



Ratification Kit

Ghana

Why is it important Ghana to ratify the United Nations Protocol to abolish the death penalty?

Ghana is an abolitionist country in practice and the last execution in Ghana took place in 1993.

Ratification of the **Second Optional Protocol to the International Covenant on Civil and Political Rights (ICCPR)** is extremely important, both nationally and locally, because it is the only text with worldwide reach aiming to abolish the death penalty.

Ratifying the Protocol is a very symbolic act, reflecting the universal trend towards abolition of capital punishment, considered to be cruel, inhuman, or degrading treatment. **It is essential that the world's abolitionist countries become party to this Protocol.**

What are the international commitments already taken by Ghana to ratify the Protocol?

Ghana voted **in favor of the 2022 UN General Assembly resolutions for a moratorium** on the use of the death penalty. It had abstained in 2007, 2008, 2010, 2012, 2014, 2016, 2018 and 2020.

Ghana participated in the fourth cycle of the **Universal Periodic Review** of the **Human Rights Council** in **2023** and received 20 recommendations to fully abolish the death penalty and ratify the OP2-ICCPR. It will provide an answer on the status of these recommendations no later than the June 2023 Human Rights Council session.

In its Concluding Observations in **2016**, the **Human Rights Committee** recommended that Ghana accede to the Second Optional Protocol to the ICCPR.

In its Concluding Observations in 2011, the **Committee against Torture** also recommended that Ghana accede to the Second Optional Protocol to the ICCPR.

What are the steps to be taken as regards internal law?

According to Article 7.2 of the Protocol, it “is subject to ratification by any State that has ratified the Covenant or acceded to it.” **Ghana acceded to the International Covenant on Civil and Political Rights in 2000** and is therefore competent to ratify this Protocol.

Among the obligations incumbent upon Ghana following ratification of the Protocol are the **prohibition of executions and withdrawal of the death penalty from internal criminal law**.

Article 75 of the Constitution of Ghana empowers the President to “execute or cause to be executed treaties, agreements or conventions in the name of Ghana” subject to ratification by Parliament.

The instrument of ratification must then be deposited with the UN Secretary-General (Article 7.2 of the Protocol).

What are the legal obstacles to ratification?

There is **no legal obstacle** as Ghana is an abolitionist country in practice and as the last execution took place in 1993.

We therefore encourage Ghana to abolish the death penalty for all crimes and to unreservedly ratify this Protocol as soon as possible.

How can ratification of the Protocol be implemented?

The Protocol shall come into force three months after the instruments of ratification have been deposited with the UN Secretary-General (Article 8.2 of the Protocol).

According to Article 3 of the Protocol, Ghana must submit reports to the Human Rights Committee covering the measures it has adopted to give effect to the Protocol.

The World Coalition Against the Death Penalty also encourages Ghana to support the adoption of an **African Protocol** on the abolition of the death penalty.

For more information, contact the World Coalition Against the Death Penalty and visit its website: <https://worldcoalition.org/campagne/just-one-more-step-ratifying-international-and-regional-protocols/>