



Refugee Documentation Centre (Ireland)
LEGAL AID BOARD

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Treatment of homosexuals

Section 5 of the *US Department of State* report issued in February 2009 covering events of 2008 considering 'Other Societal Abuses and Discrimination' says "The law criminalizes homosexuality, and lesbians and gays faced widespread discrimination, as well as police harassment and extortion attempts. There is a minimum misdemeanor charge for homosexual activity, and homosexual men in prison often were subjected to sexual and other physical abuse." (US Department of State (25 February 2009) *2008 Human Rights Report: Ghana*)

The *International Lesbian and Gay Association* in May 2009 report the following legislation from Ghana on homosexuality, noting

"Male/Male: Illegal
Female/Female: Legal
Criminal Code, 1960 (Act 29), as amended to 2003 [33]
Section 104—Unnatural Carnal Knowledge.
"(1) Whoever has unnatural carnal knowledge—
(a) of any person of the age of sixteen years or over without his consent shall be guilty of a first degree felony and shall be liable on conviction to imprisonment for a term of not less than five years and not more than twenty-five years; or
(b) of any person of sixteen years or over with his consent is guilty of a misdemeanour; or
(c) of any animal is guilty of a misdemeanour.
(2) Unnatural carnal knowledge is sexual intercourse with a person in an unnatural manner or with an animal." (International Lesbian and Gay Association (13 May 2009) *State-sponsored Homophobia: Ghana*)

A *BBC News* article in March 2007 says "In deeply religious Ghana, homosexuality is seen as an imported foreign lifestyle choice and a moral aberration" (BBC, (14 March 2007), *Ghana's secret gay community*). This article later says "Such is the opprobrium that homosexuality attracts that even normally vociferous Ghanaian human rights organisations are subdued in their support for gay rights." (ibid)

References

BBC News (14 March 2007) *Ghana's secret gay community*
<http://news.bbc.co.uk/2/hi/africa/6445337.stm>
(Accessed 4 August 2009)

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[http://www.ein.org.uk/members/country/print.shtml?cmd\[113\]=x-113-259199](http://www.ein.org.uk/members/country/print.shtml?cmd[113]=x-113-259199)
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This response was prepared after researching publicly accessible information currently available to the Refugee Documentation Centre within time constraints. This response is not and does not purport to be conclusive as to the merit of any particular claim to refugee status or asylum. Please read in full all documents referred to.

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