

Sexualised Violence in Ghana

Debates – Laws – Education

(Last Update February 2024)

a) Laws on (sexualized) violence

In 2013, Ghana [statement at the 57th Session of the United Nations Commission](#) on the state of women revealed that 14 % of girls are victims of sexual abuse and 52 % have experienced gender-based violence. Young women tend not to report crimes for fear of reprisal. (Lithur NO 2013) According to [Gender Studies & Human Rights Documentation Centre](#) 27% of Ghanaian women have been sexually assaulted in their lifetime and for 20% of women, their first sexual experience is against their will. Emmanuel Nii-Boye Quarshie adds that, the “vulnerability of LGBT girls” result from “two combined entrenched social factors: stronger patriarchal gender norms that exert absolute control over girls' and women's sexuality, and the harsh homophobic social environment in Ghana”. (Quarshie 2021)

In Ghana, sexual violence is prohibited by several laws, including the Criminal Offences Act and the Domestic Violence Act. These laws define various forms of sexual violence, such as rape and sexual assault. The [Domestic Violence Act](#) also provides for protection orders, which can be issued by the court to protect victims of sexual violence from their perpetrators. The Domestic Violence Act (§ 732) added in 2007, after the establishment of the Women and Juvenile Unit at the Ghana Police Service in 1998, in order for “the dual purpose of violence prevention and support of victims and having laws which restrict access to and use of weapons”. (Cannon 2020)

In Ghana, the [Children's Act \(§ 560\)](#) was passed in 1998 to provide protection and support for children. The Act defines a child as anyone under the age of 18 and establishes the rights of children, including the right to education, health, protection, and participation in decision-making. The Act also establishes the role of the state in protecting and promoting the rights of children, and sets out the responsibilities of parents, guardians, and other adults who work with children. The Children's Act also includes provisions for the care and protection of children who have been abused, neglected, or abandoned, as well as the rehabilitation and reintegration of children who have been in conflict with the law.

b) Feminist Debates

According to the many women's right advocates and feminist organizations, law enforcements are vital and important part to fight against sexual violence in Ghana. They argue that, enforcing laws that prohibit sexual violence and ensuring that perpetrators are held accountable for their actions can also help to reduce the incidence of sexual violence. However, the feminist organizations and leaders emphasis that awareness campaigns to educate people about consent and healthy relationships, and to raise awareness of the issue of sexual violence are also important aspects to prevent sexual violence. (Mantey 2019)

In general, feminist debates on sexual violence revolve around issues such as the root causes of sexual violence, the role of gender and power imbalances in perpetuating sexual violence, and the most effective ways to prevent and address sexual violence. (Ampofo 2008) These debates also involve discussions about the intersection of sexual violence with other forms of oppression, such as racism and homophobia, and how to ensure that the voices and experiences of marginalized groups are included in efforts to combat sexual violence. (Essela, Essel 2019)

Some examples of feminist activists in Ghana who are working on these issues include Nana Oye Lithur, who served as the Minister for Gender, Children and Social Protection in Ghana from 2013 to 2017, and Dorcas Coker-Appiah, who is the founder and executive director of the Domestic Violence Secretariat. These activists engage in a range of activities to prevent and address sexual violence, such as advocating for strong laws and policies, providing support services for survivors, and raising awareness of the issue.

The Ghana Women's Movement is a coalition of organizations and individuals in Ghana that work to promote the rights of women and girls. The movement was established in 1975 and is made up of over 100 organizations, including women's rights groups, human rights organizations and other civil society groups. The Ghana Women's Movement works to advance the rights of women and girls through advocacy, education, and research. The movement also provides support and resources to women and girls, including counseling and legal services. The **Ghana Women's Movement** is an important force for gender equality in Ghana and works to empower women and girls to achieve their full potential. In the "Women's Manifesto for Ghana" the feminist activists also takes attention to the fact that "disabled young women and girls are also particularly vulnerable to sexual violence and abuse".

c) Legal protection against sexualization, e.g. criminal law on sexual offences or a right on self-determination

Sexual violence is punishable under the laws of Ghana. The Ghanaian criminal code includes provisions that criminalize rape and other forms of sexual assault, and individuals who are found guilty of these crimes can be sentenced to imprisonment and fines. Additionally, Ghana has ratified several international treaties that obligate the country to take steps to prevent and punish sexual violence, including the **Convention on the Elimination of All Forms of Discrimination against Women** (1986) and the Protocol to the African Charter on Human and Peoples' Rights on the Rights of Women in Africa (2005). (Viljoen 2009)

Self-determination right determines the person's political status and freely pursue the person's economic, social and cultural development. The Ghanaian Constitution provides for the protection of other fundamental rights and freedoms, such as the right to life, liberty, and security of the person, which are relevant to the issue of sexual violence. Overall, the **Constitution of Ghana** serves as the foundation for the protection of the right to self-determination and other fundamental rights and freedoms in the country. Specifically Article 17, (in paragraph 1, 2 and 3) implicates that "'discriminate' means to give different treatment to different persons attributable only or mainly to their respective descriptions by race, place of origin, political opinions, color, gender, occupation, religion or creed, whereby persons of one description are subjected to disabilities or restrictions to which persons of another description are not made subject or are granted privileges or advantages which are not granted to persons of another description".

According to Marie-Antoinette Sossou the gap in the constitution about the right to sexual self-determination is one of the most essential reasons why "despite these international conventions and constitutional changes," Ghanaian women "still continue to experience gender-based discrimination, powerlessness and relative poverty and social and political exclusion from active participation in the national development of their country". (Sossou 2006) According to Raymond Atuguba (2019) both the constitutionally protected rights and freedom also the reason why homosexuality is criminalized in Ghana's criminal laws by referring to the Criminal Offences Act, 1960 (Act 29)2. In her research on sexuality and street children in Ghana Georgina Yaa Oduro (2012) introduces the concept of sexual citizenship to overcome the contradictions stem from the constitutionally protected law.

d) Sexual education at school

The Ghana Anti-Sexual Harassment Campaign is a program in Ghana that works to raise awareness about sexual harassment and provide support to those affected by sexualized violence. The campaign aims to educate individuals about what constitutes sexual harassment, the effects of sexual harassment and ways to prevent and address sexual harassment. The campaign also works to promote policies and laws to prevent sexual harassment and support to people affected by sexualized violence. For instance, in March 2018, Coalition Against Sexual Abuse (CASA) launched a year-long campaign called "Stop Sex Abuse in Schools." The focus of the campaign is on raising awareness and advocating for policy on **sexual abuse and harassment in schools**, especially from school teachers. (Quarshie 2021)

Sources

- Adjah, Ebenezer S. Owusu & Agbemafle, Isaac (2016) Determinants of domestic violence against women in Ghana. BMC Public Health.
- Armah, Esther (2018) TIME'S UP!...no playground for pedophile teachers. Accessible at: <https://thebftonline.com/2018/03/01/times-up-no-playground-for-pedophile-teachers/> (Last access 22.03.2024)
- Ampofo, Akosua Adomako (2008) Collective Activism: The Domestic Violence Bill becoming Law in Ghana, African and Asian Studies 7, p. 395-421.
- Atuguba, Raymond A. (2019) Homosexuality in Ghana: Morality, Law, Human Rights. Journal of Politics and Law 12(4):113
- Cannon, Lindsay et al. (2020) Understanding the healthcare provider response to sexual violence in Ghana: A situational analysis. PLoS One. Apr 21;15(4)
- Essela, Patricia & Essel, Ronald (2019) Violence against Women in Ghana: The Interventions by Non-Governmental Organisations (NGOs). International Journal of Sciences: Basic and Applied Research (IJSBAR) Volume 44, No 1, pp 63-96.
- Gender Studies & Human Rights Documentation Centre (2016) Statistics on sexual violence in Ghana. Accessible at: <http://gendercentreghana.org/?p=60> (Last access 22.03.2024)
- Lithur NO. Ghana statement at the 57th Session of the United Nations Commission on the state of women. New York: UN; 2013. pp. 2–4.
- Mantey, Efua Esaaba (2019) Domestic violence in Ghana: The attitudes of male victims of Accra. African Journal of Social Work, 9(1), 1-8., Rosemary Ofeibea Ofei-Aboagye, (1994). Altering the strands of the fabric: Preliminary look at domestic violence in Ghana. Journal of Women in Culture and Society, 19(4), 924-938.
- Oduro, Georgina Yaa (2012) 'Children of the street': sexual citizenship and the unprotected lives of Ghanaian street youth. Comparative Education, 48:1, 41-56.
- Quarshie, Emmanuel Nii-Boye (2021) Boys should not be overlooked: Sexual violence victimization and associated factors among school-going adolescents in urban Ghana, Child Abuse & Neglect, Volume 120, p.10.
- Sossou, Marie-Antoinette (2006) The meaning of gender equality in Ghana: women's perceptions of the issues of gender equality: implications for social work education and practice in Ghana. Women in Welfare Education, vol. 8, p. 27. pp. 37.
- The Parliament of the Republic of Ghana (2007) Ghana Domestic Violence Act. Accessible at: <https://genderapp.statsghana.gov.gh/pdf/violenceact.pdf> (Last access 22.03.2024)
- The Parliament of the Republic of Ghana (1998) The Children's Act. Accessible at: <http://www.rodra.co.za/images/countries/ghana/legislation/CHILDREN%20ACT%201998%20ACT%20560.pdf> (Last access 22.03.2024)
- The Ghanaian Women's Manifesto Movement. Amina Mama in conversation with Rose Mensah-Kutin, Hamida Harrison and Dzodzi Tsikata in Accra in January 2005. Accessible at: http://www.agi.ac.za/sites/default/files/image_tool/images/429/feminist_africa_journals/archive/04/fa_4_in_conversation.pdf (Last access 22.03.2024)
- The Chairperson of the Committee on the Elimination of Discrimination against Women. Accessible at: <https://www.un.org/womenwatch/daw/cedaw/cedaw36/statements/CEDAW%20STATEMENT%20Ghana.pdf> (Last access 22.03.2024)
- UN Women (2013) Report on the fifty-seventh session of the Commission on the Status of Women. Accessible at: <https://www.un.org/womenwatch/daw/csw/57sess.htm> (Last access 22.03.2024)
- UN Women (1996) Constitution of the Republic of Ghana 1992, as amended to 1996. Accessible at: <https://constitutions.unwomen.org/en/countries/africa/ghana> (Last access 22.03.2024)
- Viljoen, Frans (2009) An Introduction to the Protocol to the African Charter on Human and Peoples' Rights on the Rights of Women in Africa. Wash & Lee J.C.R & Soc. Just. 11