

STRATEGIC PLAN OF THE LEGAL RESOURCES CENTRE (LRC) FOR ADVOCATING FOR THE ADOPTION OF THE RIGHTS-BASED APPROACH (RBA) TO DEVELOPMENT BY MAJOR DEVELOPMENT ORIENTED ORGANIZATIONS IN GHANA

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Background

It has come to the realization of the world community that approaching development work from a rights perspective has a greater guarantee of sustainability in addition to the fact that rights will be respected and promoted in the process - it self an end. Development is a process in which a community of people strives to make it possible for all its members to satisfy their fundamental human needs and to enhance the quality of their lives. The rights based approach to development brings to the development process tools and a discourse that enhances and sustains the centrality of the disempowered in the development process. It focuses on giving voice to express the suffering of the poor and identifying duty bearers in the nature of those whose actions are accountable for the conditions of the poor and their sufferings. It creates a universal language and framework with which the poor and disempowered can engage with the duty bearers. It creates standards and tools for holding people accountable.

This attraction of the human rights discourse has led to a marriage between development work and human rights activism known as the rights based approach to development (RBA). RBA has been embraced by the major development oriented institutions, including the World Bank and United Nations Development Programme (UNDP) as the accepted development paradigm. Consistent with this major development oriented non-governmental organizations (NGOs) have followed suit. The 2000-2004 Country Strategy Paper (CSP) for Action Aid Ghana (AAG) did mention the "Rights Based Approach" (RBA) as one of AAG's "new and emerging strategic directions and process approaches". Since then efforts have been made to make RBA real in the activities of AAG, with varying levels of successes, failures, resistance and difficulties.

Problem Analysis

Adopting the Triangular Analysis tool I came to a conclusion that the problem of action aid related to; (a) content; (b) application; and (c) culture. Content wise, the CSP clearly stated that RBA should be one of AAG's new and emerging strategic directions and process approaches. So there was a clear policy contained in AAG's most important policy document – Country Strategy Paper, 2000-2004. However there was no clear budgetary framework for the implementation of this new strategic direction. This lack of a budgetary allocation was due to the problem of failure of senior management and programme officers to appreciate the content of RBA and its approaches. This misunderstanding of RBA created fear about the perceived implications of adopting RBA. There has been talk of AAG "shifting from service delivery to RBA" implying that there was going to be abandonment of service delivery by AAG and the adoption of RBA. Some senior staff viewed this "shift" as a threat to their power base. Delivering services in the communities enhanced the status of AAG staff in the field and created a power relation that was threatened by the "shift".

In addition, most senior staff had their own conceptions of doing good or development work. They could see it in tangible form when they delivered tangible services. The empowerment component of RBA was not immediately visible and did not sit in well their notion of development work. Doing development work the RBA clearly demanded a change in the ways of doing things at AAG. This became a cultural problem. The shared values and ways of doing things of programme officers and senior management was threatened and as a result there was resistance. This resistance was fueled by lack of clear understanding of what RBA really was. Indeed one AAG staff said; "wrong information about RBA made people (in AA) allergic to RBA".

Due to these constraints RBA has really not successfully taken centre-stage in AAG work. The challenge is how to make RBA integral to AAG work. The challenge is to enable the full integration of RBA into the work of AAG. The problem is partly an application one and partly a cultural one.

Situation Analysis

This analysis was done using the *ACTON* tool for analyzing the environment within which the advocacy project was going to take place. The *ACTON* analysis looks at Advantages and Challenges: focusing on the internal capacity of the organization undertaking the advocacy work. It also looks at the Threats and Opportunities which are societal or embedded in the environment external to the advocacy oriented organization. The last stage in the use of the tool is to look at Next Steps.

The Advantages of the Legal Resources Centre (LRC) are that it is human rights focused organization with a team of competent human rights experts with considerable exposure to grass root human rights activism. Also, the organization is part of an extensive network of human rights organizations in both the north and the south constituting the human rights movement. For several years now the organization has been engaged in rights advocacy which has been linked to development. These project which was in collaboration with the Human Rights Program of Harvard Law School created the framework for the generation of a lot of learning around the use of the rights based approach to development. The LRC there has a rich depository of knowledge of the rights based approach to development.

The challenge was how to package the information in a way that was relevant to the work of big development oriented organizations like Actionaid Ghana. This was essentially how to communicate this knowledge in a way that addressed the needs of AAG to have a clearly defined approach. Added to this was the traditional resource problem. Enabling an organization with such wide national coverage to develop adequate RBA competency demanded enormous financial resources which LRC did not have.

The threats were that most development organizations had the fear that doing the rights based approach to development will necessarily set them up against government since that has been the general posture of human rights organizations. Most development organizations dislike government antagonism and prefer to work collaboratively with governments and state institutions. This fear of antagonism made them want to keep a distance from a clearly human rights focused organization. Besides, the senior staffs of AAG due first to misunderstanding of

what RBA is and the obvious power shift in the communities that will result from RBA work were and are still quiet apprehensive.

However, there are clear opportunities within this external environment. The Country Strategy Paper (CSP) of AAG which states the main policy directions and process approaches of AAG clearly states that the use of the rights based approach to development should define AAG's development approaches. In addition, the Country Director (CD) is very committed to ensuring that indeed the AAG approach is defined by RBA.

This commitment is re-enforced by the fact that the international donor community and the Breton Woods institutions have all declared their commitment to doing the development assistance in a way that promotes human rights. As a result the attraction of development organizations is now to some extent influenced by the human rights content of their missions and approaches. This global shift towards doing development the human rights way serves as an added pressure on country programmes to incorporate human rights into their programmes and AAG is no exception.

In Ghana itself the situation has become more human rights friendly. The institutions of civil society, aided by international financial institutions; development partners; and donor nations, are increasingly demanding greater accountability. In response to the pressures, the structures of governance are being opened up in ways consistent with our original constitutional design for democratic governance. In spite of the imperfections, the environment for doing development the rights way is being created.

The institutions of learning within Ghana are also thinking of building knowledge around the discipline of how to do development the rights way. This reflects the pressure from all other development actors to develop their understanding of the approach.

Specific Actions and Action Plans

Following this analysis of the situation, the next step was to develop a strategy for penetrating the organization (AAG). Between the year 2002 and 2003, whilst away from LRC, I tasked the leadership of LRC to develop a strategic plan for engaging AAG and getting them to incorporate the human rights approach in their development work. The core element of their strategy was to send proposal for support from AAG. This failed and no further attempts were made to deal with AAG.

In mid 2003 I returned to Ghana and in late 2003 to early 2004 we began to develop a strategy for engaging AAG. The strategy was to look for allies within the Development Areas (DAs) of AAG (AAG, for the purposes of their development work, has divided the country into DAs with teams of programme officers and supporting management staff in each DA to carry out their activities). We found allies in the Saboba-Chereponi DA. We offered to work with them to develop their RBA competencies through a series of training and joint pilot programmes.

Between March and May 2004, these training programmes and pilots took place. The effect was that it led to the Saboba-Chereponi DA programme team being convinced that RBA did

not pose the types of threats they had feared. This demonstrative effect consequently led to the Chereponi programme team beginning to lobby the national office of AAG to develop a more country focused strategic partnership with the LRC in making RBA real in AAG. Their lobby was strong and in the same month of May 2004 the Country Director (CD) commissioned LRC to carry out training programmes for some AAG staff. Following the evaluation of the May programme, the competency of the LRC was confirmed to the national office and in early June 2004 the national office then commissioned LRC to develop a strategic plan for fully incorporating RBA into AAG. Key elements of the strategic plan include:

1. Changing perceptions about RBA and improving the RBA competencies of AAG staff at all levels through a series of training programmes and pilot activities. This will follow the forging of strategic partnership between AAG and LRC. The training programmes will take place between July and August 2004 whilst the pilots will extend a little beyond that period.
2. Institutionalizing RBA through a series of institutional reforms and measures aimed at making the structures and institutional processes of AAG RBA enhancing. This includes taking advantage of already existing opportunity structures within AAG to embed the knowledge and practice of RBA. This will take place between September and December after the staffs have received training we will then begin to consider institutional reforms.
3. To develop the competency of AAG partners (AAG delivers services to communities through several local partners and local government institutions) in RBA.

RBA beyond AAG

Another component of the strategy is to reach out to other development oriented organizations and learning centres. We have already begun lobbying Plan International – Ghana Office to begin training and supporting them to do development work the RBA way. We have also come to an understanding with the Ghana Institute of Management and Public Administration (GIMPA) to carry out a series of training programmes on a commercial basis on the campuses of the Institute, designed to meet the needs of professionals who come there for advanced management and public administration studies. We are in the process of designing this study programme.