

# State of Internet Freedom in Ghana

2021



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## Introduction

Ghana is globally held up as an example of democratic success in West Africa. Its press freedom and general freedom of expression environment - both offline and online – is touted as one of the most progressive in the sub-region.

The country is also one of the pioneers in the region as regards internet access and penetration. In January 2021, Ghana's internet [penetration rate](#) reached 50%. This represents a 2%-point increase in the space of one year and one of the most rapid paces of growth in the sub-region. This has been on the back of a booming mobile telephony industry and massive investment in fibre optic infrastructure.

The fast expansion of mobile internet in the country has enabled millions of individuals, thousands of media outlets, state institutions, and corporate organizations to revolutionise the way they communicate.

As of November 2021, Facebook users were estimated at 8, 838,800<sup>1</sup>. The massive use of smartphones has enabled millions of people to access mobile internet across the country. This has increased the use of social media and empowered citizens' engagement and participation in social and public debates in recent times.

However, the improvement in mobile telephony penetration and internet access and the exercise of internet rights by Ghanaian citizens to demand accountability, transparency in the delivery of public services has been hampered by several socio-economic and political factors.

Also, as online engagement is steadily on the rise, so have been the attempts by cybercriminals and other deviants to exploit the digital space for their nefarious activities. This poses a challenge to the protection of data and privacy, protection of children's and women's rights online.

Also, inequality of access to the internet between the urban and the rural segments of the population is widening, with the cost of data being a barrier to access for several vulnerable and poor communities and individuals.

This report looks at the situation of press freedom, and freedom of expression online in Ghana in 2021, and presents a brief context analysis, maps out recent practices, assesses measures adopted by state actors to improve internet access and penetration as well as promote or undermine press freedom and freedom of expression online.

The report also looks at some redress actions for press freedom violations online, and other good developments around Internet use, data protection in Ghana and formulate some recommendations to improve the situation of internet rights, and freedom of expression online in the country.

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<sup>1</sup> NapoleonCat (November 2021). Social media users in Ghana. Retrieved from: <https://napoleoncat.com/stats/social-media-users-in-ghana/2021/11/>

## Methodology

This report is the result of the description and analysis of internet-related issues, especially the legal framework for the internet space in Ghana, access and affordability, safety and privacy issues, policies and practices. It is the results of monitoring of publications and reportage on internet rights issues undertaken by media and human rights organizations across Ghana. The report ends with recommendations to various stakeholders on how to improve the internet ecosystem in Ghana.

## Regulatory landscape for Internet Freedom

The internet regulatory landscape in Ghana is considered liberal and among the most progressive in West Africa. The country was among the first on the continent to connect to the internet. Also, in 2012, the country adopted a Data Protection Law (Act 843) that regulates the management of individual information and its attendant privacy issues. In 2018 and 2019, Ghana ratified the African Union Convention on Cyber Security and Personal Data Protection (Malabo Convention) and the Convention on Cybercrime (Budapest), respectively. Freedom of expression both online and offline is guaranteed and protected under the country 1992's constitution.

[The National Communications Authority Act 769](#) established the National Communications Authority (NCA) to have oversight over spectrum allocation and the communications industry regulation. The Chief Executive and some Board members are appointed by the President and the Minister of Communications provides policy direction to the NCA, an arrangement that is sometimes viewed as providing space for political interference with the independence of the regulator.

Another relevant regulatory framework is the [Electronic-Communications-Act-776](#) and the [Electronic-Transactions-Act-773](#), a law enforced by the NCA.

With a few exceptions, decisions taken by regulatory bodies, particularly those relating to the internet, are generally seen to be fair.

In recent times, the country has rolled out several initiatives<sup>2</sup> aimed at building and reinforcing its digital capacities. It has established a National Cyber Security Center (NCSC) which is responsible for its cybersecurity development including cybersecurity incidents response coordination within government and with the private sector. In 2020, a Cybersecurity law was passed to protect critical cyber infrastructure and activities online. This law also provides for the protection of women and children online. In July 2020, Ghana launched its national assessment process of UNESCO's Internet Universality Indicators. The process is as a holistic approach for individual countries to assess their internet

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<sup>2</sup> Ministry of Communication and Digitalisation(2020). Cybersecurity Act Passed to Promote & Regulate Cybersecurity Activities. Retrieved from <https://www.moc.gov.gh/cybersecurity-act-passed-promote-regulate-cybersecurity-activities#:~:text=Parliament%20has%20passed%20the%20landmark,and%20develops%20Ghana%27s%20cybersecurity%20ecosystem.>

ecosystem against, and to operationalise the four ROAM principles (Rights, Openness, Accessibility to all, and Multistakeholder participation).

## Country Context

Ghana is the second most populated country in West Africa, distantly behind Nigeria (200,963,599). The country has a stable political system and a fast-growing economy.

Since 1992, Ghana has successfully held eight multiparty elections with the two dominant political parties, National Democratic Congress and the New patriotic party winning four apiece. The rotation of power has helped entrench the country's democracy, which has been anchored on a culture of respect for press freedom, freedom of expression, and other civil and political rights.

In 2014, the ICT Policy for Accelerated Development (ICT4AD [Ghana's ambitious blueprint](#) for a digital transformation was adopted. It has since greatly improved access to the internet in the country. The country has more than 840 km of fiber optic cable laid in the twin cities of Accra and Tema as well as Kumasi, the second biggest city, covering half of its population. This feat has been achieved through Google's [CSquared](#) project.

In 2019, the total population using the internet was 39.0%. In January 2021, users of the internet were hovering around 15,700,000 (50%) of the population, with cumulated mobile connections of 41,690 000 from four telecoms companies for an estimated population of 31,400,000 people. Facebook remained the most popular social media platform with 7,944,000 users (25.1%) of the entire population. The majority of Facebook users are men. Women accounted for only 37.2%, while the largest group of users are 25-34 years old<sup>3</sup>.

Although the massive infrastructure layout has helped expand access, there are still issues with quality and speed. [Broadband Checker](#), a website that assesses internet service quality, indicates that the average download and upload speeds in Ghana at 12.46 Mb/s and 9.13 Mb/s respectively.

The government has initiated the Digital Ghana Agenda, a programme to digitise the Ghanaian economy and extend internet coverage to as many deprived communities and persons as possible. Under this initiative, the government is expanding ICT infrastructure and targeting total broadband connectivity for the unserved and underserved segments of society. This move is to provide the citizens with the logistics to access public and commercial services that are increasingly being digitised. Passport, National Health Insurance, schools and university applications, ports operations, water and electricity payments, land and business title registrations have all gone digital.

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<sup>3</sup> NapoleonCat(December 2020).Facebook users in Ghana. Retrieved from <https://napoleoncat.com/stats/facebook-users-in-ghana/2020/12>

South Africa-owned MTN has a lion's share of Ghana's mobile services market with Vodafone, owned partially by the government, dominating fixed-line services. AirtelTigo was fully [taken over](#) by the government during the year.

MTN holds 68.5 percent of the mobile data market, according to a March 2021 report<sup>4</sup> by the National Communications Authority (NCA). AirtelTigo with 16.7 percent, Vodafone with 13.1 percent, and Glo Mobile with 1.7 percent follow in that order.

The acquisition of full stake in Airtel by the government which already has 30% stake in Vodafone makes the state a significant player in the industry and may put it in a position to control flow and access of information.

Ghanaians do not general believe or suspect that the government carries out surveillance on the population or targeted individuals. But this confidence was whittled down when it emerged in 2020 that a gift box donated to Ghanaian security forces by the US government contained tools from Cellebrite<sup>5</sup>, a firm which sells technology that can access information on encrypted devices, through a gift from the US government, UK government, and Interpol (see C5).

Also, an Executive Instrument (EI) 63 63, 2020 adopted as part of measures to contain the outbreak of the COVID-19 pandemic raised some alarm. The EI mandated the National Communications Authority (NCA), to collect personal information from mobile phone subscribers. Many Ghanaians had expressed concern that EI was in breach of Article 12 of the 1992 Constitution which protects the privacy of all persons. It is also in breach of Section 73 of the Electronic Communications Act 2008 (Act 775) which mandates telecommunications companies to ensure that correspondence of their users is not intercepted or interfered with.

The matter was taken to court by a private legal practitioner, Francis Kwarteng Arthur with the court ruling that the President's directive violates people's right to privacy. The High Court presided over by Justice Rebecca Sittie ordered the government to delete data already collected within fourteen days of the judgment.

## **Incidents relating to freedom of expression online**

While Ghana has made tremendous strides in laying out the infrastructure for a booming digital economy, there are issues on the downstream end relating to attacks on critical online journalists and activists.

On June 27, a group of unidentified thugs accosted and fatally assaulted Ibrahim Anyass Muhammed, aka Kaaka, a social media activist at Ejura in the Ashanti Region. The 45-year-

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<sup>4</sup> <https://www.nca.org.gh/assets/Industry-Report-March-2021-.pdf>

<sup>5</sup> <https://www.business-humanrights.org/en/latest-news/ghana-us-uk-interpol-gift-of-cellebrite-hacking-tools-raises-journalist-concerns-on-safety-confidentiality/>

old died in hospital a day after the assault. He was a member of a socio-political pressure group, the Economic Fighters League, and a militant advocate of better social services on Facebook. A few days before the fatal attack, the activist had posted a video in which some political party militants were warning him to desist from making their party unpopular with his social media activities.

On April 1, the police arrested David Tamakloe, editor of the online newspaper, Whatsup News, and released him later on bail. The police accused Tamakloe of extortion and publication of false news in a statement they issued a day later. However, the journalist flatly denied the allegations made against him. He told the MFWA that his arrest is an act of intimidation aimed at dissuading him from investigating a scandal involving a businesswoman whose husband is a senior police officer.

On February 25, the Judicial Service of Ghana issued an order (which many saw as intimidation<sup>6</sup>) against certain online media regarding their reportage on the Supreme Court hearing of an election petition. In a directed that was condemned as an attempt to interfere with the editorial independence, the Service ordered the media to pull down critical comments and articles published about the hearing.

In other cases, it was the users who breached the norms of acceptable behavior online. On April 16, Rosemond Brown<sup>7</sup>, an actress popularly known as Akuapem Polo, was sentenced by a circuit court in Accra to 90 days into prison for publication of “obscene material and domestic violence” on social media. Her sentence came as a result of the posting of a nude picture of herself with her seven-year-old boy on Facebook.

She was however granted bail and released. But on December 1, 2021, the court presided over by Justice Ruby Aryeetey, dismissed the appeal of Rosemond Brown counsel. The Judge stated that the Circuit Court's 90 days' jail sentence was not manifestly excessive, and ordered the actress to serve the rest of her sentence<sup>8</sup>.

## Other digital-related developments

Over the past decade, telecoms have moved data subscriptions from eight million to 23 million. This underscores the increased use of mobile devices and the steady penetration of the internet among the Ghanaian population. The growth represents over 187% from 2011 to August 2021. This statistic was revealed by the Chief Executive Officer of Ghana

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<sup>6</sup>Ghanaweb (26 February 20210). Election petition: Delete all 'hateful, spiteful' comments against SC justices – Judicial Service to media. Retrieved from <https://www.ghanaweb.com/GhanaHomePage/NewsArchive/Election-petition-Delete-all-hateful-spiteful-comments-against-SC-justices-Judicial-Service-to-media-1190476>

<sup>7</sup> Modupeoluwa Adekanye (April 16,2021). Ghanaian actress Akuapem Poloo sentenced to 90 days in prison. Retrieved from: <https://guardian.ng/life/ghanaian-actress-akuapem-poloo-sentenced-to-90-days-in-prison/>

<sup>8</sup> Justice Agbenorsi(December 1, 2021). Court dismisses Akuapem Poloo's appeal, orders her to continue jail term

Retrieved from <https://www.graphic.com.gh/entertainment/showbiz-news/court-dismisses-akuapem-poloo-s-appeal-orders-her-to-continue-jail-term.html>

Chamber of Telecommunications during the launch of the Chamber's tenth anniversary celebration on December 2, 2021. Mr Ashigbey also revealed that voice service represents 132% while mobile money stands at GHS 47.3 million. This underlines the critical contribution of mobile money service to financial inclusion.

On November 22, 2021, The Ministry of Communications and Digitalisation (MoCD) in partnership with the Vice President's Office and the Ministry of Environment, Science, Technology, and Innovation (MESTI) with support from GIZ, organised the maiden edition of the Ghana Digital Innovation Week (GDIW) at the Accra International Conference Center (AICC). According to MoCD, the event brought together diverse and multiple stakeholders to provide a common platform for practical conversations on turning innovative ideas into useful reality to address societal problems. The event also served as a platform in engaging the highest levels of actors, including the governments of Israel, Germany, and Rwanda, known for their innovative prowess, to help provide technical assistance.

On November 9-12, Ghana hosted CYBERX Africa<sup>9</sup> and awards conference in Accra. The event was organised by a cohort of public, private, and research institutes, among others, the International Criminal Police Organization (INTERPOL), the Security Governance Initiative (SGI) Secretariat of the Ministry of National Security, the Association of Private Investigators, Ghana, and Lex Mundus and Cencla. The event sought to enhance cybersecurity the efficiency and efficacy of critical cyber systems infrastructure, and safer cyberspace. It has strengthened also the capacity of multiple stakeholders made of security personnel, lawyers, judges, forensic and cybercrime investigators within the Economic Community of West African States (ECOWAS) region to investigate and prosecutes e-crimes.

In October 2021, the Cyber Security Authority (CSA) organised a cybersecurity month awareness creation and educate the public on the new Cyber Security Act, 2020. This year's edition features a series of workshops, public forums and debates, and other activities<sup>10</sup> throughout October 2021.

Still, in October 2021, the government launched mandatory SIM card registration. According to the Minister of Communication and Digitalisation, Mrs. Owusu-Ekufu, " will reduce or eliminate fraudulent and criminal activities, help authorities ascertain the accurate number of valid and accurate SIMs on the networks, enable operators to build better demographics of their customer base and help them develop products and services to suit the various groupings".<sup>11</sup>

As of September 2021, the Cybercrime Unit of the Criminal Investigations Department (CID) of the Ghana Police Service said cyber frauds represented 45%<sup>12</sup> of all cybercrime

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<sup>9</sup> GNA (November 3, 2021). Ghana to host CYBERX AFRICA 2021 conference

Retrieved from: <https://www.gna.org.gh/1.21247135>

<sup>10</sup> CSA October 2021). Retrieved from <https://ncsam.cybersecurity.gov.gh/docs/NCSAM%20Brochure.pdf>

<sup>11</sup> Ministry of Communication and digitalisation (2021). National SIM card registration takes off next month (October). Retrieved from <https://moc.gov.gh/national-sim-card-registration-takes-next-month-october>

<sup>12</sup> Eric Appah Marfo (September 3, 2021). Cyber fraud tops cybercrime cases

cases, making it the topmost. Cyber frauds were also ranked as second in terms of amounts of money stolen by cybercriminals. The statement corroborated the financial loss the country incurred over past years. According to the Computer Emergency Response Team of the Security Centre, Ghana lost \$105 million in 2019 and \$9.8 million<sup>13</sup> in 2018 due to internet fraud and cybercrime.

In its ongoing drive towards empowering its citizens through digital skills, the government, at the organised the YouthConnekt Africa Summit in Accra in October 2021. The Vice President of Ghana, Dr. Mahamudu Bawumia, announced at the summit that by the end of 2021, Google will be integrating Ghana's digital address system into Google Map<sup>14</sup>.

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In another piece of good news, Twitter on April 12, announced a plan to establish its Africa continental office in Ghana<sup>17</sup>. This according, according to the executives of Twitter, is to get closer to the drivers of conversations on the platform, tailor service to its users, and improve its presence on the Africa continent.

As of September 2021, the Cybercrime Unit of the Criminal Investigations Department (CID) of the Ghana Police Service said cyber frauds represented 45%<sup>18</sup> of all cybercrime cases, making it the topmost. Cyber fraud was also ranked as second in terms of amounts of money stolen or extorted by cybercriminals.

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Retrieved from: <https://www.gna.org.gh/1.21179494>

<sup>13</sup> GNA (November 3, 2021). Ghana loses more than \$100 million in two years to cybercrime

Retrieved from: <https://www.gna.org.gh/1.19107226>

<sup>14</sup> Daniel Abugre Anyorigya (October 21, 2021). Ghana's Digital address system to be migrated onto Google Map by end of 2021 – Bawumia

Retrieved from: <https://citinewsroom.com/2021/10/ghanas-digital-address-system-to-be-migrated-onto-google-map-by-end-of-2021-bawumia/>

<sup>15</sup> CSA October 2021). Retrieved from <https://ncsam.cybersecurity.gov.gh/docs/NCSAM%20Brochure.pdf>

<sup>16</sup> Ministry of Communication and digitalisation (2021). National SIM card registration takes off next month (October) Retrieved from <https://moc.gov.gh/national-sim-card-registration-takes-next-month-october>

<sup>17</sup> [Kayvon Beykpour](#) and [Uche Adegbite](#) (April 12, 2021). Establishing Twitter's presence in Africa

Retrieved from: [https://blog.twitter.com/en\\_us/topics/company/2021/establishing-twitter-s-presence-in-africa](https://blog.twitter.com/en_us/topics/company/2021/establishing-twitter-s-presence-in-africa)

<sup>18</sup> Eric Appah Marfo (September 3, 2021). Cyber fraud tops cybercrime cases

Retrieved from: <https://www.gna.org.gh/1.21179494>

On September 1, 2021, the Media Foundation for West Africa (MFWA) with support from the World Wide Web Foundation organised a national stakeholder's forum to discuss issues related to gender gaps in the digital space. The forum was part of the activities of the project dubbed: "Women's Rights Online in Ghana". Also, a mapping report highlighting digitally related gender issues was launched, with recommendations aimed at bridging the digital gender gaps.

From 14-16 July 2021, the Ghana Domain Name Registry (GDNR) in collaboration with the Internet Society (ISOC), Ghana Chapter, convened the 2021 Ghana IGF under the theme "Fostering digital inclusion in Ghana: The role of public and private actors." The gathering discussed issues and challenges around digital literacy, content moderation, access to the internet by the youth, cryptocurrency, digitalisation and more.

In May 2021, a social media campaign under hashtag #FixTheCountry<sup>19</sup> was staged to demand good governance and accountability from President Nana Addo's government. Among issues at stake, was the demand for more jobs for the teeming unemployed youth, a greater, demonstrable commitment to fighting corruption, and more and better roads.

Ghana has taken major steps to introduce a digital form of its currency, The Digital cedi, or the e-Cedis<sup>20</sup>.

However, the digital space in Ghana was convulsed when on November 17, 2021, the Finance Minister, Ken Ofori Atta, announced a 1.75% Electronic Transactions Levy or E-Levy in the proposed government budget for 2022. The E-levy which is currently before Parliament, has been justified by government as an efficient means of mobilizing internal revenues. But the move has been criticised by the general public and civil society organisations as detrimental to the digitalisation efforts and liable to jeopardise the flourishing mobile money sector.

## Women's Rights Online

In Ghana, the gender gap in internet access is just 5.8%. This a much closer gap than the regional average for Africa which stands at 49.6%.<sup>21</sup> There are, however, a number of challenges that continue to confront access and use of the internet by women.

A survey conducted by [Indexmundi](#), revealed that 71.4% of females in Ghana can read and write. This means that a 21.6 percent of women and girls are disabled by illiteracy to access the internet. Besides, not all the literate females are digitally literate. As observed by the Web Foundation's Women's Rights Online [Report](#) 2020, "43% of women living in urban areas

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<sup>19</sup> Cristina Krippahl (May 12, 2021). Ghana's youth turn to social media to 'fix country's problems'. Retrieved from <https://p.dw.com/p/3tIbu>

<sup>20</sup> Bank of Ghana, Retrieved from: <https://www.bog.gov.gh/wp-content/uploads/2021/08/CBDC-Joint-Press-Release-BoG-GD-3.pdf>

<sup>21</sup> <https://webfoundation.org/2020/03/the-gender-gap-in-internet-access-using-a-women-centred-method/>

who are not online said they do not use the internet because they do not know how, compared with just 27% of men in urban areas.”

The affordability of data is also a limiting factor, with 22% of non-internet users citing data cost as the reason they have stayed offline, with 25% of users saying data cost limited their use. The same Web Foundation report said women were around half as likely as men to say they had internet speeds sufficient to meet their online needs. And, on average, they had smaller data bundles, with 75% of women limited to 1GB data or less per month, compared with just 58% of men.

In an effort to bridge the gender divide and ensure women's safety and protection online, the Ministry of Communications and Digitalisation (MoCD), and Huawei Technologies Ghana, have embarked on a project dubbed Girls-in-ICT. This involved a series of training and capacities building for a total of 60,000<sup>22</sup> girl students in Senior High Schools in three regions in the country. The programme sought to provide ICT education to girls in the second-cycle institutions as well as equip them with cyber security fundamentals to help them stay safe in cyberspace. The project also saw the National Cyber Security Authority introducing the short code 292 to the students to call for emergency assistance when confronted with any threats online.

## Conclusion and Recommendations

Compared to other countries, in the sub-region, Ghana is making significant strides in terms of pushing forward the agenda of digitalization, promotion and protection of internet rights. Access to the internet in Ghana is unrestricted and the legal environment is conducive for growth in the sector.

However, cybercrimes and the few incidents of irresponsible use of the internet, is quite disturbing. Although the gender gap online is closer in Ghana than in most parts of Africa, there is the need to continue working towards parity to fully democratise the cyber space in the country. Digitally-empowered women are more likely to impact the education of their children more positively, as the internet become increasingly integrated into the teaching and learning process.

Beyond the individual rights and benefits, the internet is a driver of economic growth and prosperity which is in the interest of all governments to promote as part of their economic development policies.

In light of the foregoing, the following recommendations are hereby formulated towards improving the internet freedom environment in Ghana:

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<sup>22</sup> Graphic Online (December 18, 2021). 60,000 Girls to benefit from cyber security training in 3 regions Retrieved from : <https://www.graphic.com.gh/news/general-news/ghana-news-60-000-girls-to-benefit-from-cyber-security-training-in-3-regions.html>

**Government:**

- Ensure that the digital rights of all persons are respected and protected.
- Improve access to the internet at all times.
- Desist from abusive use of power or influence to cause arrest and detention of journalists for merely publishing critical articles online.
- Thoroughly investigate incidents of cybercrimes, and arrest and prosecute the perpetrators
- Work with civil society to adopt legislation and mechanisms that are human rights-friendly, and ensure that the country complies with the UN Internet Universality Indicators.

**Security Agents:**

- Avoid excessive use of force, descending on online media premises, arbitrary arrests, and detentions of online journalists, critical citizens journalists, and activists for their critical online publication.

**Courts:**

- Ensure that the interpretation of cybercrime laws is compatible with regional and international legal frameworks on internet rights and freedom of expression online.
- Punish violators of internet rights abusers and cybercriminals, to serve as a deterrent for potential perpetrators.

**Telecoms companies and other Internet service providers:**

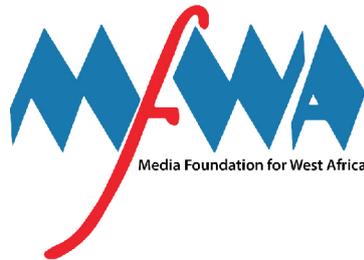
- Intensify efforts at improving internet quality delivery services, and offer affordable internet mobile broadband pricing concerning the Un Internet Universality Indicators.

**Journalists and Internet users:**

- Use the internet responsibly and safely, and report suspected incidents of cyber-attacks to the appropriate authorities
- to demonstrate responsibility and respect for the rights of others.
- Be mind of journalistic ethics and standards while publishing online and on social media

**Civil Society Organisations:**

- Work proactively and collaboratively in addressing online freedom and cybersecurity issues
- Initiate massive citizens' education on the responsible use of cyberspace in exercising civil and political rights, the demand of transparency, accountability, and good governance.



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