

# Ghana

# 82

FREE

/100

<u>Political Rights</u>	35/40
<u>Civil Liberties</u>	47/60

### LAST YEAR'S SCORE & STATUS

83/100 **Free**

Global freedom statuses are calculated on a weighted scale. See the methodology.



# Overview

Since 1992, Ghana has held competitive multiparty elections and undergone peaceful transfers of power between the two main political parties. Although the country has a relatively strong record of upholding civil liberties, discrimination against women and LGBT+ people persists. There are some weaknesses in judicial independence and the rule of law, corruption presents challenges to government performance, and political violence is a growing concern.

## Key Developments in 2019

- In January, masked gunmen who were allegedly affiliated with the National Security Secretariat assaulted opposition supporters at a by-election polling station and opened fire at the nearby residence of an opposition candidate in Ayawaso West Wuogon constituency in the Greater Accra region. President Nana Akufo-Addo formed a commission of inquiry to investigate the incident.
- Separately in January, investigative journalist Ahmed Hussein-Suale was assassinated by attackers on a motorcycle months after a ruling party lawmaker publicly encouraged violence against him.
- In February, a vigilante group linked to the opposition National Democratic Congress (NDC) party was involved in a shooting incident in Kumasi in which one person was killed.
- In May, Akufo-Addo signed the Right to Information Act into law, granting citizens the right to obtain information from public as well as some private institutions.
- In September, in an attempt to address the problem of partisan and other militia groups, the president signed the Vigilantism and Related Offences Act, which assigned penalties of up to 15 years in prison for acts of vigilantism.

## Political Rights

# A. Electoral Process

**A1** 0-4 pts

<b>Was the current head of government or other chief national authority elected through free and fair elections?</b>	<b>4/4</b>
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The president, who serves as head of state and head of government, is directly elected for up to two four-year terms. International and domestic observers generally praised the 2016 presidential election, and all major political parties accepted the results. Akufo-Addo, the New Patriotic Party (NPP) candidate, won with 53.9 percent of the vote, while incumbent John Mahama of the NDC took 44.4 percent.

Although the election and its immediate aftermath were peaceful, the campaign period was contentious. There were several reports of clashes between NPP and NDC supporters, as well as attacks on Electoral Commission (EC) officials. Moreover, civil society representatives raised concerns about what they claimed were alarming levels of hate speech used by politicians and alleged abuse of state resources.

**A2** 0-4 pts

<b>Were the current national legislative representatives elected through free and fair elections?</b>	<b>4/4</b>
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Members of Ghana's unicameral, 275-seat Parliament are elected directly in single-member constituencies to serve four-year terms. International and domestic observers generally praised the 2016 parliamentary elections, which were held at the same time as the presidential election. The NPP captured 169 seats, while the NDC, which held a majority going into the vote, took the remaining 106 seats.

**A3** 0-4 pts

<b>Are the electoral laws and framework fair, and are they implemented impartially by the relevant election management bodies?</b>	<b>4/4</b>
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Despite controversy surrounding preparations for the 2016 balloting, domestic and international observers generally commended the EC for its management of the process. The commission had disqualified 13 presidential candidates due to irregularities with their nomination papers or failure to pay the nomination fee. The Supreme Court rescinded the EC’s decision, giving the disqualified candidates an opportunity to rectify the problems. In the end, three of the originally disqualified candidates were allowed to stand for election.

In 2018, President Akufo-Addo fired the EC chairperson and two senior members of the commission based on the recommendation of a judicial panel convened by the chief justice, which had found that the commissioners mismanaged contracts leading up to the 2016 elections. New appointees were sworn into office later that year; several civil society groups lauded the appointment of prominent lawyer and activist Jean Mensah as EC chairperson, though the NDC argued that the choice was influenced by partisan considerations.

In March 2019, the EC announced plans to compile a new voter register ahead of the 2020 elections. In December, Akufo-Addo canceled a constitutional referendum that would have sought to allow political parties to compete in local elections, which are currently nonpartisan; the president said his government would work to attain broad national consensus before proceeding with the referendum.

## **B. Political Pluralism and Participation**

**B1** 0-4 pts

<p><b>Do the people have the right to organize in different political parties or other competitive political groupings of their choice, and is the system free of undue obstacles to the rise and fall of these competing parties or groupings?</b></p>	<p><b>3/4</b></p>
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The constitution guarantees the right to form political parties, and this right is generally respected. However, civil society groups have expressed concern about the rising involvement of partisan vigilante groups in inter- and intraparty disputes.

A significant increase in candidate nomination fees for the 2016 national elections, along with the difficulties in nomination procedures highlighted by the presidential candidate disqualifications, presented challenges to participation, especially for candidates from smaller parties. The Progressive People’s Party (PPP) mounted an unsuccessful legal challenge against the nomination fees. Unlike national elections, the contests for district assemblies and other local government units are officially nonpartisan.

**B2** 0-4 pts

<b>Is there a realistic opportunity for the opposition to increase its support or gain power through elections?</b>	<b>4/4</b>
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There have been multiple peaceful transfers of power between the two main political parties, the NPP and NDC, and parties in opposition have meaningful opportunities to increase their public support and win office. In February 2019, the NDC nominated former president Mahama to run against Akufo-Addo in the 2020 presidential election. Mahama’s defeat in the 2016 presidential race marked the first time since the reintroduction of the multiparty system in 1992 that an incumbent president had stood for reelection and lost.

**B3** 0-4 pts

<b>Are the people’s political choices free from domination by forces that are external to the political sphere, or by political forces that employ extrapolitical means?</b>	<b>3/4</b>
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Ghanaians are generally free from undue interference with their political choices by powerful groups that are not democratically accountable. However, concerns about the use of political violence and vigilantism to intimidate voters and candidates were renewed in January 2019, when masked gunmen alleged to be affiliated with the

National Security Secretariat assaulted opposition supporters at a by-election polling station and opened fire at the nearby residence of an opposition candidate in Ayawaso West Wuogon constituency, in the Greater Accra region. A member of Parliament was allegedly assaulted at the residence, and several people were injured. President Akufo-Addo formed a commission of inquiry to investigate the matter. In February, a shooting incident involving the Hawks, a vigilante group aligned with the NDC, left a member of the NDC Regional Task Force dead and another person critically injured. In September, Akufo-Addo signed the Vigilantism and Related Offences Act, which bans all political and other vigilante groups and assigns penalties of up to 15 years in prison for acts of vigilantism. The practical effects of the new law remained to be seen.

*Score Change: The score declined from 4 to 3 due to the intimidation of voters and political figures by partisan vigilantes and other armed groups.*

**B4** 0-4 pts

<b>Do various segments of the population (including ethnic, religious, gender, LGBT, and other relevant groups) have full political rights and electoral opportunities?</b>	<b>3/4</b>
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Ghanaian laws provide for equal participation in political life by the country's various cultural, religious, and ethnic minorities. Women formally enjoy political equality, but they hold comparatively few leadership positions in practice. In the 2016 elections, women candidates received less media coverage than men and took just 37 of the 275 parliamentary seats, though this was the largest share since the reintroduction of multiparty rule in 1992. The National House of Chiefs, Ghana's highest body of customary authority, has been under pressure to include women as members.

## **C. Functioning of Government**

**C1** 0-4 pts

<b>Do the freely elected head of government and national legislative representatives determine the policies of the government?</b>	<b>4/4</b>
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Elected officials are generally free to set and implement government policy without improper influence from unelected entities.

**C2** 0-4 pts

<b>Are safeguards against official corruption strong and effective?</b>	<b>3/4</b>
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Political corruption remains a problem despite active media coverage, fairly robust laws and institutions, and government antigraft initiatives. Legislation adopted in 2017 established the Office of the Special Prosecutor (OSP) to investigate political corruption. President Akufo-Addo appointed former attorney general Martin Amidu, a member of the opposition NDC, as the special prosecutor in 2018. However, Amidu has complained publicly about the lack of government funding for the office's operations. Since its creation, the OSP has investigated a number of cases, but it has yet to establish a track record of prosecutions targeting public officials.

**C3** 0-4 pts

<b>Does the government operate with openness and transparency?</b>	<b>3/4</b>
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The government operates with relative transparency, though there are weaknesses in the legal framework. In May 2019, Akufo-Addo signed the Right to Information Act, which grants citizens the right to seek, access, and receive information from public as well as some private institutions. It was set to take effect in January 2020.

## **Civil Liberties**

### **D. Freedom of Expression and Belief**

**D1** 0-4 pts

<b>Are there free and independent media?</b>	<b>3/4</b>
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Freedom of the press is constitutionally guaranteed and generally respected in practice. Ghana has a diverse and vibrant media landscape that includes state and privately owned television and radio stations as well as a number of independent newspapers and magazines. Online news media operate without government restrictions.

Government agencies occasionally limit press freedom through harassment and arrests of journalists, especially those reporting on politically sensitive issues. In June 2019, personnel from the Ministry of National Security arrested two journalists from the news website ModernGhana.com in connection with an article on the minister; the reporters were allegedly tortured during interrogation and released within two days. Several other journalists were assaulted by authorities or political figures in the course of their work during the year. In a rare case of lethal violence against the media, Ahmed Hussein-Suale, an investigative journalist whose reporting had exposed high-level corruption in Ghana, was assassinated in January by two men on a motorcycle. Months earlier, an NPP member of Parliament, Kennedy Agyapong, had publicly encouraged violence against the journalist.

**D2** 0-4 pts

<b>Are individuals free to practice and express their religious faith or nonbelief in public and private?</b>	<b>3/4</b>
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Religious freedom is constitutionally and legally protected, and the government largely upholds these protections in practice. However, public schools feature mandatory religious education courses drawing on Christianity and Islam, and Muslims students have allegedly been required to participate in Christian prayer sessions and church services in some publicly funded Christian schools.

**D3** 0-4 pts

Is there academic freedom, and is the educational system free from extensive political indoctrination?

4/4

Academic freedom is legally guaranteed and generally upheld in practice.

**D4** 0-4 pts

Are individuals free to express their personal views on political or other sensitive topics without fear of surveillance or retribution?

4/4

Private discussion is both free and vibrant. The government does not restrict individual expression on social media.

## E. Associational and Organizational Rights

**E1** 0-4 pts

Is there freedom of assembly?

4/4

The right to peaceful assembly is constitutionally guaranteed and generally respected. Permits are not required for meetings or demonstrations.

**E2** 0-4 pts

Is there freedom for nongovernmental organizations, particularly those that are engaged in human rights- and governance-related work?

4/4

Nongovernmental organizations are generally able to operate freely and play an important role in ensuring government accountability and transparency.

**E3** 0-4 pts

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**Is there freedom for trade unions and similar professional or labor organizations?**

**3/4**

Under the constitution and 2003 labor laws, workers have the right to form and join trade unions. However, the government forbids or restricts organized labor action in a number of sectors, including fuel distribution and utilities, public transportation, and ports and harbor services.

## **F. Rule of Law**

**F1** 0-4 pts

**Is there an independent judiciary?**

**2/4**

Judicial independence is constitutionally and legally enshrined. While the judiciary has demonstrated greater levels of impartiality in recent years, corruption and bribery continue to pose challenges. In 2018, President Akufo-Addo suspended four High Court judges based on allegations of bribe taking that dated back to 2015.

**F2** 0-4 pts

**Does due process prevail in civil and criminal matters?**

**3/4**

Constitutional protections for due process and defendants' rights are mostly upheld. However, police have been known to accept bribes, make arbitrary arrests, and hold people without charge for longer than the legally permitted limit of 48 hours. The government is not obliged to provide the accused with legal counsel, and many people unable to afford lawyers are forced to represent themselves in court.

**F3** 0-4 pts

**Is there protection from the illegitimate use of physical force and freedom**

**3/4**

from war and insurgencies?

Prisons are overcrowded, and conditions can be life threatening, though the prison service has attempted to reduce congestion and improve the treatment of inmates in recent years.

Communal and ethnic violence occasionally flare in some parts of the country. In April 2019, ongoing communal violence in North East Region between members of the Konkomba and Chokosi ethnic groups displaced over 1,860 residents. The conflict began in 2018 over a land dispute.

**F4** 0-4 pts

**Do laws, policies, and practices guarantee equal treatment of various segments of the population?**

**3/4**

Despite equal rights under the law, women suffer societal discrimination, especially in rural areas, where their opportunities for education and employment are limited. However, women's enrollment in universities is increasing. People with disabilities and LGBT+ people also face societal discrimination. Same-sex sexual activity remains criminalized, encouraging police harassment and impunity for violence against LGBT+ people.

## **G. Personal Autonomy and Individual Rights**

**G1** 0-4 pts

**Do individuals enjoy freedom of movement, including the ability to change their place of residence, employment, or education?**

**3/4**

Freedom of movement is guaranteed by the constitution and respected by the government, and Ghanaians are free to change their place of residence. However,

poorly developed road networks and banditry can make travel outside the capital and touristic areas difficult. Police have been known to set up illegal checkpoints to demand bribes from travelers. Bribery is also rife in the education sector.

**G2** 0-4 pts

<b>Are individuals able to exercise the right to own property and establish private businesses without undue interference from state or nonstate actors?</b>	<b>3/4</b>
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Although the legal framework generally supports property ownership and private business activity, weaknesses in the rule of law, corruption, and an underregulated property rights system remain impediments. Bribery is a common practice when starting a business and registering property. The World Bank's 2019 Doing Business index noted improvements in the process for acquiring construction permits and the ease of international trade in Ghana.

**G3** 0-4 pts

<b>Do individuals enjoy personal social freedoms, including choice of marriage partner and size of family, protection from domestic violence, and control over appearance?</b>	<b>3/4</b>
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While personal social freedoms are upheld in many respects and among large segments of the population, domestic violence and rape are serious problems, and harmful traditional practices including female genital mutilation or cutting and early or forced marriage persist in certain regions. The government has worked to combat gender-based violence over the past decade, including by expanding the police's domestic violence and victim support units and creating special courts for gender-based violence, though such services reportedly suffer from insufficient resources.

**G4** 0-4 pts

<b>Do individuals enjoy equality of opportunity and freedom from economic exploitation?</b>	<b>2/4</b>
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Most workers are employed in the informal sector, limiting the effectiveness legal and regulatory safeguards for working conditions. The exploitation of children in the agricultural and mining sectors remains a problem. Similar abuses in the fishing industry have also been reported, especially in the region surrounding Lake Volta. While the government has taken some positive steps to address human trafficking in recent years, it has not adequately funded enforcement efforts or addressed corruption and political interference in trafficking cases, according to the US State Department.



**On Ghana**

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Global Freedom Score

**82/100** Free

*Other Years*

2019
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1850 M St. NW Floor 11  
Washington, DC 20036  
(202) 296-5101

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[info@freedomhouse.org](mailto:info@freedomhouse.org)

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[press@freedomhouse.org](mailto:press@freedomhouse.org)

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