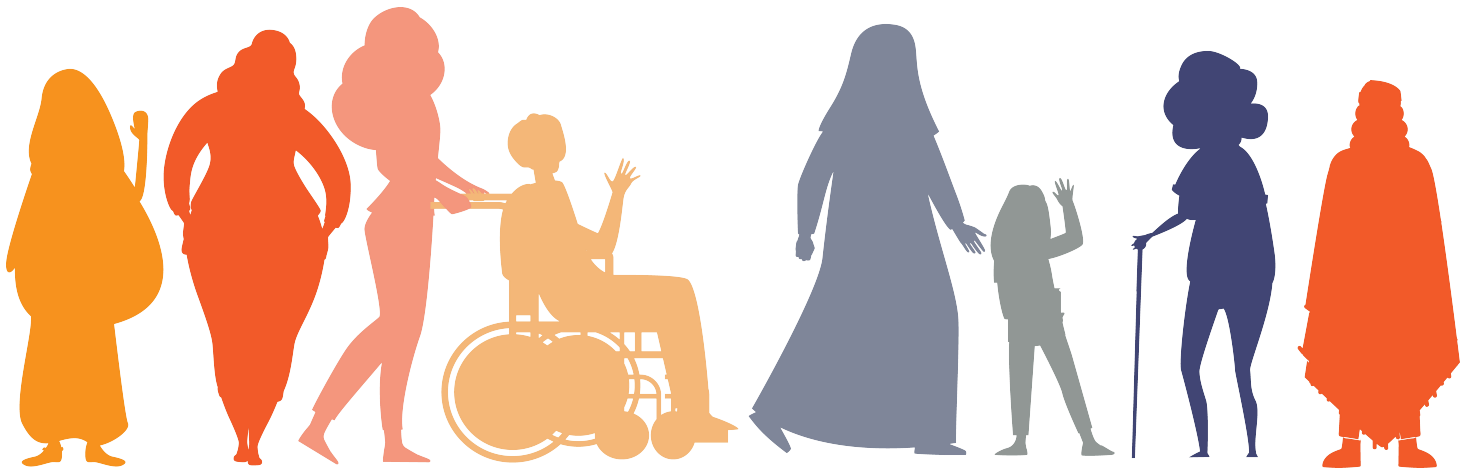




# W A G E



## PRELIMINARY GENDER AND INCLUSION ANALYSIS FOR GHANA

FEBRUARY 2022



W A G E

## PRELIMINARY GENDER & INCLUSION ANALYSIS FOR GHANA

<b>Program Title</b>	WE GAIN: Women Entrepreneurs in Northern Ghana Gain Access to Integrated services via Agent Networks
<b>Program Location</b>	The Northern districts of Tolon, Kumbungu, Savalugu Nanton, Mion, and Karaga and the Upper East districts of Bongo, Kasena-Nankana West, Nabdam and Talensi.
<b>Implementing Partners</b>	Grameen Foundation (initiative lead) and ABA ROLI, Ghana Healthkeepers Network (HKN), Ghana Developing Communities Association (GDCA), Rural Initiatives for Self-Empowerment Ghana (RISE Ghana), MTN Ghana

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This Preliminary Gender and Inclusion Analysis for Ghana was prepared through joint efforts of Dechert LLP, whose attorneys prepared the first draft of the report and then was complemented by Grameen Foundation and ABA ROLI. Bindi Jhaveri, Emily Romero, and Bobbi Gray of Grameen Foundation and Paula Rudnika and Brianne Stuart of ABA ROLI contributed to the development of the report. Bobbi Gray of Grameen Foundation and Tanyel Taysi, Abby Attia, and Muthoni Kamuyu-Ojuolo of ABA ROLI oversaw the thorough review and editing of the final report.

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## ABOUT WOMEN & GIRLS EMPOWERED (WAGE)



### OUR APPROACH

To account for the deeply interconnected nature of women's and girls' experiences, WAGE's strategic initiatives are highly collaborative, integrated, multidisciplinary, and inclusive.

### OUR MISSION

WAGE strengthens the capacity of civil society organizations around the world to improve the prevention of and response to gender-based violence; advance the women, peace and security agenda; and support women's economic empowerment.

4 CORE PARTNERS  
+  
43 RESOURCE PARTNERS



### OUR PARTNERS

WAGE consortium is led by the American Bar Association Rule of Law Initiative in close partnership with the Center for International Private Enterprise, Grameen Foundation, Search for Common Ground, and 43 international, regional, local, and corporate resource partners.



GLOBAL NETWORK OF  
370+ CIVIL SOCIETY ORGANIZATIONS

### OUR GLOBAL NETWORK

WAGE has strong ties to a broad and growing global network of nearly 400 women-led and women-focused civil society organizations that implement initiatives in WAGE's core thematic areas.



Funded by the US Department of State's Secretary's Office of Global Women's Issues (S/GWI), the Women and Girls Empowered (WAGE) is a global consortium to advance the status of women and girls. It is led by the American Bar Association's Rule of Law Initiative (ABA ROLI) in close partnership with the Center for International Private Enterprise (CIPE), Grameen Foundation, and Search for Common Ground (Search). WAGE works to strengthen the capacity of civil society and private sector organizations in target countries to improve prevention and response to gender-based violence (GBV); advance the women, peace, and security agenda; and support women's economic empowerment. In this context, WAGE provides direct assistance to women and girls, including information, resources, and services they need to succeed as active and equal participants in the global economy. WAGE also engages in collaborative research and learning to build a body of evidence of relevant promising practices in these thematic areas. To account for the deeply interconnected nature of women's and girls' experiences, WAGE's initiatives employ approaches that are highly collaborative, integrated, and inclusive.

## EXECUTIVE SUMMARY

Ghana is considered to be a stable and democratic lower middle-income country with a free press, active civil society, independent judiciary, and largely apolitical military, providing a strong, favorable environment for citizens' economic growth. Ghana is a constitutional democracy, with a mixed legal system, and has ratified and/or acceded to most international laws related to gender equality and passed several laws at the national level designed to protect women from gender-based violence (GBV) and other forms of gender-based discrimination. Despite the presence of these laws, formal courts can also apply customary law in resolving disputes, often resulting in women and girls not enjoying equal rights with men in practice and facing continued widespread GBV and discrimination.

Domestic violence is often viewed as a private family matter in Ghana and as a result, it is difficult for victims to report abuse and seek help. The police, courts, social services, and the health sector are not sufficiently funded, equipped, trained, or connected to effectively protect women facing violence. Some referral pathways exist, particularly in urban areas, but are quite limited in Northern Ghana. The recent emergence of COVID-19 has resulted in economic disruption, especially affecting men and the self-employed, threatening a surge in GBV. Some studies have found that job loss can lead families spending more time together, increasing opportunities for violence. Additional stress due to job or income losses can also lower the bar for conflict or violence within families.<sup>a</sup>

Traditional social norms positioning males as breadwinners, property holders, and economic decision-makers, and women as caretakers; social acceptance of GBV; and limited resources to respond to GBV effectively limit women's rights and ability to participate in and benefit from economic activities. Consequently, women's economic activities are predominantly in vulnerable employment, concentrated in low-wage jobs, and unpaid labor. Moreover, women entrepreneurs lack technical knowhow (they rely on business processes that have been passed down from one generation to the next) and business management training.

Women, especially rural women, face distance, transportation, and cost barriers to accessing formal bank accounts and credit, limiting their investment in enterprises. While there are no laws in Ghana prohibiting women from opening bank accounts or taking out loans in their own name, slightly more than a third of women report having a formal bank account and only 10% report borrowing money from a financial institution.

Digital financial services (DFS) have been found to help customers, particularly low-income and female customers, reduce the time and costs they incur to make financial transactions and improve the security of those transactions. Access to DFS agents has also been found to reduce poverty and smooth consumption in various contexts. To increase the use of DFS in Ghana, there are two important use cases of DFS for women: savings and entrepreneurship. Ghanaian women are savers and often pay others (*sususu*) to save their money for them. DFS enable women to protect and save their money, even if temporarily, without leaving their home or village or without requiring them to carry cash around, which protects them from theft or other pressures they may face to share their money with others. Moreover, most merchants and customers of markets are women. Female merchants who can support DFS payments for their goods contribute to the broader ecosystem for

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<sup>a</sup> Sonia Bhalotra, "A shadow pandemic of domestic violence: The potential role of job loss and unemployment benefits," VOX (EU) CEPR, November 13, 2020, online, <https://voxeu.org/article/job-displacement-unemployment-benefits-and-domestic-violence>

DFS and this also protects the merchants themselves from theft. Female merchants who can support customers to make DFS transactions, such as saving or withdrawing savings, earn commissions which increase merchant revenues and income.

In 2017, the World Bank's Global Index indicated that 39% of Ghanaian adults owned a mobile money account, with women experiencing a 17% gap in mobile money account ownership. Low literacy and awareness of mobile money benefits and concerns about safety, trust, and affordability limit women's use of mobile money. The digital ecosystem for DFS in the Northern Regions of Ghana is further challenged by its higher poverty rate, limited connectivity and broadband access, lower uptake of DFS among women, and women's limited access to female DFS agents as compared to the wealthier urban areas around Accra, who could help women overcome low confidence and distrust of conducting DFS transactions.

In conclusion, women in Northern Ghana face not only limited access to financial services and business training to start and grow businesses, but also limited access to GBV referral pathways and support information. Female DFS agents can potentially play a role in bringing these often disconnected needs together in an integrated approach for the benefit of women entrepreneurs and others in their communities. The "Women Entrepreneurs in Northern Ghana Gain Access to Integrated services via Agent Networks" or WE GAIN initiative is designed to do specifically that. WE GAIN theorizes that engaging trusted local female community agents to deliver doorstep digital financial and non-financial services (DFS+) will increase women entrepreneurs' access to and uptake of DFS and DFS+ for their households and businesses by decreasing financial transaction costs, increasing women's confidence and trust of DFS+ services, and expanding women's access to other complementary services.

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## ABOUT THE WE GAIN INITIATIVE

WAGE’s “Women Entrepreneurs in Northern Ghana Gain Access to Integrated services via Agent Networks” or WE GAIN initiative is a 24-month program led by Grameen Foundation USA, a global expert in approaches to women’s economic empowerment, that leverages high-impact partnerships with international legal and gender-based violence (GBV) expert American Bar Association Rule of Law Initiative (ABA ROLI) and local civil society organizations Rural Initiatives for Self-Empowerment Ghana (RISE Ghana), Ghana Developing Communities Association (GDCA), and HealthKeepers Network (HKN).

WE GAIN theorizes that engaging trusted local female community agents to deliver doorstep digital financial and non-financial services (DFS+) will increase women entrepreneurs’ access to and uptake of DFS and DFS+ for their households and businesses by decreasing financial transaction costs, increasing women’s confidence and trust of DFS+ services, and expanding women’s access to other complementary services. The project will onboard RISE Ghana, GDCA, and HKNs’ existing community agents—who currently serve their communities with health education and products, business education support, and legal literacy services—as MTN mobile money agents. MTN is one of several mobile network operators (MNOs) in Ghana who offers a range of mobile money services, such as mobile money wallets which facilitate person-to-person payments.

Grameen will also work to identify and promote other DFS+ products, such as digital microinsurance or pay-as-you-go solar products, to increase women’s access to productive goods and services they require for business. Finally, through partnerships with ABA ROLI and local human rights organization RISE Ghana, Grameen will provide agents a simple digital learning platform to deliver key messages around business, financial literacy and awareness of, and potentially, access to local GBV-support services and information to women entrepreneurs. In the process, WAGE will fuse together the diverse but equally critical sources of information and support offered to women entrepreneurs by these civil society organizations (CSOs).

## METHODOLOGY

At the proposal stage of the WE GAIN initiative, which was developed late 2019, a preliminary Gender and Inclusion Analysis (G&IA) was prepared through joint efforts of Dechert LLP, whose attorneys prepared the first draft of the analysis, Grameen Foundation, and ABA ROLI. The analysis was based on desk research and analysis of pertinent laws, policies, and secondary sources. Limited input from the implementing partners, RISE-Ghana, GDCA, HKN, and MTN was included, where relevant. As per WAGE methodology, the analysis from G&IA informed the initial project design and both the G&IA findings and the project design are further validated with local partners and complemented by program-specific needs assessment during the inception stage of the program. Moreover, this G&IA report can serve as a resource for future and similar programming in Ghana, broadly, and more specifically to the Northern R Regions of Ghana where data were available for analysis. Data on policies, laws, and statistics are assumed to be current as of late 2019, unless otherwise corrected where easily known or updated as this report was published for external audiences.

## SECTION 1: LAWS, POLICIES, AND INSTITUTIONAL PRACTICES

### Legal System



Ghana is considered to be a stable and democratic lower middle-income country with a free press, active civil society, independent judiciary, and largely apolitical military<sup>1</sup>, providing a strong, favorable environment for citizens’ economic growth.

Ghana is a unitary presidential constitutional democracy with a unicameral legislature. A former British colony, Ghana is governed by a mixed (hybrid) legal system comprising the Constitution; enactments made by the Parliament (formal laws); orders, rules, and regulations; written and unwritten laws that had existed prior to the promulgation of the Constitution in 1992; and common law largely inherited from the colonial past. Under the Constitution, common law encompasses "customary law," i.e., "the rules of law which by custom are applicable to particular communities in Ghana."<sup>2</sup> Accordingly, formal courts can apply both statutory and customary law in resolving disputes, "as long as the rules meet the requirements of 'equity and good conscience' and they are not incompatible with any existing statutory law."<sup>3</sup> The Constitution explicitly prohibits "customary practices which dehumanize or are injurious to the physical and mental well-being of a person."<sup>4</sup> In addition to formal courts, Ghanaian citizens can access justice through customary tribunals and the jury and assessor systems.<sup>5</sup> Some communities are also governed by religious laws (e.g., Islamic law).

## Legal and Policy Framework for Gender Equality

### International and Regional Treaties

Ghana has ratified or otherwise acceded to the following international and regional agreements related to gender equality:

- International Covenant on Civil and Political Rights (“**ICCPR**”) (signed and ratified 2000) and Optional Protocol to ICCPR (signed and ratified 2000);
- Convention on the Elimination of all forms of Discrimination Against Women (“**CEDAW**”) (signed 1980; ratified 1986) and Optional Protocol to CEDAW (signed 2000; ratified 2001);
- International Covenant on Economic, Social and Cultural Rights (“**ICESCR**”) (signed and ratified 2000) and Optional Protocol to ICESCR (signed 2009; not ratified); and
- African Charter on Human and Peoples’ Rights (“**Banjul Charter**”) (signed 2004; ratified 1989) and Protocol to the African Charter on Human and Peoples' Rights on the Rights of Women in Africa (“**Maputo Protocol**”) (signed 2003; ratified 2007).

### Gender Equality Provisions

Ghana has also passed several laws, policies, action plans, and strategies related to gender equality at the national level:

Title of the Law	Year of Adoption	Critical Provisions and Brief Analysis
<b>Constitution</b>	1992	Art. 17 guarantees gender equality and prohibits discrimination on the basis of gender with Clause 17(4) permitting affirmative action to end discrimination. Art. 22(1) guarantees a woman reasonable provision out of the estate of her intestate spouse. Art. 22(3) guarantees equal rights to matrimonial property. Art. 27 guarantees women equal rights to training and promotion, entitlement to paid maternity leave, and provision of childcare facilities so that they can reach their full potential.

		<p>Art. 24(1) guarantees equal pay for equal work.</p> <p>Art. 35 requires the state to take all appropriate measures to achieve reasonable regional and gender balance in recruitment and appointment to public offices.</p> <p>Art. 36(6) obliges the State to ensure full integration of women into the mainstream of economic development.</p>
<b>Intestate Succession Law</b>	1985	Provides a uniform interstate law applicable throughout Ghana when a spouse dies intestate to address the problem of gender inequality in inheritance under customary law.
<b>Affirmative Action Policy</b>	1998	Establishes a non-binding quota of 40 percent women’s representation on all Government and Public Boards, Commissions, Councils, and official bodies, including Cabinet and the Council of State.
<b>Labour Act</b>	2003	<p>Sec. 57 establishes the right to twelve weeks of paid maternity leave.</p> <p>Sec. 68 establishes the right to equal pay for equal work without distinction of any kind.</p>
<b>Human Trafficking Law</b>	2005	Prohibits human trafficking including any exploitation such as induced prostitution and other forms of sexual exploitation, forced labour or services, salary or practices similar to slavery, servitude or the removal of organs.
<b>Criminal Code (Amendment) Act</b>	2007	Criminalizes female genital mutilation.
<b>Domestic Violence Act</b>	2007	Sec. 3 criminalizes all forms of domestic violence. Following passage of the Domestic Violence Act., sec. 42(g) of the Criminal Code Act of 1960, which permitted non-consensual sex within marriage (i.e., marital rape), was repealed.
<b>National Domestic Violence Policy</b>	2009 2019	National policy to ensure the effective implementation of the Domestic Violence Act. This policy has not been updated as of 2020.
<b>National Gender Policy</b>	2015	National policy to consolidate gender equality concerns into a single strategic plan. As this report was being finalized for publication, there were discussions in September 2021 about desires to update the policy to ensure it responded to current global trends and national priorities. <sup>6</sup>
<b>National Action Plan</b>	2020 2025	National policy for the implementation of UN Security Council Resolution 1325 (2000) on Women, Peace & Security.

**Discriminatory Laws and Policy Gaps**

The preliminary analysis has shown that three of Ghana’s existing laws and policies contain provisions or omissions that impede gender equality. These include:

Title of the Law	Year of Adoption	Critical Provisions and Brief Analysis
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<b>Intestate Succession Law</b>	1985	Sec. 16A protects the right of a widow to remain in the family home for six months after the death of her spouse but is often interpreted as permitting the eviction of the widow and her children after the six-month period has elapsed. <sup>7</sup>
<b>Criminal Code (Amendment) Act</b>	1985	Sec. 58 criminalizes abortion (except in cases of rape, incest, fetal abnormality or risk to the life of the mother or child), which restricts women’s reproductive rights and right to physical integrity.
<b>Constitution</b>	1992	Article 17 forbids all forms of discrimination based on sex. However, it does not mention sexual orientation, or gender expression, which means Ghana’s definition of discrimination is noncompliant with CEDAW’s definition in Article 1 as it does not include direct and indirect discrimination.

Women’s land rights are particularly salient issues related to economic empowerment in Ghana, but the Constitution and many laws fail to adequately address these rights. Although the Constitution requires Parliament to regulate the property rights of spouses during and at dissolution of marriage,<sup>8</sup> the enactment of the Property Rights of Spouses Bill appears to be still pending, resulting in a lack of clarity around married women’s property rights and restrictions on their access to land.<sup>9</sup>

**Customary and Religious Laws**

Customary and religious laws influence many aspects of women’s lives in Ghana, including family and property rights. For example, initial research indicates that there are three types of marriages in Ghana: 1) ordinance marriages under the Marriages Act, which are registered civil unions and the only, strictly monogamous legal means of marriage in Ghana;<sup>10</sup> 2) religious marriages under the Marriage of Mohammedans Ordinance (Islamic marriage) and the Christian Marriage Ordinance; and 3) customary marriages under customary laws as applicable to the relevant communities. Notably, following a 1991 amendment to the Customary Marriage and Divorce Law (1985), customary marriages do not have to be registered.<sup>11</sup> These laws largely determine the requirements for marriage, how matrimonial property is owned and controlled, and other aspects of family life in Ghana. Under customary law, the wife is expected to contribute domestic labor, whilst the husband is the breadwinner providing economic support to the family. However, the proceeds of the joint effort of a man and a wife and any matrimonial property acquired traditionally belong to the man.<sup>12</sup> Further, in the absence of marriage certificates, women in customary or religious marriages face barriers to claiming any property rights acquired during the marriage.<sup>13</sup> Under Islamic law, women do not have equal rights with men to enter into marriage or to initiate divorce, and the bride is represented by a guardian (*wali*).<sup>14</sup>

Traditionally, the wife did not have any rights to inherit matrimonial property from her husband’s estate, with the result that such property would revert to his lineage after his death. This has historically resulted in the impoverishment of many widows and their children.<sup>15</sup> Since 1985, the Intestate Succession Law has significantly altered the system of intestate succession by providing equal rights to female and male heirs to inherit property.<sup>16</sup> Although polygyny is illegal in Ghana under statutory law, it is still permitted under customary and Islamic law,<sup>17</sup> but there is no mechanism under the law to ensure equity in relation to distribution of property upon the death of a man with multiple wives.<sup>18</sup>

**Implementation of Gender Equality Provisions**

## Has the government taken concrete steps and committed appropriate resources to implement gender equality provisions in practice?

The Government of Ghana (GoG) has taken steps to advance the status of women through legal reform efforts and other measures. For example, the proposed Affirmative Action Bill seeks to achieve equal representation of women and men in governance and public office and requires all sectors to reserve a percentage of employment for women. However, the bill has not yet been debated in Parliament and was not passed in time for the presidential and parliamentary elections scheduled for December 2020.<sup>19</sup> During partner and Grameen staff consultations, there were no updates to the status of this bill as of May 2021. Further, contradictions between customary and formal/statutory laws and inadequate or uneven implementation of the Intestate Succession Law, as well as many of the laws, policies, action plans and strategies highlighted above, have limited the realization of gender gains envisioned through the existing laws.

### Institutional Framework for Gender Equality

The following institutions have mandates to advance the status of women and girls in Ghana:

Institution	Brief Description (Status, Mandate, Functions, Effectiveness)
Ministry of Gender, Children and Social Protection (MoGCSP)	The government ministry is mandated to promote gender equality and safeguard the welfare and the participation of women in the social, political, and economic development processes. The Ministry has a Department of Gender (formerly the National Council for Women and Development created in 1975 and then the Department of Women), which implements advocacy, research, and education initiatives to empower women. <sup>20</sup>
Domestic Violence and Victims Support Unit (DOVVSU)	Unit within the Ghana Police Service established to respond speedily to situations of violence against women. Part of the Department of the Interior.
Domestic Violence Secretariat	Government body established in July 2008 to promote strategies to prevent domestic violence and rehabilitate victims of domestic violence.
Domestic Violence Court	Court created in March 2009 under the Domestic Violence Act of 2007 to facilitate the speedy resolution of domestic violence cases.

### Institutional Practices

Despite the GoG's ratification of legal mechanisms and creation of government ministries and agencies to protect and promote women's rights, in practice, these mechanisms are not effectively implemented, and women often lack access to legal assistance, awareness of their legal rights, and the financial means to secure them.<sup>21</sup> Effective implementation of Ghana's national legal frameworks and international commitments is limited by competing government priorities, and the lack of a clear gender mainstreaming strategy and coordination on its implementation in the public sector, and a lack of effective monitoring and evaluation systems in the MoGCSP. Rather than prioritizing resources for enforcing gender equality laws and the fulfillment of entitlements, the GoG directs resources to legal development in other areas such as foreign direct investment and economic policies.<sup>22</sup> Although the MoGCSP is given a substantial budget, up to 80% of their overall budget is designated for social protection programs not exclusive to women and girls, giving the MoGCSP very little budgetary discretion for targeted programming.<sup>23</sup> In addition to the lack of resource

prioritization, the public sector does not have a clear and cohesive gender mainstreaming strategy. The MoGCSP has very little coordination or cooperation with other public sector ministries and does not have the power to ensure the necessary implementation of gender mainstreaming within the public sector.<sup>24</sup> Beyond the MoGCSP's limited mandate, Ghana does not have any multi-sector coordination mechanism for gender mainstreaming within all sectors. To further limit the MoGCSP's reach, the Gender Desk Officers in the government ministries have no accountability to the MoGCSP and have a high attrition rate making it difficult to build sustainable gender policies in the ministries. The lack of leadership and coordination in gender mainstreaming has led to little clarity on gender issues, and limited gender-sensitive development and budgeting at all levels of the government.<sup>25</sup> In addition to the lack of coordination across the government ministries, regional stakeholders often receive limited guidance and resources regarding the implementation of the National Gender Policy (2015)<sup>26</sup>, resulting in seriously delayed regional implementation.

Cultural stigmas attached to women who pursue their rights and administrative court delays can also keep women from accessing the justice system.<sup>27</sup> Lack of knowledge about legal service delivery, and inadequacies in the legal aid schemes further worsen women's access to justice, and continue to limit progress towards the empowerment of women in Ghana.<sup>28</sup> Implementation of Ghana's laws regarding gender is further limited by the lack of resources and government coordination to implement the policies. The government made attempts to operationalize the 2007 Domestic Violence Law with inter-agency protocols and drafted a legislative instrument. However, the protocols were not used, the legislation was never passed, and the DOVVSU remained hamstrung by limited training and high turnover due to a lack of funding.<sup>29</sup> In addition, the 2005 Human Trafficking Act has no legislative instrument to implement the law and limited ability to protect survivors of trafficking in government-run shelters.

In addition to the limited legal implementation, several of the laws pertaining to marriage, paternity leave, and property diminish the impact of other laws meant to promote gender equality. The Marriages Act requires a male guardian to sign the register of marriage or divorce on behalf of the woman. A similar requirement is not in place for men, making the law in contradiction to the Constitution which instituted gender equality. The Labor Act provides maternity leave but not paternity leave which further perpetuates gender norms around women being the primary caregivers.

According to the CEDAW committee, women's access to justice in Ghana—particularly women in rural areas—is often due to low legal literacy. This results in women seeking justice via customary judicial mechanisms, which tend to perpetuate stigmatization and discrimination against women.<sup>30</sup> In Article 272 (c) of the Constitution, chiefs were given the responsibility to evaluate and abolish outmoded and socially harmful customs and usages. However, the National House of Chiefs is yet to fulfil this mandate.

## **SECTION 2: SOCIOCULTURAL NORMS, BELIEFS, AND PERCEPTIONS**

**What sociocultural norms, beliefs, and perceptions shape gender norms, roles, responsibilities, and behaviors in the country and communities where the program will be implemented? Do these norms result in an unequal status of women and men and/or the marginalization of vulnerable groups?**

Traditional social norms often limit women's involvement in economic activities and their ability to advance their livelihoods. Traditionally, women in Ghanaian society were seen as bearers of children. In the male dominant traditional society, women's ability to reproduce and care for children was considered the most important means by which women ensured social and economic security for

themselves, especially if they bore male children.<sup>31</sup> A 2017 study in Ghana by ActionAid found that women do approximately ten times more care work than men.<sup>32</sup> Where women are “allowed” to participate in economic activities, earnings are expected to be spent on upkeep of the household, while those of the men are reinvested in an enterprise that is often perceived as belonging to his extended family. Men are also seen as the owners of household land and other property and their inheritance rights are more respected. In Ghana’s largely agricultural society, these norms limit women’s ability to advance their livelihoods and significantly skew power dynamics in favor of men.<sup>33</sup>

Widows are particularly disadvantaged because control over household land reverts to husbands’ families rather than women, putting women at risk of losing access to farmland for subsistence and income generation. In addition, stigmatization of widows and widowhood rites, which include harmful and dehumanizing practices, are still prevalent. Although female genital mutilation and cutting (FGM/C) is prohibited by law, FGM/C is still practiced with the highest prevalence in Upper West (41.1%) and Upper East (27.8%) Regions. In other regions the prevalence of FGM/C is below 5%.<sup>34</sup> In Northern Ghana, custom and tradition place a high premium on marriage and women’s subordination to men.<sup>35</sup> Men have permission to take multiple wives whereas women are expected to commit to one husband.<sup>36</sup>

In its 2014 Concluding Observations for Ghana, the UN CEDAW Committee expressed deep concerns about “the persistence of adverse cultural norms, practices and traditions, in addition to patriarchal attitudes and deep-rooted stereotypes regarding the roles and responsibilities of women and men in the family and in society, which contribute to the persistence of violence against women and harmful practices.”<sup>37</sup> The Committee also expressed concerns about the enslavement of young girls in *trokosi*<sup>b</sup> (slave/wife to the gods) shrines, violence against women believed to be witches, increases in polygynous marriages, forced and early marriage, and a high number of teenage pregnancies.<sup>38</sup>

With the emergence of the COVID-19 pandemic, disrupted incomes, particularly among men and the self-employed who have been forced to temporarily shut down in some cases, may translate to heightened tensions leading to increased violence against women.<sup>39</sup>

### SECTION 3: GENDER ROLES AND POWER DYNAMICS<sup>c</sup>

#### Gender Roles and Power Dynamics in the Family and Community

**In law and practice, are women required to obey their husbands or other family members? Does the country have male guardianship laws or practices?**

Article 17 of the 1992 Constitution of Ghana provides that all persons shall be equal before the law, and further that a person shall not be discriminated against, *inter alia*, on grounds of gender, ethnic origin, social or economic status.<sup>40</sup> The formal laws provide for the same legal status and rights for women as for men under family, labor, property, nationality, and inheritance laws. No Ghanaian law

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<sup>b</sup> The trokosi religion, which has been practiced for 300 years in Ghana, enslaves girls as young as five years old. The girls become slaves forced into hard labor and required to perform sexual acts with fetish priests. Parents give their daughters to the fetish priests in order to compensate for a crime committed by a family member. Local religious belief dictates that misfortune will follow any family that fails to sacrifice its daughters in this way. Depending on the severity of the crime, some of the girls will be with the priests for the rest of their lives or families will continue to send a girl each generation to atone for a past crime.

<sup>c</sup> This section covers two domains of gender analysis as frequently defined by the U.S. government: “Gender Roles, Responsibilities, and Time Use” and “Patterns of Power and Decision-Making.”

requires a married woman to obey her husband or other family members. However, many women are expected to do so under religious and customary norms and as noted above, women in religious and customary marriages do not enjoy equal rights with men in practice. <sup>41</sup>

**In law and practice, are women able to, on par with men, (1) influence major household decisions (e.g., regarding children and family finances), (2) be heads of households, and/or (3) have and control their own source of income?**

Although men are heads of households in most cases, under Ghanaian law women do have equal rights to be a head of household, and the GoG has generally made efforts to enforce these rights. However, traditional social norms which position men as breadwinners/family heads and women as caretakers; as well as women's lack of ownership of key productive assets, like land; affects their practical ability to act as heads of household and influence household decisions around family, business activities, and finances.

In terms of control over household earnings, their economic proceeds are contributed towards upkeep of the household while those of men are often reinvested in an enterprise that would be perceived as belonging to his extended family. This traditional division of wealth has placed women in positions subordinate to men. <sup>42</sup>

Polygamy is illegal in Ghana, but it still exists<sup>43</sup> and it used to be encouraged for wealthy men. Dowry received from marrying off daughters was also a traditional means for fathers to accumulate additional wealth. In these cases, family considerations outweigh personal desires.

**How are roles and responsibilities typically divided between women and men in the families and communities?**

In Ghanaian society, women are primarily seen as caretakers of children and economically dependent on men. Many men play very little role in the upbringing and development of their children<sup>44</sup> and as a result, women who want to operate businesses are often forced to combine their role as mothers and workers or entrepreneurs.

WAGE local partners Ghana Developing Communities Association (GDCA) and HealthKeepers Network (HKN) indicated a typical day for women in Northern Ghana consists of getting up early, cooking, cleaning and preparing their children for school. Prior to any economic activity, a woman has to get her chores done. She will then move to the farm or other economic activities. Men have more time in the day, and in fact, after going to the fields they "loungue" with other men at community centers where their wives will bring them a mid-day meal at some point. HKN shared that on market days, women go to the market and sell, but they also prioritize their typical chores. Due to lack of electricity, families often go to bed early.

Women's responsibilities related to carrying water, given most households rely on rain-fed agriculture and irrigation to grow their crops, consist of filling buckets of water for irrigating small plots, which takes up a significant amount of time. Some households have carts that they take to the riverside to load water. Water pumps, while uncommon due to their expense and availability, have been identified as an important labor-saving device for women in Northern Ghana. <sup>45</sup>

## **Gender Roles and Power Dynamics in the Economy**



**Is a woman’s legal capacity identical to that of a man? Can women, on par with men, work, execute all types of contracts, register a business, file or participate in a lawsuit, or transact in any other way? Does marital status affect any such capacity?**

Women in Ghana are able to get a job in the same way as men. Section 14 of the Labor Act 2003 (the “Labor Act”) prohibits discrimination in employment based on gender and sections 63(3)(b), 64 and 175 of the Labor Act prohibit sexual harassment at the workplace and provide for civil remedies (but no criminal penalties).<sup>46</sup> If they choose, women are able to work in the same industries as men, except in the factories.<sup>47</sup> In practice, as will be covered below, barriers to economic participation are driven more by social norms that dictate women’s roles and their lack of skills and training. Women are able to sign a contract, register a business, and open a bank account in the same way as men.<sup>48</sup> However, women’s limited access to land titles acts as a major barrier to their ability to access credit from banks, as most banks require a land title to be listed as collateral on loans.

Article 22 of the Constitution requires that Parliament shall enact legislation to regulate the property rights of spouses and states that spouses shall have equal access to property jointly acquired during marriages and that assets that are jointly acquired during marriage shall be distributed equitably between spouses upon dissolution of the marriage. Such a law is, however, yet to be enacted.<sup>49</sup> The absence of regulatory legislation to govern the property rights of spouses on divorce tends to create inequity and insecurity particularly for the property rights of women.<sup>50</sup>

**Can women meaningfully participate in economic life? What are the key barriers they face? Are there disparities between women and men with respect to labor force participation (formal and informal), unemployment rates, income, wages, and ability to open and/or operate a micro, small, medium or large business? Are women more likely than men to participate in the informal economy?**

### **Context and Key Business Activities**

In 2016, it was estimated that approximately 13.1% of the population lived below the USD 1.90 international poverty line (2011 Purchasing Power Parity USD 1.90 per person per day)<sup>51</sup> and 23.4% living below the national poverty line.<sup>52</sup> Ghana’s Northern Regions have seen the smallest progress in poverty reduction (reducing from 56% in 2006 to 50% in 2013), with an average per capita income that is only 15% of the national average in the Upper East Region and just 26% of the national average in the Northern Region<sup>53</sup>. Among rural communities in the North, the extreme poverty incidence was 28% in 2013.<sup>54</sup> The Northern Regions lie in a semi-arid savanna zone and rain-fed agriculture is the main economic activity. Over 70% of the population in Northern Ghana live in rural areas and approximately 70% of the inhabitants are smallholder farmers.<sup>55</sup> According to key informant interviews with WAGE local partner GDCA, women engage in agricultural cultivation (maize, yam, sorghum), shea butter production value-added processing of rice, soybeans and other agricultural products, agricultural trade and petty trading of factory-made products, soap-making, and charcoal burning (which relies on cutting down trees to create charcoal, which is known to have negative effects on the environment).

### **Barriers to Economic Participation**

Key barriers to women’s ability to participate in and benefit from economic activities include limited access to credit for business growth, time poverty and caretaking activities, limited control over household financial decision-making and productive assets driven by traditional social norms, lack of technical skills, GBV, and low confidence in their ability to successfully operate businesses. Statistics and various studies indicate women are generally able to participate in economic activities in Ghana at the same rate as men but the roles they take are more menial, and it is questionable

whether earnings benefit the women themselves or someone else. Women's economic activities are predominantly in the informal sector, concentrated in low wage jobs, and unpaid labor. In subsistence agriculture and agribusiness, women play a key role in small-scale production aggregation and marketing; but these roles are much less profitable than wholesale selling which is dominated by men<sup>56</sup> and women often have little control over how agribusiness earnings are spent.

A study conducted in Nabdam district in the Upper East region found that after investment, women entrepreneurs lack technical know-how (they rely on business processes that have been passed down from one generation to the next) and business management training.<sup>57</sup> However, men and women are both disadvantaged. Distance to reach credit facilities coupled with lack of collateral or security guarantees limits investment, resulting in small scale operations. Given many entrepreneurs sell the same products (produced on their farms or backyards), there is always less raw material available for each producer, resulting in less production per head and less income after sales.

**How are roles and responsibilities typically divided between women and men in the market economy (if at all)? For example, are women expected to work in certain sectors or occupy certain positions?**

In 2017, it was estimated that the employment-to-population ratio for the country was 65.0% and was higher in rural areas (69.5%) compared to urban areas (61.0%). In the North, it was highest in the Northern Region (65.1%) and lowest in the Upper West (50.8%). Women had similar employment rates to men, except in the Upper West where women were about 5 percentage-points lower. Across Ghana, 37.1% of the currently employed population worked as skilled agricultural and/or fishery workers; 23.0% as service or sales workers; and 17.2% as craft and related trade workers. With the exception of service and sales workers and craft and related trades workers where men dominate all occupations; women (43.8%) were more likely than men (32.2%) to work in the services sector. More than 7 in every 10 (71.3%) of those employed were in the informal sector (employed in informal sector enterprises or informal jobs). Interestingly, the likelihood of working in a formal job is greater among females (31.7%) than males (27.2%). Two-thirds (66.2%) of the currently employed are engaged in vulnerable employment, and this is made up of self-employment work (49.2%) and contributing family work (17.0%). Seventy-eight percent of females were engaged in vulnerable employment (self-employment - 55.7%; contributing family workers - 22.1%) compared to 54.2% of males (self-employment - 42.3%; contributing family workers - 11.5%).<sup>58</sup> In the Northern Regions, agriculture is the primary income-generating activity for men (68-75%) and women (44-64%); sales and services are the next largest category for occupation for women (~20%).<sup>59</sup> The Northern Region also recorded the highest proportion of the employed population in vulnerable employment (84.5%) in Ghana (50.6% are in self-employment and 33.9% are contributing family workers). The Upper West and Upper East followed as the next regions to record the highest proportions of those classified as vulnerable employment.<sup>60</sup>

**Do women occupy, on par with men, leadership and decision-making positions in the private sector, including at the senior level?**

Currently, there are 37 women in Ghana's parliament which represents 13% of the legislature (well below the 40% quota set out in the Affirmative Action Policy 1998).<sup>61</sup> Women's engagement in group-based structures have been noted as being important for both building women's leadership skills and for social capital. While men may not be willing to assist other women that are not in their family, women help each other. A qualitative interview conducted by International Food Policy Research Institute captures this: "It is my fellow women who can help, and my hope is in them. For men, when

they see you suffering, they are concerned with their own households. It is only women who can help.”<sup>62</sup>

There are several initiatives to promote women’s economic empowerment in Ghana:

- The Government of Ghana’s Ministry for Gender, Children and Social Protection has been running the nationwide Livelihood Empowerment Against Poverty Programme (LEAP)<sup>63</sup> in Northern Ghana, which provides social cash grants to the extremely poor and vulnerable households. As of 2018, 112,367 households in the three Northern Regions had been served (Upper West had 38,133, Upper East 31,061, and the rest 43,173 were recorded in the Northern Region). An evaluation found that the cash transfers increased the tendency of LEAP households to seek preventive care for their children, save money and reduce their debt—activities that strengthened community networks and the social capital of LEAP households.<sup>64</sup>
- The USAID Resiliency in Northern Ghana (RING) Project<sup>65</sup> aimed to improve the livelihoods and nutritional status of vulnerable households in targeted communities of 17 districts in the Northern Region. This was achieved through three complementary project components: increasing the consumption of diverse quality foods, especially among women and children; improving behaviors related to nutrition and hygiene of women and young children; and strengthening local support networks to address the ongoing needs of vulnerable households. USAID RING also sought to strengthen the agricultural market and value chain, promote gender sensitivity and equity, and increase employment generating potential. RING I was managed by Global Communities, Inc. between 2014 and 2019. Research found that communities that implemented village savings and loan associations (VLSAs) experienced more positive impact on savings (and access to credit), herd management and nutritional practices than communities that had implemented the behavior change communication strategies and livestock management strategies alone.<sup>66-67</sup>
- The Ghana Agricultural Development and Value Chain Enhancement (ADVANCE) II project<sup>68</sup> supported the scaling up of agricultural investments to improve the competitiveness of the maize, rice, and soybean value chains in Ghana and addressed gender inequality along the value chains. An impact evaluation on women’s empowerment found increased resilience and empowerment (increased decision-making power, reduced labor and time burdens, and increased participation in community events) among women from the food security and economic empowerment activities, particularly for those women that belong to VLSAs.<sup>69</sup>
- The Strengthening Partnerships, Results, and Innovations in Nutrition Globally (SPRING) project<sup>70</sup>, funded by USAID, was a five-year project that operated in the Northern and Upper East Regions of Ghana. SPRING was primarily a nutrition project that integrated farmer field schools for women, particularly for groundnuts, maize, and sweet potatoes. SPRING also developed father-to-father groups to address household malnutrition and infant and youth feeding practices. Impact results measured by the project found a reduction in stunting among children under two, increased knowledge of aflatoxin among farmers, and an increase in the rate of children receiving a minimum acceptable diet.<sup>71</sup>

## Gender Roles and Power Dynamics in Political and Civic Life

### **Can women, on par with men, vote and stand for elections at the local and national levels of the government?**

In Ghana, every adult who per the Constitution is qualified to vote has the right and opportunity to vote in both local and national elections; however, the law does not provide for any special measures

to ensure that women understand their rights to vote.<sup>72</sup> The Constitution further provides for the freedom of citizens to mobilize, partake in demonstrations, and to form or join any association (e.g. trade unions or other national and international groups) for the protection of their interest. It further grants citizens the right and freedom to form or be part of a political party and to participate in political activities subject to laws of the country.<sup>73</sup> Although women have the equal right to join in civic and political activities, women still lag behind men in participation. Men and women have very similar voting levels with 77% and 76% of men and women (respectively) voting in the last elections. However, only 44% of women indicated that they were likely to attend a community meeting compared to 55% of men. Even in conversations, only 59% of women stated that they discuss politics occasionally or frequently compared to 70% of men.<sup>74</sup>

### **Can women meaningfully participate in political and civic life? What are the key barriers they face? Are there disparities between women and men with respect to political participation?**

Although women have equal rights to vote and to hold political office under the Constitution,<sup>75</sup> women still face structural and social barriers to participating in political processes and are severely under-represented in decision making institutions. In the 2020 Parliamentary and Presidential elections, a woman was nominated for Vice President. Professor Naana Jane Opoku-Agyemang, Ghana's former minister of education, was selected by John Dramani Mahama, presidential candidate for the National Democratic Congress (NDC). She did not win the position. But it was a pivotal moment in Ghana as it was the first time either of the main two parties had nominated a woman on the presidential ticket. At the local and national levels, women are significantly underrepresented in major political positions, accounting for 13.1% of parliamentary seats at the national level and 8% of District Executive Chief positions at the local level.<sup>76</sup> The situation is far worse in the Northern Region, where women's representation in the parliament is just over 3%.<sup>77</sup> This is far below the regional average of 24% in African countries.<sup>78</sup> Despite Ghana's 1998 Affirmative Action Policy which establishes a non-binding quota of 40% for women's representation in the government and the 2015 National Gender Policy which promotes women's empowerment and leadership, women's representation remains low within government.

There is also a lack of commitment from the central and local government officials (who are mostly male) to address these gendered barriers. According to the World Economic Forum's 2021 Global Gender Gap Report, roughly half as many females work in the Ghanaian public sector as legislators, senior officials and/or managers compared to males.<sup>79</sup> Further, women hold 25% of ministerial positions, and only around 14% of national parliamentary seats at the national level; and only 8% of District Executive Chief positions at the local level.<sup>80</sup> Despite making up only 25% of ministerial positions, women are acting in roles outside of the traditional feminized sectors of social affairs, health and education, and are currently holding, or previously held the positions of Minister of Sanitation and Water Resources, Communications, Local Government and Foreign Affairs. While Ghana has never had a female head of state<sup>81</sup>, a survey done in September 2020 found that the majority of voters, 61% of men and 72% of women, would vote for a female presidential candidate<sup>82</sup>.

Women face multiple barriers to political participation, including exorbitant candidate nomination fees, discouragement from their spouses, violence against women in politics, public insult and ridicule from opposing candidates, and a strong patriarchal ideology, particularly in the northern part of Ghana; these compounding barriers consequently perpetuate women's subordinate status and discourage them from participating in a political arena traditionally dominated by men. In their 2020 report, the Gender Center for Empowering Development found that 46% of women in politics have suffered verbal abuse with 26.3% experiencing psychological abuse. The report which surveyed 100 female members of Ghana's main political parties, also found that 18.6% were sexually abused

with 9% reporting physical assault.<sup>83</sup> Moreover, women running for office also face political and financial barriers to running for office as well as verbal, emotional, and physical violence.

## SECTION 4: ACCESS TO, USE, AND CONTROL OVER ASSETS AND RESOURCES

### Property and Inheritance Rights

**In law and in practice, do women and men have an equal right and ability to access, use, and control property and assets, including income, cash, savings, productive assets (e.g., land, machinery, animals), and intellectual property?**

Ghana's Constitution provides that all persons are equal before the law and mandates equality for men and women in disposition of property upon divorce or death of a spouse.<sup>84</sup> The Constitution also requires that Parliament enact legislation regarding the property rights of spouses; however, Parliament has failed to do so, although it has long been considering passage of the Property Rights of Spouses Bill.<sup>85</sup> The absence of regulatory legislation to govern the property rights of spouses on divorce tends to create inequity and insecurity particularly for the property rights of women.<sup>86</sup>

To a large extent, women's access and control over productive resources including land are determined by male-centered kinship institutions and authority structures, which tend to restrict women's land rights in favor of men. Because of the lopsided control that men exercise over decisions concerning the allocation of resources both at home and in the public sphere, women are often discriminated against in matters related to land. Weak access to land also limits women's ability to provide collateral and makes it difficult to obtain credit.<sup>87</sup> Predominantly male tribal leaders and chiefs have the power to regulate land access and usage within their tribal areas. Within these areas, women are less likely than men to receive access rights to large plots of fertile land. Widows often face expulsion from their homes by their deceased husband's relatives, and they often lack the awareness or means to defend property rights in court.<sup>88</sup> Many women's right to property and inheritance and other rights are also violated when they are accused of being witches.<sup>89</sup>

Owning land in Northern Ghana is considered important for empowerment among men and women farmers. Due to patrilineal inheritance systems, women primarily access land through their husbands or by borrowing or renting land from other men in the community. When their husbands die, women may access land through their sons, or the control of the land can revert to an older brother or father-in-law.<sup>90</sup>

As noted above, women's property rights during marriage and upon divorce or death of their husbands vary depending on the type of marriage (ordinance, religious, or customary).<sup>91</sup> Since polygamy is not recognized in Ghanaian formal law, but is permitted in customary marriages and Islamic marriages, property disposition upon death or divorce becomes even more inequitable for women in these instances because women lack legal protections in these unions.<sup>92</sup>

There are three types of land in Ghana: state-owned public land, which is vested in the President; privately-owned land, which can be owned by men or women; and stool or skin land, which is controlled by traditional community groups, usually led by men, in various regions of the country.<sup>93</sup> About 80% of the land in Ghana is customary stool or skin land, allocated by village chiefs. Land is allocated to households rather than individuals, but this is often detrimental to women because men are seen as the heads of households and title holders for the household rather than women.<sup>94</sup>

Under customary law regimes, women have secondary access to land; that is, the men in their lives (*e.g.*, their fathers, until they marry, and then their husbands) provide them use access to their land for farming.<sup>95</sup> Upon divorce or death of their husbands, women lose rights to the land.<sup>96</sup> As a result, widows and divorced women face particularly high barriers to economic participation, and are at particularly high risk of poverty. Even when women do have access to land through their husbands, they typically grow smaller subsistence crops, rather than cash crops, because women are seen as responsible for taking care of children and keeping their families fed.<sup>97</sup> Because of this regime, women lack access to land as collateral for loans in many cases.<sup>98</sup>

In 2012, Ghana's Supreme Court decided the case of *Mensah v. Mensah*, holding that upon divorce, spouses are entitled to an equal share of property acquired during the marriage.<sup>99</sup> Under customary law, traditional leaders are responsible for the dispensation of marital property on divorce; such cases are subjective, and factors such as the wife's relationship with her husband's family, her character, and whether she 'brought the divorce upon herself' are examined to determine the amount of marital property she will receive when the divorce is finalized.<sup>100</sup>

### **Are property rights different for married and unmarried women? Do women and men have equal financial rights before, during, and after marriage?**

Cohabiting, unmarried couples are not formally recognized in the laws of Ghana, and women in such unions are unlikely to be able to inherit from their deceased male partners or have access to assets acquired during the partnership upon separation.<sup>101</sup> The Property Rights of Spouses Bill is envisioned to provide protections for these unmarried unions, although passage has stalled in the legislature.<sup>102</sup>

There are no laws in Ghana mandating inequality of financial rights between men and women. However, in traditional customary marriages, men typically control the finances in the relationship.<sup>103</sup> Moreover, in customary law regimes, upon divorce or death of their husband, women are often deprived of assets by local leaders and their husband's family.<sup>104</sup>

### **Does the law envision effective protections against arbitrary deprivation of property, including land grabbing from women?**

The Intestate Succession Law provides protections against ejection of spouses from the matrimonial home under certain circumstances (Intestate Succession Law sec. 16A (*adopted* 1985, *as amended* 1991)). However, in customary law regimes, the deceased husband's families evict widows from the home and the lands in practice without regard to these statutory protections.<sup>105</sup>

### **In law and in practice, do women and men have an equal right and ability to inherit property, including—without limitation—from parents and deceased spouses?**

The Constitution provides that spouses "shall not be deprived of a reasonable provision out of the estate of a spouse,"<sup>106</sup> and the Intestate Succession Law provides spouses with equal rights of inheritance (Intestate Succession Law sec. 5, 6 (*adopted* 1985, *as amended* 1991)).

However, the Intestate Succession Law also provides that customary intestate succession shall apply if the marriage was validly contracted under customary law (Intestate Succession Law sec. 10 (*adopted* 1985, *as amended* 1991)).<sup>107</sup> Under patrilineal and matrilineal customary law regimes, women whose husbands die cannot inherit property from them because wives are not part of their husband's patrilineage or matrilineage.<sup>108</sup> Rather, the property will go to the male relatives of the

deceased husband's father's family in a patrilineal system, if there are no children of the marriage, and the property will go to the deceased husband's mother's family (usually to the men therein) in a matrilineal system.<sup>109</sup>

The Intestate Succession Law grants equal rights to all children of the deceased, regardless of gender or age (Intestate Succession Law sec. 5, 7 (*adopted 1985, as amended 1991*)). However, under customary law in patrilineal regimes, preference is usually given to sons over daughters.<sup>110</sup> Under matrilineal customary law regimes, children cannot inherit from their father because the father's matrilineal family does not include his wife and children.<sup>111</sup>

**Does the country have a land registry and a registry of movable assets? If yes, can women use it on an equal with men?**

The Land Title Registration Act provides for registration of land and for a land registry (The Land Title Registration Act sec. 14 (*adopted 1986, as amended 2007*)); however, only a small percentage of the land is registered.<sup>112</sup> There are no laws impeding women's access to the land registry, but discrimination in customs and women lacking knowledge of the laws can prevent them from participating fully.<sup>113</sup>

## **Access to Credit**

**In law and practice, can women, equally and independently, open bank accounts and take out loans in their own name? What are the key barriers that women face in access to credit?**

There are no laws in Ghana prohibiting women from opening bank accounts or taking out loans in their own name.<sup>114</sup> However, in practice, only 38% of women in Ghana report having an account at a bank or other financial institution, and only 10% of women in Ghana report borrowing money from a financial institution.<sup>115</sup> Women, especially women living in rural areas, face distance, transportation, and cost barriers to accessing bank accounts and credit.<sup>116</sup> As previously noted, women's lack of ability to inherit and control land, and the resulting lack of access to collateral is also a barrier to accessing credit facilities.<sup>117</sup>

**Do women who lack collateral have alternative options to prove creditworthiness?**

When women cannot access credit at a bank due to lack of collateral, some turn to savings and loan companies that use a person's savings as collateral.<sup>118</sup> However, women often have small amounts saved, so they receive a smaller loan at a high interest rate.<sup>119</sup> Additionally, through the "Susu" informal rotating savings system, women in Ghana are able to use savings deposits contributed over a certain amount of time (*e.g.*, six months) as collateral for certain microfinance loans. Finally, some microcredit programs in Ghana do not require collateral.<sup>120</sup>

**Do women have equal and meaningful access to a diversity of financial products (e.g., microloans, bank loans, mortgages, saving accounts, mobile money/digital financial services)?**

As stated above, women in Ghana (especially rural women) face distance, transportation, and cost barriers to accessing traditional financial products such as bank loans and savings accounts. However, women are more likely to rely on non-bank formal financial services than men, and as of 2017, 37% of women in Ghana made or received digital payments within the past year.<sup>121</sup> Although women's access to microcredit in Ghana varies by region and urban/suburban/rural setting,



microcredit organizations exist in Ghana and lend to women. Across most loan products, women face access barriers such as a lack of collateral and high-interest loans.<sup>122</sup>

Digital financial services (DFS) have been found to help customers, particularly low-income and female customers, reduce the time and costs they incur to make financial transactions and improve the security of those transactions. Access to DFS agents has also been found to reduce poverty and smooth consumption in various contexts.<sup>123</sup> To increase the use of DFS in Ghana, there are two important use cases of DFS for women: savings and entrepreneurship. As both merchants and customers, women dominate the open markets that drive trade and business in many towns and cities across the country.<sup>124</sup> However, the digital ecosystem for DFS is challenged by connectivity and broadband access, limited agent networks, and lower uptake of DFS among women particularly in rural areas and in the Northern Region, which is also challenged by its higher poverty rate. Compared to other West African markets, Ghana has low smartphone penetration, at 35% of total connections, and is still a predominately basic and feature phone market.<sup>125</sup> A study conducted by ADVANCE II, a USAID/Feed the Future-funded initiative, found that in the Northern Region, mobile phone ownership was at 33.12% overall (48.67% for men, 18.67% for women).<sup>126</sup>

In 2014, the World Bank's Global Findex indicated that only 13% of Ghanaian adults owned a mobile money account whereas in 2017, this more than doubled to 39%. By 2017, Ghana had over 11 million active mobile money accounts as well as new use cases for mobile money from maintaining a savings account to paying for insurance premiums.<sup>127</sup> By March 2019, Ghana had 12.7 million mobile money accounts.<sup>128</sup>

However, there is still a gender gap between men and women in both mobile phone ownership (16%) and in mobile money account ownership (17%).<sup>129</sup> Mobile money is seen as adding value to women in two specific ways: savings and entrepreneurship. Ghanaian women are savers and often pay others (*susus*) to save their money for them. Most merchants and customers of markets are women and therefore transactions facilitated through mobile money show great promise for women for convenience as well as generating new income. However, low literacy and awareness of mobile money benefits, concerns about safety (worries about fraud and safekeeping of their money), trust (lack of trust for mobile money agents and social norms issues for interacting with male mobile money agents), and affordability (transactions costs are greater proportionally for women due to their more limited income) limit women's use of mobile money.<sup>130</sup>

In 2017, MTN Ghana launched a merchant payment service called MoMo Pay. A case study<sup>131</sup> conducted by Global Systems Mobile Communications Association (GSMA) found that MoMo Pay provides two important benefits to women, particularly women entrepreneurs, in Ghana: it helps women entrepreneurs digitize their transactions (56% of merchants who have adopted MoMo Pay are women; 71% of their customers are also women), therefore deepening their financial inclusion and second, it drives greater mobile money use and engagement among female customers. The study found that after adopting MoMo Pay, customers, especially women, increased both the frequency and value of transactions and became more likely to remain active users. Despite the 2017 Global Findex suggesting a substantial gender gap in mobile money use in Ghana, GSMA found that MTN Ghana's overall mobile money customer base was in fact split relatively evenly by gender. Women account for 35% of MoMo Pay merchants. Key barriers to use of MoMo Pay by customers include a lack of trust and convenience, negative experiences using mobile money for payments or other applications, fear of fraud, weak or sporadic network connections in markets interrupting transactions, too many types of fees and perceived high fees. Women, in particular, were found to be more cautious and skeptical of mobile money and more concerned about fraud and faced barriers related to digital skills and literacy.

One of the reasons for adoption of MoMo Pay, particularly among women merchants, was the ability to transfer funds to a bank account for free and because MoMo Pay provided them greater safety of their money than carrying cash. However, 40% of female MoMo Pay merchants and 30% of male merchants never or only rarely suggested MoMo Pay to their customers. Two key implications for the MTN research for women in Ghana are that 1) female merchants are key to reaching female customers and that females rely on merchants to explain the benefits of the service and help them perform their first transaction; and 2) mobile network operators should consider leveraging female-dominated channels of marketing or distribution to increase female uptake or usage of merchant payments and mobile money services (for example, female-led enterprises, agricultural co-operatives, and business and entrepreneur associations). Also, adoption of MoMo Pay was found to pique merchants' and customers' interest in other MTN products such as MTN savings account (Y'ello Save) and Mobile Money loans (MTN QwikLoan).

### **Are there incentives or initiatives to promote women's financial inclusion? Are they effective?**

In 2018, Ghana released its National Financial Inclusion and Development Strategy: 2018-2023.<sup>132</sup> The goal of the program is to increase adult access to formal financial services from 58% to 85% by 2023.<sup>133</sup> One of the policy priorities is to design and implement a campaign that informs excluded groups, such as women and rural residents, of their financial services options in Ghana. There are a number of microfinance institutions and NGOs in Ghana that also seek to promote women's financial inclusion.<sup>134</sup>

In 2018, the Bank of Ghana launched the first Mobile Money Interoperability System, which aimed to eliminate inconveniences associated with transfers across the various mobile money networks<sup>135</sup> such as MTN (who has 48% of voice connections), AirtelTigo (27% of voice connections), and Vodafone (24% of voice connections).<sup>136</sup> In 2020, Ghana was also one of the first countries to launch a digital financial services policy and is designed to serve as a blueprint for how Ghana can leverage digital finance to achieve its financial inclusion goals.<sup>137</sup> While the policy was not designed for response to COVID-19, it is assumed that it will result in citizens having the digital financial tools they need to cope with a new era of social distancing and economic uncertainty.<sup>138</sup> The policy documentation notes the important use cases and considerations for women, particularly for their financial inclusion but also for spurring women's entrepreneurship across the country.

As this report was being finalized, the GoG had recently proposed a new tax of 1.75% on the value of mobile money transactions and would cover mobile money payments, bank transfers, merchant payments and inward remittances which were expected to negatively impact the use of mobile money. The tax is expected to go into effect 1 February 2022. The only tax exemption is for transactions up to 100 GHC (USD 16<sup>d</sup>) per day. Given many of the government efforts to increase the use of DFS as a means to achieve the goals in the National Financial Inclusion and Development Strategy have resulted in significant increase in use of DFS in the last few years, this is seen by many as an attempt to widen the tax net since the majority of Ghanaians work in the informal sector and to capture revenue from USD 81 billion in digital transactions that were captured in 2020.<sup>139</sup> There are concerns that the progress being made to increase digital transactions will be derailed by this tax and limit growth of the fintech ecosystem by making Ghana unattractive for fintech startups.<sup>140</sup>

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<sup>d</sup> In this report, Ghana Cedis are converted to United States Dollars at the time when the assessment was conducted (USD 1.00 = GHC 6).

## Access to Essential Services

**Do women face any unique barriers in access to education, healthcare, housing, water, food, electricity, social benefits, justice, technology, and any other essential services?**

**Education:** There is gender parity in boys' and girls' educational achievement at the primary and secondary levels in Ghana.<sup>141</sup> While compulsory education is free through the age of 14, a 2015 study estimated that households spent approximately USD 170 on hidden fees, such as food, uniforms/sports clothes, textbooks, exam fees, mandatory extra classes and parent teacher associations, and transportation.<sup>142</sup> Although gains have been made in girls' access to education, the quality of education in Ghana declines dramatically between elementary and secondary school, especially in rural areas.<sup>143</sup> In rural areas the majority of girls will receive four years of education compared to 13 years for girls in affluent urban areas.<sup>144</sup> Although girls and boys have parity in education levels, girls face higher barriers to pursuing education and employment in Science, Technology, Engineering, and Mathematics (STEM) fields. To address this, the Ministry of Education has launched campaigns to re-enroll and retain young women in schools and to encourage their pursuit of the STEM fields.<sup>145</sup>

Teen pregnancy and child marriage also contribute to the truncation of girl's education,<sup>146</sup> but poor quality and availability of schools can also contribute to child marriage and pregnancy. One in 3 girls in Northern, Upper East and Upper West Regions are estimated to marry before the age of 18. Uneducated girls are more likely to marry early than educated girls.<sup>147</sup> Deficiencies in water and toilet infrastructure also result in menstruating girls dropping out of school.<sup>148</sup>

Girl's lack of access to education is not only caused by poverty, but it also contributes to and perpetuates the poverty cycle; limited education in conjunction with many of the social norms already mentioned in this report, limits women's economic opportunities as they are relegated to low-return income generating activities in the informal sector.<sup>149</sup>

**Healthcare:** Women and girls in Ghana face high maternal mortality rates, in many cases due to a lack of access to quality facilities and healthcare professionals and due to unsafe abortions.<sup>150</sup> While the National Health Insurance Scheme (NHIS) of Ghana has over time added more health services and attempts to increase affordability and utilization of drugs and health services in general, and among the poor and most vulnerable populations in particular,<sup>151</sup> transport costs, particularly for rural communities where health facilities are lacking, are still a barrier to reaching services.<sup>152</sup> A study in the Upper East Region on access to the NHIS showed that women from lower socioeconomic strata, who had no children or were single or conversely had more than four children, who had no education, and if they practiced traditional religion were less likely to have insurance coverage.<sup>153</sup>

## SECTION 5: GENDER-BASED VIOLENCE (GBV)

### Prevalence and Forms of GBV

**How prevalent is GBV nationwide and in communities where the program will operate? What are the predominant forms of violence faced by women in these communities?**

Violence against women remains widespread in Ghana. A study by Issahaku estimates that approximately 27%, 62%, and 34% of Ghanaian women in the Northern Region had experienced physical, psychological, and sexual violence respectively.<sup>154</sup> An estimated 72% of women in Ghana have experienced some form of violence in their lifetime.<sup>155</sup> Surveys show that GBV begins at a young

age with 37% of women between ages 15-49 reporting the experience of physical violence since age 15.<sup>156</sup> In many communities, GBV is also accepted. In 2014, the Ghana Demographic and Health Survey, reported that nearly a third of women agreed to at least one reason to beat your wife. Although that percentage declined from the previous survey, GBV is still widespread and accepted by many.<sup>157</sup> Some groups of women are particularly vulnerable:

- The girl child may be sexually abused in the family, subjected to early or child marriage, or exploited as a porter or domestic worker.
- Female genital mutilation and the ritual servitude of trokosi also remain prevalent in some parts of the country even though these practices have been criminalized and are on the decrease.
- Women accused of witchcraft are often violently driven from their communities and forced to take refuge in “witch camps.”
- Many widows are subjected to widowhood rites, violent evictions from their homes, and loss of inheritance, leaving them destitute.
- Women working in the informal sector, such as domestic workers, bar and restaurant workers.<sup>158</sup>
- In Northern Ghana, women in rural settings, who are younger than their husbands, whose husbands are unemployed, whose husbands have non-marital sexual partners and who reported that their husbands did not appreciate them were more likely to experience forms of GBV.<sup>159</sup>

Although intimate partner violence is the most common form of GBV in Ghana, strangers, teachers, schoolboys, other family members and acquaintances may also be perpetrators of physical and sexual violence.<sup>160</sup> Domestic violence is often viewed as a private family matter in Ghana and as a result, it is difficult for victims to report abuse and seek help. There is also stigma and shame associated with domestic violence in Ghana preventing many survivors from speaking out about the abuse to their family or close friends.<sup>161</sup> Harmful attitudes towards women are reinforced by certain religious and community leaders, who exhort women to stand by their husbands under all circumstances while at the same time failing to take a clear stand against wife battery and marital rape.<sup>162</sup>

Reports also indicate that rape of underage girls committed by men within the family circles, including brothers, fathers, stepfathers and other “fatherly figures,” is a big problem although there is no reliable data on the exact size of the problem.<sup>163</sup>

In addition to stigma, women and girls face structural barriers to seeking services. Many survivors do not have the economic resources to seek medical or legal services. Although victims are legally entitled to free medical treatment offered by the State in case of emergency or a life-threatening situation, survivors still must pay for some treatments. The survivors must purchase the medical equipment for the forensic exams including the sexually-transmitted disease and pregnancy tests.<sup>164</sup> Family planning, safe abortion, post-abortion services and referral services are also not covered under the national health insurance benefits package. In addition to medical costs, transportation (especially in rural areas) is a prohibitive financial barrier. Due to the high burden of paying for services, many of the survivors that do seek justice in the formal legal system, drop their cases. This further contributes to the societal perception of impunity for perpetrators of GBV. Women tend not to seek protection orders since domestic violence is viewed as a private family matter.

The recent emergence of COVID-19 puts women at even greater risk to GBV due to economic insecurity and poverty-related stress, quarantines and social isolation, a break down social

infrastructure and changing family dynamics, reduced health service availability and access to first responders, and inability of women to temporarily escape abusive partners, among others.<sup>165</sup> These compounding factors not only exacerbate GBV, but they can also lead to a sense of powerlessness among women to decline sexual advances or seek help without facing violence or coercion.<sup>166</sup>

## Legal and Institutional Framework for Addressing GBV

The principle of non-discrimination on the basis of sex is engrained in the Constitution. The Domestic Violence Act, adopted by the Ghanaian Parliament in May 2007, criminalizes physical, sexual, and psychological abuse, intimidation, as well as threats and harassment between spouses and other intimate partners, former partners, family members, and co-tenants. To be covered by the Domestic Violence Act, the violence or abuse must have occurred in a domestic relationship (including the extended family as well as parties who are engaged to each other, house helps and those living in the same house).<sup>167</sup> The following provisions are particularly worth noting:

- Article 1(b)(iii) criminalizes “economic abuse” in the domestic relationship which is defined as the “deprivation or threatened deprivation of economic or financial resources which a person is entitled to by law, the disposition or threatened disposition of moveable or immovable property in which another person has a material interest and hiding or hindering the use of property or damaging or destroying property in which another person has a material interest.”
- Article 3 prohibits and punishes domestic violence: “a person in a domestic relationship who engages in domestic violence commits an offence and is liable on summary conviction to a fine of not more than 500 hundred penalty units or to a term of imprisonment of not more than two years or both. The Court may, in addition to imposing a fine or a prison term, order the offender in a case of domestic violence to pay compensation to the victim as the Court may determine. When a cause for complaint has arisen between persons in a domestic relationship and the persons do not cohabit, none of those persons shall enter into the residence of the other person without that other person’s permission.”
- Article 7 requires the police to provide victims of domestic violence with the protection the circumstance of each case requires.
- Article 8(4) provides that victims are legally entitled to free medical treatment provided by the State in case of emergency or a life-threatening situation.
- Articles 11 to 16 provide information on the procedures to apply for protection orders and interim protection orders from the courts.

In addition, the Domestic Violence Act:

- Stipulates that the use of violence in the domestic setting is not justified on the basis of consent, thereby ensuring that the crime of marital rape can now be prosecuted in Ghanaian courts.
- Allows courts to refer cases of non-aggravated domestic violence to settlement by an alternative dispute resolution method. The Act stipulates several safeguards to ensure that “settlement” does not equate to impunity and re-victimization. Both perpetrator and victim must attend counselling and, where necessary, the accused must seek psychiatric help. In addition, the courts are to appoint a probation officer.
- Covers in-house help/domestic workers in its scope but does not cover women working in the informal sector, such as in restaurants or bars. The current Labor Act includes a provision on sexual harassment, but it only applies to those working in formal work and excludes those working in domestic work, restaurants, and bars. Despite laws that protect

people from sexual harassment, it is prevalent, often confused with courting and flirting, and 95% of cases go unreported.<sup>168</sup>

In 1994, Ghana criminalized “female circumcision” by amending the Criminal and Other Offences Act of 1960. Since then, successful prosecutions of those performing the procedure have been reported from the Upper West and Upper East Regions. In 2007, the Parliament further strengthened the law against FGM/C by increasing the maximum penalty to 10 years of imprisonment and extending the range of persons who can be prosecuted for involvement in the crime. Officials at all levels of government, including the President, have also publicly condemned FGM/C.<sup>169</sup> Despite being criminalized, FGM/C is still practiced in some areas of Ghana particularly among the poorest wealth quintiles and in Regions that share a border with a country that also practices FGM/C. Currently 2.4% of women and girls ages 15 -49 have experienced FGM/C with a reemergence of the practice in some ethnic groups such as the Hausa, Bissa, and Chokossi due to less attention and dedicated resources for prevention.<sup>170</sup> From 2013-2014, the Pusiga District Hospital Maternity Ward reported that half of the women there had undergone FGM/C. In addition to serious psychological and long-term physical harm, girls who experience FGM/C are more likely to stop going to school due to injuries or infections.<sup>171</sup>

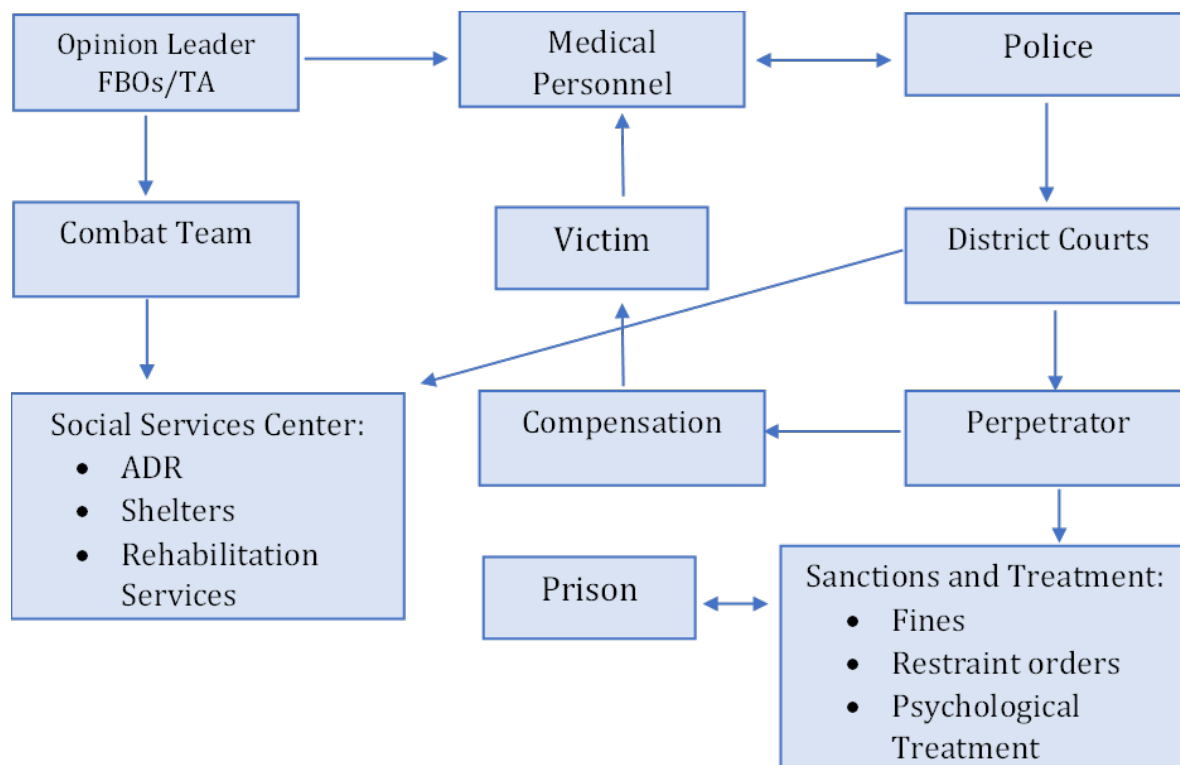
Ghana has not yet ratified International Labor Convention 190 (2019) on violence and harassment in the workplace. Convention 190 recognizes informal work as work and the places where informal work takes place as workplaces. This presents an opportunity to expand access to justice for women.

## **Prevention, Protection & Accountability**

### **What concrete measures are undertaken by state and non-state actors to reduce the prevalence of GBV, protect the victims, and ensure accountability for perpetrators?**

The MoGCSP plays a lead role in the promotion and development of the rights of women and children. Following the passage of the Domestic Violence Act and the establishment of the Domestic Violence Secretariat, the Ministry has developed the National Domestic Violence Policy and Plan of Action to Support the Implementation of the Domestic Violence Act (Domestic Violence Policy).<sup>172</sup>

The Domestic Violence Policy mandates the following referral structures for cases of domestic violence in rural and urban settings:



**Rural Referral Structure** (Source: National Domestic Violence Policy)

As can be seen, the policy prioritizes faith-based organizations (FBOs) and traditional authorities (TA), medical personnel and police as first-tier referral actors mandated with linking victims to the Community Based Anti-violence Team (COMBAT) Team and social services. To respond to this, the policy calls on civil society actors to support the operationalization of the Act by educating and building the awareness of referral actors and other key community stakeholders on the components of the Domestic Violence Act, training volunteers to support GBV response, supporting operationalization of a GBV hotline and supporting the construction of shelters among other forms of support.<sup>173</sup>

However, there is a general sense that the Domestic Violence Policy has been inadequately implemented to date and women find it almost impossible to report GBV due to social stigma, financial burdens, and lack of knowledge of services or the referral system.

A number of training, sensitization, and awareness-raising programs on domestic violence and discriminatory practices against women have been held for the general public, traditional authorities, the media, the police and other stakeholders. The Domestic Violence Act has been translated into six major Ghanaian languages.

The government has created the Ghana Police Service’s Domestic Violence and Victim Support Unit (“DOVVSU”) whose mandate is to “protect the rights and promote the welfare of children and women by preventing and prosecuting crimes committed against them in both the domestic and community setting.” The DOVVSU can also provide victims with a referral for medical care and counselling as well as community report services. Police personnel are posted at each office in order to receive domestic violence complaints. The DOVVSUs are the first line of reporting, not just for domestic violence cases but also for child-related issues, including defilement, maintenance and juvenile criminal activities, and are attached to approximately 97 police stations across Ghana’s 10 regions.<sup>174</sup>



DOVVSU, in cooperation with the United Nations Population Fund, has been training their officers in order to improve their knowledge and ability to handle cases of domestic violence. They recently partnered to provide a hotline (Phone No. 055-1000-900) to respond to issues of abuse during the COVID-19 and partial lockdown in Ghana.<sup>175</sup>

The government has currently established four specialized domestic courts in order to expedite the adjudication of domestic violence cases. These courts are located in Accra, Kumasi, Tema and Takoradi.

The Department of Social Welfare within the MoGCSP works with public and private agencies to provide services to victims of domestic violence and has trained social workers who conduct investigations and counsel victims of domestic violence.

Even though Article 8(4) of the Domestic Violence Act provides that victims are legally entitled to free medical treatment offered by the State in case of emergency or a life-threatening situation, in practice, State hospitals and doctors charge a fee of USD 15-30 to issue a medical certificate confirming the abuse. Victims who are not covered by the Ghana NHIS have to pay this fee themselves, thus limiting their access to both health services and justice. The Act also has a provision for the establishment of a Domestic Violence Fund “to be supported by externally-raised funds from individuals, organizations and the private sector, as well as from funds allocated from the national budget on the approval of Parliament. The purpose of the Fund is to provide material support to survivors of violence, including accessing medical treatment, to provide training for families of survivors of violence and to fund any other issues that will assist in the rescue, rehabilitation and reintegration of survivors of violence. Of critical importance is the use of the Fund to construct shelters for survivors and train and develop the capacity of those providing services through the shelters.”<sup>176</sup>

A 2019 study estimated that a survivor of violence who follows formal channels to report abuse spent on average GHC 283 (USD 46) in a 12 month period – the equivalent of 10% of the annual per capita expenditure on non-food consumption, which in 2014 was GHC 1964 (USD 321). Seventy percent of survivors interviewed engaged in informal street trading and other low paying jobs and between 70-80% of them earned less than GHC 100 (USD 16) and up to GHC 400 (USD 65) per month.<sup>177</sup> Their financial situation placed them outside of the justice system.

Non-governmental organizations conduct advocacy, create awareness, provide free legal services, support and rehabilitate victims of domestic violence, and conduct court monitoring (FIDA and WiLDAF are two). Some also assist with shelters, counselling, and rehabilitation, but lack funding and resources. It is unclear whether there are any functional shelters for abused women in Ghana. A 2019 news article suggests that the only known shelter, run by the Ark Foundation, has struggled to stay open and may have permanently closed.<sup>178</sup> Consultations with RISE Ghana indicate that there are no known women’s shelters in all of the Northern Region. Rural women, in particular, find reporting violence difficult given the need to travel to regional offices and the out-of-pocket expenses they may incur to do so. When victims cannot pay the necessary fees, they will often drop their case.<sup>179</sup>

### **To what extent are these measures effective?**

The police, courts, social services, and the health sector are not sufficiently equipped, trained, or connected to effectively protect women facing violence. Some referral pathways exist, but local partners report that they are not strong enough in Northern Ghana.

The DOVVSU is under-resourced and often inadequately trained.<sup>180</sup> Large parts of rural Ghana are not adequately covered, and it lacks basic equipment to effectively investigate crimes.<sup>181</sup> Police require more training to fully understand the dynamics and gender dimensions of domestic violence (and other types of GBV) and the needs of traumatized victims. Many police officers are said to attempt on-the-spot settlements between perpetrator and victim even though the Domestic Violence Act gives such powers only to courts. There are reports that the DSW is also under-resourced.<sup>182</sup>

The MoGCSP reports that “inadequate capacity and awareness of law enforcement institutions to enforce laws and put into practice policies concerning violence against women” remains an obstacle to addressing violence against women.<sup>183</sup>

Although sources report an increase in the reporting of domestic violence cases, it has not correlated with an increase in prosecutions and convictions. There are reports that the legal system is very slow, and that judicial delays and costs associated with pursuing domestic violence cases, such as legal and medical fees, prevent victims from reporting domestic violence.

A 2019 study conducted by ActionAid<sup>184</sup> in Ghana documents the expectations for how women are supposed to be able to seek support when faced by violence and the barriers of doing so:

“DOVVSUs are the first point of call for survivors of violence wanting to report their abuse, yet they have no communication or accountability lines to the Ministry of Gender, and since the latter was recently removed from Cabinet [which means it lost its Cabinet status, which means the Ministry does not sit at government cabinet meetings], their budget allocations are even lower. Each DOVVSU is attached to a police station in each district. They are headed up by a coordinator who is drawn from the police. The reporting and subsequent case management processes are complex and present at least seven barriers to survivors:

1. Financial costs, including transport
2. Location of DOVVSU offices being far away and lack of knowledge among survivors that they exist and where they are
3. The traumatic and often discriminatory experience inside DOVVSU offices
4. Lack of privacy and adequate resources to guarantee confidentiality
5. Costly medical examinations
6. Insufficient knowledge of the Domestic Violence Act by police [and] prosecutors
7. Going to court can be physically or financially impossible.”

## SECTION 6: CONFLICT, CRIME, AND EXTREMISM

**What is the nature of the conflict? Who is involved and why? What roles do men and women play in the conflict? How does the conflict affect women’s status and gender relations, e.g., women’s ability to work, participate in public life, and live a life free of violence? Are there any aspects of the conflict that affect women and girls in particular or differently from men and boys? Do gendered narratives around masculinity and femininity play a role in the conflict? If so, in what way and why?**

Ghana is considered one of the most peaceful countries in Africa.<sup>185</sup> Although the 2019 Global Terrorism Index rated the risk of terrorism in Ghana as “very low,”<sup>186</sup> terrorist attacks in Burkina Faso to the north risk spilling into Ghana and have forced thousands of refugees, many of whom are women, to seek asylum in Northern Ghana.<sup>187</sup> In addition, although women’s perception of

community safety in Ghana increased from 2017 to 2019,<sup>188</sup> crime such as armed robbery, pickpocketing, residential burglaries, vehicle theft, and credit-debit card fraud and scams are relatively common.<sup>189</sup> The threat of crime influences the hours of the day in which women will run their businesses as well as the special measures they may take to protect their business assets and themselves.

Historically, there have been a number of ethnic disputes over land control and succession to certain chieftaincies that have flared over a several-decade period.<sup>190</sup> Such conflicts have negatively impacted the health, safety, and economic viability of women. For example, during the conflicts, pregnant women and new mothers did not seek necessary medical treatment for fear of rape, burglary, or murder on the way to the hospital, which resulted in preventable maternal deaths.<sup>191</sup> Such conflicts also disrupted girls' education, forcing teachers, many of whom were women, to seek refuge in schools outside of conflict zones, leading to higher rates of illiteracy for women and girls.<sup>192</sup> The conflicts also deterred investors, such as those providing microfinance loans to women entrepreneurs, from conflict zones and prevented women from farming the land, thus eliminating adequate food and nutrition for women and their families.<sup>193</sup>

In early 2019, after masked men wearing national security uniforms stormed the residence of a main opposition candidate, the issue of political vigilantism has been taken up by the government with the Vigilantism and Related Offences Act of 2019 (Act 99),<sup>194</sup> which seeks to disband all political party vigilante groups and electoral violence. RISE Ghana is supporting a peaceful election project by engaging with chiefs to enable them to ensure peaceful national elections.<sup>195</sup> There is concern that despite the law, the Ghanaian government will not have the willingness nor capacity to enforce this law given prior intimidation has occurred through police and armed state forces, threatening peaceful elections.<sup>196</sup>

## SECTION 7: INTERSECTIONALITY, DIVERSITY, AND INCLUSION

WAGE has identified the following groups of women as facing unique challenges, heightened discrimination, marginalization, or unique gaps in services or opportunities in Ghana:

Vulnerable Group(s)	Root Causes, Nature, and Forms of Discrimination
Widows and divorced women	Due to limited implementation of the Intestate Succession Law and social norms which position men as property holders and women as caretakers, women throughout Ghanaian society must depend on male relatives for access to land. Widows and divorced women face particular challenges. These women are often expelled from familial landholdings after the death/divorce of their spouse. Lack of access to land in a primarily agrarian economy puts these women at risk of not being able to provide for their basic needs, let alone their livelihoods. Widows are also subjected to humiliating and discriminatory widowhood rites.
Lesbians and bisexual and transgender (LBT) women	Section 104 of Ghana's Criminal Code of 1960 bans same-sex relations. Reports say that lesbian, gay, bisexual and transgender (LGBT) people are often subject to homophobic attacks, often encouraged by the media and religious leaders. <sup>197</sup> In 2018, the President of Ghana announced that he has no plans to change the country's related laws. <sup>198</sup> LBT women describe being threatened with violence, beaten and driven from their family homes after family members learned of their sexual orientation <sup>199</sup> . Ostracized from their families, some find themselves with few economic options, leading some to rely on sex work as a means of survival. <sup>200</sup>

<p>Women with disabilities</p>	<p>Disabled people are one of the largest oppressed groups in Ghana, making up an estimated 3% of Ghana’s population of 24 million.<sup>201</sup> Although the rights of persons with disability are theoretically protected by Ghana’s Constitution, in reality there is little protection against discrimination,<sup>202</sup> especially in the economic/workplace context. For example, in 2000, 80.2% of the general population in Ghana was employed. However, only 69% of persons with disability had a job.<sup>203</sup> Women with disabilities face greater challenges than men with disabilities due to the intersection of disability, gender, and other factors such as poverty, cultural beliefs, and practices.<sup>204</sup></p>
<p>Muslim women</p>	<p>Christianity is the dominant religion in Ghana, however approximately 18% of the population is Muslim,<sup>205</sup> the majority of whom live in the Northern Region. Chapter 5 of the Ghana Constitution provides for freedom of religion, and the Government generally respects this right in practice; however, on at least on one occasion, local government officials restricted this right. The Government does not always prosecute those responsible for religiously motivated attacks.<sup>206</sup> Muslim women are particularly vulnerable as they face discrimination in schools and the workplace, generally related to their wearing of hijabs.<sup>207</sup> There have been instances where female Muslim secondary school students reported that testing officials ordered them to remove their hijab and/or veil before they could take their examination.<sup>208</sup></p>
<p>Kayayei women and girls</p>	<p>The Kayayei are women and girls who have migrated from Northern Ghana (Northern, Upper East, and Upper West) to urban areas (primarily Greater Accra and Ashanti Regions) to earn money by carrying loads on their heads in lorry parks and markets. Key motivation for their migration is economic.<sup>209</sup> They are exposed to sexual abuse, poor health, risk of accidents, physical abuse, poor and hardworking conditions, and a risk of theft.<sup>210</sup> Their numbers in Accra have steadily increased over the last decade, as families have struggled to support themselves as subsistence farmers due to the impact of climate change on rainfall patterns. The flow of young women and girls migrating to become Kayayei peaks twice yearly: during the dry season when there is little farming activity in the north and during the Christmas holidays when there is increased marketing activity in Accra.</p>
<p>Polygynous women</p>	<p>While polygamy is illegal in Ghana, restrictions are not regularly enforced. It is estimated that approximately 18% of married women in Ghana live in polygynous (husband has multiple wives) unions. In the Northern Regions, among married women, women in polygynous unions are estimated at 42%.<sup>211</sup> Polygamy is associated with greater levels of poverty and lack of education. Research has found that higher levels of polygyny (more co-wives) results in greater gender inequality within the family<sup>212</sup> and poor child survival outcomes.<sup>213</sup></p>
<p>Rural women and girls</p>	<p>Women in rural communities face unique barriers compared to women in urban areas as many do not have access to water, electricity, and health care, and many are illiterate.<sup>214</sup> Young girls in Ghana are at risk of forced servitude due to the trokosi system whereby young girls become ritual slaves to atone for the transgressions of a family member.<sup>215</sup> Estimates of the number of girls held in this type of ritual slavery vary from 5,000 to 20,000.<sup>216</sup> Older women and widows are at risk of being accused of witchcraft and forced into “witch camps” with little access to food and running water.<sup>217</sup></p>

## LIST OF ACRONYMS

<b>ABA ROLI</b>	American Bar Association Rule of Law Initiative
<b>COMBAT</b>	Community-Based Anti-violence Team
<b>CSO</b>	Civil Society Organization
<b>DFS</b>	Digital Financial Services
<b>DOVVSU</b>	Domestic Violence and Victim Support Unit
<b>FBO</b>	Faith-Based Organization
<b>FGM/C</b>	Female genital mutilation and cutting
<b>GBV</b>	Gender-Based Violence
<b>GDCA</b>	Ghana Developing Communities Association
<b>GoG</b>	Government of Ghana
<b>Grameen</b>	Grameen Foundation
<b>GSMA</b>	Global Systems Mobile Communications Association
<b>HKN</b>	HealthKeepers Network
<b>MTN</b>	Mobile Telephone Network
<b>NHIS</b>	National Health Insurance Scheme
<b>RISE Ghana</b>	Rural Initiatives for Self-Empowerment Ghana
<b>S/GWI</b>	Department of State Secretary's Office of Global Women's Issues
<b>STEM</b>	Science, Technology, Engineering, and Mathematics
<b>TA</b>	Traditional Authority
<b>WAGE</b>	Women and Girls Empowered
<b>WEE</b>	Women's Economic Empowerment

## ENDNOTES

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# W A G E

## ABOUT

Women and Girls Empowered (WAGE) is a global consortium to advance the status of women and girls, led by the American Bar Association Rule of Law Initiative (ABA ROLI) in close partnership with the Center for International Private Enterprise (CIPE), Grameen Foundation, and Search for Common Ground (SFCG). WAGE works to strengthen the capacity of civil society organizations (CSOs) in target countries to improve the prevention of and response to gender-based violence (GBV); advance the women, peace and security agenda; and support women's economic empowerment (WEE). In this context, WAGE provides direct assistance to women and girls, including information, resources, and services they need to succeed as active and equal participants in the global economy. WAGE also engages in collaborative research and learning to build a body of evidence on relevant promising practices in these thematic areas. To account for the deeply interconnected nature of women's and girls' experiences, WAGE's initiatives employ approaches that are highly collaborative, integrated, and inclusive. WAGE is funded by the U.S. Department of State Office of Global Women's Issues.

