

## **UN-HABITAT:**

### **Ghana - Overview of the current Housing Rights situation and related activities**

#### **1) Background and normative/institutional framework for the promotion and protection of housing rights: constitution, legislation, policy measures, national jurisprudence, housing rights institutional arrangement (e.g. national housing rights institutions)**

- The provisions of the Fundamental Human Rights and Freedoms are entrenched in Chapter 5, Articles 12-33 of the 1992 constitution of Ghana. The rights, duties, declarations and guarantees relating to the fundamental human rights and freedoms specifically mentioned in this Chapter shall not be regarded as excluding others not specifically mentioned which are considered to be inherent in a democracy and intended to secure the freedom and dignity of man.
- The Constitution of Ghana does not expressly protect the right to adequate housing. It nevertheless provides for the right to own property alone or in association with others, the right of non-interference with the privacy of one's home as well as protection from the deprivation of one's property, all of which can be found in Chapter 5 of the Constitution.
- In addition, article 11 of the Constitution provides for the recognition of the existing laws of the land as part of the laws of Ghana, thus making the Rent Act of 1963, the Conveyance Decree of 1973 and related regulations governing accommodation in the country. The right to adequate housing is intricately linked to the enjoyment of other human rights like security of person, education and health.

#### **2) Promotion and protection of housing rights on the ground: national legislation and voluntary commitments, national housing rights activities, public awareness of housing rights, cooperation with housing rights mechanisms, etc.**

- Centre for Public Interest and Centre on Human Rights and Evictions (both NGOs) have organized training programmes on Housing Rights for the civil society.
- Sensitization workshops have been organized for the need for judges and lawyers to recognize the right to housing based on Ghana's international obligation to housing rights instruments and how other countries have progressively used these instruments domestically.
- For the purposes of developing responsive housing policies, various ministries to need to effectively collaborate and work as a team, i.e. the ministries for housing and works, local government, energy, manpower development, and women and children, education, and health

#### **3) Achievements, best practices, challenges and constraints**

##### **3.1. Achievements**

- For the nation as a whole, the number of persons per dwelling unit fell from 10.57 to 9.05 from 1960 to 1970, but by 1984 had increased again to 10.1 and was 5.1 by 2000, an indication that some improvement had taken place in the housing situation.

- UN-HABITAT and Government through a roundtable meeting of 25-26<sup>th</sup> May 2005 brought all stakeholders together to deliberate on possible ways of addressing the issue and set the roadmap towards a reviewed housing policy. A communiqué was issued.
- Ghana together with UN-HABITAT organized a High Level Peer Exchange on Enablement of Private Sector Lending for Affordable Housing. It provided participating countries an opportunity to share experiences on how best governments can support the private sector and domestic financial services industry to invest in affordable housing.
- Ghana successfully hosted the 2007 African Union for Housing Finance (AUHF) conference, which aimed at formulating strategies for innovative housing finance products. The theme of the conference, held in Accra between the 17th and 21st of September, was "The future of sustainable housing finance system towards affordable housing and infrastructure".
- Preceding the Annual General Meeting (AGM) a training programme focused on various topics under "Loan Origination and Servicing in Effective Housing Finance Management". The AUHF AGM and Conference and Housing Finance Training Programme were sponsored by HFC Bank, IFC and CMHC of Canada, FMO of the Netherlands, the Ghana Housing Finance Association and other local and international agencies

### **3.2. Best Practices**

- To address the problems of the housing sector in Ghana, His Excellency, President J.A Kuffour, announced in the State of the Nation Address in 2005 the commencement of a programme to build 100,000 housing units over a ten year period, through Public-Private-Partnerships aimed at providing decent, affordable accommodation for the middle and low-income groups.
- Government alone has committed to date over of 35 million Ghana cedis (about USD 35 million) for the Affordable Housing Programme. Work is ongoing at 6 sites in 5 regions of Ghana, namely Borteyman-Nungua in Accra, Kpone near Tema, Asokore-Mampong near Kumasi, Koforidua, Tamale and Wa.
- For the first phase, it is anticipated that a total of about 5,000 housing units will be completed. The housing units are contained in four-storey high blocks of one and two bedrooms. These new townships will have modern amenities such as schools, clinics, commercial centres, recreational grounds, places of worship and light industrial areas.
- The units will be for sale and rental because Government recognizes that not everyone within the target group can afford to buy and own a house.

### **3.2. Challenges and Constraints**

- Rapid population growth and increasing urbanization have made shelter one of the most critical problems currently facing the country. Increasing overcrowding, declining quality and access to services characterize much of the housing stock in Ghana. The shortage of housing grew considerably worse during the intercensal period 1970 to 1984.
- Various data suggest that the housing deficit is in excess of 500,000 units whilst supply figures vary between 25,000 and 40,000 units per annum as against annual

requirement of 70,000-100,000 units. Currently, the national annual housing supply to demand ratio (for new housing) is estimated at about 35%.

- The inability of housing delivery system to meet effective demand over the years has created strain on the existing housing stock and infrastructure, especially in urban areas. The housing needs of urban inhabitants are often restricted to sub-standard structures and unsanitary environments in squatter and slum settlements.
- Slum creation has been the result of a recent upsurge in rural-urban migration, limited supply of land, and regulatory frameworks that are not addressing the needs of the urban poor. In 2001, the slum population for Ghana was estimated at 4,993,000 people growing at a rate of 1.83% per annum scattered in all the major cities in the country and is expected to reach 5.8 million by 2010.
- The market for land in Ghana is highly unorganized. Information about who owns what piece of land is not readily available and the legal and administrative systems for transferring title are very cumbersome. These features have serious repercussions on housing supply. Currently, property transactions are slow and costly, and financial institutions are unwilling to extend credit to property holders without clear title.

#### **4) Key national priorities, initiatives and commitments that the country intends to undertake to overcome above challenges and constraints and to improve the housing rights situation on the ground**

- His Excellency President J. A. Kuffour reiterated the challenge of (urban) housing in his State of the Nation Address to Parliament on the 3<sup>rd</sup> February 2005 when he identified the lack of adequate and affordable housing as one of the critical problems faced by the nation. More importantly, the President announced the government's intention to initiate a review of the national housing policy for a more realistic and responsive framework, which will deal with low-cost housing. The expressed intention of the government to partner with the private sector in addressing the problem of housing adequacy and affordability reflects the recognition of the need for increased participation of non-public actors in housing
- Ghana is in a process of preparing a shelter policy with the ultimate goal of providing adequate, decent and affordable housing which is accessible and sustainable with infrastructural facilities to satisfy the needs of Ghanaians.
- The National Land Policy provides a comprehensive framework for dealing with land constraints and providing the legislative and institutional framework for land management and administration in the country, taking into account the provisions of the 1992 Constitution on private property ownership, compulsory land acquisition, public lands, and stool and skin lands management.

#### **5) Ongoing and planned capacity-building and technical assistance activities that contribute to the progressive realization of the right to adequate housing, by UN-HABITAT and/or other actors**

- UN-HABITAT, humanitarian NGOs and Government have been advocating for the promotion of the right to adequate shelter and other human settlements issues especially with regard to the urban poor.

- The Government of Ghana has been organizing training programmes for all stakeholders involved in the shelter policy for the various processes the document has to go through. UN-HABITAT provides technical and financial support for the completion and publishing of the Shelter Policy Document.
- The Government of Ghana under the Land Administration Project (LAP) which is running from 2004-2008 is undertaking reform and capacity building for comprehensive improvement in the land administration system. It is envisaged that the problems in the land sector will be solved through the implementation of the Ghana Land Administration Project (LAP).