

Submission to the Universal Periodic Review of the United Nations Human Rights Council

4th Cycle – 42nd Session

Country Review: Ghana

June 2022
by Noor Mousa

Broken Chalk is an Amsterdam-based NGO established in 2020 and focused on raising awareness and minimizing human rights violations in the educational field.

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(1) Introduction

Ghana's educational system is structurally and underdeveloped. There is widespread violence and discrimination and overall violations of human rights. It must address the educational challenges it faces. Its many challenges and obstacles in education that need to be addressed and dealt with in terms of finance, structure, administration, and management, combating wrongful actions committed against students, the presence of discrimination, violence, and lack of rights. This summary review will outline the country's performance since the last 3d cycle recommendations. For instance, Ghana's progress in some areas like making education free for Senior High school Students and relieving them from paying fees for enrollment. This review also outlines the country's deficient efforts in some other areas, like not equipping and renovating schools to be accessible to students with disabilities, and not fighting the challenges and the threats students suffer from if they are part of the LGBTQ+ community. The analysis shows that the country has followed some of the previous recommendations, but implemented little effort or no efforts at all regarding other recommendations.

(2) Previous recommendations to Ghana in the context of education- 3d cycle (2017-2021)¹

- 1- Ghana was encouraged to pursue harder efforts to make education more attainable and implement a free education agenda/platform, and make education mandatory for school-aged children, and available to children of all ages.
- 2- Pursuing efforts to invest more in education to provide subventions to support students who suffer from poverty in addition to rising numbers of school enrolments.
- 3- Taking steps and putting efforts to enhance the standards and quality of education, with emphasis on primary and secondary education.
- 4- Carrying out efforts of (sustainable development goals) concerning education and their amalgamation into national policies.

¹ UPR Recommendations. 3d cycle (2017-2021). Published: September 27, 2019. Accessed: June 15, 2022. [https://upr-info-database.uwazi.io/en/library/?q=\(allAggregations:!f,filters:\(cycle:\(values:!\(%27567eec7b-d5ab-4c36-a712-57c38fae9124%27\)\),issues:\(values:!\(%270d7a338c-7bbc-411e-934f-47bca9f811b4%27,%276e415998-2b91-42a8-94a5-a21859de6cdd%27,e3a4a718-bc47-4f4f-a00c-60a40d68598a,%27660e6cc6-8624-4858-9cfd-ae4051da1241%27,f8f322c3-d10b-4dd7-914b-1634f4d7153c,%27498ca187-f438-407e-befc-efd45810b966%27,%274ce9edc3-bde7-42d3-9aac-e18a430b89aa%27\)\),state_under_review:\(values:!\(l2q6kmg3y9s\)\)\),from:0,includeUnpublished:!f,limit:30,order:desc,sort:creationDate,types:!\(%275d8ce04361cde0408222e9a8%27\),unpublished:!f\)](https://upr-info-database.uwazi.io/en/library/?q=(allAggregations:!f,filters:(cycle:(values:!(%27567eec7b-d5ab-4c36-a712-57c38fae9124%27)),issues:(values:!(%270d7a338c-7bbc-411e-934f-47bca9f811b4%27,%276e415998-2b91-42a8-94a5-a21859de6cdd%27,e3a4a718-bc47-4f4f-a00c-60a40d68598a,%27660e6cc6-8624-4858-9cfd-ae4051da1241%27,f8f322c3-d10b-4dd7-914b-1634f4d7153c,%27498ca187-f438-407e-befc-efd45810b966%27,%274ce9edc3-bde7-42d3-9aac-e18a430b89aa%27)),state_under_review:(values:!(l2q6kmg3y9s))),from:0,includeUnpublished:!f,limit:30,order:desc,sort:creationDate,types:!(%275d8ce04361cde0408222e9a8%27),unpublished:!f))

- 5- Strengthening the significance and the role of education and taking initiatives like constructing programs and agendas to illustrate the negative outcomes and effects of child marriage.
- 6- Following and implementing thorough programs that enhance the presence of sexuality education, health, and rights in schools. Programs that are "Gender-Sensitive and Youth Friendly".
- 7- Enriching educational guidelines with a system that allows reporting, which will help in restraining practices of discrimination against students because of their sexual orientations.
- 8- Fighting discrimination on the national level on all grounds against students in schools and universities, including discrimination because of their sexual orientation and gender identity.
- 9- Increasing awareness through educational programs and campaigns and boosting efforts to prohibit the unwholesome traditional practices and provide care and rehabilitation to victims.
- 10- Financing and intensifying the role of authorities who are in charge to protect women and children. In addition to initiating awareness campaigns also to stop the harmful traditional practices like female genital mutilation and (the trokosi practice), which is a common practice of sexual slavery in Ghana against pre-teens and teenage girls².
- 11- Growing awareness and acknowledgment of women's rights.
- 12- Pursuing extra effort to stop the punishment of students in schools, by increasing awareness and implementing programs.
- 13- Implementing strategies to combat child labor.

(3)What has Ghana implemented so far?

The government of Ghana has pursued some educational reforms and suggested a strategic plan (2018 -2030) that is supposed to meet sustainable development goals in education. This plan has three priorities, [improved learning outcomes, enhanced accountability, and equity at all levels of the education sector]³. However, the information provided below, direct light on the situation of education in Ghana and how the government is proceeding.

- 1- According to Ghana's Ministry of Education Report 2022, a National Medium Term Development Framework (NMTDF) was introduced. The goal of this framework is to create an educational system that can provide all individuals with the opportunity to study. It was set to be followed between 2022-2025, and it aims to make the Ministry of Education aligned with three main objectives, which are as follows:

² TROKOSI - THE PRACTICE OF SEXUAL SLAVERY IN GHANA: RELIGIOUS AND CULTURAL FREEDOM VS. HUMAN RIGHTS. Accessed date: 16/06/2022. <https://mckinneylaw.iu.edu/iiclr/pdf/vol9p457.pdf>

³ THE GHANA EDUCATION REFORM AGENDA. Ministry of Education. Republic of Ghana. Accessed date: 16/06/2022. <https://moe.gov.gh/education-reform/>

- Increase inclusive and equitable access to and participation in quality education at all levels.
- Strengthen School Management Systems.
- Ensure sustainable sources of financing for education. [P.1]⁴.

According to this report, the progress is highlighted in many aspects. For example, in terms of Teacher Professional Development, the National Teaching Council recruited 26,100 newly qualified teachers and introduced an efficiency test for teachers to guarantee their qualifications. In terms of Educational Support Services, the government declared its commitment to fighting illiteracy by boosting the number of public libraries and increasing the number of books available [p.5.6]. This report also highlights the government's persistent efforts to implement intervention methodologies that help in easing the financial barriers that parents and guardians encounter when they send their children to school. For example, there is the capitation grant which is targeted to cover all public schools by 2022, and the feeding grant which is targeted to cover all private schools by 2022 [p.7].

Furthermore, the report outlines the implementation of a program for Seniors called (SHS) that is witnessing an increase in enrolment. This program focuses on providing free materials and technical instruments, such as notebooks and tools for training. The plan is to expand this program in 2022 to be more inclusive [p.8]. Furthermore, the Ministry's report points out the pursued efforts to train teachers; and to give them the capability to deal with children who have special needs and physical disabilities. By allocating and releasing funds for special schools for the first and second terms of 2020/2021 [p.10].

The report goes on and intensifies the government's plans to pursue a more inclusive and accessible education. However, despite the specificity of the report in terms of numbers and targets for better future outcomes, it is clear that there is a lack of projects in employment to validate these goals in some areas by the timeframe estimated. Nevertheless, there was not so much focus on other problematic factors that prevent students from having the right and the chance to a proper education. For example, fighting discrimination committed against students who are part of the LGBTQ+ community, and providing sexual health education to prevent teenage pregnancy and the spread of sexual diseases, are essential problems to be addressed, and they play a huge role in giving students the chance to continue their studies in school.

According to the Access to Education for Persons with Disabilities in Ghana review that was recently published in 2022, most Ghanaian schools are built without considering the needs of disabled children, and these schools lack the necessary space and facilitators. Schools that also lack the special resources and suitable teaching materials for those children. Moreover, the review highlights the societal issues and the problems children with impairments suffer from, like experiencing bullying which results in pushing them to drop out. The review encourages the Ghanaian Ministry of education to put more

⁴ *Medium Term Expenditure Framework (MTEF) FOR 2022 – 2025*. By: Ministry of education. Programme Based Budget Estimates For 2022. Published: 2022. Accessed: June 16th, 2022.
<https://mofep.gov.gh/sites/default/files/pbb-estimates/2022/2022-PBB-MOE.pdf>

- 2- In relation to Ghana's public education, the enrolment rates have been changing in the past few years. For instance, education has been free and compulsory since 1995 and the enrolment rate noticeably reached 90% for elementary and middle school, while studying in high school required paying fees⁵. However, this situation did not last because the Ghanaian government cancelled and removed paying fees for Senior High school Students (SHS) from 2017- 2018⁶. Furthermore, in 2021 another initiative was taken to allow candidates of Free Technical and Vocational Education and Training (TVET) to enjoy the same advantages of the Free Senior High school (FSHS)⁷. Therefore, it seems that the government is trying to put the effort into this matter and follow previous recommendations. However, some concerns circles around Ghana's methodologies to implement sustainable development goals (SDGs) in education when it comes to distributing its resources. Ghana is encouraged to tackle this issue of insufficiency by assigning an extra 0.58% of its GDP to enhance its educational accomplishments to guarantee meeting SDGs and rise to the same level of performance as other countries⁸.
- 3- Ghana took some steps to combat other issues that affect youth capabilities to follow a normal course of education, issues like child marriage. In 2016 the government of Ghana launched a campaign on a national level to end child marriage. In 2020 the Ministry of

⁵ *In Ghana, Free High School Brings Opportunity and Grumbling*. By: Sarah Maslin Nir. Published: June 15th, 2019. Accessed: June 18th, 2022. <https://www.nytimes.com/2019/06/15/world/africa/ghana-free-senior-high-school-brings-chaos.html>

⁶ *Ghana's free senior high school policy*. The University of Cambridge. By: Dr Rob Gruijters, Dr Leslie Casely-Hayford. Published: March, 2021. Accessed: June 20th, 2022. <https://www.educ.cam.ac.uk/centres/real/researchprojects/ongoing/free-senior-high-school-policy-ghana/#:~:text=Fee%20abolition%20is%20an%20increasingly,the%20ruling%20party's%20campaign%20promise>

⁷ *Ghana: 2021 School Placement - Govt Rolls Out Free TVET This Year Qualified Candidates to Enjoy All Benefits Under Fshs Initiative*. By: Ghanaian Times. Published: March 28th, 2022. Accessed: June 20th, 2022. <https://allafrica.com/stories/202203280374.html#:~:text=Environment-,Ghana%3A%202021%20School%20Placement%20%2D%20Govt%20Rolls%20Out%20Free%20TVET%20This,All%20Benefits%20Under%20Fshs%20Initiative&text=The%20Ministry%20of%20Education%20has,take%20off%20this%20academic%20year>

⁸ *Can Ghana Afford the Sustainable Development Goal on Education?*. By: Victor Osei Kwadwo, Obaa Akua Konadu. Published: July 29th, 2019. Accessed: June 22nd, 2022. <https://www.tandfonline.com/doi/abs/10.1080/18146627.2018.1557532>

- 4- Children in Ghana suffer from the worst forms of child labor. The number of victims was increasing noticeably in recent years, affecting in turn negatively all their rights. However, a moderate governmental effort took place to combat the issue⁹.
- 5- Regarding sexual-based discrimination that is occurring because of sexual orientation and gender identity factors, the LGBTQ+ community is still suffering from discrimination in both fields of education and employment, and the government did not employ measures to direct this problem efficiently, as stated in the Sexual Orientation, Gender Identity and Expression (SOGIE) 2022 report, [p.59]¹⁰. Nevertheless, the Ghanaian government does not only lack the motivation to prevent discrimination against the LGBTQ+ community, but in 2021 Ghana's parliament proposed a bill to criminalize homosexual people and anyone who advocates for LGBTQ+ rights¹¹. Therefore, it is not expected anytime soon that the government will follow any recommendations to prevent discrimination against students from the LGBTQ+ community.
- 6- Containing physical punishments against children in Ghana is still a challenge. In 2018, the Ministry of Gender, Children and Social Protection issued a position paper on the matter of corporal punishment and the legal and policy issues, where it urged the government to implement serious amendments to the criminal law. As recommended before by CRC Committee, the African Committee of Experts on the Rights and Welfare of the Child (ACERWC). It also urged the government to lead campaigns and raise awareness to clarify the negativity of using corporal punishment against children [p.16]¹². Unfortunately, some educators are still physically punishing students in cases of misconduct. There are many reported cases recently, even though Ghana Education Service (GES) banned the use of punishment in schools in 2017 and strengthened its position regarding this matter again in 2019.

⁹ Bureau of International Labour Affairs. US Department of Labour. Report on Ghana 2020. Accessed date: 25/06/2022. <https://www.dol.gov/agencies/ilab/resources/reports/child-labor/ghana>

¹⁰ Country Policy and Information Note Ghana: Sexual orientation, gender identity and expression (SOGIE). Version 3.0. By: Home Office. Published: May 2022. Accessed: June 25th, 2022.

https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/1076477/GHA_CPIN_Sexual_orientation_and_gender_identity_or_expression.pdf

¹¹ Ghana: Proposed bill threatens homosexuals with long prison terms. By: Bahar MAKOOI. Published: October 27th, 2021. Accessed: June 26th, 2022. <https://www.france24.com/en/africa/20211027-ghana-proposed-bill-threatens-homosexuals-with-long-prison-terms>

¹² Corporal Punishment in Ghana: A Position Paper on the Legal and Policy Issues. By: Ministry of Gender, Children and Social Protection. Published: July, 2018. Accessed: June 26th, 2022.

<https://www.unicef.org/ghana/media/1956/file/Corporal%20Punishment%20in%20Ghana.pdf>

(4) Recommendations

- 1- Broken Chalk recommends Ghana's government to allocate extra funds to educational institutions, enough to reform all schools and reequip them with all necessary resources so they would become more suitable for children with disabilities, and to pursue awareness campaigns to reduce bullying and harassment experienced by those children.
- 2- Broken Chalk recommends Ghana's government to increase shares specified in GDP to be spent on education. This recommendation pours in favor of increasing the quality of education and Ghana's chances of achieving its SDGs by the timeframe estimated.
- 3- Broken Chalk recommends Ghana's government to commit to account for all parts of the country, instead of focusing on a few areas, regarding increasing awareness to decrease violence and to uphold children's rights to education and protection.
- 4- Broken Chalk recommends the government of Ghana not to pass the suggested bill that criminalizes people who are part of the LGBTQ+ community or those who advocate for their rights. The government is also encouraged to take actions to combat discrimination in schools committed against students who suffer due to their sexual orientations and gender identity.
- 5- Broken Chalk recommends the government of Ghana to create a reporting system that allows students to come forward and voice their concerns if they experience physical punishments. Broken Chalk does not only recommend the implementation of stricter laws that criminalizes committing corporal punishments against students, but also recommends hiring observation officers for every school to guarantee that teachers abide by the rules.



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