**INDEPENDENT REPORTING MECHANISM:** 

# GHANA PROGRESS REPORT 2013–2014



Nicholas Adamtey Independent Researcher First Progress Report







# INDEPENDENT REPORTING MECHANISM: GHANA PROGRESS REPORT 2013–2014

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## **EXECUTIVE SUMMARY**

# INDEPENDENT REPORTING MECHANISM (IRM): GHANA PROGRESS REPORT 2013-2014

The Ghanaian government wrote an ambitious action plan. A number of commitments reflected public concerns. Some of the commitments around legislation lacked consultation and few of these were passed into law. Moving forward, the government will need to involve experienced stakeholders in each specific policy area, such as extractives organizations in the Petroleum Revenue Management Act.

The Open Government Partnership (OGP) is a voluntary international initiative that aims to secure commitments from governments to their citizenry to promote transparency, empower citizens, fight corruption, and harness new technologies to strengthen governance. The Independent Reporting Mechanism (IRM) carries out a biannual review of the activities of each OGP participating country.

Ghana officially began participating in OGP in September 2011, when former President J.E.A Mills declared the government's intent to join.

The OGP in Ghana is led by a national steering committee comprised of representatives from government and civil society. The Public Sector Reform Secretariat (PSRS) serves as the Secretariat for the OGP process in the country. The PSRS does not have legal power to compel other agencies to implement OGP commitments, and there is currently no mechanism in place to ensure commitment implementation. Additionally, there is no overall budget for OGP. Instead, the government expects each institution to commit its own resources to achieve their commitments.

#### **OGP PROCESS**

Countries participating in the OGP follow a process for consultation during development of their OGP action plan and during implementation.

Overall, Ghana developed the OGP plan in a participatory way. Government organised consultations in three geographic zones and sent invitations to all known civil society organisations (CSOs) in these zones. They did not circulate the draft action plan ahead of the consultations, which would have helped the stakeholders better prepare for the meeting. The IRM researcher was unable to find a report on the national consultation forum.

The PSRS organised an implementation forum for CSOs and government agencies. Its objectives were to raise awareness, identify implementation challenges, and promote collaboration among stakeholders. In the future, government administrators need to conduct more workshops to discuss action plan implementation.

At the time the researchers wrote this report, the government had not published its selfassessment report.

## AT A GLANCE

PARTICIPATING SINCE: 2011 NUMBER OF COMMITMENTS: 13

#### LEVEL OF COMPLETION

COMPLETED:	0 OF 13
SUBSTANTIAL:	5 OF 13
LIMITED:	5 OF 13
NOT STARTED:	3 OF 13

#### TIMING

ON/AHEAD OF SCHEDULE: 4 OF 13

#### COMMITMENT EMPHASIS

ACCESS TO INFORMATION:	7 OF 13
CIVIC PARTICIPATION:	9 OF 13
PUBLIC ACCOUNTABILITY:	70F 13
TECH & INNOVATION FOR TRANSPARENCY &	

#### NUMBER OF COMMITMENTS WITH

ACCOUNTABILITY:

CLEAR RELEVANCE TO AN OGP VALUE: 10 OF 13 MODERATE OR TRANSFORMATIVE POTENTIAL IMPACT: 9 OF 13 SUBSTANTIAL OR COMPLETE IMPLEMENTATION: 5 OF 13 ALL THREE (): 3 OF 13

1 OF 13

## **COMMITMENT IMPLEMENTATION**

As part of OGP, countries are required to make commitments in a two-year action plan. Table 1 summarises each commitment, its level of completion, its ambition, and whether it falls within Ghana's planned schedule, and the key next steps for the commitment in future OGP action plans. Ghana's plan contained several commitments focused on increasing transparency in government revenue and expenditures. The plan contained a number of ambitious commitments, as evidenced below, but implementation on a number of those remained limited.

Table 2 summarizes the IRM assessment of progress on each commitment.

### Table 1 | Assessment of Progress by Commitment

COMMITMENT SHORT NAME		POTENTIAL IMPACT		LEVEL OF COMPLETION				TIMING	NEXT STEPS	
<ul> <li>COMMITMENT IS SPECIFIC AND MEASURABLE, CLEARLY RELEVANT TO OGP VALUES AS WRITTEN, HAS SIGNIFICANT POTENTIAL IMPACT, AND IS SUBSTANTIALLY OR COMPLETELY IMPLEMENTED.</li> <li>Commitments were assessed for potential impact and next steps only at the commitment level.</li> </ul>	NONE	MINOR	MODERATE	TRANSFORMATIVE	NOT STARTED	LIMITED	SUBSTANTIAL	COMPLETE		INCLUDE THIS COMMITMENT, IN PART OR IN TOTAL, IN THE NEXT PLAN?
1. Passage of Fiscal Responsibility Act									Behind schedule	
1.1. National consultation and report on Fiscal Responsibility Act— conduct national consulation with a variety of stakeholders. Finalise report on the consulation.	-								Behind schedule	X
1.2. Prepare and pass fiscal responsibility bill—place draft bill for cabinet approval. Introduce draft bill in parliament for debate and passage.	-								Behind schedule	Yes
1.3. Awareness creation on bill— educate public on content of bill.									Behind schedule	
2. Fiscal Transparency									Behind schedule	
2.1. Initiate a process that facilitates effective tracking of expenditures.									On schedule	
2.2. Production and dissemination of simplified version of the budget									On schedule	
2.3. Production and dissemination of citizens' budget									On schedule	Yes
2.4. Twice-yearly reports on revenues and expenditures									On schedule	105
2.5. Consultative budget meetings: convene stakeholders to discuss tracking of expenditures and of simplified budget production.									On schedule	
2.6. Support CSOs to coordinate production of citizens' budget annually.									Behind schedule	

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COMMITMENT SHORT NAME	P				LEVEL OF COMPLETION		TIMING	NEXT STEPS		
<ul> <li>COMMITMENT IS SPECIFIC AND MEASURABLE, CLEARLY RELEVANT TO OGP VALUES AS WRITTEN, HAS SIGNIFICANT POTENTIAL IMPACT, AND IS SUBSTANTIALLY OR COMPLETELY IMPLEMENTED.</li> <li>Commitments were assessed for potential impact and next steps only at the commitment level.</li> </ul>	NONE	MINOR	MODERATE	TRANSFORMATIVE	NOT STARTED	LIMITED	SUBSTANTIAL	COMPLETE		INCLUDE THIS COMMITMENT, IN PART OR IN TOTAL, IN THE NEXT PLAN?
3. Right to Information (RTI)									Behind schedule	
3.1. Retreat on RTI—convene retreat of the coalition on RTI bill and parliamentary committess to thrash out compromises on bill.	-								On schedule	Yes
3.2. Pass RTI bill.									Behind schedule	
3.3 Awareness creation of public on law.									Behind schedule	
4. Human Rights Monitoring									On schedule	
4.1. CHRAJ review: conduct review and present report on impediment to CHRAJ effectiveness. Monitor impact of committee recommendations.									On schedule	
4.2. Monitor implementation of Ghana's commitments to African Union and UN protocols.					Unclear		Unclear	Yes		
4.3. Clarify CHRAJ mandate.									On schedule	
4.4. Upgrade CHRAJ remunerations.									On schedule	
5. Extractive Sector Revenue Management									Behind schedule	
5.1. Budgetary allocation to PIAC									Behind schedule	
5.2. Publish Petroleum Management Act regulations.									On schedule	
5.3. Pass Mineral Development Fund Bill.									Behind schedule	
5.4. Framework for monitoring of PIAC independence: organise at least four stakeholder meetings to formulate framework.									Behind schedule	Yes
5.5. Support publication and dissemination of M&E reports									Behind schedule	
5.6. Agencies formulate sustainability plans for annual M&E exercises and reports.									Behind schedule	

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COMMITMENT SHORT NAME	P		NTI <i>A</i>			LEVEL OF COMPLETION			TIMING	NEXT STEPS
COMMITMENT IS SPECIFIC AND MEASURABLE, CLEARLY RELEVANT TO OGP VALUES AS WRITTEN, HAS SIGNIFICANT POTENTIAL IMPACT, AND IS SUBSTANTIALLY OR COMPLETELY IMPLEMENTED. Commitments were assessed for potential impact and next steps only at the commitment level.	NONE	MINOR	MODERATE	TRANSFORMATIVE	NOT STARTED	LIMITED	SUBSTANTIAL	COMPLETE		INCLUDE THIS COMMITMENT, IN PART OR IN TOTAL, IN THE NEXT PLAN?
6. Investment oversight									Behind schedule	
6.1. Provide PEOU with accurate and timely information.									Behind schedule	
6.2. PEOU oversight and tracking of government investment—organise meeting of CSOs to discuss PEOU responsibility.	-								Behind schedule	No
6.3. Prepare draft legislation for PEOU.									Behind schedule	
7. Citizen participation									Behind schedule	
7.1. Organise annual meet-the- people fora, to participate in evaluation of assemblies activities.	_								On schedule	
7.2. Prepare guidelines for deepening CSO participation in planning and budgetary processes.									On schedule	Yes
7.3. Submission of guidelines for adoption by MMDAs, begin implementation.									On schedule	
7.4. Enforce participation of stakeholders in budget processes.									Behind schedule	
8. Code of Conduct Bill									Behind schedule	
8.1. Organise consultative Forum on Status of Code of Conduct for Public Officers Bill.	-								Behind schedule	Yes
8.2. Passage of the bill by parliament									Behind schedule	
8.3. Appoint Assets Verification Commissioner.									Behind schedule	
9. Audit Reports									Behind schedule	
9.1. Convene COS and agencies to review Financial Administration Act.									Behind schedule	
9.2. Amend composition of ARICs.									Behind schedule	Yes
9.3. Amend Financial Administration Act.									Behind schedule	

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COMMITMENT SHORT NAME	P		NTI/ ACT		LEVEL OF COMPLETION				TIMING	NEXT STEPS	
<ul> <li>COMMITMENT IS SPECIFIC AND MEASURABLE, CLEARLY RELEVANT TO OGP VALUES AS WRITTEN, HAS SIGNIFICANT POTENTIAL IMPACT, AND IS SUBSTANTIALLY OR COMPLETELY IMPLEMENTED.</li> <li>Commitments were assessed for potential impact and next steps only at the commitment level.</li> </ul>	NONE	MINOR	MODERATE	TRANSFORMATIVE	NOT STARTED	LIMITED	SUBSTANTIAL	COMPLETE		INCLUDE THIS COMMITMENT, IN PART OR IN TOTAL, IN THE NEXT PLAN?	
10. National Broadcasting—review and enact national Broadcasting Bill.									Behind schedule	No	
<b>11. E-immigration</b> —Institute twice-yearly support and solidarity meetings with Immigration Service. Automate Ghana border entries.									Behind schedule	No	
12. Financial Management									Behind schedule		
12.1. Institute twice-yearly support and solidarity meetings with Ministry of Finance and Economic Planning.	-								On schedule		
12.2. Centralise public finances.	-								Behind schedule		
12.3. Produce single unified chart of accounts and budget classificaiton that is compliant with IMF standards	-								Ahead of schedule	Yes	
12.4. Develop and implement best practice re-engineered business processes.	-					Unc	lear		Unclear		
12.5. Consolidate financial reporting of all governement.	-								Behind schedule		
13. Policy portal									On schedule		
13.1. Support NITA to create two portals for gathering and disseminating information on government policies.	-								On schedule		
13.2. Assess resource requirement of NITA in rolling out portal.									Ahead of schedule	Yes	
13.3. Roll out the portal.									Ahead of schedule		
13.4. Evaluate portal benefits to users.									Ahead of schedule		

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## Table 2 | Summary of Progress by Commitment

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NAME OF COMMITMENT	SUMMARY OF RESULTS
	JRABLE, CLEARLY RELEVANT TO OGP VALUES AS WRITTEN, HAS JBSTANTIALLY OR COMPLETELY IMPLEMENTED.
<ol> <li>Passage of Fiscal Responsibility Act</li> <li>OGP Value Relevance: Clear</li> <li>Potential Impact: Moderate</li> <li>Completion: Not started</li> </ol>	Officials have yet to prepare a draft Fiscal Responsibility Bill and introduce it to parliament. Passage of the bill should help promote transparency and accountability in fiscal management in Ghana. For this reason, the IRM researcher recommends including this commitment in the next action plan, while gathering feedback from as many stakeholders as possible on the content of the bill.
<ul> <li>2. Fiscal Transparency</li> <li>OGP Value Relevance: Clear</li> <li>Potential Impact: Moderate</li> <li>Completion: Substantial</li> </ul>	Several actions in this commitment saw substantial progress. The Ministry of Finance took many steps to improve fiscal transparency: it produced a simplified version of the budget, published expenditure reports and the 2014 Citizens' Budget, and organised frequent consultative budget meetings. Moving forward, the IRM researcher recommends the government focus on developing tools to facilitate tracking expenditures.
<ul> <li>3. Right to Information</li> <li>OGP Value Relevance: Clear</li> <li>Potential Impact: Transformative</li> <li>Completion: Limited</li> </ul>	The Right to Information Bill is in parliament, but it did not pass the bill during the implementation period. CSOs interviewed had some reservations about the current version of the bill, reservations they aired at a forum convened by government. Stakeholders believe that as currently drafted, some clauses of the law would prevent access to information. The IRM researcher recommends parliament seriously considers the changes proposed by stakeholders in the new draft bill.
<ul> <li>4. Human Rights Monitoring</li> <li>OGP Value Relevance: Clear</li> <li>Potential Impact: Moderate</li> <li>Completion: Substantial</li> </ul>	Most actions in this commitment saw substantial progress. The Constitutional Review Commission addressed concerns about the effectiveness of the Commission on Human rights and Administrative Justice (CHRAJ) in a report and made recommendations for CHRAJ to follow. Mechanisms for monitoring implementation of Ghana's commitments to anti-corruption instruments need further work. The IRM researcher also recommends creating awareness on the roles and functions of CHRAJ.
<ul> <li>5. Extractive Sector Revenue Management</li> <li>OGP Value Relevance: Clear</li> <li>Potential Impact: Transformative</li> <li>Completion: Limited</li> </ul>	Once implemented, this commitment would strengthen the independence of the Public Interest and Accountability Committee. However, the commitment's activities saw little to no progress. Before officials take further actions on this commitment, they need to complete the review of the Petroleum Management Act. The IRM researcher recommends involving key stakeholders in the review process. Similarly, officials need to circulate the draft Mineral Development Fund Bill to stakeholders for their review and input.
<ul> <li>6. Investment Oversight</li> <li>OGP Value Relevance: Clear</li> <li>Potential Impact: Minor</li> <li>Completion: Not started</li> </ul>	The Policy Evaluation and Oversight Unit (PEOU), a body to monitor and evaluate key areas of government operations, is no longer functioning. The activities in this commitment were centered on activities with the PEOU and, therefore, could not have started. The IRM researcher recommends establishing an institution empowered to evaluate and provide oversight of government activities.
<ul> <li>7. Citizen Participation</li> <li>OGP Value Relevance: Clear</li> <li>Potential Impact: Minor</li> <li>Completion: Substantial</li> </ul>	The actions under this commitment aim to deepen participation in planning processes. Overall, the activities under this commitment saw substantial implementation. The Metropolitan, Municipal, and District assemblies organise "meet-the-people" forums, although not regularly. The National Development Planning Commission prepared guidelines for public involvement, but they have yet to be implemented. The IRM researcher recommends regularising the organisation of the meet-the-people forums.

<ul> <li>8. Code of Conduct Bill</li> <li>OGP Value Relevance: Clear</li> <li>Potential impact: Moderate</li> <li>Completion: Limited</li> </ul>	At the time of writing this report, parliament had not yet approved the Code of Conduct Bill. Once passed, the bill would contribute to help prevent, detect, and punish corrupt acts among public officers. The bill also provides for the appointment of an Assets Verification Commissioner. The IRM researcher encourages government to continue work on the bill by carrying out active consultation of the public on its contents.
<ul> <li>9. Audit Reports</li> <li>OGP Value Relevance: Clear</li> <li>Potential Impact: Moderate</li> <li>Completion: Not started</li> </ul>	Officials cannot carry out this commitment until the government has amended the Audit Service Act, 2000. The IRM researcher recommends making the necessary amendments to the act to allow for implementation of commitment activities. Once implemented, the commitment would allow for reviewing the Audit Report Implementation Committee, therefore strengthening agencies accountability mechanisms.
<ul> <li>10. National Broadcasting</li> <li>OGP Value Relevance: Unclear</li> <li>Potential Impact: None</li> <li>Completion: Limited</li> </ul>	Officials have prepared the National Broadcasting Bill, but they haven't enacted it. As currently worded, it is unclear how this bill, which seeks to improve the regulatory framework for broadcasting in Ghana, improves open government in Ghana. This link should be articulated if the next action plan includes this commitment. The IRM researcher also recommends gathering feedback from stakeholders outside the media on the bill's content.
<ul> <li>11. E-Immigration</li> <li>OGP Value Relevance: Unclear</li> <li>Potential Impact: Minor</li> <li>Completion: Limited</li> </ul>	The commitment seeks to help regulate entry and exit of travellers in the country through automation of immigration processes. As currently worded, it is unclear how this commitment would improve to the values of access to information, civic participation, and public accountability. The IRM researcher recommends government articulate the connection of the commitment to OGP value if it is to include the commitment in the next action plan.
<ul> <li>12. Financial Management</li> <li>OGP Value Relevance: Unclear</li> <li>Potential Impact: Transformative</li> <li>Completion: Substantial</li> </ul>	The activities under this commitment seek to reform financial management by centralising financial data across all local governments. While this commitment is laudable and would likely improve capture and release of financial data, it is internal to the public sector, and officials need to better articulate its relevance to open government.
<ul> <li>13. Policy Portal</li> <li>OGP Value Relevance: Clear</li> <li>Potential Impact: Transformative</li> <li>Completion: Substantial</li> </ul>	Overall, this commitment saw substantial implementation. The open data portal is functional. It holds great potential for data dissemination by ministries, departments, and agencies (MDAs), organisations that should help promote transparency and accountability. The IRM researcher had difficulty obtaining user feedback on the portal, and the researcher recommends the National Information and Technology Agency (NITA) educates the public more about the portal. Furthermore, the government should support NITA to bring on board all MDAs in using the portal.

## RECOMMENDATIONS

Ghana, considered a model of African democracy, has enjoyed five successive peaceful elections. The country's civil society organisations (CSOs) and media are independent and free to voice their concerns and opinions. Due to the presence of oil in the country, citizens and CSOs have demanded more transparency in areas such as oil revenue and fiscal expenditures. While the government has taken steps to address these demands, with commitments such as extractive sector revenue management or fiscal transparency, it has more work to do to fully address citizens' concerns.

Based on the findings in the Progress Report, the IRM researcher made the following five "SMART" (specific, measurable, accountable, relevant, and time bound) recommendations for improving the OGP process in Ghana.

#### TOP FIVE "SMART" RECOMMENDATIONS

**1. Create an implementation mechanism:** The government should modify the current organisational structure of OGP in Ghana to include an implementation mechanism. The researcher suggests forming implementation teams, according to clustered commitments, that will be responsible for the progress of assigned commitments and actions. The implementation teams should brief the steering committee on a half yearly basis on commitment progress and action plan implementation.

**2. Budget allocation:** At the national level, the government should make budgetary allocations to allow for speedy implementation of OGP activities. If this is not possible, the government should establish a body, independent of government, to mobilise resources from government, development partners, private sector, and individuals to expedite OGP activities.

**3. Provide a clear timeline for implementation:** The Public Sector Reform Secretariat (PSRS), or the agency responsible for coordinating OGP, should give lead agencies a timeline for reporting on action plan implementation. The coordinating agency should follow up with lead and collaborating institutions on commitment implementation.

**4. Raise awareness:** The government should make public institutions (especially those implementing OGP commitments) and other institutions mentioned in the action plan, more aware and sensitised to OGP. It is crucial to frequently sensitise the public to this initiative given the rate of staff turnover and transfers in public sector institutions.

**5. Develop specific commitments:** Future action plans should contain more specific and measurable commitments and milestones and clearly articulate their relevance to OGP values.

### ELIGIBILITY REQUIREMENTS: 2012

To participate in OGP, governments must demonstrate commitment to open government by meeting minimum criteria on key dimensions of open government. Third-party indicators are used to determine country progress on each of the dimensions. For more information, visit http://www.opengovpartnership. org/how-it-works/how-join/eligibilitycriteria. Raw data has been recoded by OGP staff into a four-point scale, listed in parentheses below.

**BUDGET TRANSPARENCY:** 4 OF 4

**ACCESS TO INFORMATION:** 

Draft law 3 OF 4

#### ASSET DISCLOSURE:

Non public 2 OF 4

**CIVIC PARTICIPATION:** 6.76 of 10 3 OF 4



Nicholas Adamtey is the Director of Transparency and Accountability Initiative. He has carried out wide range of researches on public budgets and budget related policies, economic modeling, and transparency and accountability issues. His research and training activities also extend beyond Ghana to other African countries.

Open Government Partnership The Open Government Partnership (OGP) aims to secure concrete commitments nments to promote

from governments to promote transparency, empower citizens, fight corruption, and harness new technologies to strengthen governance. OGP's Independent Reporting Mechanism assesses development and implementation of national action plans to foster dialogue among stakeholders and improve accountability.

## I NATIONAL PARTICIPATION IN OGP

The Open Government Partnership (OGP) is a voluntary, multi-stakeholder international initiative that aims to secure concrete commitments from governments to their citizenry to promote transparency, empower citizens, fight corruption, and harness new technologies to strengthen governance. In pursuit of these goals, OGP provides an international forum for dialogue and sharing among governments, civil society organisations, and the private sector, all of which contribute to a common pursuit of open government. OGP stakeholders include participating governments as well as civil society and private sector entities that support the principles and mission of OGP.

#### History of OGP participation

Ghana began its formal participation in September 2011, when former President J. E. A. Mills declared the country's intention to participate in the initiative.<sup>1</sup>

In order to participate in OGP, governments must exhibit a demonstrated commitment to open government by meeting a set of (minimum) performance criteria on key dimensions of open government that are particularly consequential for affecting increasing government responsiveness, strengthening citizen engagement, and fighting corruption. Objective, third party indicators are used to determine the extent of country progress on each of the dimensions, with points awarded as described below.

Ghana entered into the partnership meeting the minimal requirements for eligibility (scored at 75% of the total possible points that is 12 out of 16). At the time of joining, the country had the highest possible ranking for open budgets (4 out of a possible 4),<sup>2</sup> and constitutional provision on access to information (drafted access to information bill).<sup>3</sup> The ranking in assets disclosure for senior officials scored 2 out of 4 possible points.<sup>4</sup> On the Economist Intelligence Unit's Democracy Index Civil Liberties subscore, Ghana scored 6.76 out of a possible 10.<sup>5</sup>

All OGP participating governments are required to develop OGP country action plans that elaborate

concrete commitments over an initial two-year period. Governments should begin their OGP country action plans by sharing existing efforts related to their chosen grand challenge(s) (see Section IV), including specific open government strategies and ongoing programs. Action Plans should then set out governments' OGP commitments, which move government practice beyond its current baseline with respect to the relevant grand challenge. These commitments may build on existing efforts, identify new steps to complete ongoing reforms, or initiate action in an entirely new area.

Ghana developed its National Action Plan from August 2012 to April 2013. The effective period of implementation for the action plan submitted in April was officially 2013 and 2014. The government had not published its self-assessment at the time of preparing this report (September 2014). It is reportedly being worked on as at the time of writing.

In order to meet OGP requirements, the Independent Reporting Mechanism (IRM) of OGP partnered with Nicholas Adamtey, of Transparency and Accountability Initiative (TAI), to evaluate the development and implementation of Ghana's first action plan. It is the aim of the IRM to inform ongoing dialogue around development and implementation of future commitments in each OGP participating country. Methods and sources are dealt with in a methodological annex in this report.

#### **Basic institutional context**

Ghana's Public Sector Reform Secretariat (PSRS), under the Office of the President, oversees Ghana's OGP process. In this position, the PSRS coordinates and facilitates national action plan implementation although this office holds no legal power to compel government agencies to implement OGP commitments.

In August 2012, a Minister of State in the Presidency in charge of Public Sector Reform (PSR), Hon. Alhassan Azong, inaugurated the national Steering Committee (SC) for Ghana's OGP. The 20-member SC's composition represents government and civil society organisations (CSOs) equally. The SC has had several meetings, starting with a meeting to plan public consultations about developing the action plan.

Most of the commitments in the action plan come from Ghana's constitution. Consequently, there is no need for separate legal provisions for OGP commitments. Additionally, many commitments are activities already being carried out by Ministries, Departments, and Agencies (MDAs). As a result, not many commitments in the action plan are new initiatives.

Ghana is a unitary state practising multi-party democracy. While preparing and implementing the action plan, the government changed its political leadership, with the same political party remaining in power. As the result of new political leadership, some institutions in charge of implementing OGP commitments changed. In the government's budget, no line is solely dedicated to OGP activities. The OGP secretariat draws on some resources from PSRC; however, during the initial stages of OGP action plan development, the World Bank Ghana Office funded most OGP activities.

#### Methodological note

The IRM partners with experienced, independent national researchers to author and disseminate reports for each OGP participating government. In Ghana, the IRM partnered with Nicholas Adamtey of TAI. The IRM researcher reviewed documents relevant to OGP commitments and interviewed stakeholders, including appropriate government officials. OGP staff and a panel of experts reviewed the report.

To ensure the review included different stakeholders' voices, the IRM researcher talked to members of CSOs and government about the OGP in Ghana and related issues. Stakeholder meetings provided the researcher with key information about the OGP process in Ghana. In addition to information from respondents, the researcher reviewed Ghana's first national action plan<sup>6</sup> and other documents relevant to OGP commitments, as well as related media reports. The government self-assessment report was not published at the time of preparing the report.

<sup>&</sup>lt;sup>1.</sup> http://www.opengovpartnership.org/country/ghana

<sup>&</sup>lt;sup>2</sup> International Budget Partnership, "Open Budgets Transform Lives," 2010 Open Budget Index, http://bit.ly/1hTd9TQ

<sup>&</sup>lt;sup>3</sup> Ghana's 1992 Constitution http://www.politicsresources.net/docs/ghanaconst.pdf; Ghana's Draft Right to Information Bill

http://www.ghanahero.com/Ghana\_Hero\_Docs/Freedom\_of\_Information/FOI\_Ghana\_Draft\_2003.pdf

<sup>&</sup>lt;sup>4</sup> Simeon Djankov, Rafael La Porta, Florencio Lopez-de-Silanes, and Andrei Shleifer, "Disclosure by Politicians," (a working paper, Tuck School of Business, 2009-60, 2009), http://bit.ly/19nDEfK; Organization for Economic Cooperation and Development (OECD), "Types of Information Decision Makers Are Required to Formally Disclose, and Level Of Transparency," in Government at a Glance 2009, (OECD, 2009). http://bit.ly/13vGtqS; Ricard Messick, "Income and Asset Disclosure by World Bank Client Countries" (World Bank, Washington, DC, 2009), http://bit.ly/1clokyf

<sup>&</sup>lt;sup>5</sup> Economist Intelligence Unit, "Democracy Index 2010: Democracy in Retreat" The Economist Intelligence Unit (London, 2010), available at: http://bit.ly/eLC1rE

<sup>&</sup>lt;sup>6</sup> http://www.opengovpartnership.org/country/ghana/action-plan

# **II ACTION PLAN DEVELOPMENT**

Ghana invited a broad range of stakeholders to consultations. Although the consultations were publicised, some stakeholders felt seven days' advanced noticed was not enough time. The government made the summary of each regional consultations available online.

Countries participating in OGP follow a set process for consultation during development of their OGP action plan. According to the OGP Articles of Governance, countries must:

- Make the details of their public consultation process and timeline available (online at minimum) prior to the consultation
- Consult widely with the national community, including civil society and the private sector; seek out a diverse range of views and; make a summary of the public consultation and all individual written comment submissions available online
- Undertake OGP awareness raising activities to enhance public participation in the consultation

 Consult the population with sufficient forewarning and through a variety of mechanisms—including online and through in-person meetings—to ensure the accessibility of opportunities for citizens to engage.

A fifth requirement, during consultation, is set out in the OGP Articles of Governance. This requirement is dealt with in the section "III: Consultation during implementation":

 Countries are to identify a forum to enable regular multi-stakeholder consultation on OGP implementation—this can be an existing entity or a new one.

This is dealt with in the next section, but evidence for consultation both before and during implementation is included here and in Table 1 for ease of reference.

PHASE OF ACTION PLAN	OGP PROCESS REQUIREMENT (ARTICLES OF GOVERNANCE SECTION)	DID THE GOVERNMENT MEET THIS REQUIREMENT?		
During Development	Were time line and process available prior to consultation?	Yes		
	Was the time line available online?	Yes		
	Was the time line available through other channels?	Yes		
	Provide any links to the time line.	http://www.ghanaopengov.org/faq http://www.ghanaopengov.org/node/28 http://www.ghanaopengov.org/node/17		
	Was there advance notice of the consultation?	Yes		
	How many days of advance notice were provided?	7		
	Was this notice adequate?	No		
	Did the government carry out awareness-raising activities?	Yes		
	Provide any links to awareness-raising activities.	See narrative		
	Were consultations held online?	No		
	Were in-person consultations held?	Yes		
	Was a summary of comments provided?	Yes		
	Provide any links to summary of comments.	Kumasi report: http://ghanaopengov.org/sites/ default/files/reports/KumasiReport.pdf		
		Tamale report: http://ghanaopengov.org/sites/ default/files/reports/TamaleReport.pdf		
		Cape coast: http://ghanaopengov.org/sites/ default/files/reports/CapeCoastReport.pdf		
	Were consultations open or invitation-only?	Open		
	Place the consultations on the IAP2 spectrum. <sup>1</sup>	Consult		
During Implementation	Was there a regular forum for consultation during implementation?	Yes		
	Were consultations open or invitation-only?	Invitation-only		
	Place the consultations on the IAP2 spectrum.	Collaborate		

#### Table 2.1 | Action Plan Consultation Process

#### Advance notice and awareness-raising

Ghana's OGP action plan preparation commenced with a steering committee workshop. In this workshop, the steering committee came up with the action plan's key areas, which would help guide up-coming multistakeholder consultations. The steering committee held its workshop at Akosmbo in Ghana's Eatern Region. The government held public consultations in three geographic zones: Northern Zone (Upper East, Upper West, and Northern regions), Middle Zone (Brong Ahafo, Ashanti, and Eastern Regions), and Southern Zone (Volta, Central, Western, and Greater Accra regions).<sup>2</sup> Government representatives felt they could reach a broader audience if they consulted by zone. They sent invitations to public institutions and known civil society organisations within each zone. Additionally, public radio stations broadcast advertisements for the general public. In Accra, after the government held these consultations, it held a national consultation and national validation about these consultation reports.

#### Depth and breadth of consultation

According to the reports on the zonal consultations, or multistakeholder consultations, "a wide range of stakeholders from Metropolitan, Municipal, and District Assemblies (MMDAs) and CSOs responded to the invitation to participate in the public consultations process." The government presented key issues in the draft action plan to participants and invited them to give feedback, which the government later put into the action plan. Zonal consultation reports did not provide detailed information on stakeholder participation. The CSOs that the researcher talked to said the was quite broad, given the timelines for the consultation process.

The government did not share the draft action plan with participants ahead of the consultations. Therefore, participants did not have the opportunity to study the draft action plan thoroughly before taking part in the consultations. Even though the government presented and engaged stakeholders in discussion about actionplan issues, the IRM researcher thinks best practices should include sending the draft to stakeholders before a consultation so they have adequate time to study it.

See table above for links to summaries of comments received during the zonal consulations. The IRM researcher was unable to find a report on the national forum. The only information available is a press release.

#### **Additional Information**

Some of the stakeholders who were part of the consultation process said that since the OGP action plan process was new, there were no earlier documents to rely on during action plan preparation, and those who prepared the action plan had to consult widely to identify areas to include in the plan—identifying key issues for the action plan required a lot of brainstorning by all stakeholders.

<sup>1</sup> "IAP2 Spectrum of Political Participation", International Association for Public Participation, http://bit.ly/1kMmlYC

<sup>2</sup> Ghana has 10 administrative regions namely: Ashanti, Brong-Ahafo, Central, Eastern, Greater Accra, Northern, Upper East, Upper West, Volta, and Western.

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## III ACTION PLAN IMPLEMENTATION

The Public Sector Reform Secretariat (PSRS) convened CSOs and public institutions for an OGP action plan orientation workshop in Accra. While this is a commendable first step, the PSRS must follow-up on commitment implementation and keep stakeholders informed.

#### Regular multi-stakeholder consultation

For successful action plan implementation, the PSRS planned zonal sensitisation workshops for government officials and CSOs with critical roles in action plan implementation. However, at the time the researcher wrote this report, the government had only conducted one such forum, which it convened for MDAs and selected CSOs in September 2013.

Ghana's OGP action plan has a section on plan implementation. It discusses the role of the steering committee and PSRS, but it leaves out how they will ensure OGP commitment implementation. Nor does the action plan provide a mechanism for reporting commitment implementation to the steering committee. All institutions the action plan identified as participants are expected to commit resources to achieve the commitments stated in the plan.

The OGP implementation forum, delivered in the form of a workshop, was tagged "stakeholder orientation workshop on OGP action plan." According to stakeholders who were part of the workshop, it brought together officials in public institutions and CSOs. The objectives of the workshop were to do the following:

- Promote stakeholder awareness of Ghana's OGP action plan and implementation requirements
- Identify likely implementation challenges of the OGP action plan
- Develop a harmonised plan to promote collaboration among stakeholders in implementing the OGP action plan

The event was held at the World Bank Office in Accra and attended by seventy participants from government agencies—including the Public Sector Reform Secretariat, the Ministry of Finance, the Ministry of Lands and Natural Resources, the Ministry of Information, Ministry of Energy, the National Information Technology Agency, civil society organizations and media, among others.

To enhance the effective implementation of the action plan and maximize results, participants suggested the following:

- In cases where multiple agencies are responsible for a common commitment under the OGP action plan, a lead agency needs to be identified to assume overall responsibility for the implementation of such commitment and its associated deliverables;
- It is important to have concrete deliverables and timelines for agencies responsible for implementing specific commitments;
- More awareness promotion regarding the OGP process at the grass-root level should take place. In doing so, citizens will better understand and support the OGP plan and its implementation;
- It was noted that the Local Government Service which is the implementer of the decentralization policy is missing from the list of agencies assigned to deliverables under item 3.2 "Citizen Participation"; and,
- Passing of the Freedom of Information law is a critical commitment given that this is a cross-cutting tool to strengthen transparency, which will in turn have a positive effect in the implementation of other OGP commitments<sup>1</sup>

Participants identified some implementation challenges and also proposed some solutions. Some of the challenges mentioned included funding, reporting duties, how to maintain sustained political commitment, and legal challenges.<sup>11</sup>

CSOs the researcher talked to said the consultation should not be a one-off event. Rather, it should be a continual process. Additionally, the researcher thinks other CSOs not mentioned in the action plan as collaborating agencies should also participate on this level.

The researcher believes, as do forum participants, that this forum is relevant. However, the government should have organised more of these forums to consult with stakeholders about the status of implementation.

When it comes to implementation, the action plan aptly states "The Public Sector Reform Secretariat (PSRS), as the Secretariat of the Ghana Open Government Partnership Initiative (OGPI), is the coordinating and facilitating agency for the purpose of implementing the Ghana National Action Plan of the OGPI. Effective mobilization of human, financial and technical resources for the PSRS will be key to the effective performance of its coordinating and facilitating role. The PSRS and the OGPI National Steering Committee shall mobilize, convene and coordinate all responsible agencies and collaborators for the purpose of successful translation of the Action Plan into concrete actions. Towards this end, no effort will be spared in mobilizing for the PSRS the requisite human and financial resources for the effective performance of its co-ordinating and facilitatory functions."

As mentioned above regarding action plan implementation, stakeholders expect all institutions identified in the action plan to commit their resources to carry out OGP. After the orientation forum, the government left the lead and collaborating agencies to carry out the commitments. However, since the lead and collaborating agencies have many other things to do, unless they are prompted to act, it is not likely they will start working on action plan commitments.

<sup>1</sup> Rapporteur's Report Open Government Partnership Initiative Steering Committee Meeting, Initiation of Action Plan.

<sup>2</sup> Rapporteur's Report Open Government Partnership Initiative Steering Committee Meeting, Initiation of Action Plan.

## IV ANALYSIS OF ACTION PLAN CONTENTS

All OGP participating governments develop OGP country action plans that elaborate concrete commitments over an initial two-year period. Governments begin their OGP country action plans by sharing existing efforts related to their chosen grand challenge(s), including specific open government strategies and ongoing programs. Action plans then set out governments' OGP commitments, which stretch government practice beyond its current baseline with respect to the relevant policy area. These commitments may build on existing efforts, identify new steps to complete on-going reforms, or initiate action in an entirely new area.

OGP commitments are to be structured around a set of five "grand challenges" that governments face. OGP recognizes that all countries are starting from different baselines. Countries are charged with selecting the grand challenges and related concrete commitments that most relate to their unique country contexts. No action plan, standard, or specific commitments are to be forced on any country.

The five OGP grand challenges are:

- 1. **Improving Public Services**—measures that address the full spectrum of citizen services including health, education, criminal justice, water, electricity, telecommunications, and any other relevant service areas by fostering public service improvement or private sector innovation.
- Increasing Public Integrity—measures that address corruption and public ethics, access to information, campaign finance reform, and media and civil society freedom.
- 3. More Effectively Managing Public Resources measures that address budgets, procurement, natural resources, and foreign assistance.
- 4. **Creating Safer Communities**—measures that address public safety, the security sector, disaster and crisis response, and environmental threats.

 Increasing Corporate Accountability measures that address corporate responsibility on issues such as the environment, anticorruption, consumer protection, and community engagement.

While the nature of concrete commitments under any grand challenge area should be flexible and allow for each country's unique circumstances, OGP commitments should be relevant to OGP values laid out in the OGP Articles of Governance and Open Government Declaration signed by all OGP participating countries. The IRM uses the following guidance to evaluate relevance to core open government values:

- Access to information These commitments:
  - o pertain to government-held information;
  - are not restricted to data but pertain to all information;
  - may cover proactive or reactive releases of information;
  - o may pertain to strengthen the right to information; and,
  - must provide open access to information (it should not be privileged or internal only to government).
- Citizen participation Governments seek to mobilize citizens to engage in public debate, provide input, and make contributions that lead to more responsive, innovative, and effective governance. Commitments around citizen participation:
  - o open decision making to all interested members of the public; such forums are usually "top-down" in that they are created by government (or actors empowered by government) to inform decision making;

- o often include elements of access to information to ensure meaningful input of interested members of the public into decisions;
- o often include enhancing citizens' right to be heard, but do not necessarily include the right to be heeded.
- Public accountability Rules, regulations, and mechanisms in place call upon government actors to justify their actions, act upon criticisms or requirements made of them, and accept responsibility for failure to perform with respect to laws or commitments. As part of open government, such commitments have an "open" element, meaning that they are not purely internal systems of accountability without a public face.
- Technology and innovation for transparency and accountability —Commitments for technology and innovation promote new technologies, offer opportunities for information sharing, public participation, and collaboration. Technology and innovation commitments:
  - Should make more information public in ways that enable people both to understand what their governments do and to influence decisions;
  - May commit to supporting the ability of governments and citizens to use technology for openness and accountability;
  - May support the use of technology by government employees and citizens alike;
  - May focus on the national, local and/or subnational level—wherever the government believes their open government efforts will have the greatest impact.

Recognizing that achieving open government commitments often involves a multiyear process, governments should attach time frames and benchmarks to their commitments that indicate what is to be accomplished each year, whenever possible.

This section details each of the commitments the country included in its initial action plan.

While most indicators used to evaluate each commitment are self-explanatory, a number deserve further explanation.

- 1. Relevance: The IRM researcher evaluated each commitment for its relevance to OGP values and OGP grand challenges.
  - OGP values: To identify OGP commitments with unclear relationships to OGP values, the IRM researcher made a judgment from a close reading of the commitment's text. This judgment reveals commitments that can better articulate a clear link to fundamental issues of openness.
  - Grand challenges: While some commitments may be relevant to more than one grand challenge, the reviewer only marked those challenges that had been identified by government [in respect of a particular commitment?].
- 2. Ambition: The IRM researcher evaluated each commitment for how ambitious commitments were with respect to new or pre-existing activities that stretch government practice beyond an existing baseline.
  - Potential impact: To contribute to a broad definition of ambition, the IRM researcher judged how potentially transformative each commitment might be in the policy area. This is based on the IRM researcher's findings and experience as a public policy expert. In order to assess potential impact, the IRM researcher identifies the policy problem, establishes a baseline performance level at the outset of the action plan and assesses the degree to which the commitment, if implemented, would impact performance and tackle the policy problem.
  - New or pre-existing: The IRM researcher also records whether each commitment was first published in the OGP action plan (or the specificity of the action has been improved) or if the commitment has been carried over from other public documents.

- 3. Timing: The IRM researcher evaluated each commitment's timing, even when clear deliverables and suggested annual milestones were not provided.
  - Projected completion: In cases where this information was not available, the IRM researcher made a best judgment based on the evidence of how far the commitment could possibly be at the end of the period assessed.

#### General overview of the commitments *Overview*

Ghana's OGP action plan is divided into five sections: introduction, Open Government initiatives to date, Ghana government commitments, implementation, and conclusion. Additionally, the plan has an appendix. Section three deals with the commitments, including a list of actions for each commitment, and section four considers action plan implementation. Ghana's action plan clusters commitments into four areas: transparency, citizen participation, accountability, and technology and innovation. The action plan's appendix, titled "Implementation Road Map," classifies commitment by the same four categories.

While comparing language among "Commitments," "Actions," and "Roadmap," however, the texts do not match. The Implementation Road Map omits many of the commitments and actions. For example, fiscal transparency, being one of the key commitments under transparency in the main text, is not part of the Implementation Road Map. In some other cases, action plan developers included a commitment, but the wording does not match the Implementation Road Map. Furthermore, the commitment numbering is not consistent across sections. When it comes to actions in the plan, some of the actions do not correspond to their associated commitments, and the actions in the text cover more things than the Implementation Road Map includes. It is important for stakeholders to note these inconsistencies.

#### Clustering

Given the challenges described above, the researcher reclustered commitments for more convenient analysis. The commitments (both in the main text and the Implementation Road Map) have been clustered into 13 broad areas:

- Passage of fiscal responsibility act
- Fiscal transparency
- Right to information
- Human rights monitoring
- Extractive sector revenue management
- Investment oversight
- Citizen participation
- Code of conduct bill
- Audit reports
- National broadcasting
- E-Immigration
- Financial management
- Policy portal

## 1 | PASSAGE OF FISCAL RESPONSIBILITY ACT

The Government of Ghana will, within the two-year period (2013 - 2014) take concrete action to strengthen the management of public expenditure by working closely with relevant stakeholders to introduce the appropriate legislation in the Ghana Parliament.

Toward this end, the Government will consistently work towards the passage of the Fiscal Responsibility Act that strengthens mechanisms for fiscal discipline and provides the citizenry with clear indicators to determine when the Government is veering off approved expenditures in a way that threatens fiscal stability. Fiscal responsibility legislation is critically necessary to reverse, for example, the trend of overspending associated with Ghana's electoral cycle.<sup>1</sup>

Actions:

- 1. Conduct a national consultation process with think-tanks, labour unions, private sector organizations on the necessity, content, limits, merits and demerits of a Fiscal Responsibility Act
- 2. Finalize a report on the national consultation process
- 3. Prepare and place a draft Fiscal Responsibility Bill for Cabinet approval
- 4. Introduce Draft Bill in Parliament for debate and passage
- 5. Educate the public on content and benefits of the Fiscal Responsibility Act

COMMITMENT DESC	RIPTION										
	LEAD INSTITUTION	Ministry of Finance and Economic Planning									
ANSWERABILITY SUPPORTING INSTITUTIONS		Centre for Economic Policy Analysis (CEPA), Institute of Economic Affairs (IEA)									
	POINT OF CONTACT SPECIFIED?	No	No								
SPECIFICITY AND N	<b>MEASURABILITY</b>	High (Commitment language provides clear, measurable, verifiable milestones for achievement of the goal)									
	OGP GRAND CHALLENGES	More effectively	managing public reso	ources							
		OGP VALUES									
RELEVANCE	ACCESS TO INFORMATION	CIVIC PARTICIPATION	PUBLIC ACCOUNTABILITY	TECH & INNOVATION FOR TRANS. & ACC	UNCLEAR						
	×	×	×								
AMBITION											
NEW VS. PRE-EXISTING New	G	<b>POTENTIAL IMPACT</b> Moderate: A major step forward in the relevant policy area, but it remains limited in scale or scope.									

LEVEL OF COMPLETIC		ORT ON FISCAL RESPON	SIBILITY AC	т		
<b>START DATE:</b> 1/1/2013	<b>END DATE:</b> 31/12/2014	Actual Completion Projected Completion	NOT STARTED		SUBSTANTIAL	COMPLETE
1.2. PREPARE AND PA	SS FISCAL RESPONS	IBILITY BILL				
<b>START DATE:</b> 1/1/2013	END DATE: 31/12/2014	Actual Completion Projected Completion	NOT STARTED		SUBSTANTIAL	
1.3. AWARENESS CRE	ATION ON FISCAL RE	ESPONSIBILITY ACT				
<b>START DATE:</b> 1/1/2013	<b>END DATE:</b> 31/12/2014	Actual Completion Projected Completion	NOT STARTED		SUBSTANTIAL	
NEXT STEPS						
Further steps required i	n next action plan.					

#### What happened?

After Ghana discovered it had commercial quantities of oil and gas and started producing these resources, some stakeholders feared the government would borrow against future oil and gas revenues, which could negatively impact future revenues.<sup>2</sup> High government expenditure during election periods also raised concern about the need for prudent fiscal management.<sup>3</sup> These two reasons, among others, have prompted stakeholders to urge government preparation and passage of the Fiscal Responsibility Bill. The law is to ensure that management of public resources is guided by predictability, credibility, and transparency. According to the National CSO Platform on Oil and Gas, the law may restrict spending powers and introduce some fiscal discipline in the economy.<sup>4</sup>

In May 2014, the government held a National Economic Forum in Senchi, the Eastern Region, and these are some of the recommendations from the forum:

• The government must establish a mechanism to realign the budget whenever the economy is affected by unanticipated shocks.

- The government must make further efforts to improve tax collection efficiency as well as broaden the tax base and reduce recourse to introducing new taxes. It should also review and reduce discretionary tax exemptions.
- The government should consider the amendment to the Bank of Ghana Act, which would set a ceiling on how much money the bank can lend to the government based on the government's previous year's revenue collection, rather than the current year's collection, which is currently the case. This ceiling should be separate from the ceiling on government's total net domestic borrowing.<sup>5</sup>

The forum brought together different stakeholders like think tanks, labour unions, private sector organisations, and officials from government institutions.

The President, Mr. H.E. John Dramani Mahama, told the Economic Community of West African States (ECOWAS) Commission "We are thinking of passing a fiscal responsibility act, which would serve as a guide for how we conduct our fiscal policy."<sup>6</sup> The president went on to tell the commission "if we must achieve convergence and have a solid monetary union, then probably we must also have a convergence on fiscal policy. So I am wondering whether we should pass our own fiscal responsibility act instead of probably externalising it and making it especially one that all of us in the second zone follow until we achieve the convergence and then afterwards look at a common fiscal responsibility act for the entire region so that we all are on the same fiscal policy to serve as a solid ground for the monetary union." The president's statement shows that Ghana is considering having its own fiscal responsibility act for the entire region.

The IRM researcher could not find evidence that the government conducted a national consultation process specifically on the Fiscal Responsibility Act.

According to action 3 and 4 (milestone 2 in the table above), the government will prepare and place a draft Fiscal Responsibility Bill for cabinet approval and introduce a draft bill in Parliament. Civil society stakeholders the researcher interviewed indicated there were some discussions on fiscal responsibility, but stakeholders have not seen the government prepare the Fiscal Responsibility Bill as a result. Government representatives confirmed this lack of bill preparation. Furthermore, at the time the researcher prepared this report, there was no indication that the government had prepared the Fiscal Responsibility Bill and placed it before the cabinet for approval.

#### Did it matter?

A fiscal responsibility act is not only important for economic management but also necessary for monetary management in the broader sub-region. However, over the years, local governments in the sub-region have not been able to agree on a set of criteria for fiscal and monetary indicators, even after committing to this cause. According to Ghana's 2010 Budget Statement "At the 24th Meeting of the Council of Ministers and Governors of Central Banks of the West African Monetary Zone (WAMZ) in May 2009, member countries noted the difficulties in attaining the set primary and secondary convergence criteria which are prior requirements before the adoption of the ECO,<sup>7</sup> the single currency for the second monetary zone. A new deadline of 1st January 2015 for the introduction of a single currency and monetary union in the WAMZ was agreed upon."

The question is why do these sub-regional (West African) governments want to commit to enacting fiscal responsibility legislation when they have not been able to set the above-mentioned fiscal and monetary criteria, a goal to which they had also committed? A general situation in politics may answer this: often in elections, politicians make promises to gain office. Once in power, if politicians put too much restraint on public expenditure, they will not be able to fulfill their promises. This would be political suicide. Additionally, in the case of a developing country, development projects reduce unemployment, and increasing citizen's income is a primary concern for governments that come to power. In this situation, governments are unlikely to set and promote expenditure limitations. The IRM researcher commends the intent of this commitment, but the commitment is most likely politically infeasible for this government.

At the time the IRM researcher prepared this report, there was no CSO championing this bill's passage. Instead, the New Patriotic Party's, the main opposition political party, deputy flag bearer, Dr Mahamudu Bawumia, issued the most recent call to pass the bill.

Despite these challenges, the IRM researcher believes that passing this act will promote transparency and accountability in fiscal management. Parliament, CSOs, and citizens will be able to hold government accountable for "fiscal excesses." Additionally, on a regional level, when governments harmonise such an act, they will be responsible to a regional fiscal management body—which will add another form of transparency and accountability.

#### Moving forward

Next, stakeholders should conduct comprehensive research on fiscal responsibility, based on discussions with key state institutions, such as the Ministry of Finance, Bank of Ghana, political parties, labour unions, and non-governmental organisations.

Also, political parties and individual politicians, especially those in the ruling party, need to buy in to this process for it to move forward.

The discussion on the bill should be broadened so that many people can participate. Government officials should write issues on the bill in plain language so non-economists can contribute to the discussion. The Ministry of Finance and the Bank of Ghana should use the media and other forums to inform the general public about the need for the bill.

<sup>&</sup>lt;sup>1</sup> The researcher clustered the five actions (mentioned in the action plan) listed above into three milestones to be assessed in the table above. Actions 1 and 2 are clustered, and actions 3 and 4 are clustered.

<sup>&</sup>lt;sup>2</sup> This is one of the reasons the Africa Centre for Energy Policy (ACEP) called on government to pass the fiscal responsibility act. Please see ACEP report: Africa Centre for Energy Policy (2013) "How a Good Law May Not Stop Oil Money From Going Down the Drain."

<sup>&</sup>lt;sup>3</sup> This is the main reason given in the action plan.

<sup>&</sup>lt;sup>4</sup> Mohammmed Amin Adam (2010) Fiscal Policy Options for Managing an Oil Economy

<sup>&</sup>lt;sup>5</sup> Government of Ghana (2014) 2014 National Economic Forum Report http://www.presidency.gov.gh/senchireport.pdf

<sup>&</sup>lt;sup>6</sup> Transcrip of remarks by President John Mahama during a meeting with the President of the ECOWAS Commission, 28 November 2013, http://www.presidency.gov.gh/node/364

<sup>&</sup>lt;sup>7</sup> ECO is the proposed common currency for the sub-region.

## 2 | FISCAL TRANSPARENCY

#### This is a starred (🗘) commitment.<sup>1</sup>

Fiscal transparency will be improved by making available to a wider section of the population additional budgetary information that facilitates the tracking of government expenditures especially on government projects. Toward this goal, budget figures will be rendered more user-friendly, simplified versions of the budget will be produced and widely disseminated, and reports on revenues and expenditures produced and distributed twice within the fiscal year.

Government further commits to collaborate with relevant civil society organizations and encourage the production and dissemination of a citizens' budget that reflects more broadly the direction of citizens' aspirations in relation to their national budget.

Actions as list in the action plan:

- Convene a consultative meeting with all relevant CSOs and private sector on budget presentation format that facilitates effective tracking of expenditures
- Convene forum of Government, private sector organization and CSOs to discuss the production of a simplified version of the budget for popular usage
- Support competent and relevant CSOs to co-ordinate the production of a citizens' budget on an annual basis<sup>2</sup>

COMMITMENT DESCRIPTION								
ANSWERABILITY	LEAD INSTITUTION	Ministry of Finance and Economic Planning (MOFEP)						
	SUPPORTING INSTITUTIONS	Institute For Fiscal Policy (IFFP), Centre for Economic Policy Analysis (CEPA), Institute of Economic Affairs (IEA) and SEND Ghana						
	POINT OF CONTACT SPECIFIED?	No	No					
SPECIFICITY AND MEASURABILITY		Medium (Commitment language describes an activity that is objectively verifiable, but does not contain specific milestones or deliverables)						
	OGP GRAND CHALLENGES	Improving public services, More effectively managing public resources						
	OGP VALUES							
RELEVANCE	ACCESS TO INFORMATION	CIVIC PARTICIPATION	PUBLIC ACCOUNTABILITY	TECH & INNOVATION FOR TRANS. & ACC	UNCLEAR			
	×	×	×					
AMBITION								
NEW VS. PRE-EXISTING Pre-existing		<b>POTENTIAL IMPACT</b> Moderate: A major step forward in the relevant policy area, but it remains limited in scale or scope.						

START DATE:	END DATE:	Actual Completion	NOT STARTED			
Not specified	Not specified	Actual Completion			SUBSTANTIAL	COMPLET
		Projected Completion	I		I	
2. PRODUCTION AN	ID DISSEMINATION	OF A SIMPLIFIED VERSIO	N OF THE B	UDGET		
<b>START DATE:</b> Not specified	<b>END DATE:</b> Not specified	Actual Completion	NOT STARTED	LIMITED	SUBSTANTIAL	COMPLET
		Projected Completion		I	I	
3. PRODUCTION AN	ND DISSEMINATION	OF A CITIZENS' "BUDGE	Т"			
<b>START DATE:</b> Not specified	END DATE: Not specified	Actual Completion	NOT STARTED	LIMITED	SUBSTANTIAL	COMPLET
		Projected Completion		l	1	
4. TWICE YEARLY RE	PORTS ON REVENU	ES AND EXPENDITURES				
<b>START DATE:</b> Not specified	<b>END DATE:</b> Not specified	Actual Completion	NOT STARTED	LIMITED	SUBSTANTIAL	COMPLET
		Projected Completion		l		
5. CONSULTATIVE B	UDGET MEETINGS					
<b>START DATE:</b> Not specified	<b>END DATE:</b> Not specified	Actual Completion	NOT STARTED	LIMITED	SUBSTANTIAL	COMPLET
		Projected Completion		I	I	
6. SUPPORT CSOS T	O PRODUCE CITIZEN	IS' BUDGET				
<b>START DATE:</b> Not specified	<b>END DATE:</b> Not specified	Actual Completion	NOT STARTED	LIMITED	SUBSTANTIAL	COMPLET
'		Projected Completion		Ì	ĺ	

Further steps required in next action plan.

#### What happened?

Most of the commitments above are activities the Ministry of Finance and Economic Planning (MOFEP) has in some way been working on. In 2008, MOFEP produced a citizens' budget and posted the report on its website. However, for some time now, MOFEP has not been producing and disseminating citizens' budget. Additionlly, MOFEP has made available to the entire population more budgetary information that would help track government expenditures, especially on government projects. Concerning fiscal transparency, the MOFEP has proactively worked on implementing this commitment. Year in and year out, the MOFEP tries to improve fiscal transparency by releasing budget and budgetrelated information to the public through the MOFEP's website.

• When it comes to producing and disseminating a simplified budget, the ministry prepares what is called budget highlights, which is posted on the Ministry of Finance website.<sup>3</sup>

- On producing twice yearly reports about revenues and expenditures, the ministry prepared and posted on its website a mid-year review for 2014 budget.<sup>4</sup>
- The ministry also publishes fiscal data (in some cases monthly, in other cases quarterly) on the ministry's website. The fiscal data are not in a easily readible report format, so it is difficult for nonfinancially savvy people to analyse them.
- The Ministry of Finance and some CSOs produced the 2014 Citizens' Budget. Hard copies are available at the ministry and an electronic copy is available on MOFEP's website.<sup>5</sup>
- The ministry frequently holds consultative meetings on the budget (during budget preparation and after the budget is presented to Parliament) with the private sector and civil society organisations.

In May 2014, there was a workshop called Improving Accountability and Public Policy Outcomes through Independent Budget Monitoring at the World Bank Office. Workshop participants included CSOs, think tanks, and MOFEP, among others.

In September 2014, there was a national workshop on the role of civil society organisations in promoting fiscal transparency in Ghana organised by Ghana Aid Effectiveness Forum (GAEF). The World Bank Office supported this workshop, and the Ministry of Finance was one of the key institutions that took part in it. The workshop focused on improving transparency and accountability in the budget process by increasing stakeholder engagement. The participants were mainly from CSOs and government. According to the Ministry of Finance, in September 2014 the government discussed with the Institute For Fiscal Policy (IFP) preparing a citizens' budget and a simplified version of the government's budget for popular usage. IFFP made suggestions to MOFEP on how to improve the 2015 citizens' budget. Among other issues stakeholders discussed, they suggested the MOF needs to collaborate with the Bureau of Languages to render the reports in plain language. The issue of CSOs producing the citizen's budget also came up. The IFP drew the ministry's attention to the International Budget Partnership (IBP) guidelines, which show that it is solely the minitry's responsibility to prepare the citizens' budget.<sup>6</sup>

#### Did it matter?

Making budgetary information available to a wider section of the population facilitates independent budget analysis and tracking of government expenditures by think-tanks and CSOs. Even though tracking of expenditure is crucial to ensuring efficient and effective use of public resources, this cannot be possible without government being committed to fiscal transparency.

As mentioned above, supporting competent and relevant CSOs to coordinate the annual production of a citizens' budget contradicts IBP budget guidelines, however MOFEP can collaborate with the relevant CSOs to prepare citizens' budget. Apart from milestone one above, the IRM researcher believes the Ministry of Finance and Economic Planning would have done most these things with or without an OGP commitment because most of the milestones are actions the ministry had already been working on. The IRM researcher could not access the workshop reports to ascertain if the government produced a budget presentation format that really facilitates effective tracking of expenditures.

#### Moving forward

Since most of the milestones pre-existed the action plan, the IRM researcher believes the next action plan should continue facilitating effective expenditure tracking.

When MOFEP collaborates with stakeholders to work effectively on these items, fiscal transparency and accountability should improve drastically. As citizens gain tools used to track government expenditures (especially on government projects), project execution efficiency will likely be enhanced.

Over the years, MOFEP has been working to promote fiscal transparency, but budget tracking is an area the ministry has not focused on much.

The IRM researcher recommends that the Ministry of Finance and the other Ministry Department and Agencies (MDAs) as well as CSOs and the private sector should continue to work together, through forums and consultative meetings, to come up with a budget format that facilitates effective tracking of expenditures.

<sup>&</sup>lt;sup>1</sup> Starred commitments are considered exemplary OGP commitments. In order to receive a star, a commitment must meet several criteria. (1) It must be specific enough that a judgment can be made about its potential impact. Starred commitments will have "medium" or "high" specificity. (2) Commitment language should make clear its relevance to opening government. Specifically, it must relate to at least one of the OGP values of Access to Information, Civic Participation, or Public Accountability. (3) The commitment must have a "moderate" or "transformative" potential impact, should it be implemented. (4) Finally, the commitment must see significant progress during the action plan implementation period (receiving a ranking "substantial" or "complete" progress).

<sup>&</sup>lt;sup>2</sup> Based on the above commitment text and the three actions, six milestones have been derived.

<sup>&</sup>lt;sup>3</sup> 2014 Budget Highlights: http://www.mofep.gov.gh/budget-statements

<sup>&</sup>lt;sup>4</sup> 2014 Mid-Year Review: http://www.mofep.gov.gh/?q=budget-statements

<sup>&</sup>lt;sup>5</sup> Ministry of Finance (2014) 2014 Citizen's Budget Citizens budget: http://www.mofep.gov.gh/?q=news/271113/2014-citizens-budget

<sup>&</sup>lt;sup>6</sup> The Power of Making It Simple: A Government Guide to Developing Citizens Budgets. http://internationalbudget.org/wp-content/uploads/Citizen-Budget-Guide.pdf

## **3 | RIGHT TO INFORMATION**

The Government of Ghana has, since 2010, been working very hard on a major instrument of transparency in the shape of a Right to Information Bill which is currently pending before Parliament. To give transparency a badly needed shot in the arm, Government undertakes to work hand-in-hand with Parliament to ensure the early passage of the Bill. To achieve this undertaking, Government will support every effort to ensure an immediate resolution of all outstanding issues between Parliament and CSO supporters of the Bill.

Actions:

- 1. Convene a weekend retreat of the Coalition on Right to Information Bill and the Parliamentary Committee on Communications and the Parliamentary Committee on Legal, Constitutional and Parliamentary Affairs in order to thrash out the necessary compromises on the Bill
- 2. Pass the Right to Information Bill by the end of 2013.
- 3. Disseminate information and educate the public on the Law.<sup>1</sup>

COMMITMENT DESC	RIPTION						
ANSWERABILITY	LEAD INSTITUTION	Ministry of Communication (MOC) and National Media Commission (NMC)					
	SUPPORTING INSTITUTIONS	Ghana Journalists Association (GJA), Coalition on the Right to Information Bill (CRTI), Media Foundation for West Africa (MFWA)					
	POINT OF CONTACT SPECIFIED?	No	No				
SPECIFICITY AND MEASURABILITY		High (Commitme for achievement		es clear, measurable, verifiable	milestones		
	OGP GRAND CHALLENGES	Improving public services, Increasing public integrity, More effectively manag- ing public resources, Increasing corporate accountability					
		OGP VALUES					
RELEVANCE	ACCESS TO INFORMATION	CIVIC PARTICIPATION	PUBLIC ACCOUNTABILITY	TECH & INNOVATION FOR TRANS. & ACC	UNCLEAR		
	×	×					
AMBITION							
<b>NEW VS. PRE-EXISTING</b> Pre-existing		<b>POTENTIAL IMPACT</b> Transformative: A reform that could potentially transform 'business as usual' in the relevant policy area.					
LEVEL OF COMPLETI	ON						
3.1. RETREAT ON RIG	HT TO INFORMATION	N BILL TO THRAS	HOUT THE NECES	SARY COMPROMISES			
<b>START DATE:</b> Not specified	END DATE: Not specified	Actual Com	pletion NOT STARTED	LIMITED SUBSTANTIAL	COMPLETE		
		Projected Com	pletion	1			

3.2. PASS THE RIGHT	TO INFORMATION BI	ш				
START DATE: Not specified	END DATE: 31/12/2013	Actual Completion Projected Completion			SUBSTANTIAL	COMPLETE
3.3. AWARENESS CRI	EATION ON RIGHT TO	INFORMATION BILL				
START DATE: Not specified	END DATE: Not specified	Actual Completion Projected Completion	NOT STARTED	LIMITED	SUBSTANTIAL	
NEXT STEPS						

Further steps required in next action plan.

#### What happened?

The government prepared the draft Right to Information Bill long ago.<sup>2</sup> Even though the commitment states the government would pass the bill by the end of 2013, the government had not passed it by the time the researcher prepared this report (September 2014). A Ministry of Justice and Attorney General's Department (MOJAGD) respondent said the bill is in Parliament. The Ministry of Communication indicated it had discussed the bill with Parliament and CSOs during the action plan preparation period, but it was unclear whether it conducted these discussions to achieve the milestones mentioned in the action plan.

The CSOs working on the bill's passage indicated that they found problematic areas in the bill that needed amendment, so they drew Parliament's attention to it for review.<sup>3</sup> They proposed revisions, including exemptions, time lines, appeal process, accountability measures, inclusion of private bodies, chieftaincy inclusion, and independent appeal mechanism.<sup>4</sup> The previous Parliament (the one that ended in 2012) asked stakeholders (individuals, CSOs, academia, and others) to explain possible changes and submit suggested amendments. The previous Parliament had completely reviewed the bill by the time its term ended. The current Parliament (the one that commenced in 2013) took up work on the bill where the previous Parliament left off. According to the Ministry of Communication, and also confirmed by CSOs, in May 2014 the Parliamentary Committee on Legal, Constitutional, and Parliamentary Affairs convened a forum at Koforidua for all concerned stakeholders. Stakeholders were to bring their suggestions for changing the bill, and the group discussed each clause and made proposals to change them. After the forum in May 2014, the responsible party collated and forwarded them to the Attorney General's Department for possible bill review and revision. Even though the Ministry of Communications and CSOs confirmed this meeting, the government was not able to provide copy of meeting minutes. In September 2014, the Parliamentary Committee on Legal, Constitutional, and Parliamentary Affairs in collaboration with the Attorney General's Department presented the bill's changes to stakeholders. At the time the researcher was preparing this report, Parliament was in recess. It is likely to consider the revised bill when it resumes.

Even though there were delays in passing the bill, the work to improve upon the bill before it is passed into law is appropriate. Whether Parliament will accept the revisions made to the bill is something that one has to wait to see until Parliament resumes. If Parliament accepts the revisions, the bill is likely to be passed by the first quarter of 2015. A revised bill that incorporates the recommendations from stakeholders would be quite progressive.

#### Did it matter?

Among the stakeholders the IRM researcher interviewed, there were two schools of thought on this bill. One group believed that Ghana had made far more progress than some provisions in the Right to Information Bill encompassed, if the suggested revision is not considered. This group also believed there were some clauses in the Right to Information Bill that would prevent access to information and would actually reverse Ghana's progress towards promoting access to information. When it comes to freedom of information, they thought that unless stakeholders' views were incorporated into the bill, the law would be retrogressive rather than progressive. They claimed that the draft bill "commenced with provisions on information that cannot be made public." The other school of thought was that passing the bill as-is would make information more accessible to the public. However, this group seemed less aware of the bill's content and work carried out on the bill than the other group did.

#### **Moving forward**

According to the IRM researcher, even though passing this bill is important, having systems in place that ensure information is available on time and in the right format would make it more effective. For example, every MDA or MMDA should establish a unit or section solely responsible for providing information generated by their respective outfits to the public.

Parliament should seriously consider stakeholder recommendations to improve the bill.

<sup>1</sup> The commitment has three milestones to assess.

- <sup>3</sup> One of the memos on the Draft Right to Information Bill could be obtained from: http://danquahinstitute.org/docs/RightInformationBillMemo.pdf
- <sup>4</sup> One of the memos on the Draft Right to Information Bill could be obtained from: http://danquahinstitute.org/docs/RightInformationBillMemo.pdf

<sup>&</sup>lt;sup>2</sup> The copies of the draft bill that are available on the Internet dates as far back as 2003.

## 4 | HUMAN RIGHTS MONITORING

#### This is a starred (😳) commitment.<sup>1</sup>

Government's commitment to human rights is already evident in the establishment of the human rights court. The Government of Ghana will substantially strengthen the human rights and anti-corruption regime already in existence by supporting the Commission on Human Rights and Administrative Justice (CHRAJ) to more effectively pursue its human rights and anti-corruption mandates. One sure way of realizing this commitment wil be to clarify the mandate of CHRAJ, in order to ensure that the Commission is not flooded with petitions outside its mandate, especially in Ghana's rural districts.

Government will also support CHRAJ to monitor Government's international human rights obligations.

Currently, decisions of CHRAJ do not carry the weight of a court of justice. Government commits to introduce the necessary legislative instrument that will allow successful petitioners at CHRAJ to register CHRAJ decisions in court to constitute a judgment of a competent court of law.

Government will review the salaries and conditions of service of CHRAJ personnel with a view to effecting a significant upgrade, to stem the tide of outflow of legal professionals from the Commission

Actions:

- 1. Conduct a joint Government and relevant anti-corruption and human rights CSOs review of principal impediments to CHRAJ effectiveness
- 2. Present report to Cabinet, through the Attorney-General, for consideration and implementation of recommendations
- 3. Monitor impact of implementation of recommendations by joint Government-CSO committee.
- 4. Monitor implementation of Ghana's commitment to African Union and UN protocols and instruments against corruption.
- 5. Conduct, by mid 2014, a joint M&E session of all responsible agencies to ensure that CHRAJ mandate has been clarified, (CHRAJ monitors Government compliance with international human rights commitments; CHRAJ enjoys substantial upgrade in remuneration and conditions of service; and decisions of CHRAJ are registered to confer status of court judgment.<sup>2</sup>

COMMITMENT DESC	RIPTION						
ANSWERABILITY	LEAD INSTITUTION	Ministry of Finance and Economic Planning (MOFEP), Ministry of Justice and Attorney-General Department (MOJAGD), Commission on Human Rights and Administrative Justice (CHRAJ)					
	SUPPORTING INSTITUTIONS	Corruption Coalition (GACC), Commonwealth Human Rights Initiative (CHRI), Ghana Integrity Initiative (GII)					
	POINT OF CONTACT SPECIFIED?	No					
SPECIFICITY AND MEASURABILITY		High (Commitment language provides clear, measurable, verifiable milestones for achievement of the goal)					
	OGP GRAND CHALLENGES	Improving public services, Increasing public integrity, More effectively managing public resources, Creating safer communities, Increasing corporate accountability,					
RELEVANCE		OGP VALUES					
	ACCESS TO INFORMATION	CIVIC PARTICIPATION	PUBLIC ACCOUNTABILITY	TECH & INNOVATION FOR TRANS. & ACC	UNCLEAR		
		×	×				

AMBITION							
NEW VS. PRE-EXISTING Pre-existing		<b>POTENTIAL IMPACT</b> Moderate: A major step forward in the relevant policy area, but it remains limited in scale or scope.					
EVEL OF COMPLETI	ON						
4.1. REVIEW, PRESEN TO CHRAJ EFFECTIV		IE IMPLEMENTATION OF	REPORT ON		IMPEDIMENTS		
START DATE:	END DATE:	Actual Completion	NOT STARTED	LIMITED	SUBSTANTIAL	COMPLET	
Not specified	Not specified	Projected Completion					
4.2. MONITOR IMPLE NSTRUMENTS AGAI		ANA'S COMMITMENT TO	AFRICAN UI		N PROTOCOLS	AND	
START DATE:	END DATE:	Actual Completion	NOT STARTED	LIMITED	SUBSTANTIAL	COMPLET	
Not specified	Not specified	Projected Completion		to tell from governm	nent and civil society resp	oonses.	
1.3. CLARIFY CHRAJ	MANDATE						
<b>START DATE:</b> Not specified	<b>END DATE:</b> 30/06/2014	Actual Completion	NOT STARTED	LIMITED	SUBSTANTIAL	COMPLET	
		Projected Completion					
4.4. UPGRADE REMU	NERATION AND COM	NDITIONS OF SERVICE FO	OR CHRAJ				
START DATE:	END DATE:	Actual Completion	NOT	LIMITED	SUBSTANTIAL	COMPLET	
<b>START DATE:</b> Not specified	30/06/2014						

Further steps required in next action plan.

#### What happened?

The government established the Commission of Human Rights and Administrative Justice (CHRAJ) in 1993 under the 1992 Constitution of Ghana by Act 456. Act 456 mandated CHRAJ investigates and seeks to remedy complaints about violations of fundamental human rights and freedoms; injustice and corruption; and abuse of power and unfair treatment of persons by public officers. The Commission's mandate is threefold and encompasses these aims:

- 1. A national human rights institution
- 2. An Ombudsman, an agency that ensures administrative justice
- 3. An anticorruption agency for the public sector

The public wanted to enhance the Commission on Human Rights and Administrative Justice's (CHRAJ) work. According to stakeholders who were part of the action plan preparation, one of the key complaints against CHRAJ is that the institution focuses too much on human rights issues and neglects anticorruption issues. During the action plan preparation, stakeholders suggested separating the anti-corruption agency from CHRAJ to make it autonomous, allowing it to actively focus on anti-corruption issues.

A report by the Constitutional Review Commission (CRC) addressed some of the concerns about this commitment.<sup>3</sup> The CRC recommended amending the CHRAJ Act so that CHRAJ's decisions are directly enforceable by registration in the court. The CRC also made the following recommendations:
- The CRC recommends that regional offices expeditiously review the decisions of the CHRAJ district offices.
- The CRC recommends that CHRAJ regulations provide procedures for complaints and investigations, processing decisions, and appealing decisions.
- The CRC recommends that the findings and recommendations of the CHRAJ should become binding, subject to a right of appeal within one month.
- The CRC recommends that the findings and recommendation (by CHRAJ) should be registered only after three months of the decisions containing those findings, if the CHRAJ is satisfied that the person to whom the recommendations are addressed has not taken adequate and appropriate measures in relation to the recommendations;
- The CRC recommends that the CHRAJ be empowered to inspect detention and other facilities and to make orders that secure detainee's rights.
- The CRC finds that the CHRAJ three-in-one<sup>4</sup> model is an efficient mechanism that must be preserved.
- The CRC recommends that the current functions of the CHRAJ be maintained.

The government is working on these recommendations and has issued a White Paper. The White Paper states among other things:

"Government accepts the following recommendations of the CRC:

- The current functions of the CHRAJ should be maintained;
- CHRAJ should be empowered to initiate investigations without a formal complaint in all aspects of its mandate; and
- The decisions of the CHRAJ should be directly enforceable by the Courts."<sup>5</sup>

The CRC report does not support separating the anticorruption agency from CHRAJ since it recommends the CHRAJ maintains its current functions. The CRC, an independent body even though it is not a CSO, has adequately considered the two milestones, namely identifying the principal impediments to CHRAJ effectiveness and clarifying the CHRAJ mandate. Government has accomplished much when it comes to the work done by the CRC on the above two milestones. However, when it comes to implementing CRC recommendations regarding CHRAJ, some of the issues require an amendment to the constitution before the government can take further actions. Unless there is a referendum on "entrenched positions" in the CRC report, the government cannot modify the CHRAJ Act. According to CHRAJ, the Constitutional Review Implementation Committee (CRIC) is working on these portions of the legislation; however, unless the government changes the constitution, the amendment cannot come into effect.

CHRAJ has to some extent worked on gaining government support in allowing it to monitor government's international human rights obligations. Since 1995 CHRAJ has monitored Ghana's human rights obligations and recommended to the government ways in which it can meet its obligations. However, the researcher does not expect that the government will support CHRAJ on the items listed above. Much support for these commitments comes from development partners, for example DANIDA and UNDP. For every international treaty Ghana has signed, CHRAJ should be able to monitor and present a shadow report on the treaty's implementation. However, CHRAJ has inadequate resources to monitor all of them, so it monitors them selectively. The institution has prioritised rights to education and rights to health (socio-economic rights), leaving out other civil and political rights as well as governance issues.

The action to "monitor implementation of Ghana's commitment to African Union and UN protocols and instruments against corruption" did not specify a responsible agency. The lead agencies for this commitment are Ministry of Finance and Economic Planning (MOFEP), Ministry of Justice and Attorney General's Department (MOJAGD), and Commission on Human Rights and Administrative Justice (CHRAJ). It is not clear which agency, MOFEP, MOJAGD, or CHRAJ, or all of them, is carrying out this milestone. If one assumes that it is CHRAJ, because it is the only one among them that has an anti-corruption agency, then there is no report on CHRAJ's website on monitoring implementation of Ghana's commitment to African Union and UN protocols and instruments against corruption. CHRAJ's anti-corruption agency has prepared a ten-year action plan, the National Anti-Corruption Action Plan (2012–2021), but there is no report regarding monitoring African Union and UN protocols and instruments against corruption.

Government implemented a "single-spine" salary structure in 2012 to address disparities in salary structure for legal and non-legal officers. This change addressed the action listed above, which was for government to review CHRAJ personnel's salaries and conditions in order to stem the tide of legal professionals leaving the commission. The implementation of this action resolved this issue.

### Did it matter?

The researcher believes clarifying CHRAJ mandate will not necessarily ensure that the Commission will not be flooded with petitions outside its mandate, especially in Ghana's rural districts. The mandate of CHRAJ is clear as suggested by CRC. However, the milestone should have been for CHRAJ to carry public education on its mandate in the rural areas.

The commitment to introduce the necessary legislative instrument to allow successful petitioners to register CHRAJ decisions in court to constitute a judgment of a competent court of law is crucial. The CRC has made some recommendations to that effect, but the implementation is slow. The government aimed another milestone at conducting a joint government and CSO review of principal impediments to CHRAJ's effectiveness. After talking to CSO members, the researcher found that most believe the main impediment is CHRAJ's inability to tackle corruption head on. Some of the consulted CSO stakeholders believe the government should separate the anti-corruption agency from CHRAJ so it can focus on the human rights and Ombudsman role.

The comments above from CSOs also tie in with the commitment to monitor implementation of Ghana's commitment to African Union and UN protocols and instruments against corruption. CSOs believe that if the anti-corruption agency had been active, there would have been a regular report on anti-corruption.

According to CHRAJ, the government has gone far implementing commitments regarding the institution. The work of the CRC and the implementation of the "single-spine" salary structure have fulfilled some of the actions in this commitment. Both legal and non-legal staff members now have remuneration comparable to that of their colleagues in other organisations. On reporting, the IRM researcher believes there needs to be a structured mechanism ensuring that government reports on its international obligations.

## Moving forward

The IRM researcher recommends creating more awareness on the roles and functions of CHRAJ by carrying out more public and civic education, especially in the rural areas.

As part of this study, the researcher went to CHRAJ's official website to access the institution's anticorruption reports, but found no reports by the anti-corruption agency. The government cannot neglect reviewing principal impediments to CHRAJ's effectiveness. The impediments to CHRAJ's anticorruption agency activities should be brought to the forefront. The IRM researcher believes there should also be an investigation on why the CHRAJ anti-corruption agency is not producing reports or making reports publicly available on implementing African Union and UN protocols and instruments against corruption. The researcher recommends the government support CHRAJ's anti-corruption agency to actively work on anti-corruption issues and produce reports on it.

On international human rights monitoring, the key concern is not only that CHRAJ monitors government's international human rights obligations, but also that it more generally addresses how the government reports on every international treaty Ghana has signed. There should be a permanent oversight body (interministerial body) comprising of the Ministry of Justice and Attorney General's Department (MOJAGD) and Ministry of Foreign Affairs to ensure government reports on all international obligations. This body should be well resourced to monitor implementation of all international obligations (including human rights obligations) so it can report on progress to the relevant international institutions. For each treaty Ghana has signed, this oversight body should establish subgroups comprised of key staff of the relevant MDAs that are responsible for implementing the specific obligations. The oversight body should ensure government is up-to-date on its reporting. If the government thinks establishing subgroups is not necessary and chooses to rely on the Policy Planning Monitoring and Evaluation (PPME) units of the various MDAs, then these units should be well resourced and prompted to carry out the monitoring. The government should supply CHRAJ with resources to carry out its independent monitoring and prepare shadow reports.

<sup>3</sup> Report of the Constitution Review Commission: http://www.ghana.gov.gh/index.php/information/reports/2573-report-of-the-constitution-review-commission

<sup>4</sup> Threefold mandate mentioned above.

<sup>5</sup> White paper on the Report of the Constitution Review Commission Presented to the President: http://www.ghana.gov.gh/images/documents/crc\_report\_white\_paper.pdf

<sup>&</sup>lt;sup>1</sup> Starred commitments are considered exemplary OGP commitments. In order to receive a star, a commitment must meet several criteria. (1) It must be specific enough that a judgment can be made about its potential impact. Starred commitments will have "medium" or "high" specificity. (2) Commitment language should make clear its relevance to opening government. Specifically, it must relate to at least one of the OGP values of Access to Information, Civic Participation, or Public Accountability. (3) The commitment must have a "moderate" or "transformative" potential impact, should it be implemented. (4) Finally, the commitment must see significant progress during the action plan implementation period (receiving a ranking "substantial" or "complete" progress).

<sup>&</sup>lt;sup>2</sup> Based on the text of commitment (two actions were mentioned) and the five listed actions, the actions have been clustered into four for assessment. The listed actions 1 through to 3 (focus on one issue—principal impediments to CHRAJ effectiveness) have been clustered as "review, present, and monitor the implementation of report on principal impediments to CHRAJ effectiveness."

## **5 | EXTRACTIVE SECTOR REVENUE MANAGEMENT**

The Petroleum Revenues Management Law has provided for the establishment of Public Interest Accountability Committee (PIAC) with the primary responsibility of enforcing transparency in the management of oil revenues. PIAC is a predominantly civil society body that monitors the flow of oil revenues and expenditures. Established in 2011, PIAC, has already issued its first report for that year and enjoyed considerable independence and generous budgetary allocation.

Over the 2013 - 2014 period, the Ghana Government commits itself to maintain and strengthen the independence of PIAC by continuing the provision of adequate budgetary allocation and supporting relevant CSOs to conduct annual M&E exercises to assess the extent of PIAC independence. Government further commits to the full implementation of recommendations from annual M&E reports as it will maintain and strengthen PIAC's independent operations.

Government should further strengthen the legal framework on other minerals such as Gold

Actions

- 1. Publish regulations on the Petroleum Management Act (Act 815).
- 2. Pass the Mineral Development Fund Bill.
- 3. Call at least four meetings of relevant CSOs, Ministries and Departments to formulate a framework for monitoring and evaluation of PIAC independence
- 4. Support publication and dissemination of M&E reports
- 5. Support relevant agencies to formulate sustainability plans for annual M&E exercises and reports<sup>1</sup>

COMMITMENT DESCRIPTION								
	LEAD INSTITUTION	Agency: Ministrie	Agency: Ministries of Energy					
ANSWERABILITY	SUPPORTING INSTITUTIONS			ial Development Centre (ISOI e for Democratic Governance				
	POINT OF CONTACT SPECIFIED?	No						
SPECIFICITY AND N	<b>IEASURABILITY</b>	High (Commitme for achievement		s clear, measurable, verifiable	milestones			
	OGP GRAND CHALLENGES	Improving public services, Increasing public integrity, More effectively managing public resources						
			OGP VALUES					
RELEVANCE	ACCESS TO INFORMATION	CIVIC PARTICIPATION	PUBLIC ACCOUNTABILITY	TECH & INNOVATION FOR TRANS. & ACC	UNCLEAR			
	×	×	×					
AMBITION								
NEW VS. PRE-EXISTING New	G	POTENTIAL IMPA Transformative: A the relevant polic	A reform that could p	otentially transform,"business	as usual," in			



Further steps required in next action plan.

## What happened?

The Petroleum Revenue Management Act (Act 815) established the Public Interest and Accountability Committee (PIAC), but the law did not make provisions for funding the institution's activities.

Government and development partners have made efforts to maintain and strengthen the independence of PIAC by ensuring a well-resourced institution. The government transferred to the committee GHS 150,000 in 2012 and GHS 500,000 in 2013. According to PIAC, the funds were often not released on time. For example, the government released 2013 allocations in December 2013. At the time of preparing this report (September 2014), the committee has not yet received the 2014 allocation.

Some development partners have supported the committee's activities. GIZ, the German Federal Enterprise for International Cooperation, funded the PIAC report publication and organising of some regional awareness meetings on the report. Oxfam America also funded some of the committee's activities. When it comes to publishing regulations on the Petroleum Management Act (Act 815), the government put in some effort to develop regulations, but it put this on hold since the government initiated a process to review and revise the act. The review process is ongoing at the time the researcher is preparing this report, and the Ministry of Finance is spearheading the review. The government cannot publish regulations until after it has revised the act.

After talking to both government and CSO actors, the IRM researcher could not find any evidence that the government has carried out the following:

- Formulated a framework for monitoring and evaluation of PIAC independence
- Supported publication and dissemination of M&E reports
- Supported relevant agencies to formulate sustainability plans for annual M&E exercises

On the passage of the Mineral Development Fund Bill, information was obtained mainly from media reports. In August 2013 the Minister for Lands and Natural Resources, Mr. Inusah Fuseini, hinted that the government was ready to present the Mineral Development fund bill for cabinet consideration in the coming weeks.<sup>2</sup> Most people the researcher consulted who were working on the extractives sector were unaware of either the status of the bill or its contents. At the time of preparing the report (September 2014), the researcher could not find any indication as to how far the government has proceeded on this bill, apart from the media information above. Also, there was not adequate information on whether government has "further strengthened the legal framework on other minerals such as gold."

## Did it matter?

Even though the government provided budgetary allocations to PIAC, it provided delayed support, and the delays affected implementation of PIAC activities. These allocations need to be on time to further strengthen PIAC. Additionally, government needs to strengthen and to ensure PIAC's independence in order to further promote transparency and accountability in the extractive sector. Extending the activities of PIAC, an organisation that holds public meetings to engage the public on its findings at the regional level, to other minerals will also be a transformative step, and the government should consider this in the future.

Most consulted stakeholders indicated that PIAC funding should not be based on direct allocations from the Ministry of Finance or the executive. When PIAC funding comes from the Ministry of Finance, if the PIAC disagrees with government actions, the Ministry of Finance could curtail funding to the committee.

## **Moving forward**

On the review of the Petroleum Revenue Management Act (Act 815), the Ministry of Finance should ensure it widely consults key stakeholders to ensure that the revised bill reflects all its concerns. The revised law should make provision to maintain and strengthen the independence of PIAC. For instance, the government could give a certain percentage of the petroleum revenue (e.g., 0.01 percent) to an independent organisation, like Parliament, for PIAC operations.

As mentioned earlier, many people the researcher consulted were not aware of the content and the stage of the Mineral Development Fund Bill. Passage of the bill is not appropriate until the government widely circulates the bill to relevant stakeholders for their input. The IRM researcher recommends that the government expedite action on the bill.

<sup>&</sup>lt;sup>1</sup> Based on the above text of the commitment and the five listed actions, six milestones were derived to be assessed. From the text the action "provision of adequate budgetary allocation for PIAC" is not mentioned in the five listed actions and have therefore been added to the listed actions.

<sup>&</sup>lt;sup>2</sup> Mineral Development Fund Bill Soon- Minister (news report): http://www.ghana.gov.gh/index.php/2012-02-08-08-32-47/general-news/2447-mineral-development-fund-bill-soon-minister

## 6 | INVESTMENT OVERSIGHT

Extensive economic reforms, in the past, included substantial offloading of Government interest in a large number of commercial activities. And, yet, Government still maintains significant investments in some sectors of the economy.

The perennial challenge facing Government is one of finding a mechanism for exercising close oversight and comprehensive tracking of its various investments. Under the Open government Initiative, the Government commits to assign open and transparent tracking of its overall investment as an additional responsibility of the Policy Evaluation and Oversight Unit in the Office of the President (PEOU).

During the OGPI plan period, Government will take steps to initiate the process for the PEOU legislative backing that clearly specifies the additional function of tracking overall government investment. Experience gained from years of monitoring MDAs will prove useful in tracking total government investments.<sup>1</sup>

Actions:

- 1. Political leadership and administrative heads to provide the PEOU with accurate and timely information.
- 2. Organize a forum or meeting of CSOs in governance and economic policy to discuss legislative backing and additional PEOU responsibility for oversight and tracking of government investment
- 3. Hold meeting with Attorney-General's Department to prepare the draft legislation for the PEOU, including new function of exercising oversight and tracking of government investments

COMMITMENT DESC	COMMITMENT DESCRIPTION						
	LEAD INSTITUTION			stice and Attorney-General's E pnomic Planning (MoFEP), PEC			
ANSWERABILITY	SUPPORTING INSTITUTIONS		omic Affairs (IEA), Ce for Democratic Gover	ntre for Democracy and Deve mance (IDEG)	lopment		
	POINT OF CONTACT SPECIFIED?	No					
SPECIFICITY AND N	<b>MEASURABILITY</b>			cribes an activity that is object milestones or deliverables.)	ively verifi-		
	OGP GRAND CHALLENGES	Improving public services, More effectively managing public resources					
			OGP VALUES				
RELEVANCE	ACCESS TO INFORMATION	CIVIC PARTICIPATION	PUBLIC ACCOUNTABILITY	TECH & INNOVATION FOR TRANS. & ACC	UNCLEAR		
	×	×					
AMBITION							
NEW VS. PRE-EXISTING Pre-existing		POTENTIAL IMP Minor: An incren		ep in the relevant policy area.			



No further steps required in the next action plan.

### What happened?

The Policy Evaluation and Oversight Unit (PEOU) under the Office of the President was established by former President J. E. A. Mills-the president who declared the country's intention to participate in the OGP initiative. The then head of PEOU was an active member of the steering committee that supported action plan preparation. As one of the key political figures in the country, the head of PEOU played an immense role in the initial stages of OGP (up to the preparation stage of the action plan). When the government changed and the new president, President John Mahama, took over, the government seems to have discontinued the PEOU. Politically, there was a significant loss of momentum for the OGP process with the exit of the head of PEOU. At the time of preparing the report, the researcher cannot trace the PEOU; therefore, the researcher could not obtain information on this commitment. Nothing has been achieved as far as this commitment is concerned.

## Did it matter?

Even though the PEOU is currently not functioning, the commitment is relevant and worth pursuing, since it

will help promote transparency and accountability. The IRM researcher believes the government must have an oversight body to monitor and evaluate key areas of government operations to assess its performance. By allowing the body to do this, Ghana would be able to report on each of its commitments.

## Moving forward

Even though the PEOU is not functioning, the IRM researcher believes making information available to the public, as listed below, is relevant and worth pursuing:

- Establish a mechanism to ensure political leadership and administrative heads provide accurate and timely information on their activities
- Periodically track government actual investment expenditure to ensure efficiency and effectiveness in public spending
- Establish a legally empowered and resource-wise institution to evaluate and provide oversight respecting government activities

<sup>&</sup>lt;sup>1</sup> The commitment has three milestones to be assessed.

## 7 | CITIZEN PARTICIPATION

The National Development Planning Commission (NDPC) and the Ministry of Finance and Economic Planning (MOFEP) shall, accordingly, require of MMDAs evidence of popular participation in these processes before acceptance and approval.

Government further commits to support Metropolitan, Municipal and District Assemblies (MMDAs) to organize annual meet-the-people fora to create opportunities for CSOs, other stakeholders and the public at large to participate in the evaluation of activities undertaken by the Assemblies in the preceding year.<sup>1</sup>

## Actions

- Organize two meetings between CSOs engaged in local government activities and Ministry of Local Government, MOFEP, NDPC, National Association of Local Governments (NALAG) and District Assemblies Common Fund Administrator, to synthesize guidelines for deepening CSO participation in local government planning and budgetary processes
- 2. Submit guidelines for wider discussion and adoption by representatives of MMDAs and CSOs.
- 3. Set 2014 as starting point for implementation of guidelines

## Appendix

• Enforce full participation of CSOs and other stakeholders in district planning and budgetary processes.

COMMITMENT DESCRIPTION							
	LEAD INSTITUTION	and Economic P	Iinistry of Local Government and Rural Development, Ministry of Finance nd Economic Planning, National Development Planning Commission, District Issemblies Common Fund Administrator				
ANSWERABILITY	SUPPORTING INSTITUTIONS		ational Association of Local Government, Institute of Local Government Stud- s, the SEND Foundation				
	POINT OF CONTACT SPECIFIED?	No					
SPECIFICITY AND N	MEASURABILITY			cribes an activity that is object milestones or deliverables.)	ively verifi-		
	OGP GRAND CHALLENGES	Improving public services, Increasing public integrity, More effectively managing public resources, Creating safer communities					
			OGP VALUES				
RELEVANCE	ACCESS TO INFORMATION	CIVIC PARTICIPATION	PUBLIC ACCOUNTABILITY	TECH & INNOVATION FOR TRANS. & ACC	UNCLEAR		
	×	×	×				
AMBITION							
NEW VS. PRE-EXISTING Pre-existing	G	POTENTIAL IMP Minor: An increm		ep in the relevant policy area.			

LEVEL OF COMPLETI	ON					
7.1. ORGANIZE ANN IN END-OF-YEAR STO		LE FORA FOR CSOS AND	PUBLIC TC	PARTICIPATE		
<b>START DATE:</b> 1/1/2013	<b>END DATE:</b> 31/12/2014	Actual Completion Projected Completion	NOT STARTED	LIMITED	SUBSTANTIAL	COMPLET
7.2. PREPARE GUIDEI	INE TO DEEPENING	CSO PARTICIPATION IN L	OCAL GOV	ERNMENT		
START DATE: Not specified	END DATE: Not specified	Actual Completion Projected Completion	NOT STARTED	LIMITED	SUBSTANTIAL	COMPLET
7.3. IMPLEMENTATIO	N OF GUIDELINES					
START DATE: 2014	END DATE: Not specified	Actual Completion Projected Completion	NOT STARTED		SUBSTANTIAL	COMPLET
7.4. ENFORCE PARTIC	CIPATION					
START DATE: Not specified	<b>END DATE:</b> 2013	Actual Completion Projected Completion	NOT STARTED	LIMITED	SUBSTANTIAL	COMPLET
NEXT STEPS						

Further steps required in next action plan.

## What happened?

Since the government passed the National Development Planning (System) Act in 1994, the National Development Planning Commission (NDPC) has prepared guidelines for involving the public in the local government's planning process. The government sent hard copies of the guidelines to the MMDAs while it posted a soft copy on the NDPC website. Most local government institutions involve their key stakeholders during the budgeting process, albeit on a limited scale.

The planning guidelines for the Metropolitan, Municipal, and District Assemblies (MMDAs) say "The Development Planning System in Ghana recognizes community participation as an essential and integral part of effective development planning. In pursuance of this objective, Section 3, subsections 1, 2, and 3 of the National Development Planning (System) Act 1994, Act 480, spells out the main tenets of community participation as follows:

- Each District Assembly (DA) is required to conduct a public hearing on its District Development Plan before such a Plan is adopted;
- b. Sub-district authorities (such as town or area councils, Unit committee, etc.) or a local community which have been authorized by the District Planning Authority to prepare a sub-district plan or a local action plan must also conduct public hearing(s) before the adoption of such plans; and,
- c. A written report on the public hearing(s) including written submissions by individuals, groups, communities, and organizations must be attached to the proposed District Development Plan, and subsequently sent to the NDPC".<sup>2</sup>

The National Development Planning Commission (NDPC) has been complying with the Development Planning System Act since the government passed it. NDPC has been enforcing participation since mid-90s when the MMDAs commenced district development planning on a wider scale.

The NDPC, in complying with the above act, prepared planning guidelines for the MMDAs that seek to operationalise these tenets by focusing on the following:

- Levels and number of public hearings
- Dates, time, and scheduling of public hearing
- Participation in public hearing
- Notice of public hearing
- Procedure and ethics of public hearing
- Format of public hearing report<sup>3</sup>

Even though the NDPC has prepared guidelines, there have been no meetings between CSOs engaged in local government activities and Ministry of Local Government, MOFEP, NDPC, National Association of Local Governments (NALAG), and District Assemblies Common Fund Administrator to synthesise guidelines for deepening CSO participation in local government planning and budgetary processes.

Based on discussions with MMDAS, when it comes to "organising annual meet-the-people fora to create opportunities for CSOs, other stakeholders, and the public at large to participate in the evaluation of activities undertaken by the Assemblies," some of the MMDAs carry out these activities on their own; however, these forums organised by the MMDAs do not follow a well-designed timetable and are poorly structured as a result. Furthermore, there is no specific law requiring the MMDAs to carry out these activities. The Ministry of Communication is considering organising meet-the-people forums, but to be called "we the people," they have to be in the form of a community town hall meeting at the local district level, and the forums need a structure that allows District Chief Executives and officials at the assemblies to meet the people and allow them to ask questions.

According to the Ministry of Communications the following "meet-the-people forums" are in existence.

- There is a policy fair where government brings together all the MDAs and people ask questions, and the heads of these institutions respond. This fair has been organised in Accra and all the regions since 2009
- There are monthly meetings, broadcast live on TV, for the press with each ministry. The ministry outlines its policy initiatives, and the press asks questions of the respective MDA.

The ministry is thinking of introducing a forum where the president interacts with people, to be tagged "President Meet the People Series."

## Did it matter?

The milestone to "enforce participation" is somehow broad or general. The IRM researcher believes what is meant by "enforce participation" is ensuring that the MMDAs include CSOs and other stakeholders in the development planning process. In this regard, NDPC has been ensuring that the MMDAs do this more than a decade before Ghana signed on to OGP. Implementation of the National Development Planning (System) Act 1994 by the NDPC already addressed popular participation in these processes before acceptance and approval of MMDAs development plans.

These meet-the-people forums, at both the national and district levels, are important, but to make them more relevant, the government must act on concerns people raised during the forums and report back to the people.

### Moving forward

The annual MMDA meet-the-people events should have a well-structured system (with timetable). This will make it possible for people to be aware of these meetings ahead of time and prepare adequately for them. Again, the government must act on concerns people raised during the forums and report back to the people.

<sup>&</sup>lt;sup>1</sup> Based on the above text of commitment, the three listed actions and an action mentioned in the appendix (Roadmap), four milestones were derived to be assessed.

<sup>&</sup>lt;sup>2</sup> National Development Planning Commission (2013) Draft Guidelines For The Preparation Of District Medium-Term Development Plan Under The Ghana Shared Growth And Development Agenda II, 2014-2017 http://www.ndpc.gov.gh/GPRS/DMTDPs%20Guidelines\_25-04-2014.pdf

<sup>&</sup>lt;sup>3</sup> National Development Planning Commission (2013) Draft Guidelines For The Preparation Of District Medium-Term Development Plan Under The Ghana Shared Growth And Development Agenda II, 2014-2017 http://www.ndpc.gov.gh/GPRS/DMTDPs%20Guidelines\_25-04-2014.pdf

## 8 | CODE OF CONDUCT BILL

In 2013 - 2014, Ghana Government commits to make public officers more accountable to the public by encouraging Parliament to effect the speedy passage of the Code of Conduct for Public Officers Bill and initiate action for immediate implementation. Government will introduce arrangements for the verification of assets declared by public officers through the appointment of a public officer of a rank not lower than an appeal court judge to verify assets and liabilities declared by public officers. This will minimize or bring to closure the persistent skepticism about the existing asset declaration regime and inject public confidence into the process. In its present form of assets declaration, without verification, public confidence is low or non-existent.<sup>1</sup>

Actions

- 1. Organize one consultative forum on the status of the Code of Conduct for Public Officers Bill and legal requirements for appointing an Assets Declaration Commissioner
- 2. Passage of the Bill by parliament.
- 3. Government to appoint Assets Verification Commissioner, by 2014.

COMMITMENT DESC	COMMITMENT DESCRIPTION							
	LEAD INSTITUTION	Legal, Constituti	Minister in charge of Government Business, Parliamentary Committee on Legal, Constitutional and Parliamentary Affairs, Attorney-General's Department, Commission on Human Rights and Administrative Justice (CHRAJ)					
ANSWERABILITY	SUPPORTING INSTITUTIONS	Ghana Anti-Corr	uption Coalition (GA	CC), Ghana Integrity Initiative	(GII).			
	POINT OF CONTACT SPECIFIED?	No						
SPECIFICITY AND MEASURABILITY		High (Commitme for achievement		s clear, measurable, verifiable	milestones			
	OGP GRAND CHALLENGES	Increasing public integrity						
			OGP VALUES					
RELEVANCE	ACCESS TO INFORMATION	CIVIC PARTICIPATION	PUBLIC ACCOUNTABILITY	TECH & INNOVATION FOR TRANS. & ACC	UNCLEAR			
			×					
AMBITION								
NEW VS. PRE-EXISTING New	G	<b>POTENTIAL IMP</b> Moderate: A ma limited in scale o	jor step forward in the	e relevant policy area, but it re	emains			



Further steps required in next action plan.

## What happened?

Chapter 24, Sections 284 through 287 of the constitution, provide a code of conduct for public officers.<sup>2</sup> However, there are other pieces of anticorruption legislation scattered through other acts too. Some of the anti-corruption legislation is in the Financial Administration Act, the Public Procurement Act, the Internal Audit Agency Act, and the Audit Service Act.

The Code of Conduct for Public Officers bill seeks to ensure harmony and coherence among the various pieces of anti-corruption legislation. The President launched this bill in July 2013. As far back as September 2013, the then Minister of Information hinted that the cabinet had approved the bill. Since then, the bill has gone through all the stages and is now in Parliament. Stakeholders hope the bill passes by the end of the year.<sup>3</sup> At the time the researcher was preparing this report, the Ministry of Communications said the relevant parliamentary committees and other groups are meeting on the bill. The bill is also available on the Internet. On declaration of assets by public officials, section 4 of the bill states:

"(1) A public officer who holds an office specified in the First Schedule shall submit to the Auditor-General, a declaration of

- (a) assets owned directly or indirectly by the public officer, and
- (b) liabilities owed directly or indirectly by the public officer.

(2) The public officer shall submit the declaration to the Auditor-General in accordance with article 286 of the Constitution

- (a) before taking office,
- (b) at the end of each four year period, and
- (c) at the end of the public officer's term of office."<sup>4</sup>

On the action to organise a consultative forum to identify legal requirements for appointing an Assets Declaration Commissioner, the bill categorically names the Auditor-General as the Assets Declaration Commissioner. There was no public consultation forum about this matter. On the commitment "Government will introduce arrangements for the verification of assets declared by public officers through the appointment of a public officer of a rank not lower than an appeal court judge to verify assets and liabilities declared by public officers," Section 56 of the bill states:

"The Auditor-General may by legislative instrument make Regulations for

(a) the declaration of assets and liabilities,

(b) the verification of assets,

(c) the forfeiture and disposal of prohibited gifts,

(d) the access by the public to declarations made, and

(c) other matters for the effective implementation of this Act."

Unless Parliament passes the bill, the Auditor-General may not be able to make the regulations on the above. Similarly, it is the regulations that will determine the appointment of Assets Verification Commissioner. The government has not passed the bill; therefore, the government has not appointed the Asset Verification Commissioner.

## Did it matter?

As mentioned above, the bill seeks to ensure harmony and coherence among the various pieces of anticorruption legislation in the country. It also aims to help prevent, detect, and punish corrupt acts among public officers holders.

Despite the above issues on the bill, other stakeholders interviewed believed the bill would transform the status quo, a situation where public officers' assets declarations are kept secret until "an issue" arises. Section 12 of the bill talks about confidentiality of information. It states:

"(1) The Auditor-General shall keep information obtained under this Act confidential.

(2) Despite subsection (1), information obtained under this Act and held by the Auditor-General may be accessed by

(a) authorised staff of the Commission (in this case Commission on Human Rights and Administrative Justice) where a public officer is under investigation,

(b) the public officer who provided the information or the public officer's authorised representative, or

(c) a person authorised by law to have the information.

(3) A public officer shall not

(a) access information obtained under this Act and held by the Auditor-General's Office, or

(b) in any case disclose or allow access to information held under this Act other than in accordance with subsection (2).

(4) A public officer who contravenes subsection
(3) commits an offence and is liable on summary conviction to a fine of not more than two hundred and fifty penalty units or to a term of imprisonment of not more than two years or to both."<sup>5</sup>

The bill, as it stands with the above provisions, does not provide for release of information until "an issue" arises.

### **Moving forward**

The government should not only appoint an Assets Verification Commissioner, but it should also make information on asset declaration public to minimise, or eliminate, the persistent skepticism about the existing asset declaration regime. If it does this, it will improve public confidence in the process.

The government should conduct regional and district consultations on the "confidentiality of information" clause in the bill before it passes. Even after the bill passes, the government needs to educate the public on the bill's importance.

<sup>&</sup>lt;sup>1</sup> This commitment has three milestones to be assessed.

<sup>&</sup>lt;sup>2</sup> Ghana 1992 Constitution http://www.politicsresources.net/docs/ghanaconst.pdf

<sup>&</sup>lt;sup>3</sup> Cabinet Approves Bill To Legalise Code Of Conduct For Public Office Holders:

http://www.ghana.gov.gh/index.php/news-slider/2968-cabinet-approves-bill-to-legalise-code-of-conduct-for-public-office-holders

<sup>&</sup>lt;sup>4</sup> Conduct of Public Officers Bill, 2013: http://www.parliament.gh/publications/36/699

<sup>&</sup>lt;sup>5</sup> Conduct of Public Officers Bill, 2013: http://www.parliament.gh/publications/36/699

## 9 | AUDIT REPORTS

Government will further strengthen the accountability mechanisms of Ministries, Departments and Agencies (MDAs) by reviewing the composition of the largely dysfunctional Audit Report Implementation Committees (ARICs) to include CSO representatives and independent professionals who will more effectively implement the recommendations of audit reports. A major impediment to effective implementation is that the Implementation Committee is predominantly composed of officers of the same Ministry or Department whose handling of public money has been queried by the Auditor-General.<sup>1</sup>

Actions

- Convene a meeting of appropriate CSOs and government Agencies to review the Financial Administration Act, particularly the provision on Audit Report Implementation Committees (ARICs).
- Agree on amendment of composition of ARICs to include CSO representatives and independent professionals
- Amend Financial Administration Act.

COMMITMENT DESC	COMMITMENT DESCRIPTION						
	LEAD INSTITUTION	Ministry of Finan	ce and Economic Pla	nning (MOFEP)			
ANSWERABILITY	SUPPORTING INSTITUTIONS	Centre for Econo	entre for Economic Policy Analysis (CEPA), Institute of Economic Affairs (IEA)				
	POINT OF CONTACT SPECIFIED?	No					
SPECIFICITY AND N	MEASURABILITY			cribes an activity that is object lestones or deliverables.)	ively verifi-		
	OGP GRAND CHALLENGES	More effectively managing public resources					
			OGP VALUES				
RELEVANCE	ACCESS TO INFORMATION	CIVIC PARTICIPATION	PUBLIC ACCOUNTABILITY	TECH & INNOVATION FOR TRANS. & ACC	UNCLEAR		
		×	×				
AMBITION							
NEW VS. PRE-EXISTING New		<b>POTENTIAL IMP</b> Moderate: A ma in scale or scope	jor step forward in the	e relevant policy area, but rem	nains limited		

LEVEL OF COMPLETI	ON					
9.1. REVIEW THE FINA	ANCIAL ADMINISTRA	TION ACT				
START DATE: Not specified	<b>END DATE:</b> 31/12/2014	Actual Completion Projected Completion	NOT STARTED	LIMITED	SUBSTANTIAL	COMPLETE
9.2. AMENDMENT OF		ARICS TO INCLUDE CSO	REPRESENT	ATIVES AND		
START DATE: Not specified	END DATE: 31/12/2014	Actual Completion Projected Completion	NOT STARTED	LIMITED	SUBSTANTIAL	COMPLETE
9.3. AMEND FINANC	IAL ADMINISTRATION	I ACT				
START DATE: Not specified	END DATE: Not specified	Actual Completion Projected Completion	NOT STARTED	LIMITED	SUBSTANTIAL	COMPLETE
NEXT STEPS						

Further steps required in next action plan.

## What happened?

The Audit Service Act, 2000 (Act 564), established the Audit Report Implementation Committees (ARICs). The Financial Administration Act, 2003 (Act 654), did not include any provisions on ARICs.

Section 30 of Audit Service Act, categorically provided for the membership of the Audit Report Implementation Committee as comprising members of:

"(a) the Governing Board or Council of that institution, body, or organisation where such Councilor Board exist by law or

(b) a Ministerial Committee for Ministries, Departments, and Agencies of the Central Government or

(c) a Special Committee of the District Assembly"<sup>2</sup>

The government did not mention CSO representatives and independent professionals in the Audit Service Act, 2000, so until the government changes the act, this commitment cannot move forward. Since the Financial Administration Act did not make provision for the ARICs, the government cannot move forward on the other actions. These actions should have targeted Audit Service Act, 2000 (Act 564), and while they are ambitious, they did not target the appropriate legal document.

## Did it matter?

Strengthening accountability mechanisms of Ministries, Departments, and Agencies (MDAs) is crucial; however, it is not clear whether ARICs are the only accountability mechanism currently existing at the MDA level.

## **Moving forward**

Even though this commitment is important, unless the government amends the Audit Service Act, 2000 (Act 564), it cannot carry out the commitment. Aside from amending the appropriate legislation, the government must allow for an independent study on why some Audit Report Implementation Committees (ARICs) are dysfunctional, and whether including CSO representatives and independent professionals will ensure more effective implementation of the audit report recommendations. Additionally, the government must conduct a study that seeks to bring out the current accountability mechanisms of the various Ministries, Departments, and Agencies (MDAs) and how to strengthen these existing mechanisms.

<sup>&</sup>lt;sup>1</sup> This commitment has three milestones to be assessed.

<sup>&</sup>lt;sup>2</sup> The Audit Service Act, 2000 (Act 564): http://laws.ghanalegal.com/acts/id/107/audit-service-act

## **10 | NATIONAL BROADCASTING**

Within the Action Plan period (2013 - 2014), Government will review and enact the national Broadcasting Bill to bring broadcasting, in Ghana, in line with nationally acceptable accountability standards and ensure that it is supportive of national unity and cohesion. Currently, a major national political concern is the threat posed by a vibrant but unregulated independent broadcasting. Some political broadcasting content is considered a threat to national unity, cohesion and even public morality.

COMMITMENT DESC	RIPTION							
	LEAD INSTITUTION	Ministry of Communication and National Media Commission						
ANSWERABILITY	SUPPORTING INSTITUTIONS	Association (GJA Media Foundatio Bill (NCBB)	Association (GJA), Ghana Independent Broadcasters Association (GIBA), Media Foundation of West Africa (MFWA), National Coalition on Broadcasting Bill (NCBB)					
	POINT OF CONTACT SPECIFIED?	No						
SPECIFICITY AND N	MEASURABILITY	Medium (Comm verifiable, but it	itment lar does not	nguage desc contain spe	cribes an activity cific milestones o	that is objection or deliverables	ively s.)	
	None specified							
RELEVANCE		OGP VALUES						
RELEVANCE	ACCESS TO INFORMATION	CIVIC PARTICIPATION		IBLIC NTABILITY	TECH & INN FOR TRANS		UNCLEAR	
							×	
AMBITION								
NEW VS. PRE-EXISTIN New	G	<b>POTENTIAL IMPACT</b> None: Maintains the status quo						
LEVEL OF COMPLETI	ON							
<b>START DATE:</b> 01/01/2013	<b>END DATE:</b> 3/2/2014	Actual Com Projected Com		NOT STARTED	LIMITED	SUBSTANTIAL	COMPLETE	
NEXT STEPS								

No further steps required in the next action plan.

## What happened?

The government prepared the national broadcasting bill. According to the Ministry of Communication and the National Media Commission, the government held a series of stakeholder workshops on it, the most recent one in March 2014. Post-workshop recommendations fed into the bill's revision. The IRM researcher was not able to obtain meeting minutes or other information regarding the workshops. The government sent the revised draft to media-related organisations and other stakeholders (for example Media Commission, Ghana Journalist Association) for a final round of review. After the final review, the final draft will go to the cabinet and then to Parliament.

When the researcher spoke to both government and media actors, they were aware of the bill. Their opinion on the bill is that "it is about media ethics and morality."

### Did it matter?

The national Broadcasting Bill seeks to improve the regulatory framework for broadcasting in Ghana. This is to fill a gap in media regulation, which partly accounts for public concerns relating to hate speech, incitement, and pornography in the media.

Stakeholders from government and media-related institutions whom the researcher consulted about the broadcasting bill expressed the following: "The bill when passed will enhance media activities." "There is indiscipline where broadcasters are spilling over to other areas and the bill will address this." "The bill is mainly about morality problems and indiscipline in the broadcasting landscape." "The bill will create some decorum and morality in the media landscape."

Government and media actors have denied suggestions that this bill when passed into law will hamper freedom of expression. Officials interviewed at the Ministry of Communication and National Media Commission stated clearly that the bill is not intended to hinder the freedom of speech but seeks to ensure that there is some decorum in the media landscape. They indicated that there is no law on broadcasting in the country, and this is a bill that aims to sanitise media. The IRM researcher could not lay hands on this bill to make the judgement; however, from the researcher's point of view, Ghana has made great strides when it comes to media freedom (freedom of speech, independence, and limited interference); therefore, it is unlikely stakeholders in the media will tolerate a bill that seeks to hinder its freedom.

#### **Moving forward**

As currently written, the relevance of the National Broadcasting Bill to OGP values is unclear. In order to be included in the next action plan, the link between the bill and the principles of access to information, civic participation and public accountability should be better articulated. For example, moving forward, the bill should be opened to the public and to those in all regional and district capitals so the public can also give input. Most of the stakeholders the government engaged on the bill were those in the media or mediarelated organisations.

After the bill passes, the government must make the public aware of its creation. There needs to be independent research to ascertain whether or not the bill maintains the current freedom of speech, independence, and minimal interference enjoyed by the media.

## 11 | E-IMMIGRATION<sup>1</sup>

To complete, within the Action Plan period, the implementation of e-immigration

The purpose of the introduction of the e-immigration system for visitors is to manage the growth of visitor members in a cost effective way through the use of cutting edge technology and to deliver service consistent with expectations of travelers. The introduction of an e-immigration system will help regulate entry into and exit of the country by foreigners and check fake identities. The automation will affect two seaports and four border entries, including Aflao and Elubo, and will contribute to promoting and improving intelligence sharing within the Ghana Immigration Service (GIS).

## Actions

Institute twice yearly support and solidarity meetings with Ghana Immigration Service and Ministry of Finance and Economic Planning to track prospects, progress and problems faced in rolling out E-immigration

## Appendix

Complete E-immigration project by automation of entry and exit of Ghana at 4 entry points and 2 seaports.

COMMITMENT DESC	RIPTION					
	LEAD INSTITUTION	Not Specified				
ANSWERABILITY	SUPPORTING INSTITUTIONS	Not Specified				
	POINT OF CONTACT SPECIFIED?	No				
SPECIFICITY AND N	MEASURABILITY	Medium (Comm verifiable, but it	itment language des does not contain spe	cribes an activity that is object actific milestones or deliverable	tively es.)	
	OGP GRAND CHALLENGES	None specified				
		OGP VALUES				
RELEVANCE	ACCESS TO INFORMATION	CIVIC PARTICIPATION	PUBLIC ACCOUNTABILITY	TECH & INNOVATION FOR TRANS. & ACC	UNCLEAR	
					×	
AMBITION						
NEW VS. PRE-EXISTING	G	POTENTIAL IMP Minor: An increm		ep in the relevant policy area.		
LEVEL OF COMPLETI	ON					
<b>START DATE:</b> 01/01/ 2013	END DATE: 31/12/2014	Actual Com Projected Com			COMPLETE	
NEXT STEPS						
No further steps requir	red in the next action pl	an.				

## What happened?

The Ghana Immigration Service (GIS) in collaboration with National Information and Technology Agency (NITA) is implementing an e-immigration system. The e-immigration system has a 36-month duration, 18 months for actual implementation and 18 months for managed services (transfer of knowledge to GIS). It is part of Ghana's e-government strategy to improve productivity in government administration. It aims to enhance service delivery and facilitating exchange of information by providing reliable ICT infrastructure to government institutions. The focus of the e-immigration system is to provide an end-to-end integration of

- border control operations;
- business process, including document and record management;
- web-enabled system;
- improved and efficient IT infrastructure; and
- interconnection with key stakeholders.

According to GIS, before the project began, the service was not capturing some data, so this project will help improve the institution's data system.

Some stakeholders the service is working with are the Ministry of Finance, Bank of Ghana, Ghana Statistical Service, and Ghana Investment Promotion Council (GIPC), among others. The government will also share data with other organisations, like Ministry of Tourism, Ghana Tourist Board, and some MDAs to improve systems for data usage. According to GIS, the government will make the data publicly available. The project commenced in May 2014, and it is in the implementation phase (within the first 18 months at the time of preparing this report). As the researcher prepared this report, the project was far from completion.

#### Did it matter?

As it is currently worded, the commitment's relevance to OGP values is unclear. The project aims to generate data and share it, mostly within the public sector. Once the NITA is part of the project, it is likely the project will be linked to the Ghana Open Data Initiative (GODI) to make data accessible to the public.

## **Moving forward**

If the commitment is to be included in the next action plan, its relevance to open government values should be clarified. For example, after the 36-month project implementation, government should make the data generated public through the Ghana Open Data Portal.

<sup>1</sup> In the action plan the next three commitments (e-immigration, financial management, and policy portal) were put together as one commitment, but for the purpose of this assessment, the commitment has been separated into three separate commitments.

## 12 | FINANCIAL MANAGEMENT

The goal is to complete, within the Action Plan period, the implementation of GIFMIS.<sup>1</sup>

The Ghana Integrated Financial Management Information System (GIFMIS) is a charter for public financial management that will help achieve the following key objectives:

- i. Capture all public finances currently scattered at different units, at the centre and across all local governments
- ii. Produce a single unified chart of accounts and budget classification (for budgeting, accounting and reporting) that is compliant with IMF standards 27
- iii. Develop and implement re-engineered business processes that are best practice
- iv. Consolidate the reporting of all government finances within the two years (2013 2014) that GIFMIS will be completed

## Actions

Institute twice yearly support and solidarity meetings with Ministry of Finance and Economic Planning to track prospects, progress and problems faced in rolling out GIFMIS

## Appendix

Complete Ghana Integrated Financial Management Information system GIFMIS by bringing all data on government to a central unit.

COMMITMENT DESC	COMMITMENT DESCRIPTION							
	LEAD INSTITUTION	Not Specified						
ANSWERABILITY	SUPPORTING INSTITUTIONS	Not Specified						
	POINT OF CONTACT SPECIFIED?	No	c					
SPECIFICITY AND MEASURABILITY				cribes an activity that is object milestones or deliverables.)	ively verifi-			
	OGP GRAND CHALLENGES	Improving public services, More effectively managing public resources						
			OGP VALUES					
RELEVANCE	ACCESS TO INFORMATION	CIVIC PARTICIPATION	PUBLIC ACCOUNTABILITY	TECH & INNOVATION FOR TRANS. & ACC	UNCLEAR			
					×			
AMBITION								
NEW VS. PRE-EXISTING New		<b>POTENTIAL IMP</b> Transformative: A in the relevant p	A reform that could p	otentially transform,"business	as usual,"			

LEVEL OF COMPLETIC	NC					
		AND SOLIDARITY MEETII BLEMS FACED IN ROLLIN		AND ECONO	OMIC PLANN	ING TO
START DATE: Not specified	<b>END DATE:</b> 31/12/2014	Actual Completion Projected Completion	NOT STARTED L	IMITED	SUBSTANTIAL	COMPLETE
12.2. CAPTURE ALL P ALL LOCAL GOVERNM		RRENTLY SCATTERED AT	DIFFERENT UNI	TS, AT THE C	ENTRE AND	ACROSS
START DATE: Not specified	END DATE: Not specified	Actual Completion Projected Completion	NOT STARTED L		SUBSTANTIAL	COMPLETE
		OF ACCOUNTS AND BU		CATION (FOR		G, AC-
START DATE: Not specified	END DATE: Not specified	Actual Completion Projected Completion	NOT STARTED L	IMITED	SUBSTANTIAL	COMPLETE
12.4. DEVELOP AND	IMPLEMENT RE-ENG		CESSES THAT AF	RE BEST PRA	CTICE	
START DATE: Not specified	END DATE: Not specified	Actual Completion Projected Completion		IMITED om Government a	SUBSTANTIAL and Civil Society R	COMPLETE esponses
12.5. CONSOLIDATE THAT GIFMIS WILL BE		ALL GOVERNMENT FINA	NCES WITHIN TI	HE TWO YEA	RS (2013 - 20	014)
START DATE: 2013	<b>END DATE:</b> 2014	Actual Completion Projected Completion	NOT STARTED L	IMITED	SUBSTANTIAL	COMPLETE
NEXT STEPS						

Further steps required in next action plan.

## What happened?

Government launched the Ghana Integrated Financial Management Information System (GIFMIS) in May 2009 as a follow-up to the Budget and Public Expenditure Management System (BPEMS) Project, implemented between 1999 and 2008. Government designed the project as component 4 of the e-Ghana Project with a pooled fund of US \$60.26 million: the World Bank (US \$28.44m); DFID (US \$15.05m); EU (US\$12.27m); and DANIDA (US\$4.50m). The project was expected to end on June 30, 2014. GIFMIS hoped to bring about an accountable, more effective, and transparent management of public resources, helping to prevent corruption and promote good governance. GIFMIS's implementation is governed by a number of public institutions, such as the Controller and Accountant General's Department (CAGD), which is responsible for reforms in financial management and control; the Budget Division of Ministry of Finance (MoF), which handles the Programme Based Budgeting (PBB); and the Public Service Commission, which is in charge of human resource management and information system. Reforms of Financial Management and Control involve changes to government business processes, including the replacement of the manual system with a centralised integrated ICT assisted financial system, which is connected to the MDAs to the CAGD. The system facilitates processing government business on consolidated fund by the MDAs, in an attempt to improve transparency in the management of public finance.

GIFMIS will capture targeted major public funds, including the Consolidated Fund, Internally Generated Funds, Donor Funds, and Statutory Funds. The plan is to streamline all these funds onto the GIFMIS system. At the time the researcher prepared this report, the consolidated fund had been rolled onto GIFMIS, so no MDA outside GIFMIS can disburse money from the consolidated funds. In addition, 33 MDAs, all the 10 regional Coordination Councils/Treasuries, and 7 metropolitan assemblies, are connected to the GIFMIS system. The ambition of the project was to ensure the government covered all 216 Metropolitan, Municipal, and District Assemblies (MMDAs) by the end of 2013.

Government uploaded the 2014 budget, prepared in a Programme Based Budgeting (PBB) format, onto the GIFMIS System. All expenditure from the consolidated funds that are based on the 2014 budget can only be spent on the GIFMIS system, which means activities that have not been captured on 2014 budget cannot be spent from the consolidated funds. Also, payments from the MDAs and treasury to government suppliers are now done through Electronic Funds Transfer.

Government activated the Human Resource Management Information System (HRMIS) on the platform, with nine MDAs selected for a pilot phase, scheduled from September 1, 2014–August 31, 2015.

Information from the GIFMIS website showed there were meetings between GIFMIS and Ministry of Finance and Economic Planning.

In May 2014, the World Bank announced a six-month extension of the first phase of GIFMIS. The extension was to pave the way for implementation of one of the key components, the Human Resources Management Information System, which was not originally conceived as part of the programme. This system would allow payroll to generate from data contained in the system, and the Public Service Commission would manage it.<sup>2</sup>

As the government implements this project in phases, it is likely that GIFMIS will take a longer implementation time. The commitment to complete implementation of GIFMIS "within the action plan period" was not correctly stated.

## Did it matter?

The commitment as currently written suggests GIFMIS is an internal phasing system (within the public sector), and therefore its relevance to OGP values is not clear.

This is not to say GIFMIS is not laudable. Shifting from a manual system to a centralised, integrated, ICTassisted financial system is laudable for its potential to speedily capture financial data and release timely financial reports. The project will not only ensure transparency in the management of the funds, but it will also facilitate quick and quality financial reporting. The project, which seeks to link the budgeting system to the accounting system, will ensure transparency and accountability in disbursing public funds. Some are of the view that implementation of GIFMIS will improve fiscal discipline. The GIFMIS Secretariat is working hand in hand with the National Information and Technology Agency (NITA), which is implementing the Ghana Open Data Initiative (GODI), and it is likely that it will upload to the website the data it obtains.

### **Moving forward**

Government should reword this commitment so the reader can establish a clear connection between the commitment and OGP values (access to information, civic participation, public accountability, and technology and innovation for transparency and accountability). Even though in the future, GIFMIS is likely to bring about access to information, public accountability, and technology and innovation for transparency and accountability, the commitment as it stands does not provide a clear connection.

The government has covered only seven MMDAs under GIFMIS at the time the researcher prepared this report, even though the target was that all 216 Metropolitan, Municipal, District Assemblies (MMDAs) in the country would be covered by close of 2013. In addition, the government streamlined only the Consolidated Fund onto the GIFMIS system; it has not yet brought on board the Internally Generated Funds, Donor Funds, and Statutory Funds. Despite the fact that the government has done a lot, there are still unmet targets. Given the relevance of GIFMIS in capturing government financial data, the government should proceed with the GIFMIS project, rather than considering the project complete, to ensure timely and accurate release of financial data. Since three different institutions are implementing GIFMIS, this process requires these institutions to work hand in hand to create efficiency.

Based on the above text of commitment, the listed action, and an action mentioned in the appendix (Roadmap), five milestones were derived to be assessed.

<sup>2</sup> Government of Ghana Official Portal 7th May 2014: The World Bank has announced a six month extension of the first phase of the Ghana Integrated Financial Management Information System (GIFMIS): http://www.ghana.gov.gh/index.php/2012-02-08-08-32-47/general-news/5587-world-bank-extends-gifmis-project

## 13 | POLICY PORTAL

## This is a starred (😳) commitment.<sup>1</sup>

To goal is to complete, within the Action Plan period, the implementation of Ghana Open Data Initiative (GODI).

Ghana further commits to the application of ICT for enhanced service delivery through the full implementation, by the end of 2014, of the Ghana Open Data Initiative (GODI) by the National Information and Technology Agency (NITA). In 2011, Ghana joined the global Open Data Initiative (ODA). The objective of the initiative includes promoting transparency in government transactions and creating business opportunity for reuse of open government data. The initiative involves a bold and innovative approach to governance and how public services should adapt their procedure to meet the demands and necessities of citizens.

GODI will facilitate data collection and dissemination by Ministries, Departments and Agencies and trigger innovation and development through the use of the data so disseminated. The Government, through the Ministry of Communications, will support NITA to open two portals, one immediately, by 2013, and the other, long- term, by 2014, to facilitate the collection and dissemination of data to serve citizens.

## Actions

- 1. Call two meetings of Ministry of Communications, NITA and relevant CSOs to assess resource requirement of NITA in rolling out one portal, by end 2014
- 2. Support NITA to roll out the portal to be used for policy making and community participation.
- 3. Collaborate with Ministry of Communications, NITA and relevant CSOs to evaluate benefits to users of the portals established

## Appendix

Support National Information Technology Agency (NITA) to create 2 portals for gathering and dissemination of information on government policies<sup>2</sup>

COMMITMENT DESCRIPTION								
	LEAD INSTITUTION	Ministry of Comr	Ainistry of Communications, NITA					
ANSWERABILITY	SUPPORTING INSTITUTIONS	Not specified						
	POINT OF CONTACT SPECIFIED?	No						
SPECIFICITY AND MEASURABILITY		High (Commitme for achievement		s clear, measurable, verifiable	milestones			
	OGP GRAND CHALLENGES	More effectively managing public resources						
		OGP VALUES						
RELEVANCE	ACCESS TO INFORMATION	CIVIC PARTICIPATION	PUBLIC ACCOUNTABILITY	TECH & INNOVATION FOR TRANS. & ACC	UNCLEAR			
	×	×		×				
AMBITION								
NEW VS. PRE-EXISTING New	G	<b>POTENTIAL IMPACT</b> Transformative: A reform that could potentially transform 'business as usual' in the relevant policy area.						

LEVEL OF COMPLETION							
13.1. SUPPORT NATIONAL INFORMATION TECHNOLOGY AGENCY (NITA) TO CREATE 2 PORTALS FOR GATHERING AND DISSEMINATION OF INFORMATION ON GOVERNMENT POLICIES							
<b>START DATE:</b> Not specified	<b>END DATE:</b> 2014	Actual Completion Projected Completion	NOT STARTED		SUBSTANTIAL	COMPLETE	
13.2. ASSESS RESOURCE REQUIREMENT OF NITA IN ROLLING OUT ONE PORTAL							
<b>START DATE:</b> Not specified	<b>END DATE:</b> 2014	Actual Completion	NOT STARTED	LIMITED	SUBSTANTIAL	COMPLETE	
		Projected Completion		I		I	
13.3. ROLL OUT THE PORTAL TO BE USED FOR POLICY MAKING AND COMMUNITY PARTICIPATION							
<b>START DATE:</b> Not specified	<b>END DATE:</b> 2014	Actual Completion	NOT STARTED	LIMITED	SUBSTANTIAL	COMPLETE	
		Projected Completion		I			
13.4. EVALUATE PORTAL BENEFITS TO USERS							
<b>START DATE:</b> Not specified	END DATE: Not specified	Actual Completion	NOT STARTED	LIMITED	SUBSTANTIAL	COMPLETE	
		Projected Completion					
NEXT STEPS							

Further steps required in next action plan.

## What happened?

The Open Data Initiative is to develop an open data community, bringing together government, civil society organisations, academia, journalists, and other citizenry. As they come together, they work to make government efficient, transparent, and accountable.

When the researcher interviewed NITA's key staff members, they said they had done the following actions:

- Called two meetings with the Ministry of Communications, NITA, and relevant CSOs to assess resource requirements of NITA in rolling out one portal by the end 2014
- Supported NITA to roll out the portal to be used for policy making and community participation
- Collaborated with the Ministry of Communications, NITA, and relevant CSOs to evaluate benefits to users of the established portals

The government expected to open two portals (Open Data and Open Legislative). It opened one of the two portals, Open Data,<sup>3</sup> and has yet to open the other, Open Legislative. NITA included the opening of the Open Legislative Portal in its tactical plan to be implemented in the next phase of the project. The researcher went to the open portal to look at the visitor comments and statistics. Some comments<sup>4</sup> praised the initiative while others suggested including additional information on the portal.

## Did it matter?

NITA holds great potential for disseminating information generated by the Ministries Departments and Agencies (MDAs) through their portal. Obtaining data or information from some MDAs is difficult; therefore, access to information will become easier once NITA makes it available on its website. NITA's implementation of Ghana Open Data Initiative (GODI) has also contributed to other OGP commitments, like GIFMIS and e-immigration. Internet usage in Ghana is growing, and as NITA continues to put more data on its portal, more people will gain access to information, creating greater transparency and accountability. Despite the immense potential of NITA in promoting transparency and accountability, stakeholders the researcher talked to during the research did not comment much about the information on its portal. Since there was little information from interviewees, the researcher used the comments posted by users of the NITAs website as a source of information. The comments were encouraging. Visitors to the website<sup>5</sup> started to increase in February 2014 to June 2014; however, visitors dropped from 8,194 in June 2014 to 5,822 in July 2014. From August 2014 onward, though, website visits have been increasing.

### **Moving forward**

Since the researcher's interviewees did not provide information about the usage of NITA's portal, which likely means they did not know much about it, NITA needs to educate the public more about the portal. According to the IRM researcher, it is very important that GODI facilitates data collection and dissemination by Ministries, Departments, and Agencies. It is also important that it triggers innovation and development through the use of disseminated data. The government should support NITA so it brings on board all the Ministries, Departments, and Agencies. NITA should also expedite action to roll out the other portal, or Open Legislative Portal.

<sup>&</sup>lt;sup>1</sup> Starred commitments are considered exemplary OGP commitments. In order to receive a star, a commitment must meet several criteria. (1) It must be specific enough that a judgment can be made about its potential impact. Starred commitments will have "medium" or "high" specificity. (2) Commitment language should make clear its relevance to opening government. Specifically, it must relate to at least one of the OGP values of Access to Information, Civic Participation, or Public Accountability. (3) The commitment must have a "moderate" or "transformative" potential impact, should it be implemented. (4) Finally, the commitment must see significant progress during the action plan implementation period (receiving a ranking "substantial" or "complete" progress).

<sup>&</sup>lt;sup>2</sup> Based on the above commitment text, the three listed actions, and an action mentioned in the appendix (Roadmap), four milestones were derived to be assessed.

<sup>&</sup>lt;sup>3</sup> Ghana Open Data Initiative, Open Data Portal: http://data.gov.gh/

<sup>&</sup>lt;sup>4</sup> Valuable Suggestions/Ideas, Ghana Open Data Initiative, Open Data Portal: http://data.gov.gh/suggested-datasets-list

<sup>&</sup>lt;sup>5</sup> Monthly Visitor Statistics, Ghana Open Data Initiative, Open Data Portal: http://data.gov.gh/visitorstats/monthly-visitor-statistics

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# V | PROCESS: SELF-ASSESSMENT

At the time of writing, the government self-assessment had not been released.

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## VI | COUNTRY CONTEXT

## This section places the action plan commitments in the broader national context and discusses concrete next steps for the next action plan.

## **Country context**

The constitution of Ghana's political system declares Ghana to be a unitary republic with sovereignty residing in the Ghanaian people. The political system of Ghana takes place in a framework of a presidential representative democratic republic. Since 1992, the country has consistently been practicing multiparty democracy holding elections every four years to elect an Executive President and a 230 –member Parliament. Even though the president has a maximum of two four-year terms, members of parliament have unlimited four-year terms. Ghana has been praised in the African region for organizing peaceful elections and having a stable political system.

Ghana's constitution and other legal documents made adequate provisions to establish systems to promote transparency and accountability as well as mechanisms to enhance citizen's participation for good governance within the public sector. At the time Ghana signed on to Open Government Partnership (OGP), the country had had five successive peaceful elections and twice the opposition had defeated the ruling party's candidate in elections. These elected governments have in one way or the other put in measures to bring about transparency, accountability and participation within the public sector. When it comes to decentralization, Ghana has made some progress in administrative and political decentralization but not in fiscal decentralization.

The media in Ghana can be considered independent and vibrant. Civil society organizations in Ghana have been active in engaging the government on pertinent issues affecting national development. At times some civil society organizations disagree with government on some national development policy issues and these are expressed openly without any hindrance

The passage of legislation on Freedom of Information (FOI) in Ghana became an election issue almost a decade before Ghana signed onto OGP. Both civil society organizations and the media showed keen interest in its passage. Despite some progress, the government has not passed it. The Coalition on the Right to Information Bill (a civil society group) and other interested bodies have been working with Parliament and the executive branch to ensure that the draft's content improves before government passes it. In the coming years, to ensure this bill's passage, ministers and parliamentarians must prioritise providing adequate resources for bill implementation. This is consonant with Ghana's regional role as a leader in democracy and as a participant in OGP.

Efforts by government to improve transparency in the extractive sector, an area of importance for the current action plan, dates as far back as 2003 when Ghana launched its national Extractive Industries Transparency Initiative (EITI). The civil society component of the EITI, Publish What You Pay (PWYP), has also been active and pushing for greater transparency and accountability in the extractive sector.

With Ghana joining other oil-producing countries in December 2010, interested parties called on government to take actions to ensure openness, transparency, and public accountability while managing the natural resources. As a consequence, the government established an independent body, the Public Interest Accountability Committee (PIAC), in 2011. Its primary responsibility was to enforce transparency while managing oil revenues by monitoring the flow of oil revenues and expenditures. Since its establishment, PIAC has produced reports on the country's oil revenue management. The institutional setup, spending plans, and speed at which oil is extracted may have significant impact on whether or not Ghana is able to avoid the "resource curse," according to a recent report by Ghanaian organisation ISODEC and Oxfam America.<sup>1</sup>

The country joined the global Open Data Initiative (ODI) in 2011 by establishing the Ghana Open Data Initiative (GODI), which the National Information and Technology Agency (NITA) implemented. The objective of the GODI includes promoting transparency in government transactions and creating business opportunity for reuse of open government data.

Year in year out, the Ministry of Finance (MOF) has also been promoting fiscal transparency by trying to improve the release of budget fiscal information.

In addition, obtaining information from some of the Ministries, Departments, and Agencies (MDAs) is quite difficult. Other MDAs do not make copies of their reports available on the Internet. In addition to the MDAs, the Metropolitan Municipal and District Assemblies (local government institutions) do not make avaliable on the Internet information on their finances.

In August 2014 the government of Ghana (GOG) requested IMF's support (bailout) to deal with the country's financial crisis. Following this request, some civil society organisations and other non-state actors are calling on government for broader consultations with Ghanaians. The CSOs and the non-state actors believe "citizen inclusiveness in the discussions will allow the much needed citizen buy-in which had been problematic with previous bailouts so that this one becomes the last bailout ever that Ghana will seek."<sup>2</sup> The call is ongoing at the time the researcher is preparing this report, and the result has not been finalised.

### **Stakeholder priorities**

What came out clearly during the stakeholder discussions is that stakeholders have their own specialty areas and are interested primarily in commitments related to their areas. As a result, it is difficult to single out any commitment in the action plan that stakeholders have prioritised as a whole.

According to stakeholders interviewed, it was clear that the Parliamentary Committee on Legal, Constitutional, and Parliamentary Affairs had taken a keen interest in ensuring their views were incorporated in the Right to Information bill before the bill's passage. The civil society actors working on the bill say the parliamentary committee has done its job, and now it is up to Parliament to approve the bill.

## Scope of action plan in relation to national context

President J. E. A. Mills signed on to OGP in 2011, three years after being sworn into office. The president passed away in July 2012, a few months after signing on to OGP. His vice-president, H. E. John Mahama, succeded him until the government held an election, which retained Mahama as president. There were some institutional changes after 2012 that impacted the implementation of OGP commitments. For example, the Policy Oversight and Evaluation Unit (PEOU) was dissolved, and this affected the commitment clustered "investment oversight." The PEOU head played an immense role in the intial stages of the OGP process. With the PEOU's removal, the OGP process experienced a significant loss of momentum as the head of PEOU (who is also one of the key political figures in the country) was no longer part of the OGP Steering Committee.

The Ministry of Information (MOI) merged with the Ministry of Communication (MOC), so at the time the researcher prepared this report MOC was the existing ministry.

Earlier efforts to promote transparency bodies, like EITI, PWYP, and MOF as well as new bodies (at the time of signing on to OGP), like PIAC and GODI, have provided a strong basis for promoting transparency and accountability. The key issue is how these bodies will collaborate and harmonise activities towards greater openess. OGP is an opportunity for Ghana to come out with a workable platform where public institutions and non-public institutions can work together to promote greater transparency and accountability.

Despite Ghana's progress, it has a lot more work to carry out. For example, even though the Ministry of Finance is making progress with fiscal transparency at the national level, most of the Ministries Departments and Agencies (MDAs) and the Metropolitan, Municipal, and District Assemblies (MMDAs) do not release adequate information on their website about their revenue and expenditure allocations (actual) over the year. Few MDAs and MMDAs post reports on the Internet about their operations over the year. Medium term evaluation reports on the activities of some MDAs and MMDAs are difficult to obtain on their respective websites. The current action plan also left out these issues, and therefore, the next action plan should consider these.

<sup>&</sup>lt;sup>1</sup>. http://www.oxfamamerica.org/static/oa3/files/ghanas-big-test.pdf

<sup>&</sup>lt;sup>2</sup> Please read the media reports on: http://www.myjoyonline.com/business/2014/October-8th/civil-societies-initiate-forum-on-ghanas-imf-assistance.php http://www.ghanaweb.com/GhanaHomePage/NewsArchive/artikel.php?ID=332495 http://www.gaccgh.org/news/gacc-news/involve-citizens-in-imf-bailout-discussions-csos-tell-gov-t.php

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## VII | GENERAL RECOMMENDATIONS

This section recommends general next steps for OGP in general, rather than for specific commitments.

## **Crosscutting recommendations**

Improve Awareness Creation

Despite the fact that the aim for OGP action plan preparation was a national initiative (as evidenced by the three zonal consultations mentioned earlier), a lot of people on the street in Accra with whom the IRM researcher talked were not aware of OGP. Some of the stakeholders in civil society were also not aware of OGP. Even some of the key stakeholders in the public sector were not aware of OGP. For example, there are some ministries mentioned in the action plan as lead agencies that were not aware of OGP when the researcher contacted them. The government should create more awareness. It should target not only civil society organisations, but also the public sector. Awareness creation in the public sector cannot be over emphasised since all the lead agencies mentioned in the action plan are in the public sector, and it should be carried out in such a way that there is buy-in by all these stakeholders.

The IRM researcher recommends targeting certain institutions, such as the Trade Union Congress (TUC), media, and academia. By targeting the entire workforce, the media, and academia, information about OGP should get out.

The government should also aim to make the general public awareness. For instance, it could make and distribute OGP hand-outs or leaflets, not only in simple English language but also in the local languages for wider circulation. To address the issue, the next action plan should have a communication strategy. Designing a communication strategy for the OGP action plan will go a long way in assisting OGP implementation and ensure quality engagement.

## Issues in the Next Action Plan

The IRM researcher believes EITI and MOF have done a lot of work to make information accessible to the public. The next action plan should thoroughly review government's progress in making information accessible to the public and come up with areas that will add more value. Future commitments should improve on government's existing measures to provide access to information and increase citizen participation. For example, some of the grey areas MOF has not covered satisfactorily are (1) capturing adequate information from Metropolitan, Municipal, and District Assemblies (MMDAs) and (2) statutory funds. The researcher recommends building a framework for capturing information, like development plans, budgets, and actual expenditures by the MMDAs. In addition, there should be a framework for capturing projects and expenditures by statutory funds.

It was not easy for the researcher to identify commitments in the current action plan since some of the text did not clearly state commitments. The action plan commitments should be clearly stated. In trying to provide a commitment summary in the action plan, government must ensure the main text matches the summary table of commitments.

## TOP FIVE "SMART" RECOMMENDATIONS

**1. Create an implementation mechanism:** The government should modify the current organisational structure of OGP in Ghana to include an implementation mechanism. The researcher suggests forming implementation teams, according to clustered commitments, that will be responsible for the progress of assigned commitments and actions. The implementation teams should brief the steering committee on a half yearly basis on commitment progress and action plan implementation.

**2. Budget allocation:** At the national level, the government should make budgetary allocations to allow for speedy implementation of OGP activities. If this is not possible, the government should establish a body, independent of government, to mobilise resources from government, development partners, private sector, and individuals to expedite OGP activities.

**3. Provide a clear timeline for implementation:** The Public Sector Reform Secretariat (PSRS), or the agency responsible for coordinating OGP, should give lead agencies a time line for reporting on action plan implementation. The coordinating agency should follow up with lead and collaborating institutions on commitment implementation.

**4. Raise awareness:** The government should make public institutions (especially those implementing OGP commitments) and other institutions mentioned in the action plan, more aware and sensitised to OGP. It is crucial to frequently sensitise the public to this initiative given the rate of staff turnover and transfers in public sector institutions.

**5. Develop specific commitments:** Future action plans should contain more specific and measurable commitments and milestones and clearly articulate their relevance to OGP values.

## VIII | METHODOLOGY AND SOURCES

As a complement to the government self-assessment, an independent IRM assessment report is written by well-respected governance researchers, preferably from each OGP participating country.

These experts use a common OGP independent report questionnaire and guidelines,<sup>1</sup> based on a combination of interviews with local OGP stakeholders as well as desk-based analysis. This report is shared with a small International Expert Panel (appointed by the OGP Steering Committee) for peer review to ensure that the highest standards of research and due diligence have been applied.

Analysis of progress on OGP action plans is a combination of interviews, desk research, and feedback from nongovernmental stakeholder meetings. The IRM report builds on the findings of the government's own self-assessment report and any other assessments of progress put out by civil society, the private sector, or international organisations.

Each local researcher carries out stakeholder meetings to ensure an accurate portrayal of events. Given budgetary and calendar constraints, the IRM cannot consult all interested or affected parties. Consequently, the IRM strives for methodological transparency, and therefore where possible, makes public the process of stakeholder engagement in research (detailed later in this section.) In those national contexts where anonymity of informants—governmental or nongovernmental—is required, the IRM reserves the ability to protect the anonymity of informants. Additionally, because of the necessary limitations of the method, the IRM strongly encourages commentary on public drafts of each national document.

### Interviews and focus groups

Each national researcher carries out at least one public information-gathering event. Researchers should take care to invite stakeholders outside the "usual suspects" list of invitees, who are likely already participating in existing processes. The researcher may need to come up with supplementary means to gather stakeholder input in a more meaningful way (e.g., online surveys, written responses, follow-up interviews). Additionally, when the researcher needs more information on the commitments than what the selfassessment or information online provides, researchers interview stakeholders from responsible agencies.

The researcher talked to stakeholders who were both part of the action plan preparation and implementation and those who were not. The main primary source of information was from administered structured questionnaires to the various stakeholders. The researcher obtained key information from stakeholder meetings. Considering the number of stakeholders the researcher talked to, there was a fair representation from government, civil society organisations, and what can be referred to as parliamentary and independent bodies. Table 3 shows the category of various institutions with which the researcher spoke.

## Table 8.1 | Institutions

GOVERNMENT INSTITUTIONS	PARLIAMENT AND INDEPENDENT INSTITUTIONS	CIVIL SOCIETY ORGANISATIONS		
Ministry of Information (MOI)/ Ministry of Communications	Parliament	Institute of Economic Affairs (IEA)		
Ministry of Justice and Attorney- General's Department (MOJAGD),	Commission on Human Rights and Administrative Justice (CHRAJ)	Commonwealth Human Rights Initiative (CHRI)		
Ministries of Energy	National Information Technology Agency (NITA)	Coalition on the Right to Information Bill (CRTI)		
Ministry of Finance and Economic Planning (MOFEP)	National Media Commission (NMC)	Ghana Integrity Initiative (GII)		
Ghana Immigration Service	Public Interest and Accountability Committee (PIAC)	Integrated Social Development Centre (ISODEC)		
Ministry of Local Government and Rural Development		Oil and Gas Coalition		
Controller and Accountant General's Department (GIFMIS Secretariat)		Institute Democratic Governance (IDEG)		
Public Sector Reform Secretariat (PSRS)		Natural Resource Governance Institute (formerly Revenue Watch Institute)		

For some of the stakeholders with whom the researcher spoke, it took the researcher several visits before the meeting took place. The delays in meeting some of the respondents did not enable the researcher to organise a stakeholder forum since time was limited. The researcher tried to randomly talk to those on the street regarding OGP, but they were not aware of it. In addition to information obtained from respondents (mainly from those who are aware of OGP), the researcher reviewed Ghana's first action plan and other documents relevant to OGP commitments, as well as media reports regarding some of the commitments.

#### **Persons Interviewed**

Hon. Edward Ato Sarpong, Deputy Minister of Communications Hon. E. K. Bedzrah Member of Parliament Prof. Kwasi Jonah, Institute Democratic Governance (IDEG) Dr. Steve Manteau, Chairman, Civil Society Platform on Oil and Gas Dr. J. K. Kwakye, The Institute of Economic Affairs Mr. Joseph Whittal, Deputy Commissioner, Commission on Human Rights and Administrative Justice (CHRAJ) Mr. Emmanuel Kuyole, Director, Natural Resource Governance Institute (formerly Revenue Watch Institute) Mr. Vitus Azeem, Executive Director, Ghana Integrity Initiative Mr. Ebenezer Addo, Head PPME, Ministry of Justice and Attorney-General's Department (MOJAGD) Mr. Samuel Danguah Arkhurst, Head, Public Expenditure Monitoring Unit, Ministry of Finance Mr. Mac-Effort K. Adadey, Deputy Project Director, GIFMIS Secretariat Mr. Stephen Blay, Ministry of Energy Mr. Louis Francis Aikins, Assistant Director, Ghana Immigration Service Mr. Isaac Dwamena, Coordinator, Public Interest an Accountability Committee (PIAC) Mr. Alexander Bannerman, Deputy Executive Secretary, National Media Commission Ms. Ugunna Ukaigwe, Coalition on the Right to Information Bill (CRTI) Mr. Eric Akumiah, Director, National Information and Technology Agency (NITA). Mr. Edwin Opare, National Information and Technology Agency (NITA). Mr. Michael Koletey, Ministry of Local Government and Rural Development Mr. Pethuel Danyo, Deputy Director, Public Sector Reform Secretariat (PSRS)

About the Independent Reporting Mechanism The IRM is a key means by which government, civil society, and the private sector can track government development and implementation of OGP action plans on a bi-annual basis. The design of research and quality control of such reports is carried out by the International Experts' Panel, comprised of experts in transparency, participation, accountability, and social science research methods. The current membership of the International Experts' Panel is:

- Yamini Aiyar
- Debbie Budlender
- Jonathan Fox
- Rosemary McGee
- Gerardo Munck

A small staff based in Washington, DC, shepherds reports through the IRM process in close coordination with the researcher. Questions and comments about this report can be directed to the staff at irm@opengovpartnership.org

<sup>1</sup> Full research guidance can be found in the IRM Procedures Manual, available at: http://www.opengovpartnership.org/about/about-irm

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