



Covid-19 and Civic and Democratic Space

GHANA

In March 2020, Ghana enacted new emergency legislation, the Imposition of Restrictions Act, in response to the Covid-19 pandemic, which allowed the government to restrict certain rights, like the right to freedom of assembly and movement.

Using these new legislative powers, the President of Ghana issued executive orders which banned public gatherings, closed schools and universities, shut borders, restricted economic activities and imposed lockdowns in urban hotspots. Some local authorities also imposed restrictions on food vending and movement in their localities.¹

A three-week hard lockdown in the cities of Accra, Kumasi, Tema and Kasoa ended on 20 April 2020.

FACTS AND FIGURES



Covid-19 cases (as of 23 April 2021):

91,928²



Police arrested

at least **406**

people for

allegedly violating Covid-19 restrictions in the first month of enforcement.³

A police officer inspecting a taxi police check point in Accra, 31 March 2020. © Ghanaian Times Corporation



HUMAN RIGHTS IMPACT OF COVID-19 MEASURES

Freedom of Expression and the Right to Information

Isolated incidents of assaults and threats against journalists reporting on the pandemic were documented in Ghana. Journalist Yussif Abdul-Ganiyu was **assaulted by army personnel** while covering the lockdown in the city of Kumasi. He was detained and accused of broadcasting false information. A radio station that Abdul-Ganiyu worked for had broadcast testimony of a man who was attacked by soldiers enforcing a Covid-19 lockdown. He was released without charge after the intervention of a local official.⁷ Journalist Emmanuel Ohene-Gyan **received personal threats** after reporting the death of a local mayor from Covid-19.⁸

Freedom of Assembly and Movement

On 15 March 2020, the President announced a ban on public gatherings, which restricted the right to freedom of assembly. Police **violently dispersed a protest** in support of the Black Lives Matter movement on 8 June 2020 and arrested its organiser, arguing that the protest violated social distancing requirements.⁹ The restrictions on public gatherings were lifted on 1 August 2020 before being reintroduced on 31 January 2021.

Assaults by police and soldiers enforcing Covid-19 related restrictions were reported during the three-week hard lockdown in urban hotspots.¹⁰

Freedom of Association and Human Rights Defenders (HRDs)

Lockdowns and other restrictions in response to the pandemic obstructed the **activities of civil society groups** and human rights defenders. Travelling and directly engaging with communities became more difficult due to restrictions on movement.



At least **1,602 prisoners** were pardoned to slow the spread of Covid-19.⁴



An estimated **26,000 women and girls** lost access to contraception and post-abortion care during the Covid-19 lockdown.⁵



The government borrowed **USD 1 billion** from the IMF and **USD 100 million** from the World Bank in response to the pandemic.⁶

“You would want to see the volunteers go into the community, go from house to house, every day, trying to educate the people and to look for who is sick/coughing so that they can collect sputum [for a TB test] for transportation. This may expose the volunteer to possible COVID infections. So, there is reluctance among some of the volunteers to work, especially in Accra. In Accra and Kumasi, our work stopped...”

– **Omega Project Management Foundation & Board Chairman Stop TB Partnership Ghana**

Planned events by CSOs and HRDs were postponed or moved online, which impacted on their ability to reach broader audiences and fundraise. A reduction or delay in funds, especially from international partners, was also reported.

Rule of Law

Parliament and the **judiciary** continued to operate during the pandemic. Court cases in Accra and Kumasi were delayed during the 3-week hard lockdown in those cities, with urgent cases, namely those relating to violations of the Imposition of Restrictions Act, being heard in designated courts which remained open.¹¹ Fines issued to those found guilty of violating the Imposition of Restrictions Act were criticised for being too high.¹²

No formal state of emergency was declared in response to the pandemic. A formal state of emergency would have required the government to respect certain procedural safeguards, like a 3-month time limit, parliamentary approval of the emergency declaration and judicial oversight of arrests. Instead, the government proposed a new emergency law – the Imposition of Restrictions Act – which allowed it to restrict fundamental freedoms without the same degree of oversight and accountability.¹³

Economic and Social Rights

The government made **access to water free and reduced the cost of electricity** for three months in April, May and June and extended the free supply of water for another three months from October, although rural communities continued to lack adequate water supply. The government also provided food relief for up to 400,000 individuals and homes in areas affected by Covid-19 restrictions. The distribution of food relief was poorly managed, resulting in overcrowding and increased risk of spreading the virus, and criticised for political favouritism.¹⁴

The government introduced benefits for “**frontline workers**”, including a salary increase, free transport and tax relief for three months. “Frontline workers” are defined as doctors, nurses and other health workers who have direct contact with Covid-19 patients, but does not include other workers involved in aspects of the Covid-19 response, such as disinfection, isolation and burials.¹⁵

Accessing healthcare was more challenging during the pandemic.

“People were sick and people would have been sick. But we could not have gotten them to the hospitals and generally because we do this in collaboration with the government, people were even advised not to go to the hospital.”

The interviewee also reported that people infected with TB struggled to access necessary medications and attend health centres during the pandemic, and that there were delays in returning results for TB tests from laboratories. It is likely that cases of TB during the pandemic were underreported. – **Omega Project Management Foundation & Board Chairman Stop TB Partnership Ghana**

Women & Young Girls

Informal workers, who make up 85% of the total workforce in Ghana and are disproportionately women, struggled to earn an income due to the lockdown and other restrictions on movement. Market traders and street vendors selling food were considered essential workers in Ghana, although some street vendors were nevertheless prevented from working by law enforcement.¹⁶ In a survey of 193 informal workers in Accra, only 15% had received any kind of food relief and none had received cash grants, despite 28% of surveyed street vendors applying for the grants. The majority of women informal workers surveyed said that the pandemic had increased their cooking, cleaning and child care responsibilities, while their household incomes had significantly reduced.

The pandemic and associated restrictions led to an increase in **sexual and gender-based violence** and, along with the closure of educational institutions and limitations on access to **sexual and reproductive health** services, prompted a rise in pregnancies among teenage women and girls.

“It [Covid-19] has exposed/highlighted the vulnerabilities in the system and the inequalities. It [sexual and gender-based violence (SGBV)] has now become more of a national discussion. There had been many times we had tried working to get the nation to discuss SGBV and issues affecting women, but we did not get that desired attention. COVID has made it possible this year...” – **Interviewee from Women in Law and Development in Africa**

NATIONAL POLICY RECOMMENDATIONS

The Ghanaian government should:

- ensure fair and non-partisan distribution of relief and provide financial support to workers and businesses in the informal sector, given that the pandemic still lingers;
- strengthen legal structures to support victims of gender-based violence, including funding sufficient numbers of appropriate shelters, and put in place measures to ensure reform;
- consult all relevant stakeholders in relation to its Covid-19 response, including giving human rights defenders the opportunity to participate in decision-making regarding Covid-19 restrictions; and
- ensure that anyone arrested for violating directives issued under the Impositions of Restrictions Act 2020 should receive a fair trial, including access to a lawyer and being heard before an independent and impartial decision-maker.

Endnotes

1. <https://www.modernghana.com/news/993243/covid-19-bosomtwi-dce-imposes-12-noon-lockdown.html>
2. <https://covid19.who.int/region/afro/country/gh>
3. <https://citinewsroom.com/2020/04/covid-19-police-arrest-406-persons-for-flouting-lockdown-ban-on-gatherings/>
4. <https://www.aa.com.tr/en/africa/ghana-pardons-794-prisoners-to-curb-spread-of-covid-19/1898022>
5. https://www.modernghana.com/news/1032181/improve-access-to-contraception-to-contain-rising.html?fbclid=IwAR2KqwcY67vGzyTsneIS66ykF6O3OOqkHGfBWsdDIZMg2VRA3XxPr_y0EjM
6. <https://www.oecd.org/coronavirus/country-policy-tracker/>
7. <https://www.dw.com/en/is-the-coronavirus-killing-press-freedom-in-africa/a-53061431>
8. <https://cpj.org/2020/07/in-ghana-private-individuals-threaten-1-journalist-police-harass-2-others/>
9. <https://edition.cnn.com/2020/06/15/africa/ghana-protests-black-lives-matter/index.html>
10. <https://www.iol.co.za/news/africa/police-in-ghana-accused-of-using-fan-belts-and-horsewhips-on-journalist-during-covid-19-lockdown-45921503>
11. <http://www.apanews.net/fr/news/fermeture-de-tribunaux-ghaneens-a-cause-du-covid-19>
12. <https://ghanaportal.net/news/corona-virus/ghana-bar-association-calls-for-amendment-of-imposition-of-restriction-act-2020-e-i-on-face-mask-ghana-web-portal/>
13. <https://verfassungsblog.de/covid-19-constitutionalism-and-emergencies-under-ghanas-1992-fourth-republican-constitution/>
14. <https://www.wiego.org/publications/covid-19-crisis-and-informal-economy-informal-workers-accra-ghana>
15. <https://www.myjoyonline.com/news/national/environmental-health-workers-unhappy-with-exclusion-from-covid-19-stimulus-package/>
16. <https://www.wiego.org/publications/covid-19-crisis-and-informal-economy-informal-workers-accra-ghana>

act:onaid

International Registration number: 27264198

Website: www.actionaid.org
Telephone: +27 11 731 4500
Fax: +27 11 880 8082
Email: mailjhb@actionaid.org

ActionAid International Secretariat,
Postnet Suite 248, Private Bag X31, Saxonwold 2132,
Johannesburg, South Africa.

August 2021