



Australian Government
Refugee Review Tribunal

Country Advice

Ghana

Ghana – GHA36430 – Chieftaincy –
Christians – State protection – Internal
relocation – Accra
15 April 2010

1. Deleted.

2. Would being Christian prevent someone from accepting chieftaincy?

While there were difficulties faced by chiefs attempting to maintain their Christianity, being a Christian would not necessarily prevent someone from accepting chieftaincy. There were reports that “a growing number of chiefs and queen mothers are Christians”. *BBC News* reported in 2006 on a queen mother from Ashanti Region who was a “staunch Catholic”. She had initially thought of fleeing for fear that the requirements of the position would compromise her Christian beliefs, but now practices traditions from both sets of beliefs, adapting a “Christian model within an Ashanti custom”.¹ There were similar reports of groups that combined elements of Christianity or Islam with traditional tribal beliefs. Zetahil, a practice unique to Ghana, combines elements of Christianity and Islam.²

The likelihood of chiefs being Christian, or incorporating Christianity into their tribal beliefs would seem to be higher in Ashanti Region due to the religious demographics. The Ministry of Local Government and Rural Development described the population of Ashanti Region as 77.5% Christian in 2006, higher than the national average. This is followed by Islam 13.2% which is lower than the national average, and all other religious groups constitute “insignificant proportions of the population”.³

Nevertheless, there were reports of difficulties facing chiefs when attempting to mould the two belief systems. Certain tribal customs are considered against Christianity and Christian chiefs are criticised by their coreligionists for “idolatrous” practices.¹ The US DOS 2010 report on religious freedom discussed the lack of tolerance stating that some Christians “particularly laypersons associated with evangelical groups, continued to preach intolerance for other groups such as Muslims and indigenous religious groups”.² One Christian chief from Western Ghana discussed how he also felt like running away rather than become chief but “in the end...had no choice”. The article implies strong pressure to become chief in spite of his beliefs, as he states “If I didn't accept the role I would never visit my village and people again”. The chief was said to have endured “a life of painful compromise”.¹

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5. Does the Ghanaian government get involved in tribal matters and how effective is it in providing state protection to those affected by matters like chieftaincy?

¹ ‘Between custom and Christianity’ 2006, *BBC News*, 4 August – Attachment 13

² US Department of State 2009, *International Religious Freedom Report for 2009 – Ghana*, October 26 – Attachment 3

³ Ghana Ministry of Local Government and Rural Development 2006 ‘Ashanti Region’, Ghana Districts website <http://www.ghanadistricts.com/region/?r=2&sa=11> - Accessed 8 April 2010 – Attachment 1

There was contention amongst sources as to the level of involvement of the Government in tribal issues and its effectiveness in providing state protection to those affected by issues like chieftaincy. Several sources said that the Government was ineffective and there were with reports of authorities being unwilling or unable to act to stop tribal violence, including in chieftaincy disputes. One source alleged the Government itself stoked tribal tensions. Despite this, DFAT felt state protection was adequate and the UK Home Office was of the view that someone requiring state protection as a result of rejecting the role of chief, would be able to obtain it.

Government Involvement in Tribal Issues

Some reports alleged Government involvement in stoking tribal tensions. A somewhat alarmist article in the Ghana Web news site from January 2010 claims that the Government is not doing much to resolve tribal tension. It states that there are “elements in Ghana especially the so-called opinion leaders whose incorrigible mindset of tribal bigotry” would derail any efforts at inter-tribal harmony. The article warns that “unless our national leaders take bold actions to confront it now; Ghana might one day be engulfed in a civil war”.⁴ Another article discusses the issue of one tribe being over represented in the Government and the resulting skewing of political appointments along tribal lines.⁵ A 24 March 2010 article on Ghanaian news website My Joy Online accuses some members of the previous Government of stoking tribal tensions in the interest of politics in the run-up to the 2008 elections.⁶

State Protection or lack thereof

The Government’s effectiveness in providing state protection to those affected by tribal issues is tempered by authorities’ ability to enforce the law more generally. US DOS stated that there were “significant barriers” to the nationwide provision of police services to prevent and solve crimes such as homicide “including a lack of office accommodation, police vehicles, and equipment outside of the capital”.⁷ An *Integrated Regional Information Networks (IRIN)* article reported in June 2008 of the rise of vigilante groups in Accra – due to the poor level of policing. However, it also reported that the European Commission had provided funding for police and judicial reforms:

Ghana's judicial service has also rolled out ambitious judicial reforms including court automation, building more law courts, appointing more judges and compulsory weekend courts to speed up the pace of justice.⁸

The Chieftaincy Act gives traditional chiefs the power to mediate local matters and enforce customary tribal laws meaning that the authorities may sometimes not have the jurisdiction to act on tribal matters. According to the US DOS 2010 human rights report, the Act covers matters such as “divorce, child custody, and property disputes”. However, it adds that things are changing and “the authority of traditional rulers has steadily eroded because of a

⁴ Baffour, E. 2010 ‘Oil + Tribal Bigotry + Hegemonism-a recipe for civil war in Ghana’, Ghana Web website, 16 January <http://www.ghanaweb.com/GhanaHomePage/features/artikel.php?ID=175177#> - Accessed 8 April 2010 – Attachment 20

⁵ Opare-Asamoah, Y. 2010 ‘The bestiality of tribal bigotry’, Ghana Web website, 23 February <http://www.ghanaweb.com/GhanaHomePage/NewsArchive/artikel.php?ID=177199> - Accessed 8 April 2010 – Attachment 21

⁶ Kyei-Mensah-Osei, K. 2010 ‘Sacrificing Ghana’s tribal unity on the alter of Political Expediency’, My Joy Online website, 24 March <http://news.myjoyonline.com/features/201003/43789.asp> - Accessed 8 April 2010 – Attachment 22

⁷ US Department of State 2010, *Country Reports on Human Rights Practices for 2009 – Ghana*, March, Section 1d & 1c – Attachment 8

⁸ ‘Ghana: Vigilante groups fill security vacuum’ 2008, *Integrated Regional Information Networks (IRIN)*, Refworld Website, 23 June <http://www.unhcr.org/refworld/docid/486261232.html> - Accessed 8 April 2010 – Attachment 23

commensurate increase in the power of civil institutions, such as courts and district assemblies.”¹⁰

On several occasions police were either unwilling or unable to act on crimes committed as a result of tribal issues. In March 2010 the US DOS reported that:

[T]he Paramount Chief of the Goaso traditional area in the Brong Ahafo region ordered his men to beat with canes a 28-year-old woman for not kneeling before him. When the victim reported the incident to the police, the police refused to accept the complaint and detained the victim and her mother without charges. They were later released.⁷

The previously discussed March 2010 My Joy Online article cites the inaction of authorities to arrest the culprits responsible for the kidnap and beating of a tribal chief.⁹ During the aforementioned Anloga chieftaincy dispute of July 2009, the 18 policemen called to the scene were reportedly unable to prevent the riot.¹⁰

Despite the criticisms levelled at the Government in terms of state protection, in 2009 the UK Home Office argued that there is “no evidence that those in fear of being targeted as their community’s next chieftain...are not able to seek and receive adequate protection from the state authorities”.¹¹ A DFAT report from 2001 supported the view that state protection was adequate in Ghana and that the country had had no serious unrest for the past 20 years.¹² The UK Home Office detailed the following ways in which citizens could seek redress against human rights violations or authorities’ misconduct:

Though the police service came under criticism following incidents of brutality, corruption, and negligence in 2007, complaints of police abuse and misconduct lodged by the public are investigated through the PIPS. Individuals with allegations of human rights violations, or grievances against government agencies or public officials can also seek redress through the CHRAJ.¹¹

6. Are there reports of tribal issues in Accra and could someone safely relocate there if they were fleeing tribal responsibilities in their home region?

There were some reports of tribal issues in Accra. However, both the UK Home Office and DFAT held the opinion that someone fleeing their tribal responsibilities in their home region could safely relocate to another part of Ghana such as Accra.

Tribal issues in Accra

Reports mentioned tribal issues occurring in Accra. A chieftaincy/tribal dispute from the Northern Region dating back to 2002 led to clashes in Accra in August 2009 where “two men were killed at the Kokomba Yam Market”.² In November 2009 a chieftaincy dispute was presented to the “Greater Accra House of Chiefs” for resolution. ‘Kingmakers’ were said to have been involved in the dispute.¹³

Relocation

⁹ Kyei-Mensah-Osei, K. 2010 ‘Sacrificing Ghana’s tribal unity on the alter of Political Expediency’, My Joy Online website, 24 March <http://news.myjoyonline.com/features/201003/43789.asp> - Accessed 8 April 2010 – Attachment 22

¹⁰ US Department of State 2010, *Country Reports on Human Rights Practices for 2009 – Ghana*, March, Section 1a & 1e – Attachment 8

¹¹ UK Home Office 2009, *Operational Guidance Note: Ghana*, 9 January, p 7 – Attachment 10

¹² DIMA Country Information Service 2001, *Country Information Report No.261/01 – Ghana: AVAILABILITY OF STATE PROTECTION IN GHANA*, (sourced from DFAT advice of 23 September 2001), 26 September – Attachment 24

¹³ Attenkah, R. 2009 ‘Ghana: Self-Styled Chief Jailed for Contempt’, All Africa, 20 November <http://allafrica.com/stories/200911201024.html> - Accessed 8 April 2010 – Attachment 25

A 2009 UK Home Office Operational Guidance Note argues that someone fearing targeting as a result of rejecting the role of chief in a certain region can relocate to a different area:

The Constitution provides for freedom of movement within the country and the Government generally respects this right in practice. Safe relocation for those in fear of being targeted as their community's next chieftain or high priest to a different area of the country to escape this threat is therefore feasible.

Moreover the availability of adequate state protection and a viable internal relocation alternative means that those within a particular community who are unwilling to succeed to one of these roles are unlikely to encounter mistreatment in breach of the 1951 Convention or the ECHR. A grant of asylum or Humanitarian Protection is therefore not likely to be appropriate and such cases should be certified as clearly unfounded (see paragraph 1.4).¹⁴

A DFAT report from 2001 refers to an individual who fears violence in his village if he returns as he has decided to abscond from his "village duties". The report states that it would be possible for him to safely relocate to Accra or another region suggesting that someone can escape the tribal issues of their hometown by moving to Accra.¹⁵

Attachments

1. Ghana Ministry of Local Government and Rural Development 2006 'Ashanti Region', Ghana Districts website <http://www.ghanadistricts.com/region/?r=2&sa=11> - Accessed 8 April 2010.
2. Deleted.
3. US Department of State 2009, *International Religious Freedom Report for 2009 – Ghana*, Section 1a & 6, October 26.
4. Deleted.
5. Deleted.
6. Deleted.
7. Deleted.
8. US Department of State 2010, *Country Reports on Human Rights Practices for 2009 – Ghana*, March, Section 1a & 2a.
9. Deleted.
10. UK Home Office 2009, *Operational Guidance Note: Ghana*, 28 January, p7.
11. Deleted.
12. Deleted.
13. 'Between custom and Christianity' 2006, *BBC News*, 4 August. (CISNET – Ghana: CX158732)

¹⁴ UK Home Office 2009, *Operational Guidance Note: Ghana*, 9 January, p7 – Attachment 10

¹⁵ DIMA Country Information Service 2001, *Country Information Report No.261/01 – Ghana: AVAILABILITY OF STATE PROTECTION IN GHANA*, (sourced from DFAT advice of 23 September 2001), 26 September – Attachment 24

14. Deleted.
15. Deleted.
16. Deleted.
17. Deleted.
18. Deleted.
19. Deleted.
20. Baffour, E. 2010 'Oil + Tribal Bigotry + Hegemonism-a recipe for civil war in Ghana', Ghana Web website, 16 January
<http://www.ghanaweb.com/GhanaHomePage/features/artikel.php?ID=175177#> - Accessed 8 April 2010.
21. Opare-Asamoah, Y. 2010 'The bestiality of tribal bigotry', Ghana Web website, 23 February
<http://www.ghanaweb.com/GhanaHomePage/NewsArchive/artikel.php?ID=177199> - Accessed 8 April 2010.
22. Kyei-Mensah-Osei, K. 2010 'Sacrificing Ghana's tribal unity on the alter of Political Expediency', My Joy Online website, 24 March
<http://news.myjoyonline.com/features/201003/43789.asp> - Accessed 8 April 2010.
23. 'Ghana: Vigilante groups fill security vacuum' 2008, Integrated Regional Information Networks (IRIN), Refworld Website, 23 June
<http://www.unhcr.org/refworld/docid/486261232.html> - Accessed 8 April 2010.
24. DIMA Country Information Service 2001, *Country Information Report No.261/01 – Ghana: AVAILABILITY OF STATE PROTECTION IN GHANA*, (sourced from DFAT advice of 23 September 2001), 26 September. (CISNET – Ghana: CX57771)
25. Attenkah, R. 2009 'Ghana: Self-Styled Chief Jailed for Contempt', All Africa, 20 November <http://allafrica.com/stories/200911201024.html> - Accessed 8 April 2010.
26. Deleted.