

# GHANA

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## RULES/GENERAL LAWS

<b>General</b>	<p>1. <b>Constitution of Ghana;</b> 2. <b>Armed Forces Act, 1962 (Act 105) and the Armed Forces Regulations (AFR);</b> 3. <b>Criminal and other Offences Act of Ghana, 1960, (Act 29).</b></p> <p><a href="http://www.ghana.gov.gh/images/documents/constitution_ghana.pdf">http://www.ghana.gov.gh/images/documents/constitution_ghana.pdf</a> <a href="http://www.ghanalegal.com">http://www.ghanalegal.com</a></p> <p>Ghana military personnel are always on duty twenty four hours when deployed on missions. However, some personnel may be off on weekends while some may have rest or recreation depending on the operational situation in the mission area.</p> <p>The United Nations rules on Sexual Exploitation and Abuse are implemented in the field through Unit Command Policy Guidelines and UN Code of Conduct.</p>
<b>SEA: military offence?</b>	<p>In terms of the laws of Ghana, the Court Martial does not have jurisdiction over sexual offences. Sexual offences are dealt with under the Criminal and other Offences Act, 1960, Act 29 which is also applicable to military personnel.</p> <p>In addition, the Command Policy Guidelines issued by the command of the deployed unit and Army HQs Directives, provide instructions and guidelines on conduct of peace keepers, of which SEA is a part. Breaches of such instructions and guidelines are punishable offences. <b>See Section 54 of Armed Forces Act, 1962, Act 105.</b></p>
<b>Powers of the Commanding Officer (CO)</b>	<p>The Commanding Officer is authorised to issue Command Policy Guidelines for the guidance of troops, in addition to the Army HQs mission directives and UN Code of Conduct.</p> <p>The Commanding Officer also has disciplinary and administrative powers over his subordinates.</p>

## INVESTIGATION

<b>Who can investigate?</b>	The Military Police is empowered to investigate allegations and hand over reports to a board of inquiry to ascertain the veracity of the report.
<b>National Investigation Officer (NIO)</b>	National Investigations Officers, i.e. Contingent Legal Officers, Military Police personnel and Defence Intelligence Operatives are deployed with the units for investigations of allegations.

## PROSECUTION

<b>Referral</b>	The National Investigation Officers refer completed investigations to the convening authority, i.e. the Home Government or the Force Head Quarter(FHQ).
<b>Who can charge?</b>	The Commanding Officer is empowered to charge, after a prima facie case has been established against the accused person.

## JUSTICE

<b>Military justice</b>	Ghana has a military justice system.
<b>Deployable Court Martial?</b>	Ghana has a peace time deployable Court Martial system that try offences in peace time.

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