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## **Human Rights Defenders in Ghana<sup>1</sup>**

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Human Rights Defenders (HRDs) advocate for the rights of communities, including rights found in the Universal Declaration of Human Rights (UDHR).<sup>2</sup> National Human Rights Defenders are organization, such as the Center for Public Interest Law (CEPIL), that work on behalf of a community at both a national and international level.<sup>3</sup> Frontline Grassroots Human Rights Defenders include individuals such as activists and community organizers. Often, when fighting for economic, social, and cultural rights, Frontline Grassroots HRDs face the violation of their political and civil rights. They could be subject to detention, harassment, frivolous

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<sup>1</sup> This blog is based on report published in February 2021 by Green Advocates International entitled *West Africa Frontline Grassroots Environmental and Human Rights Defender (HRD) Baseline Report*.

<sup>2</sup> Universal Declaration of Human Rights, G.A. Res. 217 (III) A, U.N. Doc. A/RES/217(III) (Dec. 10, 1948), available at <https://www.un.org/en/about-us/universal-declaration-of-human-rights>.

<sup>3</sup> CENTER FOR PUBLIC INTEREST LAW, <http://www.cepil.org.gh/>.

criminal charges, stigmatization, loss of property, and loss of employment. Frontline Grassroots HRDs may even be killed because of their advocacy.

### **Issues Posed by Private Companies**

In Ghana, companies often move into communities and use local resources without the community's consent or consultation. The contracts are often between the company and the government, but there are instances where community leaders have sold communal land for their own financial benefit. When the community protests the company's presence, the company may promise to create infrastructure and community programs. These promises are rarely upheld and communities often do not have a way to hold the company accountable.

### **The Government's Treatment of Human Rights Defenders**

Ghana established the Office of the Special Prosecutor to address political corruption in 2017 and The Right to Information Act was passed in 2019.<sup>4</sup> While these are steps in the right direction, HRDs and journalists still face harassment and detention.<sup>5</sup> Journalist Ahmed Hussein-Suale was killed by an unknown person in 2019 after a member of parliament encouraged violence against him.<sup>6</sup> Other journalists state that they have been tortured during police interrogations or have experienced arbitrary arrests and detentions.<sup>7</sup>

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<sup>4</sup> Ghana, FREEDOM HOUSE, <https://freedomhouse.org/country/ghana/freedom-world/2020>.

<sup>5</sup> Ghana, FREEDOM HOUSE, <https://freedomhouse.org/country/ghana/freedom-world/2020>.

<sup>6</sup> Joel Gunter, *Murder in Accra: The Life and Death of Ahmed Hussein-Suale*, BBC NEWS, (Jan. 30, 2019) <https://www.bbc.com/news/world-africa-47002878>.

<sup>7</sup> Ghana, FREEDOM HOUSE, <https://freedomhouse.org/country/ghana/freedom-world/2020>.

## **Intervention Methods**

Various methods have proved successful in organizing the community and seeking redress. Organizing the community, bringing cases to Ghana's National Human Rights Institution, and using national and international courts have yielded various successes for HRDs. Frontline Grassroots HRDs might collaborate with regional coalitions to develop surveys that are created with the participation of the community. These surveys collect information on the human rights situation in the community and can help both HRDs and communities better understand the issues they face. Community unity and publicity are important when organizing against a company. A large and unified group can draw attention to an issue and pressure the company or the government to address that issue. In one example of community unity, a Frontline Grassroots HRD was arrested and jailed by the government for speaking out against the government and gold companies. A group of Women HRDs organized and protested his arrest, pressuring the government to release the Frontline Grassroots HRD and drop the charges against him. HRDs have also proposed the creation of HRD-focused law school clinical programs to help support communities. HRDs face a unique set of legal issues and stigmatization that specialized clinics could help address.

The Commission of Human Rights and Administrative Justice (CHRAJ), Ghana's National Human Rights Institution, has an A ranking under the Paris Principles.<sup>8</sup> The Paris Principles provide benchmarks that help accredit National Human Rights Institutions with the Global Alliance of National Human Rights Institutions.<sup>9</sup> CHRAJ's dispute resolution process is

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<sup>8</sup> COMMISSION ON HUMAN RIGHTS AND ADMINISTRATIVE JUSTICE, <https://chraj.gov.gh/>.

<sup>9</sup> *See Paris Principles*, Global Alliance of National Human Rights Institutions, <https://nhri.ohchr.org/EN/AboutUs/Pages/ParisPrinciples.aspx>

similar to the process used in many communities. Human Rights Defenders in Ghana have reported positive experiences working with CHRAJ.

In addition to national courts, the ECOWAS Community Court of Justice and the African Court on Human and People's Rights are two courts that could hear cases brought by HRDs. When justice is unlikely to occur in Ghana's national courts, HRDs may consider bringing cases to one of these regional court systems.

### **Conclusion**

While Human Rights Defenders in Ghana have been successful, they still face significant risks and rights abuses. Both private companies and the government can pose a risk to communities and Frontline Grassroot HRDs. Ghana should focus on improving its protection of HRDs, including preventing arbitrary arrests, excessive force, and other abuses of HRDs by police and the criminal justice system.