



Comitato Italiano Contratto Mondiale sull'Acqua
onlus



International Protocol for the human right to water and sanitation



Water Citizens National Forum

Accra 29 November

1st Session

History of WATSAN Decentralization

Vision and Current Reality

Key questions 1 : How has the national decentralization policy been adapted to the water sector?

In our view, national decentralization policy provides no appropriate model for guaranteeing access to the human right to water for Ghana citizens, especially citizens in rural areas that are penalized compared to urban areas.

The first consideration is that the model of access to basic human rights (water, sanitation) was developed in Ghana by adapting to ***administrative decentralization system of the State*** proposed by the World Bank and introduced in the late 80 years in Ghana as in most African countries.

Key questions

National Model of Decentralization

REGION Level (10)

- 10 Administrati Regions

DISTRICT (118)

- 118 District

Region Assembly

- One for Region

District level composed by

- 58 Citizens' council,
- 108 local council area,
- 6268 Council
- 16.000 Unit committees at the lowest level

Key questions 1 : How has the national decentralization policy been adapted to the water sector?

The second consideration *National model of water management in Ghana is based on an approach characterized as it follows:*

- Water is considered **a commodity, an economic resource**, owned by the State
- Water is ***not a common goods*** of all the citizens and people.
- Access to water is then possible **only by paying** for it
- The management of water is aimed at principles of **economic profitability ;**
- The funding for water management derive from the sale of water through **private concessions and the water tariff**
- For the Ghana State, according to the South Africa Court, access to **water “is not under a constitutional obligation** to provide any particular amount of free water”,

Key questions 1 : How has the national decentralization policy been adapted to the water sector?

- The third consideration. The **Model of governance and management** at national level is the Integrated Water Resources Management (IWRM) introduced from 1993 by the World Bank.
- This approach (the Integrated Water Resources Management) is based on the principles of the **user pays, who polluter pays**, in compliance with the principles of efficiency and effectiveness of investments.
- This economic management model includes the involvement of the private, public-private partnerships and privatization of water management, the decentralisation of water management.
- Currently this economic water management model has been endorsed by the United Nations. The aim n. 6 of the **New Agenda of sustainable development goals**, proposes the universal access to drinking water through a equitable price.

Key questions 2 : What have been the specific steps taken to introduce decentralization of water service delivery

The legislative framework of governance and management of water delivery was introduced by the National Water Policy of 2007

Rather than listing specific steps in introducing decentralization, we shall list here the limits of the decentralized model.

The first limit .

Ghana water policies to ensure access to drinking water are structured on **two independent tracks**, referring to the **urban** environment and to the **rural areas**.

The adoption of a **dual water management model** between urban area and rural area comes from a vision of water as an economic resource, that must be attractive for private investment or for found through the international cooperation

Decentralization reinforces the separation of the two models, and does not prevent from penalization of rural areas and do not guarantee the universal access of water drinking.

Key questions 2 : What have been the specific steps taken to introduce decentralization of water service delivery

The second limit is the model of management policies and investments

- The **Government (governance)** of water resources has been entrusted , by the Act 522 of 1996, to the **National Water Resources Commission**.

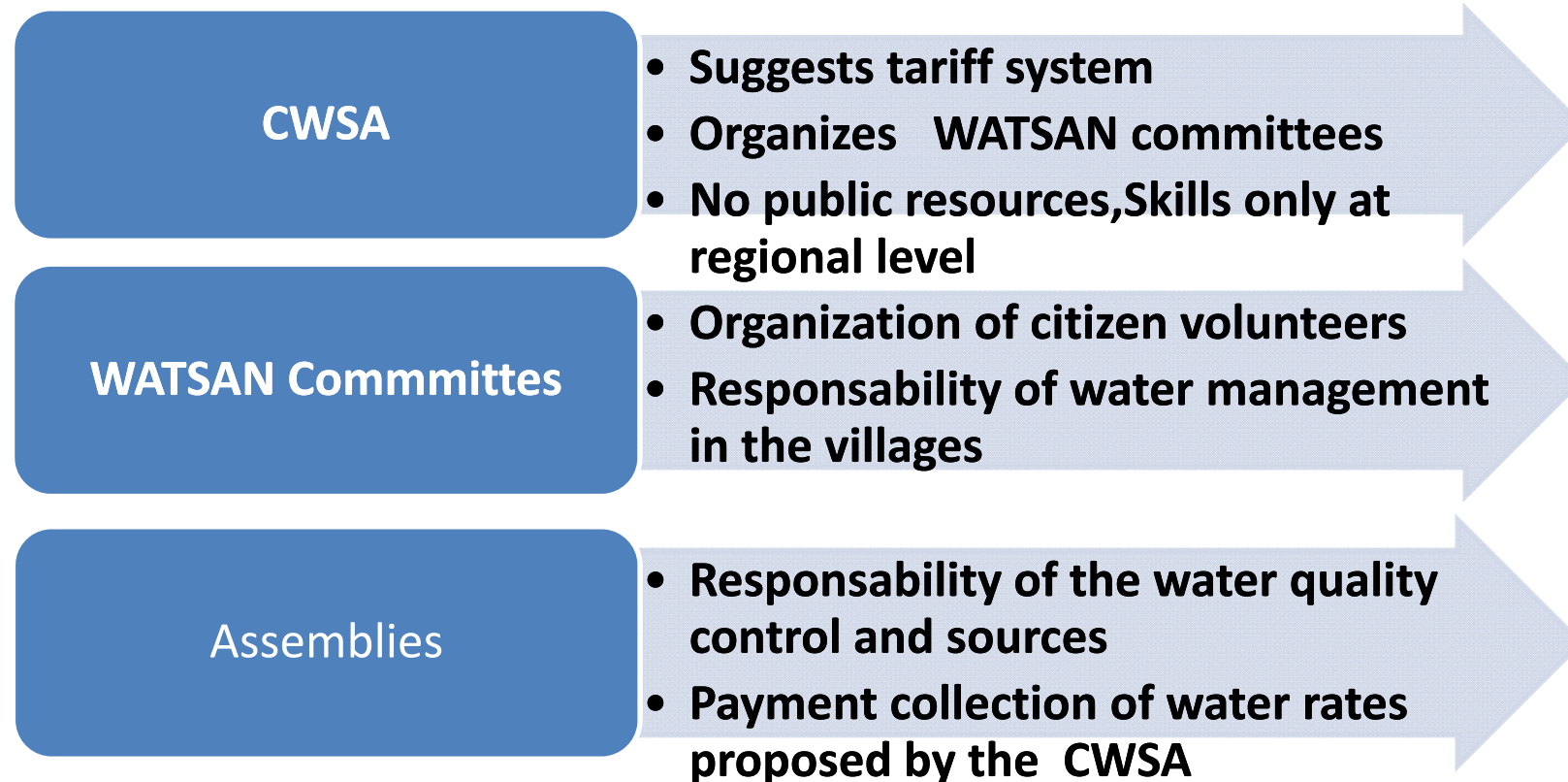
The **Water Commission** is composed only of representatives of national institutions with competence on the water , with the presence of a representative of the Ghana Water Company Limited and organizations producing potable water . There are no representatives of management local agencies or representatives of citizens local assemblies.

- The ***model of management*** adopted is a process which promotes the co-ordinated development and management of water and related resources, in order to maximize the resultant economic and social welfare
- The ***funding model of the management and protection of water resources is entrusted to contributions of the users and external funding***

Key questions 2 : What have been the specific steps taken to introduce decentralization of water service delivery

The third limit is the coordination mechanisms of decentralization of water services

In theory, the coordination structures have the task to track requests for funding and investment from rural communities and District Assemblies .
Decentralization is therefore unable to respond to most urgent needs of the poorest areas.



Key questions 2 - What have been the specific steps taken to introduce decentralization of water service delivery

The fourth criticality points is the vision of civil society and citizens

- The Ghanaian civil society has played a decisive role in the mobilization against the privatization of water services through the experience of the National Coalition Against Privatization of Water (NCAP).
- The management of water services has remained under the control of the public company , actualy the GWCL.
- After this success the mobilization of civil society in Ghana, was focused on the monitoring of the public management of water services opposing only any increase of water tariff or in same case to support the community management .
- The civil society took no steps to ask the Government to recognize the universal access to water as a human right and a common public good for all the citizens and consequently to eliminate the differentiated model of management of access to water, to ensure the same model of access to water for all the Ghana citizens

Key questions 3 : What has been the results of efforts of decentralization in the sector, has it affected participation and what remains undone and why?

- **The first result** is the penalization of citizens living in the rural areas, compared to urban areas.
- **The second result** is subordination of access to water to external funding for rural area
- **The third result** the unsatisfactory level of water quality for human use and infrastructure maintenance
- **The Fourth result** no financial sustainability of the water services management model determined by the uncertainty of public funds and financial resources through the sale of water and the water rate.

Solutions proposed by the Authorities are not really convincing, in so far the keep going towards mercerization and privatization of water service, what the Ghana civil society has already been able to block ?



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3 st Session

**Strengthening Local Government and District
WATSAN agencies Ties for functional
participation**

Key question 1 : *How can overcome these critical issues ?*

Some proposal that water citizens can stimulate at National Level

- 1. The first proposal** is the request, by social society and citizens, to the Parliament introducing in the ***Constitution*** the recognition of the human right water, the water as common public goods, the national public management of water.

- 1. The second proposal** to promote, by an advocacy campaign a new national water law to formalize the State obligations to guarantee the human right to water, to protect of water resources as a common good, the modalities of citizen participation to the water governance.

Key questions : : *How can overcome these critical issues*

The third proposal.

The citizens' committees can undertake advocacy actions to denounce the critical issues they face with respect to access to water for drinking and for productive uses

- The citizens' committees can apply to **the Court of Human Rights in Ghana** to denounce the critical issues respect to access to water through the existing decentralized management model
- An other level of advocacy action is to send complaints ***to the Human Rights Council in Geneva*** to denounce the difficulties that communities face in access to drinking water for human and for what productive use.

Key questions

what is possible in view of the foregoing.

The forth proposal is to verify the possibility to modify the model of national decentralization water policy

The request is to introduce the following proposals :

- The recognition of communities and management committees as subjects of the so-called "collective system" have the right to determine the type of water services and the ways in which this service has to be managed.
- The right of a representatives members of citizens committees to participate the decisions at the water government at Region and National Agencies

The last proposal

The local Committees can adopt self-financing of water services costs and management

2°Optional Protocol to ICESCR on water as human right and sanitation

Many small drops make up the glass of water with which

we quench our thirst.

We hope that

Social and Water Movement of Ghana

can support

***2° Optional Protocol to the International Covenant on Economic,
Social and Cultural Rights, on the right to water and sanitation
the International Protocol for the human right to water!***

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Many thanks for the attentions