



## The Republic of Ghana

# Realising the human right to water and sanitation

### Introduction

In 2010, the United Nations General Assembly adopted a resolution on the human right to water and sanitation. This resolution is part of binding international human rights law, meaning that governments are legally required to progressively realise the right.

The government of the Republic of Ghana has recognised this right by signing on to key international treaties, as well as establishing a number of domestic level policies and programmes focused on water and sanitation. All of these have assisted the government to work towards realising the right by improving access to safe, affordable, available and sufficient water and sanitation. **But not enough has been done.**

While access to water has improved significantly, with 89% of the population having access – the government has not worked to ensure the standards of the right have been realised, and are failing large sectors of the population. While many families have access to water, it is often inconsistent and unreliable, with many facing the regular reality of having to go days without clean piped water. This results in families having to resort to using unsafe water, or forced to buy

water from vendors at a highly overinflated price, significantly impacting limited income and resources available.

Access to sanitation is of significant concern, and is dramatically lagging behind, as only 15% of the population have access to sanitation facilities.<sup>1</sup> Those most in need, vulnerable and marginalised groups such as women, children, the sick and the poor have been left behind. These groups are forced to defecate in the open, or use unsuitable and unhygienic sanitation facilities.

The government must take further action to make effective change and improve people's lives. They must ensure all citizens throughout the country are able to access affordable and safe water, and therefore, a better future.

This briefing highlights the problems evident in accessing improved water and sanitation in Ghana. It provides a set of clear demands from civil society who are calling for increased efforts and action from the government to meet its obligation to fully realise the right to water and sanitation.

### The human right to water and sanitation

The resolution adopted by the United Nations General Assembly 'recognises the right to safe and clean drinking water and sanitation as a human right that is essential for the full enjoyment of life and all human rights'. The human right to water entitles everyone to sufficient, safe, affordable and physically accessible water for personal and domestic use. The human right to sanitation entitles everyone to sanitation services that are physically accessible, affordable, safe, hygienic, secure, socially and culturally acceptable and which provide privacy and dignity.

<sup>1</sup> All data sourced from WASHwatch.org; June 2015

## Positive progress

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### Recognition of the human right to water and sanitation

It is encouraging to see that the Ghanaian government has recognised the human right to water and sanitation. Over the past two decades, the Ghanaian government have recognised the right by becoming signatories of a number of key international declarations and treaties – each of which have further interpreted and defined the right to water and sanitation.

They have also included a specific clause on the human right to water and sanitation in the national constitution. This was seen as an advanced step for the country, helping to ensure that constitutionally people have the right to sufficient, adequate and safe water and sanitation and have the ability to hold government accountable to fulfilling this right.

# 1992

The Government included recognition of the right in their constitution: *“Article 35 [...] 3. The State shall promote just and reasonable access by all citizens to public facilities and services in accordance with law.”*

# 1994

Ghana signed the United Nations’ (UN) Programme of Action at the Cairo International Conference on Population and Development.

# 1996

Signed the Habitat Agenda of the Second UN Conference on Human Settlements (Habitat II): *“Everyone has the right to an adequate standard of living themselves and their families, including adequate food, clothing, housing, water and sanitation.”*

# 2010

The Ghanaian government voted for the UN General Assembly 64/292 which recognised the right to water and sanitation.

As a member of the Human Rights Council adopted resolution 15/9 of September 2010, a legally binding commitment to the human right to water and sanitation.

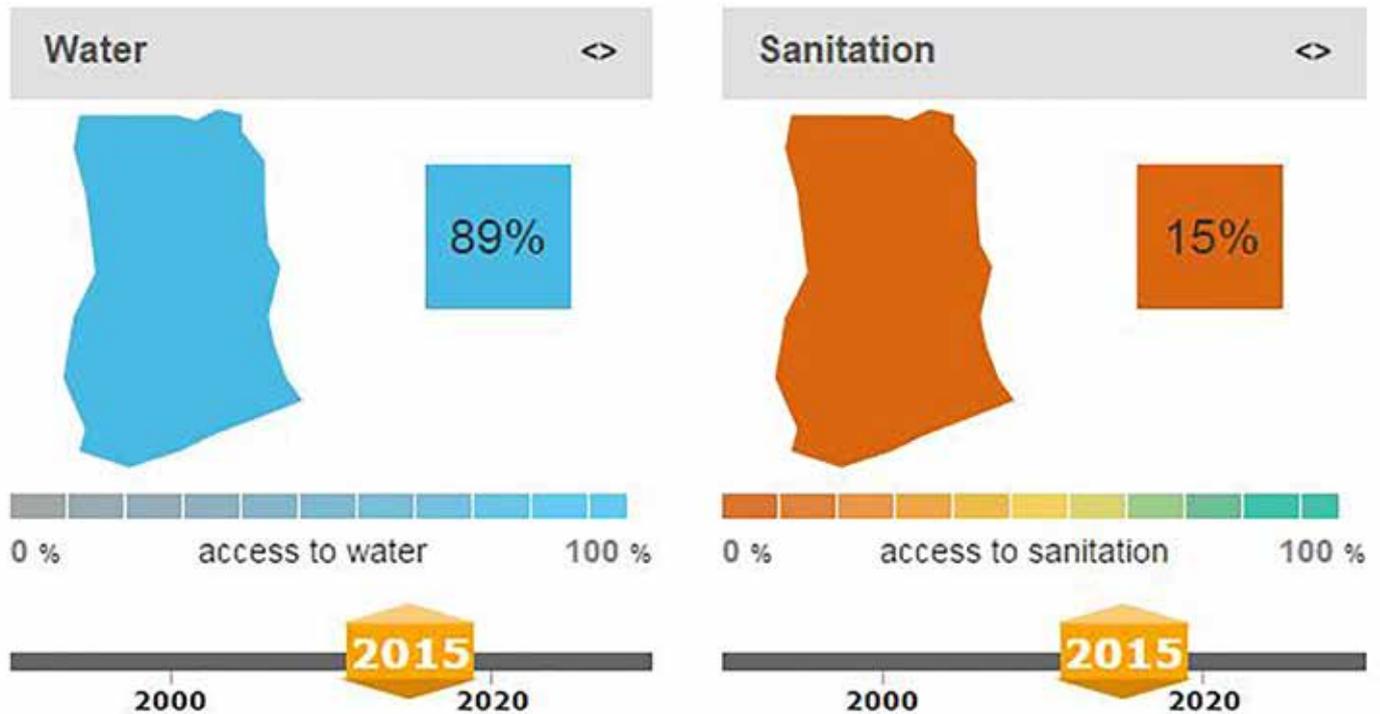
# 2011

Adopted resolution 16/2 of March 2011, reaffirming “the right to safe drinking water and sanitation is derived from the right to an adequate standard of living”.

# 2013

Ghana co-sponsored General Assembly resolution 68/157, the first resolution where all UN Member States affirmed that the human right to safe drinking water and sanitation as legally binding in international law.

## Realisation of the human right to water and sanitation



Current percentage of Ghana's population with access to improved water and sanitation in 2015<sup>2</sup>

Ghana has made significant steps to realise the human right to water for its citizens, by developing comprehensive policies and programmes. In 2007, a National Water Policy was established which sought to *"achieve sustainable development, management and use of Ghana's water resources to improve health and livelihoods, reduce vulnerability while assuring good governance for present and future generations"*.<sup>3</sup>

A National Sanitation Policy was established before this, in 1999, and implementation of the policy is the responsibility of the National Environmental Sanitation Policy Coordinating Council. Through such programmes, the government has taken some action, but has significantly failed to improve access to sanitation. 15% of the population is far too small a group able to realise their human right, and indicates that a very large percentage face daily sanitation problems, negatively impacting their lives.

It is important to keep in mind that these numbers **underestimate the true scale of the problem**, since crucial aspects like drinking water quality, continuous availability, distance to facilities, the functionality of sanitation facilities - among other issues, are not currently measured or their impact assessed. Statistics showing increased access over the years do not take into account the number of facilities that have deteriorated and are broken due to a lack of maintenance, rendering previous services defunct and people without access.

<sup>2</sup> All data, graphics and statistics sourced in June 2015 and are available from WASH-watch.org

<sup>3</sup> 2010 sector performance report

## Assessment of delivery of targets

The 'traffic light' system has been designed to track and monitor progress on the eThekweni commitments made in 2013, helping to highlight areas of concern and where more work is required.<sup>4</sup>

The colours indicate how much progress has been made



0.66 - 1  
Good



0.33 - 0.65  
Some



0 - 0.32  
Little or none

### Successes

According to recent data, the government is delivering on many of its commitments for improving access to water and sanitation. The government has made progressive steps to establish policies and programmes to improve access to water and sanitation. This includes creating national plans to help meet the Millennium Development Goals (MDGs) and related water and sanitation targets (target 3b and 4).

3a. To establish, review, update and adopt national sanitation and hygiene policies within 12 months of AfricaSan 2008.	1.0
3b. To establish one national plan for accelerating progress to meet national sanitation goals and the MDGs by 2015.	1.0
4. To increase the profile of sanitation and hygiene in poverty reduction strategy papers and other relevant strategy related processes.	1.0
5a. To ensure that one, principle, accountable institution takes clear leadership of the national sanitation portfolio.	1.0
5b. To establish one coordinating body with specific responsibility for sanitation and hygiene, involving all stakeholders, including but not limited to those responsible for finance, health, water, education, gender and local government.	0.9
6a. To establish specific public sector budget allocations for sanitation and hygiene programmes.	1.0
8b. To work with global and regional bodies to produce a regular report on Africa's sanitation status, the first of which to be published by mid-2010.	1.0

<sup>4</sup> All data, graphics and statistics sourced in June 2015 and are available from WASHwatch.org

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## Missing gaps and problem areas

However, the government has not set aside a minimum budget allocation of 0.5% of Gross Domestic Product (GDP) for sanitation and hygiene and are not taking the necessary steps to ensure everyone has access to sanitation facilities. This means that their national sanitation policy is not being carried out, resulting in over 75% of the population still not having access to sanitation facilities.

To support the right to safe and clean drinking water and sanitation as a human right that is essential for the full enjoyment of life and all human rights.	0.5
3c. To take the necessary steps to ensure national sanitation programmes are on track to meet these goals.	0.5
6b. To have budget allocations represent a minimum of 0.5% of GDP for sanitation and hygiene.	0.5
7b. To use approaches which make a specific impact on the poor, women, children, youth and the unserved.	0.5
8a. To develop and implement sanitation information monitoring systems and tools to track progress at local and national levels.	0.5
9. To recognise the gender and youth aspects of sanitation and hygiene, and involve women in all decision making levels so that policy, strategy and practice reflect gender sensitive approaches to sanitation and hygiene.	0.5
10. To build and strengthen capacity for sanitation and hygiene implementation, including research and development, and support knowledge exchange and partnership development.	0.5

## Unequal access

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Currently only 15% of Ghanaians have access to improved sanitation, which is critically low – over 22,000 people currently do not have access to suitable sanitation facilities. This means that many families will be defecating in the open or using unhygienic and unsafe sanitation facilities – which is contrary to their human right.

While on face value, it may seem positive that over 89% of the population have access to water – we know that the statistic doesn't tell the full story. For many of these families the water supply is erratic and they will often have to go days without any piped clean water. Wealthier communities also have much greater coverage than poorer communities, meaning these more marginalised communities have to find other, often more expensive, forms of water.

This particularly affects women and children, and other vulnerable groups such as the poor, elderly and the sick, negatively impacting their lives, as outlined below.<sup>5</sup>

### Marginalised groups

- All current policies focus on the general population of Ghana – there is no prioritisation or specific programme focus for marginalised groups especially women, children and disabled. At a national level, there is no specific programme focusing on prioritising access to the most marginalised groups.

### Urban access

- The urban population in Ghana accessing improved water supplies has actually worryingly declined over time; dropping from 86% in 1990 to 79% in 2006, and decreased even further to 59% in 2009. This is due to sharply increasing urbanisation rates with a growing population living in urban slums, who face growing problems such as having to rely on water vendors as there is no piped water. The situation is likely to get worse if adequate steps to meet the ever-growing demand are not taken.
- About 40% of the population living within urban areas do have a piped connection to their home, but water is not available every day – which is a key standard of the human right. A study showed that within 5 poor urban communities, less than 30% of people with a piped connection have access to water every day.<sup>6</sup> For 35% of the community, the water supply is available for only two days a week, or less.<sup>7</sup> This is a clear breach of the human right to water and sanitation and shows that the government is failing to address the needs of the people.

<sup>5</sup> WASHwatch.org

<sup>6</sup> Study by CONIWAS and WASH Ghana

<sup>7</sup> Ntow S. 2010

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- Poor communities have less access to piped water – with only 28.8% of the poor in Accra having direct access to piped water. This is in stark contrast when compared to 71% of medium wealth households, and 95% of high wealth households. This highlights stark inequalities inherent in access to basic services and that the current system is leaving the marginalised and vulnerable groups behind.
  - Families who do not have access to piped water have to rely on water tankers and private water vendors – who often charge high costs for water. This means that families are spending a significant proportion of their income on water, which means they often cannot afford other basic essentials.

## Rural access

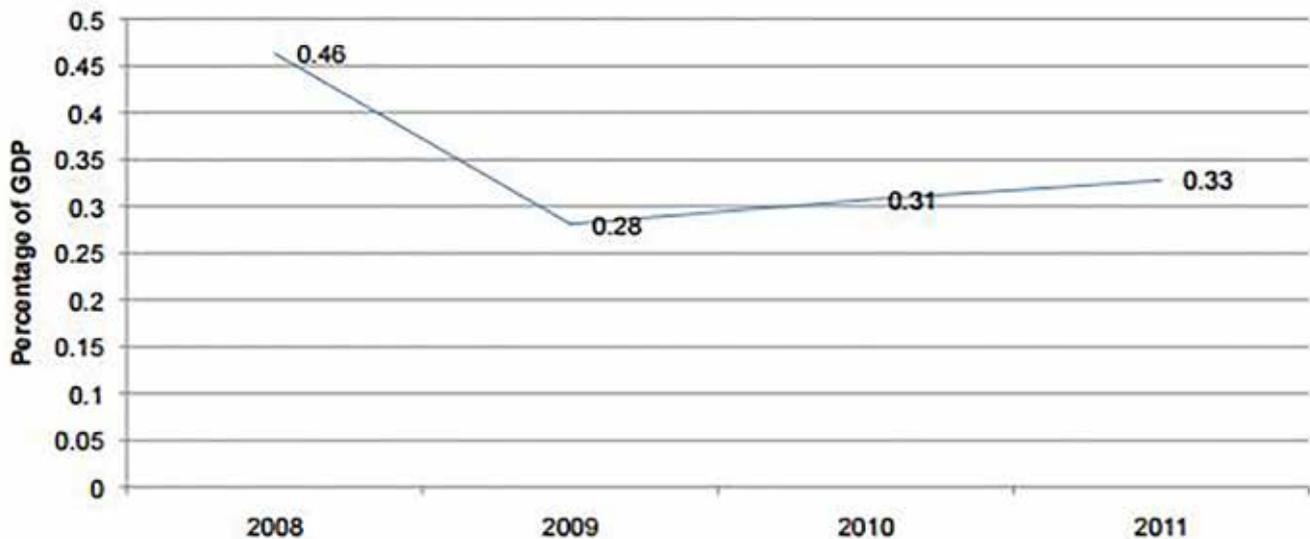
- 81% of people allegedly have access to water in rural areas, according to the statistics, but the reality faced by most rural communities and groups is very different to this. Most communities suffer greatly from unreliable, infrequent services which affects their ability to access water and sanitation.
- Open defecation has actually worsened in rural areas, increasing from 29% to 33% of the rural population.<sup>8</sup> In 12 years, the government has barely managed to increase access to sanitation for its rural population. This has only increased from 4% in 1990 to only 8% in 2012; a very poor change and proof that the government is not meeting its commitment or fulfilling its promises to the human right to water and sanitation.

## Resourcing for water and sanitation

To reach the target of 85% coverage of water and sanitation in rural areas by 2030, an estimated \$75 million (USD) is required every year to meet the growing needs of the population.<sup>9</sup> Currently, there has not been sufficient investment or budget allocation provided to prioritise water and sanitation and increase access. The sector only receives \$17 million (USD), so there is a clear underinvestment in the sector.<sup>10</sup> Without increased investment, many communities will not have their right realised within the next 15 years, and will be negatively affected.

As well as being insufficiently funded, there is a problematic lack of transparency on how budget flows from the national government to district assemblies – therefore it is impossible to know where money is being spent and if it is being utilised effectively.

The budget for water and sanitation also does not have any specific budget lines or allocated funds targeting marginalised groups to address their needs directly. This is very worrying, as without this direct prioritisation, poor and vulnerable communities will not be prioritised and will have to wait the longest for access to water and sanitation. This will perpetuate problems and the difficulties that that these groups face.



Total actual water and sanitation expenditure percentage of GDP<sup>11</sup>

<sup>9</sup> CONIWAS and WASH Ghana

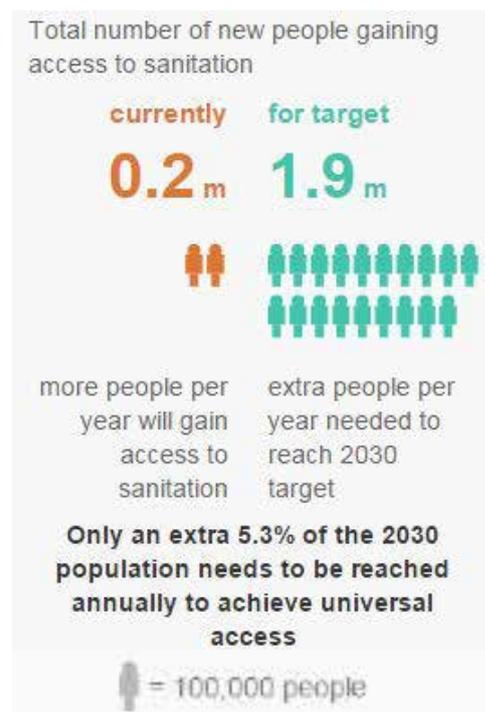
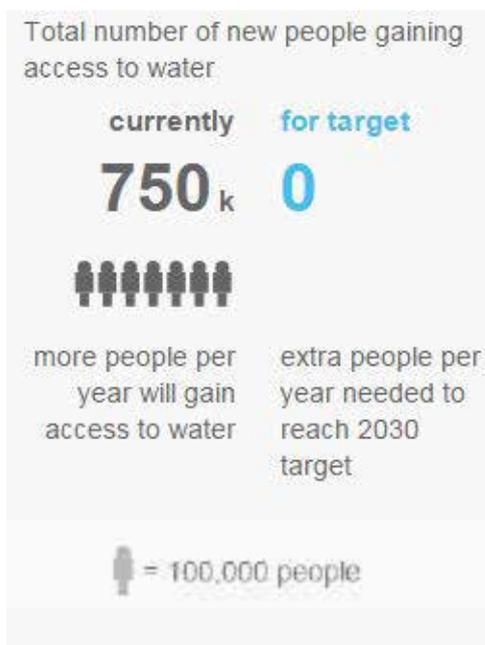
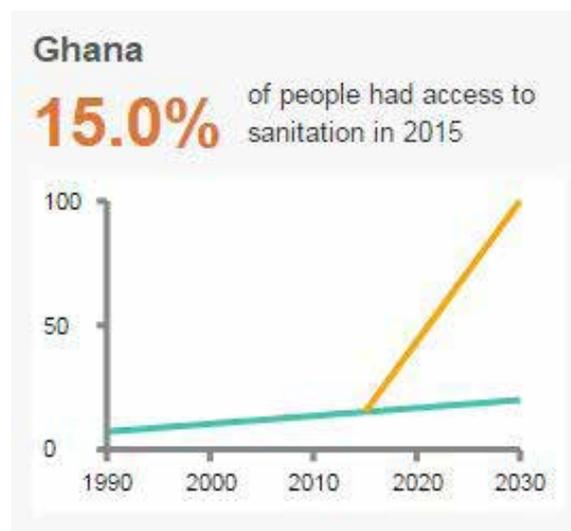
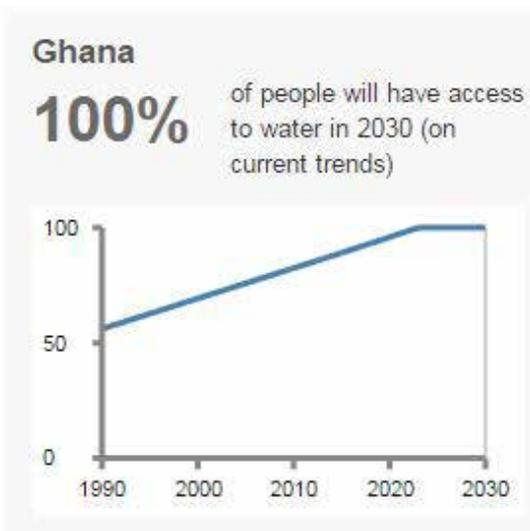
<sup>10</sup> 2014 Budget of Ghana and Wash Strategy

<sup>11</sup> Financing of the water, sanitation and hygiene sector in Ghana, WaterAid

# The road ahead

Based on current trends and evidence, it is projected that 100% of Ghanaians will have access to water by 2030, but only 20% will have access to improved sanitation. These predictions mean that at the current rate of progress, **in 15 years' time marginalised and vulnerable groups will still be without safe and accessible sanitation**. This is not acceptable and demonstrates that there is a clear sanitation crisis in Ghana.

This report clearly shows that the government needs to step up its commitment to realising the human right to sanitation. This will be done by prioritising the scaling up of delivery and access of safe and accessible sanitation for all, particularly placing a priority focus on the marginalised and vulnerable groups that are being neglected and reversing inequalities. Otherwise it will fail to provide the necessary access to improve the lives of its citizens, and fail to deliver on its obligation.<sup>12</sup>



<sup>12</sup> All data, graphics and statistics sourced in June 2015 and are available from WASHwatch.org

## Key demands

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To ensure that everyone in Ghana has access to clean and safe water every day and that their right to water and sanitation is fully realised, civil society, led by Muslim Family Counselling Service Ghana, are calling on the government of the Republic of Ghana to change the current situation, and dramatically improve the lives of the citizens.

### National level actions needed:

- There must be direct water and sanitation financing and implementation of policies and actions in urban slums in particular, and urban areas overall.
- A national water, sanitation and hygiene policy focusing on marginalised groups must be established and implemented.
- There must be an unambiguous and strict framework which encourages good hygiene behaviour.
- There must be regular reports made available to all, fully disclosing financial investments and made in water and sanitation, and results achieved from this.
- Improve downward accountability through citizen participation in the planning and budgeting for water and sanitation services.



## In conclusion

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The government of Ghana must do more to fulfill their obligation to ensure all the standards of the human right to water and sanitation is met, in particular, prioritizing increased accessibility for all. Urgent action must be taken to ensure a dramatic improvement in people's ability to realize their right.

Working together in partnership, we can achieve the right for all citizens in Ghana and ensure that all have access to safe, affordable, available, accessible, acceptable and good quality water and sanitation.



This briefing has been developed by Muslim Family Counselling Service (MFCS Ghana), in collaboration with End Water Poverty in June 2015. It is part of a series for the Keep Your Promises campaign, offering critical advocacy opportunities for civil society to hold their governments accountable to the realisation of the human right to water and sanitation.

End Water Poverty is a global civil society coalition, campaigning to end the water and sanitation crisis. End Water Poverty is funded by WaterAid and the Dutch WASH Alliance

We are thankful to WASHwatch.org for the data and research.

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