The Projects Abroad Human Rights Office (PAHO) is an independent, non-political, non-religious NGO. Through primarily grassroots funding, PAHO was founded to promote and protect the human rights of the people of Ghana. We are here to help people understand their rights and empower the population; to speak out and to seek justice against human rights abuses. Through advocacy, monitoring and legal assistance PAHO seeks to improve the awareness and enforcement of basic human rights in Ghana.

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In the month of November, the team’s work centered mainly on planning for FLAP’s future and considering new projects to develop PAHO’s involvement with the community of Old Fadama. PAHO has been working on developing FLAP for around the last six months and it was decided that this month was an ideal time to conduct a progress meeting and a discussion on how FLAP should proceed in the future.

FLAP’s main aim is to promote human rights throughout Old Fadama and to give the residents access to justice. It was agreed that PAHO would continue visiting Old Fadama once a week to do the educational sessions in various sectors of the community and continue to hold the evening publicity sessions. Additionally, Queen Mary’s Pro-Bono Law Society has joined FLAP and hopes to be actively involved in FLAP’s activities. Representatives from the Society will visit Ghana in July to observe FLAP’s work. This is a huge success for Frederick Opoku, the Director of FLAP and, indeed, the FLAP team as a whole, and is a testament to the worthwhile work that FLAP is performing in Old Fadama.

During the progress meeting a number of possible options for the coming months were explored. Firstly, Opoku suggested forming a children’s drama group and to task them with acting out scenarios of different human rights issues that are prevalent in Old Fadama. It was envisioned that these plays could be recorded and used for the evening publicity sessions. However, while the children had already been approached and this could be arranged, on further consideration, it was decided that this was not really a viable option for the immediate future and that PAHO volunteers should rather focus on alternative options.

The second option, and one that is much more appealing, is the FLAP team to visit two schools in Old Fadama on a regular basis and teach a class about human rights. PAHO volunteers are already involved with well-established projects that teach human rights in schools and it is where many volunteers’ strengths lie. Opoku has approached the two schools and they have agreed to allow human rights sessions to be taught. In fact, he has already started doing sessions introducing human rights to the children.

In order to fully prepare for the beginning of these sessions, which will be after the New Year, a group of PAHO volunteers were given the opportunity to observe one of these sessions towards the end of the month. There were around thirty children in attendance and the volunteers were heartened to see such strong enthusiasm from the children to learn about human rights. Even more encouragingly, the children seemed to already have a basic understanding of the core values and principles concerned with human rights.

PAHO will have to compile a schedule and start planning for the sessions, which should be as interactive as possible to hold the attention of the children. For example, one activity could be to task all of the children with writing a letter to President Mahama or the Minister of Education (name?) asking for the government to provide free basic education to the children of Old Fadama as it is a fundamental human right and a responsibility of the government. As it has been estimated that there are around one thousand children in Old Fadama schools, if the FLAP team were eventually able to get all the school children to write letters demanding access to government-funded schools, it would be a useful lobbying tool and would also reflect one of PAHO’s main aims, which is to make people aware of their human rights so that they can advocate for those rights on their own behalves.

Another proposed project, which the FLAP team will consider in more detail next year, is a project targeted at reaching out to the most vulnerable groups of people in Old Fadama, such as the female head porters, (Ghanaian name). Female head porters are particularly at risk of abuse and harassment, but in the current structure of FLAP activities, are very difficult to interact with, as they are not available to attend sessions during the day. Therefore, in the new year FLAP will need to look into the possibility of doing evening or weekend sessions with these women. If it is concluded that this is not possible, FLAP could initiate a new project to train some key members of the community to educate these vulnerable groups on their human rights and any potential violations of their fundamental rights and freedoms.

The last proposal by Frederick Opoku and one that is more of a long-term goal is the Legal Aid on Wheels (LAW) Project. By July 2014, Opoku wants to acquire a van with megaphones on the roof to help spread the word about FLAP. The idea behind this project is that with a van, FLAP could reach more parts of Old Fadama that it cannot already. However, the van would not only be for publicity but would also act as a legal office of sorts, with FLAP and PAHO volunteers going to different areas to take on new clients and offer legal advice where possible. Opoku has estimated that it will cost around GH 20,000 for the van but this price can always be revised downwards if a cheaper option is found. Nevertheless, fundraising will certainly have to begin for the LAW Project early next year.

In November, due to the scarcity of volunteers, PAHO’s involvement in FLAP’s work was limited almost exclusively to planning FLAP’s future activities. However, the work of FLAP continued despite the absence of the volunteers. Indeed, there have been
four legal cases brought to FLAP recently. Most of the cases involve property or loan issues, and these disputes were resolved through mediation overseen by the FLAP staff. However, one case involved a succession issue. Due to the complexity of this case, PAHO volunteers attended a client meeting in order to gather more information and to advise accordingly. After consulting with the client and upon consideration of all the relevant facts, it was decided that this case was perhaps a little too advanced for FLAP and the client was referred to legal aid. Nevertheless, to give an insight into some of the legal disputes clients approach the FLAP office with, the basic facts of the case are as follows.

The client is a twenty-five year old widow. In 2008 her husband, who was a police officer, was shot and killed in the line of duty. Together the couple had a child, who is now ten-years old. Pursuant to the policy that if killed in the line of duty the police department will cover funeral costs and provide compensation to the remaining family, the client should have received not only the costs of the burial and funeral but further compensation to help her and her son live comfortably.

The mother of the deceased has said that he had two other children so any money should be distributed evenly among all of them and not just the client’s son. However, the client swears that the deceased only had one son and has signed an affidavit affirming that. The mother also states that she was the rightful person to get all the money as the client and the deceased were not legally married as they only had a customary marriage. However, although not recognized under Ghanaian law, precedence has shown that this type of customary marriage has been recognized as legitimate.

The client received some social security benefits to the sum of approximately GH 750 but she should have received at least double than in compensation from the police department. It is alleged that the mother had contacted police headquarters and was given the compensation instead of the client but the truth of this is yet to be determined.

Further, after her husband’s death, his family went to the client’s house in the police barracks and took most of her belongings, leaving her bare essentials, such as the mattress in which she slept. Due to her lack of literacy and ignorance of the law, the client did not know that she had the right not to allow them into her home. The client and her son are now living in Old Fadama with little of their past life.

Additionally, there is another matter that needs to be addressed. Before his death, the deceased had acquired some land, although the location is unknown, and the client is not sure whether the land has gone to the deceased’s mother or the police are still in ownership of it.

FLAP has recommended that the client go to legal aid. The police headquarters needs to be contacted with legal address due to the many legal issues here. Indeed, this is a possible negligence case if the police have given the deceased’s mother compensation instead of the client. However, apart from a succession and negligence issue, this is also a human rights issue. The client’s rights have been infringed upon and it is now becoming a children’s rights issue in which the son’s right to education is being threatened as he is now coming to the age where he needs to go to school but cannot because there is no money to send him there.

In conclusion, the month of November saw a lot of reflection on the past work of FLAP and much attention was paid to planning for FLAP’s future and ensuring that it remains a sustainable project for many years to come. The team is confident that FLAP will continue to be valuable project for both new volunteers and the residents of Old Fadama alike. Indeed, extending the activities of FLAP and incorporating the teaching of human rights in schools will only serve to strengthen the ties PAHO have with Old Fadama and will help to increase awareness and advocacy of the most fundamental of human rights. Further, the legal side of FLAP appears to be going from strength to strength, with a wide variety of disputes being brought to the office, many of which are very serious violations of a person’s human rights, as can be illustrated by reference to the example of a FLAP client that was given above.

**Human Rights Clubs**

**Accra High School**

HR-Clubs is an Amnesty International initiative whose intent is to work in cooperation with local partners to develop after school clubs dedicated to human rights education in various schools. The goal is to eventually have an HR Club in every school across the globe. PAHO acts as Amnesty’s partner in Accra. Volunteers from all over the developed world come here to give lessons in local schools on human rights. Each club has a supervisor, but the students organize a majority of the activities by themselves. There are also student club-executives who act as the leaders of the HR club and are monitored by a volunteer.

The HR Club continued with the successes of the previous month, and the students of Accra High School continued to show up in earnest for the classes and, at all times, espoused such overwhelming enthusiasm and passion for human rights. For each volunteer involved with the club, it was an absolute pleasure to teach and interact with these students.

In November, the team focused on the rights of the child. Due to various scheduling conflicts, it was only possible to conduct two sessions this month but both the volunteers and the children strived to ensure that the most was made out of these two sessions.

For the first session, there were around twenty students there. As usual, the majority were girls but fortunately there were also a few boys in attendance. The volunteers began the lesson by outlining what child’s rights are and the responsibilities that parents have towards their child, regardless of the circumstances. Although the volunteers were aware that the students are very well educated and extremely interested in human rights, they were astounded at the extent of the knowledge the students already possessed regarding children’s rights. Indeed, it would appear that the only thing the children were not aware of was what defilement was. This was not an intended topic for the session but once it can up through discussion, and it was clear that the children were not sure what it was, the volunteers recognized the importance of briefly explaining what defilement is and why it is so serious.
Child labour is a huge social problem in Ghana, and the students seemed especially keen to discuss this matter. Under Ghanian law, the minimum age for employment is fifteen years old, thirteen years old for light work, and eighteen years old for hazardous work. The pupils already seemed to have a sound knowledge of what child labour was, and provided several examples of urban child labour that they have witnessed in Accra, such as street hawking, shoe shining and working in eating places. The students, too, knew what forms rural child labour take, listing child mining, fishing and crop farming as examples.

However, whilst the children could easily identify common types of child labour, some found it difficult to distinguish between genuine cases of child labour and performing household chores to assist their parents. The volunteers quickly redressed this, and underlined that difference between the two, stating that it is only child labour if the child is under the age of fifteen, or thirteen for light work, and the work is preventing them from attending school, or is affecting their ability to learn to their full potential whilst they are at school. For simply household chores, it is not child labour. The volunteers ended the session by explaining that with rights come responsibilities, and that the students should not use their knowledge of human rights, and perhaps manipulate their understanding of human rights, to shy away from their duties as responsible members of their community.

For the last session of the month, there was a debate. The motion to be debated was, “This house believes that caning in schools should be banned”. The class was split into two groups, one pro and one con, and two representatives were selected from each group to stand up and debate. The students seemed to greatly enjoy debating such a matter, and it was immediately clear to the volunteers that many of the students had considerable experience in debating. Overall, the debate was an overwhelming success and some valid and insightful points were raised. The participation of the students was at an all time high and illustrated their keen interests in debating and the strength of such interactive activities as to keep the interests of the students.

As has already been mentioned, the students illuminated a number of key arguments both supporting and opposing caning in schools. The team supporting the motion argued that caning in schools could have a number of negative effects on a child and their education. For instance, it could lead to truancy as for some children, their fear of caning is to such an extent that they may avoid school altogether so that they do not get caned. Further, caning may lead to a lack of confidence, with many children being too scared to try and answer questions in case they are caned for getting a question wrong. Undoubtedly, this would have a detrimental effect on their education, and will prevent them from learning to their full potential. Lastly, the team highlighted that caning could lead to permanent scars, and asked why should people be inflicted with such permanent marks for the rest of their lives as a punishment for a, usually, very trivial wrongdoing.

For the team opposing the motion, they argued how it helps to prevent misbehavior and could have long-term implications for reducing social vices. Similarly, the team argued that caning promotes discipline and helps to integrate children into society as it teaches them how to behave like responsible members of a community. The team also used Christianity to support their argument, drawing on Proverbs 13:24, which says “if you spare the rod, you spoil the child”, arguing that caning a child is not out of hatred but out of love, because the person caning the child just wants to make the child a better person.

Whilst both teams argued their points reasonably well, it was decided that the team opposing the motion; that is arguing that caning in schools should not be banned, won the debate. This was not a reflection of the personal beliefs of the team because PAHO, as a Human Rights NGO, believe and teach that caning in schools should not occur, as it is a violation of a child’s rights. However, for the purpose of this debate, it was the opposing team who provided the most well-thought out arguments and refutations. Indeed, it is interesting to note that all members of the class were against caning in schools. However, this is not particularly surprising give the fact that the children who attend the club are all highly intelligent, reflective and forward thinking students.

Overall, the volunteers were pleasantly surprised to see how much interest and knowledge the students had concerning the rights of the child. The two sessions went extremely well, and both the students and the volunteers made considerable gains from their involvement in the HR Clubs. The team look forward to continuing with Amnesty’s HR clubs next year.
Vacation Human Rights School

Relationship and Sex Education for youth of Abokobi

The Vacation Human Rights School is an initiative of the Projects Abroad Human Rights Office to broaden the reach of Human Rights education amongst local high school students. The program, consisting of six interactive sessions across three weeks, focuses on fostering knowledge, skills and attitudes consistent with recognised human rights. By equipping young people - citizens now and leaders in the future - with knowledge and skills, the program plays a significant role in encouraging students to live their lives according to human rights values and to take action on human rights issues affecting themselves and their communities.

This month the team at PAHO began another social justice initiative called the Human Rights School in Abokobi. The project spanned four sessions and was attended by local teenagers with the intended goal of educating them on issues that are of extreme importance to their lives.

The first session was an introduction to the topics and an opportunity to give the participants a confidential questionnaire asking them what they want the sessions to cover. The team hopes to utilize these questionnaires as tools for the future when dealing with similar demographics focusing on the vital issues highlighted by them anonymously. From the questionnaires, the team learned that the teenagers wished to learn more about the prevalence of HIV and AIDS in their community as well as other common sexually transmitted diseases (STDs) and how they can prevent themselves and others from contracting any of these possibly fatal, yet highly treatable diseases.

The second session focused on domestic violence and the laws prohibiting it. Under the Domestic Violence Act 2007 if you commit domestic violence in Ghana you are committing a crime with harsh penalties. The team explained to students that there were four types of domestic violence; physical, emotional, economic and sexual and all of them are present in Ghanaian society. By using matching games the students gained an understanding on what each type was and some examples of them.

From anonymous questionnaires given to the students it was evident that some of the students have been, or are, victims of domestic violence in one form or another so the team saw it as crucial to give the students specific directions on how to protect themselves and what to do in these particularly challenging situations. The team gave them the contact information for DOVVSU (Domestic Violence and Victim Support Unit), as they are a unit of the police specifically trained to support the victims of domestic violence and sexual assault. The team hopes that with an increased awareness of what domestic violence is, the students can help themselves and others who may be in a compromising situation.

The third session was dedicated to discussing HIV/AIDS and other common STDs. HIV is widely known in Africa as a major cause of death and is unfortunately very common. The volunteers saw it imperative to educate the students on how HIV is formed and how it is transmitted, with a particular focus on transmission through unprotected sexual intercourse. The volunteers also discussed the stigma associated with HIV and how people are treated differently when they have the disease and how this discrimination should be unacceptable. The students are of an age when they are having sex and are very vulnerable to contracting STDs, as knowledge on safe sex is not very widespread in Ghana.

The volunteers used interactive games to teach the students on the symptoms of some of the more common STDs, namely, Chlamydia, Gonorrhea and Syphilis, Trichomoniasis and Herpes. The team saw it very important to tell the students that often there are no symptoms or signs of a sexually transmitted disease so it is extremely important to use condoms every time they have sex and to get regular tests to ensure that they have not contracted any STDs. At the beginning of the session, the students seemed somewhat embarrassed and lacked confidence to ask questions or speak up in discussion. Thankfully, however, as time progressed, the students became more vocal. It soon became evident that they really wanted to learn about safe sex. The session was finished with a brief look at the reproductive system of both males and females, which proved a worthwhile activity as although they had a basic knowledge of biology, many of them were unaware of the mechanics of the male and female reproductive organs.

The final session covered relationships and pregnancy among teenagers. The session began by discussing relationships and why good relationships are so important. There was a brainstorming session, in which the students were asked what makes a good boyfriend or girlfriend. Following this, the previous sessions were re-capped and the teenagers where asked what they had learnt about domestic violence and asked a series of truth or dare questions about domestic violence.
Moreover, pregnancy was discussed in detail. Firstly, the process of becoming pregnant was discussed, including ovulation, fertilization, implantation and labour. The class was then told about some of the early signs of pregnancy and what to look for. In Ghana, one in eight pregnancies is to an adolescent and thirteen percent of all births are to adolescents. The team also explained the health risks involved in teenage pregnancies and informed the students that there is a higher risk of complications and miscarriages when the mother is young. The socioeconomic and emotional implications of becoming pregnant at such a young age were also discussed among the group.

The students were then told that girls can get pregnant at any time in the month, whether they are on their period or not, which some of the girls were surprised to hear. Likewise, they were reminded that even if a boy does not ejaculate, girls can still get pregnant. This further brought to light the importance of correct and consistent condom use which was why the students were given specific directions on how to use them. The team then spoke about abortion in Ghana. Despite liberalization of the law, women’s access to abortion services is extremely limited and unsafe abortion continues to be a leading cause of maternal mortality in Ghana.

The final aspect discussed in the Human Rights School was the effect of pregnancy on both the mother and father and how responsibility is equal when an adolescent becomes pregnant. The repercussions of unprotected sexual intercourse can be grave and this is a point the volunteers saw very serious and prevalent problem in many communities in Ghana. According to The Independent at least one thousand minors are defiled every year.1 Indeed, there have been several reports of defilement occurring this month. For instance, a teacher at a private school in Mamprobi in Accra was arrested for defiling four minors.2 However, this is only one example from many and is by no means an isolated case.

As PAHO is yet to establish links in Pram Pram, the outreaches took place in and around Abokobi. In the month of November, volunteers attended outreaches in three small communities on the outskirts of Abokobi. PAHO volunteers visited Aboman on 4th November, Panting on 11th November and, lastly, Drivergh on 18th November. For each presentation, there were around thirty people present.

Defilement occurs when someone over the age of sixteen has sexual intercourse with someone under the age of sixteen and it is always illegal. PAHO recognizes the importance of educating the communities about defilement and the damage that it can cause to people’s lives. It is necessary to inform the public of some of the warning signs to look out for, such as the offender paying extra attention to a child or buying them gifts, often in secret.

In cases of defilement, the offender is usually very well known to the victim, perhaps a family member, a neighbour or a teacher, and they use their close connection to the victim to continue the abuse. Victims of defilement frequently do not tell anyone about this abuse until much later, often many years later. Much of the time this is because they do not feel safe from their attacker or because they did not initially realize that what happened to them was wrong or, maybe, because they thought it was their fault. Further, many victims of defilement and their families often do not report instances of sexual abuse because they do not want the stigma attached. Therefore, PAHO feel it pertinent to reach out to the communities around Accra and stress that victims of defilement have never done anything wrong and should never feel ashamed to report what has happened to them and seek the help that they need and deserve.

From the outreaches in November, the team has noted that members of the community have struggled to accept defilement when the person being defiled is a teenage girl of about fifteen years of age. Clearly, many members of the community fail to see the legal problem with a girl of this age having consensual sex. However, under Ghanaian law a person under the age of sixteen is still a child and has no legal capacity to agree to have sexual intercourse. Therefore, even if a person under the age of sixteen agrees to have sexual intercourse with someone over the age of sixteen it is still defilement and can still carry a prison sentence of between seven to twenty-five years in Ghana.

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In Drivergah, the volunteers were particularly concerned to hear one woman express her views on the pointlessness of reporting defilement if the young girl who was defiled had not told anyone until one week later and had already bathed. In this woman’s mind, all the physical evidence from the attacker would have been destroyed and so there would be no point reporting it to the police. The same woman gave the example of a scenario in which a young girl is raped by a boy whilst walking home. The boy happens to attend the same school as the girl and, thus, the woman did not feel that it should be reported to the police. This echoed the sentiments of one woman in Panting the previous week, who was more concerned with maintaining harmony among the community than reporting a serious, life-destroying crime.

For the Community Advocacy team, this reaffirms the need for such outreaches in the small communities surrounding Accra, as many people are ignorant of the law. Certainly, as defilement is such a widespread problem in Ghana, many members of these communities may know of instances where defilement is occurring or has occurred but have not reported it. Often, PAHO volunteers have found that members of the public are not aware that even if they are not directly involved in a case of defilement, if they fail to report defilement to the police then they too are committing a crime and could face imprisonment.

Another particularly common complaint regarded the slowness of the Domestic Violence and Victim Support Unit (DOVVSU). DOVVSU is a unit of the police that is specifically designed to help the victims of domestic violence and child abuse and to prosecute any offenders.

Several people said they could spend the entire day at DOVVSU and not make any progress in reporting a crime. This appears to have disheartened many members of the community to report any instances of sexual violence to the police. Sadly, the volunteers have noted that this was a common theme among all three communities. Nevertheless, this has highlighted the importance of the discussions after the presentations as PAHO can pass this feedback on to a contact at DOVVSU. Whilst defilement has been the main focus of November for the Community Advocacy team, sexual violence as a whole is of great concern for PAHO, and this has been reflected in the format of outreaches for the month. Indeed, every presentation began with an outline of what sexual violence is, why it should be reported to the police, and the processes involved in reporting sexual assaults.

From the discussions generated by the presentations, the volunteers deduced that the most pressing issues concerning sexual violence are marital rape and the lack of awareness concerning the laws in regards to informing your sexual partner if you have HIV or any other sexually transmitted disease. Further, members of the community required clarification over the differences between rape and defilement, and also whether defilement occurred if two people under the age of sixteen had sex with each other.

On the whole, the communities looked interested and conscious that sexual violence is an issue that needs to be solved. In Aboman, for instance, the volunteers actually had to re-start their presentation half-way through because some men arrived late to the presentation and other members of the community thought it important that they heard everything the volunteers had to say about sexual violence and defilement.

On balance, therefore, the Community Advocacy Project experienced some great successes in the month of November. The decision to focus solely on sexual violence proved a wise one and the information the team was able to impart on the communities was incredibly valuable and much needed. Whilst there was some resistance to the information from one or two individuals, the volunteers were pleased to see the communities on the whole responding with overwhelming positivity to the presentations. The fact that one community asked the team to re-do one presentation so the latecomers could hear it in full, reinforced the already strong belief in the validity of the work PAHO does in the small, rural communities.

SOFAID

Schools of Old Fadama Adequacy Improvement Drive

In December 2013 PAHO began profiling the schools of Old Fadama, and conducting an Educational Needs Assessment of eight of the twelve schools within the boundaries of the Old Fadama Slum. All of the new PAHO projects that will derive from this Educational Needs Assessment will fall under the umbrella of the Schools of Old Fadama Adequacy Improvement Drive (SOFAID).

The Ghanaian government fails to supply basic services in Old Fadama and, consequently, there are no government-funded schools. Instead, there are twelve privately operated schools. However, Old Fadama is a community with incredibly high levels of deprivation and, thus, schools cannot charge fees high enough to meet all its financial needs, resulting in poor conditions, insufficient...
resources and a general environment that is not conducive to productive learning.

In order to gather as much information as possible, PAHO visited eight schools in Old Fadama to observe them. Additionally, PAHO formulated a series of questionnaires to be used when interviewing people at each school. For each school, wherever possible, the team wanted to interview the headmaster or owner, and one teacher. However, this was not always possible and in most schools the headmaster or owner was not available and so the teacher was relied on to answer many of the general questions about the school.

In every school (apart from Futures First Academy), two students were surveyed. The children available at Futures First Academy were all too young to be interviewed. Where possible, the team wanted to interview one boy and one girl from each school, but occasionally this could not be achieved.

Ideally, the team would have interviewed more people at each school but due to the limited time period in which to carry out the needs assessment, this could not happen. Further, it was not possible to gather all the information the team wanted, as sometimes the respondents did not know the information the team sought. For example, it was frustrating at times when the headmasters or teachers could not tell the team how exactly how many children were in each year or each classroom, or what the attendance rate was like. However, this is indicative of the precarious nature of schools in the slums.

Nevertheless, the interviews provided an outline of what the schools in Old Fadama are like and the major areas in which they are lacking. In fact, the information gathered was still extremely useful and sufficient to direct PAHO’s future plans for 2014.

For instance, the team found that every school lacked supplies in the same areas. There was not one school assessed that was not in desperate need of furniture, textbooks, exercise books, and writing materials. Moreover, in every school, the teachers had little or no training.

Further, the team was surprised to learn that some of the children who attend schools in Old Fadama actually live outside of Old Fadama. Usually, their parents work within Old Fadama and so find it easier to enrol their children in Old Fadama schools, close to where they work.

In fact, from the children the PAHO team interviewed, it became clear that the overwhelming majority of parents, particularly the mothers, were market workers. The yam market in Old Fadama seemed to employ more parents than anywhere else. Indeed, with the exception of two of the fathers, who were a scrap dealer and a welder within Old Fadama, all of the parents either sold food or provisions.

The intention of this report is to provide a brief overview of the most significant information gathered from the Educational Needs Assessment carried out by PAHO.

The report will begin by listing the basic information from each school, such as number of children and teachers. Following this, the school fees and any additional costs imposed on parents will be outlined and the conditions of the schools as well as the electricity and sanitation situation will be detailed.

### BASIC FACTS

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<td>3</td>
<td>1</td>
<td>1.25-14</td>
</tr>
<tr>
<td>FF</td>
<td>113</td>
<td>6</td>
<td>4</td>
<td>2-12</td>
</tr>
<tr>
<td>VF</td>
<td>50</td>
<td>4</td>
<td>1</td>
<td>3-14</td>
</tr>
<tr>
<td>BECG</td>
<td>317</td>
<td>10</td>
<td>10</td>
<td>Unknown-23</td>
</tr>
<tr>
<td>PQ</td>
<td>300</td>
<td>11</td>
<td>9</td>
<td>1-17</td>
</tr>
</tbody>
</table>

Further, a consideration of the school meals and whether drinking water is provided at the schools will be included in this report. Moreover, the report will include a consideration of the health provisions the school has made. The training and satisfaction of the teachers will also be included in detail; followed by a brief outline of what the team found out about the attendance of each school.

The report will conclude with a brief evaluation of the needs assessment, and then recommendations from the information gathered.

The schools visited were:

- Agape Love Preparatory School (AL)
- Showers of Blessings Prep School (SH)
- Blessed Complex School (BC)
- By His Grace Preparatory School (BHG)
- Futures First Academy (FF)
- Victorious Faith School (VF)
- Bethel ECG School (BECG)
- Polina’s Queensland School (PQ)

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**Figure 1:** Number of students v school capacity

![Number of students v school capacity](image)
FEES/COSTS

<table>
<thead>
<tr>
<th>School</th>
<th>Fees (GHC)</th>
<th>Daily Feeding Fee (GHC)</th>
</tr>
</thead>
<tbody>
<tr>
<td>AL</td>
<td>5.00 per month</td>
<td>0.70</td>
</tr>
<tr>
<td>SB</td>
<td>0</td>
<td>1.00</td>
</tr>
<tr>
<td>BC</td>
<td>10.00 admission</td>
<td>1.00</td>
</tr>
<tr>
<td>BHG</td>
<td>0</td>
<td>1.00</td>
</tr>
<tr>
<td>FF</td>
<td>0</td>
<td>1.50</td>
</tr>
<tr>
<td>VF</td>
<td>37.00-45.00 per term</td>
<td>1.00</td>
</tr>
<tr>
<td>BECG</td>
<td>55.00-70.00 per term</td>
<td>1.00</td>
</tr>
<tr>
<td>PQ</td>
<td>35.00-45.00 per term</td>
<td>1.00</td>
</tr>
</tbody>
</table>

In addition to the school fees and feeding fees listed in the table above, all the schools apart from Showers of Blessing Preparatory School impose additional costs onto the parents. Showers of Blessing Preparatory School is the exception as it does not have school uniforms, and so parents do not need to buy them for their children. Also, the teachers at Showers of Blessings Preparatory School will, whenever they can afford to, buy exercise books for the children. However, the teachers’ salaries are poor and thus, they cannot afford to buy any textbooks, resulting in the school possessing no textbooks whatsoever.

For the schools that do not charge any school fees, the feeding fees must be used to pay for all expenses. Indeed, while most of the feeding fees are directed towards paying for the children’s meals, they are also used to pay for teachers’ salaries and the rent, in addition to paying for furniture and resources. Therefore, it is unsurprising that many parents have to pay additional costs on top of the feeding fees. For instance, parents are usually made to pay for uniforms, exam fees and exercise books. At some of the schools, parents are also asked to buy textbooks for their children, buy few actually do.

In fact, PAHO observed that at most of these schools, the staff actually met some of these additional costs as well. Indeed, it appears to be common for the Headmasters or teachers to buy textbooks, exercise books and writing materials for the school.

ELECTRICITY

Bethel ECG School was the only school visited that did not have electricity. All the rest had some form of electricity, with half the schools benefiting from free solar energy provided by Energy For Old Fadama, a local NGO.

CONDITIONS/NEEDS

In every school assessed, the conditions were poor. As already mentioned, all eight schools appeared to be lacking in the same areas; namely furniture, textbooks, exercise books and writing materials. Clearly, therefore, there would be an immediate improvement in the conditions of the schools if this could be rectified, even partially.

Further, one of the most overwhelming complaints from both teachers and students alike, and one that was immediately observable, was the distinct lack of space at each of the schools. At every school, it was found that if there was more space, the conditions would improve markedly.

Two of the schools actually have the opportunity to increase their space considerably if sufficient funds were available. Indeed, Showers of Blessing Preparatory School has a derelict building adjacent to the already existing classrooms, and if funds could be raised to refurbish it, the teacher interviewed estimated that the school could accommodate between three and four hundred more children. Similarly, there is a plot of land immediately next door to Polina’s Queensland School, which is available for purchase. The owner of the land is eager to sell the area to the school, but the school cannot afford to buy it.

Additionally, as well as more space, many of the schools need considerable work to their infrastructure to improve the conditions of the school, or at the very least make them safer. Bethel ECG School stands out particularly in this regard. The school building is extremely substandard. Subsidence causes the building to move on occasions and the steps leading to the JHS classrooms are steep and dangerous to pass, and the lighting is incredibly poor. The staff members interviewed at Bethel ECG said that improvement to the infrastructure of the school was the most pressing issue and one that needed to be addressed as soon as possible.

SANITATION

In all the schools, PAHO found that the sanitation was extremely poor. So much so that if it rains, the schools became so unsanitary that children simply do not attend school.

Further, most of the schools did not have any toilets or urinals, and pupils had to leave school premises to use a public toilet.
DRINKING WATER

Does the School Provide Drinking Water?

![Figure 4]

Only Blessed Complex School and Bethel ECG Schools do not provide water for the children. All of the six other schools provide some form of drinking water. However, three out of the six schools that provide water for their pupils to drink state that they do not provide enough water. Unsurprisingly, lack of money was cited as the main reason for this.

At the Victorious Faith Academy, for example, there are not enough water containers for all the classes due to lack of finances. Consequently, the nursery and kindergarten classes have to share with the older ones. The teacher and one of the pupils interviewed both separately stated how there is no water by the end of the day as the younger children have spoiled the water in the containers.

MEALS

Every school assessed provided a daily meal for the children, at an additional cost of between 70 peswas and 1.5 cedis, with schools most commonly charging a feeding fee of 1 cedi a day.

However, for the schools that do not charge school fees, the feeding charge is also used to cover all other costs as well, which makes it much more difficult to accurately gauge how much money exactly is put towards providing food for the children.

The teacher from By His Grace Prep School also expressed her frustration at the struggle the school faces with feeding the children, particularly as the school does not charge school fees, and so relies solely on the one cedi a day per child to pay for everything at the school, including a daily meal.

ATTENDANCE

None of the schools interviewed could provide an accurate indication of their attendance rate. However, generally, the attendance rates were deemed to be quite good. The school that particularly stood out for having poor attendance, however, was the Showers of Blessings Prep School as, on average, a pupil will miss one or two days of school per week because their parents cannot afford to send them every day.

Throughout the eight schools, the main reason cited for absences was a lack of money. However, other contributing factors were illness and also travelling. It was also noted that if it rains, then all the schools in Old Fadama stand empty, as the conditions in all of the schools are too unsanitary in the rain. However, just walking across Old Fadama to get to school is also unsanitary, and so parents keep their children at home.

HEALTH PROVISIONS

Blessed Complex School had the most visits by a healthcare professional, with a community nurse visiting the school once a month. By His Grace Preparatory School also benefits from community nurse visits, however at a more infrequent rate of one every three months.

Bethel ECG School and Polina’s Queensland School do not receive any community nurse visits, but do have Projects Abroad medical volunteers attending the school on a semi-regular basis.

Agape Love Preparatory School and Showers of Blessing Preparatory Schools have absolutely no health provisions, and are only visited by health care professionals when there is a national immunization programme. Throughout the schools, there was only one teacher, at Futures First Academy, that was trained in first aid. Additionally, the schools do not have first aid supplies and if a minor injury occurs the teachers will either have to go to a pharmacy to get supplies, or they will send the injured child to one. Given the fact that there are no hospitals or clinics within Old Fadama, for more serious injuries the schools have no option but to send the children outside of Old Fadama to seek medical assistance.

![Figure 5 - Health provisions made for the school in regards to medical check ups]

TEACHERS

The experience and qualifications of the teachers seemed very low, with only three out of the eight teachers interviewed having five years or more of teaching experience, and two of the teachers having only one year.

The training that the teachers have undergone is also worryingly low. While all of the teachers at the schools have completed their SHS. It appears, that with the exception of the JHS teachers at Bethel ECG, none have any Higher Education teaching qualifications. In fact, the headmaster of Blessed Complex School does have a High National Diploma, but that is in auto mechanics rather than anything teaching related.
However, three teachers interviewed have benefited from Projects Abroad Teacher Training in the past, and the teacher from Futures First Academy did go though one week training with another NGO. Encouragingly, all teachers interviewed expressed a keen interest in more Projects Abroad Teacher Training organised by PAHO.

The levels of satisfaction among the teachers interviewed was low. None of the teachers questioned were happy with their salary, with one JHS teacher at Bethel ECG stating that it was below the minimum wage.

The general satisfaction over working conditions was higher than the satisfaction over pay, but was still not overwhelming. In fact, most teachers were not satisfied with the conditions in which they worked, with lack of resources, furniture and space being cited as the most common reason. However, one of the teachers from Bethel ECG stated a lack of motivation from the students as a major contributing factor to his difficult working conditions.

The teacher, who is also the Headmaster, interviewed at Blessed Complex School said that his working conditions are satisfactory. Further, the teacher interviewed Polina’s Queensland School stated his passion for teaching made the working conditions satisfactory, however, it must be noted that Polina’s Queensland is, arguably, the school with the most favourable environment and infrastructure.

**EVALUATION**

On balance, this Educational Needs Assessment illuminated a number of problems affecting all of the schools in Old Fadama. Indeed, given the absence of any government funding whatsoever, coupled with the fact that most residents of Old Fadama live in such abject poverty that they cannot afford to pay even the most moderate of school fees, it is hardly surprising that the schools suffer several deficiencies.

It is evident that if the schools were able to increase their school fees, it would allow them to improve conditions in the school marginally. However, PAHO’s research found, unsurprisingly, that this is not a viable option as many parents can barely afford the school fees as they stand, as can be illustrated by frequent absences of children due to financial reasons. Further, the recognition of the importance of education is also disturbingly low in the slums and if fees were to increase, it is a real possibility that parents will remove their children from school altogether and find a cheaper daycare alternative.

Therefore, the schools within Old Fadama require outside help in order to improve their standards and the overall learning environment of the children. After completing this needs assessment, PAHO feel that it is in a position to provide assistance to the schools of Old Fadama, both immediately, and in the long-term, and the recommended projects for SOFAS will be outlined in the succeeding, and final, section of this report.

**RECOMMENDED FUTURE PROJECTS**

The research conducted by PAHO illuminated a number of possible projects that would be hugely beneficial for the children and teachers of Old Fadama by improving the schools within it. All of these projects would come under the umbrella of SOFAS.

Projects for the immediate future

The research identified a distinct lack of books in all Old Fadama schools, thus in January 2014, PAHO volunteers should begin a book drive, with the aim of providing each school child with an exercise book and restocking the greatly depleted supplies of textbooks.

Speaking to the teaching staff and the owners of the schools provided a useful insight into the mindset of the parents of Old Fadama. It became clear that many parents do not fully appreciate the importance of education. For instance, the owner of the Futures First Academy stated that only around thirty percent of the parents at his school think that it is important for their children to have an education. Rather, the owner stated, the majority of the parents use it as a form of daycare for when they are at work. For this reason, the owner explained that the school could not impose school fees or raise the feeding fee as many parents would simply remove their children from the school and find a cheaper daycare alternative. Thus, in the new year PAHO should begin compiling research on the importance of education so that volunteers can conduct outreaches throughout Old Fadama promoting the value and necessity of parents sending their children to school.

PAHO also discovered that in all but one of the schools surveyed there were no teachers trained in First Aid. Additionally, no schools have first aid supplies on the premises and had to visit a pharmacy after a child had been injured. Consequently, it is imperative that the teachers are trained in basic first aid, and PAHO volunteers should consult with the Projects Abroad
Medical Coordinator and assist with any arrangements necessary for the implementation of first aid training.

Following the needs assessment, it became clear that most of the teachers are under-trained for their positions and are eager for more training. The three teachers interviewed who had undergone Projects Abroad Teacher Training were extremely satisfied with the training that they received and asked for more. In fact, all eight schools agreed to take part in Projects Abroad Teacher training, and, subsequently, PAHO volunteers should strive to make sure that this training project recommences as soon as possible in 2014.

Lastly, one of the major problems identified in every school was a lack of space. Not only would school expansions improve the conditions for the children and teaching staff already present, it would allow for the schools to take on more pupils, thus giving more children in Old Fadama the opportunity to get an education. PAHO should consider carrying out a cost assessment for school expansions, with a particular focus on Showers of Blessings Preparatory School and Polina’s Queensland School, as these two schools have clear options in regards to expansion but just lack the funds to start.

**Long-term Projects**

In all of the schools, both the teaching staff and the children alike expressed their desire to have access to computers in order to teach the children ICT. Indeed, a sound knowledge of ICT is essential for the children’s futures as computers are such a pervasive aspect of modern life. In fact, Agape Love Preparatory School, Bethel ECG, Polina’s Queensland School, and By His Grace Preparatory School all teach ICT as a subject. However, there are no computers and so the teachers are only able to teach ICT theory from textbooks. Obviously, the children would benefit extensively from a regular access to computers.

Therefore, one long-term goal of PAHO volunteers, in coordination with Mr. Frederick Opoku and Energy for Old Fadama (EFOF), should be the establishment of a Computer Laboratory in Old Fadama, that each school can use on a regular basis for ICT lessons.

Additionally, following the needs assessment, PAHO identified that there was no or insufficient amounts of drinking water supplied at the majority of the schools. Given the high levels of deprivation within Old Fadama, raising the school fees in order to afford to supply enough drinking water is not a viable option as the majority of the parents will not be able to meet the additional cost. Therefore, it would be useful for PAHO volunteers to consider ways in which more drinking water can be provided at the schools.
Human Rights in Focus
Human Rights in the Media: Gender based violence and rights of the disabled
Pippa Mulvey

The media has continued to focus on similar human rights issues in November as it has done throughout 2013. This month, a strong emphasis has been placed on advocating for the rights of persons with disabilities (PWDs), including both physical and mental disabilities, and pushing for their integration and acceptance into community life in Ghana. Given the heavy focus on this in November, much of this article will be dedicated to exploring any significant developments in the promotion of the disabled rights. However, another human rights issue prominent in the media in November was the occurrence of gender-based violence throughout the regions in Ghana and, therefore, it is necessary to consider what the media has to say on this matter as well.

The Government of Ghana is clearly concerning itself with promoting the rights of the disabled. For instance, this month the Minister of Gender, Children and Social Protection, Ms. Nana Oye Lithur, has inaugurated a board of National Council on Persons with Disability in order to address the needs and challenges of PWDs. According to Oye Lithur, the purpose of the board is to “facilitate the participation of PWDs in the national development process”.

The government is also utilising the Common Fund to assist persons with disabilities to partake fully in community life and the socio-economic development of the nation. For example, in the Adansi North District of the Ashanti Region, seventy people living with disabilities have been given a total of GH14,000 as part of the Common Fund. This money is intended to help the disabled with economic activities, education, medical treatment and buying of prosthesis. The benefits for those who receive funding are clear to see. For instance, the Daily Graphic highlighted how persons with disabilities who have used the fund are in some form of educational institution or economic venture. However, the Common Fund is not being utilised as fully as it could be, as can be illustrated by the fact that only three hundred and seven persons with disabilities have benefited from the fund since 2011. Subsequently, Mr. Timothy Kayelle, who is the Project Co-Ordinator of BasicNeeds, used the Daily Graphic as a platform to urge the government to make the Common Fund available to all persons with disabilities so that they can partake in small businesses and improve their lives whilst simultaneously contributing to national development.

Furthermore, the media called for greater inclusion for the disabled and greater interaction and understanding between persons with disabilities and those without. For instance, on 20th November, the Daily Graphic posited how prejudice and discrimination against PWDs can be reduced through interaction. Evidently, the discrimination and exclusion of children with disabilities leaves them extremely vulnerable to violence, neglect and abuse. In fact, the Daily Graphic revealed that children who are already suffering exclusion and stigma as a result of their disabilities are more likely to suffer physical abuse. Indeed, it is certainly true that children with disabilities are much more likely to be abused than children without disabilities.

However, it is not just persons with physical disabilities that the Ghanaian government and, of course, the media are concerned with this month. Following the Mental Health Act 846 of 2012, there has been increased attention paid to issues concerning mental healthcare and treatment. As directed by the Act, the Mental Health Authority Board was inaugurated on Tuesday 19th November 2013. When the Board was sworn in, the Minister of Health, Sherry Ayittey affirmed the government’s recognition of the importance of mental health and has promised it will receive priority attention from the government. For instance, Ms. Ayittey announced that hospitals would now have psychiatric wards to take care of psychiatric cases in an attempt to prevent the cases worsening and requiring long-term care.

At the moment, there are 20,320 people with mental illness and epilepsy registered with the Mental Health Society of Ghana (MEHSOG) from six different regions in Ghana. These members benefit from one of the one hundred and twenty self-help groups that have been formed. However, the Brong Ahafo Regional Minister, Paul Evans Aidoo, stated that he feels there are many more people suffering from mental illness who are not members of MEHSOG. He warned that not only are they likely to be incapacitated but they will not be contributing to national development.

Nevertheless, Mr. Aidoo welcomed the implementation of the Mental Health Board and the establishment of a Mental Health Authority, in line with the requirements of the new Mental Health Act, as a positive step in creating a development agenda that involved and benefited every member of Ghanaian society.

Further, the Minister of Health, Sherry Ayittey stressed the importance of community awareness campaigns to increase the public’s knowledge of mental health disorders, which are treatable and preventable, and highlighted the importance of the media’s role in making the public aware. Evidently, the media have taken this role particularly serious in the last few months.

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3 Lydia Ezit, “Minister inaugurates Disability Board”, Daily Graphic, Tuesday 26th November 2013
7 Paul Evans Aidoo, “Mental Health Board Inaugurated”
Moreover, whilst the media has frequently put issues concerning gender-based violence and sexual assaults at the forefront of its concern, the month of November has seen a rise in the number of articles relating to these abuses. It can be of no surprise that this increased attention has coincided with the launch of the 16 Days of Activism Against Gender-Based Violence from 25th November to 10th December 2013.

The devastating impact of gender-based violence cannot be underestimated. Indeed, it kills and disables the same number of women between fifteen and forty-four years of age as cancer does, and inflicts more damage on a women’s health than malaria and traffic accidents combined. The prevalence of gender-based violence in Ghana is startling. For example, in 2012 alone there were 10,432 sexual assaults were reported to the Domestic Violence and Victim Support Unit (DOVVSU) in the Greater Accra, Central and Ashanti regions.

Additionally, research conducted by the Gender Studies and Human Rights Documentation Centre and reported in the Daily Graphic, found that one third of Ghanaian women, from all backgrounds, live with an abusive man. Many women stay in abusive relationships because they do not want to cause any disruption to their children’s lives. They still want their children to grow up in a home with a male figure.

The Minister of Gender, Children and Social Protection, Nana Oye Lithur, at the launch of the 16 Days of Activism campaign, stressed the importance of involving men in any campaign against sexual abuse and gender-based violence, as they are the main instigators of this type of abuse. Oye Lithur rightly points out that men need to be involved in this campaign because they have more influence within communities to effect change than women do. She also wants a review of the school curriculum in order to change young people’s minds on the pre-existing gender-stereotypes in the hope that this will contribute to a reduction in gender-based violence in the future.

As stated by sociologist Max Webber in 1919, the state has the monopoly on the legitimate use of physical force. This is also known as the state’s monopoly on violence. The main instruments the state uses to control citizens’ behaviour and to maintain law and order in a country are the police and the military. Focusing further on the police, they are granted the privilege of using legitimate “non-negotiable coercive force”. The authority to use that force is not usually concerning, however the appropriate application of this authority is the central problem of contemporary police brutality.

The definition of ‘police brutality’ is the intentional use of excessive force by a police officer. This could refer to the use of physical force, but it could also refer to verbal attacks and psychological intimidation. The difficulty in establishing whether there is a case of police brutality is to decide what ‘appropriate force’ is and what ‘excessive force’ is. This is even harder to establish when one considers verbal attacks and psychological intimidation. To give an example, intimidation, to a certain degree, is accepted as one of the tools of the police when interrogating a suspect.

Another problem is that it is difficult to report police brutality. Citizens often do not feel safe reporting police brutality. This may be caused by a lack of trust and the fact that there is no impartial and independent unit to investigate accusations. It could be that citizens are not aware of the fact that the police officer has used excessive force. It requires the knowledge of what citizens’ rights are, before one realizes that rights have been violated.

Amnesty International reported that there have been some cases of brutality by police and security forces in Ghana, whereby violence and unlawful killings occurred. Further, the UN Committee against Torture recently expressed their concerns about impunity for police brutality and excessive use of force and, also, about the authorities admission that torture in detention centres was likely. However, due to its limited scope, this article will focus solely on the role of the police.

12 Ibid.
14 Appiah, “Involve men in gender-based violence campaign”
15 “Annual report Ghana”, Amnesty International
17 E. Bittner, The Functions of the Modern Police, (Delschlag, Gunn & Hain), 1970, p. 56
Focusing further on Ghana, the Ghana Police Service (GPS) is the main law enforcement agency. It is mandated by Article 200 of the 1992 constitution of the Republic of Ghana, and the Police Service Act 1970 (ACT 350). The Constitution mandates the GPS to operate on democratic policing principles, whereby the core functions of the service are:

1. To protect life and property,
2. To prevent and detect crime,
3. To apprehend and prosecute offenders,
4. To maintain public order.19

It is clear that brutality performed by the police does not coincide with any of these functions. In Ghana, the constitution and the law prohibit such practices. It is clear to see the severe consequences of police brutality in a country. For citizens, the Police Service is the symbol of law and order and for that reason misconduct, such as police brutality, can result in a loss of trust in both law enforcement agencies and the judiciary force, decreased morale, and conflicts between the police and citizens.20 It can lead to the legitimacy of the police and the state as a whole being questioned. The concept of legitimacy pertains to how power is used in ways that citizens consciously accept.21 Conflicts between citizens and police can affect this acceptance. When the police lose their legitimacy in the eyes of the citizen, are they not to be considered criminals?

At this point there are no statistics available for Ghana concerning the extent of police brutality. For that reason it is difficult to establish what the magnitude of the problem is. There are few stories about police brutality in the media and it is difficult find previous research about Ghana. Indeed, there are reports of severe beatings of suspects in police custody throughout the country, but there are no reports in official channels.

According to Justice of the High Court Kofi Essel Mensah, who presides over all cases on human rights, police brutality is now one of the major human rights violations in Ghana. In the last couple of years, the PAHO team have been given the opportunity to visit the Human Rights Court on a regular basis, to allow them to work as a mechanism to increase the awareness of important human rights topics in Ghana. Additionally, these visits provide the opportunity to monitor how human rights cases are handled by the judicial system. Over the years, there have been several opportunities for volunteers to speak with the judge and the topic police brutality was discussed multiple times.

The judge was worried about the current situation but did suggest the use of social media will have an important influence on the decrease of brutality performed by the police. In recent times, it is more likely that citizens will capture police brutality on their camera phones, and then could either post the video on the internet or send it to television stations. These actions exert more pressure on the state to do something about the behaviour, to conduct independent reviews on the sources of such matters, and to genuinely do something about it. Until now it seems it has not been a point of particular concern for politicians. Or at least, for example, the few incidents which has been reported are concerned only with the incident itself and not about how the incident has been handled by the authorities.

Corruption: Ghana and Italy

Carlo Bartolini

Looking at the Corruption Perceptions Index 2012, Ghana and Italy seem to have something in common; that is the high levels of corruption in both countries. Transparency International, the global civil society organization leading the fight against corruption, defines corruption as the abuse of entrusted power for private gain. Corruption can be classified as grand, petty and political, depending on the amounts of money lost and the sector in which it occurs.22

Grand corruption consists of acts committed at a high level of government that distort policies or the central functioning of the state, enabling leaders to benefit at the expense of the public good.23

Petty corruption refers to the everyday abuse of entrusted power by low- and mid-level public officials in their interactions with ordinary citizens, who are often trying to access basic goods or services in places like hospitals, schools, police departments and other agencies.24

Political corruption is a manipulation of policies, institutions and rules of procedure in the allocation of resources and financing by political decision makers, who abuse their position to sustain their power, status and wealth.25

There are several tools to measure the extent of corruption in a country.

The Corruption Perceptions Index ranks countries on how corrupt the public sector appears to be. Scores range from 0 (highly corrupt) to 100 (very clean). It includes 176 countries.

Ghana ranks 45th out of 176 with a score of 45 out of 100 and Italy 72th and 42 respectively.26

The Control of corruption reveals the perceptions of the extent to which public power is exercised for private gain. Scores range from about -2.5 to 2.5. Higher values correspond to better governance outcomes.

Ghana ranks 60% out of 100% with a score of 0.08 and Italy 57% and -0.04 respectively.27

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23 Ibid.
24 Ibid.
25 Ibid.
27 “Control of corruption 2010”, Transparency International,
High levels of corruption can be equated with high levels of human suffering and it may lead to failings in the delivery of important services, such as education or healthcare. The main victims of corruption are always the poorest and most vulnerable people in society.

Ghana is often cited as one of the major emerging democracies in Africa. The country seems to have a reasonably well-functioning democracy, political elections seem to be transparent, free and fair, including the right to vote, compete for public office and to elect representatives. Nevertheless, there are still many reports and indicators suggesting that corruption continues to be widespread and affects many sectors in the country.28

The Global Corruption Barometer 2013 shows that Ghana continues to have high levels of bribery, with 79% of respondents reporting that they paid a bribe to the Police and 57% to the Judiciary in the 12 months preceding the survey. In addition, 92% of respondents felt that the police were corrupt, 76% felt that political parties were corrupt and some of respondents believed that the Judiciary, education sector and private business were also corrupt.

Moreover, most Ghanaians believe that the level of corruption increased dramatically over the past two years, creating a particularly serious problem in the public sector. They also believe that the government’s actions in its fight against corruption are ineffective.29

Further, the weakness of Ghanaian political parties seems to be caused by insufficient funding, lack of transparency and low organizational ability.

However, the corruption in the private sector seems to have decreased in the last few years, and several sources assert that corruption in Ghana is not as severe as in other countries in West Africa.30 However, many companies still claim that they face corruption and requests of bribes when operating in Ghana.

In fact, there are many areas in which private business might encounter risks of corruption. For instance:

- Companies should be aware of the possibility of encountering requests for bribes from the police when dealing with court matters and vehicle registration as well as the transportation of goods.
- Companies will have difficulty requiring perfect transparency in locally funded contracts, which seem to be hot spots for corruption.
- The presence of state administration in remote areas is limited, and companies might be subjected to corruption when working in rural places.
- Many companies choose to settle disputes out of court because of insecurity and the difficulty in making contracts caused by the parallel existence of Ghana’s traditional court system and the British based one.31

Moreover, while Ghana has a strong legal anti-corruption framework in theory, it still faces implementation challenges in practice. The Ghanaian Criminal Code criminalizes both active and passive bribery, extortion, willful exploitation of public office, and the use of public office for private gain, irrespective of the nationality of the bribe payer or taker. Direct and indirect corruption is illegal, as well as attempting, preparing or conspiring to bribe and, both the agent and principal are liable.32

At the national level, policies against corruption have focused on establishing an adequate institutional framework, through the establishment and strengthening of a number of anti-corruption bodies. For example, the Commission on Human Rights and Administrative Justice (CHRAJ) was established in 1992 with the stated aim of investigating violations of human rights, including corruption of public officials, and taking action to remedy proven violations. CHRAJ has three mandates, relating to human rights, the role of the ombudsman, and anti-corruption and its independence is guaranteed by the constitution.33

Until recently, the Serious Fraud Unit (SFU) was the second main anti-corruption body in Ghana. It was established in 1993 as an independent government body in charge of monitoring, investigating and, on the authority of the Attorney general, prosecuting corruption. The SFU has recently been replaced by the Economic and Organized Crime Office to address some of these concerns.34

CHRAJ and the SFO have been criticized for lacking independence and being subject to political pressure. Civil society considers CHRAJ to be strong on human rights violations but relatively weak on corruption, possibly due to the institution’s lack of economic independence from the government.

This implementation gap is reflected by the country scoring very well in terms of the quality of its anti-corruption law but very poorly in terms of law enforcement in Global Integrity 2009’s scorecard.35

Similarly, corruption remains a central issue in Italy as well. Italy has been ranked 72th out of 172 countries surveyed in Transparency International’s 2012, the second-lowest ranking in the European Union.
Global Corruption Barometer 2013 shows that Italy does not, in fact, have high levels of petty bribery, with only 4% of respondents reporting that they paid a bribe to the police and 12% to the judiciary in the 12 months preceding the survey. On the contrary, 89% of respondents felt that political parties were corrupt. Further, 77% felt that the Parliament and legislature were corrupt and some of respondents even believed that public official (civil servants), private business and medical and health services were also corrupt.

Moreover, as is the case with Ghana, most Italians believe that the level of corruption has increased extensively over the past two years and that it is a serious problem, especially in the public sector. In addition, most Italians believe that the Government’s actions in the fight against corruption are ineffective.36

The high level of corruption also weighs heavily on an already fragile economy. Indeed, Italy’s Crown Court of Auditors showed that corruption discourages foreign investment and it costs the Italian economy €60 billion a year.37

On the other hand, Italy has a comprehensive foreign bribery framework for prosecuting bribery and a variety of sanctions against companies and individuals. Italy has a broad foreign bribery law, which applies to companies and several Italian companies have put in place comprehensive anti-corruption compliance programs and internal controls.38

Further, anti-corruption laws extend to the private sector as well, although until 2012 Italian legislation only sanctioned corruption when it took place between private citizens and public officials. However, the law has also introduced new criminal offences into the penal code, such as ‘influence peddling’, which is the use of personal connections to obtain favours or preferential treatment. It also seeks to protect the anonymity of government officials who act as whistleblowers and forces public bodies to be more liable by obliging local and regional administrations to instigate anti-corruption plans. In addition, the bill will also make the punishment for public officials convicted of corruption more severe.39 Given the endemic corruption in Italian society, Transparency International has called for Italy to establish a credible and independent anti-corruption watchdog to seek to eradicate this social evil.

Corruption is an easily hidden crime and, usually, it only comes to light through scandals, investigations or prosecutions. There is no significant way to evaluate the exact levels of corruption in countries or territories on the basis of empirical data. Comparing bribes reported, the number of prosecutions brought or studying corruption court cases cannot be taken as definitive indicators of corruption levels. Capturing perceptions of corruption is the most reliable method of comparing relative corruption levels across countries.40

In conclusion, Ghana and Italy seem to have high levels of corruption. To evaluate the indicators of corruption, Transparency International have used nine sources for Ghana and seven for Italy.41 When studying corruption and assessing its extent across different countries, it is necessary to consider the limits, such as a lack of empirical data. Any future research directed at comparing the levels of corruption in these two different countries, Ghana and Italy, one developing and the other one developed, needs to consider many factors, such as the freedom to access data and information, the ease in establishing agreements with local authorities to fight corruption, and the socio-economic and cultural status of the people surveyed. A consideration of all these factors combined would lead to a comprehensive comparison on the levels of corruption in these two countries, which is much needed in order to eradicate this criminal offence from both societies and provide them both with a platform for a better future.

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36 Global Corruption Barometer 2013, Transparency International
39 “Italy: The State of corruption”, Risk Advisory

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Human Rights Court Report

Pippa Mulvey

In November, volunteers from PAHO visited the Human Rights Court twice, on 5th November and 22nd November 2013, to observe sessions overseen by the High Court Judge, Kofi Essel Mensah. Following the conclusion of both sessions, the volunteers were able...
to speak privately with Judge Mensah in his office.

In both instances, upon arrival the volunteers immediately noted a difference between Ghanaian courts and western-style courts. For instance, the room was quite small and informal. Additionally, the interpreter made mistakes and was often corrected by the judge or by the public for not translating quite right. Further, the Judge made jokes to the lawyers and the public, which surprised the volunteers considerably as they were expecting the judge to remain professional at all times. Indeed, at one point he made a joke about an applicant’s wife leaving him when he was imprisoned.

Frustratingly for the volunteers, everyone spoke really quietly so the volunteers at first struggled to understand what was happening, which has been a frequently cited problem for all the court visits this year.

On 5th November, two volunteers attended a session of the Human Rights Court. The first case involved a group of employees who were suing the Volta River Authority. However, the case did not progress as a docket was missing and the judge would not proceed without first looking at the docket. Similarly, the second case did not proceed, as the defendant did not turn up.

Consequently, the session quickly moved on to the third and last case, which pleasingly for the volunteers was a very interesting one. This concerned the wrongful imprisonment of a man for fourteen years and he, as the Applicant, was suing the state for damages. At present, the case has been ongoing for about one year.

The applicant was arrested for an armed robbery that occurred in James Town. He was arrested during a police swoop of a beach when he was buying fish. However, he was not involved in the robbery whatsoever and was innocent but was lost in the system and eventually forgotten about. His friends and family did not have the financial means to fight to get released from prison. In fact, they did try and get him released twice, but soon ran out of money and resources.

It was clear to the volunteers that the intention of this session was to determine the consequences and losses caused by the applicant’s wrongful imprisonment for such a long time. Subsequently, the court heard from two witnesses close to the applicant before his arrest.

The first witness was a forty-five year old man whose niece was married to the applicant at the time of his arrest. This man attested that the applicant had lost everything and was now in poor health and ‘looked like an old man’. The witness told the court that at the time of the applicant’s arrest, he owned a motorbike repair business. He was also married and had one son, who was six years old when he was arrested.

Following his arrest, his wife divorced him and she is now re-married and living in Takoradi.

The court also heard from the Applicant’s son who is now twenty-four years old and a driver’s apprentice (mate). The son explained to the court that he did not complete his education because his mother could not afford to send him to school following his father’s arrest. He told the court how he believed that he would have been able to finish school if his father was not wrongly imprisoned and, thus, still earning. Following these two witness accounts, the case was adjourned to give the lawyers enough time to prepare their subsequent arguments.

Three volunteers from PAHO returned to the Human Rights Court on 22nd November to hear another session. In total, there were three separate disputes during this session; however, the third case was rescheduled outright due to the absence of one of the parties.

Nevertheless, the volunteers were able to hear the two other cases. As usual, the volunteers had difficulty understanding all the particulars of the case for the same reasons as has already been outlined, although the volunteers were able to gather enough information to follow what was happening.

The first case concerned an illegal transfer of an Electricity Company of Ghana (ECG) account by a syndicate. It appears there had been illegal activity within a company’s computer system and illegal documents had been filed when there was a lapse in the computer system and consequently, some ECG accounts were illegally transferred. The court heard from a witness and then adjourned the case until a later date.

The second case was surrounding an application for interest. The applicant was asking for the interest from an account over a one-year period. The problem was that the parties to the dispute had previously agreed on a settlement in which there was a fixed interest amount that had already been paid and asking for more was not in the best interest of justice. The judge outlined that the Applicant could not go beyond the pre-arranged agreement and ask for a separate amount because everyone is bound by the terms of a settlement.

Following the end of both sessions, the volunteers were fortunate enough to speak to the judge. Judge Mensah has been a High Court Judge for two years and said that the case from the session on 5th November concerning the wrongful imprisonment was one of the most interesting cases he has heard. The judge informed the volunteers that it had initially taken a long time to get the case off the ground as the state had asked to talk to the police first. The judge noted that the lawyer for the state did not really know what to say during the court session, and the fact that the state had not called any witnesses or provided any evidence indicated that the state knew that they were not going to win. Judge Mensah implied that he was going to award the Applicant damages but that he had not decided how much yet. He said that if this case were to have happened in the West, the Applicant would receive millions but that this would not be the case here. However, he suggested that the man would be comfortable.

When asked about the disorganized nature of the sessions, Judge Mensah informed the volunteers that a frequent problem with the court sessions is that the people involved in the cases sometimes do not turn up. Sometimes, he said, even the lawyers do not turn up.

The volunteers were informed that the most common cases in the Human Rights Court are to do with unlawful arrests and detentions. Judge Mensah said that this will not change any time soon and will only change once the police administration do something about it. He told how a police chief informed him that they are dealing with the offending officers internally, and so that will make getting justice even harder. Indeed, the judge noted that police corruption is the most pressing
human rights issue in Ghana at the moment.

When the volunteers asked about sentencing terms in Ghana, Judge Mensah expressed his concern about the huge amount of discretion judges are given when it comes to sentencing, and he said that is was very dangerous. For instance, with defilement, the term is seven to twenty-five years, and the judges alone can determine where on that range they sentence an offender. Although, he no longer presides over such cases, when asked, Judge Mensah said that if in the case of defilement the child was particularly young, he said that if in the case of defilement he would always give the highest possible sentence.

On balance, both court trips were very enlightening and provided the volunteers present with a number of useful insights into the Ghanaian legal system. The volunteers who attended the first session were delighted to sit in on such an interesting case and hope to remain aware of any updates to the case. The opportunities to converse with Judge Mensah at the end of the sessions were extremely worthwhile, particularly the discussions concerning police corruption and the sentencing terms. The volunteers look forward to returning to the in the near future to continue monitoring any current human rights cases.

Italia: Corruzione - Ghana e Italia

Carlo Bartolini


Per corruzione imponente si intende tutti gli atti commessi da alti funzionari statali che alterano e distorcono il funzionamento centrale dello Stato, consentendo ad essi di beneficiare a scapito del bene pubblico.

La corruzione trascurabile si riferisce ad abusi di potere che avvengono ogni giorno da parte di funzionari pubblici di medio-basso livello nelle loro interazioni con i cittadini, che spesso tentano di accedere ai beni o servizi di base in luoghi come ospedali, scuole, dipartimenti di polizia e altre agenzie. La corruzione politica consiste nella manipolazione di politiche, istituzioni e regole inerenti la ripartizione delle risorse e dei finanziamenti effettuate da rappresentanti politici, che abusano della loro posizione per sostenere il loro potere, status e ricchezza.

Ci sono diversi strumenti per misurare il grado di corruzione in un paese.

Il Corruption Perceptions Index classifica i paesi in base al livello di corruzione del settore pubblico. I punteggi oscillano da 0 (molto corrotto) a 100 (molto pulito). Esso prende in considerazione 176 paesi. Il Ghana occupa la 45esima posizione su 176 paesi, con un punteggio di 45 su 100 e l’Italia 72esima posizione con un punteggio di 42.

Il Control of Corruption indica la percezione dell’estensione del potere pubblico utilizzato per scopi privati. I punteggi variano da circa -2.5 a 2.5. I valori più elevati corrispondono a risultati migliori di governance. Il Ghana risulta avere un 60% con un punteggio di 0.08 e l’Italia un 57% e -0.04 rispettivamente.

Un alto livello di corruzione è correlato ad un alto indice di sofferenza umana, ad una maggiore possibilità nel fallimento nella fornitura di servizi basilari come istruzione e/o sanità. Le persone povere e più vulnerabili sono le prime vittime della corruzione.

Il Ghana è spesso menzionato come una delle democrazie più emergenti in Africa. Il paese sembra avere una democrazia abbastanza funzionante, elezioni politiche chiare, libere ed equa, incluso il diritto di voto, anche se alcune ricerche sottolineano come la corruzione sia tutt’oggi ampiamente diffusa e come continui ad influenzare molti settori del paese.

43 Ibidem
44 Ibidem
45 Ibidem
Il Global Corruption Barometer 2013 mostra come il Ghana continui ad avere alti livelli di corruzione, il 79% degli intervistati riporta di aver pagato una tangente alla Polizia e il 57% alla Magistratura nei 12 mesi precedenti l’indagine. Inoltre, il 92% degli intervistati ritiene che la Polizia sia corrotta, il 76% creda che i partiti politici siano corrotti e, in più, alcuni degli intervistati pensano fortemente che il potere giudiziario, il sistema educativo e le imprese private siano anche esse corrotte. La maggior parte dei ghanesi crede che il livello di corruzione sia aumentato molto negli ultimi due anni e che si tratti di un problema grave soprattutto nel settore pubblico. Inoltre, gli intervistati sottolineano come le azioni del governo nella lotta contro la corruzione siano inefficaci50.

La debolezza dei partiti politici del Ghana sembra essere causata da finanziamenti insufficienti, da una mancanza di trasparenza e scarsa capacità organizzativa. Dall’altra parte, la corruzione nel settore privato sembra essere diminuita negli ultimi anni, e diverse fonti affermano che la corruzione in Ghana non sia così grave come in altri paesi dell’Africa occidentale51. Tuttavia, molte aziende sostengono ancora che si trovano ad affrontare casi di corruzione e di richieste di pagamento di tangenti quando operano in Ghana.

Tuttavia, le imprese private hanno una discreta possibilità di imbattersi in casi di corruzione, specialmente in determinati settori52:

- Le aziende dovrebbero essere consapevoli della possibilità di imbattersi in richieste di pagamento di tangenti da parte della polizia, in caso di questioni giudiziarie e di immatricolazione dei veicoli, nonché per il trasporto di merci.
- Le aziende non possono pretendere una perfetta trasparenza nei contratti lavorativi a livello locale, che sembrano essere un bello hot spot per l’infiltrazione di corruzione.
- La presenza dell’amministrazione statale in aree remote è assai limitata. Quindi le aziende potrebbero essere soggette a corruzione quando si trovano ad operare in aree rurali.
- Molte aziende scelgono di sedere possibili controversie al di fuori dei tribunali, a causa dell’insicurezza e della difficoltà di provvedere ad un regolare contratto, causata dalla presenza in simultaneo di un sistema giudiziario ghanese tradizionale e di uno moderno di stampo britannico.

Tuttavia, il Ghana ha una forte legislazione anti-corruzione, ma deve ancora affrontare sfide di implementazione nella pratica. Il codice penale del Ghana prevede come fattispecie criminali la corruzione attiva e passiva, estorsione, sfruttamento intenzionale di una carica pubblica e l’uso di pubblici uffici per il guadagno privato. Forme di corruzione diretta e indiretta sono illegali, così come il tentativo, la preparazione o la cospirazione di un atto di corruzione dove sia l’ufficiale che l’agente sono entrambi responsabili53.

A livello nazionale, le politiche contro la corruzione si sono concentrate sulla creazione di un quadro istituzionale adeguato, attraverso la creazione e il rafforzamento di una serie di organismi anti-corruzione.

La Commission on Human Rights and Administrative Justice (CHRAJ) è stata istituita nel 1992 con lo scopo di indagare sulle violazioni dei diritti umani, tra cui la corruzione di pubblici ufficiali e, di fornire provvedimenti per porre rimedio alle violazioni accertate. La Commissione ha tre mandati - in materia di diritti umani, del difensore civico e sulla lotta alla corruzione - e la sua indipendenza è garantita dalla Costituzione54.

La Serious Fraud Unit (SFU) è stata per lungo tempo il secondo organo anti-corruzione più importante in Ghana. Tale unità fu fondata nel 1993 in qualità di ente governativo indipendente incaricato di monitorare, indagare e, sotto l’autorità di un Procuratore generale, perseguire la corruzione. La SFU è stata recentemente sostituita dalla Economic and Organized Crime Office per affrontare questi problemi sociali emergenti55.

Il CHRAJ e la SFU sono soggetti a critiche per la mancanza di indipendenza e per il fatto di essere soggette a svariate pressioni politiche. La CHRAJ è famosa per essere influente sulle violazioni dei diritti umani e relativamente debole sulla corruzione, forse a causa della mancata indipendenza economica.

Quindi, come sottolineato precedentemente, in Ghana esiste un divario molto ampio tra una serie di leggi anti-corruzione di qualità e una precaria ed insufficiente messa in pratica di esse, come evidenziato dal Global Integrity 200956.

La corruzione rimane una questione centrale anche in Italia. L’Italia è stata classificata 72° su 172 paesi presi in esame dal Transparency International 2012, una delle posizioni peggiori all’interno dei paesi dell’Unione Europea. Il Global Corruption Barometer 2013 sottolinea come l’Italia non dimostri avere alti livelli di corruzione trascuorabile, solo il 4% degli intervistati riferisce di avere pagato una tangente alla Polizia e il 12% alla Magistratura nei 12 mesi precedenti l’indagine. Al contrario, l’89% degli intervistati ritiene che i parti politici siano corrotti, il 77% ritiene che il Parlamento e il potere legislativo siano corrotti e una parte consistente degli intervistati crede che pubblici ufficiali/funzionari, imprese private e il sistema sanitario siano corrotti anch’essi. Inoltre, la maggior parte degli italiani crede che la corruzione sia aumentata molto negli ultimi due anni e che tale crimine sia un problema grave soprattutto nel settore pubblico e le azioni del governo nella lotta contro la corruzione siano inefficaci57.

L’alto livello di corruzione pesa anche pesantemente su un’economia già fragile: in Italia la Corte dei conti ha mostrato come la corruzione scoraggia gli investimenti esteri e costi all’economia italiana circa 60 miliardi

52 Ibidem
53 Overview of corruption and anti-corruption in Ghana, Transparency International 2011
54 Overview of corruption and anti-corruption in Ghana, Transparency International 2011
55 Ibidem
di euro all’anno.8 Di altra parte, l’Italia dispone di una legislazione internazionale anti-corruzione per perseguire la corruzione e una serie di sanzioni nei confronti di aziende e privati. Il Bel Paese ha una legge molto ampiamente correlata alla corruzione internazionale nelle aziende e, di conseguenza, diverse aziende italiane hanno messo in atto programmi di conformità anticorruzione completi e controlli interni39.

La legge anti-corruzione è stata estesa anche al settore privato recentemente - fino al 2012 la legislazione italiana menzionava solo la corruzione tra privati cittadini e funzionari pubblici. La legge introduce anche nuove fattispecie di reato nel codice penale, come il clientelismo, ovvero l’uso di connessioni personali per ottenere favori o trattamenti preferenziali. Tale legge mira inoltre a proteggere l’anonimato dei funzionari di governo in qualità di informatori e costringe enti pubblici ad essere più responsabili, obbligando le amministrazioni locali e regionali ad istituire piani anti-corruzione. Inoltre, sono previste pene più severe per i funzionari pubblici condannati per corruzione.40

Considerata l’estensione della corruzione nella società italiana, Transparency International ha chiesto all’Italia di stabilire un garante anti-corruzione credibile e indipendente per cercare di sradicare tale malattia sociale evidente.

Dunque, la corruzione è un fattispecie criminosa difficile da accertare, venendo alla luce solo attraverso scandalli, indagini o azioni penali. Inoltre, non esiste un metodo attendibile per valutare esattamente i livelli di corruzione in paesi o territori sulla base dei dati empirici. Dunque, non risulta possibile valutare l’estensione di tale crimine in una nazione prendendo in considerazione solamente il numero della azioni giudiziarie in corso e/o conclusa.

Studiare e quantificare la percezione della corruzione è il metodo più affidabile per confrontare i livelli di corruzione relativi in tutti i paesi41.

In conclusione, il Ghana e l’Italia sembrano avere alti livelli di corruzione. Per valutare la percezione di corruzione Transparency International ha utilizzato 9 fonti per il Ghana 7 per l’Italia42. Studiare la corruzione e quantificarne la sua estensione necessita di prendere in considerazione alcuni limiti, come la mancanza di dati empirici. Future ricerche sul confronto dei livelli di corruzione in questi due paesi diversi, Ghana e Italia, uno in via di sviluppo e l’altro sviluppato, dovrebbero prendere in considerazione molti fattori come la diversa libertà di accesso a dati e informazioni, la diversa facilità di stabilire accordi con le autorità locali per combattere la corruzione e il differente status socio-economico e culturale del campione utilizzato nelle ricerche sulla percezione della corruzione. Tutto ciò per poter equamente comparare i livelli di corruzione in due Paesi che sicuramente necessitano di sradicare tale crimine dalla loro cultura nazionale per un futuro migliore.

Nederlands: Het gevangenisleven in Ghana
J Juliette Sarcino
Op 15 november jl. heeft special rapporteur van J van Mendez van de Verenigde Naties zijn bezorgdheid gemaakt in een persbericht over de condities in Ghana. Na een bezoek van een aantal gevangenissen in het land, gesprekken met gevangenen en gevangenis medewerkers en de evaluatie van rapporten heeft Mendez geconcludeerd dat gevangenen een wrede, onmenselijke en verminderende behandeling krijgen.43

Met een hoge mate van zekerheid kan Ghana hebben vele internationale verdragen en conventies ondertekend. Als gevolg daarvan, beschouwt de internationale gemeenschap het land als een leider met betrekking tot het beschermen en respecteren van mensenrechten in de Afrikaanse regio.44 Ook de grondwet van Ghana is vooruitstrevend en duidelijk hierover. Er is een apart hoofdstuk in de grondwet gewijd aan de fundamentele rechten en vrijheden van de mens die gehandhaafd en gerespecteerd dienen te worden door de uitvoerende, wetgevende en rechterlijke macht en alle andere organen van de overheid en door alle natuurlijke en rechtspersonen in Ghana.

Wel zijn er een aantal inconsistenties tussen de internationale wetgeving en de Grondwet inzake mensenrechten. Sommige rechten die zijn beschreven in de internationale wetgeving zijn weggelaten in de Grondwet van Ghana, omdat het land nog niet de middelen heeft om deze rechten te verwezenlijken. Andere rechten zijn beperkt omdat de Ghanaanse overheid eenvoudig tegen besturen is. In bepaalde gevallen beperkt het de mogelijkheid van Ghanaanse mensenrechten rechten te respecteren. Rekening houdend met dit feit, met betrekking tot de rechten van verdachten of veroordeelden, artikel 15 van hoofdstuk 5 van de Grondwet stelt dat: “Nemand mag, ongeacht of hij wordt gearresteerd, beperkt of gedetineerd, worden onderworpen aan - folteren of andere wreed, onmenselijke of onterende behandeling of bestraffing.”

Alhoewel de wet hier duidelijk over is, zijn er vele incidenten in de media waarbij deze rechten geschonden werden en worden. Meest voorkomende problemen in gevangenissen zijn omtrent: sanitaire voorzieningen, kwantiteit en kwaliteit van voedsel, fysieke en mentale gezondheidszorg en ziekten. Dit wordt vooral veroorzaakt door de feit dat de gevangenissen overbevolkt zijn. Op dit moment zijn er 45 gevangenissen, die in 2011 gezamenlijk 13 468 mensen die veroordeeld waren of in voorlopige...


46 Ofori, E., Paradis, C., “Prisoners’ rights in Ghana”, University of Ottawa Law Students, August 12, 2006
hechtenis waren, gevangen hielden. Dit terwijl de gevangenissen maar ruimte hebben voor 7875 mensen. Dit betekend dat er sprake was van 170% overbezetting. Ook is de kans dat gevangenen te maken hebben met foltering of fysieke en mentale mishandeling aanwezig.

Er zijn verscheidene redenen wat heeft geleid tot de huidige situatie. Zo wordt in Ghana vaak relatief lange gevangenisstraffen gegeven. Ook duurt het vaak lang voordat mensen berecht worden, want hoorzittingen worden regelmatig uitgesteld en/of verplaatst. Dit heeft tot gevolg dat mensen onnodig lang vast zitten. Geadviseerd wordt door de internationale gemeenschap, dat er onmiddellijk middelen beschikbaar gesteld moeten worden zodat er meer gevangenissen geopend kunnen worden en de condities in de huidige gevangenissen verbeterd kunnen worden. Voor de langere termijn worden oplossingen gezien in de investering in educatie, zodat politie en gerechtelijke procedures versneld kunnen worden. Voordat het bewijs rond is voor een bepaalde zaak, duurt onnodig lang. Ook zou het gebrek aan een goede opleiding van politie en gevangenis officieren over procedurele en grondwettelijke aspecten van hun rol in de samenleving een belangrijke oorzaak zijn voor het wangedrag van hen inzake foltering en mishandeling.

Een goed vooruitzicht is dat de regering van Ghana door de internationale gemeenschap wordt geprezen voor zijn behulpzaamheid en openheid bij verschillende onderzoeken om trent dit onderwerp. Dit heeft ten eerste het onderzoek naar de condities in gevangenissen vergemakkelijkt. Ten tweede, geeft het ook de mogelijkheid om de dialoog met de verschillende actoren over mensenrechten in gevangenissen voort te zetten. Terwijl in 2008 Amnesty International de Ghanese overheid nog kritiseerde over het feit dat de overheid niet transparant was over de situatie in de gevangenissen.

Welcome to our new HRJ Coordinator

November / December 2013

As the year draws to a close, sitting in a temporarily empty Human Rights Office I just want to take this opportunity to thank all the volunteers that have joined us in 2013.

Since January I have had the pleasure of working with one hundred men and women from all around the world who came to Ghana to help me and the Human Rights team improve community access to legal services, monitor potential abuses, assist the vulnerable and impoverished, and raise awareness in communities on issues that included domestic violence, child maintenance, gender equality, physical and mental disability, capital punishment, children's rights and suspects rights.

So without any further ado I want to welcome Matt Andrew to the Projects Abroad Human Rights Office, Ghana. Matt will be taking over from me as the Law & Human Rights Coordinator from the moment I hit 'send' on the email that will send this edition of the Human Rights Journal to our Global Information Office in South Africa. Matt, a law graduate from the UK, already has a taste for the continent, having spent four months on human rights projects in Cape Coast a few years ago.

For our incoming volunteers, I wish you all the best in the new year. Matt and I have been through your credentials and it's exciting to see that most of you are coming for extended stays in Ghana, so I am very optimistic for the projects of 2014. We have recently been conducting needs assessments regarding access to education in the Old Fadama slum, and FLAP continues to operate there, so expect to spend a lot of time in that desperately vulnerable community. There will also be many opportunities for research and project development in communities we have never before reached.

Goodbye and good luck,

- Oliver Shepherd