



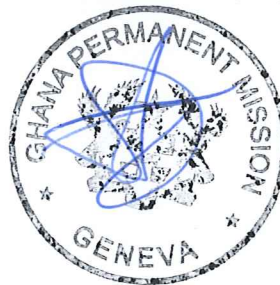
GHANA PERMANENT MISSION

SC/GE/UN.7 V.2

GENEVA

The Permanent Mission of the Republic of Ghana to the United Nations Office and Other International Organizations in Geneva presents its compliments to the Office of the High Commissioner for Human Rights and, in response to the OHCHR communication dated 22nd September 2015 received from the Office of the Special Rapporteur on adequate housing, has the honour to forward, herewith, relevant information received from the competent authorities in Accra on behalf of the Government of Ghana.

The Permanent Mission of the Republic of Ghana to the United Nations Office and Other International Organizations in Geneva avails itself of this opportunity to renew to the Office of the High Commissioner for Human Rights the assurances of its highest consideration.



Geneva, 21 January, 2016

THE HIGH COMMISSIONER
FOR HUMAN RIGHTS
PALAIS WILSON
GENEVA.

- 1. Please explain how your government defines homelessness in various contexts, for example, when measuring the extent of homelessness or determining eligibility for programs and services. Please explain why the definition was chosen, and whether it is formally referred to in laws, policies or programs.**

Homelessness is a growing global phenomenon affecting millions of people in both rural and urban areas. Homelessness in our housing policy denotes groups or individuals experiencing severe deprivation of access to housing/or rights of access to accommodation, thus forcing people to abandon their homes and some possessions. It is the poor and other oppressed groups that are forced to live on the streets which are counterproductive to human development.

- 2. How is homelessness measured in your country? What criteria and indicators are used and how is data collected and systematically updated for this purpose? Please provide available data over a period of time on the extent of homelessness in general and among particular groups (for example: children and youth, women, indigenous peoples, persons with disabilities, and others).**

In Ghana homelessness is measured with indicators of the disadvantaged including the poor, women, indigenous people, minorities and children who lack security of tenure. This could be as a result of urban redevelopment and 'beautification' initiatives, ethnic conflicts, property market forces and gentrification and the inadequate State support for the poor, causing sizeable numbers of vulnerable groups of men, women and children to be without sufficient living space and having to use pavements, alleys and urban space as places of shelter, leading to inaccessibility to safe water in sufficient amounts at affordable prices, inaccessibility to adequate sanitation in the form of private or public toilets shared between reasonable numbers of persons.

- 3. What population groups are most affected by homelessness in your country? How have their experiences been documented and by whom (whether officially by national or substantial governments, National Human Rights Institutions, or by non-governmental or other organizations,**

charities)? If studies exist, please indicate or share a link, a reference or a copy.

The main victims are poor households in general and women headed households in particular. The population groups that are most affected by homelessness in Ghana and especially in urban areas are women, (single women i.e. widows, divorcees, unmarried women with children, young unmarried women, who are internally displaced from women headed households). Women often cannot afford to develop the land and /or build a house in the urban areas but in rural areas, every household owns their house.

Violations of the rights of women are seen by the lack of access to credit by financial institutions.

The Ministry of Water Resources Works and Housing have the urban poor's experiences documented and by (national governments through the Housing Directorate of the Ministry; National Human Rights Institutions, non-governmental or other organization and charities).

Comprehensive studies are being carried out of which we hope to share such links.

4. Please provide information and details on the primary systemic and structural causes of homelessness in your country and explain how these are being addressed.

The primary systemic and structural causes of homelessness in our urban areas are:

- There is an acute shortage of housing in the country caused by high cost of building materials, difficulties in accessing urban land, limited access to long term finance for housing, delays in building permitting processes, inadequate finance at the Municipal/ Local authorities levels, leading to their inability to deliver the infrastructure and services that constitute adequate housing
- While municipal housing schemes are at the infancy stage, government rental houses are inadequate but are allocated to mostly government workers, majority of whom are women.
- The markets determine the rents and households spend all their income or even more on rent.

These problems are being addressed through policies, programs and projects some of which are specifically designed to meet women's needs to housing:

The Ministry, started with the first-phase of the Tema–Ashaiman Slum Upgrading Facility (TAMSUF). Other projects were also set up for the provision of affordable 4,720 housing units in Borteyman and Kpone in the Greater Accra Region and in some three other key regional capitals where the need for housing is more pronounced.

Other alternative ways of addressing these problems have included effective rent control laws and policies envisaging the assurance that an increasing number of disadvantaged people in the country could have access to rental markets and that the poor would not be pushed out of located areas by building new housing and subsidizing building costs.

- 5. Please provide any information available about discrimination and stigmatization of people who are homeless, including laws or policies that may be used to remove homeless persons from public spaces or to prohibit activities in public spaces such as sleeping, camping, eating, sitting, or asking for money. Please explain whether such discrimination is prohibited by law at national and/or local levels.**

Some homeless persons use public spaces for sleeping, camping, eating, sitting, trading activities and also for begging for alms. Where such prohibitive activities are carried out in public spaces, in most cases there are bye-laws and/or programs by various metropolitan authorities in various urban centers that prohibit activities in public spaces.

Discrimination is prohibited by law at both national and local levels.

As statutory law co-exists with customary law, women are traditionally a disadvantaged group with respect to housing in terms of ownership and use arising from discriminatory societal and cultural norms. In matrilineal tribes, there are constraints on women inheriting property of spouses in the event of bereavement which discourage women from joint home ownership with spouses for fear of losing investment.

- 6. Has homelessness been recognized as a human rights violation by courts or by national human rights institutions in your country, and if so, on the**

basis of which human rights (for example: right to adequate housing, right to life, etc.)?

Homelessness is recognized as a human rights violation by courts including human rights institutions in the country. It is in such right that AMA was sent to court when they failed to sensitize but attempted to demolish squatter units in the Old Fadama community and re-locate these settlers to Adjin Kotoku.

7. What legal or administrative procedures are available to challenge actions or inaction by governments or private actions on the grounds that they lead to or fail to address homelessness?

The right to adequate housing is recognized as a human right which includes the Universal Declaration of Human Rights enshrined in our constitution.

Persons, who feel affected at any point in our everyday human-settlement and in delivery of housing, could go on demonstrations to show their disagreement to such decisions. They could also engage in dialogue with the appropriate institutions such as Amnesty International, People's Dialogue on Human Settlements in Ghana and several Advocacy Groups and Non-Government Organizations and in the worst case scenario could have their cases heard in the law courts.

8. Please provide information about any strategies or legislation in place at the national, sub-national or local levels to reduce or eliminate homelessness, explain any goals or timelines that have been adopted for this purpose describe how progress is monitored and provide information on the results to date.

One of the pillars for government action is institutional and legal change, including the work of the Constitutional Commission, the National Housing Policy, National Urban Policy and Land policy. There is the need for more advocacy and lobbying to be done on Government and Parliamentarians for the adoption of adequate and gender-sensitive policies and laws.

Whilst the interstate succession law is a big step, suggestions and strategies on how this law can benefit women more are necessary, especially in the rural areas.

A strategy on how to access credit for women can be facilitated and improved. Strategies/ legislation in place at the national level including national laws are translated into policies.

The National Housing Policy was launched in 2015 by the Ministry of Water Resources, Works and Housing. Priority actions carried out in the framework of the implementation of this policy among others are:

- To make housing programs more accessible to the poor (Social Housing)
- To involve communities and other non-traditional interest groups in designing and implementing low-income housing initiatives
- To upgrade existing slums and prevent the occurrence of new ones
- To improve the lives of women
- To reduce or eliminate the vulnerability of tenure as a priority for all stakeholders in housing delivery

All housing programs that are funded by Government demonstrate gender and disability sensitivity, friendliness and ensure no stigmatization of PLW-HIV/AIDS. Besides, Government has a duty to protect women, PWDs, the Aged and PLW-HIV/AIDS as well as other categories of vulnerabilities and exclusions from these violations and to reduce the exposure and vulnerability of low-income households to climate variability and change and enhance their adaptability taking into cognizance of the needs of these households.

The reduction of inequalities arising from gender and age is mentioned specifically under the objective of poverty reduction. The Poverty Reduction Strategy Paper (PRSP) was adopted in June 2002 and its goals are set within the overall development aims of Vision 2020. One of the policy measures announced in the PRSP is shelter provision for the homeless, development of low-cost housing and infrastructure.

Gender is listed under the cross-cutting issues in our National Housing Policy. We feel the right of women and children in accessing adequate housing is about consultations, inclusion and empowering them to solve inadequate housing and homelessness. It is also about fighting slums and poverty and not slum dwellers.