

REPUBLIC OF GHANA
MINISTRY OF INFORMATION

**CONTRIBUTION FOR INPUT ON THE PROMOTION AND PROTECTION OF
THE RIGHT TO FREEDOM OF OPINION AND EXPRESSION**

Question 1

a) What barriers, challenges and threats do women in the public sphere face in exercising their freedom of opinion and expression online and offline?

Response

Some of the barriers women in the public sphere face in exercising their freedom of opinion and expression both online and offline include the following;

- Fear of being trolled
- Cyber bullying
- Intimidation
- harassment

b) What are the distinct challenges faced by those who experience multiple and intersecting forms of discrimination?

Response

- fear of opening up
- inferiority complex
- lack of self-confidence
- lost of interest in public affairs

c) How have the pandemic, economic crises and recent political unrests affected women's ability to communicate, protest and access information online and offline?

Response

During the pandemic, there was enormous thrust into the internet space. Women had to resort to using social media and internet for their businesses and daily communication. In the same way, they suffered from online abuse. There were instances where girls were taken advantage of and their rights to privacy were interrupted.

Also, we saw a lot of businesses entering the online spaces. Women have had to change the way they conduct business. There was a regular use of the electronic chain for their businesses. A mobile phone is becoming a basic necessity for market women and other women of various social status.

So yes, the pandemic has increased women's use of technology and has led them to acquire new skills in that space whilst at the same time exposing them to abuse of all kinds

Question 2

Can you provide examples or information on ways in which freedom of opinion and expression has been abused or appropriated to undermine women's human rights?

Response

Certain cultures in Ghana frown on women freely expressing their opinion. When a woman is assertive, she receives an immediate backlash. These scenarios prevail in every setting of the Ghanaian culture; at home, school, church, work, politics etc. If a woman mounts a political platform for instance, they would usually get an unwelcoming comment from the public including even other women.

Question 3

What in your view are the key elements of a gendered perspective on the human right to freedom of opinion and expression? What would a feminist perspective add to the understanding of this right?

Response

In my opinion, the key elements of a gendered perspective on the human right to freedom of opinion and expression should include;

- Gender equality
- Right to freedom of expression
- Equal opportunities
- Affirmative action

A feminist perspective will bring these issues to the fore burner to receive the needed attention

Question 4

Do you see any legal gaps, inconsistencies or controversies that should be clarified in this report, e.g. between protecting the right to freedom of expression and protecting women from ICT violence? Please indicate any specific issues in the international legal framework that in your view would benefit from further analysis in this report.

Response

Question 5

- a) what legislative, administrative, policy, regulatory or other measures exist in your state to promote and protect women's freedom of opinion and expression online and offline? To what extent do these measures take into account intersectionality?

Response

The following laws have been enacted in Ghana primarily to protect women:

- The 1992 Constitution of Ghana. Specifically, Article 17(1) and (2) guarantees gender equality and freedom of women and men, girls and boys from discrimination on the basis of social or economic status among others.
- The Domestic Violence Act 2007 (Act 732)
- Domestic violence LI 2037 2016
- Criminal Offences Act, 1960 (Act 29)
- The Electronic Communications Act, 2008 (Act 775)

Although, these enactments do not cover online harassment, when the Acts are being reviewed there will be opportunities to amend them to include online harassment.

- b) In your view how effective are they in supporting women's empowerment and public participation? Please provide statistical data and judicial decisions, where available

Response

These enactments are generally effective. The problem, however, is that a lot of our women do not take advantage of them to redress their issues mainly due to stigmatization.

Question 6

What legal administrative, policy or other measures exist in your State to protect women from sexual and gender-based violence and harassment online? How effective are they? What impact have they had on women's empowerment and public participation, including freedom of expression?

Response

The country has been implementing the National Gender Policy (both online and offline) in an attempt to mainstream gender equality and women's empowerment into our development programmes and efforts. It is extremely difficult to measure the impact of the gender mainstreaming policy even though there is good progress within specific sectors of the economy.

Question 7

What do you believe States should do to;

- a) Uphold women's human right to freedom of opinion and expression

- b) Protect women from violence, harassment and intimidation online and offline and
- c) Promote women's public participation?

Response

- First of all, States should do away with those cultural practices that work against women
- Enact laws on affirmative action
- Provide equal opportunities for women
- Enforcement of cyber laws
- Application of existing laws expeditiously
- Educate women on their rights and obligations

Question 8

- a) what specific measures have platform providers and intermediaries taken to i) protect women's freedom of opinion and expression; ii) protect women from online gender-based violence, harassment, intimidation and disinformation; iii) promote women's equal access to the digital space; iv) address grievances and provide remedies to women users v) ensure accountability of the intermediaries?

Response

Platform providers generally are not sensitized on gender issues and, therefore, do not regard the sensitivity of the ordeals women go through as a result of their work. For instance, in a rape case, the woman needs to be protected by the media but because their reportage is not sensitive to the woman, they end up aggravating the problem faced by the woman.

There is therefore, the need to enact laws that regulate how platform providers are expected to handle broadcasting generally and specifically gender sensitive issues.

There is, also, the need to train journalists and the media on gender-based issues. The media has the platform to sensitize women on their rights. In this manner, the larger population is enlightened on the rights of women, the laws that protect them, the opportunities available to them as they offer themselves to serve.

- b) To what extent do you find these measures to be fair, transparent, adequate and effective in protecting women's human rights and promoting women's empowerment?

Response

The enactment of the law will be done in consultation with all the stakeholders including the platform providers to ensure fairness and transparency and effectiveness.

Question 9

What do you think internet intermediaries should do to protect women's right to freedom of opinion and expression and make the online space safe for women?

Response

- Promotion of positive gender attitudes and understandings;
- Incorporation of women's opinions and ideas into the design, implementation and evaluation of platforms and intermediary services;
- There should also be increased responsiveness to complaints or reports of violence against women online or gender-based harassment;
- provision of remedies or avenues for redress against gender-based hate speech online. E.g., Suspending accounts of perpetrators.

Question 10

What role has legacy media played in aggravating or addressing the challenges women face in exercising their freedom of expression? What do you think the legacy media can do to empower women and make the public space safe for them, especially for women journalists?

Response

Legacy media has aggravated the challenges women face in exercising their freedom in two major ways including the following;

- exclusion of women from certain roles reserved only for men
- issues concerning women receive very little attention compared to other issues

However, in recent times there has been a slight improvement in ensuring that women are included on shows that were previously reserved for men only

Question 11

Please provide examples of good practices by States, internet intermediaries or other stakeholders to enhance women's right to freedom of opinion and expression and empowerment and public participation of women

Response

- As mentioned above, the 1992 Constitution of Ghana guarantees the right of women in every aspect;
- Ghana has been implementing gender mainstream policies for several years now
- The country is in the process of passing the Affirmative Action Bill which seeks to empower women and increase their representation in our governance at all levels