

Human rights treaties which fall within the competence of UNESCO and international instruments adopted by UNESCO

<i>Title</i>	<i>Date of ratification, accession or succession</i>	<i>Declarations /reservations</i>	<i>Recognition of specific competences of treaty bodies</i>	<i>Reference to the rights within UNESCO's fields of competence</i>
Convention against Discrimination in Education 1960		<i>Reservations to this Convention shall not be permitted</i>		Right to education
Convention on Technical and Vocational Education. 1989				Right to education
Convention concerning the Protection of the World Cultural and Natural Heritage 1972	04/07/1975			Right to take part in cultural life
Convention for the Safeguarding of the Intangible Cultural Heritage 2003	Not ratified			Right to take part in cultural life
Convention on the Protection and Promotion of the Diversity of Cultural Expressions 2005	Not ratified			Right to take part in cultural life

EDUCATION

Right to education

Since 2009, the Government multiplied interventions with the aim of achieving universal primary education (MDG 2 and EFA Goal 2). Some concrete actions have been undertaken in this sense like accompanying measures such as: (i) concession of purses, (ii) school feeding program, (iii) renovation of infrastructure etc.

Total support to the budget of education (in dollars of the United States) has been increased by 20% current 2010 confirming the government's commitment to invest in education as a priority.

Within the framework of the promotion of **technical/vocational education and training**, support was provided to the Women in Technical Education - WITED (the gender desk at the Technical and Vocational Education Division - TVED of the Ghana Education Service (GES) within the Ministry of Education to organize outreach sensitization seminars for Girls in JHS in five deprived regions of the

country. Awareness was created among 1200 JHS girls and teachers, parents on career opportunities for JHS Graduates in Technical /Vocational Education and Training (TVET).

Technical support was provided the **Non Formal Education Division** to develop functional reading materials for neo-literates. Thus, 6000 booklets were developed, printed and donated to the Non Formal Education Division.

Support to **Advocacy towards literacy** was carried out through the celebration of International Literacy Day.

CULTURE

Right to take part in cultural life

Normative Framework:

Constitutional framework:

The Constitution of Ghana guarantees the cultural rights of citizens in articles 26 and 39 in the following terms: ***“Every person is entitled to enjoy, practice, profess, maintain and promote any culture, language, tradition or religion subject to the provisions of this Constitution.”***

Cultural rights are further stated within the framework of education and planning ***“... the State shall take steps to encourage the integration of appropriate customary values into the fabric of national life through formal and informal education and the conscious introduction of cultural dimensions to relevant aspects of national planning.”***

The constitution also asserts that ***“The State shall ensure that appropriate customary and cultural values are adapted and developed as an integral part of the growing needs of the society as a whole; and in particular that traditional practices which are injurious to the health and well-being of the person are abolished.”***

Then it goes on to reiterate its unifying objective ***“The State shall foster the development of Ghanaian languages and the pride in Ghanaian culture.”***

With regards to the conservation of moveable and immovable heritage, article 39 affirms that ***“The State shall endeavour to preserve and protect places of historical interest and artifacts.”***

ii) LEGISLATIVE FRAMEWORK:

Ghana has enacted several laws which established a number of agencies, commissions and boards for the management, protection, conservation and coordination of both natural and cultural national heritage such as: the Environmental Protection Agency, the Forestry Commission, the National Commission on Culture, the Ghana Museums and Monuments Board.

B) INSTITUTIONAL FRAMEWORK:

Various government bodies – ministries, agencies, institutions, commissions and boards - relate directly to the enjoyment of cultural rights through the tangible, intangible, movable and immovable cultural and natural heritage such as the:

- Ministry of Chieftaincy and Culture
- Ministry of Tourism
- Ministry of Trade & Industry
- Ministry of Local Government and Rural Development
- Ministry of Education
- Ministry of Information
- Environmental Protection Agency,
- Forestry Commission,
- National Commission on Culture (currently under the Ministry of Chieftaincy and Culture),
- Ghana Museums and Monuments Board

Even though Ghana has yet to ratify the 2003 and 2005 Conventions, these government bodies are mandated to cover issues relating to:

- The promotion and preservation of historical monuments, heritage sites
- The establishment of/support for cultural institutions
- The protection of intellectual property rights (copyright, patents, geographical indication)
- Conservation of indigenous traditional knowledge
- Chieftaincy, cultural and traditional rights
- Media and content monitoring

Established under the National Museums Ordinance in 1957, on the eve of Ghana's independence, the Ghana Museums and Monuments Board (GMMB) manages the country's cultural heritage and, as such, is the legal custodian of Ghana's material movable and immovable national cultural heritage. This Ordinance was repealed and replaced by the National Liberation Council Decree (NLCD) 387. The NLCD established a board that created regulations to govern the protection of cultural heritage using a succession of executive instruments dating from 1969, 1972 and 1973. In 1991, the status and responsibilities of the GMMB were re-examined and draft legislation was submitted to broaden the provisions for cultural heritage protection with recognition of the principle of private and/or commercial ownership of properties.

The National Commission on Culture was established in 1990 by Provisional National Defense Council Law 238 to manage from a holistic perspective, the Cultural life of the country. The Commission is headed by a Board with a regulatory, supervisory and collaborative responsibility over a number of institutions to ensure the promotion of culture in the national life of the people of Ghana.

The public implementing institutions and agencies for culture as presently defined by law are:

1. Regional and District Centers for National Culture;
2. National Theatre of Ghana;
3. National Dance Company;
4. National Drama Company;
5. National Symphony Orchestra;
6. Ghana Museums and Monuments Board;
7. Bureau of Ghana languages;
8. National Folklore Board;

9. W. E. B. Du Bois Memorial Centre for Pan African Culture;
10. Kwame Nkrumah Memorial Park;
11. Office of the Copyright Administrator;
12. Pan African Writers Association (Headquarters);
13. Library Board.

The Forestry Commission of Ghana is responsible for the regulation of utilization of Ghana's natural heritage - forest and wildlife resources - their conservation and management as well as the coordination of policies related to them. The Forestry Commission embodies the various public bodies and agencies that were individually implementing the functions of protection, management, the regulation of forest and wildlife resources. These agencies currently form the divisions of the Commission:

- Forest Services Division
- Wildlife Division
- Timber Industry Development Division
- Wood Industries Training Centre
- Resource Management Support Centre

C) POLICY MEASURES:

Ghana developed a National Cultural Policy in 2004 which foresees implementation under the following dimensions:

1. preservation and conservation of culture;
2. development and promotion of culture;
3. presentation of culture;
4. the establishment of appropriate administrative structures;
5. establishment of linkages with various sectors of national development;
6. provision of funds for the implementation of the above.

Ghana ratified the World Heritage Convention in 1975 and, as such, the GMMB is guided by the operational guidelines for the implementation of the World Heritage Convention although no specific legislative act has been adopted to domesticate the convention.

D) COOPERATION:

Ghana actively participates in programmes and activities of regional organizations such as Economic Commission for West African States (ECOWAS), UN organizations, programmes, funds (including UNESCO) and other intergovernmental organizations (such as the International Centre for the Study of the Preservation and Restoration of Cultural Property – (ICCROM), as well as with leading professional international associations active in the cultural field such as the International Council for Museums (ICOM), the International Council on Monuments and Sites (ICOMOS), International Union for Conservation of Nature (IUCN) and the World Monuments Fund. Ghana also collaborates in the field of culture bi-laterally with donor countries, international NGOs, the African, Caribbean and Pacific Group of States (ACP) as well as bilaterally with countries within the region.

E) WORK WITH CIVIL SOCIETY:

There is a very active civil society engaged in the cultural life of the country, which undertakes initiatives and activities in all facets of culture and that support the principles contained in the two

major cultural conventions - 2003 and 2005 which Ghana has yet to ratify. This non-ratification is all the more surprising since civil society actors from Ghana participated in the development of the 2005 Convention.

UNESCO has invested in building the capacity of civil society institutions together with parliamentarians and government officials and providing support for advocacy in the field of culture, particularly with regards to:

- Mainstreaming culture in development policies and to have a meaningful budgetary allocation attributed to support and strengthen the sector.
- Ratifying and implementing the 2003 and 2005 Conventions.
- Recognizing the role of culture in national social and economic development.

F) ACHIEVEMENTS, BEST PRACTICES, CHALLENGES AND CONSTRAINTS:

Ghana is actively implements the 1972 World Heritage Convention and has recently focused on properties along the West Coast. GMMB has been strongly campaigning and raising awareness among the local communities to protect the integrity of the natural and cultural sites. Local communities included Regional, Metropolitan, Municipal and District Assembly Officials, representatives of the Traditional Councils, Assemblypersons, the youth and women's groups. The campaign has become necessary in the light of the discovery in recent times of crude oil in the Western region of Ghana. These properties are now not only under threat from the tropical maritime climate and encroachment by the sea but also under strong developmental pressures that the discovery is likely to create.

Ghana representatives Ghana served on the World Heritage Committee from 1976 to 1980.

The following challenges are to be noted:

- There is no specific legislation that addresses the core principles of the 2003 Intangible Heritage and the 2005 Diversity of Cultural Expressions Conventions. These two critical normative instruments could provide effective guidance and support in building legislation for Ghanaians to fully participate in their cultural life, have inclusive societies that uphold the equal dignity of and respect for all cultures.
- Despite civil society's dynamism in the culture sphere, their efforts are dispersed and therefore they do not have a strong voice to advocate for policy-formulation, programme planning and implementation that will enhance the participation of Ghanaians in cultural life.
- The main public culture institutions are poorly resourced both in expertise and funding.
- The right to take part in cultural life is being curtailed by endemic poverty among some elements of the Ghanaian society – particularly in the north.

G) CAPACITY-BUILDING AND TECHNICAL ASSISTANCE PROVIDED AND/OR RECOMMENDED BY UNESCO:

Following a series of advocacy, capacity-building and awareness-raising activities over the past two years, considerable debate on the role of culture in advancing unity and development in Ghana – TV, Radio, newspapers and social media – has been generated. Activities consistently involved civil society institutions, cultural practitioners, experts and activists as well as government institutions and legislators. Awareness has effectively been raised among the general public

It is important for civil society to continue the training and awareness raising at the institutional level and also roll out to involve grass root communities. They, should as a cohesive voice advocate

Government to take the necessary measures to ensure that the right to take part in cultural life is respected at all levels. Emphasis should be placed on ensuring equal gender and youth participation.

III. **RECOMMENDATIONS**

It is critical for the public instances ratify, effectively domesticate the three main UNESCO Conventions and proceed to invest in mainstreaming the conventions' principles in national policy, planning frameworks and action plans with the active engagement of representatives of civil society and rural communities.

UNESCO should continue to support Civil Society in Ghana to form a cohesive voice in contributing to government's efforts to create an environment which encourages individuals' and social groups' full participation in the cultural life of the country. UNESCO will should also continue to support Ghana in establishing and using instruments and tools (e.g. the Culture and Development Indicator Suite), to quantify and establish the role of culture in development in order to create a more conducive environment for all to take part in and enjoy a cultural life in Ghana.

Communication

Right to Freedom of expression

Article 19 of the International Convention of Civil and Political Rights provides that ***'Everyone shall have the right to freedom of expression; this right shall include freedom to seek, receive and impart information and ideas of all kinds, regardless of frontiers, either orally, in writing or in print, in the form of art, or through any other media of his choice.'*** One of the basic platforms for freedom of expression is a free, independent and pluralistic media.

The 1992 Constitution of Ghana provides basic guarantees for press freedom, including the freedom of speech and information. The Constitution is also unique in its provision for an independent national public service broadcaster. In 2001, the **Criminal Libel Law** was repealed. As a result, the media in Ghana is one of the most free in Africa and is now ranked 41 out of 179 countries of the World in 2011 by Reporters Without Borders (RWB). The media is regulated by an independent National Media Commission (NMC), also provided for in the Constitution.

However, in spite of the provision for the right to information in Section 21 of the Constitution, which is to be operationalised through appropriate legislation, a draft Freedom of Information Act of 2003 is yet to be passed by National Parliament. In addition, the media in Ghana is still largely under-resourced, which leads to cases of bribery and self censorship. The newspaper ownership is politically polarized, and radio and television programming quality needs improvement.

UNESCO has worked with journalism training institutions, media houses and journalist organizations in Ghana to increase access to community radio, improve the quality of journalism training and to promote press freedom in the country.

As part of fulfilling its objective in offering assistance in Ghana, UNESCO contributed to the Convention on the Elimination of All Forms of Discrimination against Women- Signed and ratified on 17 July 1980 and 2 January 1986 respectively through collaborations with government and civil society partners to advance awareness and enjoyment of rights by all inhabitants especially women.

