

Eighth session of the UN Human Rights Council, 2-20 June 2008

Review of Ghana under the Universal Periodic Review: Amnesty International's reflections on the outcome

Several states raised the issue of the death penalty during the interactive dialogue with Ghana. Their recommendations included to ratify the Second Optional Protocol to the International Covenant on Civil and Political Rights, to remove the death penalty from domestic legislation, and to adopt a moratorium on executions. Amnesty International is concerned to note that despite the de facto moratorium on executions in the country, these recommendations did not enjoy the immediate support of Ghana during the review. Amnesty International hopes that the government will take the opportunity of the Council's adoption of the UPR outcome to declare its absolute respect for the right to life, including by committing to acting as soon as possible on the recommendations made.

Although no executions have been carried out over the past 15 years, the provision for the death penalty is still included in the Constitution and death sentences continue to be handed down, as recently as earlier this month. There are currently 105 prisoners on death row.

Amnesty International continues to receive reports of so-called 'mob violence' which has led to the killing of many people, including suspected thieves. Amnesty International urges the government to act on the recommendation made during the review to combat police brutality and to reform the judicial system.

Amnesty International regrets that the issue of prison conditions did not receive much attention during the review. Prisons in Ghana are extremely overcrowded, many people sleep on the bare floor and inmates are forced to take turns to sleep. Prisoners held on remand face long delays before being tried; in some cases they appear to have been "forgotten". During a recent visit to Ghana in March 2008, Amnesty International was not granted access to visit prisons.

Access to justice is also a serious concern. Amnesty International has received reports suggesting that the police fail to bring suspects before a judge within 48 hours of arrest, as guaranteed in Ghana's Constitution. Some police officers allegedly sign remand warrants themselves and take suspects directly to prisons. Amnesty International calls on the government:

- To establish effective (electronic) records of all held in prison, and to regularly review these;
- To ensure that all those held in detention are charged with a recognizable criminal offence or released; and that all cases of those awaiting trial are systematically reviewed to ensure that their right to a fair trial within a reasonable time is respected;
- To keep an official register of the arrests and detention of suspects, which records the name of the suspect, the reason for arrest, the date and time of the arrest, the charge against them, the date and time of their first appearance before a judge, and the identity of the law enforcement officials concerned with their case;
- To urgently address the problem of overcrowding in prisons, including by bringing conditions up to the level required by international standards, such as the *UN Standard Minimum Rules for the Treatment of Prisoners*, and further to ensure that NGOs and civil society organizations are granted access to prisons.