Charges (Amendment) Instrument, 2012 (L.I. 2191). The Respondent further contended that the Fees and Charges Policy is legitimate and described the Complainant's complaint of racial discrimination as unfounded.

The issue for determination was as follows:

“Whether the Respondent’s Fees and Charges Policy on the acquisition of Non-citizen identity card is discriminatory”

After investigations, the Commission found that there are different treatments for citizens and non-citizens under the Respondent’s Fees and Charges Policy with respect to the acquisition of citizen and non-citizen card respectively. That is, citizens acquire identity card free of charge and non-citizens acquire same by paying some amount of money (fees and charges).

The Commission further found that fees and charges policy by the Respondent is backed by both local and international law.

For instance Article 17(1) and (1) of the 1992 Constitution which guarantees equality before the law and outlaws discrimination on grounds of gender, race, colour, ethnic origin, religion, creed or social or economic status; also provides under 17(4) (c) (supra) as follows:

*“(4) Nothing in this article shall prevent Parliament from enacting laws that are reasonably necessary to provide -*

*(c) for the imposition of restrictions on the acquisition of land by persons who are not citizens of Ghana or on the political and economic activities of such persons and for other matters relating to such persons”*

Based on this constitutional imperative, the National Identity Register Regulations, 2012(L.I. 2111) was enacted. Regulation 20 of L.I. 2111 states that:

*“(1) The Authority may by guidelines specify the matters for which fees may be charged.*

*(2) The Authority shall print and exhibit at its offices at conspicuous places, a list of fees payable for services provided by the Authority*

*(3) The Authority may review the fees and shall give thirty days notice of the review to user agencies and the public before implementing the new fees.*

In addition, the International Convention on Elimination of Racial Discrimination (ICERD) supports Article 17(4) (c) (supra). Article 1(2) of the ICERD states as follows:

*“This Convention shall not apply to distinctions, exclusions, restrictions of preferences made by the State Party to this Convention between citizens and non-citizens.”*

In conclusion, the Commission decided that the Respondent being an agent of the State of Ghana is justified under municipal and international law in the imposition of fees and charges policy for foreigners who intend to acquire the non-citizen National Identity Card. The Respondent’s Fees and Charges Policy on acquisition of non-citizen identity card was fair, and does not amount to discrimination against foreign nationals, properly so called. The Respondent’s Fees and Charges Policy on non-citizen identity card does not constitute racial discrimination against the Complainant.

#### **CASE NO.: CHRAJ/WR/12/2017**

The Complainant, a female civil servant alleged that the Sekondi-Takoradi Metropolitan Assembly (STMA) decided to place a poly tank at the frontage of her house to sell water. The Complainant objected to the decision with the reason that she will suffer excessive noise from persons who will come to buy water from the facility, thus denying her peaceful enjoyment of her home. She also stated that she lodged a complaint on the issue to the Respondent but was informed that the frontage of her house was the only place they could mount the water tank. The Complainant thereafter filled this compliant with the Commission for redress.

The Commission’s preliminary investigations revealed that the Western Regional Coordinating Council had by a letter dated 30<sup>th</sup> March, 2017 authorised the mounting of a water storage tank where the Complainant parks her vehicle. A visit to the Complainant’s house established that the approved site was indeed the frontage of her house; a few steps away from her front door. Again, the water tank had been placed at the Complainant’s compound and the construction of a platform on which the water tank would be placed was in progress.

In the opinion of the Commission, erection of the water tank would breach the right to privacy of the Complainant and her household, and would also pose a security threat.

The Commission communicated the outcome of the investigations to the Respondent and recommended that the Respondent seeks an alternative site to mount the said water tank.

The Respondent complied with the Commission's recommendation. On 10<sup>th</sup> July, 2017, the Complainant informed the Commission that the water tank had been removed and the ongoing works ceased.

## ***2.2. Administrative Justice Mandate***

### **Strategic goal 2: Promote fair administration of public services and contribute to demand for better service delivery**

The Commission ensured improved standards and adherence to practices of good conduct in administering public services by:

- Promoting principles and practices of good administration and conduct in the public services;
- Supporting improvement of frontline complaints handling by public services;
- Establishing the scope of CHRAJ's Administrative Justice oversight role over specific bodies under its jurisdiction; and
- Creating awareness of CHRAJ's role as an Ombudsman and the scope of its Administrative Justice function.

### **Public Education**

The Commission conducted 763 public education programmes under the Administrative Justice mandate. The main objective of these programmes was to educate the public to hold public officials/duty bearers accountable. Activities carried out include good administrative principles, code of conduct for public officers and the Commission's oversight responsibilities over public officials and institutions.

### **Round-table discussions with Selected Public Institutions**

The Commission organized 2 round-table discussions involving 22 participants from selected MDAs, MMDAs and State Security Agencies in June, 2017. The essence was to create awareness, clarify and enforce the Commission's oversight role over Public Sector Institutions.

### **Capacity Building of Staff on Ombudsman Protection Mechanisms**

The Commission strengthened Ombudsman Protection mechanisms in the regions and districts through the organization of 4 module training programmes for staff.

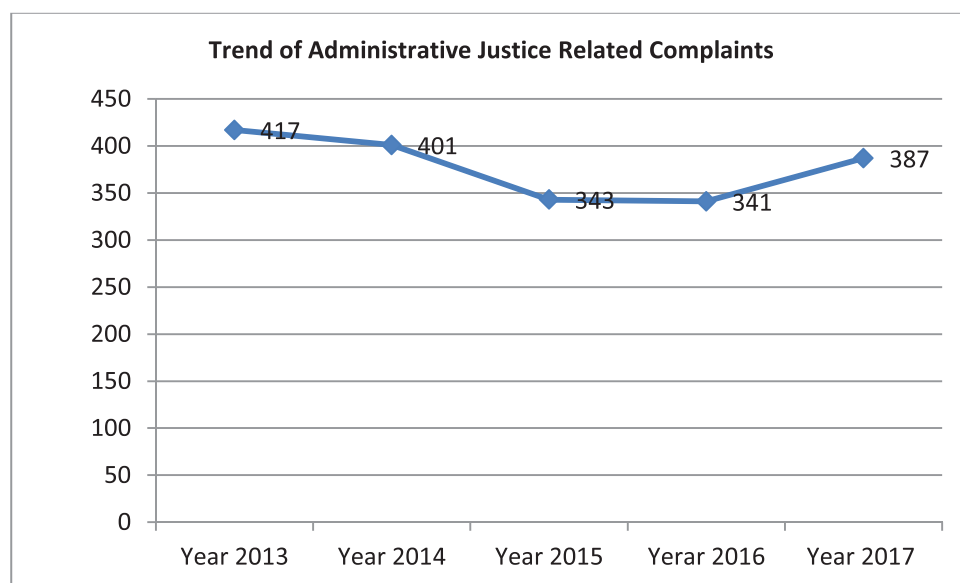
## Investigations and enforcement of Administrative Justice complaints

The Commission is mandated to investigate and resolve complaints of administrative injustice. It uses various investigation tools and mechanisms such as mediation, negotiation, and panel hearing to resolve complaints.

## Receipt and Trend of Complaints 2013-2017

The Commission received 387 complaints as compared to 341 in the previous year, representing an increase of 13.5%. See figure 8 below for the trend.

Figure 8: Trend of Administrative Justice Complaints 2013-2017



## Nature of Administrative Justice Complaints

Categories of complaints received were mainly on:

- unfair treatment by public officers in the exercise of their official duty,
- failure to pay legitimate entitlement or claims,
- abuse of power and
- poor handling of complaints or service delivery.

Refer to appendix G for more details.

## Respondent Bodies in Administrative Justice Complaints

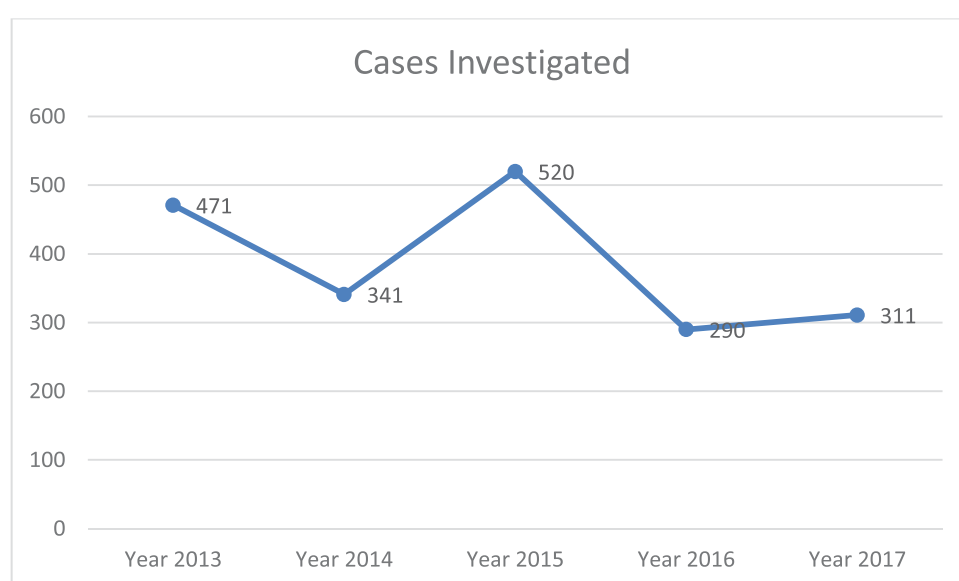
Majority of the complaints received were against Ghana Police Service, Metropolitan, Municipal and District Assemblies (MMDAs), Ghana Education Service and Ghana Health Service.

See Appendix J for full list of Public Institutions against whom complaints were lodged.

### Closure of Administrative Justice Complaints

Three hundred and eleven (311) complaints were investigated and finalized. This figure was higher than the previous year's complaints by 7.2%. Ninety-one (91) were referred, after initial assessment to some other public institutions which were better placed to deal with the issues raised. Again, 91 complaints which constituted 29.3% were successfully mediated and appropriate decisions were reached by the Commission regarding the remaining 129 complaints.

Fig 9: Trend of Complaints Investigated: 2013-2017



### Sex Distribution of Complainants

Three hundred and twenty-one (321), representing 83% of total complaints received were reported by males; the remaining 66, constituting 17% was reported by females.

### Summary of cases

#### CASE NO.: 2010/HQ/02287

The Complainant filed a complaint requesting the Commission to intervene in his Application for computation of his years of service at the Ghana Atomic Energy Commission (GAEC) under the CAP30 Pension Ordinance (CAP30 Pension).



The Complainant, prior to his compulsory retirement in 1999, worked with three Public Service Institutions, namely; GAEC, Ministry of Fuel and Power (MFP), and Ghana National Petroleum Corporation (GNPC). The Complainant was under the CAP30 Pension when he worked with GAEC. However, he enrolled with the Social Security and National Insurance Trust (SSNIT) when he joined MFP in 1981. The Complainant continued to contribute to the SSNIT when he was seconded to the GNPC in 1985 till his compulsory retirement in 1999.

In August 2000, SSNIT duly paid Complainant's pension benefits but not his pension contribution which fell under the CAP30 Pension as a result of his work with the GAEC. The Complainant filed an Application at the Controller and Accountant's General Department (the Respondent) for payment of the outstanding pension under the CAP30 Pension. The Respondent refused the Application on the grounds that Complainant's cumulative 7 years of service with the GAEC did not satisfy the 10 years continuous service required under the CAP30 Pension.

Being dissatisfied with the decision of the Respondent, the Complainant filed a complaint with the Commission requesting that his years of service with MFP be added to that of GAEC to enable him meet the minimum qualifying years of service for full pension under the CAP30 Pension.

The main issue for determination is "Whether the Respondent's decision to decline the Complainant's Application for full pension under the CAP30 Pension is fair, just, and consistent with the relevant pension laws [CAP30 Pension Ordinance of 1950]".

The minimum qualifying period of service for full pension under the CAP 30 Pension is provided under Section 4 of PART 1 of the Pensions Act, 1946[CAP 30 Pension Ordinance] and it states as follows:

*"(a) subject to the provisions of the Ordinance and these Regulations every officer holding a pensionable office in the Gold Coast, who has been in the Public Service of the Gold Coast in a civil capacity for ten years or more, may be granted on retirement a pension."*

From the above provision, applicants who failed to serve in the Public Service for at least ten years will not qualify for full pension under the CAP 30 Pension. In the instant case, the Complainant has a total qualifying service of 7 years resulting from his service at the GAEC. This number obviously fell short of the qualifying years required under the CAP 30 Pension.

The Commission also observed that although the Complainant does not qualify for full pension under the CAP 30 Pension, Section 5 (1) of PART 2 of the Pensions Act, 1950 makes provision for the payment of gratuity to an Applicant

who does not meet the minimum requirement of ten years. This provision is as follows:

*“5. Gratuities where length of public service does not qualify for pension*

*(1) Every officer, otherwise qualified for a pension, who has not completed the minimum period of qualification for a pension, may be granted on retirement a gratuity not exceeding five times the annual amount of the pension which, if there had been no qualifying period, might have been granted to him under regulation 4.*

*(2) In the case of an officer, other than an expatriate officer, who was first appointed to the public service of the Gold Coast on or before the date of publication of the Ordinance in the Gazette, the gratuity which may be granted under this regulation shall be at the rate of three-quarters of a month's pensionable emoluments for each complete six months of service.”*

It is the considered view of the Commission that, the Complainant's Application for pension under the CAP 30 Pension triggered the above provision since he has not satisfied the minimum qualifying years of service for full pension. Under the circumstances, the Complainant qualifies for pension gratuity under the CAP 30 Pension.

Pension is supposed to support and enhance the livelihood of the worker after years of active service. It is therefore fair and just that, irrespective of whether a worker has not satisfied the compulsory years of service for full pension, is awarded any other form of pension to make up for services rendered no matter how short the service duration. This will provide support and enhance the livelihood of the retired worker.

The Commission's investigations and evidence available established that:

- i. The minimum period of qualification for full pension under CAP 30 is 10 years [Section 4 of PART 1 of the Pensions Act, 1946 (CAP 30 Pension Ordinance)]
- ii. A provision is made for payment of gratuity to an officer, otherwise qualified for a pension, who has not completed the minimum period of qualification for a pension (Section 5 (1) of PART 2 of the Pensions Act, 1950).
- iii. The Complainant served a total of 7 years with the GAEC
- iv. The Complainant's 7 years of service at the GAEC qualifies him for payment of gratuity for the period served.



## **Decision**

In view of the above findings, the Commission determined that the Respondent should pay gratuity to the Complainant in accordance with Section 5(1) of Part Two of the Pensions Act, 1950 (CAP. 30 Pensions) taking into consideration, the Complainants 7 years of service at the GAEC based on gratuity computation on current salaries of officers of the grade on which the Complainant served prior to leaving.

### ***2.3. Anti-corruption Mandate***

#### **Strategic goal 3: Promote and protect national integrity and investigate corruption**

The Commission contributed to public capacity and systems to combat corruption and promote national integrity by:

- Investigating complaints and allegations of corruption and misappropriation of public resources;
- Implementing anticorruption legislation and legislation that enhance transparency, including the Whistleblowers Act;
- Creating awareness of the evils of corruption and ethos of anticorruption
- Promoting and enhancing national integrity;
- Facilitating development of capacity and improving systems to combat corruption; and
- Collaborating and consulting with other national and international anti-corruption institutions.

Out of these strategies, several activities were planned and implemented during the reporting period as summarised below.

#### **Anti-Corruption Public Education**

A total of 1,141 anti-corruption awareness programmes were organised through community outreaches, school programmes, radio and television broadcast. Majority of these activities focused on NACAP.

#### **Development of Reporting Tool for NACAP**

The Commission developed a standardised Reporting Tool for NACAP Implementing Partners (IPs); and same was published on the Commission's website for easy access. The Tool significantly improved reporting obligations of IPs who hitherto had difficulties accessing the reporting tool.

## **Development of NACAP Communication Strategy**

The Commission under the European Union (EU) support through the Accountability, Rule of Law and Anti-Corruption Programme (ARAP) engaged a Consultant to develop a communication strategy for NACAP implementation. The purpose of the strategy was to assist implementing agencies to develop a Communication and Outreach Plan to increase visibility and effective implementation of NACAP among stakeholders. The strategy is expected to map out the general stakeholders and determine the appropriate communication requirements to support the effective implementation of the Plan.

## **Printing and Dissemination of NACAP Materials**

The Commission printed 5,000 copies of the NACAP document and disseminated 1,000 to various stakeholders. These materials are aimed at assisting IPs in organising effective public awareness campaigns towards the reduction of corruption in the country.

## **Preparation of 2017 State of Corruption Report**

In line with its role as the coordinating agency for the implementation of NACAP, the Commission collated reports from various stakeholders and compiled the 2017 State of Corruption Report. The report considered the state of corruption in the country and efforts made by state and non-state actors in curbing the menace.

## **High-Level National Anti-Corruption Conference**

The Commission in collaboration with key stakeholders organised a High-Level National Anti-Corruption Conference on 9<sup>th</sup> December 2017 as part of activities to mark the 2017 National Anti-Corruption and Transparency Week. Highlights of the Conference were the presentation of the 2017 State of Corruption Report and development of key actions for 2018 NACAP Annual Work Plan. The conference brought together stakeholders whose individual and collective efforts are crucial to the fight against corruption in Ghana.

## **Production and Dissemination of 2016 NACAP Annual Progress Report (APR)**

The Commission prepared and published the 2016 NACAP APR. Five hundred (500) copies of the report were disseminated during the 2017 National Anti-Corruption and Transparency Week celebrations. Additionally, an electronic version of the report was published on the Commission's website. The objective of the APR is to enable stakeholders and the public assess the progress so far made in the implementation of NACAP.

### **Round-Table on Special Prosecutor's Bill**

To ensure more coordinated efforts by key stakeholders in the fight against corruption, a round-table discussion was organised by the Commission on the Office of the Special Prosecutor's Bill, 2017. The round-table collated views on the Bill from the stakeholders and incorporated same into the Commission's memorandum to Parliament for consideration before the Bill was passed into law. Overall, 21 participants, made up of mainly members of the Ghana Anti-Corruption Coalition (GACC) participated.

### **Capacity Building for NACAP IPs**

A number of capacity building training programmes were organised by the Commission for focal persons of implementing Ministries, Departments and Agencies (MDAs). Among others, the training programmes were aimed at ensuring effective reporting on the implementation of NACAP. Beneficiary institutions included:

- Forty (40) senior officers of the Community Water & Sanitation Agency selected from the headquarters, regional and district offices;
- Thirteen (13) staff of Tema Development Corporation;
- Fourteen (14) officials of the Ministry of Environment, Science, Technology and Innovation;
- Twenty (20) members of the Ahmadihya Muslim Council;
- Twenty (20) staff of the Fair Wages and Salaries Commission;
- Eight (8) members of the Ghana Catholic Bishops' Conference;
- Fifteen (15) staff of Bank of Ghana; and
- Thirteen (13) staff of Council for Technical and Vocational Education and Training.

Apart from the above institutional trainings, the Commission and its stakeholders on the commemoration of the 2017 International Anti-Corruption Day, reached out to over a million people through workshops, dialogues, radio and television broadcasts, floats, debates and lectures on anti-corruption issues and effective implementation of NACAP.

### **Multi-Stakeholder Working Group Workshop**

FIIAPP in collaboration with CHRAJ and the National Commission for Civic Education (NCCE) organised a multi-stakeholder workshop on Public and Civic Education on anti-corruption and accountability. The main objective of the workshop was to design and build shared educational strategies to be implemented by civic and public education providers. The three-day workshop brought together prosecutors, investigators, researchers, administrators, public and civic education experts from the Police Service, CHRAJ, NCCE, Parliament, Judiciary, Civil Society Organizations and other state agencies. The

workshop recommended for the strengthening of the Working Group and the development of action plan on the five (5) identified action areas by the NCCE in collaboration with other key stakeholders. These action areas include:

- Awareness on corruption and public accountability with a focus on youth
- Public education on NACAP
- Public education on service delivery
- Public education on environmental governance
- Public education on law enforcement

### **Building Capacity for Anti-Corruption Investigations**

CHRAJ participated in a 5-day training programme in Financial Investigation Techniques organised by the US Embassy for various stakeholders. The aim of the workshop was to equip participants with skills and techniques to plan and conduct effective investigations into corruption and its related matters.

### **Validation and Dissemination of Integrity Compliance Tools**

The Commission organised a 2-day validation workshop on the Integrity Compliance Tools for 39 designated Ethics Officers of Public Sector Institutions and CHRAJ Directors. The validation was to gather and incorporate inputs into the tools for operationalisation by various public sector institutions.

### **Promoting Anti-Corruption Legislation**

The Commission organised 2 round-table discussions with stakeholders to review some of Ghana's Anti-Corruption legislation, including:

- Criminal Offences (Amendment) Act Bill,
- Whistleblower Amendment Act Bill, and
- Independent Public Prosecutor's Bill.

The Commission's effort in this direction was in line with its responsibility as a National Anti-Corruption Agency to make inputs to shape legislation in the fight against corruption.

### **Second Phase of UN Convention against Corruption (UNCAC) Review of Ghana**

In support of the 2<sup>nd</sup> Phase of the UN Convention against Corruption (UNCAC) review of Ghana, the Commission organised a meeting for 20 stakeholders from various MDAs and the private sector on UNCAC. The purpose of the meeting was to understand the review process and solicit support for the effective implementation of the Convention.

Training of Trainers on integrity workshop on NACAP was organized for CHRAJ Regional Directors in May 2017.

## Investigation of Corruption and Related Allegations

### Receipt and Trend of Complaints of Corrupt: 2013-2017

A total of 61 cases were classified under this mandate, out of which four were made under the Whistleblower Act, 2006 (Act 720). This figure was higher than the previous year's figure of 59 by 3.4%. Fifteen (15) cases were finalized in the reporting year. See figure 8 below for the trend.

**Figure 10: Trend of Allegations of Corruptions**

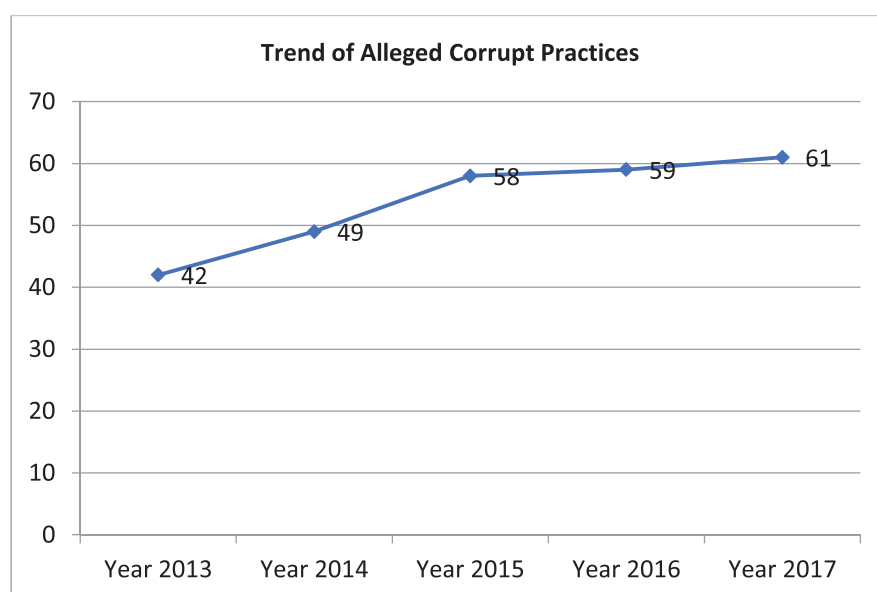


Fig 10 above shows a rising trend in corruption allegations over the period. It reveals a year-on-year steady increase of approximately 17% in 2014, 18% in 2015, 1.7% in 2016, and 3.4% in 2017.

### Nature of Corruption Allegations

The nature of the allegations of corrupt practices was mainly Misappropriation, Embezzlement, Conflict of Interest, Bribery and Extortion. Refer to appendix H for more details.

### Respondent Bodies in Allegations of Corrupt Practices

Complaints under this category were mostly lodged against public officials. Most of these officials work with Metropolitan, Municipal and District Assemblies (MMDAs), Ghana Police Service and Ghana Health Service. See appendix K for details.



### 2.3.1. Summary of selected case

#### CASE NO: CHRAJ/129/2017<sup>6</sup>

On April 25, 2017, Yaw Brogya Gyenfi (the Complainant), "...in line with his duties as a citizen", submitted a complaint to the Commission alleging that Ken Ofori-Atta, Minister of Finance and Economic Planning, (the Respondent), has contravened or has not complied with Article 284 of the 1992 Constitution (the Constitution). The Complaint was titled "PETITION TO INVESTIGATE CONFLICT OF INTEREST IN THE RECENT US\$ 2.25 BILLION BOND ISSUED BY THE GOVERNMENT OF GHANA THROUGH THE MINISTRY OF FINANCE."

The summary of allegations is that:

- 1) On April 3, 2017, the Ministry of Finance announced that the Government of Ghana had issued a 15-year and 7-year bonds at a coupon rate of 19.75% each. The said bonds' issued raised a total amount of USD 1.13 billion. In addition, the Ministry of Finance raised the cedi equivalent of USD1.12 billion in 5- year and 10-year bonds via a tap arrangement. One investor, Franklin Templeton Investment Limited (an American global investment management organization founded in 1947), purchased almost 95% of the Bond. In an unaudited semi-annual report of Franklin Templeton Investment Limited dated December 31, 2016, **Mr. Trevor G. Trefgarne** (also described as the Chairman of **Enterprise Group Limited**) was named as one of the Directors of the Board of Franklin Templeton Investment Limited. Enterprise Group Limited is a company partially owned by Data Bank Limited, a company in which the Respondent is known to have significant interest. The Directors of Enterprise Group Limited are: Dr. Angela Ofori Atta, wife of the Finance Minister; Keli Gadzekpo, business partner of the Finance Minister; Hon Gloria Akuffo, Attorney-General & Minister for Justice, and Hon. Ken Ofori Atta, the Minister for Finance (Respondent). From the above, a reasonable person has cause to believe that there is a relational interest between the Respondent, Hon. Ken Ofori Atta and Mr. Trevor G. Trefgarne who have been described as "great friends". There is no record available to the effect that the Finance Minister disclosed his relational interest in the transaction. The link between the Finance Minister and his friend Trevor Trefgarne, and the sub-links with the Finance Minister's family and business associates, leads to legitimate questions like: (a) Did the Finance Minister issue the bond in a manner that would favour

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<sup>6</sup> The full decision may be found at <https://chraj.gov.gh/investigation-report/>



his friend, family, associates and/or business partners, and (b) Was the deal influenced by cronyism, nepotism and corruption. The Complainant further alleged that from the facts he has provided, the Respondent:

- Has put himself in a position where his personal interest conflicts or is likely to conflict with the performance of the functions of his office;
- Has attempted to promote a private or personal interest for himself or for some family members and business associates, and the promotion of the private interest has resulted in, or was intended to result in, or appears to have resulted in, or has the potential to result in an interference with the objective exercise of his duties and an improper benefit or an advantage by virtue of his position;

## **RESPONDENT'S POSITION**

The Respondent denied the allegations and stated that there was "...no breach of any of the laws or rules governing the issue of bonds, ...the allegations of the complainant are based on plain falsehoods, and... there has been no conflict of interest involving the respondent".

According to the Respondent, no distinct particulars of conflict were made out by the Complainant in his petition, but "...in order to aid in an efficient determination of the claims by petitioner and to shed light on the full circumstances of the issuance of the Bonds in question by the Government of Ghana (GoG)...", he explained his position under the following headings:

- i. Rules governing the issue of Bonds in question
- ii. Rationale for the issue of the Bonds in question
- iii. Specific responses to allegations of petitioner outlined in the letter of the Commission dated 5thMay, 2017
- iv. Conflict of interest

The Respondent submitted that the law makes no room for mere conjecture, suspicion or imagination and that the complainant had been unable to allude to, show or establish any facts relevant and contemporaneous to the transaction that has even the remotest potential to undermine the respondent's impartiality, in view of the possibility of a clash between the respondent's self-interest and professional interest or public interest. According to him, there is no evidence of any act or omission on the part of either the Ministry or the Minister supporting an allegation of participation in a business transaction or activity for the benefit

of friends or family. Neither did the personal interests of either the Ministry of Finance or the Respondent interfere with the performance of their duties and functions. Further, no personal or private benefit had been derived by the Respondent through the issuance of the bonds in question. Therefore, the respondent has not contravened Article 284 of the Constitution. As such, the petition should be dismissed as grossly unmeritorious and frivolous.

## **ISSUES FOR THE INVESTIGATION/DETERMINATION**

The following five main issues were identified for investigation:

1. Whether there are rules on the issuance of the bonds
2. Whether the issuance of the 7-year and 15-year bonds by the government of Ghana was done in accordance with the rules
3. Whether the Issuance of the 5-Year and 10-Year Government of Ghana bonds was done in accordance with the rules
4. Whether the Bond Transactions were organised in a manner that favoured Respondent's friends, family, associates and business partners, and
5. Whether the Conduct of the Respondent in the Issuance of the Bonds constitutes conflict of Interest, Cronyism, Insider Trading and Corruption

## **SUMMARY OF KEY FINDINGS OF THE INVESTIGATION**

The following constitute the key findings of the investigation:

1. In November 2015, the Bank of Ghana published guidelines titled "Guidelines for the Government Securities Market for Primary Dealers." These Guidelines provide for the processes leading to the issuance of both short (up to 3-year) and longer dated (above 3-year) bonds or government securities.
2. The rules in the Guidelines relate to various stages of the process of issuing bonds and involve the Minister for Finance (in this case, the Respondent), the Ministry of Finance, the Bank of Ghana and other market players: Issuance Calendar; BoG Notice and announcement; Public/transaction Announcements; Initial Pricing Guidance; Submission of Bids (Tender); Auction; book building; issuance Summary/results; Settlement; and Publication of Auction Results or Weekly Report by

BoG, are essential components of the Rules. Thus, the Respondent plays a key role in the process of issuing Government of Ghana bonds.

3. The 5-year, 7-year, 10-year and 15-year bonds issued in March/April 2017, were domestic bonds (cedi denominated) and opened for non-resident investors, but the Statement issued by the Ministry of Finance on 3rd April 2017 misled the public into believing that the bonds were dollar denominated. The MOF, on realising that the statement it issued on 3rd April 2017 was inaccurate, removed it from its website but at the time of this decision, the MOF had not yet replaced it with the more accurate statement.
4. The Issuance Calendar for the 1st Quarter did not include issuance of 7-year and 15-year bonds, the trading of which concluded on 31st March 2017, which is within the 2017 first quarter calendar period and NOT the 2nd Quarter Calendar period.
5. Pursuant to the 1st Quarter Issuance Calendar released by the Minister for Finance on 5 January 2017, the Bank of Ghana issued a Notice dated 13th January, 2017 to Primary Dealers, Banks, Stock brokers and the General Public, with a copy on Bank of Ghana's website, which the Auction Performance Calendar from the Ministry of Finance showed, has been implemented.
6. The 2nd Quarter Issuance Calendar presented to the BOG by the Respondent dated 30th March, 2017 and dispatched by email same day at 12:31 PM, made provision for the issuance of 7-year and 15-year bonds, which the Respondent indicated expressly that Settlement was to be on 3rd April, 2017.
7. On receipt of the 2nd Quarter Issuance Calendar at 12:31 PM on 30th March, 2017, the BOG made announcements to the public on the reopening of 5-year and 10-year bonds, with an indication that Bids must be submitted electronically through the Auction Module not later than 2:00 p.m. on Thursday March 30, 2017 and Settlement will be on MONDAY APRIL 03, 2017. This contradicts the BOG's own rules requiring the BOG to announce periodically but not less than a week before an auction, the amounts and specific details of the financial instruments available (in this case the 5-year, 7-year, 10-year and 15-year bonds) at the next auction and their maturity profiles.
8. In terms of the 7-year and 15-year bonds, the BOG gave only one (1) day notice to the market on the availability of the 7-year and 15-year bonds

prior to the commencement of trading, instead of two weeks required for new products under the BOG Guidelines.

9. The Bookrunners - Barclays Bank, SAS and Stanbic Bank - sent out Bond Transaction Announcements on the issuance of the 7-year and 15-year bonds to investors through e-mails on same Thursday, 30th March, 2017 at 10:07am and 10:12am respectively, and not on 31st March, 2017 at 9:00am as alleged by the Complainant.
10. The evidence shows that the BOG received the request via Sandra Arthur's email to it on 30th March 2017 at 12:31PM to take steps to issue the 7-year and 15-year bonds. However, the Bookrunners sent out Bond Transaction Announcements to investors on 30th March 2017 at 10:07am and 10:12am respectively, suggesting that the Bond Transaction Announcements were sent to investors before the MOF request.
11. The Initial Pricing Guidance was published by e-mail to investors on Thursday, 30th March, 2017 at 12:03pm and 12:11pm, again before the MOF released the 2nd Quarter Calendar. Nonetheless, it was NOT at 5:37 PM on March 30, 2017 as claimed by the Complainant.
12. The Books for the issuance of the 7-year and 15-year bonds were opened on Friday, 31st March, 2017 at 9:00am and closed at 5:00pm on the same day, and during the period that books were still open, the Final Pricing Guidance was released to investors by e-mail at 2:12pm.
13. The Issuance Summary was announced by e-mails on Friday, 31st March, 2017 at 5:01pm and 5:38pm and NOT 4:20pm on Friday, 31st March, 2017 as alleged by the Complainant.
14. Settlement was effected on 3rd April 2017 instead of 4th April, 2017 as provided by the Bank of Ghana Guidelines and as rightly pointed out by the Complainant.
15. The Respondent is either a director, former director or shareholder, or beneficial owner, of several companies whose objects relate to the securities market sector. The companies include Databank and EGL. As such, Respondent's interests in the growth and wellbeing of those companies, have the potential to conflict with the interests of the state in relation to the securities market such as the issuance of bonds.
16. The Respondent has business partners and associates related to the securities industry where, according to the Respondent, he has been working for over thirty years. These business partners and associates include partners in Databank, Enterprise Group Limited, Ventures and

Acquisitions Limited, as well as Keli Gadzekpo, Trevor Trefgarne and Angela Ofori Atta, also Respondent's spouse.

17. Representatives of Databank and EGL were among the list of investors notified of the issuance of the bonds, especially the 7-year and 15-year bonds. Several resident and non-resident investors also received notices of the issuance of the bonds by emails. But there was no evidence that any of those companies and individuals known to be closely associated with the Respondent, purchased the bonds in question.
18. The nature of delivery of the notices and subsequent announcements by the JBRs were such that ordinarily, investors had no access to the email addresses of other investors through the email systems. It is therefore reasonable to conclude that the MOF and the Minister may not have been aware of whom the JBRs were dealing with in the period leading to the trading in the bonds.
19. Over 80 sub-funds of FT exist around the world. Some of them participated in the bonds transaction in March/April 2017 and did purchase bonds. The evidence before the Commission at this point in time, did not disclose that Trevor Trefgarne influenced the purchase of the bonds by the over 20 subfunds of FT.
20. The issuance of the 5 & 10 year bond or the 7-year and 15-year was not organized in a way to favour Respondent's friends, family, associates and business partners, breaches of the rules for issuing bonds, notwithstanding.
21. There was also no evidence before the Commission that there was a personal benefit to the Respondent or his private businesses and other relations.

## CONCLUSIONS

The evidence available to the Commission supports the Complainant's allegations that:

1. The 7-year and 15-year Bonds were not on the 1st Quarter Issuance Calendar (January- March 2017). They were on the 2nd quarter issuance calendar which was released to the BOG on 30th March 2017 at 12:31 PM but operationalized before the end of the 1st quarter 2017;
2. April 3, 2017, was the Settlement Date;



3. The process leading to the issuance of the 5-year and 10-year bonds through the tap in arrangement or tap in simpliciter, took place in one (1) day, that is from 12:31 PM on 30th March 2017 when the notice was sent out by the BOG inviting bids and closed at 2:00PM same day;
4. Franklin Templeton Investment Limited (an American global investment management organization founded in 1947), purchased about 95% of the Bond issued;

The evidence available to the Commission does not support the Complainant's allegations that:

1. The initial pricing guidelines of the Bond were issued around 5:37 pm on March 30, 2017, by e-mail, which was after normal working hours;
2. The transaction was opened at 9:00 a. m. on March 31, 2017;
3. The public announcement of the transaction was sent by e-mail at approximately 9:09 am. on March 31, 2017, which meant that the transaction was opened before the announcement was made to the public;
4. The issuance summary was issued on March 31, 2017, at about 4:20 pm. by e-mail indicating that the Bond transaction had been closed and announcement made to the public;
5. The size of this virtual "private placement" makes it akin to a sovereign bond or foreign loan;
6. The Virtual "private placement" approach that was used was opened in the morning and closed in the evening of the same day March 31, 2017;
7. Enterprise Group Limited is a company partially owned by Data Bank Limited, a company in which the Finance Minister is known to have significant interest;
8. The Finance Minister issued the bond in a manner that would favour his friend, family, associates and /or business partners;
9. The Bond transaction seems to have been shrouded in secrecy.

## DECISION

On the basis of the evidence available to the Commission, it has come to the conclusion and therefore holds that the allegations by the Complainant that the Respondent has contravened Article 284 of the 1992 Constitution by putting himself in a conflict of interest situation in relation to the issuance of the 5-year, 7-year, 10-year and 15-year bonds, have not been substantiated.



## ACTION BY COMMISSIONER IN RESPECT OF THE INVESTIGATION

Article 287(1) of the Constitution provides that “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 submission of the contravention or non-compliance, cause or matter to be investigated.

Article 287 (2) provides that "The Commissioner for 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.”

In accordance with powers vested in the Commissioner of the Commission on Human Rights and Administrative Justice (CHRAJ) under Article 287(2) of the 1992 Constitution, the following actions are hereby directed to be taken as a result of the investigation:

1. In view of the breaches of the processes leading to the issuance of bonds, the Respondent should take urgent and verifiable steps to ensure that all officials involved in the issuance of bonds at the Ministry, Bank of Ghana (BOG), JBR comply with the processes and procedures for issuing bonds;
2. The Respondent/Minster for Finance should, as a matter of urgency, make Regulations, or rules or guidelines published in the Gazette, to regulate the format of and criteria for the auctions and the procedures for participation, bidding, and allocation in auctions in relation to the issuance of securities in the domestic market;
3. The Respondent/Minster for Finance should take steps to prevent Primary Dealers who are also bookrunners/Transaction Advisors from gaining unfair advantage because of their dual roles as Primary Dealers and Bookrunners/Transaction advisors.
4. Fiscal consolidation measures for some time now are being taken by the Ministry of Finance in stabilising the economy and this includes heavy reliance on debt management through debt payment restructuring. To the extent that the issuance of Bonds which are a form of borrowing on the domestic market for both resident and non-resident investors is deepening

with a growing appetite of investors for short and longer dated securities with increasing volumes, it has become imperative that section 56 of the Public Financial Management Act, 921 of 2016 be implemented in the shortest possible time.

5. Section 56 (1) provides as follows: “The terms and conditions of all government borrowing shall be laid before Parliament and shall not come into operation unless the terms and conditions are approved by a resolution of Parliament in accordance with article 181 of the Constitution”. The issuance of bonds is a form of borrowing and therefore operationalising section 56 (2) of the PFM Act with standard terms and conditions for government borrowing through a legislative instrument or through a Resolution of Parliament to enable greater transparency in all borrowings is long overdue.

#### ***2.4. Management and Administration***

##### **Strategic goal 4: Strengthen capacity to promote and protect human rights, national integrity, accountability, and ensure administrative justice**

The Commission met programmatic requirements to improve organizational performance by:

- Motivating, training, recruiting, retaining, and balancing the mix of professional and general staff with sufficient competencies to perform their assigned duties;
- Establishing efficient systems and processes maintained by a high standard of operations to enable consistent delivery of CHRAJ’s mandates;
- Rehabilitating and acquiring adequate facilities and equipment for a complete infrastructure necessary for CHRAJ to carry out its mandates; and
- Enhancing visibility of CHRAJ’s role and services.

#### **Capacity Building and Trainings**

The Commission pays serious attention to staff training to develop capacity of staff in their areas of operation as well as prepare them for other specific and/or higher responsibilities. These officers are granted study leave with or without pay in accredited institutions in Ghana and abroad. In all, 24 members of staff made up of 10 males and 14 females benefitted from various academic programmes.

## **Staff Strength**

The Commission's total staff strength stood at 672 spread across its Head Office, 10 Regional, 2 Sub-regional and 97 District offices. This indicated a reduction in staff by 28 persons as compared with 2016. The Commission had a staff shortfall of 145. The huge deficit in staff strength posed a heavy burden on the available staff as well as a threat to effective programme implementation.

## **Internship**

The Commission continues to attract both local and foreign students who find CHRAJ's internship programme very helpful and relevant to their field of study. Sixty-seven interns and national service personnel, made up of 48 males and 19 females were attached to the Commission in the year under review.



## **PART 3: AFFILIATIONS AND PARTNERSHIPS**

The Commission has formal working relations with a number of International and Regional Organisations in its mandate areas. Through working with these bodies, the Commission is able to share experiences and best practices for purposes of improving upon its operations/performance while contributing to strengthening other sister institutions<sup>7</sup>. The affiliations range from payment of subscription fees to having flexible Memoranda of Understanding (MoU) across the mandate areas. The ensuing paragraphs discuss the Commission's affiliations and activities in accordance with the mandate areas.

### ***3.1. Human Rights***

The Commission is an 'A status' member of the Global Alliance of National Human Rights Institutions (GANHRI)<sup>8</sup>. GANHRI is an International Association of National Human Rights Institutions (NHRIs) across the globe with the primary aim of promoting and strengthening NHRIs to be in accordance with the Paris Principles while also providing leadership in the promotion and protection of human rights. The GANHRI supports NHRIs in many ways including:

- facilitating and supporting NHRIs engagement with the UN Human Rights Council and Treaty Bodies;
- encouraging cooperation and information sharing among NHRIs; and
- promoting the role of NHRIs within the United Nations and with States and other international agencies.

The 'A status' accreditation by the GANHRI Sub-Committee on Accreditation makes the Commission compliant with the Paris Principles and is therefore accorded speaking rights and seating at Human Rights Treaty Bodies and other related UN organs.

Again, the Commission is a member of the Network of African National Human Rights Institutions (NANHRI) based in Nairobi (Kenya), the Network of National Human Rights Institutions in West Africa (NNHRI-WA) based in Abuja (Nigeria), and the Commonwealth Forum of National Human Rights Institutions.

The Commission continues to serve as Africa's Representative on the GANHRI Working Group on the United Nations Sustainable Development Goals (SDGs) and Chair of the Working Group on SDGs and Africa Agenda 2063.

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<sup>7</sup> This includes National Human Rights Institutions (NHRIs), Ombudsman and Anti-Corruption Institutions

<sup>8</sup> Formerly known as International Coordinating Committee (ICC) established in 1993

The Commission strengthened its international cooperation through press releases and participating Regional and International Conferences, Meetings, and Workshops including:

- press release in commemoration of International Women's Day. As part of activities to celebrate the International Women's Day, a press statement was issued on 8<sup>th</sup> March, 2017. In addition, the Commission was featured on TV Africa to discuss general issues affecting women including girls' education and teenage pregnancy in Ghana.
- Conference on the Optional Protocol on the Convention Against Torture (OPCAT) in Abidjan, Côte d'Ivoire in March, 2017.
- four-day training workshop on Sexual Orientation and Gender Identity Expression (SOGIE) in Kenya in March 2017. The training workshop was a follow up to an earlier online course on SOGIE organised by NANHRI.
- meeting on the 'Role of National Human Rights Institutions in Protecting and Promoting Human Rights Online'. The programme was organised by NANHRI in Johannesburg, South Africa in May, 2017. The meeting which had in attendance NHRIs from across Africa, civil society organizations, media experts and academics; explored how human rights frameworks apply to the exercise of rights online.
- Commonwealth Observer Mission in Papua New Guinea's 4th national elections. The 12-member group appointed by Commonwealth Secretary General Patricia Scotland was in Papua New Guinea from 20 June to 14 July 2017. The Observer group's main task was to observe the electoral process and assess factors that could undermine the credibility of the whole electoral process.
- Conference on 'The Role and Responsibilities of Human Rights Organizations in Combating Extremism, Hate Speech and Terrorism'. The conference brought together various stakeholders to discuss and contribute to national, regional and international discourse on preventing violent extremism and hate speech. The programme was organised by the National Council for Human Rights in Cairo, Egypt in July, 2017.
- training workshop on Economic, Social and Cultural Rights (ESCRs) in Abuja, Nigeria in December, 2017.

### ***3.2. Administrative Justice***

The Commission is a member of the International Ombudsman Institute (IOI) as well as the African Ombudsman and Mediators Association (AOMA). The role of Ombudsman institutions generally is to protect people against violation of rights, abuse of power, unfair decisions and maladministration. The IOI established in 1978, is the only global organisation for the cooperation of more



than 190 independent Ombudsman institutions from more than 100 Countries worldwide. In its effort to focus on good governance and capacity building, the IOI supports its members in a threefold way: training, research and regional subsidies for projects. Similarly, the AOMA prides itself as “a vehicle for promoting good governance and the rule of law in Africa”. Its mission statement is “to advance the development of the Ombudsman Institution for the furtherance of good governance, the Rule of law, and Human Rights in Africa.”

### **3.3. Anti-Corruption**

The Commission is affiliated to the International Association of Anti-Corruption Authorities (IAACA), Association of Anti-Corruption Agencies in Commonwealth Africa (AAACA), and the Network of Anti-Corruption Institutions in West Africa (NACIWA). The IAACA is an independent, non-political, anti-corruption organization, composed of institutions responsible for investigation, prosecution and prevention of corruption around the world. The objective of the Association is to promote the effective implementation of the United Nations Convention Against Corruption (UNCAC), fostering constructive collaboration among its members in the prevention and control of corruption, as well as asset recovery and international cooperation.

The Commission undertook the ensuing activities pursuant to its Regional and International Anti-corruption obligations:

#### **Participation in International Anti-Corruption Activities**

The Commission participated in the following international/regional Anti-Corruption programmes;

- The 2<sup>nd</sup> Annual General Meeting of the AAACA in Brazzaville, Congo in April, 2017. The meeting under the theme "Exploring New Trends in the Fight Against Corruption" was in accordance with the implementation of the Bujumbura Declaration and Article 19 of the Union Convention on Prevention and Combating Corruption. The Convention encourages States Parties to cooperate with each other and to assist in the field of mutual legal assistance, capacity building in judicial matters, joint investigations to identify and recover ill-gotten assets.
- The 7<sup>th</sup> Commonwealth Review Meeting of Heads of Anti-Corruption Agencies in Africa in Mangochi, Malawi in May/June 2017. Participants reviewed progress and discussed strategies on anti-corruption interventions.
- The 8<sup>th</sup> Session of the Implementation Review Group of the UNCAC Programme in Vienna, Austria in June 2017. The Implementation

Review Group was established by the Conference of State Parties to the UNCAC in its resolution 3/1, entitled “Review mechanism”, as an open-ended intergovernmental group of State parties to operate under its authority and report to it. The Group is to have an overview of the review process in order to identify challenges and good practices and to consider technical assistance requirements in order to ensure effective implementation of the Convention.

- The 13<sup>th</sup> Meeting of the Open-Ended Inter-Governmental Working Group on Asset Recovery in Vienna, Austria in August 2017. The Open-ended Intergovernmental Working Group on Asset Recovery, called the "Working Group on Asset Recovery" is a subsidiary body of the Conference of the State Parties to the UNCAC. This Working Group on Asset Recovery is responsible for assisting and advising the Conference of State Parties’ implementation of their mandate in connection with return of proceeds of corruption.
- The Commonwealth Africa Anti-Corruption Centre (CAACC) training programme on Financial Investigations and Asset Recovery in Botswana in August, 2017. The training modules covered topics such as; financial investigative approaches, asset tracing, mechanisms of asset forfeiture, regional perspective of the problems, and challenges posed during investigation and prosecution of corruption cases.
- Training in combating corruption and fraud in public procurement held in Botswana in September 2017. The key objective of the course was to empower participants with knowledge and skills in combating corruption and fraud in public procurement. The training targeted anti-corruption practitioners, project managers and procurement specialists of anti-corruption authorities and oversight institutions in Commonwealth African countries.
- Training in Effective monitoring and Evaluation of Anti-Corruption Strategies in November, 2017.

## PART 4: FINANCIAL REPORT

The Commission continued to finance its annual activities from Government of Ghana (GoG) budgetary allocations. In the year under review, the Commission's total GoG budget amounted to GH¢24,514,470.00 out of which GH¢21,465,260.68 was released. The budget was made up of; Compensation GH¢14,823,550.00, Goods & Services GH¢4,690,920.00 and Non-Financial Assets GH¢5,000,000.00. The release constituted 87.60% of the Commission's total budget for the year. The table below shows the breakdown of the budget and releases.

### GoG Budget for 2016-2017

Expenditure Classifications	2016 (GH¢)		2017 (GH¢)	
	Budget	Releases	Budget	Releases
Compensation	13,722,770.00	15,018,016.71	14,823,550.00	17,899,065.49
Goods & Services	2,000,000.00	1,839,141.56	4,690,920.00	3,227,744.64
Non- Financial Assets	-	-	5,000,000.00	338,450.55
<b>Total</b>	<b>15,722,770.00</b>	<b>16,857,158.27</b>	<b>24,514,470.00</b>	<b>21,465,260.68</b>

The table indicates that while releases in 2016 exceeded the budget by 7.2%, releases in 2017 fell short of the budget by 12.4%. Nevertheless, the releases in 2017 far exceeded that of 2016 which could be justified by the size of the budgets for the respective periods.

### Trend of GoG Releases for the past 5years (2013-2017)

Expenditure Classifications	2013	2014	2015	2016	2017
Compensation	11,773,894.18	12,719,960.09	13,888,999.02	15,018,016.71	17,899,065.49
Goods & Services	709,105.89	381,797.20	1,208,521.76	1,839,141.56	3,227,744.64
Non-Financial Assets	-	-	482,419.22	-	338,450.55
<b>Total</b>	<b>12,483,000.07</b>	<b>13,101,757.29</b>	<b>15,579,940.00</b>	<b>16,857,158.27</b>	<b>21,465,260.68</b>

The table shows annual increase in the vote for compensation during the period. Goods and Services on the other hand declined in 2014 and picked up in subsequent years.

## PART 5: APPENDICES

### Appendix A: Classification of Number of Complaints Received and Finalized by CHRAJ Offices Nationwide: 2017

Regions	Cases Received In 2017				Total Cases Investigated (Including Cases Carried from Previous Years)			
	HR	AJ	C	TOT	HR	AJ	C	TOT
<b>Upper East Region</b>								
REG. OFFICE	35	16	2	53	34	14	0	48
ZEBILLA	36	1	0	37	34	1	0	35
BAWKU	55	1	1	57	55	0	0	55
BONGO	28	0	0	28	20	0	0	20
NAVRONGO	62	2	0	64	59	2	0	61
SANDEMA	41	2	0	43	40	0	0	40
<b>SUB- TOTAL</b>	<b>257</b>	<b>22</b>	<b>3</b>	<b>282</b>	<b>242</b>	<b>17</b>	<b>0</b>	<b>259</b>
<b>Upper West Region</b>								
WA REGIONAL OFFICE	58	10	2	70	50	8	1	59
NADOWLI	40	4	0	44	37	3	0	40
JIRAPA	62	1	0	63	58	1	0	59
TUMU	54	0	0	54	54	0	0	54
LAWRA	53	5	0	58	53	5	0	58

<b>TOTAL</b>	<b>267</b>	<b>20</b>	<b>2</b>	<b>289</b>	<b>252</b>	<b>17</b>	<b>1</b>	<b>270</b>
<b>Ashanti Region</b>								
KUMASI	119	21	4	144	103	15	0	118
DENTIN (OFFINSO)	246	2	0	248	293	2	0	295
BEKWAI	95	0	0	95	88	0	0	88
MAMPONG	49	2	0	51	50	0	0	50
EFFIDUASE	40	0	0	40	39	0	0	39
NEW EDUBIASE	33	0	0	33	32	0	2	34
EJURA	54	0	0	54	52	0	0	52
KUNTANASE	135	6	1	142	139	5	1	145
MANKRANSO	64	0	0	64	60	0	0	60
NKAWIE	101	2	0	103	116	1	0	117
MANSO NKWANTA	75	6	0	81	67	4	0	71
AGONA	55	2	0	57	66	1	0	67
KONONGO	37	1	0	38	38	1	0	39
JUASO	41	1	0	42	42	1	0	43
TEPA	113	2	0	115	126	1	0	127
MANPONTENG	52	1	0	53	43	1	0	44
OBUASI	252	3	0	255	246	4	0	250
<b>SUB-TOTAL</b>	<b>1561</b>	<b>49</b>	<b>5</b>	<b>1615</b>	<b>1600</b>	<b>36</b>	<b>3</b>	<b>1639</b>
<b>Brong Ahafo Region</b>								
SUNYANI	310	20	1	331	324	21	1	346
BEREKUM	144	0	0	144	63	0	0	63
DORMAA	179	0	0	179	184	0	0	184



BECHEM	61	2	0	63	59	0	0	59
WENCHI	289	5	0	294	292	2	0	294
DROBO	83	0	0	83	71	0	0	71
ATEBUBU	194	0	0	194	185	0	0	185
KINTAMPO	269	2	3	274	254	2	0	256
TECHIMAN	300	1	0	301	361	0	1	362
KENYASE	154	0	0	154	143	0	0	143
GOASO	122	0	0	122	125	0	0	125
NKORANZA	133	0	0	133	118	0	0	118
KWAME DANSO	200	1	0	201	200	1	0	201
<b>SUB-TOTAL</b>	<b>2438</b>	<b>31</b>	<b>4</b>	<b>2473</b>	<b>2379</b>	<b>26</b>	<b>2</b>	<b>2407</b>
<b>Northern Region</b>								
TAMALE	41	21	5	67	53	15	1	69
ZABZUGU	11	1	0	12	11	0	0	11
GUSHEGU	7	0	0	7	9	0	0	9
TOLON	4	4	1	9	4	3	2	9
WALEWALE	29	2	0	31	29	2	0	31
SALAGA	21	1	0	22	20	0	0	20
YENDI	45	1	0	46	46	1	0	47
BOLE	22	1	0	23	23	1	0	24
DAMANGO	17	1	1	19	20	0	0	20
BIMBILLA	47	0	0	47	48	0	0	48
SAVELUGU	7	1	0	8	8	1	0	9
GAMBAGA	13	0	0	13	15	0	0	15
SABOBA	67	1	1	69	66	1	0	67

<b>SUB-TOTAL</b>	<b>331</b>	<b>34</b>	<b>8</b>	<b>373</b>	<b>352</b>	<b>24</b>	<b>3</b>	<b>379</b>
<b>Western Region</b>								
TAKORADI	62	9	1	72	56	10	0	66
TARKWA	63	1	0	64	51	1	0	52
ENCHI	162	1	0	163	158	1	0	159
JUABOSO	26	0	0	26	26	0	0	26
AXIM	87	2	0	89	85	3	0	88
ASANKRAGWA	70	0	1	71	77	0	1	78
WIAWSO	126	1	0	127	124	1	0	125
BIBIANI	116	0	0	116	116	0	0	116
AGONA	28	0	0	28	24	0	0	24
HALF ASSINI	24	10	0	34	20	9	0	29
DABOASE	32	0	0	32	29	0	0	29
<b>SUB-TOTAL</b>	<b>796</b>	<b>24</b>	<b>2</b>	<b>822</b>	<b>766</b>	<b>25</b>	<b>1</b>	<b>792</b>
<b>Central Region</b>								
CAPE COAST	<b>52</b>	<b>3</b>	<b>0</b>	<b>55</b>	<b>54</b>	<b>5</b>	<b>1</b>	<b>60</b>
DUNKWA-ON-OFFIN	<b>113</b>	<b>1</b>	<b>0</b>	<b>114</b>	<b>116</b>	<b>1</b>	<b>0</b>	<b>117</b>
AGONA SWEDRU	<b>82</b>	<b>4</b>	<b>0</b>	<b>86</b>	<b>69</b>	<b>3</b>	<b>0</b>	<b>72</b>
ABORA DUNKWA	<b>45</b>	<b>0</b>	<b>0</b>	<b>45</b>	<b>46</b>	<b>0</b>	<b>0</b>	<b>46</b>
WINNEBA	<b>105</b>	<b>1</b>	<b>0</b>	<b>106</b>	<b>95</b>	<b>0</b>	<b>0</b>	<b>95</b>
TWIFO PRASO	<b>44</b>	<b>0</b>	<b>0</b>	<b>44</b>	<b>41</b>	<b>1</b>	<b>0</b>	<b>42</b>
ASSIN FOSU	<b>31</b>	<b>2</b>	<b>0</b>	<b>33</b>	<b>32</b>	<b>1</b>	<b>0</b>	<b>33</b>
ELMINA	<b>40</b>	<b>2</b>	<b>0</b>	<b>42</b>	<b>23</b>	<b>0</b>	<b>0</b>	<b>23</b>
APAM	<b>32</b>	<b>0</b>	<b>0</b>	<b>32</b>	<b>30</b>	<b>0</b>	<b>0</b>	<b>30</b>

BREMAN ASIKUMA	44	1	0	45	42	1	0	43
AJUMAKO	28	0	0	28	26	0	0	26
SALTPOND	48	0	0	48	48	0	0	48
<b>SUB-TOTAL</b>	<b>664</b>	<b>14</b>	<b>0</b>	<b>678</b>	<b>622</b>	<b>12</b>	<b>1</b>	<b>635</b>
<b>Greater Accra Region</b>								
HEAD OFFICE	225	136	34	395	192	81	0	273
REGIONAL OFFICE	17	12	0	29	29	18	0	47
ADAFOAH	58	3	0	61	59	6	0	65
DODOWA	14	0	0	14	11	0	0	11
AMASAMAN	88	0	0	88	295	0	0	295
WEIJA	68	1	0	69	149	16	0	165
TEMA	39	5	0	44	62	3	0	65
<b>SUB-TOTAL</b>	<b>509</b>	<b>157</b>	<b>34</b>	<b>700</b>	<b>797</b>	<b>124</b>	<b>0</b>	<b>921</b>
<b>Volta Region</b>								
HOHOE	78	1	0	79	79	0	1	80
KADJEBI	98	0	0	98	89	0	0	89
HO REG OFFICE	97	5	1	103	97	5	2	104
SAGAKOPE	179	4	1	184	167	2	1	170
AKATSI	224	5	1	230	247	2	0	249
NKWANTA	46	0	0	46	42	0	0	42
ADIDOME	90	1	0	91	88	1	0	89
DENU	120	1	0	121	107	2	0	109
KPANDO	123	2	0	125	116	2	0	118
JASIKAN	55	3	0	58	47	3	0	50

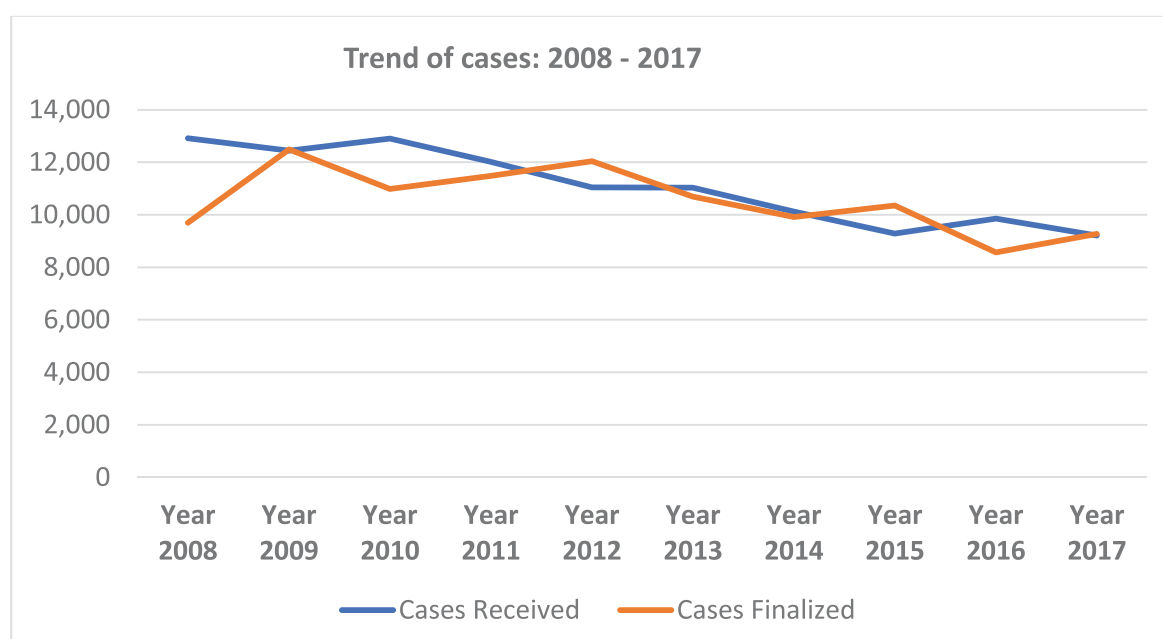
KETE KRACHI	29	0	0	29	28	1	0	29
KETA	103	1	0	104	94	1	0	95
<b>SUB-TOTAL</b>	<b>1242</b>	<b>23</b>	<b>3</b>	<b>1268</b>	<b>1201</b>	<b>19</b>	<b>4</b>	<b>1224</b>
<b>Eastern Region</b>								
KOFORIDUA REG OFFI	6	5	0	11	13	7	0	20
NKAWKAW	55	1	0	56	55	2	0	57
KADE	113	1	0	114	114	0	0	114
NEW ABIREM	67	1	0	68	66	0	0	66
BEGORO	50	0	0	50	51	0	0	51
KIBI	27	3	0	30	20	0	0	20
NSAWAM	56	0	0	56	56	0	0	56
SUHUM	32	0	0	32	32	0	0	32
AKIM ODA	34	0	0	34	33	0	0	33
AKROPONG	33	1	0	34	36	1	0	37
ODUMASE KROBO	48	1	0	49	55	0	0	55
DONKORKROM	43	0	0	43	40	1	0	41
AKOSOMBO	29	0	0	29	29	0	0	29
ASAMANKESE	110	0	0	110	135	0	0	135
<b>SUB-TOTAL</b>	<b>703</b>	<b>13</b>	<b>0</b>	<b>716</b>	<b>735</b>	<b>11</b>	<b>0</b>	<b>746</b>
<b>GRAND TOTAL</b>	<b>8,768</b>	<b>387</b>	<b>61</b>	<b>9,216</b>	<b>8,946</b>	<b>311</b>	<b>15</b>	<b>9,272</b>

## Appendix B: Trend of Complaints Received, Finalized and Pending: 2008-2017

YEAR	CASES RECEIVED	CASES FINALIZED	PERCENTAGE FINALIZED	CASES PENDING
2008	12,919	9,693	75%	***
2009	12,443	12,491	88.3%	***
2010	12,900	10,987	79.3%	3,263
2011	12,018	11,477	75.1%	3,804
2012	11,049	12,038	81%	2,815
2013	11,035	10,694	*77.2%	3,156
2014	10,124	9,921	*74.7%	3,359
2015	9,283	10,355	*82%	2,287
2016	9,854	8,569	*76%	2,672
2017	9,216	9,272	*78%	2,616
<b>TOTAL</b>	<b>110,841</b>	<b>105,497</b>		

- The percentage Finalized was expressed on the total available cases in the year which included the cases carried from the previous year

## Appendix C: Graphical Representation of Trend of Complaints Received & Finalized: 2007-2016



## Appendix D: Classification of Mode of Closure: 2017

Mode of Closure	Human Rights	Admin Justice	Corruption	Total Closed
Declined/Referred	927	91	1	1,019
Discretionary	2,269	79	6	2,354
Mediation	5,655	91	0	5,746
Decided After Preliminary Investigation	79	42	5	126
Decided After Full Investigation	16	8	3	27
<b>GRAND TOTAL</b>	<b>8946</b>	<b>311</b>	<b>15</b>	<b>9272</b>

## Appendix E: Classification of Regional Distribution of Complaints Received and Finalized

Regions	Complaints Received in 2017				Total Complaints Finalized (Including Complaints Carried from Previous Years)			
	HR	AJ	C	TOT	HR	AJ	C	TOT
UPPER EAST	257	22	3	282	242	17	0	259
UPPER WEST	267	20	2	289	252	17	1	270
ASHANTI	1561	49	5	1615	1600	36	3	1639
BRONG AH	2,438	31	4	2,473	2,379	26	2	2,407
NORTHERN	331	34	8	373	352	24	3	379
WESTERN	796	24	2	822	766	25	1	792
CENTRAL	664	14	0	678	622	12	1	635
GREATER	509	157	34	700	797	124	0	921
VOLTA	1,242	23	3	1,268	1,201	19	4	1,224
EASTERN	703	13	0	716	735	11	0	746
<b>TOTALS</b>	<b>8,768</b>	<b>387</b>	<b>61</b>	<b>9,216</b>	<b>8,946</b>	<b>311</b>	<b>15</b>	<b>9,272</b>



## Appendix F: Nature of Human Rights Complaints Received According to Regions and Head office 2017

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	TOT
<b>CHILDREN RIGHTS RELATED COMPLAINTS</b>												
Right to Maintenance (necessaries of life)	29	86	67	323	416	70	177	164	128	338	230	<b>2,028</b>
Right to Education	3	15	4	11	19	12	4	35	9	46	9	<b>167</b>
Right to Health	1	8	0	10	5	0	0	0	0	26	6	<b>56</b>
Improper Care	1	0	0	2	8	0	1	22	16	5	0	<b>55</b>
Child Custody	10	27	2	28	134	26	12	46	9	63	42	<b>399</b>
Defilement	0	0	0	3	1	0	0	2	1	4	0	<b>11</b>
Child Labour	0	0	0	2	0	0	0	0	0	0	0	<b>2</b>
Forced & Early Marriage	0	5	0	1	3	25	2	3	1	2	2	<b>44</b>
Inhuman and Degrading Treatment	0	2	0	6	4	2	0	0	0	5	2	<b>21</b>
Right to Paternity	2	3	1	46	54	3	7	1	2	17	7	<b>143</b>
Right to Naming	0	0	0	1	2	0	0	17	0	0	0	<b>20</b>
Trafficking	2	0	0	0	1	0	0	1	2	1	0	<b>7</b>
Right of Access to Natural Parents	3	0	5	36	4	16	17	0	15	28	12	<b>136</b>
Abduction/Kidnapping	3	1	5	0	0	0	0	0	0	1	0	<b>10</b>
<b>TOTAL</b>	<b>54</b>	<b>147</b>	<b>84</b>	<b>469</b>	<b>651</b>	<b>154</b>	<b>220</b>	<b>291</b>	<b>183</b>	<b>536</b>	<b>310</b>	<b>3099</b>

<b>WOMEN'S RIGHTS RELATED COMPLAINTS</b>												
Spousal Right to Maintenance	1	15	7	63	219	14	62	25	4	83	53	<b>546</b>
Violence Against Women												
*****Battery	2	8	2	19	71	3	16	7	1	10	3	<b>142</b>
*****Other Forms (Psychological, Emotional etc)	7	2	0	30	101	0	6	9	4	0	1	<b>160</b>
Rape	1	1	0	0	0	0	0	0	0	0	0	<b>2</b>
Sex Discrimination	0	0	0	0	0	0	0	0	0	1	0	<b>1</b>
Discrimination Based on Pregnancy	2	0	0	0	0	0	0	0	0	0	0	<b>2</b>
Reproductive Health Rights	1	20	10	16	67	40	46	20	7	60	12	<b>299</b>
<b>TOTAL</b>	<b>14</b>	<b>46</b>	<b>19</b>	<b>128</b>	<b>458</b>	<b>57</b>	<b>130</b>	<b>61</b>	<b>16</b>	<b>154</b>	<b>69</b>	<b>1152</b>
<b>PROPERTY RIGHTS</b>												
Right to Own Property	18	19	21	293	399	21	253	109	8	127	95	1363
Spousal Rights to property	14	0	1	5	44	0	29	14	2	0	1	<b>110</b>
<b>TOTAL</b>	<b>32</b>	<b>19</b>	<b>22</b>	<b>298</b>	<b>443</b>	<b>21</b>	<b>282</b>	<b>123</b>	<b>10</b>	<b>127</b>	<b>96</b>	<b>1473</b>

<b>ECONOMIC, SOCIAL AND CULTURAL RIGHTS</b>												
Non-Payment of Wages	2	3	37	13	0	13	0	9	5	13	1	<b>96</b>
Right to Work	2	0	0	0	1	0	0	0	0	12	2	<b>17</b>
Right to clean and healthy Environmental	4	0	0	4	2	1	2	2	1	6	2	<b>24</b>
Breach of Agreement	29	5	10	209	246	15	37	42	9	199	83	<b>884</b>
Landlord/Tenant Related Rights Abuses	6	3	15	180	259	0	29	19	4	28	62	<b>605</b>
Right to marriage and found a family	1	0	0	0	0	0	0	0	0	0	0	<b>1</b>
Right to Health	4	0	0	0	7	5	0	0	4	3	0	<b>23</b>
Dehumanize and Injurious Cultural Practices												
• banishments	0	0	0	0	0	1	0	2	0	1	0	<b>4</b>
• witchcraft accusation and Molestation	0	0	0	1	0	3	0	0	0	1	0	<b>5</b>
Labour Rights	30	13	13	60	54	6	19	24	26	21	31	<b>297</b>
Discrimination	1	0	1	1	1	8	2	0	0	0	0	<b>14</b>
Forced Eviction	3	0	0	0	3	0	0	0	1	8	0	<b>15</b>
Freedom of Worship	1	0	0	0	1	0	0	0	0	0	0	<b>2</b>
Others	17	9	36	133	190	32	34	65	15	35	15	<b>581</b>
<b>TOTAL</b>	<b>100</b>	<b>33</b>	<b>112</b>	<b>601</b>	<b>764</b>	<b>84</b>	<b>123</b>	<b>163</b>	<b>65</b>	<b>327</b>	<b>196</b>	<b>2568</b>

<b>CIVIL AND POLITICAL RIGHTS RELAT</b>												
Right to Dignity (Torture and Inhuman treatment)	11	4	8	14	8	11	4	12	6	56	5	<b>139</b>
Rights to Personal Liberty (Harassment)	8	6	22	50	78	3	7	10	4	34	26	<b>248</b>
Freedom from stigmatization and Discrimination	0	0	0	0	0	0	0	0	0	0	1	<b>1</b>
Others	6	2	0	1	36	1	30	4	0	8	0	<b>88</b>
<b>TOTAL</b>	<b>25</b>	<b>12</b>	<b>30</b>	<b>65</b>	<b>122</b>	<b>15</b>	<b>41</b>	<b>26</b>	<b>10</b>	<b>98</b>	<b>32</b>	<b>476</b>
<b>GRAND TOTAL</b>	<b>225</b>	<b>257</b>	<b>267</b>	<b>1561</b>	<b>2438</b>	<b>331</b>	<b>796</b>	<b>664</b>	<b>284</b>	<b>1242</b>	<b>703</b>	<b>8768</b>

### Appendix G: Nature of Administrative Justice Complaints Received According to Regions and Head office 2017

NATURE OF COMPLAINTS	H. O	U/ E	U/ W	A/R	B/A	N/R	W/ R	C/ R	G/ R	V/ R	E/ R	TO T
<b>CATEGORY</b>												
<b>CESSATION OF EMPLOYMENT</b>												
Premature Retirement	0	0	0	0	0	1	0	0	0	0	0	<b>1</b>
Unlawful Termination of Appointment	2	0	2	3	3	0	0	0	2	0	2	<b>14</b>
Unlawful Dismissal	7	1	0	1	3	0	2	0	1	0	0	<b>15</b>
Redundancy	0	2	0	0	0	0	0	0	0	0	0	<b>2</b>
<b>SUB TOTAL</b>	<b>9</b>	<b>3</b>	<b>2</b>	<b>4</b>	<b>6</b>	<b>1</b>	<b>2</b>	<b>0</b>	<b>3</b>	<b>0</b>	<b>2</b>	<b>32</b>
<b>ENTITLEMENT</b>												
Failure to pay salary	8	3	2	0	3	7	0	1	0	1	1	<b>26</b>

Unauthorized deductions of salary	2	2	2	0	0	0	1	0	0	0	0	7
Failure to Pay Pension Allowances	6	1	0	0	0	0	0	0	1	0	0	8
Failure to pay End of Service Entitlement	1	1	0	1	0	3	1	0	0	0	0	7
Failure to pay allowances	3	2	0	2	0	1	0	0	0	0	0	8
Failure to Pay Transfer Grant	1	0	0	0	0	0	0	0	0	2	1	4
Failure to Pay SSNIT contribution/benefit	6	0	0	10	0	1	0	2	0	1	1	21
Non-compensation for injury at work place	0	1	1	1	0	1	0	0	0	1	0	5
Insurance Claim	0	0	0	0	4	0	0	0	0	0	0	4
<b>SUB-TOTAL</b>	<b>27</b>	<b>10</b>	<b>5</b>	<b>14</b>	<b>7</b>	<b>13</b>	<b>2</b>	<b>3</b>	<b>1</b>	<b>5</b>	<b>3</b>	<b>90</b>
<b>PROPERTY</b>												
Arbitrary confiscation of property by state or public official	0	0	2	0	1	1	1	1	0	1	0	7
Wrongful Destruction of property by public officer	0	0	0	0	0	0	0	0	1	0	1	2
<b>SUB-TOTAL</b>	<b>0</b>	<b>0</b>	<b>2</b>	<b>0</b>	<b>1</b>	<b>1</b>	<b>1</b>	<b>1</b>	<b>1</b>	<b>1</b>	<b>1</b>	<b>9</b>
<b>COMPLAINT HANDLING / INVESTIGATIONS</b>												
Failure to prosecute	0	0	0	4	0	0	0	3	0	0	0	7
Failure to take complaint	20	1	1	0	2	0	1	1	1	0	0	27
Delay in Dispensing Justice	13	0	0	0	0	0	0	0	2	1	1	17
<b>SUB TOTAL</b>	<b>33</b>	<b>1</b>	<b>1</b>	<b>4</b>	<b>2</b>	<b>0</b>	<b>1</b>	<b>4</b>	<b>3</b>	<b>1</b>	<b>1</b>	<b>51</b>

<b>OPPRESSIVENESS/ ABUSE OF POWER /OFFICE</b>												
Intimidation or Harassment	1	0	0	0	1	0	2	0	1	0	0	5
Forced resignation	0	0	0	0	0	0	0	0	0	0	0	
Assault by public officer	0	0	0	5	2	1	0	0	0	0	0	8
Forced Eviction	0	0	0	0	0	0	0	0	0	0	0	
Unlawful Arrest/Detention	4	0	0	4	1	0	7	0	0	4	0	20
Others	12	0	1	13	3	0	2	1	1	2	1	36
<b>SUB TOTAL</b>	<b>17</b>	<b>0</b>	<b>1</b>	<b>22</b>	<b>7</b>	<b>1</b>	<b>11</b>	<b>1</b>	<b>2</b>	<b>6</b>	<b>1</b>	<b>69</b>
<b>DISCIPLINE</b>												
Suspension/Interdiction	2	0	0	1	0	0	0	0	0	1	0	4
Demotion	1	0	0	0	0	1	0	0	0	0	2	4
<b>SUB TOTAL</b>	<b>3</b>	<b>0</b>	<b>0</b>	<b>1</b>	<b>0</b>	<b>1</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>1</b>	<b>2</b>	<b>8</b>
<b>OTHER INJUSTICE</b>												
Improper Withholding of document	0	0	0	0	1	0	0	0	1	0	1	3
Denial of Promotion	2	0	0	1	0	0	0	0	0	0	0	3
Arbitrary Transfer	2	0	0	0	0	0	0	2	0	0	0	4
Unfair Treatment	27	1	1	0	1	4	0	1	7	8	1	51
Discrimination	0	0	0	0	0	0	0	0	1	0	0	1
Denial of Bail	1	0	0	1	0	0	1	0	0	0	0	3
unfair Ruling	2	0	0	0	0	0	0	0	0	0	0	2
others	13	7	8	2	6	13	6	2	2	1	1	61
<b>SUB TOTAL</b>	<b>47</b>	<b>8</b>	<b>9</b>	<b>4</b>	<b>8</b>	<b>17</b>	<b>7</b>	<b>5</b>	<b>11</b>	<b>9</b>	<b>3</b>	<b>128</b>
<b>GRAND TOTAL</b>	<b>136</b>	<b>22</b>	<b>20</b>	<b>49</b>	<b>31</b>	<b>34</b>	<b>24</b>	<b>14</b>	<b>21</b>	<b>23</b>	<b>13</b>	<b>387</b>



## Appendix H: Nature of Corruption Complaints Received According to Regions and Head office 2017

NATURE OF CORRUPTION	HQ	U E	U W	AR	BA	N R	W R	CR	G R	VR	E R	TO T
Misappropriation/Embezzlement	12	0	0	1	0	2	1	0	0	0	0	16
Fraud	1	0	1	0	0	1	0	0	0	0	0	3
Conflict of Interest	2	0	0	2	0	2	0	0	0	0	0	6
Bribery	4	0	0	1	0	1	0	0	0	0	0	6
Extortion of Money	3	3	0	1	4	0	1	0	0	1	0	13
Others	12	0	1	0	0	2	0	0	0	2	0	17
<b>TOTAL</b>	<b>34</b>	<b>3</b>	<b>2</b>	<b>5</b>	<b>4</b>	<b>8</b>	<b>2</b>	<b>0</b>	<b>0</b>	<b>3</b>	<b>0</b>	<b>61</b>

## Appendix I: Respondent Bodies in Human Rights Complaints Received: 2017

RESPONDENT BODIES	NUMBER OF COMPLAINTS
Private Individual	8,371
Private Companies	155
Insurance Companies	13
Associations/unions	21
Hotels	11
Banks/Financial Institutions	45

UNHCR	1
Security Companies	22
Private Schools	28
Micro Finance Companies	6
Churches	23
Private Enterprises or Organizations	35
Private Hospitals	25
Chieftaincy Institution	6
Foreign Countries	3
Embassies	2
Radio Stations	1
<b>TOTALS</b>	<b>8768</b>

## **Appendix J: Respondent Bodies in Administrative Justice Complaints Received 2017**

<b>RESPONDENT BODIES</b>	<b>NUMBER OF COMPLAINTS</b>
Universities	9
Polytechnics	3
Schools/Colleges/technical Institutions	24
Ghana Education Service	27
Controller & Accountant General	11
SSNIT	17
Judicial service	10
ADB	7
Birth and Death	3

Ghana commercial Bank	9
DVLA	0
Ghana water company	5
Bank of Ghana	1
CEPS	1
Regional Coordinating Councils	1
Metropolitan, Municipal and District Assemblies (MMDAs)	41
Ghana News Agency (GNA)	1
LEGAL AID	1
Ministry Defence	1
Ghana Health Service	21
DOVVSU	3
Ghana Police Service	49
NADMO	4
Ghana Prisons Service	4
Ghana Armed Forces	2
Ghana Fire Service	4
Ghana River Authority (VRA)	2
Electricity Company of Ghana(ECG)	7
Ghana Highway Authority	4
Ghana Railways Cooperation	1
Lands Commission	2
Department o social welfare	2
Forestry Commission	3
Dept of Parks and Gardens	1
Labour Commission	10

National Youth Employment Programme (NYEP)	2
Ministry of Food And Agriculture	2
CHRAJ	4
Electoral Commission	2
National Service Secretariat	7
COCOBOD	1
State Insurance Company	9
Metro Mass Transit	7
Audit service	4
Rent Office	6
Ministry of Works and Housing	1
Ghana Road Safety Commission	1
Ghana Statistical Service	1
Ghana Post	1
Ministry of Employment and Labour Relations	1
Ghana Revenue Authority	4
Ministry of Interior	1
Ministry of Local Government and Rural Development	2
Ghana Immigration Service	3
Parliament of Ghana	2
Public Utility Regulatory Commission	1
Ministry of Health	1
National Investment Bank	2
National Health Insurance Secretariats	1
Ghana Broadcasting Corporation	1
ADB	1

NON Formal Education	3
EPA	1
Others	24
<b>TOTALS</b>	<b>387</b>

**Appendix K: Institutions of Public Officers to whom Allegation of Corruption were made against**

<b>RESONDENT BODIES</b>	<b>NUNMBER OF COMPLAINTS</b>
Ghana Health Service	4
Ghana Education Service	3
Metropolitan, Municipal and District Assemblies (MMDAs)	5
Schools and Colleges	2
Ghana Police Service	3
Private Companies	7
Lands Commission	1
Office of President	2
National Service Secretariat	2
Electoral Commission	2
Ghana Standard Authority	1
Ministry of Health	1
CHRAJ	2
Private Individual	7
Rent Office	2
Ghana Highway Authority	2
Ministry of Food And Agriculture	3
Private Hospital	1

Parliament of Ghana	2
Ministry of Finance	1
Chieftaincy Institution	1
State Housing Company	1
Urban Roads	1
Ghana Prisons Service	1
Ghana Ambulance Service	1
Controller and Accountant General Dept	1
NTC	1
Regional Coordinating Council	1
<b>TOTAL</b>	<b>61</b>

#### Appendix L: Nature of Human Rights Complaints and Corresponding Mode of Closure

<b>HUMAN RIGHTS ABUSES</b>	<b>MEDIATION</b>	<b>PRELIMINARY INVESTIGATION</b>	<b>FULL INVESTIGATION</b>	<b>DISCRETIONAL</b>	<b>DECLINED / REFERRED</b>	<b>TOTAL</b>
<b>CHILDREN RIGHTS RELATED COMPLAINTS</b>						
Right to Maintenance (necessaries of life)	1,474	35	0	549	84	2,142
Right to Education	104	1	0	60	15	180
Right to Health	36	0	0	12	2	50
Improper Care	33	0	0	10	2	45



Unlawful Custody	259	2	1	97	66	425
Defilement	0	0	0	0	13	13
Child Labour	1	0	0	1	1	3
Forced & Early Marriage	28	0	0	11	5	44
Inhuman and degrading treatment	20	2	0	9	15	46
Right to paternity	94	0	0	38	6	138
Right to Naming	18	0	0	13	0	31
Trafficking	0	0	0	0	8	8
Right of Access to Natural Parents	96	0	0	35	5	136
Abduction/Kidnapping	0	0	0	0	10	10
<b>TOTAL</b>	<b>2163</b>	<b>40</b>	<b>1</b>	<b>835</b>	<b>232</b>	<b>3271</b>
<b>WOMEN'S RIGHTS RELATED COMPLAINTS</b>						
Spousal right to Maintenance	398	0	0	143	19	560
Violence Against Women						
• Battery	70	0	0	53	15	138
• Others (Psychological, Emotional)	97	0	0	44	20	161
Sexual Harassment	0	0	0	1	0	1
Rape	0	0	0	1	2	3
Sex Discrimination	0	0	0	1	0	1
Reproductive Health Rights	199	2	0	81	17	299
<b>TOTAL</b>	<b>764</b>	<b>2</b>	<b>0</b>	<b>324</b>	<b>73</b>	<b>1163</b>

<b>Right to own property</b>						
Right to Own Property	775	21	4	402	103	1305
Spousal Right to Property	49	1	0	38	24	112
<b>TOTAL</b>	<b>824</b>	<b>22</b>	<b>4</b>	<b>440</b>	<b>127</b>	<b>1417</b>
<b>ECONOMIC, SOCIAL AND CULTURAL RIGHTS</b>						
Non-Payment of Wages	68	1	1	21	9	100
Right to Work	10	0	0	7	1	18
Right to clean and healthy Environmental	18	0	1	5	5	29
Breach of Agreement	624	4	3	239	68	938
Landlord/Tenant Rights Abuses	344	2	0	114	125	585
Right to Health	14	0	0	6	5	25
Harmful Cultural Practices						
• Witchcraft Accusations & Molestations	1	0	0	2	1	4
• Banishment	2	0	1	1	0	4
Labour Rights	133	3	2	60	64	262
Discrimination	8	1	1	10	3	23
forced EVICTION	12	1	0	3	16	32
others	375	2	1	65	106	549
<b>TOTAL</b>	<b>1609</b>	<b>14</b>	<b>10</b>	<b>533</b>	<b>403</b>	<b>2569</b>

<b>CIVIL AND POLITICAL RIGHTS RELATED</b>						
Right to Life	5	0	0	1	32	38
Violation of Right to Dignity and Respect	55	0	0	30	22	107
Harassment (Rights to Personal Liberty)	165	0	0	72	22	259
Inhuman Treatments/Maltreatment	5	0	0	3	2	10
Denial of Rights to Freedom of Worship	2	1	0	1	1	5
stigmatization	0	0	0	2	0	2
Others	63	0	1	28	13	105
<b>TOTAL</b>	<b>295</b>	<b>1</b>	<b>1</b>	<b>137</b>	<b>92</b>	<b>526</b>
<b>GRAND TOTAL</b>	<b>5,655</b>	<b>79</b>	<b>16</b>	<b>2269</b>	<b>927</b>	<b>8,946</b>

#### Appendix M: Nature of Administrative Justice Complaints and Corresponding Mode of Closure

	mediation	Preliminary	Full	Discretionary	Declined/referred	Total
<b>NATURE OF COMPLAINTS</b>						
<b>CATEGORY</b>						
<b>CESSATION OF EMPLOYMENT</b>						
Premature Retirement	1	1	1	2	1	6
Unlawful Termination of Appointment	1	1	0	2	3	7
Unlawful Dismissal	4	1	0	3	2	10
<b>SUB TOTAL</b>	<b>6</b>	<b>3</b>	<b>1</b>	<b>7</b>	<b>6</b>	<b>23</b>
<b>ENTITLEMENT</b>						

Failure to pay salary	7	6	0	12	3	28
Unauthorized deductions of salary	4	0	0	0	0	4
Failure to Pay Pension Allowances	1	1	0	1	3	6
Failure to pay End of Service Entitlement	1	0	0	3	0	4
Failure to pay allowances	2	2	0	0	2	6
Failure to Pay Transfer Grant	1	0	0	1	0	2
Failure to Pay SSNIT contribution/benefit	8	2	0	3	2	15
non-compensation for injury at work place	2	0	0	2	3	7
Insurance Claim	0	0	0	1	0	1
<b>SUB-TOTAL</b>	<b>26</b>	<b>11</b>	<b>0</b>	<b>23</b>	<b>13</b>	<b>73</b>
<b>PROPERTY</b>						
Arbitrary confiscation of property by state or public official	3	0	1	1	0	5
Wrongful Destruction of property by public officer	1	0	0	2	0	3
<b>SUB-TOTAL</b>	<b>4</b>	<b>0</b>	<b>1</b>	<b>3</b>	<b>0</b>	<b>8</b>
<b>COMPLAINT HANDLING/INVESTIGATIONS</b>						
Failure to prosecute	3	1	0	0	0	4
Failure to take complaint	3	7	0	6	7	23
Delay in Dispensing Justice	1	0	0	4	7	12
<b>SUB TOTAL</b>	<b>7</b>	<b>8</b>	<b>0</b>	<b>10</b>	<b>14</b>	<b>39</b>

<b>OPPRESSIVENESS/ABUSE OF POWER/OFFICE</b>						
Intimidation or Harassment	3	0	0	0	2	5
Assault by public officer	0	1	0	4	3	8
Unlawful Arrest/Detention	1	9	0	3	6	19
Others	10	4	1	10	6	31
<b>SUB TOTAL</b>	<b>14</b>	<b>14</b>	<b>1</b>	<b>17</b>	<b>17</b>	<b>63</b>
<b>SERVICE DELIVERY</b>						
<b>Negligence</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>1</b>
<b>SUB TOTAL</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>1</b>
<b>DISCIPLINE</b>						
Suspension/Interdiction	1	0	0	0	1	2
<b>SUB TOTAL</b>	<b>1</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>1</b>	<b>2</b>
<b>OTHER INJUSTICE</b>						
Improper Withholding of document	0	0	0	0	1	1
Denial of Promotion	1	0	0	0	1	2
Arbitrary Transfer	0	0	0	0	1	1
Unfair Treatment	10	2	4	7	15	38
Discrimination	1	0	0	0	0	1
Denial of Bail	1	1	0	0	0	2
others	20	3	1	12	21	57
<b>SUB TOTAL</b>	<b>33</b>	<b>6</b>	<b>5</b>	<b>19</b>	<b>39</b>	<b>102</b>
<b>TOTAL</b>	<b>91</b>	<b>42</b>	<b>8</b>	<b>79</b>	<b>91</b>	<b>311</b>

## Appendix N: Nature of Corruption Complaints and Corresponding Mode of Closure

<b><u>CORRUPTION</u></b>	<b>DECIDED AFTER PRELIMINARY INVESTIGATION</b>	<b>DECIDED AFTER FULL INVESTIGATION</b>	<b>DISCRETIONAL</b>	<b>DECLINED</b>	<b>TOTAL</b>
Misappropriation/E mbezzlement	1	1	2	0	4
Fraud	0	0	0	1	1
Conflict of Interest	2	0	0	0	2
Bribery	0	0	1	0	1
Extortion of Money	1	2	2	0	5
others	1	0	1	0	2
<b>TOTAL</b>	<b>5</b>	<b>3</b>	<b>6</b>	<b>1</b>	<b>15</b>



## Appendix Q: Organogram

