

**CENTER FOR PUBLIC INTEREST LAW (CEPIL)**



**STRATEGIC PLAN**  
**(2021 - 2025)**

18 February 2021

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## 1. Background and Objectives of CEPIL<sup>1</sup>

The Center for Public Interest Law (CEPIL) was founded in 1999 as a non-partisan, not-for-profit, non-governmental organisation (NGO), with the primary aim of making the pursuit of justice accessible and affordable to poor and marginalized communities and individuals. CEPIL advocates for and facilitates access to justice by poor communities against policies and actions (private and public), which adversely affect the interests of those communities. In addition, CEPIL seeks to influence legislative reforms through research and advocacy to ensure that the public interest is best served; thereby, enhancing accountability of public decision makers. CEPIL enjoys a distinctive place within the legal and human rights community in Ghana (and Africa in general). It is the only local legal/human rights non-governmental, not-for-profit organisation (NGO) that specifically targets both the human rights and public interest law litigation needs of its beneficiaries.

The vision and mission statements of CEPIL, and the corporate objectives that determine the focus of the organisation and determine its operational agenda are as indicated below:

### **Vision:**

To have a society that is free of injustice, oppression and social inequity and where people live a life of dignity irrespective of sex, class, color, race and geographical location.

### **Mission:**

To continually strive for justice and fairness especially for the poor and marginalized in society by working to improve democratic governance, rule of law and ensuring accountability of public and private actors through advocacy, litigation, social mobilization and research.

### **Objectives:**

- Increase accountability of public decision makers
- Obtain and/or improve access to justice
- Enhance the quality of public decision making
- Research into public interest law and publication of research findings

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<sup>1</sup> The contents of this session are cited from materials on the website of CEPIL

## **2. Analysis: Context, Challenges and Opportunities**

### **2.1. Legislative Advocacy**

As a result of vested interests, time limitations, and other reasons, the legislative processes in Ghana's extractive sector are sometimes rushed, and do not sufficiently ensure full and adequate participation of civil society, especially affected communities. In the bargain, dialogues and stakeholder consultations are compromised, leading to situations where some constitutionally guaranteed rights, as well as public interest requirements of the constitution, and Ghana's treaty obligations under international law are sometimes ignored in the Bills and Regulations going before Parliament.

CEPIL supports the facilitation and aggregation of civil society inputs into the legislative process. It also assists with monitoring the performance of Parliament by tracking Bills and Regulations. CEPIL's efforts in legislative advocacy include setting up discussion forums and working groups with representatives of communities in order to provide their input on Bills and Regulations before parliament. The support includes strengthening the parliamentary processes in Ghana and establishing dialogue between civil society and parliament.

### **2.2. Good Governance & Human Rights Programme**

Lack of transparency and accountability and a growing culture of impunity have come to characterize the governance landscape of Ghana. High levels of partisanship and a culture of patronage undermine the ability of Parliament, the Judiciary and other constitutionally mandated bodies to hold the executive to account. Poor service delivery is eroding public confidence in public institutions and undermining popular support for the democratic governance system. There is a growing distance between government and citizens, especially the Youth. Further risks to inclusive political and accountable governance include the tendencies towards the use of physical and verbal violence to resolve differences; growing perceptions of widespread impunity, corruption and nepotism; a worrisome perceptions of a politicized public service; and a shrinking space for women and youth participation in decision making structures and accountable governance, resulting in further alienation and apathy among large segments of society, including the vulnerable and marginalized.

CEPIL aims at increasing government transparency, accountability and promoting respect for fundamental human rights by holding government, its agencies, public officers holders and other actors accountable for their actions and/or inactions or omissions or policies that have adverse effects on citizens.

### **2.3. Extractive Communities Human Rights**

Extractive communities that are located in and around mining, oil and gas explorations and other extractive industries and concessions do not often receive fair deal and equitable shares of the benefits of the resource exploitation. Private firms and government machinery tend to take undue advantage of the weak capacity of communities to negotiate fair deals. Often times, when private firms and /or government breaks an agreed deal, extractive communities have challenges in accessing justice, because of inadequate appreciation of their legal rights and entitlements, and the high cost and long duration that characterize litigations. In nearly all cases private firms and government end up violating the economic, financial, human, ownership, and environment rights of communities and individuals. Long-term livelihood and natural resource governance systems of communities are destroyed without adequate substitutes of sustainable sources of incomes, employment and natural resource ownership. Extractive communities, on the whole, are too weak to withstand the exploitative machinery of the large corporate private sector and government.

CEPIL supports extractive communities to seek justice and the preservation of their human rights through legal assistance, including courtroom representations, advocacy, training in human rights, and capacity building in negotiation skills

### **2.4. Research**

Decision-making and policy reforms need to be increasingly based on evidence from field research. This will stem the growing tide of populism and marginalization of minority voices and interests. CEPIL conducts research into public interest law issues and publish the research findings to support its advocacy programmes.

### **2.5. Internship Programme**

Local and international law and social science students need institutions that provide professional and supervised support for their professional career development and practical work experience. This is especially crucial in the areas of public interest law and human rights where volunteerism and pro bono culture is required to support marginalized and vulnerable communities and individuals. CEPIL admits both local and foreign students to undertake internship.

### **2.6. Stakeholder Analysis**

CEPIL functions with a wide range of stakeholders as partners, commissioning agencies, network members, funders and beneficiaries of its services. These are analysed in Table 1 below with the intention of identifying strategic changes and implications that need to be considered in the next five years to ensure CEPIL's strategy and operational mechanisms are more effective.

**Table 1: Stakeholder Analysis**

<b>Description of Stakeholder</b>	<b>Current/Potential Role in Public Interest Law</b>	<b>Needs to Be Addressed</b>	<b>Implications for CEPIL Strategic Plan</b>
Policy holders (e.g. Ministers, MPs, Heads of MDAs)	Formulate and implement laws, Bills, regulations and policies that affect citizens  Partner with and/or fail to sanction public and private entities that flout laws and or the policies.	Improved awareness of the impact of laws and policies on vulnerable citizens and communities  The impact of corruption on the vulnerable and marginalised	Use research findings to influence law-making and community engagement  Intensify advocacy and citizen education on the effects of laws and policies. Rights beget responsibilities. Therefore if citizens are educated to know their obligations under the law they should be able to make their contributions to peaceful conflict resolution.
Government Agencies and Institutions (e.g. EPA, Petroleum Commission, Minerals Commission)	Ensure the provisions in Local Contents Bill/Law are communicated to citizens Control and avoid environmental pollution and enhance natural resource management	Need to strengthen their community engagement mechanisms Training in policy impact analysis	Develop and implement programmes and packages for training in community engagement processes and policy impact analysis
Extractive Communities (e.g. Oil & Gas and mining communities)	Negotiating their rights, entitlements and participation in mining, oil and gas exploration, and other extractive industry processes. They are the target beneficiaries.	Legal illiteracy, weak community level leadership capacity, and corrupt leaders Poor community mobilisation and sensitisation	Implement programmes in legal training and capacity building in negotiations and community mobilisation and sensitisation
Private Oil & Gas, Mining and other extractive companies (e.g. Newmont, AngloGold, Kibi Goldfields)	Destroying livelihoods of communities without providing alternative source of livelihoods. Unfair /unjust treatment of owners of natural resources	Company attitude of focusing on short term gains and use of unsustainable baits and pacifiers for community leaders	Education and sensitisation on sustainable community engagement mechanisms and the design of improved beneficiation packages in line with the laws
Local partners/ Networks of CEPIL (e.g. ISODEC, WACAM, ACEP, Friends of the Nation, Star Ghana)	Provide experts, funds, operational tools/methodologies and training to CEPIL and communities	Need to sustain the partnerships and networks as sources of support and capacity building for CEPIL and beneficiary communities	Improve partnership management mechanisms of CEPIL to continue leveraging of available services and support from partners and networks
Funders and INGOs (e.g. Oxfam, OSIWA, NORAD, UNDP, UKAID, USAID)	Finance CEPIL programmes Build capacity of CEPIL personnel	Need for more core funding and sustaining projects to ensure impact	Expand and diversify the sources of funding for CEPIL, especially explore core funding possibilities

## **2.7 Analysis of CEPIL's Strengths, Weaknesses, Threats and Opportunities (SWOT)**

The SWOT analysis interrogates within the framework of CEPIL's functional context, its internal strengths and weaknesses to make informed judgments, while considering the external opportunities and threats/constraints that CEPIL must navigate to be more effective in the performance of its mandate.

### **a. Strengths**

CEPIL is the only widely known and accepted national NGO/CSO that provides legal support to poor and marginalised individuals and communities. It has an impeccable track record of court representations for poor and under-resourced communities and individuals seeking legal redress against government and powerful private corporations. CEPIL has functional governance architecture with highly qualified and well-known professionals on its governing Board and management team. The financial management system of CEPIL has enabled the organisation over the years to manage donor and programme funds with integrity and efficiency. CEPIL's credibility enables it to engage and deploy highly experienced legal experts to build the capacity of communities for self-representation while negotiating with powerful government and private entities in the extractive sector, or court representations for communities and individual seeking legal redress. The successful internship programme that CEPIL has run over the years has enabled the organisation to build an inter-generational network of legal professionals locally and internationally from which CEPIL draws upon experts to support the implementation of its programmes.

### **b. Weaknesses**

The main weakness of CEPIL is its inability to hire and retain in-house the requisite pool and mix of experts that will boost its internal capacity to deliver on its mandate. In addition, the dearth of core funding makes CEPIL overly dependent on earmarked programme and donor funds. This affects its capacity and flexibility to pursue some of its key functions, such as research and legal advocacy where external funds are less available. CEPIL's equipment, technology and office hardware need upgrading, especially in the context of the COVID-19 pandemic where a lot of the organisation's implementation processes need to be done online. In spite of its remarkable track record, CEPIL visibility as a support organisation for marginalised communities and a champion of public interest law is relatively low.

### **c. Opportunities**

The prevailing climate of liberal democracy and the pursuit of human rights in Ghana provide an enabling environment for the work of CEPIL. A wider conception of

'civil society' is taking root that includes emerging citizen-led campaigns and social movements (driven by voluntarism, digital technology and social media), trade unions, professional associations, faith-based groups, the media and business organizations. In line with the Sustainable Development Goals (SDGs) and the post-2015 'leave no-one behind' development agenda, increasing numbers of CSOs are integrating a practical gender equality and social inclusion perspective into their work. These create an environment that is conducive to the work of CEPIL. In addition, the combined situation in Ghana of a political-economic regime that encourages the private sector as the engine of economic growth within the context of a relatively uniformed and legally illiterate citizenry and communities together provide a fertile ground for the work of CEPIL to champion public interest law and advocacy for equity and human rights. The wide network of local and international legal experts created over time through the internship programme of CEPIL is an asset that the organisation can deploy to advance its work. There is a growing interest among member states of ECOWAS to be part of an emerging programme of CEPIL, "Public Interest Law Initiative in West Africa" (PILIWA). This is an opportunity for CEPIL to build its capacity and expand its relevance in public interest law in the West Africa sub-region as support for consolidating good governance and citizens' rights.

#### **d. Threats**

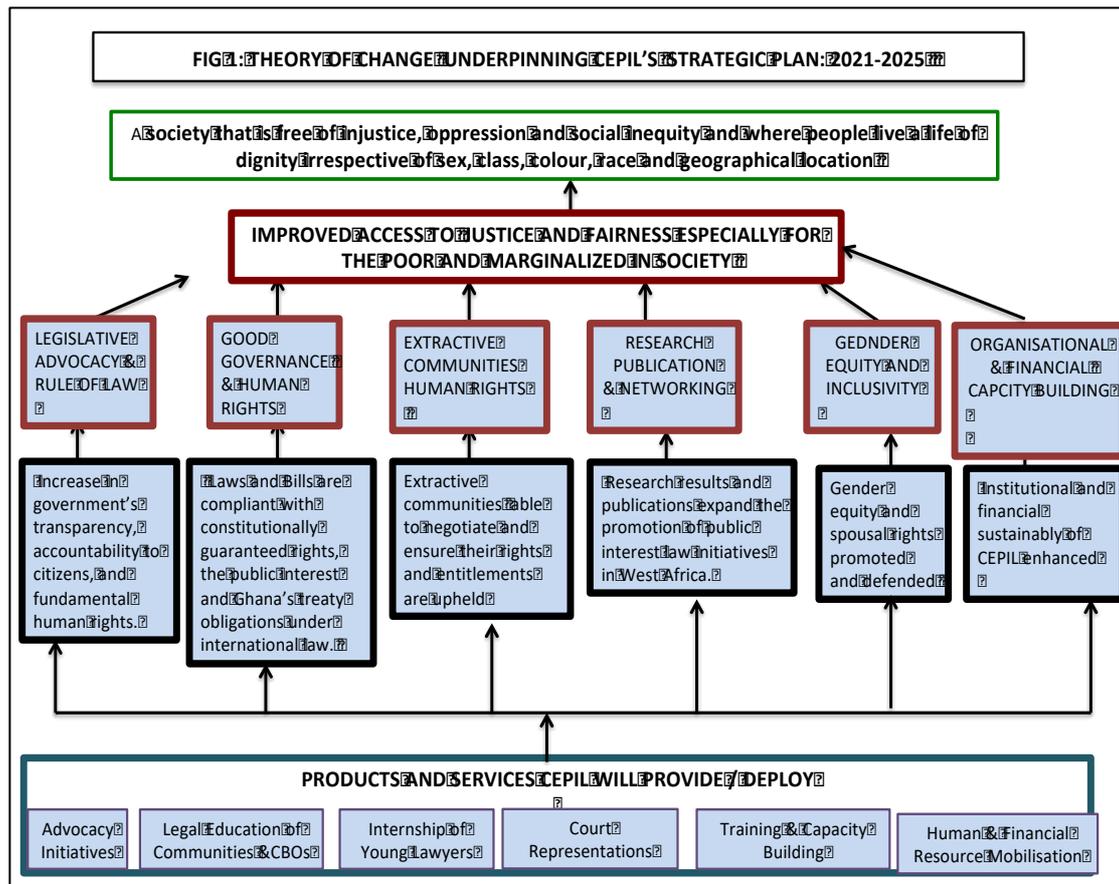
The main threat to the work of CEPIL remains interferences from governments that undermine public interests and shrink the civil society space. Moreover, Ghanaian CSOs have had limited success in mobilising wider citizen voice, participation and collective action on critical social challenges – and the sustainability of civil society activism is at risk. These weaknesses perhaps manifest most at the community level where collective voluntary actions for community development, once part of the way of life in villages, appear to have receded. The civil society sector is handicapped by weaknesses in CSO representativeness, credibility, collaboration and effectiveness. Civil society networks are relatively weak, and CSO relationships with government and business are underdeveloped. There is a high level of competition and fragmentation among CSOs, with a disproportionate dominance of the sector by larger, urban-based NGOs. Equally, there is a lack of effective engagement and collaboration between CSOs, research and policy think tanks, media groups and groups representing the private sector. Development, advocacy and rights-based CSOs are heavily dependent on international donors. The enabling legal, policy and tax environment for civil society in Ghana is rudimentary and needs major reform. All these factors undermine and threaten the sustainability and effectiveness of civil society voice (including that of CEPIL) to influence national policy and ensure more accountable governance. The other threat is the ever dwindling funding for CSOs in general, and particularly for those working in the governance sector, such as CEPIL.

### 3. Theory of Change and Delineation of Strategic Priorities

Based on the context analysis and the emerging opportunities and strengths of CEPIL, an intervention logic or hypothesis has been mapped out to underpin the strategy of CEPIL over the next five years. This is shown in Fig. 1 below.

In essence the theory of change is that CEPIL will focus on six intervention areas or interrelated pathways of action that will lead towards an **improved access to justice and fairness, especially for the poor and marginalized in society**. This would be the overall goal of CEPIL in the next five years, and will enable the organisation to stay the course towards its vision of having “a society that is free of injustice, oppression and social inequity and where people live a life of dignity irrespective of sex, class, colour, race and geographical location”. These focal areas of action, also known as the strategic priorities of CEPIL over the next five years are:

- a. To promote good governance and human rights by working to increase government’s transparency, accountability to its citizens, and promoting respect for fundamental human rights.
- b. To strengthen legislative advocacy by reviewing existing Laws and bills before Parliament for their compliance with constitutionally guaranteed rights, the public interest requirements of the constitution, and Ghana’s treaty obligations under international law.
- c. To undertake research into existing and emerging public interest law issues and publish the research findings as field-based evidence for policy advocacy programmes that expand the promotion of public interest law initiatives in West Africa.
- d. To provide legal support and capacity building for communities living in and around extractive industries and concessions to enable them negotiate and ensure their rights and entitlements are upheld
- e. To promote and defend gender equity and inclusivity and spousal rights as a specific aspect of human rights
- f. To enhance the institutional and financial sustainability of CEPIL



#### 4. Results Framework and Logical Framework

Based on the theory of change a results framework or logical framework has been developed to specify the objectives, outcomes or changes, outputs or deliverables and the corresponding activities/projects that CEPIL commits to implement and achieve during the five year period from 2021 to 2025.



# STRATEGIC PLAN: 2021 – 2025 RESULTS FRAMEWORK

PREPARED ON  
17 FEBRUARY 2021

**Vision:** To have a society that is free of injustice, oppression and social inequity and where people live a life of dignity irrespective of sex, class, colour, race and geographical location

**Mission:** To continually strive for justice and fairness especially for the poor and marginalized in society by working to improve democratic governance, rule of law and ensuring accountability of public and private actors through advocacy, litigation, social mobilization and research.

STRATEGIC OBJECTIVES	OUTCOME INDICATORS	OUTPUTS	OUTPUT INDICATORS	MAIN ACTIVITIES
<p><b>Objective 1: Legislative Advocacy and Rule of Law</b></p> <p>To review existing Laws and track/review bills before Parliament for their compliance with constitutionally guaranteed rights, the public interest requirements of the constitution, and Ghana's treaty obligations under international law.</p>	<ul style="list-style-type: none"> <li>• Policy holders become more transparent and accountable to their constituencies</li> <li>• Improved access to justice for the poor and marginalised</li> <li>• Reduction in the cost and duration of legal redress in favour of the poor, marginalised and vulnerable in society</li> <li>• Reduction in the duration of legal redress in favour of the poor, marginalised and vulnerable in society sometimes exceeding ten years, which is equivalent to justice delayed and for that matter justice denied.</li> </ul>	<p>1.1. Number of laws reviewed and made compliant with constitutionally guaranteed rights, public interest and Ghana's obligations under international law</p> <p>1.2. Number of advocacy programmes on law review/reforms and on law-making processes</p>	<ul style="list-style-type: none"> <li>• Evidence of changes in existing laws that favour the poor and marginalised</li> <li>• Evidence of changes in law-making processes that are pro-poor and inclusive of marginalised segments of society</li> </ul>	<p>1.1.1. Advocate for implementation of recommendations in the recent constitutional amendment report.</p> <p>1.1.2. Advocate for Constitutional changes to separate Executive functions from Parliamentarians</p> <p>1.1.3. Monitoring and evaluate the performance of Parliament by tracking changes in various Laws, Bills and Regulations that are pro-poor and enhance citizen rights</p> <p>1.2.1. Advocate for domestication of international treaties and conventions</p>

STRATEGIC OBJECTIVES	OUTCOME INDICATORS	OUTPUTS	OUTPUT INDICATORS	MAIN ACTIVITIES
<p><b>Objective 2: Good Governance &amp; Human Rights</b></p> <p>To promote an increase in government's transparency, accountability and to promote respect for fundamental human rights.</p>	<ul style="list-style-type: none"> <li>• The Parliamentary process in Ghana is strengthened, enabling Parliament to perform its watchdog mandate better</li> <li>• Improved checks and balances in democratic governance between Parliament, Executive and Legislature</li> <li>• Enhanced independence of government institutions and agencies to perform their mandate with minimised political interferences</li> <li>• Reduction in incidences of human rights abuses</li> </ul>	<p>2.1. Programmes that improve the frequency of MPs interactions with constituency members and citizens</p> <p>2.2. Advocacy programmes on separation of powers in governance</p> <p>2.3. Initiatives that address prevailing human rights abuses</p>	<ul style="list-style-type: none"> <li>• No of government officials consulting and addressing expressed needs of communities and citizens</li> <li>• Incidences of human right abuses resolved</li> <li>• Evidence of increased citizen participation in policy formulation</li> </ul>	<p>2.1.1. Implement programmes on MPs and Parliamentary outreach to communities and citizens</p> <p>2.1.2. Undertake social mobilisation and sensitisation programmes on rights and responsibilities of MPs, and citizens</p> <p>2.2.1. Implement social media and other advocacy programmes on separation of powers</p> <p>2.3.1. Implement programmes to address human rights abuses in identified communities</p>

STRATEGIC OBJECTIVES	OUTCOME INDICATORS	OUTPUTS	OUTPUT INDICATORS	MAIN ACTIVITIES
<p><b>Objective 3: Extractive Communities Human Rights &amp; Legal Support</b></p> <p>To provide legal assistance to communities living in and around extractive industries and concessions</p>	<ul style="list-style-type: none"> <li>• Reduction in incidence of legal abuse and human right violations in extractive communities</li> <li>• Improved capacity of extractive communities to negotiate and protect their rights</li> </ul>	<p>3.1. Programmes on defence of human and community rights</p> <p>3.2. Capacity building programmes on negotiation and legal literacy</p>	<ul style="list-style-type: none"> <li>• No of court representations for communities</li> <li>• No. of community members trained by gender and age</li> <li>• No. of self-representations of communities and citizens in court</li> <li>• No. of cases negotiated</li> <li>• Increase in compensations</li> <li>• Increased knowledge of poor and marginalised about the law and their rights</li> </ul>	<p>3.1.1. Provide court representations for marginalised communities and individuals</p> <p>3.1.2. Train communities and CBOs in relevant legal education</p> <p>3.2.1. Implement capacity building programmes in negotiations and community rights</p> <p>3.2.2.</p>

STRATEGIC OBJECTIVES	OUTCOME INDICATORS	OUTPUTS	OUTPUT INDICATORS	MAIN ACTIVITIES
<p><b>Objective 4: Research and Publications</b></p> <p>To conduct research into public interest law issues and publish the research findings.</p>	<ul style="list-style-type: none"> <li>• Improvements in public awareness on public law issues</li> <li>• Research findings used in the review of public interest laws and policies</li> </ul>	<p>4.1. Number of research products on public interest law</p>	<ul style="list-style-type: none"> <li>• Policy holders improve on transparency and accountability on issues arising from publications from research results</li> <li>• Communities/citizens make amends in their attitudes</li> </ul>	<p>4.1.1. Undertake studies and research</p> <p>4.1.2. Publish research results</p> <p>4.1.3. Disseminate publications through various media</p>

STRATEGIC OBJECTIVES	OUTCOME INDICATORS	OUTPUTS	OUTPUT INDICATORS	MAIN ACTIVITIES
<p><b>Objective 5: Gender Equity and Spousal Rights</b></p> <p>To promote and defend gender equity, inclusivity and spousal rights as a specific aspect of human rights</p>	<p>Number of spouses who receive justice from inheritance, alimony, family disputes, etc.</p> <p>Number of family law cases CEPIL supports per annum</p>	<p>5.1. Programmes to reduce gender inequity and spousal abuse/neglect</p>	<ul style="list-style-type: none"> <li>Reduction in incidence of gender violence and spousal neglect</li> </ul>	<p>5.1.1. Undertake gender equity and inclusion programmes</p> <p>5.1.2. Publish /disseminate results of best practices</p>

STRATEGIC OBJECTIVES	OUTCOME INDICATORS	OUTPUTS	OUTPUT INDICATORS	MAIN ACTIVITIES
<p><b>Objective 6: Organisational and Financial sustainability of CEPIL</b></p> <p>To strengthen CEPIL’s organisational, institutional and resource mobilisation capacity</p>	<p>Increase in the number of institutions/partners, and the volume and diversity of funding sources supporting CEPIL’s vision-driven programming</p> <p>Increase in legal experts available for CEPIL to deploy/collaborate with</p>	<p>6.1. New strategic partnership secured for CEPIL</p> <p>6.2. Increase in funds from old and new financial partners</p> <p>6.3. Training and practical work experience provided to law and social science students/graduates who wish to build a career in Public Interest and Human Rights</p> <p>6.4. Improved technology and digital capacity</p>	<ul style="list-style-type: none"> <li>• Increase in number funders to 2 every year</li> <li>• Increase in number of CEPIL strategic partners providing human and financial resources</li> <li>• Increase in core funding</li> <li>• At least 5 interns (local and international) receive tutelage and are nurtured into full-fledged professional lawyer to promote justice annually</li> </ul>	<p>6.1.1. Undertake project proposal writing to leverage funds from donors and partners</p> <p>6.1.2. Develop fundraising materials and undertake targeted consultations with existing and potential funders and partners to raise funds</p> <p>6.1.3. Implement innovative resource mobilisation programmes</p> <p>6.1.4. Implement and expand internship programme</p> <p>6.1.5. Design and deliver training workshops for fees</p> <p>6.1.6. Explore partnerships with sabbatical professors and universities to leverage specialised public interest law experts as partners</p> <p>6.1.7. Invest in improving technology and equipment in CEPIL office</p>