

# RIGHT TO EDUCATION COUNTRY FACTSHEET

## GHANA

February 2012

*This brief intends to assist practitioners to identify the key national policies relevant to the right to education, analyse their strengths and weaknesses and detect the gaps between policies and practice, in order to use the empirical data collected to define an advocacy strategy informed by human rights. The information collected here reflects what is publicly available; it is neither intended to be exhaustive nor to give an authoritative analysis of the situation in the country, but rather, to be a useful tool for the reflection on the right to education.*

### THE RIGHT TO EDUCATION IN GHANA: A BRIEF ANALYSIS

#### 1. Good standards and policies in Ghana

Ghana seems to have an overall good legal and policy framework guaranteeing the right to education. Ghana has ratified most key international treaties, and the right to free and compulsory basic education is guaranteed by the constitution, and supported by a number of policies. In addition, a substantial part of the national budget appears to be devoted to education, in line with international recommendations. Ghana is often quoted as a model in Western Africa for its efforts in favour of education.

However, NGOs and international organisations have pointed out that an important gap remains between the right to education in law/policy and the practical application of this right. Factors such as corruption, lack of motivation, and poor implementation may contribute to this gap.

#### 2. Advocacy opportunities

The national and international standards Ghana has signed up to provides some useful benchmarks against which the reality of education in Ghana can be measured, and thereby provide important advocacy opportunities and concrete recommendations for change.

- Data collected can be compared with these national standards and commitments, thereby holding Ghana to account.
- Ghana will report to the Human Rights Council in 2012 under the Universal Periodic Review. This can be an opportunity to raise gaps in the right to education and to mobilise.
- Ghana is late with its reporting to the UN human rights treaty bodies, in particular it has never reported on the application of the Covenant on Economic, Social, and Cultural Rights. Advocating for such reporting could provide a useful mobilisation point, and give the opportunity for civil society shadow reporting on the right to education. However, Ghana does report to the Committee on the Rights of the Child, which serves a similar function.
- Ghana has signed but not ratified the Optional Protocol to the Covenant on Economic, Social and Cultural rights, which opens notably an individual complaints mechanism for victims of violations of, *inter alia*, the right to education. It would be useful to push for ratification, which could provide increased opportunities for redress.
- Given the existing positive laws and policies, advocacy strategies should focus on gaps in fulfilling its national obligations and goals.

*Additional information on the right to education in Ghana can be found in <http://www.right-to-education.org/country-node/347>*

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## I. INTERNATIONAL OBLIGATIONS OF GHANA

The major UN conventions (listed below) each contain provisions relevant to education, non-discrimination or access to justice, and they can all be signed by States, thereby obliging States to respect, protect and fulfil human rights. When States ratify international treaties, they legally commit to respect its provisions, and the concrete situation in the country can therefore be measured against the standards set in the treaty. The ratification of treaties further indicates that the right to education does not come out of a vacuum, but corresponds to international standards that many States have committed to enforce.

It is sometimes possible to bring complaints before national courts if these treaties are not respected by States. Some conventions, either in their core text or in optional protocols, also specify routes of individual complaints to the different committees of independent experts.

Ghana is bound by the core international treaties relevant for the right to education, apart from UNESCO conventions. At the regional level, the African Charter on the Rights and Welfare of the Child has notably not been ratified. Interestingly, Ghana has shown an interest in the recently adopted (2008) Optional Protocol to the ICESCR (which provides for an individual complaint mechanism for violations of the right to education), but still has to ratify it.

Politically, Ghana also committed to actively promote the right to education by fully endorsing the 2000 World Education Forum (Dakar) and the 2000 Millennium Development Goals.

Instrument	Ratified
<a href="#"><u>International Covenant on Economic, Social and Cultural Rights (ICESCR)</u></a>	7 Sep 2000

<u><a href="#">Optional Protocol to the ICESCR</a></u>	Only signed (24 Sep 2009)
<u><a href="#">Convention on the Rights of the Child</a></u>	5 Feb 1990
<u><a href="#">Convention on the Elimination of All Forms of Discrimination against Women (CEDAW)</a></u>	2 Jan 1986
<u><a href="#">Optional Protocol to the CEDAW</a></u>	3 Feb 2011
<u><a href="#">International Covenant on Civil and Political Rights (ICCPR)</a></u>	7 Sep 2000
<u><a href="#">Optional Protocol to the ICCPR</a></u>	7 Sep 2000
<u><a href="#">CERD</a></u>	8 Sep 1966
<u><a href="#">ILO 87 Freedom of Association and Protection of the Right to Organise Convention</a></u>	2 Jun 1965
<u><a href="#">ILO 98 Right to Organise and Collective Bargaining Convention</a></u>	2 Jun 1959
<u><a href="#">ILO 111 Convention concerning Discrimination in Respect of Employment and Occupation</a></u>	4 Apr 1951
<u><a href="#">ILO 138 Minimum Age Convention</a></u>	6 Jun 2011
<u><a href="#">ILO 182 Worst Forms of Child Labour Convention</a></u>	13 Jun 2000
<u><a href="#">African Charter on Human and Peoples' Rights</a></u>	1 Mar 1989
<u><a href="#">Protocol to the African Charter on Human and Peoples' Rights on the Establishment of an African Court on Human and Peoples' Rights</a></u>	25 Aug 2004
<u><a href="#">African Charter on the Rights and Welfare of the Child</a></u>	10 Jun 2005
<u><a href="#">UNESCO Convention Against Discrimination in Education</a></u>	Not ratified
<u><a href="#">UNESCO Convention on Technical and Vocational Education</a></u>	Not ratified

## II. NATIONAL LAWS AND POLICIES

National laws and policies are important because they concretely define the framework of rights and obligations for actors in the country. The Constitution is the highest legislative norm; it sets out general principles to which all other national laws and policies have to adhere. It is strongly recommended that the right to education is enshrined in national constitutions. If a policy or law does not respect the Constitution, it can usually be challenged before courts.

Laws and policies concerning the right to education form a complex net that one must review in order to identify 1) the degree to which the laws and policies meet international standards, and 2) whether these human rights-compliant laws and policies are being applied in practice with adequate support and resources.

The list of laws and policies presented below is not exhaustive; it gives an indication of the relevant existing policies and their relation with the right to education. It should constitute the basis for further research, and it should be considered critically together with the observations made by NGOs and international organisations.

### 1. CONSTITUTION

The [1992 Constitution of Ghana](#) is very strong in terms of human rights protection. It guarantees in Chapter V a number of fundamental rights and freedoms which “*shall be respected and upheld by the Executive, Legislature and Judiciary and all other organs of government and its agencies and, where applicable to them, by all natural and legal persons in Ghana, and shall be enforceable by the Courts as provided for in this Constitution*” (Article 12). These rights guaranteed by the Constitution include:

- **Children’s rights (Article 28)**

- **Equality rights (Articles 12, 17 and 30)**
- **Women's and mothers' rights (Article 26)**

Specifically regarding education, Article 25 guarantees the right to education that very closely match international standards. It is further reinforced by Article 38, which is in Chapter VI of the directive principles of state policy:

### **Article 25**

(1) All persons shall have the right to equal educational opportunities and facilities and with a view to achieving the full realisation of that right:

(a) **basic education shall be free, compulsory and available to all;**

(b) secondary education in its different forms, including technical and vocational education, shall be made generally available and accessible to all by every appropriate means, and in particular, by the progressive introduction of free education;

(c) higher education shall be made equally accessible to all, on the basis of capacity, by every appropriate means, and in particular, by progressive introduction of free education;

(d) functional literacy shall be encouraged or intensified as far as possible;

(e) the development of a system of schools with adequate facilities at all levels shall be actively pursued.

(2) Every person shall have the right, at his own expense, to establish and maintain a private school or schools at all levels and of such categories and in accordance with such conditions as may be provided by law.

### **Article 38**

(1) The State shall provide educational facilities at all levels and in all the Regions of Ghana, and shall, to the greatest extent feasible, make those facilities available to all citizens.

(2) The Government shall, within two years after Parliament first meets after the coming into force of this Constitution, draw up a programme for implementation within the following ten years, for the provision of free, compulsory and universal basic education.

(3) The State shall, subject to the availability of resources provide:

(a) equal and balanced access to secondary and other appropriate pre-university education, equal access to university or equivalent education, with emphasis on science and technology;

(b) a free adult literacy programme, and a free vocational training, rehabilitation and resettlement of disabled persons; and

(c) life-long education.

## **2. LEGISLATION AND POLICIES RELEVANT TO THE RIGHT TO EDUCATION**

### **SUMMARY OF GHANA'S EDUCATION SYSTEM (2010)**

*Source: UNESCO Institute for Statistics*

<b>Public expenditure on education as % of GDP</b>	5.5174
<b>Public expenditure on education as % of total government expenditure</b>	24.37761
<b>Entrance age of pre-primary</b>	3

<b>Entrance age of primary</b>	6
<b>Entrance age of 2A lower secondary</b>	12
<b>Entrance age of 3A upper secondary</b>	15
<b>Entrance age of 4A post-secondary</b>	19
<b>Duration of compulsory education</b>	10
<b>Starting age of compulsory education</b>	6
<b>Ending age of compulsory education</b>	15

## 2.1 *BUDGET*

- Education has become a core priority for Ghana. Government expenditures in education have reached unprecedented levels, proportionally double the average for Africa and other developing regions.
- Ghana's education spending hovered around a respectable 5 – 6 % of GDP since 1990, but has been steadily rising over the past decade. Spending reached 5.5% of GDP or 24.4% of the government budget in 2010.
- The Government's response to the global economic crisis is to cut spending. Although the education sector will not be targeted directly, the Education Strategic Plan 2010-2020 encourages efficiency in the education system through the removal of the "subsidy culture."

## 2.2 *POLICY FRAMEWORK OVERVIEW*

In Ghana, progressive policies regarding education have been pursued since the 1980s. Universal basic education has been gradually extended to cover 6, then 9 and now 11 years including pre-primary years. Fees were eliminated for basic level, a school grant ("capitation grant") was introduced to compensate for the fees, school feeding, public programs for school infrastructure, textbooks, uniforms and supplements for teachers and a high profile annual award for the best performing teachers were introduced (source: [World Bank](#) 2011).

### CHILDREN'S RIGHTS.

- The 1998 Children's Act ([Act 560](#)) reforms and consolidates the law relating to children by providing for the rights of the child, maintenance and adoption, and by regulating child labour, apprenticeship and related matters – Sub-part 1 of Part V deals with child labour. It was amended by the 2003 Labour Act ([Act 651](#)).
- The 2004 [Early Childhood Care and Development Policy](#) promotes holistic early childhood development and programme packages that address the physical, mental, social, moral and spiritual needs of the child.
- The 2004 [National Gender and Children Policy](#) sets out a wide range of strategies for the improvement of living standards of women and children.
- A National Social Protection Strategy (NSPS) was developed in 2007 to provide safety nets for the vulnerable and excluded groups including children.
- A three year (2010-2012) [National Plan of Action for Orphans and Vulnerable Children](#) (OVC) was spearheaded by the Ministry of Employment and Social Welfare (MESW) together with the Ministry of Women and Children's Affairs. It is to complement and reinforce existing legislature and other social policies for vulnerable groups. The OVC NPA framework sets out time bound goals and objectives and outlines key activities and indicators for measuring progress towards addressing vulnerabilities faced by children. It is also a framework for providing care and support to vulnerable children in care institutions.

## EDUCATION FRAMEWORK

- **The 2007 National Education Reform Program (NERP).** The [National Education Reform Program \(NERP\)](#) was agreed in 2007. It focuses, among others, on universal basic completion by 2015 instead of just universal primary completion, and that by 2020, all junior secondary school graduates will be exposed to senior second cycle education or training.
- **The 2008 Education Act (Act 778)** is the current legal framework for educational policy in Ghana.
- **The Education Strategic Plan (ESP).** Ghana was among the first countries in Africa joining the Education for All movement (EFA), now called the Global Partnership for Education, which is a World Bank project to help low-income countries meet the education [Millennium Development Goals \(MDGs\)](#). It subscribed to the EFA Fast Track Initiative guidelines and prepared in this context [an Education Strategic Plan \(ESP\) in 2003](#), which aims to reach the MDG goals by 2015. The parallel development of the ESP 2003 and the NERP was finally brought into a coherent track through the [2010 ESP](#) that defines a single financing plan for 2010-2020.

### 2.3 OVERVIEW OF SELECTED RELEVANT POLICIES

#### SUMMARY OF GHANA'S MINIMUM AGE LEGISLATION

*See also the [Right to Education Project website](#)*

	End of compulsory education	Admission to employment	Marriage		Criminal responsibility
Age	15	15	18	18	12
Source	<a href="#">UNESCO Institute for Statistics</a> 2010	CRC report 2005	CRC report 2005	CRC report 2005	CRC report 2005

#### SOME KEY POLICIES

According to the [2008 MDG report](#) (published in 2010), the main activities implemented to reach MDG 2 on education include:

- The government disbursed a total amount of GH₵15 million as payment of Capitation Grant to pupils in all public schools in addition to subsidizing the conduct of Basic Education Certificate Examination (BECE) amounting to over GH₵4 million.
- The School Feeding Programme was expanded to cover 596,089 pupils nationwide up from 408,989 in 2007 to help ease the burden on parents. There has also been increasing international interest in supporting the school feeding programme.
- About, 230 classroom blocks and 147 three-Unit classroom blocks under the School Under Trees Project were completed and furnished at the cost of GH₵10 million.
- In order to reduce the regional imbalance in teacher supply and improve on educational quality, incentive packages including bicycles were given to teachers in deprived schools. Also, the quota system of postings was enforced with greater consideration given to deprived districts.
- Non-formal literacy programmes continued to receive support with the recruitment and deployment of 1,822 facilitators.

- Funds were made available to expand and equip science laboratories in tertiary institutions in order to ensure that the government's policy of 60:40 enrolment ratio in favour of science education is achieved

### SOME MEASURES TAKEN BY GHANA TO GUARANTEE THE RIGHT TO EDUCATION

Education rights	Measure	Description
<b>Free and compulsory primary education</b>	Legal guarantee	2008 Education Act ( <a href="#">Act 778</a> ) and Constitution. The Free Compulsory Universal Basic Education (FCUBE) reforms of 1996 were designed to enforce the objective of ensuring free, compulsory and available to all basic education. Since 2002, the programme was extended to 11 years, when the government added two years of pre-primary. It is one of the most ambitious pre-tertiary education programs in West Africa.
	Capitation Grant Scheme	Since, in the context of flagging public expenditures on education, many schools found themselves forced to impose indirect fees, e.g. for registration, uniforms, textbooks, etc., a Capitation Grant Scheme to help schools make up for the missing fees was created in 2004, and it covers the whole country since 2005. It is given to every child in public school and covers cultural, sports and other miscellaneous fees and has led to a considerable increase in school enrolment.
	School Feeding Programme	Uses locally grown foodstuff to provide a hot meal to primary school pupils. The objectives of the School Feeding Programme are to enhance school enrolment; encourage attendance; ensure retention; and improve the nutritional and health status of children.
	Distance learning	The Education Act 2008, Act 778 guarantees that where appropriate at each level of education, distance learning should be provided.
<b>Non-discrimination and relevant education</b>	Girls' Education Unit	Created in 1997 to give new emphasis to the removal of barriers to girls' education in the country.
	Legal guarantee	The 2008 Education Act Promotes inclusive education for children with special needs
	Complementary Basic Education System	Intends to provide structured programmes of learning outside the formal school system for learners who are disadvantaged as a result of unfavourable socio-economic and cultural practices. More information in the 2008 <a href="#">report</a> from the Ghana Education Service.
	Policy Commitment	The guiding principles of the 2010-2020 ESP include the elimination of gender and other disparities and efforts to make the education system more efficient.

<b>Quality learning</b>	General measures in the last years	In the last years, investments have been made for: construction/rehabilitation of classrooms; programs for textbooks, and uniforms; teacher deployment and upgrading programmes; and a high profile annual award for the best performing teachers.
<b>Access to secondary education</b>	General legislation	Legislation mandates that all forms of secondary education are to be made generally available and accessible to all Ghanaians, especially through the progressive introduction of free secondary education. It is stipulated that higher education is to be made equally accessible to all Ghanaians based on capacity, and its provision without fees should be progressively promoted.
	Cost-sharing	Cost-sharing at the Senior high and tertiary levels.

Sources and further reading:

- A good summary of Ghana's policies as of 2008 can be found on a report from the Ghana Education Service: [http://www.ibe.unesco.org/National\\_Reports/ICE\\_2008/ghana\\_NR08.pdf](http://www.ibe.unesco.org/National_Reports/ICE_2008/ghana_NR08.pdf)
- A useful summary of the changes brought by the 2007 NERP reform was prepared by the Ghanaian authorities: [http://planipolis.iiep.unesco.org/upload/Ghana/Ghana\\_education\\_reform\\_2007.pdf](http://planipolis.iiep.unesco.org/upload/Ghana/Ghana_education_reform_2007.pdf)
- A World Bank report of 2011 on Ghana also contains relevant information about Ghana's policies and empirical data: <http://ddp-ext.worldbank.org/EdStats/GHAsitu11.pdf>
- The 2008 MDG report (published in 2010) contains useful information on education <http://www.ndpc.gov.gh/GPRS/2008%20Ghana%20MDG%20Report.pdf>

### 3. REMEDIES

AVAILABLE REMEDIES FOR HUMAN RIGHTS VIOLATION RELATED TO THE RIGHT TO EDUCATION		
Domestic	Regional	International
<ul style="list-style-type: none"> <li>➤ The right to education is justiciable before national courts</li> <li>➤ The Commission on Human Rights and Administrative Justice is the Ghanaian National human rights institution and it has the <a href="#">best possible rate</a> from the UN. It has the power to investigate individual complaints of human rights violations – see Article 218 of the <a href="#">Constitution</a>.</li> </ul>	<ul style="list-style-type: none"> <li>➤ The <a href="#">ECOWAS Court of Justice</a></li> <li>➤ The <a href="#">African Committee of Experts on the Rights and Welfare of the Child</a></li> <li>➤ The <a href="#">African Commission on Human and Peoples' Rights</a> and the <a href="#">African Court on Human and Peoples' Rights</a></li> </ul>	<ul style="list-style-type: none"> <li>➤ The <a href="#">Committee on the Elimination of Discrimination against Women</a></li> <li>➤ The <a href="#">UN Human Rights Committee</a></li> <li>➤ UNESCO procedure</li> <li>➤ ILO Procedure</li> </ul>
<p><i>For more information, see also <a href="http://www.claiminghumanrights.org/ghana.html?L=0">http://www.claiminghumanrights.org/ghana.html?L=0</a></i></p>		

### III. RELEVANT OBSERVATIONS AND RECOMMENDATIONS FROM NATIONAL AND INTERNATIONAL BODIES

The recommendations and observations made by national or international bodies provide a critical view of the laws and policies in a country, and can constitute a useful tool to identify the gaps related to the right to education. They also provide arguments for national advocacy, and can be a useful forum to mobilise advocates for the right to education.

Recommendations are often made by NGOs in the context of reporting to UN bodies. NGOs provide valuable feedback to UN bodies on the experiences of the communities they represent, and UN bodies rely on NGOs to provide accurate information regarding rights infringements. At the national level, independent monitoring bodies, such as national human rights institutions, can also make recommendations to UN bodies, normally giving a neutral domestic perspective on the state of human rights in a country.

The performance of States to respect their obligations is also reviewed by other States through Universal Periodic Review (UPR), which is a peer review mechanism taking place within the Human Rights Council, which is comprised of government representatives. The recommendations made in this context, are often rather general, but carry significant political weight. The recommendations made by UN human rights treaty bodies, charged with monitoring the implementation of specific UN treaties, are more specific, and is considered to be one of the most authoritative sources of critical analysis on human rights in a country, due to the independent nature of the experts serving on UN treaty bodies.

Other international mechanisms, such as UN Special Rapporteurs and UN Agencies (including UNICEF, UNESCO the World Bank, etc.) can be another useful source of information.

#### 1. DOMESTIC LEVEL

##### NGOS

The Ghana NGO Coalition on the Rights of the Child (GNCRC) prepared in 2006, at the occasion of the review of Ghana by the UN committee on the rights of the child, a [report](#) on the implementation of the Convention of the rights of the child by Ghana. It notably criticises the FCUBE policy, which “is not fully working as envisaged by the 1992 Constitution. Public basic education is not really not free, since there are several hidden charges and levies; not compulsory, because many children of school going age are out of school; not quality because the quality of teacher training has dropped and children graduating from the public basic school system are not of good quality in terms of their knowledge; and not universal because there are challenges pertaining to gender and geographical considerations”. It also appeared that “many public schools, particularly in the rural and peri-urban areas have dilapidated infrastructure and are run in deplorable conditions”, and “teachers routinely complain of poor conditions of service, lack of motivation and incentives”. In addition, the report highlighted the issue of funding, as “while budgetary allocation to the education sector constitutes a significant portion of the country’s GDP, it is noted with concern that the quality of education being received by children from the public school system does not match the investment being made.”

The GNCRC made specific recommendations related to education, including:

- a. *The State should fulfill its promise to make the FCUBE policy work fully by absorbing all hidden levies and charges and ensuring that all children without exception have access to basic education.*
- b. *The focus on girls education should continue until parity is achieved.*
- c. *The State should strengthen measures to ensure enrolment and retention of pupils through basic school.*
- d. *Disaggregated data collection and analysis in the educational sector should be improved.*
- e. *Secondary and other higher education should be more accessible to children through the institution and monitoring of scholarship schemes, co-operation with private sector bodies and improvement in the subsidies to schools.*
- f. *School monitoring should be improved, with the cooperation of local NGOs and CSOs.*
- g. *Teacher training, conditions of service, incentives, etc should be improved.*

- h. *Where possible, each school should have one teacher trained in guidance and counseling to provide services to pupils.*
- i. *All forms of violent punishment or treatment should be banned in schools.*
- j. *School curricula and content of textbooks should be properly reviewed to cut out aspects that may not be relevant to pupils, and to include the teaching of civics and human rights.*

## COMMISSION ON HUMAN RIGHTS AND ADMINISTRATIVE JUSTICE

In 2008, the Ghana Commission on Human Rights and Administrative Justice [reported](#) that the constitutional guarantee for basic education in Ghana has not yet been realized in its totality. The Government's introduction of the Capitation Grant scheme in the 2005/2006 academic year does not cover all the costs of education at the basic level. There are many children of school going age who do not attend school either as a result of unavailability of schools within easy reach, or as a result of parents' inability to bear the extra cost. Meanwhile, allegations are rife about the mismanagement, corruption and conflict of interest within the entity managing the school feeding program. The CHRAJ recommended that the Government urgently extend the school feeding program to cover every Ghanaian child and conduct an inquiry into the alleged mismanagement plaguing the program.

## 2. UN HUMAN RIGHTS BODIES

### 2.1 UN UNIVERSAL PERIODIC REVIEW RECOMMENDATIONS

Last report	May 2008 - <a href="#">A/HRC/8/36</a> (Recommendations: Para. 68-69; Ghana's position: A/HRC/8/52 - Para. 659)
Next report	14 <sup>th</sup> Session – 2012

### RECOMMENDATIONS “SUPPORTED” BY GHANA RELEVANT FOR THE RIGHT TO EDUCATION

Ghana's human rights record was examined under the UPR by the Human Rights Council in 2008, and several recommendations were made, which Ghana indicated it “supported”. It was notably recommended that Ghana reinforces its efforts to address discrimination against women and vulnerable groups, including children, and more generally, that the State continues upholding the rule of law, raising public awareness of human rights standards.

Some recommendations which are directly relevant for the right to education were also made to Ghana:

- To consider favourably the request of the special rapporteur on the right to education and to allow the SR to visit the country.
- To strengthen its efforts to fully implement the recommendations adopted by the CRC and to prohibit all forms of violence against children[...]; and to enhance its efforts in protecting children rights.
- To take steps to address problems related to high illiteracy rates in certain parts of the country, as well as the gender gap between boys and girls in secondary and tertiary education; and to continue to give increased attention to the gender gap between girls and boys in their advancement at all levels of education.

The review of Ghana at the 14<sup>th</sup> UPR session in 2012 will be a good opportunity to follow-up on these recommendations. In particular, the request by the special rapporteur on the right to education may be a useful advocacy point.

Relevant information can be found in the [Compilation of UN information prepared for the UPR in 2008](#).

## 2.2 UN HUMAN RIGHTS BODIES

### COMMITTEE ON THE RIGHTS OF THE CHILD

**Last report** January 2006 – [41<sup>st</sup> session](#)

**Next report** Combined third to fifth reports were due in 2011

It should be noted that one of the members of the CRC is Ghanaian ([Ms Agnes Akosua AIDOO](#)).

The recommendations made to Ghana in 2006 by the CRC can be found in [CRC/C/GHA/CO/2](#). The CRC generally noted that difficult socio-economic conditions, high levels of external debt and poverty place limitations upon the Ghana's financial and human resources and hamper the achievement of effective enjoyment of the rights of the child. It also made more detailed recommendations relevant to education provision.

- **Gap between law and practice and resources**

The Committee noted the gap between the positive laws regarding children's right taken by Ghana and practice, which is due in part to the lack of adequate human and financial resources, and efforts are strengthened to enforce the legislation and policies.

- **Education**

The Committee acknowledged the improvement made in the field of education in attempting to pursue the policy of the free compulsory and universal education system by introducing, schemes such as the Capitation Grant and the school feeding programmes. However, the Committee remained concerned about the persisting gender and geographical disparities with regard to access to and quality of education.

The Committee specifically recommended that Ghana:

- (a) Increase and efficiently use public expenditure in education;
- (b) Improve access to vocational training and informal education for vulnerable groups, including street children, orphans, children with disabilities and child workers;
- (c) Increase enrolment in primary and secondary education and reduce social-economic, regional and gender disparities in the access and full enjoyment of the right to education; and
- (d) Extend the school feeding programme to other regions.

### COMMITTEE ON ECONOMIC, SOCIAL AND CULTURAL RIGHTS

**Last report** Initial report overdue since 2003

**Next report** Uncertain

No further information is available since Ghana is overdue for its initial report.

### COMMITTEE ON THE ELIMINATION OF ALL FORMS OF DISCRIMINATION AGAINST WOMEN

**Last report** August 2006 – [36<sup>th</sup> session](#)

**Next report** Combined sixth and seventh reports due in 2011

The recommendations made to Ghana in 2006 by CEDAW can be found in [CEDAW/C/GHA/CO/5](#). They are particularly relevant for education on the following points.

▪ **On the gender gap between boys and girls in secondary and tertiary education**

CEDAW regretted the gender gap between boys and girls in secondary and tertiary education and the high drop-out rates of girls from schools. It urged the State to address this issue notably by taking steps to overcome traditional attitudes that constitute obstacles to girls' education, implementing measures to ensure equal rights of girls and young women at all levels of education to retain girls in school, and establishing monitoring mechanisms to track girls' access to education and achievement levels in education.

▪ **Teenage pregnancy**

CEDAW expressed its concerns about the high rate of teenage pregnancy, which presents a significant obstacle to girls' educational opportunities, and recommended that sex education be widely promoted and targeted at adolescent girls and boys, with special attention paid to the prevention of early pregnancy.

▪ **Poverty**

CEDAW expressed its concern about widespread poverty among women, and urged Ghana to ensure that rural women have access, *inter alia*, to education.

▪ **Minimum age for marriage**

CEDAW was concerned that, even though the Children's Act 1998 (Act 560) sets the minimum age of marriage at 18 years, customary practices still lead to child betrothals and marriages and it urged Ghana to effectively implement the Children's Act 1998 (Act 560) prohibiting child marriages.

## 2.3 *OTHER RELEVANT UN BODIES*

### UN SPECIAL RAPPORTEUR ON VIOLENCE AGAINST WOMEN, ITS CAUSES AND CONSEQUENCES

**Report of the mission to Ghana - [A/HRC/7/6/Add.3](#) (21 February 2008).** In particular paras 23 – 28.

- "High levels of poverty and the external debt burden limit the Government's margin of operation to prioritize the allocation of sufficient resources for universal basic education, gender parity in education and the economic and social development of marginalized regions and districts. The international community has a responsibility to support the Government's efforts to promote gender equality and eliminate violence against women through targeted funding and technical cooperation, further debt relief and, perhaps most importantly, fairer terms of trade".
- "Poverty is only one aspect of the problem. High dropout rates among girls are also rooted in differential values attached to the education of girls and boys. Many families take their daughters out of school, because they see education as a mere distraction from a girl's domestic responsibilities."
- "Some districts also seem to have adopted a policy to suspend pregnant girls from schools to deter pregnancy among other girls. Officials at the central Government level assured me that the suspension of pregnant girls, which constitutes a blatant violation of their human right to education, is contrary to official education policy."

#### RECOMMENDATIONS:

- Continue to prioritize free and universal basic education for girls and boys. Expand the school capitation programme to ensure that all direct and indirect costs of schooling are covered. Continue, with the support of the international community, the school feeding programmes for marginalized districts launched by the World Food Programme;
- Discourage early marriages and promote the value of girls' education; sensitize parents and the public in this regard;

- Remove from school books and curricula any references promoting gender stereotyping, discrimination or violence.

### GHANA NATIONAL DEVELOPMENT PLANNING COMMISSION (NDPC) AND UNITED NATIONS DEVELOPMENT PROGRAMME (UNDP) GHANA

The [2008 MDG report](#) identifies the following challenges to reaching education objectives in Ghana:

- Challenge of Teacher posting and retention;
- Decline in quality of education;
- Inadequate Infrastructure;
- Low level of teacher commitment;
- Low accountability to parents and students;
- Quality of Science and Technology education is falling;
- High cost of education especially at the tertiary level.

## IV. OTHER SOURCES OF INFORMATION

Useful information about Ghana can also be found on the website of these human rights organisations.

- Center for Economic, Social and Cultural Rights: <http://www.cesr.org/article.php?list=type&type=11>
- Human Rights Watch: <http://www.hrw.org/reports/2012/01/22/world-report-2012>
- Amnesty International: <http://www.amnesty.org/en/annual-report/2011>
- International Federation for Human Rights: <http://www.fidh.org/-Africa->

The Right to Education Project website provides specific information about the right to education in Ghana: <http://www.right-to-education.org/country-node/347>

The US State Department provides an overview of the education system in Ghana: <http://www.state.gov/r/pa/ei/bgn/2860.htm>

The World Bank provides detailed statistics about education for all countries, and some policy analysis: [http://web.worldbank.org/WBSITE/EXTERNAL/TOPICS/EXTEDUCATION/EXTDATASTATISTICS/EXTEDSTATS/0,,contentMDK:22614780~menuPK:7196605~pagePK:64168445~piPK:64168309~theSitePK:3232764,00.html?GHA\\_75](http://web.worldbank.org/WBSITE/EXTERNAL/TOPICS/EXTEDUCATION/EXTDATASTATISTICS/EXTEDSTATS/0,,contentMDK:22614780~menuPK:7196605~pagePK:64168445~piPK:64168309~theSitePK:3232764,00.html?GHA_75)

The documentation about GHANA's UPR can be found on <http://www.ohchr.org/EN/HRBodies/UPR%5CPAGES%5CGHSession2.aspx>.

## V. HUMAN RIGHTS JARGON

Acronym	Full name	Comments
CEDAW	Convention on the Elimination of All Forms of Discrimination against Women (also the same acronym for the Committee monitoring CEDAW)	A treaty legally binding to States Parties, defining States' obligations regarding the human rights of women and girls, which includes the right to education.
CESCR	UN Committee on Economic, Social and Cultural Rights	The UN Committee comprised of independent experts that interprets the International Covenant on Economic Social Cultural Rights, monitors its implementations and

will soon examine individual complaints made under the OP-ICESCR (once it enters into force).

<b>CRC</b>	UN Committee on the Rights of the Child (also the same acronym for the Convention on the Rights of the Child)	The UN Committee is comprised of international experts that interprets the Convention on the Rights of the Child and monitors its implementation.
<b>ESCR</b>	Economic, social and cultural rights	Rights defined by the ICESCR, including the right to education.
<b>ICESCR</b>	International Covenant on Economic Social Cultural Rights (1966)	A legally binding treaty, defining States' obligations regarding economic, social and cultural rights.
<b>OP-ICESCR</b>	Optional Protocol to the International Covenant on Economic, Social and Cultural Rights	Treaty that allows for an international individual complaint mechanism for victims of violations of economic, social and cultural rights. The treaty must receive a minimum number of ratifications before it can enter into force.
<b>UDHR</b>	Universal Declaration of Human Rights (1948)	A non-legally binding statement agreed upon by all members of the United Nations which serves as the most comprehensive definition of human rights.
<b>UPR</b>	Universal Periodic Review	A system created by the UN Human Rights Council in 2006 for States to peer-review the human rights records of all 192 UN Member States every four years.