

THE TANDEM PROJECT

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UNITED NATIONS, HUMAN RIGHTS, FREEDOM OF RELIGION OR BELIEF

GHANA

FREEDOM OF RELIGION OR BELIEF AND OTHER REPORTS IN THE UNIVERSAL PERIODIC REVIEW

Second Session U.N. Human Rights Council Universal Periodic Review (5-19 May, 2008)

A. Description of the methodology and the broad consultation process for the preparation of information provided under the Universal Periodic Review:

The Tandem Project, a *UN NGO in Special Consultative Status with the Economic and Social Council of the United Nations*, submits information for the Universal Periodic Review on issues relevant to Article 18 of the International Covenant on Civil and Political Rights, the 1981 UN Declaration on the Elimination of all Forms of Intolerance and of Discrimination Based on Religion or Belief, and other matters related to freedom of religion or belief.

The U.S. State Department 2007 Religious Freedom Report is the source of this information. There are excerpts to comply with the five page limit for NGO Submissions under General Guidelines for the Universal Periodic Review and a link to the complete report.*

The Universal Periodic Review begins with a presentation of a National Report by a UN Member State and inter-active dialogue with the UN Human Rights Council. A Human Rights Council troika drafts an outcome Working Group Report and later, follow-up recommendations after a second inter-active dialogue with the Council and NGO Stakeholders. There are links below to the UN Working Group Report and Other Reports in the archived audio/visual UN web cast of the Member State presentation and first inter-active dialogue.

B. Background of the country under review and framework, particularly normative and institutional framework, for the promotion and protection of human rights: constitution, legislation, policy measures, national jurisprudence, human rights infrastructure including national human rights institutions and scope of international obligations identified in the “basis of review” in resolution 5/1, annex: section 1.A.

1. The Right to Freedom of Religion or Belief

Religious Demography:

The country has an area of 238,538 square miles and a population of approximately 22 million. According to the 2000 government census, approximately 69 percent of the population is Christian, 16 percent is Muslim, and 15 percent adheres to traditional indigenous religious beliefs or other religious groups. The Muslim community has protested these figures, asserting that the Muslim population is closer to 30 percent. Pentecostal and charismatic churches are reported to be the fastest growing denominations in Ghana. Approximately 6 percent of the population does not affiliate itself with a particular religion.

Other religious groups include the Baha'i Faith, Buddhism, Judaism, Hinduism, Shintoism, Ninchiren Shoshu Soka Gakkai, Sri Sathya Sai Baba Sera, Sat Sang, Eckankar, the Divine Light

Mission, Hare Krishna, and Rastafarianism. There are also some separatist or spiritual churches that include elements of Christianity and traditional indigenous beliefs such as magic and divination. Zetahil, a practice unique to the country, combines elements of Christianity and Islam. No statistics are available for the percentage of atheists.

There is some degree of overlap in religious practices as traditional indigenous religious beliefs are combined with elements of Christianity and Islam. Many Catholics and Protestants also attend Pentecostal or charismatic church services.

Christian subgroups include Roman Catholic, Methodist, Anglican, Mennonite, Evangelical Presbyterian, Presbyterian, African Methodist Episcopal Zionist, Christian Methodist, Evangelical Lutheran, F'eden, numerous charismatic religious groups, the Church of Jesus Christ of Latter-day Saints (Mormons), Seventh-day Adventist, Pentecostals, Baptist, and the Society of Friends (Quakers). Christianity often includes an overlay of traditional beliefs.

Afrikania (also known as the Afrikan Renaissance Mission), a group that supports traditional indigenous religious practices, often criticizes the Government, foreign diplomatic missions, and NGOs, contending that they corrupt traditional values and impose foreign religious beliefs. Afrikania leaders claimed the movement had more than four million followers; however, no independent confirmation of the claim was available.

Four Islamic traditions are present in the country: Tijanis (a Sufi sect found in West Africa), Salafi/Wahhabi-oriented Ahlussuna (made up of the Ahlussuna Wal-Jam-A and the less conservative Ahlussuna Majilis), Ahmadis, and a small number of Shi'a.

There is not a significant link between ethnicity and religion; however, geography is often associated with religious identity. The majority of the Muslim population resides in northern areas as well as in the urban centers of Accra, Kumasi, Sekondi-Takoradi, Tamale, and Wa, while the majority of the followers of traditional indigenous religious beliefs reside in rural areas. Christians live throughout the country.

Foreign missionaries operate freely in the country. In addition to proselytizing, missionaries are active in health, education, skills/vocational training, and social activities.

Legal/Policy Framework

The Constitution provides for freedom of religion, and the Government generally respected this right in practice. The Government at all levels sought to protect this right in full and did not tolerate its abuse, either by governmental or private actors.

Government employees, including the president, are required to swear an oath upon taking office; however, this oath can be either religious or secular, depending on the preference of the individual. The Government recognizes Christian, Islamic, and secular holidays.

There is no government body that regulates or oversees religious affairs as all religious bodies are independent institutions; however, religious institutions must register with the Registrar General's Department to receive formal government recognition. The registration requirement for religious bodies at the Office of the Registrar General is the same for an NGO. There were no reports that the Government denied registration to any group. Most traditional indigenous religious groups, with the exception of the Afrikan Renaissance Mission, did not register.

The Government does not provide financial support for any religious organization. Formally registered religions are exempt from paying taxes on ecclesiastical, charitable, and educational activities that do not generate income; however, religious organizations are required to pay progressive taxes, on a pay-as-you-earn basis, on business activities that generate income. No discriminatory tax treatment towards religious groups was reported during the reporting period.

Christian and Muslim missionaries established the first schools in Ghana. When the Government became a stakeholder in education, mission-run schools partnered with the Government to establish a standard education. Missionaries relinquished some control of the schools through this partnership; however, the majority of a school's management team is usually comprised of members who adhere to the same faith as that of the school.

Government-administered boarding schools require Christian students to attend a nondenominational service on Sundays. These schools exempt Muslim students from the service and permit them to practice daily prayers. Most schools accommodate special meal arrangements for fasting Muslim students during Ramadan.

Religious and Moral Education is a compulsory subject for every child in both public and private schools at the primary level. At this level, religious instruction is general and does not focus on any single religion. At the secondary level, religious studies is an optional subject, and students can choose between Christian Religious Studies, Islamic Religious Studies, or Traditional African Religion in both private and public schools. The Government did not discriminate in its allocation of resources for any of these courses. There are 12 private colleges and 6 public universities.

The Government often took steps to promote interfaith understanding. At government meetings and receptions, there was usually a multid denominational invocation led by leaders from various religious groups. In April 2006 President John A. Kufuor expressed his Government's commitment to religious freedom at the Pan-African International Religious Liberty Congress held in Accra.

C. Promotion and protection of human rights on the ground: implementation of international human rights obligations identified in the “basis of review” in resolution 5/1, annex, section IA, national legislation and voluntary commitments, national human rights institutions activities, public awareness of human rights, cooperation with human rights mechanisms.

1. The Right to Freedom of Religion or Belief

Restrictions on Religious Freedom:

Government policy and practice contributed to the generally free practice of religion. Ministry of Education regulations prohibit authorities of public schools from compelling students of minority religious groups to worship with the majority religious groups in school. The Minister of Education continued to direct schools to respect the religious rights of all students. Religious freedom was generally respected in schools and was not seen as being a function of the type of school.

Muslim students generally experienced significant religious freedom in public schools. Some school authorities made special efforts to ensure the freedom of Muslim students to practice their religious beliefs by providing, for instance, areas for Muslim worship.

Despite official policies promoting free religious practice in schools, Muslim and Seventh-day Adventist students complained of occasional insensitivity towards their religious practices, such as when administrators regulated school attire or scheduled examinations on their holy days.

In November 2005, 149 students of the Seventh-day Adventist (SDA) church at the University of Ghana, Legon, took legal action to restrain the university from requiring the students to take examinations on Saturdays, the SDA's day of worship. Although the Accra High Court dismissed their claims, the SDA student group continued to engage the university in dialogue hoping that a solution could be reached.

There were no reports of religious prisoners or detainees in the country.

Societal Abuses/Discrimination

There were no reports of societal abuses or discrimination based on religious belief or practice. Spokespersons for various religious communities often advocated tolerance towards different religious groups; however, there was occasional tension among some religious groups.

Public discussion continued over religious worship versus traditional indigenous practices and respect for the rights and customs of others in a diverse society. Some religious leaders actively discouraged religiously motivated violence, discrimination, or harassment; others, particularly lay persons associated with evangelical groups, continued to preach intolerance for other groups such as Islam and traditional indigenous religious groups.

While the relationship between the Ahlussunnah and Tijanniya communities has improved over the past few years, on April 12, 2007, 10 persons were injured when members of the two Muslim groups clashed over doctrinal differences at Ejura in the Ashanti Region.

In December 2006 the Apostles Revelation Society held its convention as scheduled. Since 2004 the police had banned the church from holding this convention, ostensibly to deter a possible outbreak of violence between factions within the group. After the natural death of its founder, the group experienced a series of conflicts between factions, leading to court suits, threats, and skirmishes.

The Pentecostal Church noted that longstanding distrust and lingering bad feelings existed between Pentecostal/Charismatic Christians and adherents of Traditional African Religion over the annual ban on drumming and noise making. They also claimed that Muslims still resisted the establishment of churches in communities with high Muslim populations. They cited instances in which families disowned family members and in some cases persecuted those who chose to convert from Islam to Christianity.

Some Muslims continued to feel a sense of political and social exclusion as Christianity continued to influence many aspects of society. Factors such as the token representation of Muslims in national leadership positions, the deferral to only Christian-oriented prayers in public settings, and the ubiquity of Christian slogans contributed to this perception of marginalization and discrimination within the Muslim community.

Practitioners of certain indigenous religious customs also faced discrimination. Trokosi, a religious practice indigenous to the southern Volta region, involves pledging family members, most commonly female teenagers but sometimes children under the age of 10, to extended service

at a shrine to atone for another family member's sins. Trokosis (the pledged family members) help with the upkeep of these shrines and pour libations during prayers for extended periods of service, lasting from a few months to 3 years. Labor and human rights activists have decried the practice but also indicated that the number of Trokosis was declining considerably, with perhaps no more than 50 children serving at Trokosi shrines throughout the Volta Region.

According to human rights groups, the decline is due to other belief systems attracting Trokosi adherents and a decline in the number of fetish priests. Supporters of traditional African religious groups, such as the Afrikania Renaissance Mission, accused human rights NGOs of misrepresenting Trokosi beliefs and regarded government and NGO campaigns against Trokosi as religious persecution. Government agencies, such as the Commission on Human Rights and Administrative Justice (CHRAJ), had at times actively campaigned against it.

Belief in witchcraft remained strong in many areas. Traditional village authorities and families continued to banish rural women for suspected witchcraft. Most accused witches were older women, often widows, whom fellow villagers identified as the cause of difficulties such as illness, crop failure, or financial misfortune. Many of these banished women were sent to live in "witch camps," villages in the north of the country populated by suspected witches. The women did not face formal legal sanction if they returned home; however, most feared that they would be beaten or lynched if they returned to their villages. Fearing violence against them, many women accused of being witches did not pursue legal action to challenge charges against them or return to their communities.

This practice was prevalent mainly in the Northern, Upper East, and Upper West regions of the country. While there were no official figures on the number of accused women living in "witch camps," NGOs conducting sensitization workshops in the North estimate this number to be near 3,000. Even though the number of named witches present in the camps was quite high, the numbers had stabilized over the past few years and were slowly decreasing. Outreach and community sensitization by various NGOs have made considerable progress in rehabilitating the accused women back into their communities and preventing acts of violence against them.

Although the law provides protection for alleged witches, there were several cases of lynching and assault against those accused of witchcraft. In August 2006 a local NGO in the Northern Region reported that police refused to take the statement of a woman who had been assaulted by a group of villagers for fear that she would cast a spell on them. The NGO observed that such cases are not uncommon.

The Government, under the auspices of the Domestic Violence Victim Support Unit, continued to prosecute persons who committed acts of violence against suspected witches and also refrained from charging anyone solely on the basis of witchcraft.

Human rights activists continued to express concerns about Pentecostal prayer camps in which individuals believed to be possessed by evil spirits were chained up for weeks, physically assaulted, and denied food and water. The camps targeted in particular persons with mental illness. Camp supervisors diagnosed mental illness as a demonic affliction and prevented individuals with this diagnosis from consuming food or water, often for 7 consecutive days, as a method of cleansing victims of their evil spirits. Some victims were estimated to be as young as 6 years old. Families sent these victims to be exorcised of evil spirits or cured of their physical or mental illness. The camps held these victims until they were deemed to be healed. Reports indicated that these practices extended to the Greater Accra, Eastern, Central, Western, Ashanti,

Volta, and Brong Ahafo regions. Camp leaders prevented CHRAJ from investigating the allegations. In recent visits to prayer camps, foreign observers witnessed more than 100 persons who were forcibly chained to beds or posts and one windowless cell designed for persons with mental illness. The country's psychiatric community was aware of this issue and was pushing for an updated mental health law that protected the rights of the mentally ill.

Unlike in previous reports, there were no reported cases of parents who denied minors medical treatment and polio immunization because medical assistance was incompatible with their religious beliefs.

No anti-Semitic statements were known to be reported throughout the country. Some newspapers occasionally printed anti-Mormon sentiments.

In 2006 the Coalition of Muslim Organizations Ghana (COMOG), an umbrella group for various Muslim organizations, held a national conference on public concerns regarding the handling of the Hajj.

The Ghana Congress of Religions and Peace (GCRP) continued to improve relations between religious groups. The GCRP lobbied the Government on issues of religious freedom, family planning, and anti-abortion laws, and campaigned for compassion for those afflicted with HIV/AIDS.

* Source: U.S. State Department 2007 International Religious Freedom Report; Ghana

Direct Link: <http://www.state.gov/g/drl/rls/irf/2007/90100.htm>

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G. Presentation by the State concerned of the follow-up to the previous review.

Direct Link: Report of the Working Group for the Universal Periodic Review Ghana. This report includes Conclusions and Recommendations.

http://lib.ohchr.org/HRBodies/UPR/Documents/Session2/GH/A_HRC_8_36_Ghana_E.pdf

Direct Link: U.N. Human Rights Council Web Cast Archives for all Ghana Reports. You can **download** Real Player (free) for access to the Web Cast: **Scroll** down the Web Cast to find the Ghana Reports. Click to open the video/audio and inter-active delegations dialogue.

<http://www.un.org/webcast/unhrc/archive.asp?go=022>

These reports may be read by clicking on the Direct Link to the OHCHR Archives **above**.

Only contributions submitted in one of the United Nations official languages are admissible and posted on this webpage

Date of consideration: Monday 5 May 2008 - 3.00 p.m. - 6.00 p.m.

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Compilation of UN information ² : [A](#) | [C](#) | [E](#) | [F](#) | [R](#) | [S](#)

Summary of stakeholders' information ³ : [A](#) | [C](#) | [E](#) | [F](#) | [R](#) | [S](#)



Outcome of the review :

Report of the Working group : [A](#) | [C](#) | [E](#) | [F](#) | [R](#) | [S](#)

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THE TANDEM PROJECT OBJECTIVES

The Tandem Project Objectives on Dialogue and Education: (1) Use International Human Rights Standards on Freedom of Religion or Belief as a platform for genuine dialogue on core principles and values within and among nations, all religions and other beliefs. (2) Adapt these human rights standards to early childhood education, teaching children, from the very beginning, that their own religion is one out of many and that it is a personal choice for everyone to adhere to the religion or belief by which he or she feels most inspired, or to adhere to no religion or belief at all.¹

International Human Rights Standards on Freedom of Religion or Belief are international law and codes of conduct for peaceful cooperation, respectful competition and resolution of conflicts. The identification of achievements, best practices, challenges and constraints on the standards should be part of the follow-up to the Ghana Universal Periodic Review.

STANDARDS: http://www.tandemproject.com/program/81_dec.htm

The Tandem Project: a non-governmental organization founded in 1986 to build understanding, tolerance and respect for diversity, and to prevent discrimination in matters relating to freedom of religion or belief. The Tandem Project, a non-profit NGO, has sponsored multiple conferences, curricula, reference materials and programs on Article 18 of the International Covenant on Civil and Political Rights – Everyone shall have the right to freedom of thought, conscience and religion - and 1981 United Nations Declaration on the Elimination of All Forms of Intolerance and Discrimination Based on Religion or Belief.

The Tandem Project initiative is the result of a co-founder representing the World Federation of United Nations Associations at the United Nations Geneva Seminar, *Encouragement of Understanding, Tolerance and Respect in Matters Relating to Freedom of Religion or Belief*, called by the UN Secretariat in 1984 on ways to implement the 1981 UN Declaration. In 1986, The Tandem Project organized the first NGO International Conference on the 1981 UN Declaration.

The Tandem Project Executive Director is: Michael M. Roan, mroan@tandemproject.com.

*The Tandem Project is a UN NGO in Special Consultative Status with the
Economic and Social Council of the United Nations*

Closing the Gap – International Standards for National and Local Applications, considers the question of a Convention on Freedom of Religion or Belief followed by a Response from the Special Rapporteur on

Freedom of Religion or Belief and The Tandem Project Concept, an option that reflects the inclusive values of the Universal Declaration of Human Rights through human rights-based *Dialogue and Education*.

Closing the Gap - International Standards for National and Local Applications

Objective: Build understanding and support for Article 18, International Covenant on Civil and Political Rights –Everyone shall have the right to freedom of thought, conscience and religion - and the 1981 UN Declaration on the Elimination of All Forms of Intolerance and Discrimination Based on Religion or Belief. Encourage the United Nations, Governments, Religions or Beliefs, Academia, NGOs, Media and Civil Society to consider the rule of law and international human rights standards as essential for *long-term solutions* to conflicts based on religion or belief.

Challenge: In 1968 the United Nations deferred work on an International Convention on the Elimination of all Forms of Religious Intolerance, because of its apparent complexity and sensitivity. In the twenty-first century, a dramatic increase of intolerance and discrimination on grounds of religion or belief is motivating a worldwide search to find solutions to these problems. This is a challenge calling for enhanced dialogue by States and others; including consideration of an International Convention on Freedom of Religion or Belief for protection of and accountability by all religions or beliefs. The tensions in today’s world inspire a question such as:

Should the United Nations adopt an International Convention on Freedom of Religion or Belief?

Response: Is it the appropriate moment to reinstate the drafting of a legally binding international convention on freedom of religion or belief? Law making of this nature requires a minimum consensus and an environment that appeals to reason rather than emotions. At the same time we are on a learning curve as the various dimensions of the Declaration are being explored. Many academics have produced voluminous books on these questions but more ground has to be prepared before setting up of a UN working group on drafting a convention. In my opinion, we should not try to rush the elaboration of a Convention on Freedom of Religion or Belief, especially not in times of high tensions and unpreparedness. - *UN Special Rapporteur on Freedom of Religion or Belief, Asma Jahangir, Prague 25 Year Anniversary Commemoration of the 1981 UN Declaration, 25 November 2006.*

Option: After forty years this may be the time, however complex and sensitive, for the United Nations Human Rights Council to appoint an Open-ended Working Group to draft a United Nations Convention on Freedom of Religion or Belief. The mandate for an Open-ended Working Group ought to assure nothing in a draft Convention will be construed as restricting or derogating from any right defined in the Universal Declaration of Human Rights, the International Covenants on Human Rights, and the 1981 UN Declaration on the Elimination of All Forms of Intolerance and of Discrimination Based on Religion or Belief.

Concept: *Separation of Religion or Belief and State – SOROBAS.* The First Preamble to the 1948 United Nations Universal Declaration of Human Rights; “*Whereas recognition of the inherent dignity and of the equal and inalienable rights of all members of the human family is the foundation of freedom, justice and peace in the world.* This concept suggests States recalling their history, culture and constitution adopt fair and equal human rights protection for all religions or beliefs as described in General Comment 22 on Article 18, International Covenant on Civil and Political Rights, UN Human Rights Committee, 20 July 1993 (CCPR/C/21/Rev.1/Add.4):

Article 18: protects *theistic, non-theistic and atheistic beliefs, as well as the right not to profess any religion or belief.* The terms belief and religion are to be broadly construed. Article 18 is not limited in its application to traditional religions or to religions and beliefs with international characteristics or practices analogous to those of traditional religions. The Committee therefore views with concern any tendency to discriminate against any religion or belief for any reasons, including the fact that they are newly established, or represent religious minorities that may be the subject of hostility by a predominant religious community. **Article 18:** permits restrictions to manifest a religion or belief only if such limitations are prescribed by law and necessary to protect public safety, order, health or morals, or the fundamental rights and freedoms of others.

Dialogue & Education

Dialogue: United Nations Secretary General Ban Ki Moon, at the Alliance of Civilizations Madrid Forum said; “Never in our lifetime has there been a more desperate need for constructive and committed dialogue, among individuals, among communities, among cultures, among and between nations.” A writer in another setting has said, “The warning signs are clear: unless we establish genuine dialogue within and among all kinds of belief, ranging from religious fundamentalism to secular dogmatism, the conflicts of the future will probably be even more deadly.”

Norms and standards on human rights and freedom of religion or belief are international law and codes of conduct for peaceful cooperation, respectful competition and resolution of conflicts. International Human Rights Standards on Freedom of Religion or Belief is a platform for genuine dialogue on the core principles and values within and among nations, all religions and other beliefs.

Education: Ambassador Piet de Klerk addressing the Prague 25 Year Anniversary Commemoration of the 1981 U.N. Declaration said; “Our educational systems need to provide children with a broad orientation: from the very beginning, children should be taught that their own religion is one out of many and that it is a personal choice for everyone to adhere to the religion or belief by which he or she feels most inspired, or to adhere to no religion or belief at all.”¹

The 1981 U.N. Declaration states; “Every child shall enjoy the right to have access to education in the matter of religion or belief in accordance with the wishes of his parents, and shall not be compelled to receive teaching on religion or belief against the wishes of his parents, the best interests of the child being the guiding principle.” With International Human Rights safeguards, early childhood education is the best time to begin to teach tolerance, understanding and respect for freedom of religion or belief.