



Ghana - Researched and compiled by the Refugee Documentation Centre of Ireland on 25 October 2012

Information on FGM in Ghana. Information on whether protection is available for someone fearing FGM? Information on whether FGM is legal in Ghana?

A report by the *United States Department of State* under the heading “Children” states:

“Harmful Traditional Practices: The law prohibits FGM, but it remained a serious problem in the Upper West Region of the country, and to a lesser extent in the Upper East and Northern regions. Type II FGM--defined by the World Health Organization as the excision of the clitoris with partial or total excision of the labia minora--was more commonly perpetrated than any other type. A girl was typically excised between four and 14 years of age. According to a 2008 study conducted by the Ghana Statistical Service with support from UNICEF, the most recent study available, approximately 49 percent of girls and women under 50 years in the Upper West Region, 20 percent in the Upper East Region, and 5 percent in the Northern Region had experienced some form of FGM.

Intervention programs were somewhat successful in reducing the prevalence of FGM, particularly in the northern regions. Officials at all levels, including traditional chiefs, continued to speak out against the practice, and local NGOs continued educational campaigns to encourage abandonment of FGM and to train practitioners in new skills so they could seek alternate sources of income.” (United States Department of State (24 May 2012) *Country Reports on Human Rights Practices for 2011 Ghana*)

This report also states:

“According to a 2009 survey of girls and women between 15 and 49 years old in the Upper West Region, 85 percent stated that the practice should be discontinued, 10 percent were unsure, and only 5 percent supported its continuation. Lower prevalence of FGM among women in the Upper East Region was highly correlated with increased education. There were no prosecutions of practitioners during the year.” (ibid)

A report by *Freedom House* under the heading “Civil Liberties” states:

“The constitution protects economic rights, women and children’s rights, and the rights of the disabled. The criminal code addresses rape, defilement, incest, abduction, and forced marriage. However, the Domestic Violence Act is still not properly enforced, and DOVVSU does not receive adequate resources. In addition, women in some areas are still subjected to harmful traditional practices, including infringements on widows’ rights and female genital mutilation (FGM). While FGM has been criminalized and is not as widespread thanks to a multiyear campaign to end the practice, it is still a part of the culture in some communities in northern Ghana” (Freedom House (7 April 2010) *Countries at the Crossroads 2010 – Ghana* – pg.10)

A report by the *United Nations Human Rights Council* under the heading “Female genital mutilation” states:

“Female genital mutilation (FGM) has been traditionally practised by several ethnic groups from northern Ghana. Victims can also be found among immigrants from neighbouring countries, where FGM is highly prevalent. UNICEF has estimated that 5.4 per cent of all women in Ghana aged 15-49 have been subjected to FGM.

In 1994, Ghana criminalized the practice. Since then, successful prosecutions of those performing FGM have been reported from the Upper West and Upper East Regions. In 2007, Parliament further strengthened the law against FGM by increasing the maximum penalty to 10 years of imprisonment and extending the range of persons who can be prosecuted for involvement in an act of FGM. Officials at all levels of Government, including the President, have also publicly condemned FGM” (United Nations Human Rights Council (21 February 2008) *Report of the Special Rapporteur on Violence against Women, Its Causes and Consequences, Yakin Ertürk: addendum: mission to Ghana – par.51*)

This report also states:

“While there are indications that the practice of FGM in Ghana may be declining, new cases continue to be reported. Civil society organizations and medical practitioners note that FGM is increasingly performed on younger girls, who are less likely to resist or report the crime. Some families apparently also send their daughters abroad to have the procedure carried out. The fact that in some neighbouring countries FGM is not criminalized or the legislation against it is not enforced, and since Ghanaian law does not apply extraterritorially, makes it difficult for the Ghanaian authorities to take action, even if they find out about such cases.” (ibid) (par.53)

A report by *Africa News* states:

“When Jack Sabadgou left Ghana for Switzerland 10 years ago, he left his infant daughter behind to be raised by her mother. Now he wants his child back, and he is running out of time in a bid to save her from the banned traditional practice of female genital mutilation.

Sabadgou's daughter, Yuma, is now 13 years old and she lives in the village of Bawku, in northern Ghana, where people still adhere to traditional practices, including FGM. After Yuma's grandmother was diagnosed with breast cancer, she blamed her illness on evil spirits, which, she claims, punished her because her granddaughter has not yet been cut.” (Africa News (29 February 2012) *Ghana; Father's Fight to Save Daughter From Genital Mutilation*)

This report also notes:

“Female genital mutilation was criminalised in Ghana in 1994. The United Nations and the World Health Organization (WHO) have condemned the procedure, which involves the removal of a woman's external genitalia, including the clitoris and inner labia.

The WHO says the practice has no health benefits and causes only harm. It can result in recurrent bladder and urinary tract infections, cysts and infertility.

But in villages like Bawku, the practice continues in secret.” (ibid)

A response by the *Immigration and Refugee Board of Canada* states:

“According to GhanaHomePage, a Ghanaian online information service (GhanaHomePage n.d.), a 1994 amendment to the Criminal Code, 1960 prohibits the practice of female genital mutilation (FGM) in Ghana (20 May 2006). More specifically, Section 69A states that FGM is illegal and carries a minimum sentence of three years imprisonment (Ghana 12 Jan. 1961, Sec. 69A; see also Freedom House July 2005). However, the practice of FGM still occurs in Ghana "where genital mutilation is still performed with the tacit approval of the community" (Mail and Guardian 20 Aug. 2004).

The United Nations (UN) Integrated Regional Information Networks (IRIN) states that Ghana's parliament is planning to debate amendments to legislation on FGM in October 2006, including the possibility of recognizing responsibility and punishing anyone who gives their consent to performing FGM on girls (UN 5 Sept. 2006). Country Reports on Human Rights for 2005 reports that FGM "remained a serious problem" and that 15 to 30 percent of women in the northern regions between the ages of 12 and 19 were affected (US 8 Mar. 2006, Sec. 5)." (Immigration and Refugee Board of Canada (12 October 2006) *GHA101617.E Practice of female genital mutilation (FGM) and state protection available to those being targeted (2004 - 2006)*)

References:

Africa News (29 February 2012) *Ghana; Father's Fight to Save Daughter From Genital Mutilation*

<http://www.lexisnexis.com>

(Accessed 24 October 2012)

This is a subscription database.

Freedom House (7 April 2010) *Countries at the Crossroads 2010 – Ghana*

<http://www.unhcr.org/refworld/pdfid/4be3c8b00.pdf>

(Accessed 24 October 2012)

Immigration and Refugee Board of Canada (12 October 2006) *GHA101617.E Practice of female genital mutilation (FGM) and state protection available to those being targeted (2004 - 2006)*

http://www.ecoi.net/local_link/101594/198138_en.html

(Accessed 23 October 2012)

United Nations Human Rights Council (21 February 2008) *Report of the Special Rapporteur on Violence against Women, Its Causes and Consequences, Yakin Ertürk : addendum : mission to Ghana*

<http://www.unhcr.org/refworld/pdfid/47ce68652.pdf>

(Accessed 23 October 2012)

United States Department of State (24 May 2012) *Country Reports on Human Rights Practices for 2011 Ghana*

<http://www.state.gov/j/drl/rls/hrrpt/humanrightsreport/index.htm#wrapper>

(Accessed 23 October 2012)

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.

Sources Consulted:

Amnesty International

BBC News

Electronic Immigration Network (EIN)

European Country of Origin Information Network

Freedom House

Human Rights Watch

IRIN News

Lexis Nexis

Refugee Documentation Centre Query Database

UN Committee on the Elimination of Discrimination Against Women (CEDAW)

UNHCR Refworld

UN Human Rights Council

United Kingdom Home Office

United States Department of State