



IOM International Organization for Migration
OIM Organisation Internationale pour les Migrations
OIM Organización Internacional para las Migraciones

**SUBMISSION BY THE INTERNATIONAL ORGANIZATION FOR MIGRATION
(IOM) GHANA
FOR THE OFFICE OF THE HIGH COMMISSIONER FOR HUMAN RIGHTS'
COMPILATION REPORT
- UNIVERSAL PERIODIC REVIEW:
GHANA**

I. BACKGROUND AND CURRENT CONDITIONS

The Republic of Ghana, an English-speaking sub-Saharan African country is a member of the United Nations and the African Union. In terms of the regional economic communities, Ghana is also a member of the **Economic Community of West African States (ECOWAS)** and **The Community of Sahel-Saharan States (CEN-SAD)**¹. Ghana attained independence on 6 March 1957.

Ghana has ratified several UN Human Rights Conventions and thus has made binding international commitments to adhere to the standards laid down in these universal human rights documents.

Provisions in the Republic of Ghana's constitution are consistent and relevant with the promotion of fundamental human rights. Primarily, the fundamental human rights for all persons in Ghana are enshrined in Chapter 5 of the Constitution. Ghana is also a signatory to the Charter of the United Nations and the Universal Declaration of Human Rights. There are human rights institutions established to demonstrate the nation's commitment to upholding human rights of her citizens- some of the distinguished institutions are; The Parliament, The Police Service (The Anti-Human Trafficking Unit and Domestic Violence and Support Unit (DOVVSU), The Commission for Human Rights and Administrative Justice (CHRAJ) and The Law Courts.

Parliament has some responsibility for ensuring the promotion and protection of fundamental human rights and duties in Ghana. As provided in the Constitution, the nation has an independent judiciary. The Police Service has been the law enforcement agency which has the function of preventing and detecting crime, apprehending offenders, and maintaining public order and the safety of persons and property in the country. The DOVVSU of the Ghana Police Service which was established in 1998 is also mandated with providing support to victims of domestic violence.

In cases of human rights violations, citizens may invoke their human rights in the Republic's Constitution by contacting any of these State institutions mentioned for redress.

¹ http://www.africa-union.org/root/au/recs/cen_sad.htm#memberstates accessed on March 18, 2012

IOM Mission to Ghana

House No. 10, Plot No. 48, Osu-Badu Road/Broadway • Airport West • P.O. Box 5222 • Accra • Ghana
Tel: +233 (0)302, 823260, 823262, 823267, 823218 • Fax: +233 (0)302.823261
Email: iomaccra@iom.int • Website: <http://www.iom.int/ghana>

II. ACHIEVEMENTS AND POSITIVE DEVELOPMENTS

As far as migration issues are concerned, Ghana is an IOM Member State. On 18 December 1990, the **International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families** was adopted by the General Assembly without a vote and opened for signature by all Member States of the United Nations. Ghana, being a UN Member State became a signatory to the Convention on September 7, 2000².

IOM's primary objective is to facilitate the orderly and humane management of migration. Underlying this objective is the concept that organized migration is needed, inter alia, to ensure respect for the human dignity and well-being of migrants. Concern for human rights is present in the Organization's activities, thus, IOM includes considerations relating to the rights and duties of migrants – and of States – in its advisory services, capacity-building projects and technical assistance on a variety of topics, such as facilitating regular migration, preventing irregular migration, combating human trafficking and the smuggling of migrants, and aspects of migrant processing and integration³.

Recognizing the need and the importance for migration management and mechanisms to be put in place that will guarantee the human rights and fundamental freedoms of migrants, The International Organization for Migration (IOM) Mission in Ghana signed a Cooperation Agreement with the Government of Ghana on 10 August 2010, to create a platform for IOM to address migration challenges in the country.

Under the agreement, IOM would efficiently and effectively prosecute its agenda of offering support to migrants to and from Ghana to ensure legal migration conforms to objectives of government to secure and protect the rights of citizens.

Emphasizing the nexus between migration and human rights, it is increasingly becoming a crucial policy topic worldwide, the Government of Ghana must be commended for its role in taking strides in handling recent influx of displaced persons and migrant workers who fled the political crises in Cote d'Ivoire and Libya. the Government of Ghana's efforts to stem irregular migration and promote regular migration in full respect of the human rights of migrant workers, thus facilitating the development of coherent labour migration policies and practices among the countries in the sub-West African region and North Africa, IOM Ghana since 2007 have been supporting the government in this direction.

Ghana has been identified as a country of origin, transit, and destination for women and children subjected to forced labor and sex trafficking⁴. Human trafficking has been dealt with by the passage of the Human Trafficking Act, 2005 (Act 694). The Act seeks to prohibit trafficking in persons. IOM participated in stakeholders' consultations prior to the passage of the Act and beyond has been to assisting the government through capacity building and the provision of logistics to the Ministry of Women and Children's Affairs and the Anti-Human Trafficking Unit of the Police Service to enforce the law.

The government must also be commended for expanding the mandate of the Economic and Organized Crime Office (EOCO), to involve in the investigation and prosecution of human trafficking cases.

² http://treaties.un.org/pages/ViewDetails.aspx?src=TREATY&mtdsg_no=IV-13&chapter=4&lang=en accessed on March 18, 2012

³ http://www.iom.int/jahia/webdav/shared/shared/mainsite/about_iom/en/council/98/MC_INF_298.pdf Accessed on March 9, 2012

⁴ Trafficking In Persons Report 2011 <http://www.state.gov/j/tip/rls/tiprpt/2011/164232.htm> accessed on February 2012

III. CHALLENGES, CONSTRAINTS AND RECOMMENDATIONS

In order to mitigate the operational constraints and challenges in the referral mechanism for dealing with human rights abuse cases usually encountered and reported, there is the need for clear distinction of responsibilities for government agencies with the mandate of ensuring the promotion and protection of fundamental human rights and duties in Ghana.

In terms of tackling exploitation of labour and abuse of human rights, the constraints have been lack of enough shelters to house the victims of violence and abuse. The government does not have specialized care facilities for trafficking victims who have been rescued and have to undergo rehabilitation. Social workers who are required to give support to victims is another challenge, their numbers have been inadequate. The government must take steps in ensuring the provision of shelter and psychosocial services for affected victims of trafficking and other related abuses that fringe on their fundamental human rights.

Since the Government of Ghana has enacted a national law prohibiting trafficking of persons, it is recommended that it takes the steps to be party to the **2000 UN Trafficking Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children**, supplementing the United Nations Convention against Transnational Organized Crime.