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POVERTY, DEVELOPMENT AND HUMAN RIGHTS IN GHANA

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INTRODUCTION

1. The purpose of this research project is to “assess the strengths and weaknesses of international anti-poverty strategies, from a human rights point of view, and see where fuller use of human rights principles and methods will make such programmes more effective in practice”¹. The overall aim is to clarify in practical terms, where human rights principles and methods will strengthen poverty programmes and make human rights methods and techniques better understood and more accessible to officials who implement such programmes.
2. Flowing from the above, the project is not limited to assessing the degree to which the development projects and policies studied adhere to the rights-based approach to development. Also, it is not a “human rights report” about the destructive impact of development projects. Although these are important starting points, this project goes beyond that.
3. In this country study we have sought to:
 - Convey the impressions and understanding of national government officials, civil society and affected communities of poverty and human rights and the relationship between the two concepts.
 - Clarify the relationship between poverty alleviation and human rights at the local level.
 - Clarify what adopting a “rights-based approach” means or should mean in practice.
 - Illuminate the difficulties, challenges and tensions that exist in the various impressions and understandings of poverty and human rights and the relationship between them.

¹ ICHRP, Making Human Progress: Poverty, Development, Rights, Project Design, p. 4.

- Note ways of facilitating dialogue across discipline, particularly between human rights and economic development specialists and identify contributions that the development movement could make to human rights.
- Identity and define tools and processes that can be used to evaluate development policy in human rights terms.
- Name obstacles that make it hard to evaluate the impact of human rights tools or the impact of poverty programmes on human rights.

4. The structure of this study is as follows:

- Background and context
- Salient elements of country' political, human rights, economic, development and poverty history and current situation
- Case Studies- General
- Criteria used for selecting particular projects or policies
- Methodology used for study
- Case Study 1
- Case Study 2
- Assessment of Strengths and Weaknesses of poverty programmes vis-à-vis human rights standards
- Conclusion and Recommendations

BACKGROUND

The Political Situation

5. Ghana is a unitary republic with a multiparty democratic system under which executive power is vested in a president who is elected by universal suffrage every four years². In 1957 Ghana became the first Sub-Saharan African country to gain independence from British colonial rule. Ghana has since experienced eleven changes of government, including five military regimes. Poor economic management and perceptions of corruption have been the most common sources of dissatisfaction.
6. In January 1993, the last military government gave way to the Fourth Republic after presidential and parliamentary elections in late 1992. The 1992 constitution divides powers among a president, parliament, cabinet and an independent judiciary.
7. The 1992 Constitution contains a comprehensive bill of rights: political, civil, economic and social, with a High Court and Commission on Human Rights and Administrative Justice to Police the realisation of the rights.
8. Ghana is the most politically stable country in the West African sub-region and in most of Africa. A free press, a politically conscious citizenry and a credible judiciary keep government in check.

² See www.eiu.com for a country profile on Ghana.

The Economy³

9. Ghana adopted a market-led development strategy in 1983 in an effort to revive a collapsed economy. With the support of donors Government initiated a two-phase Economic Recovery Programme (ERP) in 1983 as a direct response to the economic decline and poverty that plagued the country during the preceding decade. The package of reforms for the first phase included a) reigning in inflation, at the time running at 123 per cent b) solving the balance-of-payments problems c) stimulating efficiency in the allocation and use of resources and d) halting the decline in the economic growth rate. Other contents of the package included adoption of austere measures involving cuts in government expenditure, a moratorium on wages and bank lending, a hike in interest rates and a scrapping of subsidies. Also, the government pursued a policy of price controls, currency devaluation and trade liberalisation.
10. The second phase focused on economic restructuring, involving a retraction of the hitherto central role of the state in activities that would better be performed by non-state agencies. Public ownership was reduced through privatisation and many sectors in which the state had held a monopoly were opened up to private competition. Also, public sector employment was slashed through mass redundancies.
11. The policy reforms succeeded in reversing the decline of the economy and improving the overall economic performance. GDP increased by an average of 5 percent per annum between 1984 and 1992. Specifically, there was significant reduction in the fiscal deficit and inflation; infrastructure services were improved and relative prices and incentives were shifted towards tradeables especially towards exports of cocoa, timber and minerals.
12. As a result of this economic growth Ghana made substantial progress in its efforts at poverty reduction between 1983-1991/92. The GDP growth of 5 percent per annum between 1987/88-1991/92, in per capita terms means 2 percent growth per annum. From 36.9 percent in 1987/88, the incidence of poverty declined to 31.6 percent in 1991-92. This suggests that by 1991/92, about 32 percent or 5 million Ghanaians were poor with expenditure of less than US\$25 per month. Similarly, the depth of poverty declined from 11.9 percent in 1997/88 to 8.1 percent in 1991/92.
13. This exemplary economic performance was not sustained. In 1992, the macro-economic stability was undermined by fiscal shock triggered by increase in public expenditure and a fall in tax revenue. Money supply increased more than 50 percent, the current account deficit widened to almost 9 percent of GDP. The Ghanaian currency (the Cedi) depreciated sharply and inflation accelerated. Private investment fell sharply to 4.3 percent of GDP in 1992. The fiscal account dropped from a surplus of 1.5 percent of GDP in 1991 to a deficit of 4.0 percent in 1992. The annual rate of inflation increased from 10 percent in 1992 to 34.2 percent in 1994 and 70.8 percent in 1995.
14. Since the introduction of market-led approach, the growth of the gross domestic product has been positive. The average growth rate for the period 1984 -1992 is 5.2 percent and 4.5 percent for 1993- 2004. Government revenues increased from 6 percent of GDP in 1983 to 13 percent in 1986 and to 16 percent in 1991. Average per capita incomes increased from negative 5 percent prior to ERP to positive 2 percent between 1984 and 1992. Sustained reduction in money supply reduced inflation from 123 percent in 1983 to 10 percent in 1992. Gross investment increased from 4.7 percent of GDP in 1982-1984 to 8 percent in 1989-1991. During the same period, private savings increased from 4.6 percent of GDP to 5.6 percent while public savings increased from negative 0.6 percent of GDP to positive 2.4 percent.

³ Data for this section was taken mostly from the Annual Progress Report on the Ghana Poverty Reduction Strategy for 2003

Table 1: Average GDP Growth Rates: 1984 TO 2004

Year	GDP Growth
Average For 1984 -2004	4.8
Average For 1984-1992	5.2
Average For 1993 -2004	4.5
Average For 2001 -2004	4.9
Average For 2002-2004	5.2

Source: Gockel 2004

15. These positive developments in the macro economy have largely remained a feature of the performance of the Ghanaian economy and have been improved under the current government. For the period 2001-2004, the annual average GDP growth rate recorded was 4.9 per cent. It averaged 5.2 per cent annually over the GPRS implementation period (2002-2004). This is a marked improvement on the historical trend, equal only to the average of the 1984-1992 period.
16. Over that last four years in particular, the economy has experienced great stability and it is useful at this point to examine contributions of the different sectors of the economy to that level of stability. The Agricultural Sector led the way with an outstanding growth performance of 7.5 percent against the growth rate of 6.1 percent achieved in 2003, with the Industrial and Services Sectors registering growth performances of 5.1 percent and 4.7 percent, respectively, or at the same pace as last year.
17. In terms of the relative importance of the sectors to the overall growth, agriculture contributed 46.7 percent, up from the 41.4 percent in 2003. This surge in agriculture led by the cocoa sub-sector reduced the relative contributions of all other sectors. Industry and Services contributed 22.1 percent and 24.3 percent, down from 24.0 percent and 26.7 percent, recorded in 2003 respectively. The residual contributions of 7.8 percent and 6.8 percent to growth in 2003 and 2004, respectively, are attributable to Net Indirect Taxes.

Table 2: Performance of Ghanaian Economy

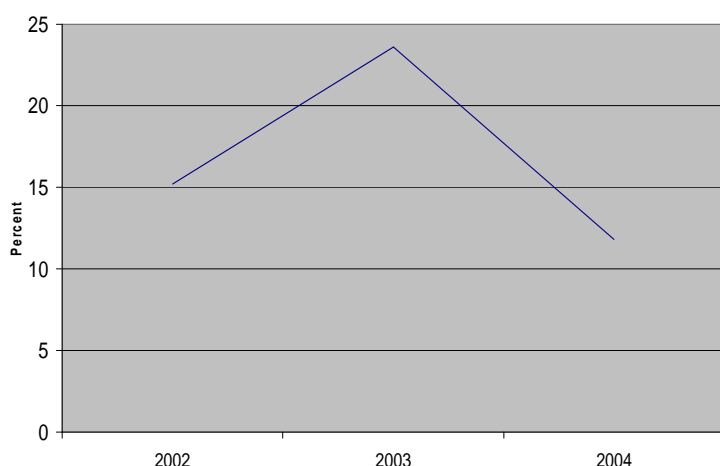
INDICATOR	2002 Actual	2003 Actual	2004 Provisional
GDP Growth (%)	4.5	5.2	5.8
Agriculture (%)	4.4	6.1	7.5
Industry (%)	4.7	4.7	5.1
Services (%)	4.7	4.7	4.7
Inflation (year-on-year)	15.2	23.6	11.8
Net Domestic borrowing (% of GDP)		0.4	0.5
Overall Budget Deficit (% of GDP)	8.7	3.4	3.2
Domestic Primary Balance (% of GDP)	2.0	2.5	0.7
Current Account (US\$ million)	30.0	40.8	
Gross Reserves (months/imports)	2.0	3.9	3.8

Sources: World Bank Ghana Country Assistance Strategy 2004, Ghana Budget Statement and Economic Policy 2005

18. The growth in the food crop sub-sector in 2003 of 5.3 percent rose marginally above the growth experienced in 2002. Thus real per capita food crop growth rate increased marginally. After a decline in the growth of credit to the agricultural sector in 2002 to only 9 percent from a 21 percent growth in 2001, credit to the sector picked up again in 2003 reaching 51 percent.

19. The growth of domestic revenue has been significant since 2000. As a percentage of GDP the growth of domestic revenue showed a smooth and steady growth. The growth of revenue has exceeded the rate of inflation, meaning an improved revenue generation in real terms.
20. In 2003 the debt burden decreased from a domestic debt/GDP ratio of 29.1 percent in 2002 to 22.6 percent. It has decreased further to 17.6 percent in 2004. This reduction in domestic debt, an important policy objective of the GPRS, had spill over effects on other sectors of the economy. For example, it has become an essential element in the reduction in inflation and in the decline in interest rates. In spite of institutional bottlenecks, the reduction in the domestic debt yielded some relief to the private sector through the growth of credit to the sector from 11 percent in 2001 to 37.5 percent in 2003. The overall budget deficit for was 3.4 percent of GDP against a target of 3.3 percent, a decline from 6.7 percent in 2002 and stands at 3.2 per cent at end 2004.
21. The 2003 budget target was to reduce inflation from 15.2 per cent at the end of 2002 to 9.0 per cent at the end of 2003. However, the 90.4 percent increase in petroleum prices in February 2003 led to a sharp rise in inflation and by the end of the year, an inflation rate of 23.6 percent was recorded. Prudent fiscal policy management, improved food supply, monetary restraint, and a relatively stable exchange rate in an environment of diminishing inflationary expectations account largely for the sharp drop in year end inflation to 11.8 percent in 2004. The movement of year-on-year inflation is depicted in Figure 1.

Figure 1: Year-on-year Inflation Rate. 2002-2004



22. In nominal terms the cedi was fairly stable against the US dollar depreciating by 4.7 per cent by December 2003 and by 22.5 per cent and 13.0 per cent against the euro and pound respectively. This performance was improved in the 2004 fiscal year where the cedi remained relatively stable throughout the fiscal year - depreciating by a moderate 2.2 percent against the US dollar.

23. The stability and improvements in the macro-economy have not resulted in any drastic changes

in the poverty status of a sizeable proportion of Ghanaians. After over 20 long years of implementing structural adjustment programmes, the Ghanaian economy has remained weak and vulnerable with structural rigidities that do not permit the type of transformation that underpins sustained accelerated growth and development. Data from the Ghana Living Standards Survey (GLSS 3 and 4) conducted by the Ghana Statistical Services in 1992 and 1998/99, as well as the Core Welfare Indicator Questionnaire (CWIQ 1997 and 2003) surveys and the Ghana Demographic and Health Survey 2003 (GDHS 2003), point to a disturbing pattern of persistent poverty in Ghana.

The Dimensions of Poverty in Ghana

24. The dimensions of poverty in this analysis reflect income or consumption poverty, asset poverty, lack of access to basic services, and deprivations in human development. Indicators such as lower school enrolment rates and higher infant mortality, among others, reflect differences in access to basic social services, and they generally mirror regional and socio-economic differences of poverty rates. The proportion of the population defined as poor decreased from 52 percent in 1991/92 to 39.5 percent in 1998/99, based on an expenditure definition of poverty⁴. Extreme poverty declined from 37 percent to 27 percent over the same period.

Table 3: Welfare Measure of Poverty

Population defined as poor (Welfare measure)	1991/92	1998/99	2003
Upper Poverty Line	50%	40.0%	
Extreme Poverty	37%	27.0%	
Urban	18%	17.3%	
Rural	46%	36.0%	
Food crop farmers	68%	59.0%	
Males who never attended school		21%	25.9%
Females who never attended school		26	41%
Males Literacy rate		63.0%	66.2%
Females Literacy rate		36.0%	42.5%
Literacy rate in urban areas		63.0%	69.9%
Literacy rate in rural areas		40.0%	40.1%
Children aged 6-15 attending school		80.0%	85.4%
Nearest primary school is at least 30 minutes away			
Urban		3.0%	
Rural		10.0%	
Nearest Health Facility is at least 30 minutes away			
Urban		20.0%	21.4%
Rural		61.0%	57.4%
Lowest 2 poverty groups		70.0%	
Children under 8 years never vaccinated against any of the childhood killer diseases (for Rural Savannah		6.5%	5.0%
Supervised delivery assistance (doctor, Nurse, Midwife)			
Urban		79.0%	83.4%
Rural		33.0%	34.7%
Access to Safe Source of water			
Urban		92.3%	87.3%
Rural		52.1%	63.0%
Prevalence rate of HIV/AIDS (National)*		3.6%	3.4%
Households Using Electricity		41.4%	48.3%
Population employed in agriculture		55.0%	44.5%
Population employed in trading		18.3%	22.5%

⁴ The poverty line is the minimum amount of money one needs to obtain the basic needs of life i.e. food, water, clothing and shelter. The Ghana Poverty Reduction Strategy 2003-2005 designates those with annual incomes less than 900,000 Cedis as poor and those with less than 700,000 Cedis as the extreme poor.

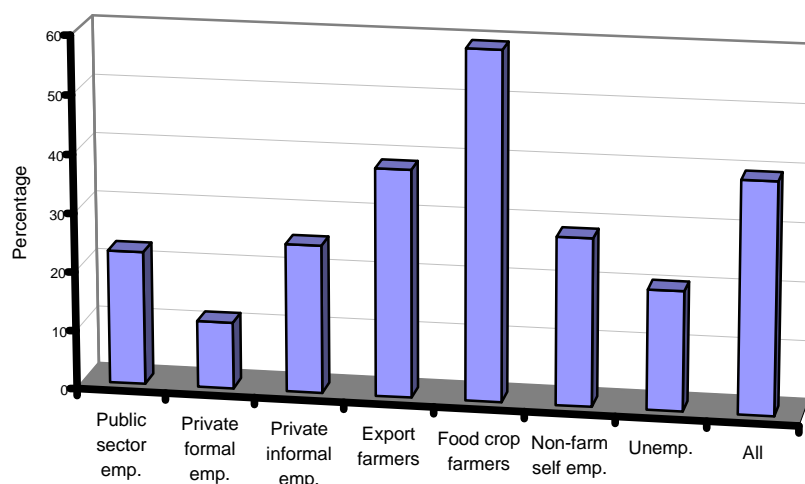
Population employed in manufacturing		11.7%	6.4%
Women self-employed in agriculture		48.7%	
Women self-employed in non-agriculture		45.1%	
Men self employed		77.0%	

Source: Amoah Baah-Nuakoh 2005

Legend: * Current prevalence rate (2005) is 3.1 per cent

27. Apart from income, poverty in Ghana is also related to geographic location, access to services, demographic, educational attainment, and socio-economic group. For instance, in 1999, the incidence of poverty recorded among food crop farmers majority of whom are women was 52 per cent compared to those in private formal employment, where only 11.3 per cent were considered poor (see Chart 1). Regional inequalities are also noted. People living in urban areas in the northern savannah belt also experienced higher levels of poverty.

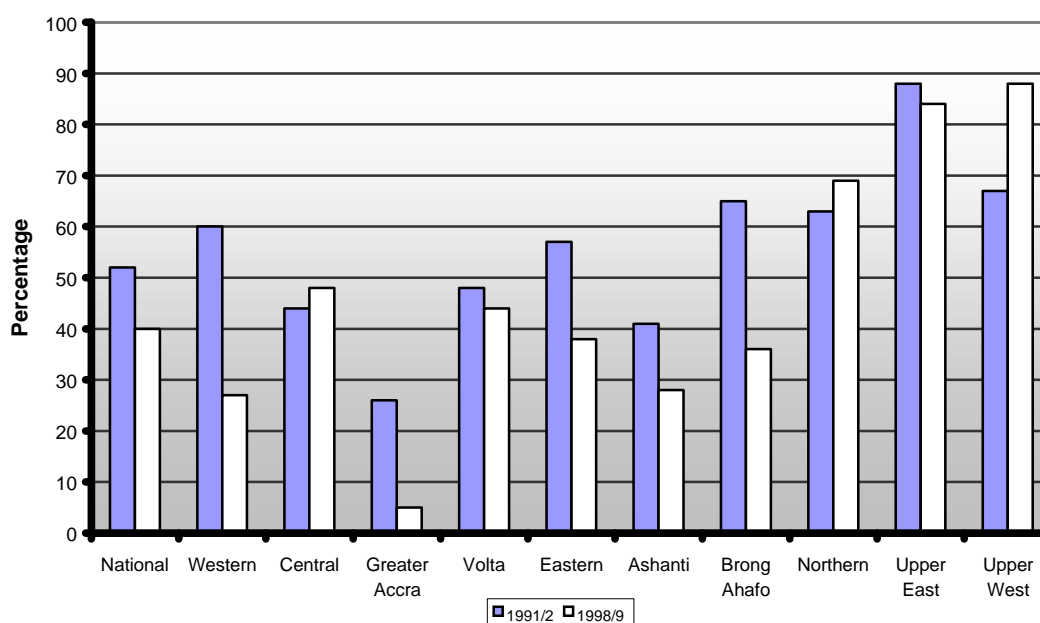
Chart 1: Poverty among Socio-economic Groups as at 1999



Source: Ghana Statistical Service, Poverty Trends in Ghana in the 1990s, 2000, Accra
Note: emp=employment

28. In five of the ten Regions, more than 4 persons out of every 10 were poor. The Upper East, Upper West and Northern Regions were the poorest. Among the three, the situation was relatively better in the Northern Region where 7 out of 10 persons were poor. Further north in Upper East, 9 out of every 10 people were poor whereas Upper West Region recorded 8 out of every 10. But poverty Ghana was not only highly prevalent in the northern Regions. The situation also worsened in the Central Region by 1999 as shown in Chart 2.

Chart 2: Incidence of Poverty by Administrative Region, 1991/2 and 1998/9



Source: Ghana Statistical Service, GLSS Rounds 3 and 4

29. The entire picture, however, was not bleak. Access to both potable water and electricity improved over the period from 1991 to 1998, and poorer rural groups benefited from these gains. While overall social indicators have improved, public facilities for education and health have generally favoured urban rather than rural areas, with a tendency, for example, for urban-based hospitals to be better financed. As a result, urban areas have registered better poverty and inequity reduction outcomes than rural areas.
30. While the urban coastal and the forest zones have enjoyed significant improvement in their living standards, with even the poorest groups in these areas appearing to benefit, the savannah and rural coastal areas have seen very little improvement in economic well-being. Uneven quality of service delivery and availability of funding for new priorities have contributed to increasing poverty concentration in these areas. Inadequate development of rural infrastructure is a major underlying factor. Households in these regions have limited opportunities to escape from poverty as a result of their limited access to education, markets and public services. Other factors include inheritance traditions that deny widows access to the estates of dead husbands, out migration of rural youth, dwindling access to farming land, unpredictable rainfall, and household debt.
31. Further, the poor in Ghana are both affected by, and a cause of, environment degradation. Declining soil fertility, loss of forests, contamination of water supplies and increasing urban pollution all impact upon people's health and livelihoods, particularly the rural and urban poor. The trade-off between short-term economic growth and environmental sustainability is particularly pronounced in regard to soil and water resources.

Attempts at Poverty Reduction

32. Adjustment policies have not proven to be poverty reducing. Ghana introduced the Programme of Action to Mitigate the Social Costs of Adjustment (PAMSCAD) to cushion the effects of the market-led approach on the poor. Critics contend that adjustment programmes are intrinsically anti-poor. Killick and Abugre (2002) argue that past public spending patterns, for example, were not pro-poor. Although statistics indicate that during the 1990s government of Ghana spending

on education and health, as a percentage of GDP or GNP, was a little above the average for sub-Saharan Africa,⁵ a 1997 Public Expenditure Review, which focussed on social sector expenditure, indicated that the geographical regions most in need of resources disbursed the lowest in per capita terms. Furthermore, a 1999 DFID analysis of its programme aid showed that actual expenditures on health and education, as a percentage of GDP and per capita, had been declining since the mid-90s and was projected in official expenditure plans to decline further. Moreover, the incidence of the social services was far from geared to the poor, with a comparative study of seven African countries revealing Ghana to have one of the most regressive distributions across economic groups.⁶ A former senior official of the Ministry of Finance admits that all anti-poverty programmes in the 1990s were donor sponsored and that mouthing the rhetoric of poverty reduction by the government of the time was largely an attempt to tap into the emerging interest of many of the donors. The evidence seems to corroborate that.

33. The mid 1990s, witnessed attempts by the government of Ghana and its Partners in Development to address the issue of poverty reduction in comprehensive way. At the 1995 Consultative Group Meeting, in Paris, the Ghana Government gave a firm commitment to initiate concrete and comprehensive actions both within the macro-economic policy framework and operational mechanisms to reduce poverty in Ghana. Out of the work of a Technical Committee on Poverty (TCOP) established in 1996 the government published a White Paper '*A Policy Focus for Poverty Reduction*' proposing an approach broadly consistent with the World Bank 1990 World Development Report on poverty: a stable macro-economic framework, policies to accelerate economic growth with a focus on smallholder agriculture and informal sector enterprise, addressing basic needs through improved access to social services, and some discussion of strengthening safety nets via local government. An integrated macro-micro approach was envisaged, recognising the need for participation by the poor themselves in order to ensure sustainability of interventions. In principle, this marked the recognition of the need for involving citizens in the design and implementation of programmes targeted at improving their livelihood.
34. Subsequently, an *Accelerated Poverty Reduction Programme* set out a costed set of poverty-focused activities for 1999-2001 and, in the same year, the government submitted to a meeting of the Consultative Group for Ghana a document entitled, *Reducing Poverty Through Improved Agriculture*. These efforts came to nothing since most of the programmes received little funding and therefore made virtually no impact with respect to poverty reduction.
35. The close of the decade coincided with the new but short-lived lending requirement, the Comprehensive Development Framework, demanded by the World Bank as a gateway to its soft window. Ghana was chosen as one of the pilot Comprehensive Development Framework (CDF) countries. The CDF which attempted to improve donor co-ordination around sector-wide approaches (SWAP) attracted little interest from other donors and was quickly replaced with the, Poverty Reduction Strategy Paper (PRSP), instrument for debt relief and poverty reduction. Ghana's version of the PRSP was the Ghana Poverty Reduction Strategy. Angela Farhat of the National Development Planning Commission (NDPC) argues emphatically that Ghana conceived its own poverty reduction strategy before the broad conceptualisation and introduction of PRSPs by the World Bank across the developing world. The GPRS hardly retained and independence. It had to conform to the guidelines in the PRSP source book and therefore lost any Ghanaian characteristic that it might have started with.

⁵ According to the World Banks Development Indicators the Ghanaian spending on education in 1997 was equivalent to 4.2% of GNP, against a regional average of 4.1%, while its average spending on health in 1990-98 was 1.8% against 1.5% for sub-Saharan Africa as a whole (World Bank, 2001, Indicator Tables 6 and 7).

⁶ Castro-Leal *et al*, 1999. They show, for example, that the poorest quintile in the population secured only 12% of total health spending, against 33% for the richest quintile, the second most regressive distribution among the seven countries

36. Prior to the preparation of the current GPRS, an *Interim Poverty Reduction Strategy Paper* (IPRSP) was submitted by the government in June 2000 and duly endorsed by the Boards of the IMF and World Bank. It was hurriedly prepared with virtually no participation of broader stakeholders. It also drew heavily upon the already-published results of a 1998 living standards survey. There was little in it on the regional aspects of the poverty problem, there was no costing, it had little other than generalities on informational and monitoring aspects, little by way of a causal analysis, and there was a disconnect between the statistically-based analysis of Ghana's poverty problem and the policy aspects of the paper. 'The reality is that this document was little more than a device for maintaining Ghana's access to IMF and World Bank credits and a necessary preliminary to the preparation of a full PRSP'. (Killick and Abugre 2002:4)
37. During the preparation of the current Ghana Poverty Reduction Strategy (GPRS), people's views were sought a participatory poverty assessment process on the causes of poverty. It yielded new dimensions of the definition of poverty from the perspective of the poor themselves. The perceptions of poverty include lack of basic necessities and services such as food, water, clothing, and shelter. Other common characteristics of poverty were inability to afford education and health services. Within the framework of the GPRS, achieving macro-economic stability was identified as a major step towards sustained poverty reduction.
38. Other facilities offered by donors such as the Poverty Reduction and Growth Facility (PRGF) of the IMF were tied to the preparation of the GPRS. Of significance also was the decision of the new government to sign in to the Highly Indebted Poor Countries (HIPC) Initiative.
39. Human rights have not been explicitly considered as key inputs in the conceptualisation of the development approaches that the country has experimented with. It is self-evident that a market led approach to development is incompatible with the assertion of human rights. The UNDP definition of poverty as the denial of choices and opportunities for a tolerable life- underscores the denial of human rights and freedoms necessary to enjoy a quality of life commensurate with human dignity.
40. These conceptual considerations informed our data collection on the programmes and projects that have been implemented to reduce poverty and promote growth. It involves interviews with policy makers and recipient communities. We also sought to determine rights-positive outcomes of the projects.

Anti-Poverty Programme Planners and Implementers in Government

41. Anti-poverty programme planners⁷ and implementers are ambivalent about poverty and human rights. An official who was key to the New Poverty Reduction Programme, funded by the UNDP, which ended in 2001, said that "there might not be explicit Human Right issues" in the project, an admission that human rights could be implicit in the project. The project itself piloted activities in a few districts in the country aimed at improving the living conditions of the people. This involved working with communities to identify their needs and design projects meet the needs according to the peculiar profile and character of poverty in the district. All these are done in a participatory fashion and community implementation committees are in charge of implementation.
42. Yet, as described by him, there is very little human rights consciousness in the identification of the beneficiary districts and in the design and implementation of the projects. There were five key activities under the project:

⁷ In the following paragraphs we draw from an interview with the Programme Officer of the National Poverty Reduction Programme, Kofi Asante-Frimpong.

- Management capacity building: defining poverty, finding out its causes and identifying solutions. The process involved various CBOs, including women's groups.
 - Skills training: identifying what resources are available, what skills to exploit, and supporting local technical institutions.
 - Technology development: e.g. improving agricultural productivity.
 - Social Investment Fund: a demand-driven process of community project development, including micro-credit.
 - Social Development Mechanisms: women empowerment, support to the girl-child education, support to the handicapped. In terms of women's empowerment the project engaged in the strengthening of women CBOs, giving them information on their legal rights through legal literacy programmes, enhancing their participation in decision making processes in the communities.
43. It is clear that the only explicit human rights component of the programme was the concentration on women and the handicapped as a subset of groups that suffer exclusion in Ghana.
44. Another official who was central to the design of the Ghana Poverty Reduction Programme (GPRS)⁸ thinks that rights are important but growth is more important. Throughout the interview she spoke about rights in instrumental terms.
45. GPRS was a respond to the Ghana Living Standards Survey (GLSS). In the three northern regions poverty was widespread. In some areas poverty was as high as 88%. In the capital city it was as low as 5%. At that time other countries were making PRS, so it was clear that government had to do something to balance the inequities.
46. Areas that were targeted for intervention included: water, education, health, maternal mortality, malaria and nutrition. The idea was to have growth with poverty reduction; bridging the gap between the rich and the poor.
47. The process was very participatory. Participatory poverty assessments were undertaken. People in communities were asked how they felt about their poverty and what interventions could be made. There was a great emphasis on empowering people and so there was a concentration on the governance aspects of the programme. Above all there was an emphasis on growth, without which there will be no poverty reduction.
48. As to human rights, poverty officials, like this interviewee, are of the view that the human centredness of the GPRS embodies, by implication, human rights principles. Further, they identify inclusion, participatory governance (of poverty projects) and accountability of the governors to the governed as core human rights principles.
49. This interviewee thinks that the GPRS is an anti-poverty programme "with a rights-based approach" and is positive that, subject to "macro-economic stability", officials "will make concrete effort to make [the GPRS] more rights centred". "If we state the GPRS in rights language it makes our arguments about exclusion, equity, etc easier to make". She admits that "more has to be done to get people aware of the rights-based approach to development" and that "we have much more work to do before people completely start demanding rights."
50. Right after talking so excellently on human rights, this interviewee launched into an economic analysis of deprived districts for key sectors of the economy and the need for the design of concentrated interventions. There are fifty-three deprived districts in education and for all these

⁸ ANGELA FARHART NDPC (Spelling)

districts all education levies are abolished since the levies reduced access especially for the girl-child. There are also to be district medium term plans every 4-5 years and meetings for annual progress reporting.

51. Another anti-poverty programme officer thinks that⁹ when the “Sege Area council writes to RICU threatening to take the District Assembly to court for accounts regarding specific monies” under the programme he is running, then the programme definitely incorporates human rights. His programme is empowering because the GPRS has a government section with talks of the right to participate and empowerment to make input into development planning. Empowerment comes about when people “participate in decision-making as an element of “decentralised governance”. This is “not human rights directly, but incidentally”. “Human Rights as a term has never surfaced in any of our discussions”.
52. This official is the Institutions Specialist of the Government of Ghana/World Bank (GoG/WB) Community-Based Rural Development Project (CBRDP).¹⁰ The GLSS found that poverty is more endemic in the rural areas and so this project is about targeting rural communities for poverty reduction. It also seeks to do this by deepen the decentralisation policy of government and communities take charge of and drive their own development. The idea is to ensure that people in the rural areas have access to basic services and have jobs. It also involves strengthening the sub-district local government structures of governance.
53. The sub-district structures are trained in participatory problem analysis and solving, project design and monitoring and evaluation. This way, community people are able to “meet with missions to clearly articulate, organically, their needs and how to provision them.” The system is not perfect “so participation is not perfect. “We had facilitators who took the ideas [from the communities] and processed them in into [development] plans”.
54. Empowerment and linkage are necessary to access fund. Although there are various funding mechanisms, SIF is meant to reach the unreached poor, those who will not be reached by the normal processes of development. These include women (e.g. widows who do not have collateral for loans, women cocoa farmers-the concentration is normally on male cocoa farmers); communities that are cut-off because there are no access roads; migrants in a particular area; political minorities in particular communities; the handicapped. The emphasis is on the productive poor defined as those who improve the lives of others when they are assisted to improve their lives.
55. Under SIF, there are three major strategies that are used to reach the poor: access to basic social services; access to regular source of micro-credit; support for the institutions that are to assist the poor. In addition, SIF works around four cycles of deprivation.
 - Gender – Women and children/Men
 - Space – Rural /Urban
 - Location – Savannah Belt (coastal and Sudan savannah)/Forest Belt)-farming is more productive in the latter because of two rainy seasons and more fertile soils.
 - Livelihood – permanent source of livelihood/otherwise.
56. SIF interventions start with community entry using PRA techniques as contained in the strategic community entry report. Then follows participatory problem identification and solving at community fora. Groups identify what hinders reliable livelihood and how they can enhance their coping strategies.

⁹ SAMUEL SARPONG 1/2/05, RICU/CBRDP

¹⁰ The CBRDP is a sequel to a previous GoG/WB project, the Village Infrastructure Project.

57. There is also training for community members on project development including proposal writing, ownership and sustainability of projects and monitoring and evaluation. In order to address the fact that women have been historically sidelined in decision making, communities are also trained in gender mainstreaming. When the groups we support open bank accounts, we insist that a woman is treasurer because the experience is that women keep monies intact whilst men tend to misappropriate funds.
58. SIF is still encountering problems with gender mainstreaming. Sometimes meetings are called with many women in attendance and they all keep mute and we have to encourage them to take part in decision making. At some meetings, men and women seat separately. Men have complained that it is discriminatory to support groups made up solely of women when groups made up solely of men do not receive support. In some places the men have boycotted some projects because of this condition.
59. So far, SIF has directly touched the lives of 1, 045,000 people constituting 16% of the Ghanaian poor.

Civil Society Leaders

60. In contrast to government anti-poverty officials, civil society groups¹¹ are emphatic that there is too little rights content and process in anti-poverty programmes. Specifically they identify the lack of emphasis on ESCRs and little efforts at ending identity-based discrimination in terms of inequities in resource allocation to various parts of the country.
61. At least two groups of actors have an anti-poverty mandate: politicians who are elected to improve the lives of the people and CSOs. Politics does not start and end with the ballot box. Because resource distribute is a political process, CSOs need to get involved in that type of politics. Thus the various attempts to depoliticise civil society are not necessarily good.
62. In this process CSOs call in aid mass mobilisation, political action, rights, law, and services-actually delivering development. Rights is the dominant strategy in the various CSO campaigns-rights based advocacy and rights-based governance. “Unless development is approached as a rights issue, health, education, water and other services will be seen as dolled out by politicians. People need to see them as entitlements so that failure to deliver is a violation”. It is the problem of political patronage that denigrates the entitlement and rights consciousness.
63. Other civil society leaders¹² agree with the rights based approach (RBA) to development but are conscious of the enormous challenges that the approach poses. The RBA concept is not clear. It is difficult to distinguish from the more popular concept of human rights. Development practitioners are easily intimidated by the concept and especially get alienated when it is presented as consisting of terminologies, rules, motions and remedies associated mostly with lawyers. Things get more complicated when civil society groups introduce the women’s movement terminologies of “power over”, “power with”, “power within” and “power to” as essential ingredients of the RBA.
64. Overall, there is the need for exploring the violations and remedies components of RBA. There is also the danger of elite capture of the whole RBA endeavour. Finally, there are mixed

¹¹ Rudolf Amenga Etego – Director 31/1/05. Kapire - Programmes co-ordinator

¹² ACTION AID 2/2/05. TAAKA AWARI

interpretations on how to bring human rights into development and development into human rights. How do we define and refine the interface between human right and development?

65. Yet if “rights work is about changing peoples positions and conditions”, we should not concentrate only on the “conditions” only like provision of basic needs and services as we have done for so long in the past. We should also concentrate on changing their “positions” by reworking the existing power dynamics. We should not see service delivery and RBA as a dichotomy. There is “rights-based service delivery.” And there is resistance to moving away from projects that provide the immediate physical benefits to individuals and communities.

CASE STUDIES

Introduction

66. In this study we include two case studies anti-poverty projects. The first is on the World Bank’s Village infrastructure Project (VIP) and its sequel the Community-Based Rural Development Project (CBRDP). The other is the Social Investment Fund (SIF).

Methodology

67. Our study targeted the following constituencies:

- National government officials who design, manage or assess anti-poverty programmes.
- Civil society organisations and NGOs that work with people who are poor.
- Other governmental and non governmental actors in human rights and development.
- Beneficiaries of anti-poverty programmes.

68. We used a qualitative, discursive, open ended, semi-structured questionnaire to conduct in-depth free flowing interviews with the above constituents. In the case of officials and NGO operatives, the interviews were held with between one and three persons. In the case of beneficiaries of anti-poverty programmes we conducted focus group discussions.

69. In evaluating projects in terms of rights, we have concentrated on the following elements of the rights-based approach to development.

- Consultation;
- Participation;
- Empowerment;
- Equality and Non-discrimination;
- Local Ownership;
- Accountability;
- Progressive realisation, indicators and benchmarks;
- Linking policy makers to the grassroots.

70. We have also used the Office of the High Commissioner for Human Rights (OHCHR) guidelines. In brief these consist of the following:

- Identification of the poor: whether ‘beneficiaries’ of anti-poverty programs are identified by strict economic indicators or some other factor of exclusion or diminished capabilities.

- The human rights framework: whether the government recognises human rights and participates to varying degrees in international and regional human rights mechanisms and whether rights-based norms figure explicitly in development planning?
- Equality and non-discrimination: whether discrimination occurs in project selection or implementation; whether the project exacerbates or mitigates cleavages and inequalities in society; whether the project discriminates ‘affirmatively’ in order to promote the equality of a community that faced discrimination.
- Participation and empowerment: whether as to process (consultation, granting of consent etc) the project was participatory and as to outcome the project was empowering.
- Progressive Realisation of Human Rights: whether there is true adherence to the notion of progressive implementation which requires each advance to become a floor for future advances and whether this is incorporated in development plans.
- Monitoring and Accountability: whether accountability (at all levels-the level of the project itself, the sector, or government) is meaningful and turns a government duty into individual rights and whether monitoring is used to enable people to exercise their rights through access to a complaints or review procedure, the use of oversight bodies involving the local population, remedies in the courts or human rights commission etc.

71. In the case studies we first set-out clearly how officials and other actors understand existing development policies and projects. We then review this in the light of human rights principles. Each case study is evaluated in terms of key human rights values- such as participation and accountability- and then in terms of the broader impact that programmes can have on rights and the rights can have on programmes.

First Case Study - The Social Investment Fund¹³

72. The Social Investment Fund (SIF) is a special fund set aside to provide direct assistance to Ghana’s urban and rural impoverished communities to help reduce the poverty situation in the country. SIF is being financed by the Government of Ghana (GOG), the African Development Bank (AfDB), the United Nations Development Programme (UNDP) and the Organisation of Petroleum Exporting Countries Fund (OPEC fund). Other donors have expressed their intention to provide additional support for SIF.
73. The vision of SIF is to “partner Ghana’s poor with others to achieve an improved livelihood.” SIF’s mission is to “stimulate and facilitate positive change in the lives of poor people in targeted Districts in Ghana”. To achieve its mission and vision, SIF aims to “work in partnership with the poor, local government Structures, Donors and NGO’s for sustainable Community Based Development”.
74. SIF has the following key objectives: increase the availability of basic economic and social infrastructure and services in poor communities; improve the abilities of micro-finance institutions in poor communities to provide financial services to the poor and enhance the access of the poor to these financial services; strengthens the capacities of Community-Based Organisations (CBOs), Non-Governmental Organisations (NGOs), and Local Government administration in support of the overall goal of poverty reduction.

¹³ The description of the SIF is taken from the brochure entitled “Social Investment Fund (SIF): SIF-working in partnership for Sustainable Community-Based Development” and from interviews with Dr. Kojo E. Mensah Abrampa.

75. The fund normally supports projects that will provide or upgrade rural infrastructure such as feeder roads and water supply. Such support helps people below the poverty line such as impoverished farmers to increase their productivity and raise the activities of non-crop farmers to commercial levels. The fund also helps to reduce poverty among urban poor communities. SIF is designed to directly improve the lives of the poor in our society. However, special attention is given to women, the youth, and street children in both rural and urban impoverished communities.
76. SIF provides training for local entrepreneurs, NGO's, CBOs, District Assemblies, Small Scale financial institutions and economic and social networks to enhance their roles in urban and rural poor development programmes. It also supports micro level financial institutions to improve their service delivery to the poor and provides money for lending to micro finance institutions. The whole Ghanaian community benefits from SIF through improvements in the living standards of people.
77. The following are the types of projects that SIF sponsors under various heads. Economic Infrastructure and services including agricultural production activities, promotion of non-crop farm activities like raising of chicken, small ruminants rearing, fish ponds forest products etc, off farm rural productive micro enterprise creation and expansion e.g. welding tanning, carpentry, baking, recycling of agricultural waste products, local transport, bicycle and farm vehicle repair, farm implement repair and maintenance etc; Social infrastructure services including nutrition improvement, primary health care, family planning, health clinic rehabilitation and maintenance, primary, non formal, vocational and technical education and school rehabilitation and enhancement of operational quality; water and sanitation; Urban poverty reduction including self help urban sanitation and environmental health activities, community – oriented micro enterprise activities capable of recycling useful trash, capacity building among local agencies assisting street children, initiatives to tie micro entrepreneurs into non-traditional export networks, development of urban infrastructure management and maintenance schemes; Micro finance, including capacity building among non-banking financial institutions, support to NGO micro finance networks for research and strategy development, support for initiatives to support susu collectors¹⁴ and enhance their role, financial support to micro finance institutions for on-lending to peer – based groups; capacity building, including training and technical support to strengthen micro finance institutions, indigenous NGOs, CBOs in rural and urban areas, District Assemblies communities and other local government entities in project related areas.
78. SIF tries to make access to funds simple, but thorough and transparent. The whole community or the CBO that is being supported must be actively involved in all stages of the sub-project. They are involved in deciding on the sub-project, planning, implementing (including contracting), monitoring and evaluating it. SIF has evolved a unique implementation strategy known as the Participatory Impact Monitoring and Evaluation-PIMES. This system ensures that the very structure and development of SIF is shaped and informed by the realities of the communities SIF is working with. The community or CBO is also involved in sharing the benefits that accrue under the sub-project and for ensuring its sustainability. The sub-project management committee is made up of people selected by the community and representatives of the CBO.
79. At a very high level, SIF is a poverty reduction programme which seeks to stimulate development activities through providing easy access by the poor to resources that facilitate their development efforts. SIF works in partnership for sustainable community-based development to:
- Reduce poverty and economic provision of economic and social infrastructure;
 - Create income-generating activities; and

¹⁴ These are informal sector credit unions.

- Capacity building- training beneficiary communities in how to develop proposals and access funding.
80. SIF takes its inspiration from the fact that human development is an essential part of the national development policy framework. This framework gave birth to the Ghana Poverty Reduction Strategy which aims to create wealth by transforming the nature of the economy to achieve growth, accelerated poverty reduction and the protection of the vulnerable and excluded within a decentralised, democratic environment. This goal is to be achieved by:
- Ensuring sound economic management for accelerated growth;
 - Increasing production and promoting sustainable livelihoods;
 - Direct support for human development and the provision of basic services;
 - Providing special programmes in support of the vulnerable and excluded;
 - Ensuring good governance and increased capacity of the public sector; and
 - The active involvement of the private sector as the main engine of growth and partner in nation building.
81. From the above précis, it is clear that human rights is not explicitly a priority in the scheme of things for SIF. In the words of one SIF official¹⁵ there is “no talk about the right to water, just delivery of water services”.
82. Yet, it appears that in the operationalisation of SIF various rights issues come up and are addressed. SIF is after all a poverty reduction programme. In the words of this official, “initially we realised that previous projects did not have community participation elements, communities did not participate in identifying needs and input so we designed SIF with this component”. Participation goes beyond needs identification through finding solutions to implementing and monitoring the solutions. As described earlier, there is a huge participation element in SIF programming. Participation is a sine qua non. “In our evaluation we do not use human rights policies”. Yet, in the evaluation process, “everyone in the community has a say”.
83. SIF emphasises accountability, which is a key human rights principle. “We have a form (financial) and before any payments are made to the service provider the secretary and the treasurer of the group endorses it”. “And sometimes we pay the money into the group’s account and they will do the disbursements and monitor the account.”
84. In assessing the practical impact of SIF projects, officials again talk in implicit human rights terms even if they do not acknowledge it. “We have achieved a lot in the sense that when you go to those communities and the children no longer sit under the trees to learn and there is effective teaching and learning because we have provided these facilities, I think there is some improvement...”.
85. Officials are emphatic that the concept of human rights is never explicit in their work: “It was not all that clear but in our proposal form we have a column for women and children” as a category of the most deprived and we insist on clear benefits from the project to these groups. “They are the ones that are normally marginalised. We wanted them to identify their needs”. Beyond the emphasis on women and children’s rights, there was no other conscious discussion of human rights principles.
86. And the emphasis on women’s rights is deep indeed. When we approve a project we set up a seven member committee to manage the project. We stipulate that three should be women and four men. The proposal form has a column on how women will be involved in decision-making.

¹⁵ Damien Asobayire, Regional SIF Officer, Upper East Region.

Most of the groups that enjoy micro-finance loans are women group. It is clear that there is engineered gender parity in the composition of the committee and in the development of the proposal. When it comes to the issue of meetings, “We call for a meeting and the men ask the women to stay [at home] and they will come to the meeting.” SIF tells them to make sure the women to come to the meeting. “We tell them to come with the women and when it is mostly men we will call off the meeting and ask that for the next meeting women have to be present.” There is also discrimination in favour of women in project financing. This is because the community wealth ranking that is undertaken shows that women are generally poorer than men. And so SIF officials “officially made it clear to them that we support women only and mixed groups but not men only groups.” Even with the mixed groups, SIF official make sure women dominate. This was very clear in the composition of the groups we had the focus group discussions with.

87. The officials have no qualms about discriminating in favour of women, “we make sure that women are part of the process of identifying the projects, the way we organise the meetings women decide on what projects” we take part in. By focusing on women we aim to empower them by focusing on economic empowerment especially by assisting women’s rights group with credit facilities. Following on economic empowerment is political empowerment, the right to take part in decision-making. “If they do that then probably there voices can be heard and they” can have an affect.
88. Project implementers are not trained in human rights. They are, however, trained on how to mainstream gender into project implementation. The training workshops are designed to “improve the efficiency and effectiveness of project officers to improve the quality of sub-projects and how to stream gender into SIF activities.”
89. Human rights can be helpful to SIF says this official. It can create the awareness that discrimination and exclusion are human rights violations.” Through sensitisation of all the community members especially all those who discriminate against women, we ensure that exclusion and discrimination are minimised.” We also sensitise those who are being discriminated against to insist on their rights.
90. “I think that SIF understands and believes that economic and social rights are priority areas that need to be worked at.” We do not see the communities as rights-bearers though. We see them as duty-bearers when they have to provide a co-payment for projects. “If the citizens are made to understand that it is their right to get a facility and they are also aware that there is a duty to get that facility [to contribute towards that facility], there shouldn’t be any conflict.”
91. And on human rights generally, “Human Rights is helpful. It deepens the poverty levels if they are not aware of their rights”... “For instance if, lets say the women are not aware that they are supposed to take part in deciding the projects and only men decide to their [men’s] advantage, this can deepen the poverty of women.” It appears, however, that the poverty of women is deepened in more than one way as is clear from the conversations we had with beneficiaries of anti-poverty programmes.

The Social Investment Fund (Sif) as Operationalised in Bongo District in the Upper East Region of Ghana

92. The Bongo District has a population of 77,885 persons and a land size of 480Sq kms. It is located in the guinea savannah with one rainy season in the year. Irrigation facilities are very limited. Unemployment is rife and there is seasonal migration of labour to the forest areas of the

country during the dry season. Like other of the poorest districts in the country, Bongo struggles with access to and quality of basic social services especially health and education.

93. In this part of the case study we interrogate the real experiences of local communities about how anti-poverty programmes work on the ground. The prime purpose is to clarify where human rights principles and method can be used in useful and practical ways to audit, assess and improve the impact of poverty-reduction programmes.
94. We conducted focus group discussions with a total of thirty-nine (39) representatives of the Unity Group, the Confidence Group, Kuyelgo Farmers' Society, and the Food Sellers Association. All of these groups are beneficiaries of SIF funding.
95. They are made up of between thirty (30) and fifty (50) members each. Except for the Kuyelgo Farmers Society, all the groups have a heavy female membership. The Unity Group, for example has only 4 males. This is the general trend. They say it is easier to pass for SIF funding with such membership. The first three groups undertake weaving of clothe, hairdressing, dressmaking, masonry, carpentry; the farmers group is into food crop production.
96. All the groups talk about chronic unemployment in the District. This for them is the leading cause of poverty. Most of the members of the group used to travel to the major towns in the forest belt to work as head porters and as aids to traders and food sellers. Now they have formed these economic support groups. Their aim is to learn various skills and contribute monies to start their own enterprises. Their major constraint is the acquisition of employable skills and after that, working capital to start their own businesses. Although they have a joint bank account to which they periodically contribute monies, this is not enough to fund the training they need and to set them up in business. They stated their case to SIF and were provided with training facilities. They were also promised funding to set-up their enterprises after the training.
97. According to the groups, SIF was very helpful in getting them all trained in various employable skills. SIF contracted 13 instructors to teach them weaving, dressmaking, carpentry, masonry and improved agricultural techniques. The groups operated for a year on average before they sought and received skills development support from SIF. The training that was sponsored by SIF took another two years.
98. Long after the training, the promise SIF made to them, to assist them establish their own enterprises, has not fallen through yet. "We were told that our numbers were too many. We tried to get help from the District Assembly but to no avail. So, some of us have gone back to [the main towns in the forest belt to wash bowls for food sellers in the markets".
99. The groups complain that they now have learnt a lot of skills but are still unemployed and poor. The artisans amongst them cannot pay for the licenses that they need to access carpentry and masonry jobs. Unity and Confidence groups are now experts in weaving, dressmaking, and hairdressing, but their bank accounts are empty now so they cannot start-up their own enterprises. "Our bank accounts were emptied to entertain the visitors who came from [the capital] to inspect what we were doing".
100. The farmers' group got some capital to start. They requested bullocks, ploughs, and donkeys. SIF provided 8 bullocks, 4 ploughs and 6 donkeys. This technology was alright for the farms that were close by but for the farms further off and for very difficult terrain, they had to rent a tractor at their own cost.
101. Initially, things went well, "but after renting the tractor, ploughing the land and sowing groundnuts, the rains failed. We were not able to repay the SIF loans. We use the little money we

have to treat the bullocks when they are ill”. The group started renting out the bullocks and ploughs to generate income. “The proceeds are used to buy seedlings for our farms, but the monies generated are so small because there are other people with bullocks and ploughs and so we do not get to plough more than five (5) areas in a season.” In the case of Unity and Confidence groups, they did not have to repay SIF loans in cash. Each member of the group undertook to provide training for free for each of their first apprentices. Were it otherwise, they would have defaulted in the repayment of their loans to SIF.

102. The real impressions of the beneficiaries of this anti-poverty programme are best captured in the following quotes from the interviewees:

“SIF came to assist us in our poverty so that we are able to farm beyond where we used to farm so that our kids can eat food in the mornings. SIF is a poverty reduction programme, but with no capital we are still in poverty...”

“Under SIF we had a sustainability plan for our group, but the absence of capital has collapsed this plan.”

“Our expectations were that SIF will help us stabilise food prices by buying and stocking foodstuff during the harvest and using this to prepare food during the lean season so that our kids can have food all year round and we will have stable incomes and jobs to send our children to school”.

“SIF looked more like a handout than a process that was demand-driven. This is especially so because our further demands to get start-up capital did not fall through.”

“SIF approached us food sellers about building a urinal at the market place and we thought that was a good idea. They then asked what further help we needed. We mentioned capital to expand our business, buy and stock food for the lean season in order to stabilise prices, but this did not fall through”.

103. We also queried the group on specific human rights issues related to their various ventures and their relationship with SIF. In the case of the Confidence group unemployment was used as the key criteria for identifying who is poor. They also allowed self-identification where people came and joined the group as poor people. We also identified other poor people who hang around the Lorry station all day. The Unity group and the Food sellers Associations identified the poor by identifying unemployed young ladies who normally get unplanned pregnancies. Also unemployed married women who have a lot of children and depend solely on the income of their husbands. The farmers identified the poor as those with several children, those who are sole breadwinners in the family and those with only small cultivatable land.

104. Gender issues came up in the groups. Unity Group identified what jobs males should do (e.g. masonry, carpentry) and those women should do (e.g. hairdressing and dressmaking). “When A ... wanted to do masonry, she was laughed at and she opted for hairdressing.’ The reason why we do this is because “men are stronger than women, our women are not strong, the food we eat here does not give women strength. There are no groundnuts in it and no fish and we women give birth to children every two years, so we women do not have enough strength to do masonry and carpentry.”

105. All the groups discriminated affirmatively for women. They did so for a number of reasons:

- Women are poorer.
- Men are mostly irresponsible, drink too much alcohol.
- Men often refer demands from their children to their wives.
- Wives are the at-home partners and are therefore more accessible to members of the family who need things. This increases their obligations.

106. All the interviewees were emphatic that the SIF intervention was very empowering. It is rewarding to them and good for their self-esteem that they now possess various skills. “We now have employable skills, practical skills, when we see people in clothes and in hairdos, we understand and are able to analyse what goes into the clothes and hairdos”. They also insist that the ultimate form of empowerment is to have the necessary capital to start our own businesses. And they suggest very practical solutions. They could, as SIF trainees, be given the first option to deploy their skills on SIF funded projects. The carpenters and masons amongst them could be contracted to do some jobs in the various infrastructure projects SIF is sponsoring in various communities including theirs. In the absence of SIF support in this direction, the groups are looking to the District Assembly, local government entity, for support.
107. And by the way, what was the role of human rights in all this and what has all this to do with human rights? One member of the group says: “We never heard human rights in the whole process.” Another quickly retorts: “Well, we do not have to hear the words ‘human rights’ but it could be in there”. A third member reminds all of them that when one of their group, [J], was prevented from coming to training and to work, the Human Rights Commission intervened and prevailed on the husband to allow her to come. “We were told by SIF that we should come to training and for work, that we had a right to do that and that our husbands could not stop us.” A member of the Food Sellers Association is surprised and excited and regrets that they did nothing about it when some of them had similar issues with their husbands.
108. The groups had some views about human rights generally. “Human Rights means there should be no poverty. When there is no food, when you are hungry, you are likely to violate human rights.” “When World Vision does training they give the trainees equipment and capital to start; not SIF. Without capital and equipment, we remain in the same cycle of poverty.”
109. “Human Rights means bringing humanity together.” “Human rights are essential and are useful. Take J’s case for example. She may have lost out if the Human Rights Commission had not intervened.”

The Second Case Study - The Village Infrastructure Project (Vip)/Community Based Rural Development Project (Cbrdp)

110. As is the case with the first case study, our assessment of this project is set within the context of its responsiveness to the human rights principles that we noted earlier, and also whether it has produced rights-positive outcomes. Poverty targeting initiatives have to respond to existing patterns and characteristics of poverty. The Village Infrastructure Project and its successor project the Community Based Rural Development Project were conceived on the basis of the disparities that exist in Ghana in terms of access to poverty reducing interventions. As we noted earlier, the profile of poverty in Ghana reveals it’s essentially rural nature and its relation with agriculture. Poverty also has regional dimensions that are linked to the levels of natural endowments (climate, water, soils and vegetation) of the three ecological zones of the country. The incidence and depth of poverty are highest in the rural savannah zones than any other part of the country. The gender dimension of poverty is also important. But an underlying consideration is the strong links between the poor state of rural infrastructure and rural poverty.
111. For the VIP, improving rural infrastructure on which the poor depended was considered a major stimulant of rural development. The fundamental assumption is that improving rural access roads leads to reduced transport costs, increased access to markets and market information and lowered post harvest losses. The snowball effect is an increase in profitability and a growth in agricultural output. This argument is encapsulated in the statement below

When investment in rural transport is linked to complementary facilities such as rural water supply, improved health delivery services and educational facilities, important synergies result that lead to significant multiplier effects in rural communities: improved health enables the poor to engage in productive activities such as farming, which in turn increase incomes and food security (World Bank 2004 21)

112. This is the basis for the development of the VIP and later the CBRDP. The approach to developing both projects is grounded on involving the beneficiaries in project design. The underlying philosophy of beneficiary involvement is to assure sustained support from the communities beyond the project funding period. It derives of the World Bank Community Driven Development approach¹⁶. In this respect the project sought to provide access to project beneficiaries to productive resources through the development of rural infrastructure and sustainable growth and job creation. It had the following components:

- Institutional strengthening and capacity building aimed at providing support to strengthen capacities of local government agencies in furtherance of the Ghana Poverty Reduction Strategy.
- Provision of infrastructure for agricultural development- support was in the form of facilities and resources to help increase the incomes of beneficiaries in farm and non-farm activities.
- Rural enterprise development and learning centres-involved developing skills and creating market and employment opportunities for members of rural communities. Within this component, the project developed learning centres aimed at empowering the poor through the acquisition of relevant skills.
- Infrastructure for Social and Human development –rehabilitation of run-down school facilities, construction of community health compounds and nutrition centres.
- Community-based natural resource management-strengthening the capacity of environmental and sanitation agencies to enhance environmental governance.

113. The VIP was implemented across the country over a period of five years. For each of these components a number of activities were undertaken. To enhance institutional capacity, local government units, and service providers were trained in how to offer quality service; area councils were offered participatory planning skills and civil society organisations were helped with how to monitor project implementation. For the core programme of providing infrastructure for increased agricultural production, feeder roads were improved, farm tracks were constructed, dams and dugouts were rehabilitated or constructed, rural markets were built and solar pumps were built for many communities. Under the infrastructure for Social and Human Development component, Community health improvement facilities were constructed, rural nutritional centres were built, water points were either constructed or rehabilitated and communities were training in how to manage and maintain the water points.

114. Our field assessment¹⁷ yielded a number of findings. First, the VIP has improved the relationships between the district assemblies and the communities they serve. For instance in Dodowa, the suspicion and distrust between the communities and their local representatives (referred to Assemblymen) in the District Assembly (the hub of the local government structure) prior to the introduction of the project has reduced and in some communities totally gone. Groups can now readily approach the representatives and even attend the sessions of the

¹⁶ The main features of Community -Driven Development is that it complements market and state-run activities, enhances sustainability, improves efficiency and effectiveness, allows poverty reduction efforts to be taken to scale, makes development more inclusive of the interests of the poor and vulnerable, and empowers people, build social capital and strengthens governance.

¹⁷ The report here covers five villages in the Ga and Dangbe-West Districts of the Greater Accra Region.

Assembly as observers. 'The District Coordinating Director (DCD) and the District Finance Officer (DFO) are now more approachable' Madam Otute, a pepper and tomato farmer asserted.

115. Of significance is the admission by an assemblyman that the services the assembly provides is 'no longer a favour but an extension of what rightly belongs to the people'. In his view planning development projects with the people and involving them in the implementation and the monitoring has allowed them to assume ownership and express a degree of commitment expressed only by persons who feel sufficiently empowered. His statement was corroborated by the comments and responses elicited during our focus group discussion with women tomato and pepper farmers and with men pineapple farmers. Both groups had received support from the project. We observe a rights-positive outcome here. The officials appear to have ceded the authority to determine what they considered best for the communities to the communities themselves. The communities are thus invested with the power to influence the nature and quality of support they would need. They assumed full responsibility for the outcomes of their decisions.
116. The positive effects of the construction and/or rehabilitation of feeder roads and farm tracks is the second finding. The beneficiary communities around Amasaman in the Ga District of Greater Accra most of whom are vegetable farmers admit to considerable reduction in travel and food evacuation time up to two years of the construction/rehabilitation of the rural roads. 'Maintenance of the roads are not as regular as we would want it to be and so we are drifting back into the situation we were before the VIP' (Nii Odai, a farmer). The provision of the road infrastructure encouraged many unemployed young persons to take up farming. Despite the deteriorated state of some of the roads, they have not given up farming. Interview results and focus group discussion with the youth show the premium they placed on the benefits of employment. Almost all the youth we interacted with agreed that they experience high levels of personal dignity as a result of earning income from their new occupation, contrasted with the low self-esteem they possessed as unemployed youth. These assertions are the indirect yet significant effects of the provision of rural road infrastructure.
117. Women food crop farmers admit that they are able to complete farm work and reach markets in a shorter time than previously. They thus gain additional time that enables them attend to domestic chores. And where markets have been rehabilitated, they have been enabled to store their produce safely, thus reducing the high levels of post-harvest losses.
118. Thirdly the participatory skills development aspect of the project has also been cited as creating the opportunity for individuals and the beneficiary communities to harvest the dividends associated with group activities. Many groups have emerged from the training offered under the Rural Enterprise development component. Training in basic business management skills and group dynamics was cited in both the Dangbe West and the Ga Districts as being very rewarding. Social capital offers access to resources and to security of the production activities of individual group members (Narayan et al). Evidence of this abound in the two districts studied.
119. A fourth finding relates to the provision of rural nutritional centres and health service facilities in many rural communities. Our sample is too small to make generalisations, but given the low quality of health services provided, any additional facility, as the ones provided under the project, have raised the health status of the recipients of the service, even if marginally.
120. Next, we may also cite the provision of boreholes, hand dug wells and sanitary facilities as positive efforts at helping poor communities to inch towards their right to a decent and healthy living.

121. Finally, the assessment of the VIP has raised the basic issue of the extent to which rights-positive outcomes can be incorporated into project design *ex ante* as a proxy for the real integration of Human Rights in the project formulation stage. The VIP can be excused on the grounds that the movement to incorporate human rights into development planning begun gaining momentum only in the last couple of years. But we think doing business as usual will still reduce the development effectiveness of any new intended interventions. The Community-Based Rural Development Project is a cloned version of the VIP. The difference is in the scale of implementation. It has also crossed the design stage already. But we note that it also makes no explicit reference to human rights as a cardinal objective.
122. The mid-term review window is a useful opportunity to redesign the project and we suggest to the project implementers to consider changing the character of the project, so as to make a real and sustainable impact.

Strengths and Weaknesses Of Poverty Programmes vis-à-vis Human Rights

123. Our study shows that there is little understanding of human rights issues among development planners and implementers in government. This was clear from talking to the officials who helped plan and implement the two programmes from which we drew our case studies. Another official who was central to the design of the Ghana Poverty Reduction Programme (GPRS)¹⁸ thinks that rights are important but growth is more important. Throughout the interview she spoke about rights in instrumental terms: rights as facilitative, instrumental, not a core necessity. On the contrary, the CSOs and NGOs we spoke to were explicitly rights-based¹⁹ and had a broader and more sophisticated view of rights. Whilst the managers of the VIP/CBRDP are variously cautious about rights because they view it as court-centred, Grassroots Africa decided not to use the courts in their major campaign against the privatization of water because the using the courts will unduly narrow the range of rights activism that was open to them. During interviews with Grassroots Africa, they talked about the potential of rights in dealing with complex issues such as an entrenched system of patronage that adversely affects a rights and entitlement consciousness.
124. The VIP can be excused on the grounds that the movement to incorporate human rights into development planning begun gaining momentum only in the last couple of years. The Community-Based Rural Development Project is a cloned version of the VIP. The difference is in the scale of implementation and in transitioning from a project that was basically social service infrastructure provisioning to empowerment and entitlement. The CBRDP has crossed the design stage already and implementation has started. Yet we note that it also makes no explicit reference to human rights as a cardinal objective. The proxy lexicon of participatory development, community ownership, empowerment, pro-poor development has been adopted as representing the element of the engagement. We are unsure that this covers enough mileage to qualify as the measures of assuring the assertion of the fundamental human rights that we are concerned about in this study. This is because way development and human rights advocates apply the principles of participation, consultation, local ownership, accountability, non-discrimination etc may be significantly different.
125. To return to official's perception and understanding of human rights, there were some interesting responses from officials who design and implement anti-poverty programmes. "We do our thing and if it accords with human rights alright". Officials also talked about struggling to get a handle on human rights and exactly how a rights-based approach to development would be operationalised. The little they new about a rights-based approach was not encouraging. One group of officials we spoke to equated the rights-based approach to court-centred advocacy.

¹⁸ ANGELA FARHART NDPC (Spelling)

¹⁹ Action Aid International-Ghana, Grassroots Africa, Legal Resources Center etc.

They then stated that they were apprehensive about such an adversarial method of trying to achieve development especially in the face of limited resources. What the officials completely detested was the rights and entitlement component of the rights-based approach as may be actualised through court action. They were very far away from agreeing with this. To their minds, in the face of limited resources, any rights-based approach to development will eventually boil down to the type of technical prioritisation of needs that economic planners are called upon to do. “If everyone had a right to everything government will not be able to provide and so it boils down to the prioritisation that we help communities to do to fit government’s budget.” This official mistakenly assumed that the rights-based approach deals with the demand side of things only and that rights are limited to things, hardware. In insisting that the project he helps run is very demand-driven and responds to the *needs* of the people, he gives the following contradictory explanation: “there exists a framework and communities generate their own needs and prioritize them with the assistance of officials and make demands on us; we then satisfy these demands within the framework, this is very demand-driven”.

126. Again, public officials directing anti-poverty programmes assume that once policies take account of and work to reduce poverty (which is a goal of human rights) then the GPRS is human rights sensitive. Almost no attention is given to the huge process content of human rights that projects must be audited for. They also assume that formal decentralisation of political power and responsibilities is empowering, no matter the amount of recentralisation and the non-availability of resources to make decentralisation real and meaningful. There is clearly a need for a more sophisticated and practical understanding of human rights by officials and development implementers.
127. Government anti-poverty programme implementers in Ghana have clearly adopted the needs-based approach. This approach does not necessarily incorporate a human rights framework. We subscribe to the concept that a human rights-driven approach to development is different from a needs-based approach. We concede that they are both based on the desire to help people survive and develop their full potential. And also that they both seek to identify a range of assistance and actions that are needed to achieve this. The real difference, in our view lies in the underlying assumptions and the implications of these assumptions for programming. We are emphatic that the human rights framework as outlined at the beginning of this report (and which tends both to be prescriptive and to focus on process) can add something to the needs approach.
128. Flowing from the above, the needs-based approach does not, for example, emphasise accountability of all stakeholders. On the other hand, this is a sine qua non in the rights-based approach. There is no moral or legal obligation on the state and/or other institutions to provide protection or extend assistance. In the rights-based approach, the holders of the rights are encouraged and empowered to claim their rights and to see the state and other actors as duty-bearers. People cease to be objects of charity (as in the needs-based approach) but as claimants of rights and entitlements. The rights-based approach stresses legal and moral obligations and accountability.
129. Our study has also found that there are positive-rights impacts even when programmes were designed and implemented according to the needs-based approach. To take another example, Ghana has lived under military rule for half of the period after independence. Prior to this, she experienced over a century of formal colonial rule. During these periods of oppression, rights were limited. Participation in decision-making affecting people’s lives was severely circumscribed. People made do with what was available and what was given to them. It was very dangerous to complain or even be heard. Against this background, the efforts at ensuring community participation in decision making on matters that intimately affect their lives is a great leap forward. All our interviewees stressed how empowered they feel when they are consulted and

when they participate in decision making, implementation and monitoring and evaluation of their own projects.

130. Anti-poverty programming in Ghana has completely bought into the participatory project development, implementation and evaluation industry so much so that it has become almost mechanistic and religious. This comes across from interviews with officials. In the case of civil society groups, they are concerned about the factors that can make participation mechanistic and a farce. They are also concerned that reducing human rights content and processes to participation is woefully inadequate.
131. There is also a huge gender component in anti-poverty programming in Ghana. It is so much that human rights in these programmes is often reduced to dealing with the gendered character of poverty and sometimes to the minute component of ensuring the participation of women in decision making.
132. Finally, a number of NGOs such as Action Aid International-Ghana are seriously engaging in a rights-based approach to development. Having engaged in service delivery for several years, Action Aid is struggling with the transition. There are frustrations in the face of demands on its staff and partners to frame their work in terms of human rights. They realise that the rights-based approach does not mean moving away completely from service provision. Yet they acknowledge that service delivery needs to be done in a rights-based fashion. The most challenging thing for them is how to deal with the changes in power relations that a rights-based approach to development necessarily entails. They are also struggling with the need for exploring the violations and remedies components of the rights-based approach, the very component that the government officials call adversarial and are so scared about.

CONCLUSION AND RECOMMENDATIONS

133. Human rights have not been explicitly considered as key inputs in the conceptualisation of the development approaches that the country has experimented with. It is self-evident that a market led approach to development is quite incompatible with the assertion of human rights. Yet, the UNDP's definition of poverty as the denial of choices and opportunities for a tolerable life-underscores the denial of human rights and freedoms necessary to enjoy a quality of life commensurate with human dignity.
134. Ghana's development approaches and the accompanying policy prescriptions since the beginning of the 1980s have not originated from within the country. They have been imposed by institutions, whose Articles of Agreement do not allow for incorporation of human rights considerations in fashioning development paths. Issues of justiciability are to be avoided. Yet the enjoyment of such rights as education, access to health care and services, to property ownership and to just and safe conditions of work, constitute the foundation upon which individuals can secure for themselves and their families a standard of living adequate for their health and wellbeing. People denied these rights will be unlikely to provide themselves, thus increasing poverty and expanding the need for welfare safety nets.
135. Without doubt the track of development policy formulation in Ghana has followed a policy making process driven by a neo-liberal agenda with economic growth its central tenet. In all of these, government maintained the dominant or domineering role over its social partners, including the business sector, the Trade Union Congress and others in civil society, and the engagement initiatives tended to be top-down with the mitigation measures being largely donor-driven (Brydon and Legge, 1996, Gyimah-Boadi, 1990)). Largely externally originated concepts

such as popular participation and participatory development are essentially subsumed within this top-down culture.

136. The lack of development effectiveness, despite massive investments in all sectors of the Ghanaian economy and indeed in many developing countries generated a re-engineering of development approaches that seem to have adopted proxies for the expression of basic human rights. The new development rhetoric is built around concepts such as participatory development with adjunct concepts such as equity, ownership, consultation and representation. The participation concept is constructed on a partnership framework, described as “a collaborative relationship between entities to work towards shared objectives through a mutually agreed division of labour”²⁰. The key actors in this relationship are defined to be governments, civil society organisations, the corporate sector and donors/creditors. Yet there are lingering questions. What represents effective participation? Against what benchmarks - process, inputs and outcomes - and timeframe should participation be evaluated and by who? Whose participation matters, in what and at what stage? In is in this area that the rights-based approach has made significant strides and could bring this learning to bear on anti-poverty programmes that realise the need for participation and empowerment.
137. Our observation is that a gap exists between the opportunities offered for a more participatory development imperative and the practice of top-down policy making. That gap will undermine the right of the poor to participate in decision-making as long as it remains unbridged. Fortunately, there are constitutional provisions that engender opportunities for popular participation in policy making (Killick and Abugre, 2002).
138. An explicitly stated Constitutional objective to promote participation and participatory development is built within the Directive Principles of State Policy. Article 37 sections (1) and (2), of the Constitution of the Fourth Republic of Ghana (1992), guarantees to all citizens, the right to participate in the formulation and implementation of the development policies and programmes. Chapters 5 (21) and 6 (37) (1) (2) (3)) of the Constitution also define the political framework conducive for democratic participation in the formulation and implementation of policies, and spells out the complementary roles of government and non-governmental actors in this process. The import of these constitutional provisions is completely consistent with the rights-based approach to development. It will not help to continue keeping development programming divorced from the rights-based approach that is completely endorsed by the constitution of Ghana.
139. Pursuing a rights based approach has cost implications, some beyond the capabilities of governments. But we contend that whatever the costs, it adds something to the development approach. These include:
- Sharpening the moral basis of development work by policy makers, economists etc;
 - Showing how voice and access to information are an integral part of development;
 - Emphasising that informed and meaningful participation in development is a matter of right rather than privilege;
 - Directing attention to the most deprived and excluded, especially those excluded by discrimination.
140. The two basic concepts of accountability and empowerment are central to the rights-based approach to development. Insisting on accountability means that governance as an exercise of power must be subjected to limits. Accountability enjoins adherence to some explicit standard

²⁰ See, “partnership for development: Proposed Actions for the World Bank”. A discussion paper, May, 1998.

against which performance is measured, and creation of a mechanism for assuring that the standard is met. This, together with the right, the opportunity and the capacity to participate in decision making affecting one-self are empowering indeed.

141. Flowing from the above, the immediate challenge is to secure a broad buy-in into the concept of a human rights approach to development, an approach that challenges the unfettered exercise of power by public officials, and others, in contexts in which beneficiaries of development are unaware of their right to public goods.
142. Our research has shown that adding the core principles of the rights-based approach to development has the potential to deliver more sustainable solutions to peoples needs because decisions are focused on what communities and individuals require, understand and can manage, rather than what external agencies deem fit.

LIST OF INTERVIEWEES

INTERVIEW WITH NDPC – 31/1/05

NEW POVERTY REDUCTION PROGRAMME – KOFI ASANTE FRIMPONG

Dr. Kojo E. Mensah Abrampa 2/2/05

Samuel Sarpong, Institutions Specialist, CBRPD

ANGELA FARHART NDPC (Spelling)

Taaka Awori, Action Aid

Damien Asobayire

Rudolf Amenga-Etego etc etc