# **TWENTY-FIFTH ANNUAL REPORT**



COMMISSION ON HUMAN RIGHTS AND ADMINISTRATIVE JUSTICE

2018



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-fifth Annual Report of the Commission for the period January 1 to December 31, 2018.

Yours sincerely,

Joseph Whittal Commissioner



# **COMMISSION MEMBERS**







# **TABLE OF CONTENTS**

LIST OF ACRONYMS	05
THE COMMISSIONER'S MESSAGE	06
2018 HIGHLIGHTS	07
PART 1: OVERVIEW OF THE COMMISSION	14
1.1. Vision statement	
1.2. Mission statement	14
1.3. Mandates	14
1.3.1. Human Rights	14
1.3.2. Administrative Justice	15
1.3.3. Anti-Corruption	15
1.4. Functions of the Commission	16
1.4.1. Original functions	16
1.4.2. Additional functions	17
1.5. Special Powers of investigation	18
1.6. Limitation on powers of investigation	18
1.7. Structure of the Commission	18
1.7.1. The Commission:	18
1.7.2. Senior Management:	18
1.7.3. Departments:	18
1.7.4. Autonomous units:	19
PART 2: STRATEGIC GOALS	20
2.1. Human Rights Mandate	20
Strategic goal 1: Promote and protect fundamental human rights and freedoms	20
2.2. Administrative Justice Mandate	27
Strategic goal 2: Promote fair administration of public services and contribute to demand for better service delivery	27
2.3. Anti-corruption Mandate	33
Strategic goal 3: Promote and protect national integrity and investigate corruption	33
2.4. Management and Administration	41
Strategic goal 4: Strengthen capacity to promote and protect human rights, national integrity, accountability, and ensure administrative justice	41
PART 3: INTERNATIONAL COOPERATION	42
3.1. Human Rights	42
3.2. Administrative Justice	43
3.3. Anti-Corruption	43
PART 4: FINANCIAL REPORT	45
PART 5: APPENDICES	46



# **LIST OF ACRONYMS**

AAACA	Association of Anti-Corruption Agencies in Commonwealth Africa
AC	Anti-Corruption Anti-Corruption
ACHPR	African Commission on Human and People's Rights
AJ	Administrative Justice
AOMA	African Ombudsman and Mediators' Association
APCOF	African Policing and Civilian Oversight Forum
ARAP	Anti-Corruption, Rule of law and Accountability Programme
AU	African Union
CAACC	Commonwealth Africa Anti-Corruption Centre
CEFM	Child, Early and Forced Marriage
CHRAJ	Commission on Human Rights and Administrative Justice
CPRs	Civil and Political Rights
ECOSOC	Economic, Social And Cultural Rights
ESCRs	Economic, Social and Cultural Rights
EU	European Union
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
IMPACT	Integrity, Mobilization, Participation, Accountability, Anti-corruption
	and Transparency
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
NIRM	National Institutions and Regional Mechanisms
OAGD	Office of the Attorney General's Department
OHCHR	Office of the High Commissioner for Human Rights
OPCAT	Optional Protocol on the Convention Against Torture
NACAP	National Anti-Corruption Action Plan
NACIWA	Network of African Anti-Corruption Institutions in West Africa
NACoRD	National Anti-Corruption Reporting Dashboard
NANHRI	Network of African National Human Rights Institutions
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 and Expression
SSNIT	Social Security and National Insurance Trust
UNCAC	United Nations Convention Against Corruption
UPR	Universal Periodic Review

#### THE COMMISSIONER'S MESSAGE

I am delighted to present the 25th edition of the Commission on Human Rights and Administrative Justice (CHRAJ) Annual Report to the Parliament of Ghana. The report is a record of accountability of events for the 2018 reporting year.

Twenty-eighteen (2018) was very strategic in that the Commission successfully reviewed its organizational structure (organogram) to well-defined functional departments and units that align with and respond to its strategic direction. The new organogram clarified the departments and units and levels of reporting thereby easing vertical and horizontal communication within the Commission.

Again, significant achievements were made towards advancing human rights, administrative justice and building a corruption free society. These efforts are aimed at consolidating our fledgling democracy through the formation of strong national institutions and systems, and the realization of culture of human rights; which are necessary for social advancement and national development.

On the promotion, protection and enforcement of human rights, the Commission conducted statistical analysis on human rights complaints to assess the nature and trend of human rights violations in Ghana; and trained personnel of public institutions and the general public on key human rights issues.

As the Ombudsman of Ghana, the Commission engaged the public, the security services and other institutions on the Commission's oversight role over public services and officers.

With regard to anti-corruption, the Commission continued to provide leadership on the implementation of the National Anti-Corruption Action Plan (NACAP); the national action for combating corruption in the Country. CHRAJ developed the NACAP Reporting Dashboard (NACORD), an online reporting system, and trained Implementing Partners (IPs) on its application.

I take this opportunity to express my sincerest gratitude to all stakeholders and the dedicated staff whose commitment to duty has earned CHRAJ trust and recognition as one of the best performing hybrid national human rights institution in Africa and beyond.

Joseph Whittal
Commissioner



#### **2018 HIGHLIGHTS**

The strategic goals of the Commission drawn from the three thematic mandate areas (human rights, administrative justice, and anti-corruption) as well as operational/functional mandate areas such as investigations, research, and public education, have guided the institution's programme implementation and reporting in 2018.

The Commission received 9,521 complaints in 2018 as against 9,216 in 2017; showing a 3.3% increase over the previous year. Additionally, 2,616 complaints were carried over from 2017, bringing the total complaints for investigation in 2018 to 12,137. The Commission successfully concluded 9,076, representing 95.3% and 74.8% of received and total complaints respectively.

A total of 3,061 cases, constituting 25.2% of total complaints were pending investigation at the end of the reporting period.

On the basis of complaints filed with the offices of the CHRAJ nationwide, a biennial statistical report on the state of human rights, administrative justice and anti-corruption, was instituted in the reporting year. The report constitutes a crucial assessment of the implementation of SDG goal 16 in terms of the proportion of Ghana's population that demand the services of the CHRAJ; the type of demands made and the profile of populations that make such demands. This assessment indicates how inclusive, participatory and responsive the CHRAJ's services are in terms of age, sex, socio-economic status, ethnicity, disability, geographical location and other characteristics peculiar to the Ghanaian context.

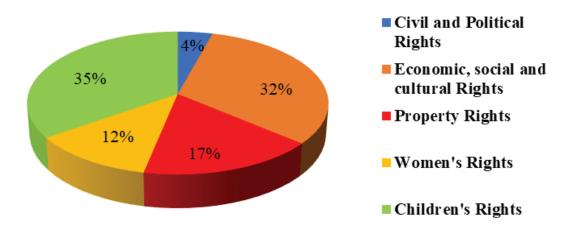
#### **Human Rights Mandate**

The total number of human rights complaints received and investigated in 2018 were 9,040 and 8,714 respectively. The complaints received were higher than the previous year's figure of 8,768 by 3.1%.

Three thousand, six hundred and fifty-three (3,653) complaints, representing 40% of total complaints were reported by males; whereas 5,387, constituting 60% were reported by females.

The nature of human rights abuses were categorized into: Children's rights; Women's rights; Property rights; Economic, Social and Cultural Rights; and Civil and Political Rights.

Fig. 1: Categories of Nature of Human Rights Complaints





Again, the Commission worked on a number of promotional and human rights protection activities during the year under review, including:

- Organized a total of 3,954 public education programmes in communities, schools and the media; and covered topical human rights issues such as discrimination, child labour, domestic violence, harmful cultural practices and parental responsibilities. This figure was higher than the previous year's promotional activities of 3,311 by 19%.
- The Office of the Attorney General's Department, in collaboration with the Commission set up and inaugurated an Inter-Ministerial Committee on the Optional Protocol on the Convention against Torture (OPCAT). The objective of the Committee is to facilitate implementation of the OPCAT in Ghana.
- Again, engaged with the Attorney General's Department to establish a National Mechanism on Implementation and Follow up in Ghana; as was recommended during Ghana's 3rd Universal Periodic Review (UPR) session. The National mechanism is to ensure an effective reporting, implementation and follow up of accepted recommendations by Ghana from its UPR engagements.
- In collaboration with the African Policing and Civilian Oversight Forum (APCOF) and the African Commission on Human and People's Rights (ACHPR) organized training on the Guidelines on the Conditions of Arrest, Police Custody and Pre-Trial Detention in Africa (Luanda Guidelines) for selected CHRAJ staff and personnel of security agencies in Accra, Ghana in October 2018.
- Commemorated International Women's Day (IWD) under the global and national themes of "Time is now: Rural and Urban activists transforming women's lives" and "Women Too: Press for progress to develop Ghana" respectively. The CHRAJ called on the State of Ghana to expedite actions that will lead to passage of the Affirmative Action Bill into law to ensure gender equality in the country.
- Issued a Press Statement in July 2018 in reaction to a viral video on social media of a police officer assaulting a nursing mother. The Statement condemned the act as cruel, inhuman and undignified, and further reminded the populace and all institutions of the importance of Article 15 (1) and (2) of the 1992 Constitution of Ghana, which protects the right to human dignity.
- In July 2018, a training programme on Economic, Social and Cultural Rights (ESCR) and their linkages with the Sustainable Development Goals (SDGs) and the African Union (AU) Agenda 2063 was organized in Accra for selected personnel from CHRAJ, Metropolitan, Municipal, and District Assemblies (MMDAs) and CSOs in Ghana. The aim was to increase knowledge on the theory and practice of ESCR, SDGs and AU Agenda 2063 for personnel of the participating institutions.
- Organised, under the Schools and Community Outreach programme on Child, Early and Forced Marriage (CEFM), six (6) outreach programmes for various target groups from April to July 2018.
   The overarching objective of the programmes was to sensitize beneficiaries on the harmful effects of CEFM and to appreciate the practice as a gross human rights violation of the girl-child.



A key outcome of the programmes was the development of a proposal by the Council of Zongo Chiefs in the Greater Accra Region on ending CEFM in their respective Communities. A total of about 910 individuals participated in the programmes.

• In May/June 2018, CHRAJ undertook a survey on the alarming increase of head-porterage (Kayayes) in Accra. The aim of the survey was to find out specific reasons that contribute to the phenomenon of Kayaye in the city of Accra in order for the Commission to plan and implement appropriate campaign strategy to minimize the practice. One of the key findings was that a high proportion of 97.3% of the Respondents migrated to Accra on basis of economic reasons primarily due to non-existent job opportunities in their communities of origin. One major recommendation was that the Commission's public education programmes on Kayayes should focus on the right to education; including technical and vocational education as a means to equipping Kayayes with skills necessary for them to engage in sustainable alternative income generating activities.

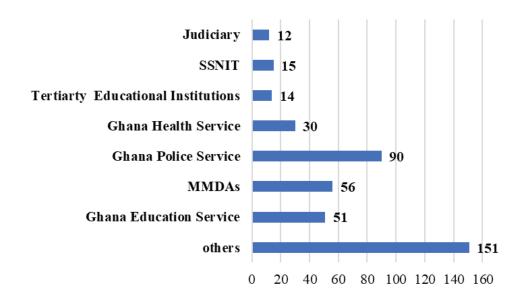
# **Administrative Justice Mandate**

The Commission received and classified 419 complaints under this mandate but investigated and concluded 331. The nature of complaints was mostly in the areas of non-payment of entitlements or claims, injustice (unfair treatment by public officials) and oppressiveness/abuse of power (abuse of office).

Three hundred and forty-four (344) complaints, representing 82% of total complaints received were reported by males; the remaining 75, constituting 18% were reported by females.

Administrative Justice Complaints were lodged against the Public Institutions in the country. Below is a graph showing the number of complaints lodged against the respective institutions.

Fig. 2: Respondent Institutions





Key respondents that constitute the other category comprise Financial Institutions (Banks), Ghana Water Company, Regional Coordinating Councils, NADMO, Ghana Fire Service, Electricity Company of Ghana(ECG), Department of social welfare, Forestry Commission, Labour Commission, National Youth Employment Programme (NYEP), Metro Mass Transit, Rent Office, Ghana Revenue Authority, and Attorney General Department.

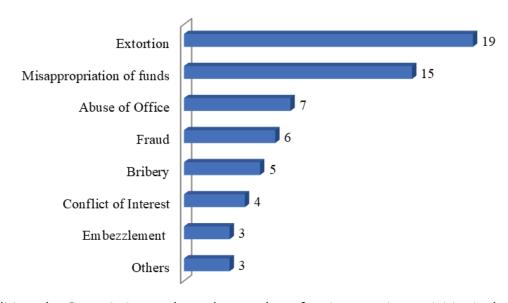
In addition to investigations, the Commission organized a total of 1,060 public education activities to promote fair administrative principles and good conducts in public service delivery. The number represents 39% increment over the previous year's figure of 763.

# **Anti-corruption mandate**

The Commission classified a total of sixty-two (62) cases under this mandate which was higher than the previous years' figure of 61 by one (1). Thirty-one (31) cases were investigated and concluded in the reporting year as compared to fifteen (15) in the previous year showing 106.7% increase.

The nature of the allegations of corrupt practices was mainly Extortion Misappropriation, Abuse of Office, Fraud, Bribery and Conflict of Interest.

### See fig. 3 below for details.



In addition, the Commission undertook a number of anti-corruption activities including the following:

- Conducted 1,808 nationwide anti-corruption education activities; showing a substantial increase
  of 58.2% over the 2017 figure of 1,143. This increase was attributed to the high number of public
  education on the NACAP; and covered areas such as Code of Conduct for Public Officers, Conflict
  of Interest, and the Whistle-blowers Act.
- Hosted series of meetings for members of the UNCAC Review Steering Committee on the Review of Ghana (April to August, 2018); which resulted in development of the Self-Assessment Checklist (SACL) on the implementation of UNCAC by Ghana and same submitted to the United Nations Office on Drugs and Crime (UNODC).



- In collaboration with the Government of Ghana and other stakeholders, commemorated the NACAP High Level Conference and Anti-Corruption and Transparency Week under the theme "Winning the Fight against Corruption, a Sustainable Path to Africa's Transformation".
- Under the Integrity, Mobilization, Participation, Accountability, Anti-corruption and Transparency (IMPACT) Ghana project, and with support from Global Affairs, Canada, through Transparency International, and in partnership with Ghana Integrity Initiative and Ghana News Agency, organized nine (9) regional campaigns. These regional level programmes were aimed at increasing awareness and promoting corruption reporting under the NACAP as one of the most effective means to fighting corruption in Ghana.
- Through the European Union funded Accountability, Rule of Law and Anti-Corruption Programme (ARAP), engaged a consultant to develop an online reporting system, NACAP Reporting Dashboard (NACORD), for NACAP Implementing Partners (IPs). The NACORD is aimed at easing the difficulties encountered by IPs in reporting on the implementation of the plan of action.

# **Management and Administration**

The Commission staff strength stood at 667, of which 448 were males and 219 females. The figure as compared to 2017 staff strength of 672 indicated a reduction in staff by five (5) persons. The Commission had as many as 144 vacancies and this staff deficit increased the workload on existing staff.

# **International Cooperation**

The Commission continue to advance formal working relations with a number of International and Regional institutions/bodies in its mandate areas. Through working with these bodies, CHRAJ shares experiences and best practices on the thematic areas of human rights, administrative justice and anti-corruption from Ghana's perspective and by so doing contributes to strengthening many other sister institutions and global performance generally. The Commission is a member of the following bodies:

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

The CHRAJ continues to enjoy 'A status' membership with the GANHRI; which signifies that the Commission is compliant with the Paris Principles and it is therefore accorded speaking rights and seating at Human Rights Treaty Bodies and other related organs of the United Nations.



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

The Commission deepened its collaboration with regional and international institutions in the following areas:

- Submitted two research reports to the United Nations High Commissioner for Human Rights (OHCHR) in September and October 2018. The first report was on the occurrence of child early and forced marriage in Ghana, and served as an input to a comprehensive OHCHR report titled 'Report on Child, Early and Forced Marriage in Humanitarian Settings'. The other report focused on women deprived of liberty, and it was a contribution towards the United Nations Working Group on the Issue of Discrimination against Women in Law and Practice's comprehensive report on the subject. Both comprehensive reports were submitted to the Human Rights Council at its forty first session.
- The Office of the High Commissioner for Human Rights (OHCHR) and the Ghana Book Trust donated some reading materials in both soft and hard copies to the CHRAJ Library. The donation was in furtherance of the Commission's objective to furnish the Library with relevant research materials in order to increase knowledge and facilitate service delivery.
- Facilitated a workshop on Leadership and Management for senior managers of Anti-Corruption Agencies (ACAs)/LEAs in Accra, Ghana under sponsorship of the Commonwealth Secretariat in February, 2018; and reviewed Algeria under the UNCAC review cycle in June, 2018.
- Participated in series of international conferences/meetings, including:
  - Tthe 63rd African Union Session in Gambia and served as a panelist on Sexual Orientation and Gender Identity and Expression (SOGIE) in October 2018;
  - The OHCHR/National Institutions and Regional Mechanisms (NIRM) Fellowship programme and in the Annual Conference on Business and Human Rights both in Geneva, Switzerland;
  - The 9th Meeting of the Open Ended Inter-Governmental Working Group on Corruption Prevention at Vienna City, Austria in September 2018;
  - The Heads of Anti-Corruption Agencies in Africa, Leadership and Management Training programme in Mauritius;
  - The Annual General Meeting of West African National Human Rights Institutions in Dakar, Senegal;
  - The Annual Conference of the Commonwealth Association of Anti-corruption Agencies in May 2018, and Annual General Meeting and Conference of the Association of Anti-Corruption Authorities in Africa in May 2018; both in Abuja, Nigeria;



- A training programme for UNCAC Focal Persons of Central and West Africa in Dakar,
   Senegal in May, 2018; and
- A stakeholder dialogue meeting of ACAs under the auspices of the African Union Advisory Board on Corruption in Arusha, Tanzania in October, 2018

### **Finance**

The Commission received a total of Twenty-Three Million, Six Hundred and Five Thousand, Four Hundred and Fifteen Ghana Cedis and Fifteen Pesewas (GH¢23,605,415.15) out of budget allocation of Twenty-Five Million, Six Hundred and Eighteen Thousand, Four Hundred and Seventy Ghana Cedis (GH¢25,618,470.00) for its operations in 2018. The deficit represented approximately 8% of the budget for the year.



# 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, on the basis of its operational and thematic mandates currently has in its organisational structure as follows:

#### 1.7.1. The Commission:

The Commission is the governing body of CHRAJ. The Commission is made up of the Commissioner, who is the Chairman, and two Deputy Commissioners. The three (3) Commission members are responsible for taking strategic decisions that will drive the Commission towards achieving its mandate, which is expressed in its vision and mission statements. Constitutionally, CHRAJ is an independent body and must be so in both form and functions as shown in the governing council. The Commission Members are supported by Senior Management (Departmental Directors) and autonomous Units Heads who have direct responsibility for the departments and units within the Commission.

#### 1.7.2. Senior Management:

This comprises Directors who are heading the various ten (10) departments of the Commission.

#### **1.7.3.** Departments:

Previously, there were seven major departments. The new structure has made space for three more, making it possible for the crosscutting functions and departments which were before subsumed under other departments to have visibility and more room to operate. The departments are:

• Human Rights Department: As a thematic mandate, this department promotes and protects the fundamental human rights and freedoms of Ghanaians through investigation, enforcement, public education, research.



- Administrative Justice Department: This department ensures that the government and public
  officials uphold the administrative justice provisions in the Constitution and are accountable
  and transparent.
- Anti-Corruption Department: This department investigates the abuse of power, corruption, conflict of interest situations, code of conduct of public officers, impropriety and complaints of victimization of whistle-blowers.
- Research Department: This department supports both the thematic and functional mandates by ensuring that research projects of the Commission are well coordinated, sustained and supported with the requisite concerted efforts and relevant documentation.
- Public Education Department: This department is responsible for awareness creation on the mandates of the Commission as well as generally educating the general public on their rights and freedoms.
- Investigations Department: As a functional mandate, the Commission is to investigate cases that fall within its mandate areas. This department is responsible for coordinating the investigation activities of the Commission, but focuses its energy on high-profile cases that come to the Commission.
- Legal Services Department: This department is responsible for enforcing the decisions that the Commission takes on cases. They go to court on behalf of clients to secure judgment as well as give legal advice on cases.
- Human Resources and Administration Department: This department is responsible for staff welfare, day-to-day operation of the office and logistics.
- Finance Department: This department takes care of the financial planning to support operations of the Commission, and meeting internal and external financial reporting obligations on the finances of the Commission.
- Budget Department: This department plans and prepares budgets for the Commission's activities.

#### 1.7.4. Autonomous units:

The new organogram has also made provision for 6 autonomous units, namely:

- International Cooperation Unit;
- Corporate Affairs and Communications Unit;
- Programmes and Projects Unit;
- Policy Planning, Monitoring and Evaluation Unit;
- Procurement and Logistics Unit; and
- Technology and Innovation Unit.

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.

This organisational structure provides 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 persons with disabilities; 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.

The Commission undertook a number of programmes in relation to its human rights function and included the following:

#### National Mechanism on Implementation and Follow Up

Through sustained advocacy, the Commission engaged with the Attorney General's Department to establish a National Mechanism on Implementation and Follow up in Ghana; as was recommended during Ghana's 3rd Universal Periodic Review (UPR) session. The National mechanism is to ensure an effective reporting, implementation and follow up of accepted recommendations by Ghana from its UPR engagements.

#### The Optional Protocol on the Convention against Torture

The Office of the Attorney General's Department, in collaboration with the Commission set up an Inter-Ministerial Committee on Human Rights, which was inaugurated in 2018. The objective of the Committee is to facilitate implementation of the Optional Protocol on the Convention against Torture (OPCAT). The Committee is currently being hosted by a designated staff at the Office of the Attorney General.

# **Training on the Luanda Guidelines**

In October 2018, the Commission organised training on the Guidelines on the Conditions of Arrest, Police Custody and Pre-Trial Detention in Africa (Luanda Guidelines) for selected CHRAJ staff and personnel from the various security agencies in Ghana. The workshop was to intensify human rights education for security services personnel in accordance with the UN Standard Minimum Rules and the Luanda Guidelines. The training was organized in collaboration with the African Policing and Civilian Oversight Forum (APCOF) and the African Commission on Human and People's Rights (ACHPR) to deepen participants' knowledge and practice of human rights in their official functions.



# **Commemoration of International Women's Day**

The Commission commemorated International Women's Day (IWD) under the global and national themes of "Time is now: Rural and Urban activists transforming women's lives" and "Women Too: Press for progress to develop Ghana" respectively. CHRAJ commemorated the IWD with a press statement and emphasized the need for the country to intensify the fight against gender discrimination in order to ensure sustainable development. The CHRAJ recommended that Ghana expedited the processes of passing the Gender Equality Bill into law to ensure gender equality in the country.

## **Human Rights NGOs Forum Meetings**

The Commission held two (2) quarterly meetings with the NGO Forum to discuss previous year's activities and also plan for the 2018 programme year. Various NGOs presented their 2017 narrative reports and work plans for 2018. The forum also agreed to be more proactive in responding to human rights violations that occur across the country through direct interventions and press conferences/releases. The Forum was set up by the Commission to bring all human rights NGOs under one umbrella towards consolidating efforts and pooling resources to promote and protect human rights in Ghana. This renewed enthusiasm by the Forum members contributed significantly to increasing levels of awareness of, and respect for, fundamental human rights of persons and resulting in an increase in human rights complainants received by the Commission in 2018.

## **Human Rights Education**

The Commission organized a total of 3,954 public education programmes in communities, schools and the media. This figure was higher than the previous year's promotional activities of 3,311 by 19%. These programmes covered topical human rights issues such as discrimination, child labour, domestic violence, quality healthcare and education, harmful cultural practices, CEFM and parental responsibilities. One instance of the Commission's media engagement was a radio discussion on 'Democracy and Good Governance: the role of CHRAJ' at Easy FM (107.5), a local radio station based in Accra

#### Press statement on Police assault of a woman

In July 2018, CHRAJ released a press statement in reaction to a viral video on social media of a police officer assaulting a nursing mother on the premises of a financial institution in Accra. The statement condemned the act as cruel, inhumane and undignified, and further reminded all of the importance of Article 15 (1) and (2) of the 1992 Constitution of Ghana, which guarantees respect for human dignity. The press statement further urged the police administration to act in a more accountable and transparent manner so as to earn public trust. This call came on the heels of waning public confidence in the existing internal structure - Police Intelligence and Professional Standards (PIPS) Bureau of the Ghana Police Service - which currently investigates alleged wrongdoings of its officers.

#### **Training on Economic, Social and Cultural Rights**

In July 2018, a training programme on Economic, Social and Cultural Rights (ESCR) and their linkages with the Sustainable Development Goals (SDGs) and the African Union (AU) Agenda 2063 was organized for selected CHRAJ staff and other key stakeholders including, Ministry of Education, Ministry of Health, National Development Planning Commission, Judicial Service, Metropolitan, Municipal and District Assemblies, and CSOs in Accra. The aim was to increase knowledge on the theory and practice of ESCR, SDGs and AU Agenda 2063 for personnel of the participating institutions. The workshop, among others, highlighted the obligations of the State, Ghana, in ensuring and promoting CESCR as a means to attaining the AU Agenda 2063 and the SDGs.



# **Public Sensitization on Early and Forced Marriage**

The Commission under its Schools and Community Outreach programme on Child, Early and Forced Marriage (CEFM), organized six (6) outreach programmes for various target groups from April to July 2018. The target groups included; Ghana Muslim Mission, Students of Kinbu Secondary Technical School, Council of Zongo Chiefs, Advisory Board of the National Chief Imam, and a cross section of Head potters (Kayayes) at Tema Station. The overarching objective of the outreach programmes was to sensitize participants/ beneficiaries on the harmful effects of CEFM and also to appreciate the practice as a gross human rights violation of the girl-child. A key outcome of the programmes was the development of a proposal by the Council of Zongo Chiefs in the Greater Accra Region on ending CEFM in their respective Communities. The Council, in partnership with CHRAJ, intended to replicate the proposal on addressing the issue of CEFM in other Zongo communities nationwide. A total of about 910 individuals participated in the programmes

# Research on Head-Porterage (Kayaye) in Accra

In May/June 2018, CHRAJ undertook a survey on the alarming increase of head porterage (Kayaye) in Accra. The aim of the survey was to find out specific reasons that contribute to the phenomenon of Kayaye in the City of Accra in order for the Commission to plan appropriate awareness campaign strategy to minimize the practice. The survey team administered sixty (60) questionnaires to randomly selected Kayayes from Tema Station, Kinbu, Agbogbloshie and Darkuman; all suburbs in Accra. Out of the varied reasons provided, a vast proportion of 97.3% of the participating head-porters (Kayayes) migrated to Accra for economic reasons due primarily to non-existent job opportunities in their communities of origin. One major recommendation from the survey was that the Commission's public education programmes on Kayayes should focus on the right to education; including technical and vocational education. This recommendation is seeking to equip the Kayayes with skills in order to enable them engage in sustainable alternative income generating activities.

#### **Other Stakeholder Collaborations**

The Commission collaborated with various stakeholders to implement some other human rights-related activities, including:

- Development of the Implementation Plan for the National Plan of Action on Child Labour coordinated by the Ministry of Employment and Labour Relations,
- Presentation of a paper on the topic "An Intersectional Exploration of Religion and Gender-Based Violence: A Case Study of Accra in Global Context". The paper was delivered at a participatory workshop for academic and non-academic partners from public and private sector institutions. The workshop was under the auspices of the University of Ghana; and aimed at identifying strategies on raising consciousness and awareness and also providing information on available support for those affected by or at risk from gender-based inequalities,
- Roundtable discussion and launch of a research report on the Average Turn-Around Time for Cases Referred to the Attorney General's Department. The roundtable discussion focused on pertinent issues identified by a study conducted by the Commonwealth Human Rights Initiative on the subject and the way forward; and
- Multi-stakeholder roundtable discussion on the establishment of an Independent Police Complaints Commission. The roundtable discussion brought together stakeholders in justice delivery, security, academia and CSOs to look at the various models proposed in a research report on the subject to come out with a consensus on an appropriate model for Ghana.



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

#### **Receipt of Complaints**

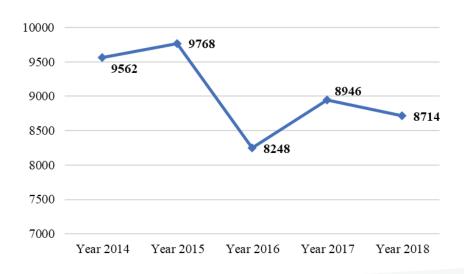
In 2018, the Commission received 9,040 complaints as against 8,768 in 2017. This shows about 3.1% increment over the previous year's complaints. See fig.4 below for the trend over the past five years.

Fig. 4: Trend of Human Rights Complaints Received: 2014-2018



#### **Complaints Concluded: 2018**

The Commission investigated 8,714 complaints which were lower than the previous year's figure of 8,946 by 2.6%. During preliminary investigations or assessment phase, 973 complaints representing 11.2% of the complaints were either declined or referred to other public institutions like the Court, Labor Commission, Department of Social Welfare and Ghana Police Service; which were better placed to address the issues raised. Five thousand, one hundred and fourteen (5,114) complaints, representing 58.7% of the investigated complaints were successfully mediated while appropriate decisions by the Commission were reached on the remaining 30.1%. See fig.5 below for trend of complaints concluded over the past five (5) years.





# **Nature of Human Rights Complaints: 2018**

The 9,040 human rights complaints received were categorized into Children's Rights, Women's Rights, Property Rights, Economic, Social and Cultural Rights, Civil and Political Rights. See fig. 6 below;

Fig. 6: Categories of Human Rights Complaints Received: 2018

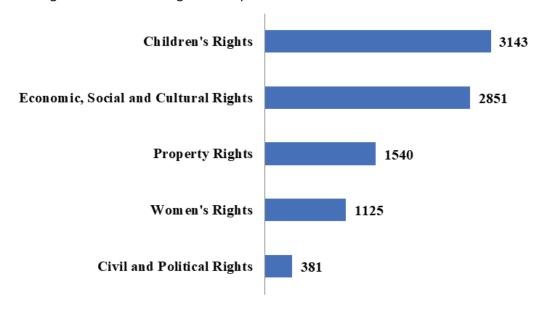
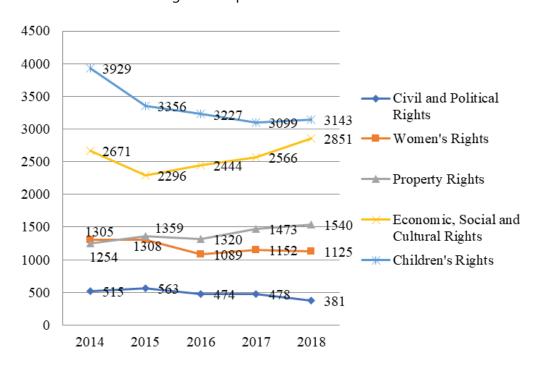


Fig. 7: Trend of Nature of Human Rights Complaints: 2014-2018





- Children's Rights Complaints: This category of complaints decreased over the past four (4) years but increased marginally in 2018. It was the highest among the categories of complaints, accounting for about 34.8% of total Human Rights complaints received. Issues involving failure to send remittances for provision of necessaries of life to the child in the areas of education, health, food, shelter, and clothing were predominant.
- Women's Rights Complaints: This category comprised issues of such as domestic violence, sexual harassment and maintenance. This type of complaint has been fluctuating over the past years.
- Property Rights Complaints: These were predominantly on right to own property. This type of complaint accounted for about 17.0% of total human rights complaints.
- Economic, Social and Cultural Rights Complaints: The complaints were basically violations and abuses of labour rights in the private sector and right to housing, shelter and clean environment.
- Civil and Political Rights Complaints: Most of the complaints in this category involved right to personal liberty and dignity.

#### **Respondent Bodies**

Eight thousand, six hundred and sixteen (8,616) complaints, representing 95.3% of total Human Rights complaints were lodged against private individuals; while the remaining were mostly against private institutions.

# **Sex Distribution of Complainants**

Three thousand, six hundred and fifty-three (3,653) complaints, representing 40% of total complaints were reported by males; whereas 5,387, constituting 60% were reported by females.

#### **Summary of cases**

CASE No: THE COMMISSIONER, CHRAJ & 2 ORS. Vs. GHANA NATIONAL FIRE SERVICE & ANOR.: Suit No. HR0063/2017; delivered on Monday April 23rd, 2018 by His Lordship Anthony K. Yeboah, JA

"At stake in these judicial proceedings is the right to non-discrimination (that is, freedom from discrimination). This appears to be the first time the issue of discrimination on the ground of gender has come up for determination by this human rights division of the High Court..." Per Anthony K Yeboah, JA.

The Commission received two separate complaints from Grace Fosu and Thelma Hammond (the Complainants) on 13th March, 2015 and 14th May 2015 respectively. Both complainants alleged that they have been dismissed from the employment of the Ghana National Fire Service (GNFS) because they became pregnant within the first three years of their employment. The two complaints were consolidated since they were against the same defendant and had similar issues to be resolved.

The Respondents confirmed that the two complainants were firewomen who were dismissed for getting pregnant in contravention of Regulation 33(6) of the GNFS Conditions of Service. The said Regulation 33(6) states "A female employee shall not be dismissed on the ground that she is pregnant, provided she has served the first three years.

Comments received from the Respondent sought to justify the basis for the dismissal of the complainants in the following manner:



With reference to the 1st Complainant, the Respondent stated in respect that:

"On the 17th February, 2014 a letter captioned "Notification of Pregnancy" was submitted to the Regional fire officer, Accra by the metropolitan fire officer.

Incensed by the officer's pregnancy, the Regional fire officer on the 19th February, 2014 wrote to the then Ag. Chief Fire Officer notifying him of the officers conduct which was in gross violation of Regulation 33(6) of the condition of service...

On the 10th September 2014, a letter of dismissal was issued to the officer by the then Ag. Chief Fire Officer"

Again, the Respondent commented on the 2nd Complainant's case as follows:

"After working for about one year eight months, she was issued with a dismissal letter on the 14th June 2013 by the service on the sole ground that she flagrantly violated regulation 33(6) of the condition of service....."

The Commission's mandate bordering on investigations into violation of human rights was triggered. Investigations conducted by the Commission revealed that by a circular signed by Frances Obeng O. Rockson on behalf of the Ag. Greater Accra Regional Fire Officer dated 12th June, 2014 in relations to the amendment of Regulation 33(6) of the condition of service referred supra, all firewomen who had fallen pregnant in purported contravention of that Regulation were to be recalled except the 1st Complainant.

The Commission having formed the view that the said Regulation 33(6) of the GNFS discriminates against the complainants on the basis of their gender and further violates their right to found a family, right to work particularly equal employment opportunity, issued an originating notice of motion to enforce the fundamental rights and freedoms against the GNFS as the 1st Respondent and Attorney General as the 2nd Respondent, as guaranteed under:

- a. Article 17(1),17(2) 17(3) and 191 of the 1992 Constitution,
- b. Articles 1, 2, 11(1), 11(2) and 16 of the Convention on the Elimination of all forms of Discrimination Against Women,
- c. Articles 2(2) and 3 of the International Covenant on Economics, Social and Cultural Rights, Articles 23(1), 23(2); and 26 of the International Covenant on Civil and Political Rights,
- d. Articles 2, 3 and 18 of the African charter on Human and People's right; and Article 2 of the Protocol to the African Charter on the Rights of Women in Africa.

The Commission prayed the court to expunge the said Regulation 33(6) from the condition of service since it violates the fundamental rights and freedoms of the two complainants.



The Commission prayed further for the following reliefs amongst others:

- 1. A declaration that the application or enforcement of Regulation 33(6) of 1st Respondent condition of service violates 2nd and 3rd applicants fundamental rights as guaranteed under the 1992 constitution and international; and regional conventions and treaties by Ghana.
- 2. A declaration that regulation 33(6) of the 1st Respondent condition of servce is discriminatory on the basis of gender and sex.
- 3. An order directing 1st Respondent within a stipulated period to reinstate the 2nd and 3rd applicants into the employment of the former as Public servants.
- 4. An order directing 1st Respondent to pay all salaries and benefits due the 2nd and 3rd applicants during the period of unjustified dismissal till the determination of this suit by the honourable court.
- 5. An order directing payment of compensation by the 1st Respondent in accordance with the law in respect of violation of the 2nd and 3rd Applicants fundamental rights and freedoms.

The Human Rights High Court in the suit no HR.0063/2017 granted all the reliefs endorsed on the application by the Commission as the 1st Applicant therein. The High court declared Regulation 33(6) as discriminatory, unjustified, illegitimate and illegal and also ordered the reinstatement of the 2nd and 3rd applicants without prejudice to any benefit and entitlements which have accrued to the 2nd and 3rd Applicants during the period of dismissal. The Human Rights Court also awarded compensation of Fifty Thousand Ghana Cedis (GH¢50,000.00) to 2nd and 3rd Applicants for the trauma and inevitable inconvenience of the wrongful dismissal as well as cost of Ten thousand cedis (GH¢10,000.00) to each of the Applicants.

It is instructive to note that at the time of writing this report, the 2nd and 3rd Applicants have been reinstated into the GNFS as firewomen, there is a pending appeal at the Court of Appeal, an application for stay of execution has been dismissed by the High Court as well as a repeated stay of execution application at the Court of Appeal on the grounds that: (i) no hardship will be occasioned should the Court refuse to grant the stay of execution, and (ii) the 2nd and 3rd Applicants are in the employment of the GNFS and in the unlikely event that the appeal is successful, their salaries could be attached to defray the compensation and cost paid to them.

#### 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 a 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**

Public education to promote fair administrative principles and good conduct in public service delivery was enhanced during the reporting year. The Commission organized a total of 1,060 activities showing 39% increase over the previous year's performance of 763. Specific topics treated included; good administrative principles and maladministration. Basically, staff of public sector institutions whose omissions and commissions affect quality of public service delivery benefitted from these educational activities. See fig.8 below for the regional distribution of the programmes organized.

Ashanti Upper Kast Central

Fig 8: Regional Distribution of Public Educational Activities

# **Investigation/Enforcement of Administrative Justice complaints**

The Commission deployed various investigation tools and mechanisms such as mediation, negotiation, and panel hearing to resolve complaints.

## **Receipt and Trend of Complaints: 2014-2018**

The Commission received 419 complaints as compared to 387 in the previous year, showing an increase of 8.3%. See fig.9 below for the trend.

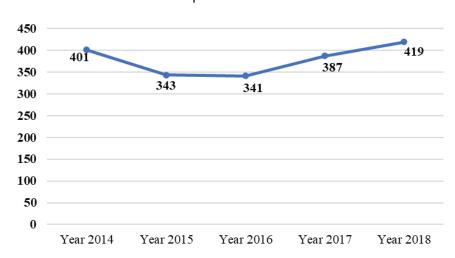


Fig. 9: Trend of Administrative Justice Complaints: 2014-2018



#### **Nature of Administrative Justice Complaints**

Categories of complaints received were mainly on:

- Unfair treatment of individuals by public officers in the exercise of their official duty,
- Payment of entitlements and claims,
- Abuse of power, and
- Poor handling of complaints and service delivery.

Refer to appendix D for more details on the number of cases received under the respective categories.

# **Respondent Bodies in Administrative Justice Complaints**

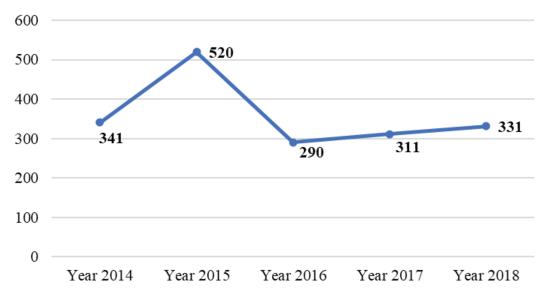
Majority of the complaints received were against Ghana Police Service, MMDAs, Educational Institutions and Ghana Health Service.

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

# **Closure of Administrative Justice Complaints**

Three hundred and thirty-one (331) complaints were investigated as against 311 in the previous year. This figure was higher than the previous year's complaints by 6.4%. After initial assessment, 65 complaints were declined and 19 referred to other public institutions better placed to deal with the issues raised. Also, 111 complaints, which constituted 33.5% of the investigated complaints, were successfully mediated. Furthermore, appropriate decisions were reached by the Commission regarding the remaining 136 complaints. See fig. 10 for the trend.

Fig. 10: Trend of Complaints Concluded: 2014-2018



### **Sex Distribution of Complainants**

Three hundred and forty-four (344) complaints, representing 82% of total complaints received were reported by males; the remaining 75, constituting 18% were reported by females.



# **Summary of cases**

CASE NO: CHRAJ 196 / 2015

On October 2015, Frank Kofi Attu (hereinafter referred to as "the Complainant) submitted a complaint to the Commission to intervene in his application for voluntary retirement from the Ghana Armed Forces (GAF) (hereinafter referred to as "the Respondent). The complaint was on the basis that the Respondent had earlier on refused Complainant's application for voluntary retirement on grounds of misconduct and subsequently instructed his release from the GAF in contravention with Article 15.01 (4) c (a) of the GAF Regulations Volume 1 (Admin.).

In March 2006, the Complainant discussed his intention to proceed on voluntary release from the Respondent GAF with the then Chief of Naval Staff (CNS), Rear Admiral A.R.S. Nunu. After the discussions, the CNS advised complainant to submit an application for voluntary release to Respondent for consideration. The Complainant tendered in his application dated 24th April, 2006 and gave a month notice with effect from 25th May, 2006 for his release. The Respondent by a letter dated 3rd May, 2006 and referenced: NHQ/102/01//172 informed the Complainant that his application would be considered between the date of his application and 26th October, 2006, because the GAF administrative directives titled: REQUEST FOR COMPASSIONATE RELEASE, dated 13th September, 2004 was in force. The circular under reference is required applicants to provide six months' notice for the effective release.

Commodore Frank Daley, Complainant's Formation Commander, and the Complainant were later invited to the Naval Head Office for further discussions on the issue of the application. The then CNS in the person of Commander Atuu, Jefferry Biekro, Chief Staff Officer and Cdr Darley held a meeting to further discuss the application for release on voluntary retirement. After the meeting the CNS, in the presence of Cdr Darley, informed the Complainant that the CNS has agreed to approve the application for voluntary release on condition that, the Complainant, takes his annual leave and renew it pending the final approval of his application.

The Complainant accordingly applied for his annual leave with effect from 20th May, 2006 and it was granted. He used the leave period to pursue further studies outside the country. The Complainant indicated that he applied for an extension when he found out that the Respondent had not responded to his application for voluntary release.

The Complainant was later informed by Cdr Jeffery that the CNS needed to have a discussion with him with regard to his application. The Complainant could not honour the CNS's invitation because he was out of the country. He was later informed that he had been released from GAF on grounds of "absent without leave" (AWOL).

Following his release on grounds of AWOL, the Complainant petitioned the Minister of Defence, the Chief of Defence Staff and the Office of the President but none addressed his concerns.



# Respondent's position

The Respondent in a letter dated 5th April 2016 and ref: NHQ/106/01/158 stated that; the Complainant requested for voluntary retirement from GAF in April 2006 but failed to comply with the six months mandatory 'notice as required under Respondent's directive dated 13th September 2004 and titled; REQUEST FOR COMMPASSIONATE RELEASE. He was therefore advised to apply for annual leave pending the outcome of his application. Complainant consequently applied for sixty days annual leave to expire on 3rd July 2006. The Respondent duly granted the said annual leave. The Complainant was required to assist the Respondent in processing his application; however, the complainant left the country for further studies abroad without any official notice.

While abroad, the Complainant later applied for leave extension and same was not approved by Respondent. Therefore, Complainant was required to resume duty on 3rd July, 2006 but he failed to report on the said date. A Board of Enquiry conducted investigations into his conduct and the findings were that the Complainant be declared AWOL with reference to Section 29 of the Armed Forces Act, 1962 (Act 105) which provides that:

- "(1) every person who absent himself without leave shall be guilty of an offence and on conviction shall be liable to imprisonment for less than two years or to any less punishment provided by this Act.
- (2) A person absents himself without leave who
  - (a) without authority leaves his unit or formation or the place where his duty requires him to be
  - (b) without authority is absent from his unit or formation or the place where his duty requires him to be; or
  - (c) having been authorized to be absent from his unit or formation or the place where his duty requires him to be, fails to return to that unit, formation or the place at the expiration of the period for which his absence was authorised"

The Board of Inquiry consequently recommended the Complaint's release from the Service for breaching Respondent's regulations. The Complainant should have waited for official response to his application for voluntary release before leaving the jurisdiction to pursue further studies abroad. The Complainant's failure to report to duty after the expiration of his annual leave led to his release.

The Complainant was legally released. The verbal assurances from the Complainant's superior Commanders on the issue of his leave extension can only be considered when the Complainant is able to provide evidence.

According to the Respondent, the Complainant was granted annual leave which ended on 3rd July, 2006. The Complainant exceeded the leave and this constituted a misconduct under Section 29 of the GAF Section 29 (2) (c).

The Commission, during the investigations requested Commander Bieko and Commander Daley (Complainant's superior commanders) to comment on the subject matter of the Complainant's leave.

Commander Daley (Rtd), in a letter dated 8th September, 2016, responded to the Commission's request and indicated that:



He was the Flag Commanding Officer of the Western Naval Command and responsible for all Naval Units and Training Schools including the Ghana Navy Stores Depot where the Complainant worked.

The Complainant requested for voluntary retirement from the Navy through him and same was recommended and forwarded to the Naval Headquarters (NHQ) according to laid down regulations.

In the process of discussing the release he, Commander Daley, was invited to the NHQ by the then Chief of Naval Staff together with the Complainant. At a meeting between him and Rear Admiral A.R.S. Nunu, the CNS, and the Chief Staff Officer (CSO) Commodore Geoffrey Biekro, it was decided after discussions on final determination of his request.

The decision was communicated by the CSO to the Complainant that he should ensure that he obtains approval for extension of his leave until discharged from the service.

A few days after this discussion, the Western Naval Command received a signal from NHQ that the Complainant should report to the NHQ. All attempts to contact the officer (Complainant herein) to deliver the message failed. After a while, the Complainant was declared AWOL.

The Complainant entreated Commander Daley (Rtd) to discuss the matter with the CSO, he in turn, communicated the Complainant's concerns to the CSO.

The Commission forwarded copy of Commander (Rtd) Daley's comments to the Respondent for its action. Reacting to the issues stated in Commander Daley's comments, the Respondent in a letter dated 7th February 2017 and referenced NHO/106/01/62 stated that:

The Complainant was granted his annual leave and not study leave. The Armed Forces regulations require that persons who want to travel during study leave obtain permission for that particular purpose. The Complainant did not obtain permission to study abroad and has therefore breached the policy. Complainant was therefore declared AWOL following his absence from duty after his annual leave expired.

Commander Daley's comments are consistent with the Respondent's comments dated 5th April, 2016 and referenced NHQ/106/01/158 and does not change the Complainant's present state of release.

Voluntary retirement from the GAF is regulated by law. It commences with an application which travels through some stages of approval before a release, authority is issued from the office of the Military Secretary.

The release authority gives instructions to the applicant and concerned officers regarding clearance and certain release requirements.

The release authority states the effective date of discharge from the Military Service.



#### **Issues for determination**

The issues for determination are:

- 1. Whether or not the Respondent acted fairly in releasing the Complainant.
- 2. Whether or not the Complainant has a right to pension.

#### **Summary of key findings**

- The Complainant, in April 2006, applied for voluntary retirement but the Respondent did not approve the said application.
- The Respondent granted the Complainant sixty (60) days annual leave, which was set to expire on July 3rd, 2006.
- The Complainant failed to resume duty upon expiration of the said annual leave on July 3rd 2006.
- The Complainant applied for extension of his annual leave but same was declined by the Respondent.
- The Complainant travelled abroad for further studies without permission and in breach of section 29 of Act 105.
- The Respondent, in accordance with Section 29 of Act 105, terminated Complainant's employment on grounds of absent without leave (AWOL).

#### **Conclusions**

- The Complainant's failure to resume duty after the expiration of his annual leave is contrary to Section 29 of Act 105.
- The Respondent GAF subsequent termination of the Complainant on the grounds of absent without leave is fair and consistent with law.
- The Complainant has right to voluntary pension and gratuity.

#### **Decision**

In the totality of the findings and conclusions, the Commission by virtue of its oversight role over the Armed Forces and having regard to the findings made in this case directs the Respondent to compute and pay the Complainants voluntary pension and gratuity taking into account, his qualified years of service from the date of enlistment, to the date of the expiration of his annual leave, 3rd July, 2006. The said computation should be based on current salary and/or pension and gratuity of an officer of the same rank at which Complainant applied for voluntary retirement.

#### 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.

To achieve the strategic objectives during the 2018 programme year, the Commission undertook several activities including the under mentioned.



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

The Commission's nationwide anti-corruption education activities increased significantly from 1,143 in 2017 to 1,808 in the year under review. This increase was basically attributed to the high number of public campaigns on the NACAP. The educational activities covered areas such as Code of Conduct for Public Officers, Conflict of Interest, and Whistle-blowers Act. Many of these programmes targeted the NACAP IPs in order to ensure effective and efficient implementation and reporting. See fig. 11 for regional distribution of programmes organized.

Ohnasi

Fig. 11: Regional of Public Education Progammes

# **Stakeholder Programmes**

In collaboration with the Ghana Integrity Initiative (GII) and Ghana News Agency (GNA), the Commission from August to September, 2018 embarked on regional level stakeholder engagements on the NACAP under the Integrity, Mobilization, Participation, Accountability, Anti-corruption, and Transparency (IMPACT), Ghana project supported by Global Affairs, Canada through Transparency International (TI).

Among others, the programme highlighted the implications of corruption to the State and urged citizens to discard the "look on culture" and take a firm stance in the fight against corruption; increased public awareness and promote as stipulated in the NACAP; and provided the opportunity to sensitize the stakeholders on the importance of the NACAP and their role in corruption reporting order to ensure its effective implementation as a national effort to fighting corruption in the country.

Nine (9) regional campaigns organized under the IMPACT project directly benefited about 720 participants from various institutions including MMDAs, MDAs, constitutional bodies, Security Services, Faith-based and Civil Society organizations, Community and Religious leaders as well as the media.



# **Coordination and Monitoring of the Implementation of NACAP**

Under the coordinating, monitoring and implementing role of the NACAP, the Commission undertook the following activities;

- Prepared and disseminated the 2018/2019 NACAP Annual Work Plan (AWP),
- Facilitated development of NACAP Reporting Dashboard (NACoRD), a digital platform to assist IPs in reporting on their activities relating to the implementation of NACAP,
- Organized one-day workshop for IPs on the NACoRD. The objective of the training was to strengthen capacity of the IPs on the online portal to enable digital access and submission of reports; and held another three-day sensitization workshop for 20 CHRAJ staff on the NACoRD,
- Organized two-day sensitization workshop for fifty (50) CHRAJ staff and members of the Monitoring and Evaluation Committee (MONICOM). This was to introduce them to the online system and to receive suggestions before it was made available to other partners. Participants were also introduced to the 2018 AWP and NACAP Monitoring and Evaluation Framework,
- Facilitated training programmes on NACAP for the following institutions:
  - Food and Drugs Authority
  - · Ministry of Works and Housing
  - Ghana Atomic Energy Commission
  - Local Government Services
  - Pharmacy Council of Ghana
  - · Ghana Railway Authority
  - · Ministry of Defense
  - Ministry of Transport
- Held a joint High-Level Implementation Committee (HiLIC) and MONICOM meeting to approve the 2018 AWP and the 2017 Progress Report,
- Under auspices of the NACAP Implementation Support Unit (NISU), MONICOM monitored NACAP implementation in 7 MMDAs in the Ashanti, Brong-Ahafo, Volta and Northern regions. This formed part of the periodic field monitoring to verify the authenticity of the 2017 reports submitted to the Commission,
- Commemorated the NACAP High Level Conference and Anti-Corruption and Transparency Week in collaboration with the government, private sector, CSOs, and International Partners.
   The programme was under the theme "Winning the Fight against Corruption, a Sustainable Path to Africa's Transformation", and
- Organization of a workshop for 30 Ethic Officers from selected MDAs as part of the Public Service Integrity programme.
- In August, one regular meeting of the High-Level Implementation Committee (HiLIC) of the NACAP was held at the Office of the President. The HiLIC is the highest decision making body of the NACAP responsible for providing policy and strategic direction to the implementing agencies and processes. It is chaired by the Office of the Chief of Staff at the Presidency with CHRAJ occupying the vice chair position.



In addition to the above NACAP related programmes, the Commission also carried out the following activities to upgrade the capacity of staff to plan and effectively investigate corruption and its related matters:

- Facilitated the participation of 2 Investigators in a two-day workshop on International Fraud,
   Corruption Prevention and Forensics in July 2018, and
- Organized a two weeks training on Systemic Investigations for Senior Investigators and Lawyers in October/November. This was to deepen understanding of the fundamentals of systemic investigations and its overall impact on the organization.

# INVESTIGATION/ENFORCEMENT OF CORRUPTION CASES Receipt and Trend of Complaints: 2014-2018

A total of 62 cases were classified under this mandate during the year, out of which 3 were made under the Whistleblowers Act, 2006 (Act 720). This figure was higher than the previous year's number of 61 by 1.6%.

# See fig. 12 below for the trend

Fig.12: Trend of Allegations of Corruption Cases: 2014-2018

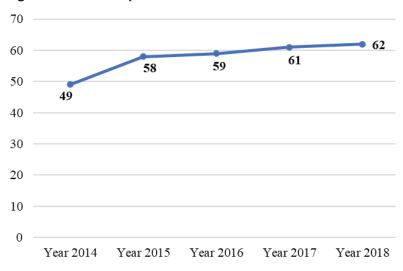


Fig. 12 above shows a rising trend in allegations of corruption over the period. It reveals a year-on-year steady increase of approximately 18% in 2015, 1.7% in 2016, 3.4% in 2017, and 1.6% in 2018.

#### **Nature of Corruption Allegations**

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

#### **Investigation of Allegations of Corruption**

Thirty-one (31) cases were concluded in the reporting year as against 15 in the previous year showing 106.7% increase. For the trend, see fig. 13 below.



80
70
60
50
40
30
20
18
10

Fig. 13: Trend of Cases Concluded: 2014-2018

### **Respondent Bodies in Allegations of Corruption**

Year 2015

Complaints under this category were mostly lodged against public officials. Most of these officials work in MMDAs, Ghana Police Service and Ghana Education Service. See appendix H for more details

Year 2016

Year 2017

Year 2018

### 2.3.1. Summary of selected case

Year 2014

CASE NO: 16/2014/148

The Commission conducted investigations into allegations of corruption and misappropriation of public monies against Rev. Hebert Kwesi Krufi Graham (1st Respondent), the former Headmaster of Adisadel College (ADISCO), and leadership of the Parent Teacher Association (PTA) OF Adisadel College.

The investigation was triggered by a publication on Joy Fm and the Herald newspaper on January, 2014, which alleged that 1st Respondent imposed a levy on students and the PTA used the proceeds to buy luxurious cars and cash donation for the 1st Respondent as his retirement package.

### Power of the Commission to conduct investigation

Per the decision of the Supreme Court in the case of the Republic vrs High Court(Fast track Division) Accra; Ex parte Commission on Human Rights and Administrative Justice(Richard Anane, Interested Party) 2007- 2008 SGLR 21, the Commission does not require an identifiable complainant to commence an investigation into an allegation of corruption and misappropriation on monies by public officials under Article 218(f) of the 1992 Constitution and Section 7(1) (e) of Acts 456.



## **Background**

On Friday 24th January, 2014 Joy Fm aired in its news bulletin, a story which alleged that the 1st Respondent imposed a levy of Ghc30.00 per student of the college, which the PTA used to purchase four luxurious vehicles for him as his retirement package. Again, the Publications further stated that the PTA made a cash donation of Ghc75, 000.00 from the levy as ex- gratia to 1st Respondent. The same story was published by the Herald on the "Friday 24- Sunday 26, 2014" edition of the Newspaper. The vehicles which were alleged to have been purchased for 1st Respondent were Nissan Xterra, Ford Explorer, BMW and an Opel Astra.

The 1st Respondent reportedly wrote a letter to thank the PTA after the sendoff, for the honor done him by buying the vehicles for him on his retirement. The Herald also reported that the PTA rejected the letter of appreciation stating that the Association could not be appreciated in that regard as it had not purchased any vehicle for 1st Respondent.

The Newspaper stated that some of the parents it spoke to admitted they were aware of the levy but said that the expenditure at the celebration which amounted to over one hundred thousand Ghana Cedis (Gh100, 000.00) was irrational. Others also complained that though 1st Respondent was supposed to be on retirement after the send- off, he was still at post and performing official duties.

## The allegations of corruptions and misappropriation

- . That 1st Respondent Rev. Graham, without prior approval of Ministry of Education (MoE) or Ghana Education Service (GES), levied each student of ADISCO an amount of thirty Ghana cedis (Ghc30.00) in respect of his retirement package;
- ii. That the PTA of ADISCO used the levy to purchase items including four (4) vehicles for 1st Respondent as retirement package; and
- iii. That the PTA also made a cash donation of seventy-five thousand Ghana cedis (Ghc75, 000.00) to 1st Respondent from the levy.

#### Respondent's position

In a letter dated 13th March, 1st Respondent denied all the allegations and stated as that:

- i. He did not levy any student of ADISCO an amount of GHc30.00 in respect of his retirement package.
- ii. The PTA of ADISCO did not purchase any item including vehicles for him on his retirement.
- iii. The PTA of ADISCO did not make any cash donation to him on his retirement.
- iv. None of the stakeholders, being the GES, the MoE, Board of Governors of ADISCO, the Old Boys Association of ADISCO or the PTA of ADISCO had organized a send- off party for him as being alleged, after his thirty- four (34) years of dedicated service to the college.

### Issues for investigation/ determination

The following issues were identified for determination

- i. Whether or not Rev. Herbert Graham levied each student of the ADISCO Ghc30.00 in respect of his retirement package without the approval of GES
- ii. Whether or not the PTA of ADISCO used Ghc30.00 levy imposed on the students to purchase luxurious vehicles and make a cash donations of Ghc75,000.00 for Rev. Herbert Graham as a retirement package
- iii. Whether or not Rev. Herbert Graham received cash donations in addition to four (4) luxurious vehicles as part of his 60th Birthday and retirement package and if so, who was responsible for the donation



iv. Whether or not the conduct of Rev. Graham and the PTA of ADISCO in imposing a levy on the students of ADISCO to be used as a retirement package for Rev. Graham without the approval of the GES constitute corruption and misappropriation of public moneys

## Summary of key findings of the investigation

The PTA of ADISCO held a general meeting of the Association at the Canterbury hall of the College on 30th November, 2013. At the said meeting, the 1st Respondent, after reading his report, informed the PTA that he would retire as headmaster of the school in December, 2013 as he turned 60 years. He used the opportunity to extend invitation to the PTA to attend his birthday and thanks giving service scheduled for 12th January, 2014.

The PTA decided to organize a befitting send- off party for Rev. Graham for his immense contribution to the school. The PTA constituted a farewell committee to come out with a proposal on what to do for the retiring Headmaster. In its meeting held on 14th December, 2014 the Committee proposed that an amount of Ghc30.00 be paid by each student to finance the activity. The Committee proposed that the PTA should purchase a vehicle for the 1st Respondent as his retirement package. Payment of the levy was to be made at the point of entry on re- opening of the school or to various House masters.

A copy of the decision of the Committee containing the proposal was attached to the 2nd term bill of the students for the attention of the parents. An account number, 3011010056337 (Ghana Commercial Bank) was also provided for any parent who wished to make additional contributions to do so through that account. The student population of ADISCO at the time was 1740, out of which 1471 students paid the levy at the time, making a total of Ghc44, 130.00. The levy was not imposed on the students by the 1st Respondent Rev. Graham.

That it is a policy of the GES that before levies are imposed on students in Public schools by the PTAs the levy has to be approved by its Director-General. The levy of Ghc30.00 was not included on the students' bill as no application was made to the Director General of GES for approval and no approval was given to impose the levy. There was already a PTA approved levy of Ghc30.00 which was "PTA dues/Development" fee, together with another levy of Ghc50.00 as PTA special projects" on the bill of the students for the 2nd term (2014).

The GES Policy Guidelines does not cover special charges for retiring Headmasters. The levy for the sendoff was imposed on the students by the PTA and not 1st Respondent. The PTA did not make any donation of vehicles and cash to 1st Respondent on the birthday celebration as part of the retirement package.

But 1st Respondent received a donation of four vehicles on his 60th birthday Party and retirement celebrations which were a BMW X3, Ford Explorer, Nissan Xterra and Opel Astra. The Ford Explorer and the Nissan Xterra were donated by his children. The two vehicles were shipped from the USA to 1st Respondent in his name as Consignee. In a letter dated 15th July, 2013 Felix Graham, Son of 1st Respondent informed him about the two vehicles which he had shipped to him. The letter requested 1st Respondent to use the Ford Explorer for his evangelistic work and that he was at liberty to sell the Nissan Xterra to support the family project.



The BMW X3 was presented to 1st Respondent by his wife, Veronica Graham who is a trader in Cape Coast. The BMW was acquired and already being used by the family before the birthday celebrations and was decorated and added to the vehicles presented on that day. The Opel Astra was presented to 1st Respondent by the Word Power Ministry founded by the 1st Respondent. The presentation was done by Pastor Ebenezer Adjei on behalf of the Church.

The 1st Respondent Rev. Graham sent a letter of appreciation dated 13th January, 2014 jointly addressed to "teaching staff", "Non-teaching", "student Council", "Management" and Chairman-PTA", for the honor done him. The letter did not specifically thank the PTA for donating anything to 1st Respondent. The 1st Respondent did not receive any donation of vehicles and cash from PTA of ADISCO on the birthday celebrations as part of his retirement package.

The imposition of the levy by the PTA for a birthday package for Rev. Graham without approval of Director General of GES does not constitute corruption or misappropriation of public moneys on the part of the 1st Respondent.

#### **Conclusion**

After investigation, the Commission found as a fact that;

- i. The 1st Respondent Rev. Graham did not impose a levy of Ghc30.00 on the students of ADISCO as his retirement package but the PTA of the College,
- ii. The levy was not approved by the GES in accordance with GES guidelines,
- iii. Proceeds of said levy were not used to purchase luxurious vehicles and as cash donations to 1st Respondent as his retirement package,
- iv. The 1st Respondent received donations of 4 vehicles from his family and the Word Power Ministries on the occasion of his 60th birthday and his retirement, and
- v. The conduct of the 1st Respondent or PTA of ADISCO does not constitute corruption and misappropriation of public money.

#### Recommendation

In accordance with Section 7(1) (d) of Act 456, the Commission takes the position that no further action in this case against the Respondents is warranted and the case should be considered as closed.

The Commission however, implores the GES to strictly enforce and monitor its policy guidelines on the activities of PTAs and the imposition of levies on students. The GES should make available to the Commission at the beginning of every academic year, the guideline and the scale of fees supposed to be paid by students in public 2nd cycle institutions to enable it monitor possible abuses.

On the issue of monies collected from students, the Commission is of the opinion that as EOCO has already made a determination on aspects of the matter including taking steps to freeze the account, No. 3011130001616 where the levy accrued was lodged, it would not make any specific recommendations in that regard.

Since GES does not accept the practice where unapproved levies are imposed on students, where it becomes necessary for levies to be imposed per students, the Commission recommends that GES and the Ministry of Education strictly enforces the policy guidelines on school fees in public schools to ensure that the schools do not necessarily impose arbitrarily high and unapproved fees on parents.



## 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.

The sub-programmes operating within this objective, implemented activities to advance organizational performance by motivating, training, recruiting, retaining, and balancing the mix of professional and general staff with sufficient capabilities to perform their assigned responsibilities.

## **Staff Strength**

The Commission staff strength stood at 667, of which 448 were males and 219 females. The figure as compared to 2017 staff strength of 672 indicated a reduction in staff by five (5) persons. The Commission had 144 vacancies and this shortage of employees continued to increase the workload on existing staff.

#### Internship

Both local and international students find the work of CHRAJ relevant to their fields of study. During the reporting period, the Commission received 25 interns and 44 national service personnel, comprising 43 males and 26 females.

### **Staff Training and Development**

Staff training and capacity development enhance effective and efficient delivery of the Commission's mandate as well as create opportunity for staff to assume higher responsibilities. In line with this, 26 staffs were granted study leave to pursue higher education in various academic programmes.

Again, training was conducted for all newly recruited, promoted or upgraded staff placed under Investigative class within the southern sector zone. Moreover, Audit Committee members, Departmental Directors, selected staff and Ghana Integrated Financial Management and Information System (GIFMIS) users were also trained in Public Financial Management Systems to equip them with the requisite knowledge and skills on the new financial management platform.

## **General Services**

- The section of the Commission's office (Head Office) that got burnt is being reconstructed by the Government of Ghana.
- The Commission acquired three (3) Toyota Land Cruisers and a Saloon car to facilitate its operations
- CHRAJ website address was also changed from www.chrajghana.com to www.chrajghana.gov.



## PART 3: INTERNATIONAL COOPERATION

The Commission continue to have formal working relations with a number of International and Regional institutions/bodies in its mandate areas. Through working with these bodies, CHRAJ shares experiences and best practices on the thematic areas of human rights, administrative justice and anti-corruption from Ghana's perspective and by so doing contributes to strengthening many other sister institutions and global performance. The affiliations range from payment of subscription fees to having flexible Memoranda of Understanding 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 continues to enjoy 'A status' membership with the Global Alliance of National Human Rights Institutions (GANHRI) . 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 it is therefore accorded speaking rights and seating at Human Rights Treaty Bodies and other related organs of the United Nations.

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 Chairman of NANHRI Working Group on SDGs and Africa Agenda 2063.

The Commission's international human rights work was executed through participation in international conferences, meetings, and workshops including:

Research Reports to the United Nations High Commissioner for Human Rights: the Commission submitted two research reports to the Office of the United Nations High Commissioner for Human Rights (OHCHR) in September and October 2018. The first report was on the occurrence of child, early and forced marriage (CEFM) in Ghana, and served as an input to a comprehensive OHCHR report titled 'Report on Child, Early and Forced Marriage in Humanitarian Settings'. The other report focused on women deprived of liberty, and it was a contribution towards the UN Working Group on the Issue of Discrimination against Women in Law and Practice's comprehensive report on the subject. Both reports were submitted to the Human Rights Council at its forty first session.



Participated in the 63rd African Union Session in Gambia, where a representative of CHRAJ served as a panelist on Sexual Orientation and Gender Identity and Expression (SOGIE); and co-facilitated a training workshop organized by NANHRI for staff of Malawi Human Rights Commission.

The Commission's Director of Human Rights participated in the Office of the High Commissioner for Human Rights/National Institutions and Regional Mechanisms (OHCHR/NIRM) Fellowship programme and in the Annual Conference on Business and Human Rights both in Geneva, Switzerland.

The Office of the United Nations High Commissioner for Human Rights and the Ghana Book Trust donated some reading materials in both soft and hard copies to the CHRAJ Library. The donation was in furtherance of the Commission's objective to furnishing the Library with relevant research materials to increase knowledge and facilitate service delivery.

#### 3.2. Administrative Justice

The Commission is an active 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, which was established in 1978, has membership well over 190 independent Ombudsman institutions drawn from more than 100 Countries worldwide. In its effort to focus on good governance and capacity building, the IOI supports its members in 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

Again, 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 deepened its collaboration with regional and international anti-corruption institutions in the following areas:

- Facilitated a workshop on Leadership and Management for senior managers of ACAs/LEAs in Accra, Ghana under the sponsorship of the Commonwealth Secretariat in February, 2018.
- Hosted series of meetings for members of the UNCAC Review Steering Committee on the Review
  of Ghana (April to August, 2018). These meetings resulted in the successful development of the
  Self-Assessment Checklist (SACL) on the implementation of UNCAC by Ghana which has since
  been submitted to the United Nations Office on Drugs and Crime (UNODC).



- Organized a workshop to develop a road map for the implementation of the recommendations of the UNCAC in collaboration with UNODC and 20 other stakeholders in December 2018.
- Reviewed Algeria under the UNCAC review cycle in June, 2018.
- Participated in series of international conferences/meetings, including:
  - The 9th Meeting of the Open Ended Inter-Governmental Working Group on Corruption Prevention at Vienna City, Austria in September 2018. A key outcome of the meeting was the casting of lots to choose countries that will review Ghana and other countries during the UNCAC review exercise in 2019;
  - the Heads of Anti-Corruption Agencies in Africa, Leadership and Management Training programme in Mauritius;
  - the Annual General Meeting of West African National Human Rights Institutions in Dakar, Senegal;
  - the Annual Conference of Anti-Corruption Agencies in Africa in Abuja, Nigeria;
  - the Annual Conference of the Commonwealth Association of Anti-corruption Agencies in Abuja, Nigeria in May, 2018;
  - the Annual General Meeting and Conference of the Association of Anti-Corruption Authorities in Africa in Abuja, Nigeria in May 2018;
  - a training programme for UNCAC Focal Persons of Central and West Africa in Dakar, Senegal in May, 2018; and
  - a stakeholder dialogue meeting of Anti-Corruption Agencies (ACAs) under the auspices of the African Union Advisory Board on Corruption in Arusha, Tanzania in October, 2018.

Participation in these international meetings and conferences is in fulfillment of CHRAJ commitment to the global agenda on the promotion, protection and enforcement of fundamental human rights, advancement of the principles of administrative justice, and the institutionalization of anti-corruption rules and principles across states.



## **PART 4: FINANCIAL REPORT**

The Commission received a total of Twenty-Three Million, Six Hundred and Five Thousand, Four Hundred and Fifteen Ghana Cedis and Fifteen Pesewas (GH¢23,605,415.15) out of budgeted allocation of Twenty-Five Million, Six Hundred and Eighteen Thousand, Four Hundred and Seventy Ghana Cedis (GH¢25,618,470.00) for its operations in 2018. The deficit represented approximately 8% of the approved budget for the year.

The breakdown according to the expenditure items; Compensation of employees, Goods and Services and Assets in terms of budget and releases are represented as follows.

## Budget for 2017-2018

Expenditure Item	20	18	20	17
	Budget-GH¢	Release-GH¢	Budget- GH¢	Release-GH¢
Compensation of				
Employees	17,618,470.00	18,121,642.33	14,823,550.00	17,899,065.49
Goods & Services				
	3,000,000.00	2,399,951.65	4,690,920.00	3,227,744.64
Assets	5,000,000.00	3,083,821.17	5,000,000.00	338,450.55

A cursory analysis of the budget and release for 2018 show that, except for compensation which the release was higher than the budgeted by 3%, release for asset, goods and services were lower than the budget by 38% and 20% respectively. However, the total release for 2018 exceeded 2017 by approximately 10%.



# **PART 5: APPENDICES**

# Appendix A: Classification of Number of Complaints Received, Investigated and Concluded by CHRAJ offices in the Year 2018

Regions		Cases Re in 20	18		Conclude	Cases Inves ed (Includin om Previou	g Cases s Years)	Carried
Upper East Region	HR	ADM	COR	TOTAL	HR	ADM	COR	TOT
REG. OFFICE	34	20	0	54	32	20	2	54
ZEBILLA	30	0	0	30	30	0	0	30
BAWKU	30	1	0	31	30	0	0	30
BONGO	34	0	0	34	36	0	0	36
NAVRONGO	49	1	0	50	53	2	0	55
SANDEMA	30	2	2	34	29	1	2	32
SUB-TOTAL	207	24	2	233	210	23	4	237
Upper West Region	HR	ADM	COR	TOTAL	HR	ADM	COR	TOT
WA REGIONAL OFFICE	89	20	3	112	98	14	0	112
NADOWLI	39	1	1	41	36	0	0	36
JIRAPA	38	C	0	38	41	0	О	41
TUMU	40	0	0	40	40	0	0	40
LAWRA	50	4	0	54	48	3	0	51
SUB-TOTAL	256	25	4	285	263	17	0	280
Ashanti Region	HR	ADM	COR	TOTAL	HR	ADM	COR	TOTAL
KUMASI	80	26	1	107	95	22	2	119
DENTIN (OFFINSO)	311	1	0	312	272	0	0	272
BEKWAI	90	1	0	91	93	0	0	93
MAMPONG	43	5	0	48	36	2	0	38
EFFIDUASE	42	1	0	43	45	0	0	45
NEW EDUBIASE	44	0	0	44	37	0	0	37
EJURA	59	0	0	59	55	0	0	55
KUNTANASE	138	4	1	143	127	8	1	136
MANKRANSO	61	1	0	62	64	1	0	65
NKAWIE	109	2	0	111	103	1	0	104
MANSO NKWANTA	62	1	3	66	70	2	1	73
AGONA	60	2	0	62	48	1	0	49
KONONGO	50	0	f	50	42	0	0	42
JUASO	63	2	1	66	57	2	1	60
TEPA	130	0	0	130	129	1	0	130
MANPONTENG	69	5	0	74	62	1	0	63
OBUASI	259	1	2	262	247	1	0	248



Regions		Cases Re			Total Cases Investigated and Concluded (Including Cases Carried					
Regions		in 20	18			om Previou	_			
Brong Ahafo Region	HR	ADM	COR	TOTAL	HR	ADM	COR	TOTAL		
SUNYANI	331	12	2	345	309	13	2	324		
BEREKUM	108	0	0	108	121	0	0	121		
DORMAA	173	0	0	173	162	0	0	162		
BECHEM	71	1	1	73	72	0	0	72		
WENCHI	230	0	0	230	235	1	0	236		
DROBO	87	0	0	87	85	0	0	85		
ATEBUBU	176	0	0	176	158	0	0	158		
KINTAMPO	193	1	1	195	222	1	3	226		
TECHIMAN	331	2	0	333	298	0	0	298		
KENYASE	181	0	0	181	165	0	0	165		
GOASO	139	2	0	141	129	2	0	131		
NKORANZA	143	0	0	143	102	0	0	102		
K DANSO	241	1	0	242	218	1	0	219		
SUB-TOTAL	2404	19	4	2427	2276	18	5	2299		
Northern Region	HR	ADM	COR	TOTAL	HR	ADM	COR	TOTAL		
TAMALE	50	18	1	69	53	16	2	71		
ZABZUGU	16	0	0	16	14	0	0	14		
GUSHEGU	8	1	0	9	8	0	0	8		
TOLON	8	2	2	12	7	1	0	8		
WALEWALE	26	1	1	28	26	0	0	26		
SALAGA	21	1	0	22	20	2	0	22		
YENDI	29	3	0	32	26	3	0	29		
BOLE	10	1	0	11	9	0	0	9		
DAMANGO	12	2	0	14	9	5	0	14		
BIMBILLA	51	0	0	51	50	0	0	50		
SAVELUGU	11	2	0	13	11	1	0	12		
GAMBAGA	11	1	0	12	8	1	0	9		
SABOBA	53	2	0	55	52	2	0	54		
SUB-TOTAL	306	34	4	344	293	31	2	326		
Western Region	HR	ADM	COR	TOTAL	HR	ADM	COR	TOTAL		
TAKORADI	57	17	0	74	66	11	1	78		
TARKWA	45	4	0	49	58	4	0	62		
ENCHI	151	2	2	155	145	2	2	149		
JUABOSO	42	0	0	42	39	0	0	39		
AXIM	67	0	1	68	67	0	0	67		
ASANKRAGWA	89	0	0	89	88	0	0	88		
WIAWSO	93	1	0	94	88	1	0	89		
BIBIANI	182	0	0	182	180	0	0	180		
AGONA	36	4	1	41	31	3	1	35		
HALF ASSINI	55	5	0	60	52	5	0	57		
DABOASE	62	3	0	65	60	2	0	62		
SUB-TOTAL	879	36	4	919	874	28	4	906		



Regions		Cases Re in 20			Conclude	Cases Inves d (Includin om Previou	g Cases	
Central Region	HR	ADM	COR	TOTAL	HR	ADM	COR	TOTAL
CAPE COAST	53	6	1	60	50	4	1	55
DUNKWA-ON-OFFIN	67	0	0	67	73	0	0	73
AGONA SWEDRU	106	2	0	108	93	2	0	95
ABORA DUNKWA	47	0	0	47	40	0	0	40
WINNEBA	92	1	0	93	91	2	0	93
TWIFO PRASO	60	1	0	61	54	0	0	54
ASSIN FOSU	25	1	0	26	28	3	0	31
ELMINA	25	1	0	26	30	2	0	32
APAM	41	0	0	41	34	0	0	34
BREMAN ASIKUMA	42	2	1	45	47	1	0	48
AJUMAKO	26	0	0	26	23	0	0	23
SALTPOND	52	1	0	53	50	1	0	51
SUB-TOTAL	636	15	2	653	613	15	1	629
Greater Accra	HR	ADM	COR	TOTAL	HR	ADM	COR	TOTAL
HEAD OFFICE	230	137	27	394	219	91	7	317
REGIONAL OFFICE	19	15	0	34	22	16	0	38
ADAFOAH	47	3	0	50	58	1	0	59
DODOWA	19	0	0	19	22	0	0	22
AMASAMAN	94	3	0	97	43	0	0	43
WEIJA	43	1	0	44	26	0	0	26
TEMA	35	1	0	36	51	5	0	56
SUB-TOTAL	487	160	27	674	441	113	7	561
Volta Region	HR	ADM	COR	TOTAL	HR	ADM	COR	TOTAL
HOHOE	109	8	0	117	108	5	0	113
KADJEBI	81	0	0	81	85	0	0	85
HO REG OFFICE	113	13	0	126	112	10	0	122
SAGAKOPE	192	1	0	193	170	1	0	171
AKATSI	303	9	3	315	293	3	1	297
NKWANTA	85	1	0	86	82	1	0	83
ADIDOME	105	5	0	110	114	5	0	119
DENU	210	0	1	211	186	1	0	187
KPANDO	127	1	1	129	124	1	1	126
JASIKAN	89	0	1	90	96	0	1	97
KETE KRACHI	52	2	0	54	42	1	0	43
KETA	133	1	0	134	133	1	0	134
SUB-TOTAL	1599	41	6	1646	1545	29	3	1577



Regions		Cases Re in 20			Total Cases Investigated and Concluded (Including Cases Carried from Previous Years)					
Eastern Region	HR	ADM	COR	TOTAL	HR	ADM	COR	TOTAL		
KOFORIDUA REG										
OFFICE	4	2	1	7	5	4	0	9		
NKAWKAW	43	2	0	45	41	1	0	42		
KADE	103	2	0	105	104	3	0	107		
NEW ABIREM	73	0	0	73	75	1	0	76		
BEGORO	24	0	0	24	28	0	0	28		
KIBI	27	2	0	29	33	2	0	35		
NSAWAM	61	0	0	61	61	0	0	61		
SUHUM	18	1	0	19	19	1	0	20		
AKIM ODA	26	0	0	26	26	1	0	27		
AKROPONG	27	1	0	28	32	1	0	33		
ODUMASE KROBO	37	1	0	38	35	0	0	35		
DONKORKROM	42	2	0	44	47	1	0	48		
AKOSOMBO	19	0	0	19	19	0	0	19		
ASAMANKESE	92	0	0	92	92	0	0	92		
SUB-TOTAL	596	13	1	610	617	15	0	632		
GRAND TOTALS	9,040	419	62	9,521	8,714	331	31	9,076		

# Appendix B: Classification of Regional Distribution of Cases Received and Concluded: 2018

Regions	Cases Rece	eived in 20	18		Total Cases Concluded (Including Cases Carried from Previous Years)					
	HR	AJ	С	TOT	HR	AJ	С	TOT		
UPPER EAST	207	24	2	233	210	23	4	237		
UPPER WEST	256	25	4	285	263	17	0	280		
ASHANTI	1670	52	8	1730	1582	42	5	1629		
BRONG AH	2404	19	4	2427	2276	18	5	2299		
NORTHERN	306	34	4	344	293	31	2	326		
WESTERN	879	36	4	919	874	28	4	906		
CENTRAL	636	15	2	653	613	15	1	629		
GREATER	487	160	27	674	441	113	7	561		
VOLTA	1599	41	6	1646	1545	29	3	1577		
EASTERN	596	13	1	610	617	15	0	632		
TOTALS	9,040	419	62	9,521	8,714	331	31	9,076		



# Appendix C: Regional Breakdowns of Nature of Human Rights Complaints: 2018

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
(i) CHILDREN'S RIGHTS												
Right of Access to Natural Parents	5	9	3	37	30	5	23	28	21	21	10	192
Right to Health	2	0	0	0	0	0	0	4	0	0	0	6
Right to Education	4	12	2	12	33	20	7	24	2	65	8	189
Child labour	0	0	0	1	2	1	0	0	0	4	0	8
Right to Paternity	1	0	1	38	58	8	6	8	5	29	5	159
Right to Maintenance (necessaries of life)	20	75	60	352	414	59	222	197	113	379	243	2134
Inhuman Treatment (maltreatment)	0	0	0	0	3	0	0	0	0	12	0	15
Child Trafficking	0	0	0	0	0	0	1	2	2	0	0	5
Child Custody	13	9	11	32	99	23	17	11	8	103	30	356
Early and Forced Marriage	1	2	0	2	3	17	0	2	2	3	0	32
Right to Name	0	0	0	1	3	0	0	28	1	2	0	35
Defilement	0	2	0	0	0	0	2	0	0	8	0	12
SUB -TOTAL	46	109	77	475	645	133	278	304	154	626	296	3143
(ii) WOMEN'S RIGHTS	H.O	U/E	U/W	A/R	B/A	N/R	W/ R	C/R	G/R	V/R	E/R	TOT
Violence Against Women												
***Battery	0	11	1	23	76	7	18	6	2	16	0	160
***Other Forms (Psychological, Emotional etc.)	11	2	3	29	115	2	21	12	3	23	0	221
Spousal rights to maintenance	0	7	10	56	189	5	60	18	1	37	56	439
Reproductive Health Rights	1	16	5	11	48	52	41	24	6	79	16	299
Rape	0	0	1	4	0	1	0	0	0	0	0	6
SUB-TOTAL	12	36	20	123	428	67	140	60	12	155	72	1125
(iii) PROPERTY RIGHTS	H.O	U/E	U/W	A/R	B/A	N/R	W/ R	C/R	G/R	V/R	E/R	TOT
Right to Own Property	8	9	32	138	201	10	227	99	13	98	46	881
Inheritance	1	0	0	117	44	0	30	5	7	30	11	245
Destruction	4	0	5	24	42	2	12	5	0	29	6	129
Trespass/Encroachment	3	0	1	28	38	1	5	5	1	19	8	109
Title	1	1	1	7	1	0	7	1	0	0	0	19
Intestate Succession PNDCL111	19	0	0	23	72	0	23	7	1	12	0	157
SUB-TOTAL	36	10	39	337	398	13	304	122	22	188	71	1540



iv) ECOSOC	H.O	U/E	U/W	A/R	B/A	N/R	W/ R	C/R	G/R	V/R	E/R	TOT
Discrimination-equal access to recruitment/employment	0	1	0	0	0	0	0	0	0	0	0	1
Right to Equal Pay for Equal Work	6	5	36	59	34	20	9	22	20	31	6	248
Freedom of Worship/Religion	0	1	1	0	1	0	0	0	0	1	0	4
Right to Work	0	0	1	2	3	1	0	3	0	13	1	24
Harmful Cultural Practices												
***Banishment	0	0	2	0	0	0	1	0	0	0	0	3
***Witchcraft Accusation/Molestation	1	0	1	1	0	8	0	0	0	0	0	11
Right to Health	1	3	2	4	22	2	5		6	21	2	68
Right to clean and Healthy Environment	1		1	6	2	1	2	1	0	4	0	18
Right to housing/shelter	3	0	0	2	2	0	0	1	2	3	0	13
Right to Marry and found a family	0	3	1	0	1	0	0	6	0	3	0	14
Forced Eviction	1	0	10	149	39	1	4	2	3	11		220
Breach of Agreement	25	0	17	149	319	17	78	47	4	307	59	1022
Tenancy/Landlord Related Abuses	1	3	2	109	257	4	14	22	3	50	40	505
Right to Life	1	0	4	6	2	2	0	0	1	22	0	38
Labour Rights	47	10	13	19	48	14	30	13	12	29	10	245
Discrimination	0	0	0	3	1	0	0	0	0	5	1	10
Others	21	6	2	175	129	14	3	7	11	28	11	407
SUB-TOTAL	108	32	93	684	860	84	146	124	62	528	130	2851



# Appendix D: Regional Distribution of Nature of Administrative Justice Complaints: 2018

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	TOT
CATEGORIES												
CESSATION OF EMPLOYMENT												
Premature Retirement	2	0	1	1	0	0	0	0	1	0	0	5
Unlawful Termination of	0	1	1	1	0	1	0	2	1	0	0	7
Appointment	Ů	'	'	'		'	U		'	U	U	,
Unlawful Dismissal	5	2	0	0	0	1	0	0	5	1	1	15
SUB-TOTAL	7	3	2	2	0	2	0	2	7	1	1	27
ENITITI ENAFRIT												
ENTITLEMENT	5		1	0	3	1	0	1	4	10	1	40
Failure to pay salary	5	5	1	8	3	1	8	1	4	10	2	48
Unauthorized deductions of salaries	0	1	0	4	4	3	0	0	2	2	1	17
Failure to Pay Pension Allowances	7	2	0	0	0	2	0	0	0	0	0	11
Failure to pay End of Service Entitlement/benefit	3	0	0	0	0	0	0	0	0	0	2	5
Failure to pay allowances	3	0	8	0	0	5	0	0	0	1	0	17
Failure to Pay Transfer Grants	2	1	0	0	0	0	0	0	0	0	0	3
Failure to refund medical Bills	1	0	0	0	1	2	0	0	0	2	0	6
Failure to Pay SSNIT contribution	0	0	0	1	0	0	3	0	0	0	1	5
Others	0	1	0	0	0	0	3	0	0	0	0	4
SUB-TOTAL	21	10	9	13	8	13	14	1	6	15	6	116
22227												
PROPERTY												
Arbitrary confiscation of property by State or Public Official	0	0	0	3	0	0	1	0	1	0	0	5
Destruction of property	2	0	0	0	0	0	2	0	0	0	0	4
SUB-TOTAL	2	0	0	3	0	0	3	0	1	0	0	9
COMPLAINT HANDLING/INVESTIGATION												
Failure to be given a hearing (unfair hearing)	0	0	0	1	0	0	0	0	0	0	0	1
Failure to prosecute	0	0	0	0	0	0	3	1	3	0	0	7
Failure to take complaint	12	0	0	6	0	0	0	0	0	0	0	18
Delay in Dispensing Justice	18	0	0	0	1	4	1	0	0	3	0	27
SUB-TOTAL	30	0	0	7	1	4	4	1_	3	3	0	53



INJUSTICE												
Delay in Promotion	0	0	0	1	0	1	0	2	0	0	1	5
Improper Withholding or seizure of documents	3	4	3	1	4	5	2	3	0	0	0	25
Denial of Promotion	1	0	0	1	2	0	1	0	0	0	1	6
Arbitrary Transfer	3	1	0	1	0	0	0	2	0	0	0	7
Unfair Treatment	19	0	5	2	2	4	0	3	0	6	0	41
Discrimination	0	0	0	0	0	2	0	0	1	1	1	5
Others	2	0	1	0	0	1	4	1	2	3	2	16
SUB-TOTAL	28	5	9	6	8	13	7	11	3	10	5	105
OPPRESSIVENESS/ABUSE OF POWER												
Intimidation or Harassment	1	3	3	1	0	0	1	0	0	1	0	10
Forced resignation	0	0	0	0	0	0	1	0	0	0	0	1
Assault by public officer	2	0	0	0	0	1	0	0	0	0	0	3
Forced Eviction	0	0	0	3	0	0	0	0	1	0	0	4
Unlawful Arrest/Detention	7	0	1	14	0	0	0	0	1	4	1	28
Abuse of Office	31	1	1	2	2	0	5	0	0	6	0	48
SUB-TOTAL	41	4	5	20	2	1	7	0	2	11	1	94
SERVICE DELIVERY												
Negligence	2	1	0	1	0	0	0	0	1	0	0	5
Others	0	1	0	0	0	1	1	0	0	1	0	4
SUB-TOTAL	2	2	0	1	0	1	1	0	1	1	0	9
DISCIPLINE		_		-	-		_	_	_	_	_	
Suspension/Interdiction	5	0	0	0	0	0	0	0	0	0	0	5
Victimization	1	0	0	0	0	0	0	0	0	0	0	1
SUB-TOTAL	6	0	0	0	0	0	0	0	0	0	0	6
GRAND-TOTALS	137	24	25	52	19	34	36	15	23	41	13	419



# Appendix E: Regional Distributions of Nature of Allegations of Corruption: 2018

NATURE OF CORRUPTION	H.O	U/E	U/W	A/R	B/A	N/R	W/R	C/R	G/R	V/R	E/R	TOT
Bribery	0	0	3	0	0	1	1	0	0	0	0	5
Misappropriation of funds	8	2	0	1	0	0	0	1	0	2	1	15
Embezzlement	0	0	0	0	2	0	0	0	0	0	0	2
Falsification of records	0	0	0	0	0	0	0	0	0	0	0	0
Extortion	6	0	1	3	2	1	2	0	0	4	0	19
Favoritism, Cronyism, Patronage, nepotism)	1	0	0	1	0	0	0	0	0	0	0	2
Conflict of Interest	2	0	0	0	0	1	1	0	0	0	0	4
Fraud	3	0	0	1	0	0	0	1	0	0	0	5
Failure to declare assets	1	0	0	0	0	0	0	0	0	0	0	1
Abuse of Office	5	0	0	0	0	1	0	0	0	0	0	6
WHISTLEBLOWER												
Embezzlement	0	0	0	1	0	0	0	0	0	0	0	1
Fraud	0	0	0	1	0	0	0	0	0	0	0	1
Abuse of Office	1	0	0	0	0	0	0	0	0	0	0	1
TOTAL	27	2	4	8	4	4	4	2	0	6	1	62

# Appendix F: Respondent Bodies in Human Rights Complaints: 2018

RESPONDENT BODIES	NUMBER OF
	COMPLAINTS
Private Individual	8,616
Private Companies	149
Insurance Companies	16
Associations/Unions	21
Hotels	14
Banks/Financial Institutions	66
Security Companies	36
Private Schools	54
Churches	10
Private Enterprises or Organizations	32
Private Hospitals	18
Chieftaincy Institution	6
Radio Stations	2
TOTALS	9,040



# Appendix G: Respondent Bodies in Administrative Justice Complaints

	NUMBER OF
RESPONDENT BODIES	COMPLAINTS
Tertiary Institutions	14
Ghana Education Service	51
Controller & Accountant General	2
SSNIT	15
Judicial service	12
Financial Institutions (Banks)	5
Birth and Death	2
Ghana water company	5
Customs Excise and Preventive Service (CEPS)	2
Regional Coordinating Councils	7
Metropolitan, Municipal and District Assemblies (MMDAs)	56
Legal Aid	3
Ghana Health Service	30
Ghana Police Service	90
NADMO	5
Ghana Armed Forces	2
Ghana Fire Service	5
Ghana River Authority (VRA)	1
Electricity Company of Ghana(ECG)	7
Ghana Highway Authority	2
Ghana Railways Cooperation	1
Lands Commission	2
Department of social welfare	4
Forestry Commission	4
Labour Commission	5
National Youth Employment Programme (NYEP)	7
Ministry of Food And Agriculture	2
CHRAJ	3
National Service Secretariat	4
COCOBOD	2
State Insurance Company	2
Metro Mass Transit	4
Rent Office	4
Ministry of Works and Housing	1
Ghana Post	1
Ghana Revenue Authority	3
Ministry of Interior	1
Ministry of Local Government and Rural Development	3
Ghana Immigration Service	2
Ghana Broadcasting Corporation (FDA)	1
Environmental Protection Agency (EPA)	1
Attorney General Department	4
Ghana Refuge Board	1
Others	41
TOTALS	419



# Appendix H: Institutions of Officers to whom Allegation of Corrupt Practices where made against

RESPONDENT BODIES	NUMBER OF COMPLAINTS
Ghana Health Service	2
Ghana Education Service	1
Metropolitan, Municipal and District Assemblies (MMDAs)	10
Schools and Colleges	5
Ghana Police Service	10
National Service Secretariat	2
CHRAJ	1
NTC	6
Regional Coordinating Council	1
NHIS	1
GHANA COCOA BOARD	1
Department of Social Welfare	1
Ghana Revenue Authority	4
Social Welfare	1
Ghana National fire Service	1
Birth and Death Registry	1
Ghana Maritime Authority	1
Environmental Protection Agency	1
others	12
TOTAL	62

# Appendix I: Nature of Human Rights Complaints and Mode of Conclusion

NATUREOF ABUSES	NATURE OF CONCLUSION						
CHILDREN'S RIGHTS RELATED ABUSES	MEDIA TION	PRELI- MINARY INVESTI- GATTION	FULL INVESTI GATION	DISCONTI NUED	REFE RRED	LACK OF MANDATE	TOTAL
Right of Access to Natural Parents	115	0	0	40	8	4	167
Right to Health	1	0	0	1	1	1	4
Right to Education	136	1	0	51	3	4	195
Child labour	2	0	0	4	1	0	7
Right to Paternity	83	0	0	57	7	2	149
Right to Maintenance	1355	4	1	670	45	12	2087
Child Trafficking	2	0	0	1	1	0	4
Child Custody	177	0	0	83	46	47	353
Early and Forced Marriage	12	0	0	12	3	2	29
Right to Name	23	0	0	7	2	0	32
Defilement	0	0	0	0	0	12	12
SUB-TOTAL	1906	5	1	926	117	84	3039



WOMEN'S RIGHTS	MED	PRE	FULL	DISC	REF.	MTT	TOT
Violence Against Women							
***Battery	85	0	3	59	10	5	162
***Other Forms (psychological, emotional	154	0	0	48	4	16	222
Spousal Rights to Maintenance	253	0	2	138	14	3	410
Reproductive Health Rights	129	0	0	111	16	4	260
Rape	0	0	0	0	0	6	6
SUB-TOTAL	621	0	5	356	44	34	1060
PROPERTY RIGHTS	MED	PRE	FULL	DISC	REF.	MTT	TOT
Right to Own Property	581	0	5	325	40	20	971
Inheritance	115	0	4	102	8	4	233
Destruction	5	0	3	13	0	2	23
Trespass/Encroachment	48	0	7	41	7	5	108
Title	4	0	2	3	2	11	22
Intestate Succession PNDCL111	89	0	0	33	5	21	148
SUB-TOTAL	842	0	21	517	62	63	1505
ECONOMIC, SOCIAL AND		225			DEE		
CULTURAL RIGHTS (ECOSOC)	MED	PRE	FULL	DISC	REF.	MTT	TOT
Right to Equal Pay for Equal Work	183	0	0	100	10	15	308
Freedom of Worship/Religion	2	0	2	1	0	0	5
Right to Work	11	0	0	7	0	1	19
Harmful Cultural Practices							
***Banishment	1	0	0	0	1	0	2
***Witchcraft Accusation/Molestation	2	0	0	3	3	1	9
Right to Health	49	0	0	12	2	1	64
Right to clean and Healthy Environment	7	0	0	9	0	3	19
Right to Marry and found a family	8	0	0	2	0	1	11
Right to housing/shelter	299	1	7	103	24	58	492
Forced Eviction	107	0	0	30	6	40	183
Breach of Agreement	643	0	1	261	39	46	990
Threat of Life	4	0	1	4	11	20	40
Labour Rights	78	0	5	42	16	45	186
Discrimination	4	0	0	6	0	0	10
Others	177	0	0	83	14	153	427
SUB-TOTAL	1575	1	16	663	126	384	2765
CIVIL AND POLITICAL RIGHTS	MED	PRE	FULL	DISC	REF.	MTT	TOT
Right to Personal Liberty (Harassment)	123	0	0	74	9	8	214
Right to Dignity(Inhuman Treatment)	47	0	0	39	16	15	117
Freedom of Association	0	1	1	0	0	0	2
Others	0	1	0	0	0	11	12
SUB-TOTAL	170	2	1	113	25	34	345
JOB-TOTAL	170			113	23	- J <del>4</del>	_ J <del>4</del> J
GRAND TOTAL	5114	8	44	2575	374	599	8714



Appendix J: Nature of Administrative Justice Complaints and Mode of Conclusion

	NATURE OF CONCLUSION						
NATURE OF COMPLAINTS	MEDIA TION	PRELI- MINARY INVESTI- GATTION	FULL INVESTI GATION	DISCON TI NUED	REFE RRED	LACK OF MANDATE	TOTAL
CATEGORIES							
CESSATION OF EMPLOYMENT							
Premature Retirement	0	0	0	1	0	1	2
Unlawful Termination of	2	0	2	6	0	0	10
Appointment						_	
Unlawful Dismissal	3	1	1	5	1	3	14
SUB-TOTAL	5	1	3	12	1	4	26
<u>ENTITLEMENT</u>							
Payment of Salaries	24	1	3	19	2	2	51
Failure to pay End of Service entitlement/benefit	0	0	1	0	0	2	3
Failure to pay allowances	4	1	1	3	1	4	14
Failure to Pay Transfer Grants	0	0	0	2	0	0	2
Failure to pay SSNIT Contribution	2	0	0	5	1	0	8
Others	8	1	0	6	0	0	15
SUB-TOTAL	38	3	5	35	4	8	93
PROPERTY  Arbitrary confiscation of property by State or Public Official	1	0	1	1	1	2	6
Destruction of property	1	0	0	2	0	2	5
SUB-TOTAL	2	0	1	3	1	4	11
COMPLAINT HANDLING/INVESTIGATIONS							
Failure to be given a hearing (unfair hearing)	0	0	1	0	0	0	1
Failure to prosecute	3	0	0	1	1	2	7
Failure to take complaint	3	2	0	3	0	11	19
Delay in Dispensing Justice	3	0	0	8	0	0	11
SUB-TOTAL	9	2	1	12	1	13	38
INJUSTICE							
Delay in Promotion	1	1	1	1	1	2	7
Improper Withholding or seizure				3			
of documents	12	0	0	3	3	0	18
Arbitrary Transfer	0	0	0	1	1	1	3
Refusal to pay Medical Bills	1	0	1	1	0	0	3
Unfair Treatment	9	3	6	6	4	8	36
Others	3	1	0	3	0	4	11
SUB-TOTAL	26	5	8	15	9	15	78



OPPRESSIVENESS/ABUSE OF							
POWER							
Intimidation or Harassment	1	0	0	5	0	0	6
Forced resignation	1	0	0	0	0	0	1
Assault by public officer	0	0	0	1	0	2	3
Unauthorized/Forceful/Wrongful	0	0	0	0	0	2	2
Eviction	0	0	0	0	0	2	2
Unlawful Arrest/Detention	4	2	0	5	3	4	18
Others	21	0	0	11	0	8	40
SUB-TOTAL	27	2	0	22	3	16	70
		•					
SERVICE DELIVERY							
Negligence	0	2	0	1	0	0	3
Rudeness and lack of Proper	4	0	0	2	0	2	8
Attention	4	0	0	2	0	2	8
SUB-TOTAL	4	2	0	3	0	2	11
DISCIPLINE							
Suspension/Interdiction	0	0	0	1	0	3	4
	111	15	10	102	10	65	221
GRAND TOTAL	111	15	18	103	19	65	331

# Appendix K: Nature of Corruption Complaints and Mode of Conclusion

		NATURE OF CONCLUSION							
NATURE OF CORRUPTION	MEDIA TION	PRELI- MINARY INVESTI- GATTION	FULL INVESTI GATION	DISCONTI NUED	REFE RRED	LACK OF MANDATE	TOTAL		
Bribery	0	0	0	2	0	0	2		
Misappropriation of funds	0	2	1	3	0	0	6		
Extortion	4	7	0	4	0	0	15		
Conflict of Interest	0	0	1	1	0	0	2		
Fraud	0	1	0	0	0	0	1		
Failure to declare assets	0	0	1	0	0	0	1		
Cronyism	0	0	0	0	1	0	1		
Abuse of office	0	1	0	2	0	0	3		
TOTALS	4	11	3	12	1	0	31		



# Appendix L: Sex Distribution of Complainants in Human Rights Complaints

NATURE OF ABUSES	MALE	FEMALE	TOTAL
CHILDREN'S RIGHTS			
Right of Access to Natural Parents	94	98	192
Right to Health	1	5	6
Right to Education	86	103	189
Child labour	0	8	8
Right to Paternity	59	100	159
Right to Maintenance (necessaries of life)	244	1890	2134
Inhuman Treatment	8	7	15
Child Trafficking	1	4	5
Child Custody	203	153	356
Early and Forced Marriage	8	24	32
Right to Name	7	28	35
Defilement	5	7	12
SUB-TOTAL	716	2427	3143
WOMAN'S RIGHTS	MALE	FEMALE	TOTAL
WOMAN'S RIGHTS Violence Against Women	MALE	FEMALE	TOTAL
	MALE 27	FEMALE 133	TOTAL 160
Violence Against Women			
Violence Against Women ***Battery	27	133	160
Violence Against Women  ***Battery  ***Other Forms (Psychological, Emotional etc.)	27 61	133 160	160 221
Violence Against Women  ***Battery  ***Other Forms (Psychological, Emotional etc.)  Spousal rights to maintenance  Reproductive Health Rights  Rape	27 61 78 95	133 160 361 204 5	160 221 439 299 6
Violence Against Women  ***Battery  ***Other Forms (Psychological, Emotional etc.)  Spousal rights to maintenance  Reproductive Health Rights	27 61 78 95	133 160 361 204	160 221 439 299
Violence Against Women  ***Battery  ***Other Forms (Psychological, Emotional etc.)  Spousal rights to maintenance  Reproductive Health Rights  Rape	27 61 78 95	133 160 361 204 5	160 221 439 299 6
Violence Against Women  ***Battery  ***Other Forms (Psychological, Emotional etc.)  Spousal rights to maintenance  Reproductive Health Rights  Rape  SUB-TOTAL	27 61 78 95 1	133 160 361 204 5	160 221 439 299 6 1125
Violence Against Women  ***Battery  ***Other Forms (Psychological, Emotional etc.)  Spousal rights to maintenance  Reproductive Health Rights  Rape  SUB-TOTAL  PROPERTY RIGHTS	27 61 78 95 1 262 MALE	133 160 361 204 5 863 FEMALE	160 221 439 299 6 1125
Violence Against Women  ***Battery  ***Other Forms (Psychological, Emotional etc.)  Spousal rights to maintenance Reproductive Health Rights Rape  SUB-TOTAL  PROPERTY RIGHTS  Right to Own Property	27 61 78 95 1 262 MALE 437	133 160 361 204 5 863 FEMALE	160 221 439 299 6 1125 TOTAL 881
Violence Against Women  ***Battery  ***Other Forms (Psychological, Emotional etc.)  Spousal rights to maintenance  Reproductive Health Rights  Rape  SUB-TOTAL  PROPERTY RIGHTS  Right to Own Property  Inheritance	27 61 78 95 1 262 MALE 437 113	133 160 361 204 5 863 FEMALE 444 132	160 221 439 299 6 1125 TOTAL 881 245
Violence Against Women  ***Battery  ***Other Forms (Psychological, Emotional etc.)  Spousal rights to maintenance Reproductive Health Rights Rape  SUB-TOTAL  PROPERTY RIGHTS Right to Own Property Inheritance Destruction	27 61 78 95 1 262 MALE 437 113 95	133 160 361 204 5 863 FEMALE 444 132 34	160 221 439 299 6 1125 TOTAL 881 245 129
Violence Against Women  ***Battery  ***Other Forms (Psychological, Emotional etc.)  Spousal rights to maintenance Reproductive Health Rights Rape  SUB-TOTAL  PROPERTY RIGHTS  Right to Own Property Inheritance Destruction Trespass/Encroachment	27 61 78 95 1 262 MALE 437 113 95 67	133 160 361 204 5 863 FEMALE 444 132 34 42	160 221 439 299 6 1125 TOTAL 881 245 129 109



ECONOMIC, SOCIAL AND CULTURAL RIGHTS (ECOSOC)	MALE	FEMALE	TOTAL
Discrimination-equal access to recruitment/employment	1	0	1
Right to Equal Pay for Equal Work	168	80	248
Freedom of Worship/Religion	3	1	4
Right to Work	16	8	24
Harmful Cultural Practices			
***Banishment	3	0	3
***Witchcraft Accusation/Molestation	3	8	11
Right to Health	28	40	68
Right to clean and Healthy Environment	12	6	18
Right to housing/shelter	3	10	13
Right to Marry and found a family	3	11	14
Forced Eviction	135	85	220
Breach of Agreement	617	405	1022
Tenancy/Landlord related Abuses	281	224	505
Right to Life	12	26	38
Labour Rights	188	57	245
Discrimination	4	6	10
others	219	188	407
SUB-TOTAL	1696	1155	2851

CIVIL AND POLITICAL RIGHTS	MALE	FEMALE	TOTAL
Right to Personal Liberty (Harassment)	123	112	235
Right to Personal Liberty (Harassment)	123	112	235
Right to Dignity(Inhuman Treatment)	62	65	127
Freedom of Association	1	0	1
Right to Privacy	4	3	7
Others	6	5	11
SUB-TOTAL	196	185	381
	3,653		
GRAND TOTAL	(40%)	5,387 (60%)	9,040



# Appendix M: Sex Distribution of Complainants in Administrative Justice Complaints

NATURE OF COMPLAINTS	MALE	FEMALE	TOTAL
CATEGORY			
(i)CESSATION OF EMPLOYMENT			
Premature Retirement	5	0	5
Unlawful Termination of Appointment	5	2	7
Unlawful Dismissal	13	2	15
SUB-TOTAL SUB-TOTAL	23	4	27
(ii) <u>ENTITLEMENT</u>			
Failure to pay salary	41	7	48
Unauthorized deductions of salaries	14	3	17
Failure to Pay Pension Allowances	10	1	11
Failure to pay End of Service Entitlement/benefit	4	1	5
Failure to pay allowances	17	0	17
Failure to Pay Transfer Grants	3	0	3
Failure to refund medical Bills	6	0	6
Failure to Pay SSNIT contribution	5	0	5
Others	4	0	4
SUB-TOTAL	104	12	116
<u>PROPERTY</u>			
Arbitrary confiscation of property by State or Public			
Official	5	0	5
Destruction of property	2	2	4
SUB-TOTAL	7	2	9
COMPLAINT HANDLING/INVESTIGATIONS			
Failure to be given a hearing (unfair hearing)	0	1	1
Failure to prosecute	5	2	7
Failure to take complaint	14	4	18
Delay in Dispensing Justice	18	9	27
SUB-TOTAL	37	16	53
INJUSTICE			
Delay in Promotion	5	0	5
Improper Withholding or seizure of documents	16	9	25
Denial of Promotion	5	1	6
Arbitrary Transfer	6	1	7
Unfair Treatment	36	5	41
Discrimination	4	1	5
Others	15	1	16
SUB-TOTAL	87	18	105



OPPRESSIVENESS/ABUSE OF POWER			
Intimidation or Harassment	5	5	10
Forced resignation	1		1
Assault by public officer	3	0	3
Forced Eviction	4	0	4
Unlawful Arrest/Detention	24	4	28
Abuse of Office	35	13	48
SUB-OTAL	72	22	94
SERVICE DELIVERY			
Negligence	4	1	5
Others	4	0	4
SUB-TOTAL	8	1	9
DISCIPLINE			
Suspension/Interdiction	5	0	5
Victimization	1	0	1
SUB-TOTAL	6	0	6
GRAND TOTAL	344(82%)	75(18%)	419

Appendix N: Public Education Programmes for Human Rights over the past five (5) years: 2014-2018

REGION(S)	HUMAN RIGHTS					
	2014	2015	2016	2017	2018	TOTALS
GREATER ACCRA	137	136	134	143	201	751
EASTERN	358	302	294	451	316	1721
VOLTA	210	126	208	191	278	1013
ASHANTI	581	632	571	518	792	3094
BRONG AHAFO	142	259	360	275	429	1465
CENTRAL	279	172	172	178	226	1027
WESTERN	223	203	284	182	303	1195
NORTHERN	506	428	367	482	367	2150
UPPER EAST	186	337	465	354	585	1927
UPPER WEST	254	148	296	340	215	1253
TEMA	91	48	89	72	71	371
OBUASI	63	109	141	125	171	609
TOTAL	3,030	3,900	3,381	3,311	3,954	16576



# Appendix P: Public Education Programmes for Administrative Justice over the past five (5) years: 2014-2018

REGION(S)	ADMINISTRATIVE JUSTICE					
	2014	2015	2016	2017	2018	TOTALS
GREATER ACCRA	14	21	37	20	23	115
EASTERN	74	38	28	26	38	204
VOLTA	72	77	68	34	112	363
ASHANTI	182	265	214	162	167	990
BRONG AHAFO	73	147	132	87	127	566
CENTRAL	78	34	26	15	19	172
WESTERN	81	102	72	39	53	347
NORTHERN	171	180	136	183	165	835
UPPER EAST	90	135	116	73	189	603
UPPER WEST	37	58	51	30	68	244
TEMA	0	0	0	0	0	0
OBUASI	26	63	97	93	99	378
TOTAL	898	1120	977	762	1,060	4,817

# Appendix Q: Public Education Programmes for Anti-Corruption over the past five (5) years: 2014-2018

REGION(S)	ANTI- CORRUPTION					
	2014	2015	2016	2017	2018	TOTALS
GREATER ACCRA	38	37	41	44	112	272
EASTERN	66	66	79	59	147	417
VOLTA	88	92	119	90	151	540
ASHANTI	226	302	238	300	393	1459
BRONG AHAFO	28	136	191	111	145	611
CENTRAL	99	73	48	78	135	433
WESTERN	129	117	57	58	145	506
NORTHERN	200	200	206	150	192	948
UPPER EAST	98	120	122	96	191	627
UPPER WEST	60	79	89	74	75	377
TEMA	0	0	8	6	6	20
OBUASI	62	78	102	75	116	433
TOTAL	1,094	1,300	1,300	1,141	1,808	6,643





## Appendix Q: ORGANOGRAM:

## **CHRAJ ORGANOGRAM**

