LONDA

DIGITAL RIGHTS AND INCLUSION IN AFRICA REPORT

GHANA
COUNTRY REPORT

2024

Ghana

Executive Summary

This report examines developments within Ghana's communication and mass media subsector, focusing on themes that can be broadly classified under digital rights, human rights, and press freedom. Employing a multi-faceted approach, the report evaluates Ghana's performance in digital inclusion, internet access, freedom of expression, data protection and privacy, access to information, censorship and content moderation, and artificial intelligence and emerging technologies. It aims to assess Ghana's compliance with international standards by utilising TheScore Index, a digital rights index created by Paradigm Initiative, which evaluates state adherence to key human rights principles as outlined in the African Commission on Human and Peoples' Rights Declaration of Principles on Freedom of Expression and Access to Information. Effective laws and targeted projects bolster Ghana's ICT progress, but challenges remain with press freedom, digital divide, data protection, and cybersecurity. Strong regulatory frameworks and collaboration between the government, civic society organisations, and the private sector are crucial for protecting investments, fostering innovation, ensuring compliance, protecting consumers, and expanding technology access for a more equitable digital future.

2

DIGITAL
RIGHTS
AND
INCLUSION
IN AFRICA
REPORT

LONDA
2024

Introduction

3

DIGITAL
RIGHTS
AND
INCLUSION
IN AFRICA
REPORT

LONDA
2024

Riding on the back of perceived peace and democratic high standing[918], Ghana attracts considerable investment into critical sectors, including the ICT sector. As of 2023, the industry was valued at about 1.5 billion Ghanaian cedis annually, with steady growth expectations.[919] The Ministry of Communication and Digitalisation is the supervising ministry for the independent regulator for the communication subsector, the National Communications Authority. Through the Ghana Investment Fund for Electronic Communications, the Ministry funds projects that ensure universal access to basic telephony, internet, broadband multimedia, and broadcasting services for communities.

The government liberalised the ICT sector in 1994 to attract foreign investment. Since then, the industry has experienced steady growth through progressive regulatory frameworks and guidelines that have enhanced competition, fostered innovation, and established clear parameters for responsible market participation. Projects like the Ghana Rural Telephony Project and Digital Inclusion, the National Fibre Communications Backbone Infrastructure Network, and the Ghana Digital Accelerate Project have also contributed to the growth. Ghana scored 66.2 out of 100 on the 2024 ICT Development Index, surpassing its sub-regional counterparts—Nigeria and Ivory Coast, which scored 46.9 and 65.3, respectively.[920] The country is connected to five international submarine cables. Its cumulative bandwidth capacity is about 7.16 terabytes, positioning it as a potential ICT-enabled Services hub in West Africa.[921]

The advancement of the ICT sector has significantly influenced the growth of the mass media landscape. As of 2022, 707 FM stations and 156 TV stations held operating licenses. However, the number of FM and TV stations currently broadcasting is 513 and 117, respectively.[922] Article 12 of the Constitution guarantees press freedom and provides guidelines for responsible journalism by stipulating a right to rejoinders and by establishing the National Media Commission.[923] The Commission is tasked with establishing and upholding journalistic standards in the mass media. A significant milestone for freedom was reached in 2001 when the Criminal Libel Law, which had restricted press freedom and criminalised free speech for over a century, was repealed.[924] Since then, the media landscape has experienced greater participation, leading to more media outlets capitalising on the high penetration of smartphones and internet access to reach and distribute content to a broader audience. However, two laws impede press freedom: Section 208 of the Criminal Offences Act (Act 29) and the Electronic Communications Act (Act 775).

918   Promoting a culture of peace in Ghana (2024) https://www.undp.org/ghana/blog/promoting-culture-peace-ghana (Accessed on 12 November 2024)

919   Ghana - Information and Communications Technology (2023) https://www.trade.gov/country-commercial-guides/ghana-information-and-communications-technology-ict (Accessed on 12 November 2024).

920   Measuring digital development - The ICT Development Index (2024) https://www.itu.int/dms_pub/itu-d/opb/ind/d-ind-ict_mdd-2024-3-pdf-e.pdf (Accessed on 12 November 2024)

921   Ghana's Information Communication Technology Sector (2019) https://www.ecexportsymposium.co.za/wp-content/uploads/2020/06/ICT-SECTOR-PROFILE-2019.pdf (Accessed on 13 November 2024)

922   Communication Industry Report (2022) https://nca.org.gh/wp-content/uploads/2023/12/CIR-2022-for-Publication_12.pdf (Accessed on 13 November 2024)

923   Regulatory Framework of the Media in Ghana (2017 https://philipatawura.wordpress.com/2017/05/02/regulatory-framework-of-the-media-in-ghana/ (Accessed on 14 November 2024)

924   The Ghanaian Media Landscape: How unethical practices of journalists undermine progress (2012) https://ghana.mom-gmr.org/uploads/tx_lfrogmom/documents/18-476_import.pdf (Accessed on 14 November 2024)

Internet access

As at the end of 2024, mobile phone penetration stood at 113%, and internet penetration was 69.8%. The country has 7.40 million social media users, representing 21.5% of the total population.[925] This group spends an average of three hours and 23 minutes on social media daily, making Ghana the sixth country globally with the highest social media usage and third in Africa.[926] There are three mobile network operators, three fixed network operators, and one broadband wireless access provider.

Ghana's achievements in the ICT space are driven by policies that have created market conditions for increased investment and cost reduction. In 2014, for example, the government eliminated 20% of the import duty on mobile phones. Traditionally, taxes make up 35% of the cost component of mobile phones.[927] However, in 2015, the government reintroduced the import duty.[928] The government reduced the tariff on imported handsets from 20% to 10% and removed the VAT on imported handsets.[929] As of 2024, the import tax on smartphones remains in effect. This has become a campaign issue as the ruling party's presidential candidate pledges to abolish it.[930]

Smartphones are essential for providing meaningful connectivity, so the government must work to make them more affordable. According to the Alliance for Affordable Internet, the cost of a smartphone as a percentage of people's average monthly income in Sub-Saharan Africa is 39%.[931] A low-end smartphone in Ghana costs GH¢ 766 (US$ 49.90), while higher-end phones can cost over GH¢ 5,000 (US$ 325.73). WIEGO estimates Ghana's average monthly wage in 2023 to be GH¢2,922, with informal sector workers earning less. Within this group, female head porters earn GHS 500; street vendors make GH¢1,250; waste pickers earn GH¢1,300; and market traders receive GH¢2,200.[932] Thus, a low-end smartphone in Ghana costs 27% of the average monthly wage. Additionally, the average cost of a gigabyte of data per month is GH¢ 6.30,[933] making Ghana the second and third cheapest country for mobile internet data in West Africa and Africa.[934]

Internet shutdowns and outages are uncommon in Ghana. There are currently no government restrictions on internet access and no reported cases of governmental censorship and monitoring of emails or Internet chat rooms without judicial oversight. This can be attributed to several factors, including available laws, political will, and efforts by Civil Society Organisations. Access Now's #KeepItOn Coalition is one such effort by civil society organisations. In their letter to the government this year, they asked the government to assure Ghanaians that it won't shut down the Internet throughout the 2024 electioneering period.[935]

According to the 2024 Freedom on the Net index published by Freedom House, Ghana's internet

4

DIGITAL
RIGHTS
AND
INCLUSION
IN AFRICA
REPORT

LONDA
2024

925   Digital 2024: Ghana (2024a) https://datareportal.com/reports/digital-2024-ghana (Accessed on 17 November 2024)

926   Internet Usage in Ghana (2024) https://genderanddigital.org/internet-social-media-usage/ (Accessed on 17 November 2024)

927   Ghana drops import tax on smartphones following advocacy by A4AI-Ghana Coalition (2014) https://a4ai.org/news/ghana-drops-import-tax-on-smartphones-following-advocacy-by-a4ai-ghana-coalition/ (Accessed on 17 November 2024)

928   Ghana brings back smartphone import duty (2016) https://www.telecompaper.com/news/ghana-brings-back-smartphone-import-duty--1126716 (Accessed on 17 November 2024)

929   Ghana cuts tariff, VAT on handsets by 10% (2016) https://www.telecompaper.com/news/ghana-cuts-tariff-vat-on-handsets-by-10--1166840 (Accessed on 17 November 2024)

930   I'll abolish import duties on mobile phones, abolish E-Levy – Bawumia (2024) https://citinewsroom.com/2024/11/ill-abolish-import-duties-on-mobile-phones-abolish-e-levy-bawumia/ (Access 27 November 2024)

931   The cost of smartphones falls, but they remain unaffordable for billions around the world (2022) https://a4ai.org/news/the-cost-of-smartphones-falls-but-they-remain-unaffordable-for-billions-around-the-world (Accessed on 17 November 2024)

932   Navigating Inflation: Impacts of the Cost-of-Living Crisis on Workers in Informal Employment in Accra, Ghana (2024) https://www.wiego.org/resources/navigating-inflation-impacts-cost-living-crisis-workers-informal-employment-accra-ghana (Accessed on 17 November 2024)

933   The Cost of 1GB of Mobile Data In Ghana (2024) https://nca.org.gh/wp-content/uploads/2024/07/The-Cost-of-1GB-of-Data-in-Ghana.pdf (Accessed on 17 November 2024)

934   Mobile data price in Ghana third cheapest in Africa, second in West Africa (2024) https://www.modernghana.com/news/1328926/mobile-data-price-in-ghana-third-cheapest-in-afric.html (Accessed on 17 November 2024)

935   Election 2024: Assure Ghanaians you won't shutdown internet throughout the election period (2024) https://www.modernghana.com/news/1360638/election-2024-assure-ghanaians-you-wont-shutdown.html (Accessed on 23 November 2024)

freedom is classified as "partly free," receiving a score of 65 out of 100.[936] This indicates a moderate level of digital rights and online accessibility, reflecting the positive aspects and challenges in the country's digital landscape. In 2024, the country faced a major internet outage due to damage to undersea cables.

Quality of service is a concern for the segment of the population with access to the Internet. The median mobile internet speed is approximately 13.17 Mbps, whereas fixed connections provide a comparatively better speed of 33.60 Mbps.[937] As of 2023, market share data indicates that MTN is a significant market player among mobile network operators in Ghana, with a 75% market share. Telecel is a significant market player for fixed network operators, with a 73% market share.[938] This has raised concerns about preserving fair competition, encouraging innovation, and protecting consumer rights. Consequently, by introducing technology neutrality policy, the National Communications Authority has taken crucial steps to address the market imbalances and enhance consumer choice in the telecommunications sector.[939] This step involves granting Vodafone and AT the authorisation to re-farm their spectrum assignment in the 900MHz, 1800MHz, and 2100MHz bands to provide 4G services. Schedule 2 of the National Communications (Quality of Service) Regulations, 2016 establishes the benchmark parameters that every cellular mobile service provider must meet.[940] The National Communication Authority regularly monitors the quality of service to ensure Mobile Network Operators comply with license conditions and provide consumers with the quality service they have paid for.[941] Telecommunication Network Operators are also obliged to file a report with the National Communication Authority on the quality of their service as measured against the quality of service performance indicators set by the Authority and publish other reports that the Authority may authorise.[942] In cases of non-compliance with the service quality indicators, the regulator penalises the industry player in breach. For example, in 2018, four mobile network operators were fined GHC 34,065,000 for failing to comply with various quality of service requirements. At the time of this report, no cases of sanctions were reported for 2024.

Freedom of expression

Ghana's Constitution guarantees freedom of speech and the freedom and independence of the media, as outlined in Chapters 5 and 12. Nonetheless, there are still laws being used to harass, arrest, and incarcerate journalists in Ghana. These are Section 208 of the amended Criminal And Offences Act (Act 29) and the Electronic Communications Act (Act 775).[943] These two laws cover the dissemination of misinformation and disinformation, respectively. They are vague and can be used to criminalise nearly any speech that may be interpreted as inducing fear or alarm.[944] Arguments have also been advanced about the draconian nature and outdatedness of these laws as they violate international and national human rights laws concerning freedom of speech.[945] In responding to a criticism of how the Ghana Police applies these laws, the Inspector General of Police, Dr George Akuffo Dampare, opined that the police do not "just" arrest anyone for fake news,

5

DIGITAL
RIGHTS
AND
INCLUSION
IN AFRICA
REPORT

LONDA
2024

936   Freedom on the Net (2024) https://freedomhouse.org/country/ghana/freedom-net/2024 (Accessed on 17 November 2024)

937   Digital 2024: Ghana (2024c) https://datareportal.com/reports/digital-2024-ghana (Accessed on 17 November 2024)

938   Industry Market Statistics (2023) https://nca.org.gh/wp-content/uploads/2023/04/Mobile-Data-Year-ended-2022-Jan-2023.pdf (Accessed on 20 November 2024)

939   NCA Introduces Technology Neutrality in Ghana (2023) https://nca.org.gh/2023/07/18/nca-introduces-technology-neutrality-in-ghana/ (Accessed on 20 November 2024)

940   The National Communications (Quality Of Service) Regulations, (2016) https://nca.org.gh/wp-content/uploads/2021/11/Draft-QoS-Regulations-April-2016.pdf (Accessed on 17 November 2024)

941   Telcos Sanctioned GHC34m for Failing Quality of Service Tests (2018) https://nca.org.gh/2018/08/21/telcos-sanctioned-ghc34m-for-failing-quality-of-service-tests/ (Accessed on 17 November 2024)

942   Electronic Communications Act (2008) https://nita.gov.gh/theevooc/2017/12/Electronic-Communications-Act-775.pdf (Accessed on 20 November 2024)

943   The two laws surviving the repealed criminal libel law in Ghana (2022) https://mfwa.org/issues-in-focus/the-two-laws-surviving-the-repealed-criminal-libel-law-in-ghana (Accessed on 19 November 2024)

944   Ghana's law on publication of false news is vague and easily abused (2022) https://blogs.lse.ac.uk/africaatlse/2022/02/25/ghana-law-publication-of-fake-news-vague-easily-abused-free-speech (Accessed on 19 November 2024)

945   Ghana's law on publication of false news is vague and easily abused – it should go (2022) https://theconversation.com/ghanas-law-on-publication-of-false-news-is-vague-and-easily-abused-it-should-go-177470 (Accessed on 19 November 2024)

arguing that they only come in when what is being peddled has national security implications.[946] The Ghana Police have previously detained journalists for spreading false information that could affect national security. In 2024, the police in the Ashanti regional capital arrested Oheneba Nana Asiedu, a presenter at Wontumi FM, a radio station owned by Bernard Antwi Boasiako, the Ashanti Regional chairman of the New Patriotic Party (NPP), regarding a video that has been circulating on social media. According to a police statement, the video shows the presenter in the studios of Wontumi FM in Kumasi, where he encouraged voters to cast their ballots for presidential candidates on separate days.[947] Recognising that disinformation is a major challenge in today's media landscape is essential. Thus, establishing mechanisms to promote ethical reporting and responsible communication is crucial. This helps ensure that the media maintains its integrity and protects the public from the harmful effects of misleading or intentionally deceptive information.

From 2019 to 2024, at least 30 Ghanaian journalists and media workers have faced abuses, arrests, and threats in connection with their work. 14 of these cases, representing 47%, were perpetrated by the police and military.[948] To improve police-media relations and enhance journalist safety, the police and the media fraternity created a framework to end impunity for crimes against journalists and ultimately promote their safety.[949] The Police must carefully navigate the delicate balance between upholding social order and safeguarding the right to free speech while adhering to the boundaries established by law. This requires a nuanced approach that considers the implications of both individual expression and the community's collective well-being, ensuring that all discourse remains within the limits of what is legally acceptable. During a recent visit to the police high command, the Minister of Interior encouraged the Inspector General of Police to act against individuals who comment negatively on social media as the country approaches the 2024 general elections.[950] The Constitution gives the president the powers to appoint and remove the Inspector General of Police, making the argument of political interference and lack of police independence highly plausible. Ahead of the 2024 general elections, the National Media Commission launched a monitoring tool aimed at combating disinformation, tracking media performance, ensuring the safety of journalists, and promoting transparent election coverage.[951]

Harassment and attacks on journalists by citizens are also prevalent. The Ghana Journalist Association reported that between January and October 2024, 13 journalists, media workers, and media houses in Ghana were attacked.[952] Reports indicate that sympathisers of the New Patriotic Party (NPP) were involved in three of the nine reported attacks, making them the most frequent perpetrators.[953] An incident involving NPP supporters occurred in the year under review in Tamale when Dakurugu Abubakar Ndeeya, a journalist with Zaa Multimedia, was filming a confrontation between some NPP supporters and a police officer. He was attacked and brutally assaulted by four individuals believed to be supporters of the NPP.[954] Under the New Patriotic Party (NPP) and Akufo-Addo's regime, Ghana has recorded the most brazen attacks on press freedom.[955] Another notable incident involving attacks on journalists is the case of Erastus Asare Donkor, Majid Alidu, and Nicholas Suantah. These journalists, who work for Multimedia Group Limited, were violently assaulted by a group of armed men while they were reporting at a mining site in the southern

6

DIGITAL
RIGHTS
AND
INCLUSION
IN AFRICA
REPORT

LONDA
2024

946   Police do not 'just' arrest anyone for fake news – IGP (2024) https://www.myjoyonline.com/police-do-not-just-arrest-anyone-for-fake-news-igp/ (Accessed on 19 November 2024)

947   Police invite Wontumi FM/TV presenter over publication of false news (2024) https://www.myjoyonline.com/police-invite-wontumi-fm-tv-presenter-over-publication-of-false-news/

948   Four years since murder of Ahmed Hussein-Suale Divela, Ghana's journalists still attacked with impunity (2023) https://cpj.org/2023/01/four-years-since-murder-of-ahmed-hussein-suale-divela-ghanas-journalists-still-attacked-with-impunity/ (Accessed on 19 November 2024)

949   Framework on Police-Media Relations and Safety of Journalists in Ghana (2019) https://www.mfwa.org/wp-content/uploads/2020/11/Framework-on-Police-Media-Relations-and-Safety-of-Journalists-in-Ghana-July-1.pdf (Accessed on 19 November 2024)

950   National Security, a top priority of the Government – Interior Minister assures (2024) https://www.mint.gov.gh/national-security-a-top-priority-of-the-government-interior-minister-assures/ (Accessed on 22 November 2024)

951   National Media Commission launches media watch app (2024) https://gna.org.gh/2024/11/national-media-commission-launches-ghana-media-watch-app/ (Accessed on 22 November 2024)

952   GJA Reports Surge in Attacks on Ghanaian Journalists (2024) https://thevaultznews.com/news/general-news/gja-reports-surge-in-attacks-on-ghanaian-journalists/ (Accessed on 20 November 2024)

953   Greater Commitment needed to end impunity for crimes against Journalists (2024) https://www.ghanaweb.com/GhanaHomePage/NewsArchive/Greater-commitment-needed-to-end-impunity-for-crimes-against-journalists-195834 (Accessed on 11 November 2024)

954   Ghana: Journalist assaulted by political activists (2024) https://shorturl.at/ivvj9 (Accessed on 23 November 2024)

955   President Akufo-Addo's claim about freedom of expression condition in Ghana not entirely true (2023) https://mfwa.org/president-akufo-addos-claim-about-freedom-of-expression-condition-in-ghana-not-entirely-true (Accessed on 20 November 2024)

region of the country.[956] Following the incident, the Committee to Protect Journalists called on the Ghanaian authorities to investigate and hold accountable the security guards who attacked these four journalists.[957] As of the time of this report, no outcomes have been reported regarding the judicial prosecution of the perpetrators. Without proper safety measures, the neutrality of news is jeopardised, especially in regimes where the security apparatus and pro-government journalists work together to surveil and intimidate impartial journalists.[958] Ghana's press freedom ranking has been dropping since 2018, when it was ranked 1st in Africa and 23rd in the World. As of 2023, Ghana ranks 9th and 62nd in Africa and the world, respectively.[959]

Data Protection and Privacy

7

DIGITAL
RIGHTS
AND
INCLUSION
IN AFRICA
REPORT

LONDA
2024

As the internet and technology continue to become more accessible to Ghanaians, the importance of data protection and privacy cannot be overstated. With every action taken online—from browsing websites and making purchases to sharing personal information on social media—people leave digital footprints that can be tracked and analysed. This accumulation of data raises significant concerns regarding how information is collected, used, and potentially exploited by various entities, including corporations and cyber criminals. The Data Protection and Privacy Act, 2012 (Act 843) provides the necessary guardrails as Ghana's primary legislation governing privacy and data protection. There are other legal instruments with privacy and data protection provisions.[960] For example, the Constitution, the Electronic Communications Act 2008 (Act 775), and the Cybersecurity Act (2020) (Act 1038). Article 18(2) of the 1992 Constitution enshrines citizens' fundamental privacy rights. Clauses 8 (1) and 8 (2) of the Electronic Communications Act, 2008 (Act 775) preserve the data privacy of the service users. A violation of this provision is considered an offence. The offender may face a summary conviction, resulting in a fine of up to one thousand five hundred penalty units, a prison term of up to four years, or both. Clauses 69 (1) and 69 (2) of the Cybersecurity Act 2020 (Act 1038) outlines the procedures and conditions under which subscriber information may be obtained. Unauthorised retrieval of subscriber information or interception of traffic or content data is punishable by a fine of 2,500 to 15,000 penalty units, imprisonment for two to five years, or both.

While these laws safeguard citizens' data and privacy, there are exceptions. The right to privacy may be restricted by the law when necessary for the safety and economic well-being of the country, the protection of health or morals, the prevention of disorder or crime, or the protection of the rights and freedoms of others. In 2016, the Parliament of Ghana's Committee on Defence and the Interior introduced the Interception of Postal Packets and Telecommunication Messages Bill to give the Ghanaian government sweeping power to spy on its people.[961] Following agitations and petitions from Civil Society Organisations, the government withdrew the bill and replaced it with an updated one.[962] This updated bill is still under review. In 2020, the government issued Executive Instrument (E.I) 63, authorised by the President under Section 100 of the Electronic Communication Act 2008. This action aimed to achieve the same objectives as those sought by the Interception of Postal Packets and Telecommunication Messages Bill (2015).[963] The legality of the Executive Instrument

956   RSF condemns the assault of three environmental journalists reporting on a mining site (2024) https://rsf.org/en/ghana-rsf-con-demns-assault-three-environmental-journalists-reporting-mining-site (Accessed on 20 November 2024)

957   Mine security guards attack media crew covering environmental degradation in Ghana (2024) https://cpj.org/2024/10/mine-securi-ty-guards-attack-media-crew-covering-environmental-degradation-in-ghana/ (Accessed on 22 November 2024)

958   Re-Conceptualizing Safety of Journalists in Bangladesh (2020) https://www.cogitatiopress.com/mediaandcommunication/article/view/2494 (Accessed on 22 November 2024)

959   Ghana drops on Press Freedom index again, worst record in 18 years (2023) https://thefourthestategh.com/2023/05/ghana-drops-on-press-freedom-index-again-worst-record-in-18-years/ (Accessed on 20 November 2024)

960   Data Protection Laws of the World: Ghana 2024) (https://www.dlapiperdataprotection.com/index.html?t=law&c=GH (Accessed on November 2024)

961   Ghana's New Domestic Spying Bill (2016) https://medium.com/@ShaunRaviv/ghana-s-new-domestic-spying-bill-938b2c2b8e08 (Accessed on 21 November 2024)

962   Govt withdraws "Spy Bill" from Parliament (2016) https://www.graphic.com.gh/news/general-news/govt-withdraws-spy-bill-from-par-liament.html (Accessed on 21 November 2024)

963   Mahama's Spy Bill, Nana Addo's EI 63 (2020) https://www.ghanaweb.com/GhanaHomePage/features/Sammy-Darko-writes-Maha-ma-s-Spy-Bill-Nana-Addo-s-EI-63-918916 (Accessed on November 21 2024)

63 was challenged in court.[964] The court struck the instrument out because it violated people's privacy rights. The government was instructed to delete any data collected within fourteen days of the court's judgment.[965] As of 2024, no reports indicate that the Executive Instrument is still in force, nor are there any new instruments with a similar purpose.

There are no new agreements for installing street surveillance technologies apart from those signed in 2012 and 2019 between the government of Ghana and Huawei Technologies. These initiatives involve installing 10,000 CCTV cameras in regional and district capitals, implementing facial recognition for enhanced video analysis, and real-time crime monitoring at command-and-control centres.[966] The last status report published in 2021 indicates that the installation of about 6,500 cameras has been completed, with a little over 4,000 cameras powered and online, mainly in Accra, Kumasi and other regional capitals.[967] This project cost USD 411 million and is still ongoing as of 2024.

Ghana, Nigeria, Morocco, Malawi, and Zambia collectively spend at least US$ 1 billion annually on digital surveillance technology contracts with US, UK, Chinese, EU, and Israeli companies.[968] There are indications that the Ghana government acquired five different types of spyware with varying capabilities from overseas companies, and there are reports that these technologies are being used within the country to surveil citizens.[969] One of the spyware tools, Pegasus, was sold to the government by the Israeli firm NSO Group in 2016.[970] The acquisition of this tool raised many concerns, particularly among the journalism fraternity. Reports indicate that the supplier reclaimed the software for the Pegasus machine due to non-payment.[971] It is currently unclear whether the machine is still used in the country.[972] Ghana's supply chain for surveillance technology includes six mobile interceptors supplied by NSO Group (Israel), Cellebrite (Israel), Quaddream (Israel), Decision Group (Taiwan), Tactical Device (Switzerland), and Intellexa (Greece).[973] The total budget allocation for the Ministry of National Security in 2024 is GH¢ 1,636,239,088. This includes employee compensation of GH¢ 1,280,208,961, goods and services totalling GH¢ 264,030,127.00, and capital expenditure of GH¢ 92,000,000.[974] Government spending on national security accounts for 0.71% of the total budget expenditure for this year.

Monitoring and surveillance of journalists is pervasive across West Africa.[975] Ghana is not an exception. Journalists, activists, and ordinary citizens have been tracked, arrested, and detained simply for posting critical messages on social media. Under the guise of national security,

964   Lawyer challenges Akufo-Addo's attempt to secure 'private information of mobile subscribers' (2020) https://www.ghanaweb.com/GhanaHomePage/NewsArchive/Lawyer-challenges-Akufo-Addo-s-attempt-to-secure-private-information-of-mobile-subscribers-917080 (Accessed on 21 November 2024)

965   Ghana: MFWA welcomes high court ruling ordering government to stop collecting personal data (2021) https://mfwa.org/ghana-mfwas-welcome-high-court-ruling-ordering-government-to-stop-collecting-personal-data/ (Accessed on 22 November 2024)

966   Huawei video surveillance network deployed by Ghana Ministry of National Security (2024) https://www.securityvision.io/wiki/index.php/Huawei_video_surveillance_network_deployed_by_Ghana_Ministry_of_National_Security (Accessed on 21 November 2024)

967   10,000 CCTV cameras to be installed in regional, district capitals — Minister (2021) https://www.graphic.com.gh/news/general-news/10-000-cctv-cameras-to-be-installed-in-regional-district-capitals-minister.html (Accessed on 21 November 2024)

968   African nations spending $1bn a year on harmful surveillance (2023) https://www.ids.ac.uk/news/african-nations-spending-1bn-a-year-on-harmful-surveillance-of-citizens/ (Accessed on 23 November 2024)

969   How Ghana acquired five kinds of spyware under cloak of secrecy (2024) https://www.ghanabusinessnews.com/2024/05/07/how-ghana-acquired-five-kinds-of-spyware-under-cloak-of-secrecy/#google_vignette (Accessed on 22 November 2024)

970   Targeting of dissidents and opposition political candidates in Ghana (2022) https://www.cfr.org/cyber-operations/targeting-dissidents-and-opposition-political-candidates-ghana (Accessed on 22 November 2024)

971   Software of Pegasus machine was taken away for non-payment (2019) https://www.ghanaweb.com/GhanaHomePage/NewsArchive/Software-of-Pegasus-machine-was-taken-away-for-non-payment-Investigator-739729 (Accessed on 22 November 2024)

972   Is Ghana's government using Israeli kit to spy on activists and dissidents? (2022) https://www.theafricareport.com/224982/is-ghanas-government-using-israeli-kit-to-spy-on-activists-and-dissidents/ (Accessed on November 27 2023)

973   Mapping the supply of surveillance technologies to Africa: Ghana country report (2023) https://opendocs.ids.ac.uk/articles/online_resource/Mapping_the_Supply_of_Surveillance_Technologies_to_Africa_Case_Studies_from_Nigeria_Ghana_Morocco_Malawi_and_Zambia/26431414?file=48182845 (Accessed on 22 November 2024)

974   Programme Based Budget Estimates (2024) https://mofep.gov.gh/sites/default/files/pbb-estimates/2024/2024-PBB-MNS_.pdf (Accessed on 23 November 2024)

975   How Digital Surveillance Threatens Press Freedom In West Africa (2023) https://humanglemedia.com/how-digital-surveillance-threatens-press-freedom-in-west-africa/ (Accessed on 22 November 2024)

governments have exceeded their legal surveillance powers.[976]

Data breaches are also a significant issue in Ghana. As of the third quarter of 2024, the country recorded an average of 12 data breaches for every 100 Ghanaians, ranking Ghana ninth among countries in Africa with the most data breaches.[977] A data breach was reported at Ghana Reinsurance Company on August 28, 2024, allegedly resulting in the infiltration of the company's system and access to sensitive data.[978] As of June 2024, the Cyber Security Authority has reported 226 blackmail cases, resulting in the loss of GH¢ 112,209.[979] By August 2024, the total reported investment scam cases had reached 146, with a total value of GH¢ 1,986,057, compared to 63 cases with a reported total of GH¢ 421,620 in 2023.[980] Cyber fraud incidents in the country resulted in significant financial losses of $4.33 million. These losses only account for those reported to officials between January and June 2023, with possibly higher amounts from unreported cases.[981] This highlights the necessity for robust national cybersecurity measures and reporting mechanisms.

Cyberbullying has become increasingly common, especially on social media platforms. The anonymity of online interactions largely contributes to this trend. This facelessness allows individuals to engage in harmful behaviour without facing immediate consequences, often giving them the courage to say things they would never express in person. By integrating the Cybersecurity Act of 2020 (Act 1038) with the Data Protection Act of 2012 (Act 843), the Cyber Security Authority is establishing a framework that includes awareness campaigns, educational programs, and guidelines for responsible online behaviour.[982]

Censorship and content moderation

Internet users in Ghana enjoy an information space free from technical censorship. Nonetheless, individuals risk arrest for posts related to the President or other powerful individuals, and online journalists face an increasing threat of harassment and assault for their critical reporting. This has created a perceived culture of silence in the public space.[983] Although the Constitution guarantees free speech and an independent press, it also provides a basis for derogation from these rights, which enables content moderation. Article 164 permits restrictions on free speech in the interests of public order, morality, or national security.[984] The Electronic Communications Act, 2008 (Act 775), is a key statute that governs content moderation in Ghana. It establishes the legal framework for electronic communications and online platforms. False signaling and False communication are captured respectively as offences under Sections 75 and 76 of the Law.

The rising prevalence of fake news has become a major concern for the government, especially in its efforts to maintain social cohesion among citizens. Some political actors disseminate misinformation using automated tools and paid social media commentators. False information, content manipulation, and plain lies are becoming more prevalent as the 2024 elections in Ghana draw near to influence voters and distort the truth.[985]

976   African Governments Spend Too Much On Surveillance Tech for the Wrong Reasons (2023) https://www.africanliberty.org/2023/11/07/african-governments-spend-so-much-on-surveillance-tech-for-the-wrong-reasons/ (Accessed on 22 November 2024)

977   Global data breach statistics - Ghana (2024) https://surfshark.com/research/data-breach-monitoring (Accessed on 23 November 2024)

978   BrainCipher Ransomware Attack on Ghana Reinsurance PLC (2024) https://www.halcyon.ai/attacks/braincipher-ransomware-hits-ghana-reinsurance-plc-a-cybersecurity-wake-up-call (Accessed on 23 November 2024)

979   Online Blackmail/Sextortion Cases on the Rise (2024) https://www.csa.gov.gh/cert-gh-alert32.php#:~:text=Background,loss%20of%20GH%C2%A2%20112%2C209. (Accessed on 23 November 2024)

980   Investment Scams on the Rise (2024) https://www.csa.gov.gh/cert-gh-alert33.php#:~:text=Background,421%2C621%20for%20the%20year%202023. (Accessed on 23 November 2024)

981   51 cybersecurity players get licences in Ghana amid a surge in data breaches (2024) https://techpoint.africa/2024/07/15/51-cybersecurity-players-licensed-ghana/ (Accessed on 28 November 2024)

982   Ghana: Cybersecurity Authority develops a framework to combat cyberbullying among students (2024) https://publicsectormag.net/2024/06/10/ghana-cybersecurity-authority-develops-framework-to-combat-cyberbullying-among-students/ (Accessed on 23 November 2024)

983   Sam Jonah decries culture of silence under Akufo-Addo's presidency (2021) https://www.modernghana.com/news/1076873/sam-jonah-decries-culture-of-silence-under-akufo.html (Accessed on 23 November 2024)

984   Constitution of Ghana (1992) https://www.ghanalegal.com (Accessed on 23 November 2024)

985   Election Disinformation Trends in Ghana: Tips for Combating Them (2024) https://en.hive-mind.community/blog/1013,election-disinformation-trends-in-ghana-tips-for-combating-them (Accessed on 23 November 2024)

9

DIGITAL
RIGHTS
AND
INCLUSION
IN AFRICA
REPORT

LONDA
2024

This issue undermines public trust and the integrity of information, which can lead to social division and the spread of misinformation. A study has revealed that about 64.4% of Ghanaians "ignore" and do nothing to protest or caution others when they see fake news or false information in the media.[986] The Electoral Commission of Ghana has supported calls for a framework to guide the use of social media during elections, reducing misinformation and preserving the integrity of the electoral process and national security.[987] There have been no officially reported online censorship and content moderation cases in 2024. However, TikTok reports that the government made a total of three requests for content removal, but none were taken down.[988] Some individuals have suggested that the government should create laws enabling relevant authorities to determine, under specific conditions, when internet censorship may be warranted and the appropriate timing for these measures.[989] Any censorship must not violate human rights or target vulnerable groups, such as journalists and human rights defenders.

In the lead-up to the 2024 elections, concerns were raised about the Electoral Commission's plan to allow only three radio stations and five television stations to collation centres across the regions. This limitation amounted to media censorship.[990] Organisations like Paradigm Initiative have also urged the Electoral Commission to release information promptly to combat misinformation and build public trust in the electoral process.[991]

Reports suggest that the ruling party is perceived to censor radio stations critical of the government through the National Communication Authority.[992] In 2024, Salt FM was closed under circumstances alleged to be politically motivated.[993] Four other radio stations in Bawku were also closed following recommendations from the Upper East Regional Security Council and the Ministry of National Security guidance over inflammatory remarks that escalated an ongoing conflict.[994] Many organisations, including the Media Foundation for West Africa, have welcomed the closure of these four radio stations in Bawku, viewing it as a positive step because the owners neglected their gatekeeping responsibilities. However, the Media Foundation for West Africa noted that this action should have been executed by the National Media Commission rather than the National Communication Authority.[995]

Ghana ranked 38 out of 180 countries on the legal context component of the 2024 Word Press Freedom Index, which measures "the degree to which journalists and media are free to work without censorship or judicial sanctions, or excessive restrictions on their freedom of expression; the ability to access information without discrimination between journalists, and the ability to protect sources; the presence or absence of impunity for those responsible for acts of violence against journalists". It had previously ranked 31 out of 180 in 2023.[996] This highlights a major limitation on journalistic practices, which restricts journalists' ability to deliver accurate and comprehensive coverage of significant events, ultimately impacting the quality of information available to the public.

986   About 64.4% of Ghanaians encourage spreading of fake news – Study (2024) https://www.myjoyonline.com/about-64-4-of-ghana-ians-encourage-spreading-of-fake-news-study/ (Accessed on 23 November 2024)

987   EC calls for a framework to regulate social media use during the election (2023) https://gna.org.gh/2023/10/ec-calls-for-framework-to-regulate-social-media-use-during-election/ (Accessed on 23 November 2024)

988   Government Removal Requests Report (2024) https://www.tiktok.com/transparency/en-us/government-removal-requests-2024-1 (Accessed on 28 November 2024)

989   Internet Censorship (2024) https://iipgh.org/internet-censorship/ (Accessed on 28 November 2024)

990   Let's resist EC's attempt to censor media coverage of election 2024 (2024) https://www.modernghana.com/news/1360496/lets-re-sist-ecs-attempt-to-censor-media-coverage.html (Accessed on 28 November 2024)

991   Ensure timely release of information to combat misinformation- Paradigm Initiative tells EC (2024) https://www.gbcghanaonline.com/news/politics/paradigm-initiative-tells-ec/2024/ (Accessed on 23 November 2024)

992   Ghana 2024 Elections: A Risk Assessment of the Online Information Space (2024) https://www.iri.org/resources/ghana-2024-elec-tions-a-risk-assessment-of-the-online-information-space/ (Accessed on 23 November 2024)

993   Shutdown of Salt FM raises transparency issues (2024) https://mfwa.org/country-highlights/shutdown-of-salt-fm-raises-transparen-cy-issues/ (Accessed on 23 November 2024)

994   NCA Shuts Down Four (4) FM Radio Stations in Bawku on Grounds of National Security (2024) https://nca.org.gh/2024/02/24/nca-shuts-down-four-4-fm-radio-stations-in-bawku-on-grounds-of-national-security/ (Accessed on 23 November 2024)

995   Closure of 4 radio stations in Bawku: The wrong approach to doing the right thing (2024) https://mfwa.org/closure-of-4-radio-sta-tions-in-bawku-the-wrong-approach-to-doing-the-right-thing/ (Accessed on 23 November 2024)

996   The 2024 World Press Freedom Index – Ghana's Performance (2024) https://cddgh.org/2024/05/the-2024-world-press-freedom-index-ghanas-performance/ (Accessed on 23 November 2024)

Censorship and content moderation in Ghana are complex and ongoing challenges. It involves finding a balance between protecting free expression and preventing potential harm. As digital platforms continue to grow, the Ghanaian government and various stakeholders face the difficult task of creating regulations that safeguard individuals from harmful content—such as hate speech, misinformation, and online harassment—while upholding the fundamental right to free speech. This delicate tension reflects broader global discussions about the government's role in regulating digital spaces, the consequences of unchecked expressions, and the need for a framework that promotes open dialogue and ensures the safety and well-being of all citizens.

Access to information

In 2019, the Right to Information Act (RTI) was enacted to solidify citizens' right to access information and facilitate an open, inclusive environment that promotes greater accountability and public debate. The RTI law allows citizens to request and obtain information from public and select private institutions. To date, 1,000 requests have been made under the RTI Act. Of these requests, 838 have been granted, 47 have been rejected, and 45 have been transferred.[997] The rejected cases in 2024 included JoyNews' request for SSNIT to provide information on the sale of hotels[998] and the Fourth Estates' request for KPMG to provide information on its government contract.[999] As of 2023, fourteen public institutions have been fined GH¢1,310,000 for failing to comply with the Right to Information Commission's orders to provide applicants with the requested information.[1000]

Journalists play an essential role in informing society and ensuring government accountability. Hence, they make the most requests under the Right to Information Act. To strengthen transparency and accountability, the Ministry of Information runs the Media Capacity Enhancement Programme with the Right to Information Commission to equip journalists with the knowledge and tools necessary to fulfil their journalistic responsibilities effectively under the Right to Information Act.[1001] Civil society organisations play a significant role in educating the public about this law. For example, the Media Foundation for West Africa implemented workshops educating citizens about the Right To Information law to enable them to request information independently.[1002]

Despite the constitutional and legal guarantees and the digital measures implemented by the government and civil society actors, there are still significant barriers to access to information. These barriers include an uneven digital divide, gender inequality, infrastructural gaps, and the cost of accessing information. Substantial work is needed to enhance the proactive disclosure of information on government websites. This involves making relevant documents, data sets, and reports available and ensuring they are easy for the public to access and understand. Furthermore, the information should be updated regularly and organised user-friendly to promote transparency and encourage citizen engagement with government activities.

AI and Emerging Technologies

The digital revolution is witnessing the application of artificial intelligence (AI) and other emerging technologies to enhance social and economic service delivery. In 2024, the Ministry for Communications and Digitalisation launched Ghana's Digital Economy Policy and Strategy, marking a pivotal step in the country's journey towards technological advancement.[1003] The National Communications Authority also launched a 5-year strategic plan (2024 – 2028) that will position

997   Over 1000 Requests Made Since Passage of RTI Law – Oppong Nkrumah (2023) https://moi.gov.gh/newsroom/2023/05/over-1000-requests-made-since-passage-of-rti-law-oppong-nkrumah/ (Accessed on 28 November 2024)

998   JoyNews drags SSNIT to RTI Commission over refusal to provide information on hotels sale (2024) https://www.myjoyonline.com/joynews-drags-ssnit-to-rti-commission-over-refusal-to-provide-information-on-hotels-sale/ (Accessed on 28 November 2024)

999   The Fourth Estate petitions RTI Commission over KPMG's refusal to provide information on contracts with govt (2024) https://thefourthestategh.com/2024/03/the-fourth-estate-petitions-rti-commission-over-kpmgs-refusal-to-provide-information-on-contracts-with-govt/ (Accessed on 28 November 2024)

1000   14 Institutions fined GH¢1.3m for non-compliance with RTI Law (2023) https://www.graphic.com.gh/news/general-news/14-institutions-fined-gh-1-3m-for-non-compliance-with-rti-law.html (Accessed on 28 November 2024)

1001   Enhancing Media Capacity: Empowering Journalists with The Right To Information Act (2023) https://rtic.gov.gh/2023/12/ (Accessed on 28 November 2024)

1002   MFWA enhances capacities of more than 600 citizens on Ghana's Right to Information Law (2023) https://mfwa.org/issues-in-focus/mfwa-enhance-capacities-of-more-than-400-citizens-on-ghanas-right-to-information-law/ (Accessed on 28 November 2024)

1003   Ghana Launches Digital Economy Policy to Drive National Transformation (2024) https://moi.gov.gh/newsroom/2024/11/ghana-launches-digital-economy-policy-to-drive-national-transformation/ (Accessed on 28 November 2024)

11

DIGITAL
RIGHTS
AND
INCLUSION
IN AFRICA
REPORT

LONDA
2024

the Regulator to stay ahead of industry demands, creating an enabling and well-protected digital ecosystem. As advanced technology becomes more prevalent in data management, prioritising data governance is essential for the success of Ghana's digitisation efforts.[1004] A national data strategy is being developed in this regard. Ghana's startup ecosystem drives the adoption of AI and emerging technologies. On the 2023 Global Innovation Index, Ghana ranked 99th out of 123 countries surveyed globally and 7th in Sub-Saharan Africa.[1005] In its National Artificial Intelligence Strategy, the country aims to transform its society using AI to advance the potential of people, government, businesses and systems to achieve inclusive social and economic transformation and quality of life by 2033. Following the increasing adoption of Artificial Intelligence (AI), UNESCO launched a tool to assess its ethical use in 2024.[1006] Some lawmakers have raised concerns about the potential misuse of Artificial Intelligence and have called for legislation to regulate it in the country.[1007] The youths have not been left out of the discussion as they urged lawmakers to focus on leveraging the potential of Artificial Intelligence rather than worrying about its shortcomings and trying to develop regulations.[1008] Others have also called for AI regulation to be balanced as it is essential to foster innovation and creativity.[1009]

As of 2024, the Ministry of Communications and Digitalisation has developed a comprehensive policy document to regulate the use of Artificial Intelligence in the country. A draft of this document is currently before the Cabinet for consideration and suggestions.[1010] Ghana needs investment to develop infrastructure that supports artificial intelligence and emerging technologies. The government has been urged to consider setting aside a percentage of the national budget for artificial intelligence development.[1011] In 2023, the Development Finance Corporation earmarked USD 300 million to set up a data centre in Ghana for Africa, which will benefit AI development.[1012] In 2024, the government launched the Next-Gen InfraCo (NGIC) to deliver affordable 5G mobile broadband services. By 2028, NGIC aims to deploy 4,400 sites, reaching 37 million end customers. The goal is to achieve 100% digital coverage by 2030. The project's success will depend on increasing 4G penetration from the current 15% to over 80% while also rolling out 5G services.[1013] Ghana has made significant progress in adopting AI and emerging technologies, but the sector remains in its early stages. To fully harness the potential of AI and emerging technologies, the government must prioritise investments in research and development, establish clear governance frameworks, and ensure their inclusive and equitable application.

Digital Inclusion

Gender gaps exist in the ownership of digital devices in Ghana. Smartphone ownership and overall mobile phone ownership are lower for women, limiting their access to internet-based services and opportunities. As of November 2024, female ownership of smartphones was 46%, compared to

12

DIGITAL
RIGHTS
AND
INCLUSION
IN AFRICA
REPORT

LONDA
2024

1004   Ghana develops its national data strategy in collaboration with Smart Africa and Team Europe (2024) https://smartafrica.org/ghana-develops-its-national-data-strategy-in-collaboration-with-smart-africa-and-team-europe/ (Accessed on 8 December 2024)

1005   Global Innovation Index (2023) https://www.wipo.int/edocs/pubdocs/en/wipo-pub-2000-2023-en-main-report-global-innovation-index-2023-16th-edition.pdf (Accessed on 28 November 2024)

1006   UNESCO AI Ethical Tool Launched (2024) https://unescoghana.gov.gh/unesco-ai-ethics-tool-launched/ (Accessed on 9 December 2024)

1007   MPs propose legislation to regulate Artificial Intelligence (2023) https://citinewsroom.com/2023/06/mps-propose-legislation-to-regulate-artificial-intelligence/ (Accessed 9 December 2024)

1008   Ghana debates regulating artificial intelligence (2023) https://www.dw.com/en/ghana-debates-regulating-artificial-intelligence/a-66025595 (Accessed 9 December 2024)

1009   Balanced AI regulation essential to foster innovation and creativity (2024) https://www.ghanaweb.com/GhanaHomePage/business/Balanced-AI-regulation-essential-to-foster-innovation-and-creativity-Valentine-Obi-1930934 (Accessed on 9 December 2024)

1010   Govt develops policy to regulate Artificial Intelligence (2024) https://www.graphic.com.gh/news/general-news/ghana-news-govt-develops-policy-to-regulate-artificial-intelligence.html (Accessed on 9 December 2024)

1011   Government urged to invest in AI to enhance healthcare (2024) https://gna.org.gh/2024/06/government-urged-to-invest-in-ai-to-enhance-healthcare/ (Accessed on 9 December 2024)

1012   The impact of Ghana's new $300 million data center on AI development in the region (2023) https://www.ghanaweb.com/GhanaHomePage/features/The-impact-of-Ghana-rsquo-s-new-300-million-data-center-on-AI-development-in-the-region-1771544 (Accessed on 9 December 2024)

1013   Government Launches Next-Gen Infraco For 5G Deployment In Ghana (2024) https://moc.gov.gh/2024/06/03/government-launches-next-gen-infraco-for-5g-deployment-in-ghana/ (Accessed on 10 December 2024)

13

DIGITAL
RIGHTS
AND
INCLUSION
IN AFRICA
REPORT

LONDA
2024

63% for males.[1014] This phenomenon is primarily influenced by two main factors: the high costs of acquiring these devices and the lack of adequate skills to utilise these technologies effectively. These factors originate from underlying social structures that contribute to gender disparities. As a result, women often have limited access to education compared to men, affecting their earning potential. While mobile device ownership is lower among women, 75% of them access the internet exclusively via mobile, compared to 58% of men.[1015]

Access to smartphones and the Internet is still beyond the reach of a segment of the population, especially those in the informal sector. A 2024 report on multidimensional poverty in Ghana revealed that 7,317,555 people, representing 24% of the population, are considered multidimensionally poor.[1016] As of January 2024, approximately 30.2% of Ghana's population, or 10.39 million people, lack internet access.[1017] With a robust digital payment ecosystem and identification system, a market opportunity exists for buy-now-pay-later schemes. In response, mobile phone retailers, financial institutions, and fintech companies have partnered to provide market solutions that deepen mobile phone ownership. Although several schemes are on the market, the partnership between M-KOPA and MTN is worth mentioning. M-KOPA has leveraged its strategic partnerships with Samsung and Nokia to finance over 100,000 individuals and has unlocked more than USD 10 million in digital credit for customers in Ghana, enabling them to own mobile phones.[1018] The issue of access to smartphones has also become a political topic, as highlighted by the ruling NPP government's campaign promise during the 2024 elections.[1019]

Through the Ghana Investment Fund for Electronic Communications, the government is implementing several projects, including the Ghana Rural Telephony and Digital Inclusion Project, which aims to provide mobile telephony services to underserved communities and thus bridge the digital divide.[1020] Data from the Ministry of Communication and Digitalisation's programme-based budget estimates for 2024 indicates that 1,421 roaming sites have been constructed to serve 2.5 million Ghanaians as part of the Digitalisation Agenda. These sites enable citizens to connect to their preferred mobile networks within the framework of the National Roaming Policy. It is also projected to help reduce the cost of telecom companies' network services by about 60%.[1021] The Ministry plans to deploy an additional 1,008 sites by the end of 2024, aiming to cover 95% of Ghana's land area. The Fund also established 281 vibrant Community Information ICT Centres and continuously supports the existing centres.[1022] As of 2024, the Fund has organised and sponsored 1,546 training sessions on digital transformation and coding and trained 12,113 girls in basic computer literacy.[1023] With the support of partners, the Fund also offered basic computer training to 450 visually impaired individuals.[1024] GIFEC was created out of the Electronic Communication Act (Act 775) and is funded by a 1% regulatory fee levied on the net annual revenue of communication service providers and operators, contributions from government, and grants from development partners. At the time of writing this report, there were no comprehensive annual financial reports

1014   After Access 2022-2023 Measuring digital inequality (2024) https://www.afrisig.org/sites/default/files/pdf/Acess-After-Access-AfriSIG-2024.pdf (Accessed on 29 November 2024)

1015   Inclusive E-Government Services in Ghana: Enhancing Women's Access and Usage (2023) https://www.gsma.com/solutions-and-impact/connectivity-for-good/mobile-for-development/wp-content/uploads/2023/07/FINAL_GSMA_Inclusive-E-Government-Services-in-Ghana-Enhancing-Womens-Access_56pp_v5.pdf (Accessed on 29 November 2024)

1016   Election 2024: Reimagining the fight against multidimensional poverty (2024) https://cddgh.org/2024/06/election-2024-reimagining-the-fight-against-multidimensional-poverty/ (Accessed on 17 November 2024)

1017   Digital 2024: Ghana (2024b) https://datareportal.com/reports/digital-2024-ghana (Accessed on 17 November 2024)

1018   M-Kopa expands to Ghana, unlocking $10m in credit for customers (2023) https://www.myjoyonline.com/m-kopa-expands-to-ghana-unlocking-10m-in-credit-for-customers/ (Accessed on 18 November 2024)

1019   A new NPP gov't will launch 'Buy Now, Pay Later' so Ghanaians will buy phones and pay in instalments of GHC1 or GHC2 (2023) https://rainbowradioonline.com/2024/07/22/127027/ (Accessed on 18 November 2024)

1020   Government Is Determined to Bridge Digital Divide (2024) https://moi.gov.gh/newsroom/2024/02/govt-is-determined-to-bridge-digital-divide-ursula-owusu/ (Accessed on 11 December 2024)

1021   GIFEC reduces the cost of providing network connection to rural areas (2024) https://www.telecomschamber.org/industry-news/gifec-reduces-cost-of-providing-network-connection-to-rural-areas/ (Accessed on 11 December 2024)

1022   Ministry of Communications and Digitalisation Budget Estimates (2023) https://mofep.gov.gh/sites/default/files/pbb-estimates/2024/2024-PBB-MOCD_.pdf (Accessed on 11 December 2024)

1023   Digital Inclusion (2024) https://performancetracker.gov.gh/category/160 (Accessed on 11 December 2024)

1024   GIFEC aims to revitalise operations to extend internet connectivity to rural areas without data access (2024) https://www.myjoyonline.com/gifec-aims-to-revitalise-operations-to-extend-internet-connectivity-to-rural-areas-without-data-access/ (Accessed on 11 December 2024)

available online to ascertain the total funds accessible to GIFEC for projects and operations in 2024.

Online child protection and safety are crucial for digital inclusion, particularly as smartphone penetration increases. Recent data indicates that 90.5% of children aged 8 to 17 have used the Internet at some point. Of those who use the Internet, 45.7% access it via smartphones. Furthermore, 56.7% of children who access the Internet through smartphones receive little or no supervision. This lack of oversight could lead to involvement in fraudulent activities, exposure to sexual and violent content online, and other risks, such as addiction.[1025] While there is no recent data, a 2020 report by the National Center for Missing and Exploited Children revealed that over 13,000 images and videos of child sexual abuse were accessed or uploaded to the internet from Ghana.[1026] The Cybersecurity Act (Act 1038) criminalises online child abuse, including the production, viewing, and distribution of child sexual abuse materials, online grooming, cyberstalking, and sextortion under Sections 62-67. The Children Act of 1998 does not adequately cover the nuances of the current technological advancements and the associated exposure of children to harm. The government seeks to bridge the gaps with the National Child Online Protection Framework[1027]. Ghana has ratified several international legal frameworks, conventions, and protocols in the past that address child sexual exploitation and abuse both online and offline. Some of the frameworks include the Council of Europe Convention on Cybercrime, the African Union Convention on Cyber Security and Personal Data Protection, and the United Nations Optional Protocol to the Convention on the Rights of the Child on the Sale of Children, Child Prostitution and Pornography.

14

DIGITAL
RIGHTS
AND
INCLUSION
IN AFRICA
REPORT

LONDA
2024

1025   Internet usage, access, and supervision among Ghanaian children: a cross-sectional study (2024) https://doi.org/10.1057/s41599-024-03482-8 (Accessed on 27 March 2025)

1026   President of FIDA-Ghana leads child online protection in Ghana (2022) https://www.csa.gov.gh/president_of_fida_leads_cop.php (Accessed on 27 March 2025)

1027   Cyber Security Authority https://www.csa.gov.gh/resources/National%20COP%20Framework.pdf (Accessed 20 March 2025)

15

DIGITAL
RIGHTS
AND
INCLUSION
IN AFRICA
REPORT

LONDA
2024

Conclusion

Liberalising the ICT sector has been key in developing infrastructure and boosting the country's competitiveness among its regional peers. A clear set of laws, policies, and targeted projects focused on specific goals has helped drive this progress. Despite good rankings in related global indices, Ghana still faces some challenges. One major issue is the decrease in press freedom and online expression. There is also an existing digital divide, shown by differences in service quality, access to digital technologies, and digital skills among various population groups. Data protection, privacy, and cybersecurity concerns need careful consideration and proactive solutions to keep up with the changing technology landscape. Developing strong regulatory frameworks and fostering collaboration between government and private sectors are essential steps toward addressing these challenges. To ensure a more equitable and secure digital future for all citizens, the government can implement policies that focus on protecting and promoting investments in the digital sector, fostering innovation, and expanding access to technology.

Additionally, fostering a culture of strict compliance with regulations will help maintain the integrity of the digital ecosystem, ensuring that all stakeholders adhere to high standards of practice. Finally, consumer protection policies must be strengthened to safeguard individuals from exploitation and data breaches, creating a safer online environment for everyone. Ghana can achieve a more inclusive digital landscape that benefits all citizens through these.

Recommendations

Recommendations to improve digital inclusion and protect digital rights are based on an analysis of reported events and the country's overall score on TheScore Index. These recommendations are presented in relation to the interactions among stakeholders in the digital space.

Government should:

- Elevate the National Media Commission to an Authority status to enhance its power in overseeing and regulating media operations. This would establish ethical reporting and responsible behaviour guidelines, fostering a more transparent and trustworthy media environment for journalists and the public.

- Establish a specialised court to swiftly address assaults on journalists, ensuring timely justice and enhancing press freedom protections. By prioritising these cases, the country can deter violence against media professionals and safeguard their rights. Additionally, resources and support for journalists affected by such attacks during legal proceedings should be provided.

- Expand GIFEC's resources to support AI and emerging technologies by increasing funding, enhancing infrastructure, and fostering collaborations with tech innovators. This will drive economic growth and improve nationwide services.

- Implementation of a temporary tax discrimination policy aimed at smartphones. This policy would eliminate taxes on low-end smartphones, making them more accessible to a broader population. While taxing high-end smartphones, typically purchased by consumers with greater financial means.

- Implement comprehensive policies to ensure fair competition among all participants in the digital ecosystem. These policies should remove barriers that disadvantage certain market players, promote transparency in operations, encourage innovation, and protect consumer interests. By focusing on fair practices, the country can create an environment where large and small entities can thrive. This, in turn, will benefit the overall economy and foster a diverse and vibrant digital marketplace.

- Implement regulatory framework, guidelines, and standards for mobile phone operators and other telecommunication companies to protect children online.

- Develop a regulatory framework with guidelines for mobile phone operators and telecommunication companies to protect children online. This should include measures for safeguarding personal information, implementing age verification protocols, promoting digital literacy, and enhancing reporting mechanisms for online threats.

- Work with civic society organisations to develop data-driven policies to achieve safe and equitable digital ecosystems.

Civic Society should:

- Launch a civic engagement campaign to educate citizens about their rights and responsibilities regarding freedom of speech, data protection, and data privacy. The campaign should provide clear information on these rights, emphasising respectful expression and the importance of recognising boundaries to prevent harm and misinformation.

- Work with government stakeholders to develop research-based and data-driven policies that promote digital inclusion for underrepresented communities while protecting citizens' rights.

- Develop a legal aid initiative to support journalists facing trials and legal challenges due to their reporting. This initiative should provide legal representation, financial support for legal fees, and resources to navigate the legal system. It should also include education on journalists' rights and foster partnerships with legal professionals dedicated to press freedom, ensuring journalists can perform their duties without fear of legal repercussions.

16

DIGITAL
RIGHTS
AND
INCLUSION
IN AFRICA
REPORT

LONDA
2024

17

DIGITAL
RIGHTS
AND
INCLUSION
IN AFRICA
REPORT

**LONDA
2024**

Private Sector should:

- Comply with regulatory industry guidelines including conducting regular audits and assessments to evaluate compliance status.

- Provide training and resources to enhance understanding of regulations and promote a culture of accountability and continuous improvement.

- Work with civic society organisations to create and implement initiatives to educate citizens about their responsibilities when using digital solutions and consuming information.

The Score Index

Londa 2025 Key Indicators	ACHPR Declaration (P stands for Principle)	Score	Justification
Internet Shutdowns	P38(2)	5	There have been no reported cases of internet shutdown. The government works with stakeholders to keep the Internet on.
Inexistent laws, policies and other measures to promote universal, equitable, affordable and meaningful access to the internet	P37	4	The government has several policies and initiatives to achieve the desired outcome on this indicator. The majority of the initiatives are spearheaded by GIFEC.
False News Criminalisation	P22(2)	1	A law prohibiting the publication of false news exists. The Criminal Code and Electronic Communication Act (Act 775) are the applicable laws. The police and journalists also have a structured framework for engagement.
Sedition Legislation	P22(2)	3	There are laws that forbid inciting public disorder or insurrection. The Criminal Code and Electronic Communication Act are the applicable laws.
Arbitrary Arrests and Harassment of the Media, HRDs and Citizens	P20(1) & (2)	2	Laws are being abused to arrest and harass journalists, and the government does not appear to be protecting them. The Criminal Code and Electronic Communication Act are the applicable laws.
Data Protection Legislation.	P42	5	A law exists to safeguard citizens' personal information and data and ensure privacy. The Data Protection Act, Cyber Security Act, Electronic Communication Act, and the Constitution are applicable laws.

States interfere and require the removal of online content by internet intermediaries	P38 and P39(4)	4	There is a law that allows content moderation, but the provisions have rarely been utilised. Electronic Communication Act is the applicable law. In 2024, Tittok reported receiving two content and two account removal requests from the government.
Invasion of Privacy of Communications	P41	5	There are laws protecting privacy, but there are also provisions within these laws that allow for exceptions to this protection. The applicable laws include the Constitution, Data Protection, Electronic Communication Act, and Cyber Security Act.
Failure by the government to proactively disclose and disseminate information digital technologies.	P29(3)	3	The right to information is protected by a law, but its implementation is fraught with challenges. The Right to Information Act is the applicable law.
AI and Emerging Technologies National Strategies	P39(6)	3	There is a national strategy, tools for ethical use, and policies to build the required infrastructure. There are currently no applicable laws.
Adoption of specific child laws, policies and measures promoting children's digital safety and privacy online	P37(5)	3	There is a policy and legislation to protect children online. Nonetheless, some gaps remain, such as a lack of regulatory framework, guidelines, and standards for mobile phone operators and other telecommunication companies. The Cyber Security Act is the applicable law. The Children Act of 1998 does not account for current technological advancements and the associated exposure of children to harm.
12. Digital Inclusion	P37(3)	4	Institutions, policies, initiatives, and strategies exist to ensure inclusive access to digital technology. The majority of initiatives are driven by GIFEC.
TOTAL (up to 60)		42	The overall country performance rating indicates that Ghana is moderately compliant.

18

DIGITAL
RIGHTS
AND
INCLUSION
IN AFRICA
REPORT

LONDA
2024

PARADIGM
INITIATIVE