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Executive Summary

The internet landscape in Ghana is generally free with little government interference and largely no suspicion of surveillance. Ghana also has the distinction of having never shut down the internet.

Ghana's internet penetration rate reached 50% in 2021. This brings the country close to the global average of 62 %. The country has come a long way, having attained full internet connectivity in August 1995.

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. Passport, National Health Insurance, schools and university applications, ports operations, water and electricity payments, land and business title registrations have all gone digital. This is in line with the broader framework of the ICT Policy for Accelerated Development (ICT4AD, Ghana's ambitious blueprint for a digital transformation adopted in 2014.

There are also concerns about creeping intolerance of critical publications on the internet. Equally disturbing is the issue of cybercrime. As of September 2021, the Cybercrime Unit of the Criminal Investigations Department (CID) of the Ghana Police Service said cyber frauds represented 45%¹³ of all cybercrime cases, making it the topmost.

This report provides detailed insights and analyses on the above issues and others that have implications for internet freedom, including online expression in Ghana. It aims to raise the salient issues that need policy and advocacy interventions for an open, safe and secure internet space where all Ghanaians can safely exercise their rights to civil and political rights such as free speech and participation in national discourse.

The report makes recommendations to the government of Ghana to continue its efforts to improve access to the internet at all times and ensure that the digital rights of all persons are respected and protected. It also calls internet rights organisations to work proactively and collaboratively with other stakeholders to address online freedom, access, safety and security issues.

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 and transact business.

As of November 2021, Facebook users in Ghana were estimated at 8, 838,800¹. 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.

Again, 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. It presents a brief contextual analysis. It maps out recent practices and assesses measures adopted by state actors to improve internet access and penetration. The report also highlights policies and actions which promote or undermine press freedom and freedom of expression online.

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

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

Methodology

This report is the result of desktop analyses of internet-related issues, especially in the areas of regulation and policies, access and affordability, safety and privacy, and general practices. The analyses covered 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.

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. This feat has been achieved through Google's [CSquared](#) project.

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 old².

² NapoleonCat(December 2020).Facebook users in Ghana. Retrieved from <https://napoleoncat.com/stats/facebook-users-in-ghana/2020/12>

The massive infrastructure layout has helped expand access and improved quality and speed. [Speedtest.net](https://www.speedtest.net), a website that assesses internet service quality, indicates that the average download and upload speeds on mobile devices is 7.33 and 7.25, with 12.46 Mb/s and 9.13 Mb/s download and upload speeds respectively on fixed devices.

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.

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 2021. MTN holds 68.5 percent of the mobile data market, according to a March 2021 report³ by the National Communications Authority (NCA). AirtelTigo holds 16.7 percent, Vodafone holds 13.1 percent, and Glo Mobile holds 1.7 percent follow in that order.

The acquisition of full stake in AirtelTigo 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 Cellebrite⁴, 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

³ <https://www.nca.org.gh/assets/Industry-Report-March-2021-.pdf>

⁴ <https://www.business-humanrights.org/en/latest-news/ghana-us-uk-interpol-gift-of-cellebrite-hacking-tools-raises-journalist-concerns-on-safety-confidentiality/>

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.

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 are the [Electronic-Communications-Act-776](#) and the [Electronic-Transactions-Act-773](#), laws enforced by the NCA with the aim of keeping the digital space safe, robust and secured especially for business.

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 initiatives⁵ aimed at building and reinforcing its digital capacities. It has established a National Cybersecurity Authority (NCA) which is responsible for the implementation of the Cybersecurity Act 2020, including cybersecurity development, cybersecurity incidents response coordination within government and with the private sector. The Cybersecurity law was passed in 2020 to protect critical cyber infrastructure and activities online. This law also makes some provisions that largely protect 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 ecosystem against, and to operationalise the four ROAM principles (Rights, Openness, Accessibility to all, and Multistakeholder participation).

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. For instance, on June 27, 2021, 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-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, 2021, 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 was 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, 2021, the Judicial Service of Ghana issued an order (which many saw as intimidation⁶) against certain online media regarding their reportage on the Supreme Court

⁵ 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.>

⁶Ghanaweb (26 February 20210). Election petition: Delete all 'hateful, spiteful' comments against SC justices – Judicial Service to media. Retrieved

hearing of an election petition. In a directive that was condemned as an attempt to interfere with editorial independence, the Service ordered the media to pull down critical comments and articles published about the hearing.

In other cases, it was the other online users who breached the norms of acceptable behavior online. On April 16, 2021, Rosemond Brown⁷, an actress popularly known as Akuapem Polo, was sentenced by a circuit court in Accra to 90 days imprisonment 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 sentence⁸.

Other digital-related developments

Over the past decade, data subscriptions has 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 Ken Ashigbey, the Chief Executive Officer of Ghana 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.

There have been continuous engagements of the various stakeholders in the internet ecosystem aimed at creating awareness, improving collaboration, building synergies, improving systems and learning from the experiences of others. Some of the engagements have been government-led, while others have been led by some industry players and civil society organisations.

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,

from <https://www.ghanaweb.com/GhanaHomePage/NewsArchive/Election-petition-Delete-all-hateful-spiteful-comments-against-SC-justices-Judicial-Service-to-media-1190476>

⁷ 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/>

⁸ 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>

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 high-level actors, including the governments of Israel, Germany and Rwanda, who are known for their innovative prowess, to help provide technical assistance.

On November 9-12, Ghana hosted CYBERX Africa⁹ 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 efficiency and efficacy of critical cyber systems and infrastructure, and safer cyberspace. It also helped to strengthened the capacity of multiple stakeholders such as security personnel, lawyers, judges, forensic and cybercrime investigators within the Economic Community of West African States (ECOWAS) region to investigative and prosecute e-crimes.

In October 2021, the Cyber Security Authority (CSA) organised the cybersecurity month awareness creation and used the event to educate the public on the new Cyber Security Act, 2020. The event featured a series of workshops, public forums and debates, and other activities throughout October 2021.

Still, in October 2021, the government launched mandatory SIM card re-registration. According to the Minister of Communication and Digitalisation, Mrs. Owusu-Ekuful, the SIM re-registration" 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".¹⁰

As of September 2021, the Cybercrime Unit of the Criminal Investigations Department (CID) of the Ghana Police Service said cyber frauds represented 45%¹¹ of all cybercrime 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,

⁹ GNA (November 3, 2021). Ghana to host CYBERX AFRICA 2021 conference
Retrieved from: <https://www.gna.org.gh/1.21247135>

¹⁰ 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>

¹¹ Eric Appah Marfo (September 3, 2021). Cyber fraud tops cybercrime cases
Retrieved from: <https://www.gna.org.gh/1.21179494>

Ghana lost \$105 million in 2019 and \$9.8 million¹² in 2018 due to internet fraud and cybercrime.

In its ongoing drive towards empowering its citizens through digital skills, the government 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 Map¹³.

In another piece of good news, Twitter on April 12, 2021, announced a plan to establish its Africa continental office in Ghana¹⁴. This, 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.

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 a project dubbed: "Women's Rights Online in Ghana". Also, a [mapping report](#) highlighting gaps in national ICT policy documents in relation to gender issues was launched, with recommendations aimed at bridging the digital gender gaps.

The MFWA also organised workshops in the capital, Accra and Takoradi, the capital city of the Western Region, to build the capacity of female journalists, bloggers, and some women's rights advocate on women's rights online, online abuse and digital storytelling. The workshop was aimed at empowering and enhancing the skills of the participants to create more relevant content for females in Ghana.

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.

¹² GNA (November 3, 2021). Ghana loses more than \$100 million in two years to cybercrime
Retrieved from: <https://www.gna.org.gh/1.19107226>

¹³ 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/>

¹⁴ [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

In May 2021, a social media campaign under the hashtag #FixTheCountry¹⁵ 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-Cedis¹⁶. 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 5.8%. This is a much closer gap than the regional average for Africa which stands at 49.6%.¹⁷ There are, however, a number of challenges that continue to confront access and use of the internet by women in Ghana.

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 2020 Women's Rights Online [Report](#), "43% of women living in urban areas 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, and 25% of users saying data cost limited their use. The Indexmundi report also 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 Ghana.

¹⁵ 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>

¹⁶ Bank of Ghana, Retrieved from: <https://www.bog.gov.gh/wp-content/uploads/2021/08/CBDC-Joint-Press-Release-BoG-GD-3.pdf>

¹⁷ <https://webfoundation.org/2020/03/the-gender-gap-in-internet-access-using-a-women-centred-method/>

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 capacity building for a total of 60,000¹⁸ girl students in Senior High Schools in three regions in the country. The programme seeks 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. 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 worrying and needs attention.

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 for equitable access and use. 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 processes in the Ghanaian educational curricula.

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 made towards improving the internet freedom environment in Ghana:

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.

¹⁸ 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>

- Thoroughly investigate incidents of cybercrimes, and arrest and prosecute the perpetrators.

Security Agents:

- Avoid 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 and cybercriminals, to serve as a deterrent for potential perpetrators.

Telecoms companies and other Internet service providers:

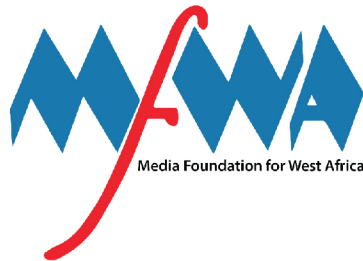
- Intensify efforts at improving the quality of internet service delivery, and offer affordable data pricing.

Journalists and Internet users:

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

Civil Society Organisations:

- Work proactively and collaboratively with other stakeholders to address online freedom and cybersecurity issues
- Empower the public with information on responsible online behavior and online safety and security.
- 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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