

**Refugee Review Tribunal
AUSTRALIA**

RRT RESEARCH RESPONSE

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Questions

- 1. What evidence would support a conclusion that there were active moves to promote an international “gay and lesbian” conference in Ghana in late 2006, and what evidence would support a conclusion that no such conference was ever planned?**
- 2. What evidence would support a conclusion that there were active moves to promote an international “gay and lesbian” conference in Ghana in late 2007, and what evidence would support a conclusion that no such conference was ever planned?**
- 3. Please provide updated information on the situation and treatment of homosexuals in Ghana.**
- 4. Please provide any media reports which exist on murders of alleged homosexuals in 2007.**

RESPONSE

- 1. What evidence would support a conclusion that there were active moves to promote an international “gay and lesbian” conference in Ghana in late 2006, and what evidence would support a conclusion that no such conference was ever planned?**

The response to this question explores two areas, [evidence to support a conclusion that there were active moves to promote an international “gay and lesbian” conference in Ghana in late 2006](#), and [evidence to support a conclusion that no such conference was ever planned](#).

Evidence to support a conclusion that there were active moves to promote an international “gay and lesbian” conference in Ghana in late 2006.

Evidence to support a conclusion that there were active moves to promote an international “gay and lesbian” conference in Ghana in late 2006 is based largely around reports from late

August and early September 2006 indicating that the Ghanaian government had issued a statement claiming that they were banning a “gay and lesbian” conference planned in the country. *BBC News* reported on 1 September:

Ghana’s government has banned a conference for gay men and lesbians due to take place there later this month.

Information Minister Kwamena Bartels said as homosexuality was illegal in Ghana the gathering was not permitted.

“Government does not condone any such activity which violently offends the culture, morality and heritage of the entire people of Ghana,” he said.

He warned that disciplinary action would be taken if anyone was found to have contravened the law.

The BBC’s Kwaku Sakyi-Addo in the capital, Accra, says the conference was reportedly scheduled to take place on Monday at the Accra International Conference Centre and at a venue in the city of Koforidua.

It has been difficult to establish precisely who was organising the conference, and whether it had received any prior approval from any official quarter, he says.

But in an unequivocal statement, Mr Bartels laid out the government’s position.

“Government would like to make it absolutely clear that it shall not permit the proposed conference anywhere in Ghana.

“Unnatural carnal knowledge is illegal under our criminal code. Homosexuality, lesbianism and bestiality are therefore offences under the laws of Ghana,” he said.

Mr Bartels urged the interior minister to investigate and punish those who had given initial permission to the organisers.

Managers of the International Conference Centre have denied that such a conference was due to take place at the premises.

Our correspondent says gays and lesbians in Ghana maintain their relationships underground because of the social stigma associated with their sexual orientation (‘Ghanaian gay conference banned’ 2006, *BBC News*, 1 September <http://news.bbc.co.uk/2/hi/africa/5305658.stm> – Accessed 7 April 2008 – Attachment 1).

Similarly, *Reuters News* reported in September 2006:

Ghana’s government said on Friday it was banning a gay and lesbian conference due to be held next week for fear it would encourage homosexuality and undermine the West African country’s culture and morality.

“Ghanaians are unique people whose culture, morality and heritage totally abhor homosexual and lesbian practices and indeed any other form of unnatural sexual acts,” Information Minister Kwamena Bartels said in a statement.

“Supporting such a conference or even allowing it will be encouraging that tendency which the law forbids,” he said.

Homosexuality is outlawed in many African countries, including Ghana, and is often condemned as being “un-African” or a “disease” imported from the West. In some traditional beliefs homosexuals are said to be cursed or bewitched.

It was not immediately clear who had planned the conference in Ghana, which the government said was due to be held on Monday. The local gay community operates underground and some groups did not want to discuss the government ban.

“It seems the government got wind of something. It goes along with all the things that have been happening in places like Cameroon and Nigeria,” said Wendy Landau, a researcher at South Africa-based gay and lesbian rights group Behind the Mask.

... “It’s not illegal for them to meet and talk, but we in Ghana don’t want to encourage it. They can go and do it elsewhere,” Information Minister Bartels said (Sakyu-Addo, K. 2006, ‘Ghana bans gay and lesbian conference’, *Reuters News*, 2 September http://www.mg.co.za/articlepage.aspx?area=/breaking_news/breaking_news_africa/&articleid=282945 – Accessed 7 April 2008 – Attachment 2; for more reports on the conference ban see ‘Ghana bans gay and lesbian conference’ 2006, *The Advocate*, 1 September <http://www.planetout.com/news/article.html?2006/09/01/3> – Accessed 7 April 2008 – Attachment 3).

Evidence to support a conclusion that no such conference was ever planned.

Several sources have suggested that the idea of a ‘gay and lesbian conference’ was a fabrication, and the government cracked down on the alleged ‘conference’ to send a warning to the gay and lesbian community in Ghana. The progressive media outlet *Znet* reported in September 2006:

Gays and lesbians in Ghana, where homosexuality is a crime, have been the target of a month-long campaign of homophobia in the media that continues -- an attack abetted by homophobic declarations from the Ghanaian government. The climate of hate and fear is so great that the leader of Ghana’s only LGBT group has been forced to flee the country in fear of his life, after receiving a constant stream of threats of violence and death.

The anti-gay campaign began when Ghanaian media began reporting in late August that an “international conference” of gays and lesbians would be held in Ghana, creating a firestorm of protest from newspapers, radio talk show hosts, and religious leaders.

On September 1, the government announced a ban on any such conference, and said criminal sanctions would be imposed on anyone involved in organizing it. Information Minister Kwamena Bartels said that because homosexuality was illegal in Ghana the gathering was not permitted.

...But the “conference” which had unleashed weeks of homophobic media comment and religious calls-to-arms turned out to be a hoax. The Gay and Lesbian Association Ghana (GALAG) issued a statement saying it “has never discussed, nor have we ever organised, an international Lesbian/Gay/Bisexual/Transgender (LGBT) conference in Ghana... We have no hand in -- nor the faintest clue about -- any such conference to be organised by any group anywhere; neither do we know of -- nor have we heard of -- any such event. All we know is what is being peddled irresponsibly in the media, apparently oblivious to the journalistic ethical code which calls for confirming such a potentially controversial event with at least two or three reliable sources before putting it on air or in print media as truth.”

The gathering was allegedly going to take place at Accra's International Conference Centre, but the BBC's correspondent in Accra reported, "Managers of the International Conference Centre have denied that such a conference was due to take place at the premises."

Prince Kweku MacDonald, the executive president of GALAG and an HIV-prevention educator, told me, "The truth of the matter is that our gay and lesbian association has not even thought of any conference in the coming months. We do not even have the money or the resources it takes to organize such a big conference as reported by the local media here in Ghana. The problem here is that, they are afraid there might be something of that magnitude coming on in future, and wanted to threaten or caution the LGBT community here in Ghana not to come out at all in future because the people of Ghana hate the association of gays and lesbians."

MacDonald told of the climate of fear created by the government's declarations.

"For them to come out to condemn the false conference and go on to condemn the practice of homosexuality in Ghana made it very difficult for gay people to meet these days," he reported. "The LGBT community in Ghana does not really feel safe to hold meetings and organize parties."

... On September 5, the International Gay and Lesbian Human Rights Commission (IGLHRC) issued a statement condemning the homophobic media campaign and the government's ban on the non-existent "conference," which it called "a red herring, introduced by an unknown source to galvanize resentment against Ghana's increasingly visible gay and lesbian community." (Ireland, D. 2006, 'Ghana: Media Leads Anti-Gay Witch-Hunt', *Znet*, 21 September

<http://www.zmag.org/content/showarticle.cfm?ItemID=11016> – Accessed 7 April 2008 – Attachment 4).

On 5 September 2006, the International Gay and Lesbian Human Rights Commission (IGLHRC) reported on the situation in Ghana:

The LGBT community and its leadership in Ghana are under tremendous pressure right now, as they face a deluge of homo-hatred in the local media. On September 1, the government of Ghana issued a statement banning a lesbian and gay conference and instructing the Ministry of the Interior to locate and arrest the conference's local organizers. The Minister of Information, Kwamena Bartels, declared, "Government shall not permit the proposed conference anywhere in Ghana. Unnatural carnal knowledge is illegal under our criminal code. Homosexuality, lesbianism and bestiality (sic) are therefore offences under the laws of Ghana."

Since then newspapers and radio call in shows in the West African country have been obsessed with the topic of homosexuality and the sentiment has been strongly negative and in many cases violent. A number of LGBT leaders have received death threats and many are in fear of their lives.

Both the dates and the location of the conference have been sketchy and no one in Ghana's close-knit LGBT community know anything it, leaving many wondering whether the event isn't a red herring, introduced by an unknown source to galvanize resentment against Ghana's increasingly visible gay and lesbian community. The focus on the international nature of the conference, which according to the government "would have brought gays and lesbians from all over the world to Ghana," seems designed to play into nationalist sentiments and reinforce notions of the "unAfricanness" of same-sex desire and behavior (International Gay and Lesbian Human Rights Commission 2006, 'Gays and Lesbians in Ghana Under Attack', 5

September <http://www.iglhrc.org/site/iglhrc/section.php?id=5&detail=671> – Accessed 7 April 2008 – Attachment 5).

On 15 September 2006, in response to the government ban and widespread public criticism of a gay and lesbian conference, the Gay and Lesbian Association of Ghana (GALAG) released a statement:

The Gay and Lesbian Association of Ghana [GALAG] feels compelled to issue this statement in the face of mounting misinformation being made public in both print and electronic media about an alleged two-day international gay conference, supposedly coming on in Accra International Conference Centre and in Koforidua, respectively. We wish to clarify several issues here:

1. The Gay & Lesbian Association of Ghana (GALAG) has never discussed, nor have we ever organised, an international Lesbian/Gay/Bisexual/Transgender [LGBT] conference in Ghana. Since our Executive President appeared in some electronic media, this conference appears to have been the brainchild of someone's vivid imagination. As an association, we are not prepared to organise such a conference anywhere in Ghana, let alone any part of the universe, at this point.

2. We have no hand in – nor the faintest clue about – any such conference to be organised by any group anywhere; neither do we know of – nor have we heard of – any such event. All we know is what is being peddled irresponsibly in the media, apparently oblivious to the journalistic ethical code which calls for confirming such a potentially controversial event with at least two or three reliable sources before putting it on air or in print media as truth.

3. GALAG is like any other non-governmental association representing a population which exercises its constitutional rights, votes in elections, pays our taxes, cares for our parents, children, siblings and other family members, working dutifully at our jobs and, therefore, contributing our fair share to national growth.

4. We wish to state categorically that GALAG does not promote homosexuality, but rather seeks the sexual well-being of same-gender-loving people, their families and friends, as well as the general population at large. LGBT individuals and their loved ones are frequently rejected and have no place to turn. GALAG tries to fill that void.

5. We work hard to promote the well-being and health of same-gender-loving people trying to survive in an otherwise hostile environment.

6. We have no clear estimate of the number of GLBT in Ghana, but initial studies here have shown that about half of Ghanaian men who have sex with other men are also having sex with women, creating a potential 'crossover' for HIV/STDs between the gay and heterosexual populations here. As for sheer numbers, it is safe to say that about 10% of the Ghanaian population – or approximately 2 million Ghanaians – have been involved in same-sex sexual relationships. During the past year, through brief research GALAG has participated in, nearly 2,000 of these have been identified in Accra and Tema alone. Each of these men & women contributes positively to Ghanaian life.

7. We have peer educators who do outreach in the LGBT community to educate vulnerable community members on such issues as safer sexual practices, accessing user-friendly health and social services, and generally to discuss their well-being. This is only necessary because many of them cannot receive the nurturing they deserve from their families, their churches, their mosques, their schools or other social institutions which so readily provide needed support to heterosexual individuals.

8. Homosexuality has been with humans from the beginning of time. Some of our brothers and sisters, daughters and sons, mothers and fathers or other family members may be involved in same-gender-loving and need the same support we would easily offer them if they were heterosexual. Those who would quote the Bible, the Koran, the Talmud or any other such religious document need only remember that all religions of the world have a variation on: “judge not, lest ye be judged.” As for Leviticus and Corinthians, we need only look deeper to see that, as a culture, we are not willing to condone slavery, to stone women in red dresses, to reject men who shave their beards or people who eat shellfish, all of which are also in the Bible. So why should we single out this one population, LGBT, for our anger and hatred, based on scriptures? Hatred is not a good family value for our children to be taught.

9. Homosexuality touches every home, every work place, every church and every mosque in Ghana. We hope that all caring and intelligent Ghanaians would never be influenced or moved to hatred by lies from some unknown hate-mongering group or individuals trying to stir up controversy by fraudulently claiming to organize a gay conference in the name of this association.

10. Media personnel and the public need to be careful stereotyping homosexuality in the newspapers, on radio and TV. We have found lots of the comments and reactions to homosexuality to be weightless and prove the general public’s ignorance of lesbian, gay, bisexual and transgendered individuals. We are everywhere – albeit many of us ‘closeted’ because of anti-gay sentiment, harassment and violence, when we should instead be protected by the constitution to be able to achieve our potential, like any other Ghanaian should (Gay and Lesbian Association of Ghana 2006, ‘Gay and Lesbian Association of Ghana Speaks out on Recent Attacks’, International Gay and Lesbian Human Rights Commission website, 15 September <http://www.iglhrc.org/site/iglhrc/section.php?detail=679&id=5> – Accessed 7 April 2008 – Attachment 6).

2. What evidence would support a conclusion that there were active moves to promote an international “gay and lesbian” conference in Ghana in late 2007, and what evidence would support a conclusion that no such conference was ever planned?

No information could be found in the searches conducted on active moves to promote an international “gay and lesbian” conference in Ghana in 2007. As noted in the above source, the Gay and Lesbian Association of Ghana stated in 2006 that “As an association, we are not prepared to organise such a conference anywhere in Ghana, let alone any part of the universe, at this point”, whilst Prince Kweku MacDonald, “the executive president of GALAG and an HIV-prevention educator” told Doug Ireland in the above cited *Znet* report from September 2006 that “The LGBT community in Ghana does not really feel safe to hold meetings and organize parties” (Gay and Lesbian Association of Ghana 2006, ‘Gay and Lesbian Association of Ghana Speaks out on Recent Attacks’, International Gay and Lesbian Human Rights Commission website, 15 September <http://www.iglhrc.org/site/iglhrc/section.php?detail=679&id=5> – Accessed 7 April 2008 – Attachment 6; Ireland, D. 2006, ‘Ghana: Media Leads Anti-Gay Witch-Hunt’, *Znet*, 21 September <http://www.zmag.org/content/showarticle.cfm?ItemID=11016> – Accessed 7 April 2008 – Attachment 4).

As the above sources also suggest, the gay and lesbian movement in Ghana is mostly underground because of the illegality of homosexual activity in Ghana, and as such, it is unlikely that they would widely advertise any conferences or meetings (see for example

'Ghanaian gay conference banned' 2006, *BBC News*, 1 September
<http://news.bbc.co.uk/2/hi/africa/5305658.stm> – Accessed 7 April 2008 – Attachment 1).

3. Please provide updated information of the situation and treatment of homosexuals in Ghana.

RRT *Research Response GHA32265* explored the situation and treatment of homosexuals in Ghana up to September 2007 (RRT Research & Information Services 2007, *Research Response GHA32265*, 20 September – Attachment 7). The response to this question provides reports on the situation and treatment of homosexuals in Ghana from September 2007 to April 2008.

In November, a gay couple were arrested and charged for “unnatural carnal knowledge”. *The Guardian* reported:

John Ross Macleod appeared at Accra circuit court on Monday charged with “unnatural carnal knowledge” and possession of obscene pictures. Gay sex is outlawed in the west African country but prosecution is not common.

Mr Macleod, 63, has pleaded guilty to “unnatural carnal knowledge”. He has been given the option of a six-month jail term or a fine of about £320, according to a Foreign Office spokesman. He was remanded in custody after he was unable to pay a £2,500 bail surety for the charge of possessing obscene images, which he denies.

Court officials said it was the first sodomy case in Accra’s courts this year (Topping, A. 2007, ‘Briton charged over gay sex in Ghana’, *The Guardian*, 7 November
<http://www.guardian.co.uk/uk/2007/nov/07/world.gayrights> – Accessed 8 April 2008 – Attachment 8; see also a report from the gay and lesbian media outlet *GBM News* ‘Tourist held on gay charge in Ghana’ 2007, *GBM News*, 5 November
<http://www.gbmnews.com/articles/1860/1/Tourist-held-on-gay-charge-in-Ghana/Page1.html> – Accessed 8 April 2008 – Attachment 9).

The recent US Department of State ‘Country Reports on Human Rights Practices’ for Ghana also noted:

The law criminalizes homosexuality, and lesbians and gays faced widespread discrimination, as well as police harassment and extortion attempts. There is a minimum misdemeanor charge for homosexual activity, and homosexual men in prison often were subjected to sexual and other physical abuse (US Department of State 2008, ‘Country Reports on Human Rights Practices – 2007 – Ghana’, 11 March www.state.gov/g/drl/rls/hrrpt/2007/100484.htm – Accessed 12 March 2008 – Attachment 10).

4. Please provide any media reports which exist on murders of alleged homosexuals in 2007.

RRT *Research Response GHA33029* explored media reports of attacks and murders of alleged homosexuals in Ghana in 2007. This response indicated that no reported murders of alleged homosexuals in 2007 could be found in the searches conducted, although there were several reports of attacks in previous years and one source indicated that homosexuality can

attract killings (RRT Research & Information Services 2008, *Research Response GHA33029*, 4 March – Attachment 11).

An additional search did not locate any additional reports on the murder of alleged homosexuals in 2007.

List of Sources Consulted

Internet Sources:

Google <http://www.google.com.au/>
All the web <http://www.alltheweb.com/>
Altavista <http://www.altavista.com/>
Ask <http://www.ask.com/?ax=5>
Exalead <http://www.exalead.com/search>
Yahoo! <http://search.yahoo.com/>

Government Information & Reports

Immigration & Refugee Board of Canada <http://www.irb.gc.ca/>
UK Home Office <http://www.homeoffice.gov.uk>
US Department of State <http://www.state.gov/>

Non-Government Organisations

Amnesty International website <http://www.amnesty.org/>
Human Rights Watch <http://www.hrw.org/>

International News & Politics

BBC News <http://www.bbc.co.uk/worldservice/index.shtml>

Databases:

BACIS (DIMA Country Information database)
REFINFO (IRBDC (Canada) Country Information database)
ISYS (RRT Country Research database, including Amnesty International, Human Rights Watch, US Department of State Reports)
RRT Library Catalogue

List of Attachments

1. 'Ghanaian gay conference banned' 2006, *BBC News*, 1 September
<http://news.bbc.co.uk/2/hi/africa/5305658.stm> – Accessed 7 April 2008.
2. Sakyu-Addo, K. 2006, 'Ghana bans gay and lesbian conference', *Reuters News*, 2 September
http://www.mg.co.za/articlepage.aspx?area=/breaking_news/breaking_news_africa/&articleid=282945 – Accessed 7 April 2008.
3. 'Ghana bans gay and lesbian conference' 2006, *The Advocate*, 1 September
<http://www.planetout.com/news/article.html?2006/09/01/3> – Accessed 7 April 2008.

4. Ireland, D. 2006, 'Ghana: Media Leads Anti-Gay Witch-Hunt', *Znet*, 21 September <http://www.zmag.org/content/showarticle.cfm?ItemID=11016> – Accessed 7 April 2008.
5. International Gay and Lesbian Human Rights Commission 2006, 'Gays and Lesbians in Ghana Under Attack', 5 September <http://www.iglhrc.org/site/iglhrc/section.php?id=5&detail=671> – Accessed 7 April 2008.
6. Gay and Lesbian Association of Ghana 2006, 'Gay and Lesbian Association of Ghana Speaks out on Recent Attacks', 15 September <http://www.iglhrc.org/site/iglhrc/section.php?detail=679&id=5> – Accessed 7 April 2008.
7. RRT Research & Information Services 2007, *Research Response GHA32265*, 20 September.
8. Topping, A. 2007, 'Briton charged over gay sex in Ghana', *The Guardian*, 7 November <http://www.guardian.co.uk/uk/2007/nov/07/world.gayrights> – Accessed 8 April 2008.
9. 'Toursit held on gay charge in Ghana' 2007, *GBM News*, 5 November <http://www.gbmnews.com/articles/1860/1/Tourist-held-on-gay-charge-in-Ghana/Page1.html> – Accessed 8 April 2008.
10. US Department of State 2008, 'Country Reports on Human Rights Practices – 2007 – Ghana', 11 March www.state.gov/g/drl/rls/hrrpt/2007/100484.htm – Accessed 12 March 2008.
11. RRT Research & Information Services 2008, *Research Response GHA33029*, 4 March.