

## Women Enabled International's Written Submission on Ghana: Gender-based Violence against Women with Disabilities

## I. Introduction

<u>Women Enabled International</u> (WEI) appreciates the opportunity to submit these written comments to the Human Rights Committee (the Committee) regarding violations of Ghana's obligations under the International Covenant on Civil and Political Rights (ICCPR) and addresses gender-based violence against women and girls with Disabilities. WEI advocates and educates for the human rights of all women and girls, emphasizing women and girls with disabilities, and works tirelessly to include women and girls with disabilities in international resolutions, policies, and programs addressing women's human rights and development.

This Committee has regularly called on States to adopt a comprehensive approach to preventing and addressing violence against women and children in all of its forms and manifestations.<sup>1</sup> Women and girls with disabilities experience gender-based violence at a magnitude greater than women without disabilities. Indeed, women with disabilities are at least two to three times more likely than women without disabilities to experience violence and abuse in various spheres,<sup>2</sup> and they are likely to experience abuse over a longer period of time, resulting in more severe injuries.<sup>3</sup> In addition to being at a greater risk of interpersonal and institutional violence, women with disabilities encounter numerous barriers to reporting abusers, ending the cycle of violence, and accessing justice. Yet, as the U.N. Special Rapporteur on Violence against Women has noted, "the impact of the combined effects of both gender and disability have not gained sufficient attention, and violence against women with disabilities remains largely unaddressed."<sup>4</sup>

<sup>&</sup>lt;sup>1</sup> Human Rights Committee, *Concluding Observations: Albania*, ¶ 11, U.N. Doc. CCPR/C/ALB/CO/2 (2013); *Angola*, ¶ 10, U.N. Doc. CCPR/C/AGO/CO/1 (2013); *Belize*, ¶ 15, U.N. Doc. CCPR/C/BLZ/CO/1 (2013); *Czech Republic*, ¶ 15, U.N. Doc. CCPR/C/CZE/CO/3 (2013); *Hungary*, ¶ 11, U.N. Doc. CCPR/C/HUN/CO/5 (2010); *Kazakhstan*, ¶ 10, U.N. Doc. CCPR/C/KAZ/CO/1 (2011); *Montenegro*, ¶ 11, U.N. Doc. CCPR/C/MNE/ CO/1 (2014); *Mozambique*, ¶ 10, U.N. Doc. CCPR/C/MOZ/CO/1 (2013); *Norway*, ¶ 9, U.N. Doc. CCPR/C/MNE/ NOR/CO/6 (2011); *Peru*, ¶ 10, U.N. Doc. CCPR/C/PER/CO/5 (2013); *Sri Lanka*, ¶ 9, U.N. Doc. CCPR/C/LKA/ CO/5 (2014); *Tajikistan*, ¶ 7, U.N. Doc. CCPR/C/TJK/CO/2 (2013); *Tanzania*, ¶ 10, U.N. Doc. CCPR/C/TZA/ CO/4 (2009).

<sup>&</sup>lt;sup>2</sup> UNITED STATES AGENCY FOR INTERNATIONAL DEVELOPMENT (USAID), UNTIED STATES STRATEGY TO PREVENT AND RESPOND TO GENDER-BASED VIOLENCE GLOBALLY 7 (Aug. 10, 2012), <u>http://www.state.gov/documents/organization/196468.pdf</u>. It is worth noting that no global data exists on the incidence of such violence, and studies draw on different sources of data.

<sup>&</sup>lt;sup>3</sup> Rashida Manjoo, *Report of the Special Rapporteur on violence against women, its causes and consequences: women with disabilities*, para. 31, U.N. Doc. A/67/227 (Aug. 3, 2012) (hereinafter Manjoo, Women with Disabilities).

Ghana is no exception, as the State—both in its domestic laws and policies and it's report to this Committee—fails to adequately address gender-based violence against women and girls with disabilities. WEI's submission draws on the available information, as well as personal stories of women with disabilities in Ghana, to shed light on the scope of the problem and the specific legal, structural, and cultural barriers that women and girls with disabilities in Ghana face in attempting to access justice for such violence.

As WEI's report demonstrates, Ghana has not yet met its obligations to take steps to prevent, investigate and punish perpetrators, and redress victims of violence committed against women and girls with disabilities. The upcoming review of Ghana provides the Committee a valuable opportunity to clarify Ghana's obligations to protect women with disabilities from gender-based violence and to provide guidance to the State to bring its legislative and policy framework into compliance with the ICCPR. Accordingly, this submission concludes with some suggested recommendations for strengthening the State's response to gender-based violence committed against women and girls with disabilities.

#### II. Violence against Women and Girls with Disabilities in Ghana

A. List of Issues

This Committee has called on Ghana to provide additional information on (1) measures taken to eradicate harmful practices and to bring perpetrators to justice,<sup>5</sup> and (2) measures to combat violence against women and children (pursuant to arts. 3, 7, 23, 24 and 26 of the ICCPR).<sup>6</sup>

#### B. State Report

In its report to the Committee, Ghana highlighted its campaign, investigation, education and monitoring of all aspects of injurious and dehumanizing cultural practices,<sup>7</sup> which resulted in 132 so-called witches being reintegrated into their communities.<sup>8</sup> Ghana further indicated that it has undertaken a communications strategy, awareness-raising efforts, and a comparative study on gender-based violence<sup>9</sup> towards implementation of the National Policy and Plan of Action on Domestic Violence (2009-2019), aimed at the effective implementation of the Domestic Violence Act, 2007 (Act 732). Ghana's report describes some activities toward the effective implementation of Act 732, including embarking on various advocacy and awareness creation initiatives to communicate and mobilize community members to address

<sup>8</sup> *Id.*, ¶¶ 195(c), 197.

<sup>9</sup> Id., ¶ 159.

<sup>&</sup>lt;sup>5</sup> Human Rights Committee *List of issues in relation to the initial report of Ghana*, ¶ 7, U.N. Doc. CCPR/C/GHA/Q/1 (2015).

<sup>&</sup>lt;sup>6</sup> Id.

<sup>&</sup>lt;sup>7</sup> Human Rights Committee, *Initial report of States parties: Ghana*, ¶¶ 111, 139, 190-192, U.N. Doc. CCPR/C/ GHA/1 (2015) (hereinafter Ghana State Report).

violence.<sup>10</sup> The State's report further noted that it is undertaking training for judges, prosecutors, police and health officers and awareness-raising campaigns for women on their rights to implement Act 732.<sup>11</sup>

However, Ghana's report fails to address violence against women and girls with disabilities. There is a dearth of statistics on violence against women with disabilities in particular. Ghana's report also fails to include information on the availability of shelters for victims of gender-based violence and the extent to which these shelters are accessible to women and girls with disabilities. There is no information on any efforts to train social service providers, medical providers, and law enforcement officers on how to recognize and respond to violence against women with disabilities. The report also neglects to address the legislative barriers that effectively exclude women and girls with certain disabilities, such as deaf women, from testifying in the legal system as to their experiences of gender-based violence.

## C. Domestic Legal Framework

While Ghana has enacted several laws aimed at addressing gender-based violence and/or protecting the rights of persons with disabilities, these laws and their implementation fail to adequately take into account the specific needs of women and girls with disabilities and, in some instances, serve to create barriers to access to justice.

#### Domestic Violence Act, 2007 (Act 732)<sup>12</sup>

Act 732 is the primary domestic legal framework aimed at combating gender-based violence in Ghana. The law defines the crime of domestic violence and provides for arrest and prosecution of perpetrators of domestic violence. The Act further creates a fund to compensate victims of violence, develop shelters, train family members of victims of violence, and train the staff of shelters. The Act empowers the Minister of Justice to enact regulations regarding the training of police and court officials, but it does not call for such training itself. Women with disabilities are not explicitly addressed anywhere in Act 732. Accordingly, this legislative framework does not adequately provide for training police, prosecutors, and judges on how to recognize and respond to the specific forms of violence experienced by women with disabilities, nor does it require appropriate accommodation for women with disabilities in any services or assistance provided to victims of domestic violence. For instance, there are no provisions for accessible shelters or appropriate social services to enable women with disabilities to leave their abusers or seek protection.

#### Persons with Disability Act, 2006 (Act 715)13

<sup>&</sup>lt;sup>10</sup> *Id.*, ¶¶ 162-167.

<sup>&</sup>lt;sup>11</sup> *Id.*, ¶¶ 167, 212.

<sup>&</sup>lt;sup>12</sup> THE LAWS OF GHANA, DOMESTIC VIOLENCE ACT, 2007 (Act 732), *available at* <u>http://www.ilo.org/wcmsp5/</u>groups/public/---ed\_protect/---protrav/---ilo\_aids/documents/legaldocument/wcms\_181178.pdf

<sup>&</sup>lt;sup>13</sup> THE LAWS OF GHANA, PERSONS WITH DISABILITY ACT, 2006 (Act 715), *available at* <u>http://www.gfdgh.org/</u> <u>GHANA%20DISABILITY%20ACT.pdf</u>.

Act 715 is the primary domestic legal framework aimed at protecting the rights of persons with disabilities. In particular, the law provides for the rights of persons with disabilities to family life; to participate in social, creative, or recreational activities; freedom from exploitation, abuse, discrimination or disrespect; appropriate facilities when involved in court proceedings; and access to public places. Act 715 has no provisions for children and women with a disability,<sup>14</sup> including no mention of gender-based violence against women with disabilities. Act 715 does not provide for any redress mechanism for violations of the Act, and Ghana has not introduced regulations necessary for the implementation and enforcement of Act 715, significantly limiting the implementation of the law.

#### Evidence Act, 1975 (NRCD 323)<sup>15</sup>

The Evidence Act regulates the competency of witnesses to testify in Ghanaian courts. The Act provides that every person is competent to be a witness. However, under the Act, judges have the discretion to disqualify testimony of persons incapable of expressing themselves so as to be understood, either directly or through an interpreter, such as a sign language interpreter for deaf witnesses.<sup>16</sup> Moreover, the Act does not guarantee to individuals who rely on alternative methods of communication the option to use an interpreter. This lack of a legal guarantee serves to effectively preclude women with certain disabilities, such as deaf and hard of hearing women who rely on sign language interpretation, from being seen as credible witnesses when reporting their experiences of gender-based violence.

#### National Building Regulations LI 1630 (1996)<sup>17</sup>

LI 1630 regulates the design and construction of buildings throughout Ghana, and this legislation does not contain any provisions to ensure physical access to buildings for persons with disabilities. Despite the fact that Act 715 (the Persons with Disability Act) guarantees access to public buildings,<sup>18</sup> LI 1630 has never been amended to ensure physical access for persons with disabilities. As a result, many public buildings, including courthouses and police stations, remain inaccessible to wheelchair users and other persons with physical disabilities.<sup>19</sup>

## D. Women and Girls with Disability face a heightened risk for Gender-based Violence

<sup>16</sup> *Id.*, §§ 58, 59.

12 THE LAWS OF GHANA, NATIONAL BUILDINGS REGULATIONS LI 1630 (1996).

<sup>18</sup> PERSONS WITH DISABILITY ACT, *supra* note 13, §§ 6, 7.

<sup>&</sup>lt;sup>14</sup> Hannah Awadzi, *Ghana's disability act: serious gaps*, GLOBAL DISABILITY WATCH (2016), *available at* <u>http://globaldisability.org/2016/04/28/ghana-disability-act</u>.

<sup>&</sup>lt;sup>15</sup> THE LAWS OF GHANA, EVIDENCE ACT, NATIONAL REDEMPTION COUNCIL DECREE 323 (1975).

<sup>&</sup>lt;sup>19</sup> See, e.g., Letter from Esther Akua Gyamfi to Chief Justice of the Republic of Ghana, 'Provision of appropriate facilities in order to make courtrooms accessible to persons with disability' (November 12, 2012) (on file with author).

Globally, women with disabilities are estimated to be two to three times more likely to be physically or sexually abused than women without a disability.<sup>20</sup> In analyzing the specific situation of women and girls with disabilities, the U.N. Office of the High Commissioner for Human Rights (OHCHR) adopts a comprehensive definition of what constitutes violence against women and girls with disabilities in accordance with international human rights standards and as articulated by disability organizations, stating that it encompasses "violence accomplished by physical force, legal compulsion, economic coercion, intimidation, psychological manipulation, deception, and misinformation, and in which absence of free and informed consent is a key analytical component."<sup>21</sup>

While the lack of concrete data on violence against women and girls with disabilities in Ghana makes it difficult to accurately assess the magnitude of the violence, a recent study on the Ashanti region of Ghana revealed that women with disabilities in that region encounter sexual violence at a frequency of one to four times the violence experienced by their nondisabled peers.<sup>22</sup> Women with disabilities in the region also experience similar vulnerabilities to violence as women with disabilities worldwide, including dependence on caretakers, social isolation, barriers to communication, and lower self-confidence.<sup>23</sup> The experience of women and girls with disabilities in this particular region in Ghana, which represents almost 20 percent of the total population of Ghana,<sup>24</sup> suggests that Ghanaian women with disabilities as a whole face a similarly heightened vulnerability to gender-based violence as their disabled sisters around the world.

i. Cultural and social factors contribute to a heightened risk of gender-based violence for women and girls with disabilities in Ghana

"When I was in primary four, we were staying in a village. So my grandmother went to farm and she asked me to prepare food and bring it to her. So when I was going on the way a man met me, a man forced me and had sex with me. That was the first one.

<sup>23</sup> *Id.* at 3.

<sup>&</sup>lt;sup>20</sup> STEPHANIE ORTOLEVA AND HOPE LEWIS, FORGOTTEN SISTERS—A REPORT ON VIOLENCE AGAINST WOMEN WITH DISABILITIES: AN OVERVIEW OF ITS NATURE, SCOPE, CAUSES AND CONSEQUENCES 16 (2012); USAID, *supra* note 2.

<sup>&</sup>lt;sup>21</sup> Office of the High Commissioner for Human Rights, *Thematic study on the issue of violence against women and girls and disability*, ¶ 4, U.N. Doc. A/HRC/20/5 (2012) (hereinafter OHCHR Thematic Study), *available at* http://www2.ohchr.org/english/issues/women/docs/A.HRC.20.5.pdf.

<sup>&</sup>lt;sup>22</sup> NICOLE HUYSER, SAFETY AND SEXUAL VIOLENCE AGAINST WOMEN AND GIRLS WITH DISABILITY IN KUMASI AND THE ASHANTI REGION 12 (Aug 2013), *available at* <u>http://www.slideshare.net/NicoleHuyserMSc/</u><u>safety-and-sexual-violence-against-women-and-girls-with-disabilities-in-kumasi-and-the-ashanti-region-42418868</u>.

<sup>&</sup>lt;sup>24</sup> Ghana Statistical Service 2010 Population and Housing Census, Regional Analytical Report: Ashanti Region 17 (2010) (noting that the Ashanti region has a population of 4,780,380 representing the 19.4 percent of the total population of 24,658,823 in Ghana as of September 26, 2010), available at <a href="http://www.statsghana.gov.gh/docfiles/2010phc/2010\_PHC\_Regional\_Analytical\_Reports\_Ashanti\_Region.pdf">http://www.statsghana.gov.gh/docfiles/2010phc/2010\_PHC\_Regional\_Analytical\_Reports\_Ashanti\_Region.pdf</a>.

Also another one, another boy tried to rape me but when I was able to ... by that time I was taught to protect myself. So I bite the boy and he left running."
A.A., a Deaf woman from the Ashanti region<sup>25</sup>

Women and girls with disabilities are often at greater risk of violence, injury, abuse, neglect or negligent treatment, maltreatment, or exploitation, both within and outside the home.<sup>26</sup> Despite having enacted the Domestic Violence Act, 2007 (Act 732)<sup>27</sup> and developing a National Policy and Plan of Action on Domestic Violence (2009-2019),<sup>28</sup> violence against women and girls with disabilities remains widespread in Ghana. Cultural, social, and structural factors—including stigma and discrimination against and inadequate social protection and assistance for persons with disabilities—contribute to a heightened risk of violence for women and girls with disabilities.

a. Stigma and discrimination

Stigma and discrimination, including common myths that persons with disabilities are weak, stupid, or asexual,<sup>29</sup> contribute to social isolation and foster an environment that is conducive to both heightened rates of, and impunity for, violence against women and girls with disabilities. A recent study notes that "Lower self-confidence and fewer friendship also heightened the[] vulnerability" of women with disabilities to sexual violence.<sup>30</sup> The perception of Ghanaian women with disabilities, especially those in the rural areas<sup>31</sup> is further influenced by a religious and magical worldview understanding of disability where disability is seen as a punishment from the gods.<sup>32</sup> The persistence of this belief can make women with disabilities more vulnerable to abuse, as abusive treatment is justified by the belief that they

<sup>28</sup> Ghana State Report, *supra* note 7, ¶ 164.

<sup>29</sup> HUMAN RIGHTS WATCH, HUMAN RIGHTS FOR WOMEN AND CHILDREN WITH DISABILITIES 4 (2010), *available at* <u>https://www.hrw.org/sites/default/files/related\_material/0912\_disabilities\_brochure\_0.pdf</u>

<sup>&</sup>lt;sup>25</sup> Nicole Huyser, *supra* note 22, at 12.

<sup>&</sup>lt;sup>26</sup> OHCHR Thematic Study, *supra* note 21,  $\P$  8.

<sup>&</sup>lt;sup>27</sup> DOMESTIC VIOLENCE ACT, *supra* note 12.

<sup>&</sup>lt;sup>30</sup> Nicole Huyser, *supra* note 22, at 3.

<sup>&</sup>lt;sup>31</sup> Doris A. Fiasorgbor & Theresa Ayagiyire, *Perception of Rural People About Persons with Physical Disability: The Case of Yorogo-Yipala Community*, 3 AMERICAN J. OF HEALTH RESEARCH 177 (2015); Voices of Youth, *Ghana, a picture of rights of persons with disabilities, Disability a curse or blessing?, Discriminating against them, we are all guilty* (Feb. 2014), *available at* http://voicesofyouthgh.org/2014/ghana-a-picture-of-rights-of-persons-with-disabilitiesdisability-a-curse-or-blessingdiscriminating-against-them-we-are-all-guilty/; Modern Ghana, *Society urged to change perception about people with disability* (2012), *available at* http://www.modernghana.com/news/401664/society-urged-to-change-perception-about-people-with-disabil.html; Ghana Web, *Debunking cultural beliefs and marginalisation of disabled in Ghana* (Dec. 2011), *available at* http://www.ghanaweb.com/GhanaHomePage/features/Debunking-cultural-beliefs-and-marginalisation-of-disabled-in-Ghana-225478.

<sup>&</sup>lt;sup>32</sup> Nicole Huyser, *supra* note 22, at 4.

deserve to be punished.<sup>33</sup> For instance, as the former UN Special Rapporteur on extrajudicial, Summary or Arbitrary Executions documented, "[r]esponses to witchcraft frequently involve serious and systematic forms of discrimination, especially on the grounds of gender ... and disability."<sup>34</sup> Such beliefs can exacerbate the situation of social isolation and exclusion that make women with disabilities vulnerable to violence in the first place.

A recent survey of women with disabilities in the Ashanti region of Ghana highlights through personal experiences how stereotypes and discrimination foster vulnerability to violence. One woman with a disability, **E. O.** said, "Because people see us as if we are sick so when there is something, they do not regard us as humans."<sup>35</sup> **S.J.**, a visually impaired woman, noted a significant difference in how she was treated before she became disabled, saying: "Before I came blind, they use to involve me in the community activities but since I became blind they have not even called me. It seems they don't even know me. They neglect me and they don't tell me anything."<sup>36</sup>

**Rosina,** a single mother who developed a physical disability after contracting polio when she was two years old, notes that impact that such discrimination has had on her life trajectory. Her father abandoned her when she was a child due to her disability. Her grandmother took her to live in a village in Eastern Region and took care of her for as long as she was physically able. Now, Rosina is on her own. She has no money to hire help, so she tills the land herself, on her hands and knees, to support herself and her two children. Her first child's father abandoned her when she got pregnant, denying responsibility for the pregnancy. The second child was as a result of rape. She doesn't feel comfortable taking part in community activities because she is looked down upon because of her disability and her life situation.<sup>37</sup>

**Mispa**, a woman with a speech impediment, became a single mother with a son when her son's father left her. She explained "His parents do not like me to be in their family whilst I am a person with a disability. They told me that they don't have a person with a disability, why is their son coming with a person with disability to be in their family?"<sup>38</sup>

b. Inadequate social protection schemes

<sup>36</sup> *Id.* at 12.

<sup>&</sup>lt;sup>33</sup> Esther Akua Gyamfi *Negative attitudes towards persons with disabilities* (Dec. 2015), *available at* <u>http://www.ghanaweb.com/GhanaHomePage/NewsArchive/Negative-attitudes-towards-persons-with-disabilities-400964</u>.

<sup>&</sup>lt;sup>34</sup> Philip Alston, *Report of the Special Rapporteur on extrajudicial, summary or arbitrary executions*, ¶ 51, U.N. Doc. A/HRC/11/2 (2009).

<sup>&</sup>lt;sup>35</sup> Nicole Huyser, *supra* note 22, at 11.

<sup>&</sup>lt;sup>37</sup> Video: IN THEIR OWN WORDS: The real story of disability in Ghana. Part 2 (Sept. 2009), *available at* <u>https://www.youtube.com/watch?v=5httAjoDuJM</u>.

Lack of adequate social protection for women with disabilities and their families further contributes to a heightened vulnerability. **Faustina** is a 29-year-old wheelchair user living in the Greater Accra region of Ghana. After her mother passed away, her father took care of her until he lost hope in getting treatment for her. As a result of the lack of treatment options, he abandoned her until her grandmother intervened and took care of her until her old age. Left by herself and excluded from the community in her grandmother's village, she came to the city to find work, but no one would hire her because of her disability. Without any other form of support, she had to beg on the street to make a living.<sup>39</sup>

Many Ghanaian women with disabilities face high rates of unemployment and are vulnerable to extreme poverty as a result.<sup>40</sup> In addition to making women with disabilities more dependent on caregivers,<sup>41</sup> heightened rates of poverty can also make women with disabilities susceptible to violence and abuse as "they can easily be influenced by men offering money or gifts."<sup>42</sup>

ii. Women and girls with disabilities encounter substantial barriers to accessing justice to address gender-based violence

There are significant barriers to accessing justice for victims of gender-based violence in Ghana in general. Amnesty International has reported that, despite the criminalization of domestic violence under Act 732, domestic violence remains widespread and victims do not receive adequate protection and legal assistance to lodge complaints.<sup>43</sup> Additionally, reports indicate that increases in reporting of gender-based violence have not resulted in an increase in prosecutions and convictions.<sup>44</sup> For instance, in 2014, the Domestic Violence and Victim Support Unit—the government body charged with investigating and prosecuting claims of gender-based violence—in the Northern Region of Ghana received 667 cases of sexual and gender-based violence, yet only 56 of these cases were investigated and prosecuted and only 14 convictions resulted.<sup>45</sup> The challenges of accessing justice are even more pronounced for women with disabilities.

a. Gender-based violence against women with disabilities remains underreported.

<sup>42</sup> Id. at 11.

<sup>&</sup>lt;sup>39</sup> WORLD HEALTH ORGANIZATION, RETHINKING CARE—FROM THE PERSPECTIVE OF DISABLED PEOPLE 2-3 (2001), *available at* <u>http://disability-studies.leeds.ac.uk/files/library/WHO-voices.pdf</u>.

<sup>&</sup>lt;sup>40</sup> See, e.g., Augustina Naami, Reiko Hayashi, & Hank Liese, *The unemployment of women with physical disabilities in Ghana: issues and recommendations*, 27 DISABILITY & SOC. 191 (2012).

<sup>&</sup>lt;sup>41</sup> Nicole Huyser, *supra* note 22, at 3.

<sup>&</sup>lt;sup>43</sup> Amnesty International, The State of the World's Human Rights 2014/15 163 (2015).

<sup>&</sup>lt;sup>44</sup> Nicole Huyser, *supra* note 22, at 12-13.

Despite a reported increase in the reporting of cases of gender-based violence generally,<sup>46</sup> gender-based violence against women and girls with disabilities is vastly underreported in Ghana due to a number of factors.<sup>47</sup> The stigma associated with gender-based and sexual violence is one factor that impedes reporting. **V.I. (2)** a women living in Ashanti Region who experienced sexual violence, narrated how members of the participant's family told her to keep the sexual abuse a secret so as not to disgrace the family.<sup>48</sup> She said "They told me you should keep it as a secret, you should not tell anybody."<sup>49</sup>

Another substantial barrier to reporting such crimes is that women with disabilities have inadequate knowledge of the laws that protect their rights and guarantee their safety.<sup>50</sup> Financial constraints and inadequate accessible transportation further prevent the reporting of the sexual and domestic violence committed against women with disabilities. **A.T** who is a mother of a woman with intellectual disability explained, "I am not having money so to be able to get to the police station, the means of transport and also when you go to the police station they ask you to get proof of that and all of this involves money."<sup>51</sup>

Financial constraints and inadequate social protection for women with disabilities combine to create additional barriers to reporting as well. One report has noted that the cost of legal and medical fees associated with reporting sexual and gender-based violence can prevent women from reporting such instances.<sup>52</sup> Another woman indicated that the need for child support trumped a desire to report sexual violence. As **H.I. (1)** explained: "I informed my mother and she approached the man who raped me. She informed him that I am [pregnant] and the man agreed to take care of me and the baby. So that was the end and nothing was done about it again. We didn't report since there was no one to take care of me if he is imprisoned."<sup>53</sup> **P.I. (1)** recounted the how the vacuum of support systems further contribute to the lack of reporting: "When I was going to school, I was close to my mother. When someone proposed to me or said something to me, I would go to my mother and she would confront them. Since

<sup>49</sup> Id.

<sup>51</sup> Id. at 13.

<sup>&</sup>lt;sup>46</sup> Canada: Immigration and Refugee Board of Canada, *Ghana: Domestic violence, including legislation, state protection and support services (2011-2015)*, § 3.4 (Sept. 17 2015), *available at <u>http://www.refworld.org/docid/560b95c54.html</u>.* 

<sup>&</sup>lt;sup>47</sup> Nicole Huyser, *supra* note 22, at 12-13.

<sup>&</sup>lt;sup>48</sup> Maxwell Peprah Opoku, et al., *Barriers in reporting of sexual violence against women with disabilities in Ashanti region of Ghana*, 1 J. DISABILITY STUD. 77, 81 (2015), *available at http://pubs.iscience.in/journal/index.php/jds/article/view/346/255*.

<sup>&</sup>lt;sup>50</sup> See, e.g., Nicole Huyser, *supra* note 22, at 11.

<sup>&</sup>lt;sup>52</sup> Canada: Immigration and Refugee Board of Canada, *supra* note 46, § 3.4.

<sup>&</sup>lt;sup>53</sup> Maxwell Peprah Opoku, et al., *supra* note 48, at 81.

she died, I don't have anyone to talk to and I have been staying alone. That is why I wasn't able to report."<sup>54</sup>

b. Structural and legal barriers impede access to justice.

Structural barriers can impede reporting of gender-based violence, as well as preventing women from leaving their abusers and accessing justice. Geographic and physical inaccessibility and communication barriers prevent women with disabilities from accessing justice for gender-based violence and can functionally perpetuate violence against women with disabilities by emboldening abusers who know that the justice system is unlikely to take their complaints seriously.

Although Ghana did not report on the number or quality of available shelters in its State report, non-governmental organizations sources indicate that there are only three shelters for victims of domestic violence in the country, and that at least two of these shelters appear to no longer be operational due to lack of funding.<sup>55</sup> One report indicates that, as of August 2015, there were no available State funded shelters and that a private shelter has been overwhelmed by the high demand.<sup>56</sup> Women in rural areas, in particular, may be unable to access shelters, given that the few shelters that do exist are located in urban centers.<sup>57</sup> There is no information available about the ability of these shelters to accommodate women with disabilities.

Communication barriers, in particular, serve as a huge obstacle for deaf women and women with intellectual disabilities. The Ghana National Association of the Deaf has emphasized the need for sign language interpreters to be available at police stations, courts, hospitals and other locations, noting that the absence of such interpreters can effectively deny deaf individuals access to essential information and services.<sup>58</sup> **A.T.**, a mother of a woman with intellectual disability, said "Such people with such conditions, they can't talk. So based on that even if you go and report... they will not follow up and just throw the case out.<sup>59</sup> **H.I. (4)** expressed similar concerns about communication barriers, noting "When I went to the police station, they couldn't understand me because none of the policemen knew sign language. I tried to explain it to my parents too but they didn't understand. I have not been able to report

<sup>56</sup> Id.

<sup>57</sup> Id.

<sup>&</sup>lt;sup>54</sup> *Id.* at 82.

<sup>&</sup>lt;sup>55</sup> Canada: Immigration and Refugee Board of Canada, *supra* note 46, § 4.3.

<sup>&</sup>lt;sup>58</sup> Ghana National Association of the Deaf, *Press release: GNAD prepares for phase 2 of the Mwanachi project* (June 10, 2011), *available at* <u>http://gnadgh.com/news/?p=43</u>.

<sup>&</sup>lt;sup>59</sup> Nicole Huyser, *supra* note 22, at 13.

any of the men [who committed acts of sexual violence against me] because of the language barrier."<sup>60</sup>

These communication barriers, and the lack of adequate interpretation, create a legal barrier for women with certain disabilities to seek justice and accountability for acts of gender-based violence. As noted above, under the Evidence Act, judges have the discretion to discard testimony of any individual who is unable to make themselves understood from serving as a credible witness. This legal barrier reinforces the already significant hurdle that women with disabilities face in being recognized as credible witnesses; court systems, in general, systematically fail to acknowledge women with disabilities as competent witnesses or give sufficient credence to their testimony, which is particularly problematic in cases involving sexual assault or other forms of gender-based violence where the complaining witness's testimony may provide the only evidence against the assailant.<sup>61</sup>

**V.I. (3)** noted that geographic distribution of police stations is another barrier: "We (the community) don't have a police station here. I'm blind and there are people taking care of me. They have to go to work in order for us to get food to eat. They can't leave work and follow me to the police station in the next town. What are we going to eat if they have to follow me every day to see the police?"<sup>62</sup>

## III. International Human Rights Legal Framework

#### A. U.N. Treaties Ratified by Ghana

In addition to being a party to the ICCPR,<sup>63</sup> Ghana has ratified the following international human rights treaties that bear on its obligations to prevent, investigate, punish, and redress violence against women and girls with disabilities:

- Convention on the Elimination of all Forms of Discrimination Against Women (CEDAW);<sup>64</sup>
- Convention on the Rights of Persons with Disabilities (CRPD);<sup>65</sup>

<sup>&</sup>lt;sup>60</sup> Maxwell Peprah Opoku, et al., *supra* note 48, at 82.

<sup>&</sup>lt;sup>61</sup> Manjoo, Women with Disabilities, *supra* note 3, para. 42.

<sup>&</sup>lt;sup>62</sup> Maxwell Peprah Opoku, et al., *supra* note 48, at 81.

<sup>&</sup>lt;sup>63</sup> International Covenant on Civil and Political Rights, G.A. Res. 2200A (XXI), UN GAOR, 21<sup>st</sup> Sess., Supp. No. 16, U.N. Doc. A/6316 (1966), 999 U.N.T.S. 171 (*entered into force* Mar. 23, 1976) (*ratified by Ghana* Sept. 7, 2000).

<sup>&</sup>lt;sup>64</sup> Convention on the Elimination of All Forms of Discrimination against Women, adopted Dec. 18, 1979, G.A. Res. 34/180, U.N. GAOR (34th Sess.), Supp. No. 46, at 193, U.N. Doc. A/34/46 (1979) (*entered into force* Sept 3, 1981) (*ratified by Ghana* Jan. 2, 1986).

<sup>&</sup>lt;sup>65</sup> Convention on the Rights of Persons with Disabilities, adopted Dec. 13, 2006, G.A. Res. 61/106, U.N. Doc. A/Res/61/106 (*entered into force* May 3, 2008) (*ratified by Ghana* July 31, 2012).

- Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (CAT);<sup>66</sup> and
- Convention on the Rights of the Child (CRC).<sup>67</sup>

# **B.** International Human Rights Standards and Violence Against Women and Girls with Disabilities

Although this Committee has not previously reviewed Ghana's compliance with the ICCPR, in its concluding observations to other States, the Committee has routinely recognized gender-based violence as a violation of several rights protected in the ICCPR, including

<sup>&</sup>lt;sup>66</sup> Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, adopted Dec. 10, 1984, G.A. Res. 39/46, U.N. GAOR (39th Sess.), Supp. No. 51, at 197, U.N. Doc. A/39/51, 1465 U.N.T.S. 85 (*entered into force June 26*, 1987) (*ratified by Ghana* Sept. 7, 2000)

<sup>&</sup>lt;sup>67</sup> Convention on the Rights of the Child, adopted Dec. 18, 1979, G.A. Res. 44/25, annex, U.N. GAOR (44th Sess.), Supp. No. 49, at 166, U.N. Doc. A/44/49 (1989) (*entered into force* Sept. 2, 1990) (*ratified by Ghana* Feb. 5, 1990).

<sup>69</sup> Human Rights Committee, *Concluding Observations: Barbados*, ¶ 8, U.N. Doc. CCPR/C/BRB/CO/3 (2007); Belize, ¶ 15, U.N. Doc. CCPR/C/BLZ/CO/1 (2013); Croatia, ¶ 8, U.N. Doc. CCPR/C/HRV/CO/2 (2009); Denmark, ¶ 8, U.N. Doc. CCPR/C/DNK/CO/5 (2008); Dominican Republic, ¶ 12, U.N. Doc. CCPR/C/DOM/ CO/5 (2012); Ecuador, ¶ 9, U.N. Doc. CCPR/C/ECU/CO/5 (2009); El Salvador, ¶ 9, U.N. Doc. CCPR/C/SLV/ CO/6 (2010); Georgia, ¶ 9, U.N. Doc. CCPR/C/GEO/CO/4 (2014); Haiti, ¶ 13; U.N. Doc. CCPR/C/HTI/CO/1 (2014); Honduras, ¶ 7, 11, U.N. Doc. CCPR/C/HND/CO/1 (2006); Hungary, ¶ 11, U.N. Doc. CCPR/C/HUN/ CO/5 (2010); Ireland, ¶ 9, U.N. Doc. CCPR/C/IRL/CO/3 (2008); Jamaica, ¶ 19, U.N. Doc. CCPR/C/JAM/CO/3 (2011); Korea, ¶ 11, U.N. Doc. CCPR/C/KOR/CO/3 (2006); Kyrgyz Republic, ¶ 14, U.N. Doc. CCPR/CO/69/ KGZ (2000); Lithuania, ¶ 9, U.N. Doc. CCPR/CO/80/LTU (2004); Malawi, ¶ 14, U.N. Doc. CCPR/C/MWI/CO/ 1/Add.1 (2014); Mali, ¶ 12; U.N. Doc. CCPR/CO/77/MLI (2003); Mexico, ¶ 8; U.N. Doc. CCPR/C/MEX/CO/5 (2010); Moldova, ¶ 16, U.N. Doc. CCPR/C/MDA/CO/2 (2009); Montenegro, ¶ 11, U.N. Doc. CCPR/C/MNE/ CO/1 (2014); Mozambique, ¶ 10, U.N. Doc. CCPR/C/MOZ/CO/1 (2013); Nicaragua, ¶ 12, U.N. Doc. CCPR/C/ NIC/CO/3 (2008); Norway, 9, U.N. Doc. CCPR/C/NOR/CO/6 (2011); Panama, 918, U.N. Doc. CCPR/C/ PAN/CO/3 (2008); Paraguay, ¶ 12, U.N. Doc. CCPR/C/PRY/CO/3 (2013); Portugal, ¶ 12, U.N. Doc. CCPR/C/ PRT/CO/4 (2012); Spain, ¶ 12, U.N. Doc. CCPR/C/ESP/CO/5 (2009); Sri Lanka, ¶ 9, U.N. Doc. CCPR/C/LKA/ CO/5 (2014); Suriname, ¶ 12, U.N. Doc. CCPR/CO/80/SUR (2004); Sweden, ¶ 8, U.N. Doc. CCPR/C/SWE/ CO/6 (2009); Tajikistan, ¶ 6, U.N. Doc. CCPR/CO/84/TJK (2005); Tanzania, ¶ 17, U.N. Doc. CCPR/C/TZA/ CO/4 (2009); Thailand, ¶ 12, U.N. Doc. CCPR/CO/84/THA (2005); Uganda, ¶ 11, U.N. Doc. CCPR/CO/80/ UGA (2004); Ukraine, ¶ 14, U.N. Doc. CCPR/C/UKR/CO/7 (2013); Uruguay, ¶ 15, U.N. Doc. CCPR/C/URY/ CO/5 (2013); Uzbekistan, ¶ 13, U.N. Doc. CCPR/C/UZB/CO/3 (2010); Venezuela, ¶ 16, U.N. Doc. CCPR/CO/ 71/VEN (2001); Vietnam, ¶ 14, U.N. Doc. CCPR/CO/75/VNM (2002); Zambia, ¶ 19, U.N. Doc. CCPR/C/ZMB/ CO/3 (2007).

<sup>70</sup> Human Rights Committee, *Concluding Observations: Croatia*, ¶ 8, U.N. Doc. CCPR/C/HRV/CO/2 (2009); *Ireland*, ¶ 9, U.N. Doc. CCPR/C/IRL/CO/3 (2008); *Slovakia*, ¶ 9, U.N. Doc. CCPR/CO/78/SVK (2003); *Switzerland*, ¶ 11, U.N. Doc. CCPR/C/CHE/CO/3 (2009).

<sup>&</sup>lt;sup>68</sup> Human Rights Committee, Concluding Observations: Azerbaijan, ¶ 15, 17, U.N. Doc. CCPR/CO/73/AZE (2001); Barbados, ¶ 8, U.N. Doc. CCPR/C/BRB/CO/3 (2007); Belize, ¶ 15, U.N. Doc. CCPR/C/BLZ/CO/1 (2013); Croatia, ¶ 8, U.N. Doc. CCPR/C/HRV/CO/2 (2009); Czech Republic, ¶ 12, U.N. Doc. CCPR/C/CZE/ CO/2 (2007); Czech Republic, ¶ 14, U.N. Doc. CCPR/CO/72/CZE (2001); Denmark, ¶ 8, U.N. Doc. CCPR/C/ DNK/CO/5 (2008); Ecuador, ¶ 9, U.N. Doc. CCPR/C/ECU/CO/5 (2009); El Salvador, ¶ 9, U.N. Doc. CCPR/C/ SLV/CO/6 (2010); Georgia, ¶ 9, U.N. Doc. CCPR/C/GEO/CO/4 (2014); Greece, ¶ 10, U.N. Doc. CCPR/CO/83/ GRC (2005); Haiti, ¶ 13; U.N. Doc. CCPR/C/HTI/CO/1 (2014); Honduras, ¶ 7, U.N. Doc. CCPR/C/HND/CO/1 (2006); Hungary, ¶ 11, U.N. Doc. CCPR/C/HUN/CO/5 (2010); Ireland, ¶ 9, U.N. Doc. CCPR/C/IRL/CO/3 (2008); Korea, ¶11, U.N. Doc. CCPR/C/KOR/CO/3 (2006); Kyrgyz Republic, ¶14, U.N. Doc. CCPR/CO/69/ KGZ (2000); Latvia, ¶ 12, U.N. Doc. CCPR/CO/79/LVA (2003); Lithuania, ¶ 9, U.N. Doc. CCPR/CO/80/LTU (2004); Malawi, ¶ 14, U.N. Doc. CCPR/C/MWI/CO/1/Add.1 (2014); Mali, ¶ 12; U.N. Doc. CCPR/CO/77/MLI (2003); Mexico, ¶ 8; U.N. Doc. CCPR/C/MEX/CO/5 (2010); Moldova, ¶ 16, U.N. Doc. CCPR/C/MDA/CO/2 (2009); Montenegro, ¶ 11, U.N. Doc. CCPR/C/MNE/CO/1 (2014); Mozambique, ¶ 10, U.N. Doc. CCPR/C/ MOZ/CO/1 (2013); Nicaragua, ¶ 12, U.N. Doc. CCPR/C/NIC/CO/3 (2008); Norway, ¶ 9, U.N. Doc. CCPR/C/ NOR/CO/6 (2011); Panama, ¶18, U.N. Doc. CCPR/C/PAN/CO/3 (2008); Slovakia, ¶9, U.N. Doc. CCPR/CO/ 78/SVK (2003); Slovenia, ¶ 11, U.N. Doc. CCPR/CO/84/SVN (2005); Spain, ¶ 12, U.N. Doc. CCPR/C/ESP/ CO/5 (2009); Sri Lanka, ¶ 9, U.N. Doc. CCPR/C/LKA/CO/5 (2014); Suriname, ¶ 13, U.N. Doc. CCPR/CO/80/ SUR (2004); Sweden, ¶ 8, U.N. Doc. CCPR/C/SWE/CO/6 (2009); Switzerland, ¶ 11, U.N. Doc. CCPR/C/CHE/ CO/3 (2009); Tajikistan, ¶ 24, U.N. Doc. CCPR/CO/84/TJK (2005); Tanzania, ¶ 17, U.N. Doc. CCPR/C/TZA/ CO/4 (2009); Thailand, ¶ 12, U.N. Doc. CCPR/CO/84/THA (2005); Togo, ¶ 11, U.N. Doc. CCPR/C/TGO/CO/4 (2011); Uganda, ¶ 11, U.N. Doc. CCPR/CO/80/UGA (2004); Ukraine, ¶ 14, U.N. Doc. CCPR/C/UKR/CO/7 (2013); Uruguay, ¶ 15, U.N. Doc. CCPR/C/URY/CO/5 (2013); Uzbekistan, ¶ 13, U.N. Doc. CCPR/C/UZB/CO/ 3 (2010); Vietnam, ¶ 14, U.N. Doc. CCPR/CO/75/VNM (2002); Zambia, ¶ 19, U.N. Doc. CCPR/C/ZMB/CO/3 (2007).

<sup>71</sup> and 26.<sup>72</sup> As a party to the ICCPR, Ghana has an obligation to adopt a comprehensive approach to preventing and addressing violence against women and children in all of its forms and manifestations.<sup>73</sup> Through its concluding observations to other States, this Committee has clarified that this obligation includes the need to overcome shortcomings in the effective implementation of existing laws and policies on gender-based violence, including through implementing legislation<sup>74</sup> and allocation of sufficient resources.<sup>75</sup> In several instances, the Committee has expressed concern to States about the disproportionate impact of gender-based violence against specific populations, including women and girls with disabilities.<sup>76</sup> Given that Ghanaian women with disabilities similarly experience heightened rates of gender-based violence, and particularly sexual violence, it would be important for the Committee to express similar concerns about the disproportionate impact of violence against

<sup>73</sup> See, e.g., Human Rights Committee, Concluding Observations: Albania, ¶ 11, U.N. Doc. CCPR/C/ALB/CO/2 (2013); Angola, ¶ 10, U.N. Doc. CCPR/C/AGO/CO/1 (2013); Belize, ¶ 15, U.N. Doc. CCPR/C/BLZ/CO/1 (2013); Czech Republic, ¶ 15, U.N. Doc. CCPR/C/CZE/CO/3 (2013); Hungary, ¶ 11, U.N. Doc. CCPR/C/HUN/CO/5 (2010); Kazakhstan, ¶ 10, U.N. Doc. CCPR/C/KAZ/CO/1 (2011); Montenegro, ¶ 11, U.N. Doc. CCPR/C/MNE/CO/1 (2014); Mozambique, ¶ 10, U.N. Doc. CCPR/C/MOZ/CO/1 (2013); Norway, ¶ 9, U.N. Doc. CCPR/C/MNE/CO/6 (2011); Peru, ¶ 10, U.N. Doc. CCPR/C/PER/CO/5 (2013); Sri Lanka, ¶ 9, U.N. Doc. CCPR/C/LKA/CO/5 (2014); Tajikistan, ¶ 7, U.N. Doc. CCPR/C/TJK/CO/2 (2013); Tanzania, ¶ 10, U.N. Doc. CCPR/C/TZA/CO/4 (2009).

<sup>74</sup> Human Rights Committee, *Concluding Observations: Argentina*, ¶ 11, U.N. Doc. CCPR/C/ARG/CO/4 (2010); *Chad*, ¶ 14, U.N. Doc. CCPR/C/TCD/CO/1 (2009).

<sup>75</sup> Human Rights Committee, *Concluding Observations: Argentina*, ¶ 11, U.N. Doc. CCPR/C/ARG/CO/4 (2010); *Bolivia*, ¶ 10, U.N. Doc. CCPR/C/BOL/CO/3 (2013); *Lithuania*, ¶ 6, U.N. Doc. CCPR/C/LTU/CO/3 (2012); *Mexico*, ¶ 9; U.N. Doc. CCPR/C/MEX/CO/5 (2010); *Tajikistan*, ¶ 7, U.N. Doc. CCPR/C/TJK/CO/2 (2013).

<sup>76</sup> Human Rights Committee, *Concluding Observations: China (Hong Kong)*, ¶ 18, U.N. Doc. CCPR/C/CHN-HKG/CO/3 (2013).

<sup>&</sup>lt;sup>71</sup> Human Rights Committee, *Concluding Observations: Belgium*, ¶ 28, U.N. Doc. CCPR/CO/81/BEL (2004); *Czech Republic*, ¶ 12, U.N. Doc. CCPR/C/CZE/CO/2 (2007); *Ecuador*, ¶ 9, U.N. Doc. CCPR/C/ECU/CO/5 (2009); *Georgia*, ¶ 9, U.N. Doc. CCPR/C/GEO/CO/4 (2014); *Greece*, ¶ 10, U.N. Doc. CCPR/CO/83/GRC (2005); *Haiti*, ¶ 14; U.N. Doc. CCPR/C/HTI/CO/1 (2014); *Honduras*, ¶ 11, U.N. Doc. CCPR/C/HND/CO/1 (2006); *Malawi*, ¶ 14, U.N. Doc. CCPR/C/MWI/CO/1/Add.1 (2014); *Mexico*, ¶ 8; U.N. Doc. CCPR/C/MEX/CO/5 (2010); *Montenegro*, ¶ 11, U.N. Doc. CCPR/C/MNE/CO/1 (2014); *Nicaragua*, ¶ 9, U.N. Doc. CCPR/C/MEX/NIC/CO/3 (2008); *Slovenia*, ¶ 11, U.N. Doc. CCPR/C/84/SVN (2005); *Tajikistan*, ¶ 24, U.N. Doc. CCPR/CO/84/TJK (2005); *Tanzania*, ¶ 17, U.N. Doc. CCPR/C/TZA/CO/4 (2009); *Venezuela*, ¶ 24, U.N. Doc. CCPR/CO/71/VEN (2001).

<sup>&</sup>lt;sup>72</sup> Human Rights Committee, Concluding Observations: Azerbaijan, ¶ 17, U.N. Doc. CCPR/CO/73/AZE (2001); Barbados, ¶ 8, U.N. Doc. CCPR/C/BRB/CO/3 (2007); Croatia, ¶ 8, U.N. Doc. CCPR/C/HRV/CO/2 (2009); Czech Republic, ¶ 12, U.N. Doc. CCPR/C/ZE/CO/2 (2007); Czech Republic, ¶ 14, U.N. Doc. CCPR/C/O/2/CZE (2001); Denmark, ¶ 8, U.N. Doc. CCPR/C/DNK/CO/5 (2008); Dominican Republic, ¶ 12, U.N. Doc. CCPR/C/DOM/CO/5 (2012); Georgia, ¶ 9, U.N. Doc. CCPR/C/GEO/CO/4 (2014); Ireland, ¶ 9, U.N. Doc. CCPR/C/IRL/CO/3 (2008); Korea, ¶ 11, U.N. Doc. CCPR/C/KOR/CO/3 (2006); Malawi, ¶ 14, U.N. Doc. CCPR/C/MWI/CO/1/Add.1 (2014); Moldova, ¶ 16, U.N. Doc. CCPR/C/MDA/CO/2 (2009); Mozambique, ¶ 10, U.N. Doc. CCPR/C/MOZ/CO/1 (2013); Norway, ¶ 9, U.N. Doc. CCPR/C/NOR/CO/6 (2011); Paraguay, ¶ 12, U.N. Doc. CCPR/C/NOR/CO/6 (2009); Switzerland, ¶ 11, U.N. Doc. CCPR/C/RY/CO/3 (2005); Sweden, ¶ 8, U.N. Doc. CCPR/C/78/SVK (2003); Slovenia, ¶ 11, U.N. Doc. CCPR/C/R4/SVN (2005); Sweden, ¶ 8, U.N. Doc. CCPR/C/84/TIK (2005); Tanzania, ¶ 17, U.N. Doc. CCPR/C/TZA/CO/4 (2009); Thailand, ¶ 12, U.N. Doc. CCPR/CO/84/TIK (2005); Tanzania, ¶ 17, U.N. Doc. CCPR/C/TGO/CO/4 (2011); Uganda, ¶ 11, U.N. Doc. CCPR/C/084/THA (2005); Togo, ¶ 11, U.N. Doc. CCPR/C/IGO/CO/4 (2011); Uganda, ¶ 11, U.N. Doc. CCPR/C/084/THA (2005); Togo, ¶ 11, U.N. Doc. CCPR/C/UKR/CO/6 (2006); Uzbekistan, ¶ 13, U.N. Doc. CCPR/C/UZB/CO/3 (2010); Vietnam, ¶ 14, U.N. Doc. CCPR/C/UKR/CO/6 (2006); Uzbekistan, ¶ 13, U.N. Doc. CCPR/C/UZB/CO/3 (2010); Vietnam, ¶ 14, U.N. Doc. CCPR/C/075/VNM (2002).

women with disabilities in Ghana and the shortcomings of Ghana's domestic legal framework in preventing, investigating, punishing and redressing such violence. Specifically, Ghana must take steps to address the lack of implementation of both the Domestic Violence Act and the Persons with Disabilities Act, as well as the shortcomings in the language of the Evidence Act to ensure that the testimony of women with disabilities be given credence in the courts.

In addition, the Committee frequently notes with concern the lack of statistical data on gender-based violence,<sup>77</sup> and in several instances, has expressed the need for such data to be disaggregated.<sup>78</sup> The lack of any systematic collection of data or statistics on incidences of violence against women with disabilities in Ghana underscores the importance for such data collection to be disaggregated by disability, among other characteristics. In order for Ghana to develop policies and programs that are responsive to the specific forms of violence that women and girls with disabilities face and the specific barriers that women with disabilities face in accessing justice, the government must collect comprehensive and accurate data on violence against women with disabilities.

This Committee has further emphasized the importance of developing public awareness campaigns on the rights of women<sup>79</sup> and people with disabilities<sup>80</sup> to raise awareness about available remedies and to change the perspective of the general public.

In addition to developing a comprehensive legislative and policy framework to address gender-based violence, this Committee has recognized that States have an obligation to ensure that victims of domestic violence have access to a wide range of effective remedies,

<sup>&</sup>lt;sup>77</sup> Human Rights Committee, *Concluding Observations: Angola*, ¶ 10, U.N. Doc. CCPR/C/AGO/CO/1 (2013); *Azerbaijan*, ¶ 17, U.N. Doc. CCPR/CO/73/AZE (2001); *Brazil*, ¶ 5, U.N. Doc. CCPR/C/BRA/CO/2 (2005); *Burundi*, ¶ 12, U.N. Doc. CCPR/C/BDI/CO/2 (2014); *Cape Verde*, ¶ 9, U.N. Doc. CCPR/C/CPV/CO/1 (2012); *Kuwait*, ¶ 15, U.N. Doc. CCPR/C/KWT/CO/2 (2011); *Malawi*, ¶ 14, U.N. Doc. CCPR/C/MWI/CO/1/Add.1 (2014); *Norway*, ¶ 10, U.N. Doc. CCPR/C/NOR/CO/5 (2006); *Slovakia*, ¶ 9, U.N. Doc. CCPR/CO/78/SVK (2003); *Uruguay*, ¶ 15, U.N. Doc. CCPR/C/URY/CO/5 (2013).

<sup>&</sup>lt;sup>78</sup> Human Rights Committee, *Concluding Observations: Cape Verde*, ¶ 9, U.N. Doc. CCPR/C/CPV/CO/1 (2012); *Croatia*, ¶ 8, U.N. Doc. CCPR/C/HRV/CO/2 (2009); *Georgia*, ¶ 8, U.N. Doc. CCPR/C/GEO/CO/3 (2007); *Ireland*, ¶ 9, U.N. Doc. CCPR/C/IRL/CO/3 (2008); *Malawi*, ¶ 14, U.N. Doc. CCPR/C/MWI/CO/1/Add. 1 (2014).

<sup>&</sup>lt;sup>79</sup> Human Rights Committee, *Concluding Observations: Argentina*, ¶ 15, U.N. Doc. CCPR/CO/70/ARG (2000); *Azerbaijan*, ¶ 5, U.N. Doc. CCPR/C/AZE/CO/3 (2009); *Chad*, ¶ 10, U.N. Doc. CCPR/C/TCD/CO/2 (2014); *Georgia*, ¶ 9, U.N. Doc. CCPR/C/GEO/CO/4 (2014); *Georgia*, ¶ 14, U.N. Doc. CCPR/CO/74/GEO (2002); *Monaco*, ¶ 9, U.N. Doc. CCPR/C/MCO/CO/2 (2008); *Mozambique*, ¶ 10, U.N. Doc. CCPR/C/MOZ/CO/1 (2013); *Tajikistan*, ¶ 6, U.N. Doc. CCPR/CO/84/TJK (2005); *Yemen*, ¶ 9, U.N. Doc. CCPR/C/YEM/CO/5 (2012).

<sup>&</sup>lt;sup>80</sup> Human Rights Committee, Concluding Observations: Sweden, ¶ 8, U.N. Doc. CCPR/C/SWE/CO/6 (2009).

assistance and protection,<sup>81</sup> including emergency shelters,<sup>82</sup> legal representation,<sup>83</sup> and victim support centers equipped to provide medical, psychological, legal, and social support.<sup>84</sup> With respect to shelters, the Committee has clarified that States must ensure a sufficient number of

<sup>&</sup>lt;sup>81</sup> Human Rights Committee, *Concluding Observations: Belgium*, ¶9, U.N. Doc. CCPR/C/BEL/CO/5 (2010); Benin, ¶ 9, U.N. Doc. CCPR/CO/82/BEN (2004); Bolivia, ¶ 10, U.N. Doc. CCPR/C/BOL/CO/3 (2013); Bosnia and Herzegovina, ¶ 12, U.N. Doc. CCPR/C/BIH/CO/1 (2006); Cameroon, ¶ 11, U.N. Doc. CCPR/C/CMR/CO/4 (2010); Chad, ¶ 14, U.N. Doc. CCPR/C/TCD/CO/1 (2009); China (Hong Kong), ¶ 18, U.N. Doc. CCPR/C/ CHN-HKG/CO/3 (2013); Democratic Republic of the Congo, ¶ 12, U.N. Doc. CCPR/C/COD/CO/3 (2006); Denmark, ¶ 8, U.N. Doc. CCPR/C/DNK/CO/5 (2008); Dominican Republic, ¶ 11, U.N. Doc. CCPR/C/DOM/ CO/5 (2012); Ecuador, ¶ 9, U.N. Doc. CCPR/C/ECU/CO/5 (2009); Georgia, ¶ 8, U.N. Doc. CCPR/C/GEO/CO/ 3 (2007); Georgia, ¶ 9, U.N. Doc. CCPR/C/GEO/CO/4 (2014); Germany, ¶ 14, U.N. Doc. CCPR/CO/80/DEU (2004); Greece, ¶7, U.N. Doc. CCPR/CO/83/GRC (2005); Haiti, ¶13; U.N. Doc. CCPR/C/HTI/CO/1 (2014); Jordan, ¶ 8, U.N. Doc. CCPR/C/JOR/CO/4 (2010); Kenya, ¶ 11, U.N. Doc. CCPR/CO/83/KEN (2005); Kyrgyz *Republic*, ¶ 14, U.N. Doc. CCPR/CO/69/KGZ (2000); *Liechtenstein*, ¶ 8, U.N. Doc. CCPR/CO/81/LIE (2004); *Lithuania*, ¶ 9, U.N. Doc. CCPR/CO/80/LTU (2004); *Madagascar*, ¶11, U.N. Doc. CCPR/C/MDG/CO/3 (2007); Malawi, ¶ 14, U.N. Doc. CCPR/C/MWI/CO/1/Add.1 (2014); Malawi, ¶ 9, U.N. Doc. CCPR/C/MWI/ CO/1 (2012); Maldives, ¶ 11; U.N. Doc. CCPR/C/MDV/CO/1 (2012); Mali, ¶ 12; U.N. Doc. CCPR/CO/77/MLI (2003); Malta, ¶ 12; U.N. Doc. CCPR/C/MLT/CO/2 (2014); Mexico, ¶ 8; U.N. Doc. CCPR/C/MEX/CO/5 (2010); Moldova, ¶ 16, U.N. Doc. CCPR/C/MDA/CO/2 (2009); Monaco, ¶ 9, U.N. Doc. CCPR/C/MCO/CO/2 (2008); Mozambique, ¶ 10, U.N. Doc. CCPR/C/MOZ/CO/1 (2013); Norway, ¶ 10, U.N. Doc. CCPR/C/NOR/ CO/5 (2006); Peru, ¶ 10, U.N. Doc. CCPR/C/PER/CO/5 (2013); Poland, ¶ 10, U.N. Doc. CCPR/C/POL/CO/6 (2010); Portugal, ¶ 12, U.N. Doc. CCPR/C/PRT/CO/4 (2012); Serbia, ¶ 9, U.N. Doc. CCPR/C/SRB/CO/2 (2011); Slovenia, ¶7, U.N. Doc. CCPR/CO/84/SVN (2005); Sweden, ¶7, U.N. Doc. CCPR/CO/74/SWE (2002); Tanzania, ¶ 10, U.N. Doc. CCPR/C/TZA/CO/4 (2009); Uganda, ¶ 11, U.N. Doc. CCPR/CO/80/UGA (2004); Ukraine, ¶ 14, U.N. Doc. CCPR/C/UKR/CO/7 (2013); Yemen, ¶ 9, U.N. Doc. CCPR/C/YEM/CO/5 (2012).

<sup>&</sup>lt;sup>82</sup> Human Rights Committee, *Concluding Observations: Albania*, ¶ 10, U.N. Doc. CCPR/CO/82/ALB (2004); *Ecuador*, ¶ 9, U.N. Doc. CCPR/C/ECU/CO/5 (2009); *Guatemala*, ¶ 19, U.N. Doc. CCPR/C/GTM/CO/3 (2012); *Haiti*, ¶ 13; U.N. Doc. CCPR/C/HTI/CO/1 (2014); *Jamaica*, ¶ 19, U.N. Doc. CCPR/C/JAM/CO/3 (2011); *Jordan*, ¶ 8, U.N. Doc. CCPR/C/JOR/CO/4 (2010); *Maldives*, ¶ 11; U.N. Doc. CCPR/C/MDV/CO/1 (2012); *Mexico*, ¶ 8; U.N. Doc. CCPR/C/MEX/CO/5 (2010); *Nicaragua*, ¶ 12, U.N. Doc. CCPR/C/NIC/CO/3 (2008); *Panama*, ¶ 18, U.N. Doc. CCPR/C/PAN/CO/3 (2008); *Paraguay*, ¶ 12, U.N. Doc. CCPR/C/PRY/CO/3 (2013); *Poland*, ¶ 10, U.N. Doc. CCPR/C/POL/CO/6 (2010); *Thailand*, ¶ 12, U.N. Doc. CCPR/CO/84/THA (2005); *United States*, ¶ 16, U.N. Doc. CCPR/C/USA/CO/4 (2014).

<sup>&</sup>lt;sup>83</sup> Human Rights Committee, *Concluding Observations: Haiti*, ¶ 13; U.N. Doc. CCPR/C/HTI/CO/1 (2014); *Poland*, ¶ 10, U.N. Doc. CCPR/C/POL/CO/6 (2010); *United States*, ¶ 16, U.N. Doc. CCPR/C/USA/CO/4 (2014).

<sup>&</sup>lt;sup>84</sup> Human Rights Committee, *Concluding Observations: Albania*, ¶ 10, U.N. Doc. CCPR/CO/82/ALB (2004); *Guatemala*, ¶ 19, U.N. Doc. CCPR/C/GTM/CO/3 (2012); *Latvia*, ¶ 13, U.N. Doc. CCPR/CO/79/LVA (2003); *Paraguay*, ¶ 12, U.N. Doc. CCPR/C/PRY/CO/3 (2013); *Poland*, ¶ 10, U.N. Doc. CCPR/C/POL/CO/6 (2010); *Serbia*, ¶ 9, U.N. Doc. CCPR/C/SRB/CO/2 (2011); *Slovakia*, ¶ 9, U.N. Doc. CCPR/CO/78/SVK (2003); *Thailand*, ¶ 12, U.N. Doc. CCPR/CO/84/THA (2005).

shelters are available<sup>85</sup> throughout the country<sup>86</sup> and that such shelters must be adequately resourced<sup>87</sup> and have qualified staff.<sup>88</sup> In its concluding observations to Sweden, the Committee further emphasized that shelters need to meet the specific needs of women and children with disabilities.<sup>89</sup>

On numerous occasions, this Committee has underscored the need for States to ensure access to justice for victims of gender-based violence.<sup>90</sup> In its concluding observations to Ghana in 2006, the Committee on the Elimination of Discrimination against Women recognized the numerous impediments to justice for victims of gender-based violence in Ghana<sup>91</sup> and called on the government to take steps to remove these barriers, including steps "to enhance women's awareness of their rights and legal literacy to claim their rights."<sup>92</sup>

<sup>86</sup> Human Rights Committee, *Concluding Observations: Armenia*, ¶ 8, U.N. Doc. CCPR/C/ARM/CO/2 (2012); *Dominican Republic*, ¶ 11, U.N. Doc. CCPR/C/DOM/CO/5 (2012); *Georgia*, ¶ 8, U.N. Doc. CCPR/C/GEO/CO/ 3 (2007); *Georgia*, ¶ 9, U.N. Doc. CCPR/C/GEO/CO/4 (2014) *Mozambique*, ¶ 10, U.N. Doc. CCPR/C/MOZ/ CO/1 (2013); *Peru*, ¶ 10, U.N. Doc. CCPR/C/PER/CO/5 (2013); *Russia*, ¶ 10, U.N. Doc. CCPR/C/RUS/CO/6 (2009); *Ukraine*, ¶ 14, U.N. Doc. CCPR/C/UKR/CO/7 (2013); *Uzbekistan*, ¶ 13, U.N. Doc. CCPR/C/UZB/CO/3 (2010).

<sup>87</sup> Human Rights Committee, *Concluding Observations: Albania*, ¶ 11, U.N. Doc. CCPR/C/ALB/CO/2 (2013); *Burundi*, ¶ 12, U.N. Doc. CCPR/C/BDI/CO/2 (2014); *Chad*, ¶ 10, U.N. Doc. CCPR/C/TCD/CO/2 (2014); *Djibouti*, ¶ 10, U.N. Doc. CCPR/C/DJI/CO/1 (2013); *Dominican Republic*, ¶ 11, U.N. Doc. CCPR/C/DOM/CO/ 5 (2012); *Finland*, ¶ 7, U.N. Doc. CCPR/C/FIN/CO/6 (2013); *Lithuania*, ¶ 6, U.N. Doc. CCPR/C/LTU/CO/3 (2012); *Malta*, ¶ 12; U.N. Doc. CCPR/C/MLT/CO/2 (2014); *Montenegro*, ¶ 11, U.N. Doc. CCPR/C/MNE/CO/1 (2014); *Tajikistan*, ¶ 7, U.N. Doc. CCPR/C/TJK/CO/2 (2013).

<sup>88</sup> Human Rights Committee, *Concluding Observations: Burundi*, ¶ 12, U.N. Doc. CCPR/C/BDI/CO/2 (2014); *Dominican Republic*, ¶ 11, U.N. Doc. CCPR/C/DOM/CO/5 (2012); *Malawi*, ¶ 14, U.N. Doc. CCPR/C/MWI/ CO/1/Add.1 (2014); *Malta*, ¶ 12; U.N. Doc. CCPR/C/MLT/CO/2 (2014).

<sup>89</sup> Human Rights Committee, *Concluding Observations: Sweden*, ¶ 8, U.N. Doc. CCPR/C/SWE/CO/6 (2009).

<sup>90</sup> Human Rights Committee, *Concluding Observations: Ecuador*, ¶ 9, U.N. Doc. CCPR/C/ECU/CO/5 (2009);
 *El Salvador*, ¶ 9, U.N. Doc. CCPR/C/SLV/CO/6 (2010); *Japan*, ¶ 19, U.N. Doc. CCPR/C/JPN/CO/6 (2014);
 *Kenya*, ¶ 11, U.N. Doc. CCPR/CO/83/KEN (2005); *Malta*, ¶ 12; U.N. Doc. CCPR/C/MLT/CO/2 (2014);
 *Mexico*, ¶ 9; U.N. Doc. CCPR/C/MEX/CO/5 (2010); *Mongolia*, ¶ 18, U.N. Doc. CCPR/C/MNG/CO/5 (2011);
 *Nicaragua*, ¶ 12, U.N. Doc. CCPR/C/NIC/CO/3 (2008); *Portugal*, ¶ 12, U.N. Doc. CCPR/C/PRT/CO/4 (2012).

<sup>91</sup> Committee on the Elimination of Discrimination against Women, *Concluding Observations: Ghana*, ¶ 15, U.N. Doc. CEDAW/C/GHA/CO/5 (2006).

<sup>92</sup> *Id.*, at ¶ 16.

<sup>&</sup>lt;sup>85</sup> Human Rights Committee, *Concluding Observations: Albania*, ¶ 11, U.N. Doc. CCPR/C/ALB/CO/2 (2013); *Armenia*, ¶ 8, U.N. Doc. CCPR/C/ARM/CO/2 (2012); *Burundi*, ¶ 12, U.N. Doc. CCPR/C/BDI/CO/2 (2014); *Chad*, ¶ 10, U.N. Doc. CCPR/C/TCD/CO/2 (2014); *Croatia*, ¶ 8, U.N. Doc. CCPR/C/HRV/CO/2 (2009); *Djibouti*, ¶ 10, U.N. Doc. CCPR/C/DJI/CO/1 (2013); *Finland*, ¶ 7, U.N. Doc. CCPR/C/FIN/CO/6 (2013); *Lithuania*, ¶ 6, U.N. Doc. CCPR/C/LTU/CO/3 (2012); *Malawi*, ¶ 14, U.N. Doc. CCPR/C/MWI/CO/1/Add.1 (2014); *Montenegro*, ¶ 11, U.N. Doc. CCPR/C/MNE/CO/1 (2014); *Mozambique*, ¶ 10, U.N. Doc. CCPR/C/ MOZ/CO/1 (2013); *Peru*, ¶ 10, U.N. Doc. CCPR/C/PER/CO/5 (2013); *Portugal*, ¶ 12, U.N. Doc. CCPR/C/PRT/ CO/4 (2012); *Sweden*, ¶ 8, U.N. Doc. CCPR/C/WK/CO/6 (2009); *Tajikistan*, ¶ 7, U.N. Doc. CCPR/C/TJK/CO/ 2 (2013); *Ukraine*, ¶ 14, U.N. Doc. CCPR/C/UKR/CO/7 (2013); *Uzbekistan*, ¶ 13, U.N. Doc. CCPR/C/UZB/ CO/3 (2010).

Related to the obligation to ensure access to justice, the Human Rights Committee has expressed concern over ineffective police investigations into complaints of gender-based violence<sup>93</sup> and the low number of gender-based violence cases that are actually brought to justice and appropriately sanctioned,<sup>94</sup> which contribute to a climate of impunity around gender-based violence. Accordingly, the Committee emphasizes that States must provide training to local authorities and law enforcement<sup>95</sup> must be trained to ensure that gender-based violence cases are handled appropriately.<sup>96</sup> The Committee has also called on at least one government to guarantee free legal assistance in domestic violence cases across the country.<sup>97</sup> It would be important to ensure that Ghanaian victims of gender-based violence similarly have access to free legal assistance. Ghana must also ensure training for law enforcement and legal aid lawyers to adequately handle gender-based violence cases, including training on how to respond to cases of violence against women with disabilities.

In order to ensure access to justice for women with disabilities in Ghana, the State must also take steps to dismantle the specific barriers that women with disabilities face, such as

<sup>94</sup> Human Rights Committee, *Concluding Observations: Albania*, ¶ 11, U.N. Doc. CCPR/C/ALB/CO/2 (2013); *Bulgaria*, ¶ 12, U.N. Doc. CCPR/C/BGR/CO/3 (2011); *Croatia*, ¶ 8, U.N. Doc. CCPR/C/HRV/CO/2 (2009); *Democratic Republic of the Congo*, ¶ 12, U.N. Doc. CCPR/C/COD/CO/3 (2006); *Georgia*, ¶ 9, U.N. Doc.
CCPR/C/GEO/CO/4 (2014); *Iran*, ¶ 11, U.N. Doc. CCPR/C/IRN/CO/3 (2011); *Ireland*, ¶ 9, U.N. Doc. CCPR/C/ IRL/CO/3 (2008); *Japan*, ¶ 19, U.N. Doc. CCPR/C/JPN/CO/6 (2014); *Japan*, ¶¶ 14, 15, U.N. Doc. CCPR/C/ JPN/CO/5 (2008); *Korea*, ¶ 11, U.N. Doc. CCPR/C/KOR/CO/3 (2006); *Mali*, ¶ 12; U.N. Doc. CCPR/C// MLI (2003); *Malta*, ¶ 12; U.N. Doc. CCPR/C/MLT/CO/2 (2014); *Mauritania*, ¶ 10; U.N. Doc. CCPR/C/MRT/ CO/1 (2013); *Mexico*, ¶ 8; U.N. Doc. CCPR/C/MEX/CO/5 (2010); *Moldova*, ¶ 16, U.N. Doc. CCPR/C/MDA/ CO/2 (2009); *Mongolia*, ¶ 18, U.N. Doc. CCPR/C/MNG/CO/5 (2011); *Montenegro*, ¶ 11, U.N. Doc. CCPR/C/ MNE/CO/1 (2014); *Namibia*, ¶ 20, U.N. Doc. CCPR/C/081/NAM (2004); *Paraguay*, ¶ 9, U.N. Doc. CCPR/C/ PRY/CO/2 (2006); *Poland*, ¶ 10, U.N. Doc. CCPR/C/POL/CO/6 (2010); *Serbia*, ¶ 9, U.N. Doc. CCPR/C/SRB/ CO/2 (2011); *Uganda*, ¶ 11, U.N. Doc. CCPR/CO/80/UGA (2004).

<sup>95</sup> Human Rights Committee, *Concluding Observations: Armenia*, ¶ 8, U.N. Doc. CCPR/C/ARM/CO/2 (2012); *Azerbaijan*, ¶ 5, U.N. Doc. CCPR/C/AZE/CO/3 (2009); *Burundi*, ¶ 12, U.N. Doc. CCPR/C/BDI/CO/2 (2014); *Chad*, ¶ 10, U.N. Doc. CCPR/C/TCD/CO/2 (2014); *Georgia*, ¶ 9, U.N. Doc. CCPR/C/GEO/CO/4 (2014); *Guatemala*, ¶ 19, U.N. Doc. CCPR/C/GTM/CO/3 (2012); *Madagascar*, ¶11, U.N. Doc. CCPR/C/MDG/CO/3 (2007); *Mali*, ¶ 12; U.N. Doc. CCPR/CO/77/MLI (2003); *Malta*, ¶ 12; U.N. Doc. CCPR/C/MLT/CO/2 (2014); *Mexico*, ¶ 8; U.N. Doc. CCPR/C/MEX/CO/5 (2010); *Norway*, ¶ 9, U.N. Doc. CCPR/C/NOR/CO/6 (2011); *Poland*, ¶ 11, U.N. Doc. CCPR/CO/82/POL (2004); *Poland*, ¶ 10, U.N. Doc. CCPR/C/POL/CO/6 (2010); *Serbia*, ¶ 9, U.N. Doc. CCPR/C/SRB/CO/2 (2011); *Tanzania*, ¶ 10, U.N. Doc. CCPR/C/TZA/CO/4 (2009); *Uganda*, ¶ 11, U.N. Doc. CCPR/C/0/80/UGA (2004); *Ukraine*, ¶ 14, U.N. Doc. CCPR/C/UKR/CO/7 (2013); *Uzbekistan*, ¶ 13, U.N. Doc. CCPR/C/UZB/CO/3 (2010); *Vietnam*, ¶ 14, U.N. Doc. CCPR/CO/75/VNM (2002); *Zambia*, ¶ 19, U.N. Doc. CCPR/C/ZMB/CO/3 (2007).

<sup>96</sup> Human Rights Committee, Concluding Observations: Armenia, ¶ 8, U.N. Doc. CCPR/C/ARM/CO/2 (2012); Bosnia and Herzegovina, ¶ 12, U.N. Doc. CCPR/C/BIH/CO/1 (2006); Burundi, ¶ 12, U.N. Doc. CCPR/C/BDI/ CO/2 (2014); Djibouti, ¶ 10, U.N. Doc. CCPR/C/DJI/CO/1 (2013); Guyana, ¶ 14, U.N. Doc. CCPR/C/PJ/Add. 121 (2000); Malawi, ¶ 9, U.N. Doc. CCPR/C/MWI/CO/1 (2012); Mauritania, ¶ 10; U.N. Doc. CCPR/C/MRT/ CO/1 (2013); Norway, ¶ 9, U.N. Doc. CCPR/C/NOR/CO/6 (2011); Poland, ¶ 11, U.N. Doc. CCPR/C/82/POL (2004); Spain, ¶ 12, U.N. Doc. CCPR/C/ESP/CO/5 (2009); Sri Lanka, ¶ 9, U.N. Doc. CCPR/C/LKA/CO/5 (2014).

<sup>97</sup> Human Rights Committee, *Concluding Observations: Argentina*, ¶ 12, U.N. Doc. CCPR/C/ARG/CO/4 (2010).

<sup>&</sup>lt;sup>93</sup> Human Rights Committee, *Concluding Observations: Albania*, ¶ 11, U.N. Doc. CCPR/C/ALB/CO/2 (2013); *China (Hong Kong)*, ¶ 16, U.N. Doc. CCPR/C/HKG/CO/2 (2006); *Czech Republic*, ¶ 15, U.N. Doc. CCPR/C/ CZE/CO/3 (2013); *Georgia*, ¶ 9, U.N. Doc. CCPR/C/GEO/CO/4 (2014); *Guatemala*, ¶ 19, U.N. Doc. CCPR/C/ GTM/CO/3 (2012); *Montenegro*, ¶ 11, U.N. Doc. CCPR/C/MNE/CO/1 (2014).

physical access to public buildings, including court houses and police stations, and communication barriers, such as a lack of access to sign language interpreters.

## **IV. Recommendations**

In order to ensure that Ghana meets its obligations to take comprehensive action to address violence against women, including women with disabilities, we encourage the Committee to recommend the State to:

- Develop implementing legislation to ensure that both the Domestic Violence Act and the Persons with Disability Act are implemented to provide for the protection of women with disabilities from gender-based violence and to ensure that women with disabilities have access to mechanisms of justice, including access to courts and police stations and appropriately trained law enforcement, as well as appropriate protections, remedies and social, medical, and legal assistance. Ghana must take steps to ensure that instances of gender-based and sexual violence against women and girls with disabilities are investigated, prosecuted and that perpetrators are appropriately punished, as required by Arts. 15 and 16 of the CRPD.
- Amend Ghana's Evidence Act of 1975 to guarantee that deaf and hard of hearing witnesses can present testimony in court by using a sign language interpreter and ensure adequate funding so that the courts have available sign language interpreters to enable deaf and hard of hearing witnesses to testify in court, as required by Art. 13 of the CRPD.
- Amend Ghana's National Building Regulations LI 1630 (1996) to include specific and detailed standards to guarantee physical accessibility of buildings, in accordance with the requirements of Art. 9 of the CRPD, and ensure adequate funding is allocated to modify existing public buildings to facilitate access and usability by persons with disabilities, specifically including courthouses and other buildings where law enforcement takes place.
- Systematically collect data on gender-based and sexual violence, including domestic violence, and ensure that such data is disaggregated by sex and disability, as required under Art. 31 of the CRPD.
- Ensure that both government and private shelters for victims of gender-based and sexual violence, including domestic violence, are available throughout Ghana, accessible to and usable by women and girls with disabilities, and adequately funded, and ensure that shelter personnel are properly trained to be responsive to the particular needs of abused women with disabilities irrespective of their disability.

- Develop and strengthen awareness-raising campaigns to ensure that women with disabilities are aware of their rights and available services and remedies. Undertake media campaigns to combat negative and discriminatory stereotypes about persons with disabilities, as required under Arts. 6 and 8 of the CRPD.
- Provide education and training for law enforcement personnel, including prosecutors, police, and the judiciary to ensure that they are able to detect and respond appropriately to violence against women with disabilities.

we will be pleased to answer any questions or provide additional information you request. Please do not hesitate to contact us via telephone (+1-202-630-3818) or at the emails below should you have any questions or require additional information on any of the comments addressed herein.

Sincerely,

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