

**STATEMENT TO BE DELIVERED BY GHANA TO THE SIXTH
COMMITTEE OF THE GENERAL ASSEMBLY ON THE AGENDA
ITEM 86 “THE RULE OF LAW AT THE NATIONAL AND
INTERNATIONAL LEVELS” – 20TH OCTOBER, 2020**

Mr. Chairman,

At the outset, my delegation wishes to align itself with the statement delivered by the distinguished representatives of the Republic of South Africa on behalf of the Africa Group and the Islamic Republic of Iran on behalf of the Non-Aligned Movement. My delegation welcomes the report of the Secretary General contained in document no. A/75/284 dated 3rd August, 2020, which highlights developments and activities with respect to the rule of law both at the national and international levels during the year under review, particularly, in the midst of the COVID-19 global pandemic. We express our appreciation to the Rule of Law Unit and also welcome the information provided in the report on the subject related to the codification, development and promotion of an international framework of norms and values, highlighting the treaty actions that were undertaken by Member States this past session.

We take note with satisfaction that due emphasis was given to key areas including building capable and accountable justice and security institutions; community-oriented security and armed violence reduction; access to justice for marginalized groups; security and justice for women and girls; and the culture of lawfulness in the promotion of the rule of law.

Mr. Chairman,

We wish to focus our statement on measures taken by the Government of His Excellency Nana Addo Dankwa Akufo-Addo within Ghana’s legal and justice system in line with our national response to the COVID-19 pandemic. It is worth mentioning in this regard, that next to the health and economic sectors, the legal and justice sectors of many countries

affected by the pandemic have played a prominent role in COVID-19 responses. This underscores the central role of the justice sector to national life both in times of peace as well as in health emergencies such as we have witnessed.

Under the aegis of Ghana's abiding respect for the rule of law, the Government of Ghana had to introduce a raft of legal interventions under the Public Health Act and Immigration Act, as well as trigger into action, relevant clauses of the Constitution dealing with emergency powers and limitation of rights to guide Ghana's far-reaching COVID-19 related responses.

As a safety measure against the spread of the disease, the Imposition of Restrictions Act, 2020 (Act 1012), was passed by Parliament and assented to by the President on March 21, 2020. This piece of legislation was enacted to provide powers to the President for the imposition of restrictions in accordance with the constitutional provisions on fundamental human rights in the event or imminence of an emergency, disaster or similar circumstance to ensure public safety, public health and protection.

For better public appreciation of containment and preventive measures put in place, Government provided clarity on the constitutional and legislative basis for decisions taken. To enforce the guidelines and protocols issued by the World Health Organization, the Government mobilized the police and other related agencies to enforce the protocol of social distancing by stopping gatherings and meetings and to bring offenders to book. These agencies are also being used to help health officials trace, track, and quarantine people who may have been in contact with others testing positive for the virus.

Elsewhere in the justice sector, many prisoners have been processed for release, ostensibly to avoid overcrowding and its health risks if the virus finds its way to the prisons.

Mr. Chairman,

The pandemic heightened challenges in Ghana's judicial system in Ghana and prompted changes in the court management system at the instance of the Chief Justice. For example, early in the outbreak, the Chief Justice directed the Bench to practise strict case management techniques in a bid to prevent the spread of the virus. The new directive simply underscored the fact that it was not always necessary for people to appear in person for cases. It also demonstrated that it was possible to reduce the large number of cases pending, by using alternative dispute resolution mechanisms such as out of court settlements. The judiciary as a measure is also calling for greater use of technology in court processes to speed them up and to decongest the courts, and in this regard, Ghana looks forward to enhancing partnerships and collaboration with relevant international bodies.

Mr. Chairman,

In relation to the sub-topic on corruption for this year's debate, I wish to state that Ghana is in the process of amending her penal code so that public officers who are found guilty of corruption under the amended Criminal Offences law could face up to 25 years in jail. Section 260 of the memorandum that accompanied the bill stipulates that a public officer who fails a set of accountability requirements could be jailed between 12 to 25 years. The amended law, which was passed last week, is awaiting presidential assent to become effective. The new law also amends the Criminal Offences Act, 1960 (Act 29) to categorize the offence of corruption as a felony and provide a stiff penalty for a person who commits the offence of corruption and other related offences. It provides generally for the rules of punishment for offences described as a first-degree felony, second degree felony and a misdemeanor. A distinct category of offences under the new law is the proposal for a term of imprisonment not exceeding twenty-five years for corruption which was categorized as

misdemeanors under the old law. The amended law reiterates existing offences under various provisions of the previous law but substitutes the relevant provisions by providing specifically for stiffer penalties to bring them within the category of a first-degree or second-degree felony. Corruption, undoubtedly, constraints the economic growth of a country as it reduces revenue to the state and distorts economic development by rewarding the dishonest rather than the most competent.

Mr. Chairman,

In concluding, I wish to reiterate Ghana's commitment to the rule of law, which underpins Ghana's 1992 Constitution. Ghana's commitment is further expressed in her readiness to embrace every opportunity to further develop national capacity in the Rule of Law. These challenging times of COVID-19 have been no exception, and it is our hope that lessons learnt would continue to inform national and international perspectives and best practices in furtherance of the rule of law in all situations.

I thank you.