INDEPENDENT REPORTING MECHANISM (IRM):

SIERRA LEONE PROGRESS REPORT 2014–2015

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First Progress Report

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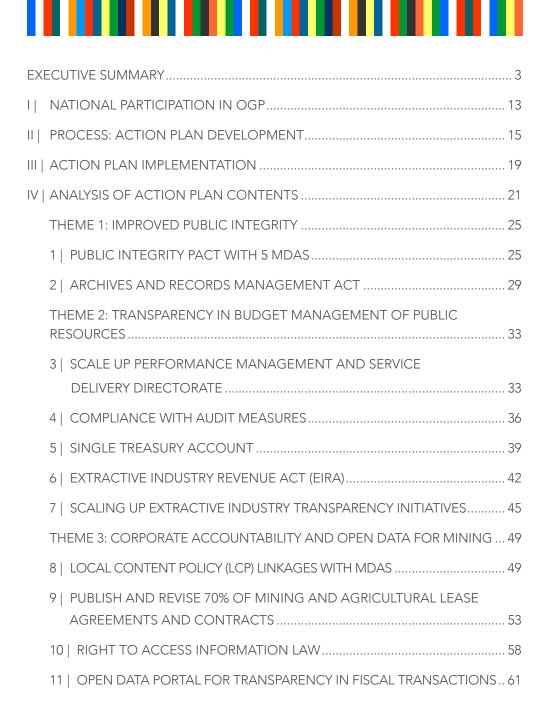# INDEPENDENT REPORTING MECHANISM (IRM):
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Sierra Leone has sought to advance transparency through adopting an ambitious action plan in strategic areas such as extractives, land, and finance. Completion of commitments can be strengthened by continued investment in independent, open oversight institutions.

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.

Sierra Leone began its formal participation when the Office of the President submitted a letter of intent to join the OGP in October 2013.

The Open Government Initiative (OGI) under the Office of the President is the leading institution in charge of OGP in Sierra Leone. The OGI has the responsibility to provide guidance to government on meeting OGP eligibility criteria, build stakeholder platforms and lead the development of the action plan. In March 2014, OGI established a national steering committee, comprising 34 members, with civil society and ministries, departments, and agencies (MDAs) having equal representation.

OGP PROCESS

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

The steering committee developed its OGP national action plan from March to April 2014. The effective period of implementation of the action plan was July 2014 through June 2016. Consultations concerning the development of the action plan took place in all the country's 14 administrative districts and there were consultations with diaspora communities in the United States and Netherlands. Numerous community-based organizations and ordinary citizens, representing diverse interests, were able to participate. There was notice by means of radio, although the extent to which public input affected the final action plan is not clear.

The Ebola epidemic, which broke out in May 2014, led to the deferment of many state affairs, including the start of action plan implementation. Consequently, commitment implementation timelines were affected.

During implementation, the civil society stakeholders who were members of the steering committee met regularly. Attendance by government representatives responsible for implementation of commitments was poor, and there was no public disclosure of the proceedings or of steering committee meeting minutes.

Sierra Leone published the OGP self-assessment report in September 2015 in full accordance with OGP guidelines.

AT A GLANCE

MEMBER SINCE: 2013
NUMBER OF COMMITMENTS: 11

LEVEL OF COMPLETION

COMPLETE: 0 OF 11
SUBSTANTIAL: 1 OF 11
LIMITED: 9 OF 11
NOT STARTED: 1 OF 11

TIMING

ON SCHEDULE: 1 OF 11

COMMITMENT EMPHASIS

ACCESS TO INFORMATION: 10 OF 11
CIVIC PARTICIPATION: 3 OF 11
PUBLIC ACCOUNTABILITY: 1 OF 11
TECH & INNOVATION FOR TRANSPARENCY
& ACCOUNTABILITY: 3 OF 11

NUMBER OF COMMITMENTS THAT WERE:

CLEARLY RELEVANT TO
AN OGP VALUE: 10 OF 11
OF TRANSFORMATIVE
POTENTIAL IMPACT: 4 OF 11
SUBSTANTIALLY OR
COMPLETELY IMPLEMENTED: 1 OF 11

ALL THREE (✪): **0 OF 11**

This report was prepared by Charlie Hughes, an independent researcher

COMMITMENT IMPLEMENTATION

As part of OGP participation, countries make commitments in a two-year action plan. The Sierra Leone action plan contains 11 commitments. The following tables summarise each commitment's level of completion, potential impact, whether it falls within Sierra Leone's planned schedule, and the key next steps for the commitment in future OGP action plans.

The IRM methodology includes starred commitments. These commitments are measurable, clearly relevant to OGP values as written, of transformative potential impact, and substantially or completely implemented. Sierra Leone's action plan contains no star commitments. See http://www.opengovpartnership.org/node/5919 for more information.

Table 1 | Assessment of Progress by Commitment

COMMITMENT SHORT NAME	POTENTIAL IMPACT				LEVEL OF COMPLETION				TIMING
	NONE	MINOR	MODERATE	TRANSFORMATIVE	NOT STARTED	LIMITED	SUBSTANTIAL	COMPLETE	
Theme 1: Improved public integrity									
1. Public Integrity Pact with 5 ministries, departments and agencies	■	■			■	■			**Behind schedule**
1.1. Integrity policies									Behind schedule
1.2. Five pilot MDAs sign Integrity Pacts with ACC									On Schedule
1.3. 20% of MDAs develop Service									Behind schedule
1.4. Five pilot MDAs' integrity assessment									Behind schedule
2. Archives and Records Management Act	■	■	■		■	■			**Behind schedule**
2.1 Public consultations on Archives bill									Behind schedule
2.2. Archives bill tabled in Cabinet									Behind schedule

COMMITMENT SHORT NAME	POTENTIAL IMPACT				LEVEL OF COMPLETION				TIMING
	NONE	MINOR	MODERATE	TRANSFORMATIVE	NOT STARTED	LIMITED	SUBSTANTIAL	COMPLETE	
2.3. Capacity and needs assessment on records management	▓				▓	▓	▓		On schedule
2.4. Archives bill tabled in Parliament	▓	▓			▓				Behind schedule
2.5. Parliament passes Archives bill	▓	▓			▓				Behind schedule
2.6. e-governance infrastructure established	▓	▓			▓				Behind schedule
Theme 2: Transparency in budget management of public resources									
3. Scale up Performance Management and Service Delivery Directorate	██	██	██		██	██			**Behind schedule**
3.1. Yearly assessment of MDAs	▓	▓			▓				Behind schedule
3.2. Nine pilot MDAs selected for implementation	▓				▓	▓	▓	▓	On schedule
3.3. Activity-based budgeting	▓				▓	▓	▓	▓	On schedule
3.4. Town hall meetings to disclose findings of assessments of MDAs	▓	▓	▓		▓				Behind schedule
4. Compliance with audit measures	██	██	██	██	██	██			**Behind schedule**
4.1. White Paper on implementation of audit recommendations	▓	▓	▓		▓	▓			Behind schedule
4.2. Policy Paper on length of time for Parliament to review audit reports	▓	▓			▓	▓			Behind schedule
4.3. 50% of audit recommendations implemented	▓	▓	▓		▓				Behind schedule

COMMITMENT SHORT NAME	POTENTIAL IMPACT				LEVEL OF COMPLETION				TIMING
	NONE	MINOR	MODERATE	TRANSFORMATIVE	NOT STARTED	LIMITED	SUBSTANTIAL	COMPLETE	
5. Single Treasury Account	■	■	■	■	●	●			**Behind schedule**
5.1. Establishment and census publication	□	□	□	□	○	○	○		Behind schedule
5.2. Mechanisms and procedures	□	□	□	□	○	○			Behind schedule
6. Extractive Industry Revenue Act	■	■	■	■	●				**Behind schedule**
6.1. Public consultations	□	□	□	□	○				Behind schedule
6.2. Bill tabled in Cabinet	□	□	□	□	○				Behind schedule
6.3. Bill tabled in Parliament	□	□	□	□	○				Behind schedule
6.4. Bill passed and enacted	□	□	□	□	○				Behind schedule
7. Scaling up Extractive Industry Transparency Initiatives	■	■	■		●	●			**Behind schedule**
7.1. EITI bill tabled in Cabinet	□	□	□		○				Behind schedule
7.2. EITI bill passed by Parliament	□	□	□		○				Behind schedule
7.3. Minerals licenses allocation processes published online	□				○	○	○	○	On schedule
7.4. Disclose environmental impact assessments	□				○	○	○	○	On schedule
7.5. Audit reports on Diamond Area Community Development Fund & 50% of audit recommendations published	□	□	□		○	○			Behind schedule

COMMITMENT SHORT NAME	POTENTIAL IMPACT				LEVEL OF COMPLETION				TIMING
	NONE	MINOR	MODERATE	TRANSFORMATIVE	NOT STARTED	LIMITED	SUBSTANTIAL	COMPLETE	
Theme 3: Corporate accountability and open data for mining									
8. Local Content Policy (LCP) linkages with MDAs	■	■	■		■	■	■		**On schedule**
8.1. MDAs linkage on Local Content	▫	▫	▫		▫	▫	▫	▫	On schedule
8.2. Assess implementation of Local Content Policy	▫	▫	▫		▫	▫	▫	▫	On schedule
8.3. Local Content bill tabled in Cabinet	▫	▫	▫		▫	▫	▫	▫	On schedule
8.4. Local Content bill passed in Parliament	▫	▫	▫		▫	▫			Behind schedule
9. Publish and revise 70% of mining and agricultural lease agreements and contracts	■	■	■		■	■			**Behind schedule**
9.1. 70% of mining licenses & land leases on Open Data portal & websites	▫				▫	▫	▫	▫	On schedule
9.2. Online mining licenses allocation processes & checks	▫	▫	▫		▫	▫			Behind schedule
9.3. Yearly symposium	▫	▫	▫		▫	▫			Behind schedule
9.4. Discussion on new mining licenses and land leases	▫	▫	▫		▫	▫			Behind schedule
9.5. CSR policies and implementation plans	▫	▫			▫				Behind schedule
10. Right to Access Information law	■	■	■	■	■	■			**Behind schedule**
10.1. Right to Access Information regulations	▫	▫	▫	▫	▫	▫	▫		On schedule

COMMITMENT SHORT NAME	POTENTIAL IMPACT				LEVEL OF COMPLETION				TIMING
	NONE	MINOR	MODERATE	TRANSFORMATIVE	NOT STARTED	LIMITED	SUBSTANTIAL	COMPLETE	
10.2. 250 Public Information Officers trained	▨	▨	▨		▨	▨			Behind schedule
10.3. Public sensitization campaign	▨	▨	▨	▨	▨	▨			Behind schedule
10.4. Public Information Commission	▨	▨	▨	▨	▨	▨	▨		On schedule
11. Open data portal for transparency in fiscal transactions	■	■	■		■	■			**Behind schedule**
11.1. Open data readiness assessment	▨	▨	▨		▨				Behind schedule
11.2. Design of an open data portal	▨	▨	▨		▨	▨			Behind schedule
11.3. Source funding to establish an open data portal and upload data onto it	▨	▨	▨		▨	▨			Behind schedule

Table 2 | Summary of Progress by Commitment

NAME OF COMMITMENT	SUMMARY OF RESULTS
Theme 1: Improved public integrity	
1. Public Integrity Pact with 5 MDAs • OGP value relevance: Clear • Potential impact: Minor • Completion: Limited	Public Integrity Pacts aim to promote ethical performance of public officials in delivering key public services. Five ministries, departments and agencies (MDAs) signed pacts in May 2015. This report found no evidence thus far of follow up on integrity pacts. Another element of the commitment was to have 20% of MDAs display the Service Charters, outlining expectations for public service delivery. 10% of MDAs had posted charters by July 2015. Some interviewees questioned how the pacts and charters would fit with other accountability and disclosure requirements.
2. Archives and Records Management Act • OGP value relevance: Clear • Potential impact: Moderate • Completion: Limited	The Public Records Management Act is a prerequisite for enabling citizen access to public information. As of July 2015, a draft Public Archives Bill was ready but had not been tabled in Cabinet, delaying submission to Parliament. A key stumbling block was transitioning the Public Archives Department from the Ministry of Education, Science and Technology to the Ministry of Information and Communication (MIC). Another key milestone, the establishment of the e-governance infrastructure awaits passage of the Bill.
Theme 2: Transparency in budget management of public resources	
3. Scale up Performance Management and Service Delivery Directorate • OGP value relevance: Clear • Potential impact: Moderate • Completion: Limited	This commitment would improve monitoring and assessment of MDAs in public service delivery. Although 24 MDAs had performance contracts in place, the results of the yearly assessment are not published. Town hall meetings to engage the public on findings have not taken place due to the Ebola virus outbreak. For the next action plan, government may consider additional mechanisms for citizen feedback on performance. To aid public accountability, achievement targets that are set for institutions in the performance contracts should be published.
4. Compliance with audit measures • OGP Value Relevance: Clear • Potential Impact: Transformative • Completion: Limited	The Audit Service and the Parliamentary Public Accounts Committee recently made a number of recommendations to improve fiscal oversight. This commitment undertook a number of actions to develop policy and implement the recommendations. While the OGP steering committee has written a brief policy paper the rest of the commitment was stalled at the time of assessment. In addition, the government needs to engage with public agencies, CSOs, and law enforcement on how to regularize the implementation of audit recommendations.
5. Single Treasury Account • OGP Value Relevance: Clear • Potential Impact: Transformative • Completion: Limited	Currently, Sierra Leone's budget is held in numerous accounts. This transformative commitment would consolidate them. As of July 2015, the government had not compiled an inventory of all public bank accounts held by MDAs. Progress has been made, however, as the Ministry of Finance and Economic Development (MoFED) has set up an internal database to maintain records of all bank accounts authorized by the Minister of Finance. A future step may be to repeal those laws allowing MDAs to operate accounts outside of the Single Treasury Account.
6. Extractive Industry Revenue Act • OGP Value Relevance: Clear • Potential Impact: Transformative • Completion: Not started	MoFED prepared the Extractive Industries Revenue Bill in 2012. This Act could harmonize tax collection in the mining and petroleum sectors and close key loopholes. MoFED has not consulted publicly or tabled the bill in the Cabinet, and consequently there has been no progress on enacting the bill. Passage of the bill and subsequent data disclosure is critical for the second half of the action plan period.

NAME OF COMMITMENT	SUMMARY OF RESULTS
7. Scaling up Extractive Industry Transparency Initiatives • OGP Value Relevance: Clear • Potential Impact: Moderate • Completion: Limited	This commitment would improve disclosure of mining contracts and revenue data through legislation and establishment of checks and balances. During the review period, the draft bill has not been presented in Cabinet, delaying final passage. While not an audit report as originally planned, the National Mineral Agency has reported on all Diamond Area Development Fund payments. Stakeholders note the need to strengthen an EITI multi-stakeholder steering committee and to pass the needed legislation to secure EITI compliance. A next step would also be to publish tax incentives given to mining companies in the annual government budget.
Theme 3: Corporate accountability and open data for mining	
8. Local Content Policy linkages with MDAs • OGP Value Relevance: Unclear • Potential Impact: Moderate • Completion: Substantial	The Local Content Policy (2011) aims to grow formal Sierra Leonean participation in private sector–led development. This commitment focused on internal government controls, making its relevance to OGP values unclear. The commitment had three parts: establishing an oversight organization, an audit on the policy, and passage of legislation. The oversight organization formed and met quarterly, report cards were issued on relevant ministries and the bill is before Parliament. The next action plan could improve relevance through publication of economic offsets from foreign direct investment in local communities and formal public monitoring.
9. Publish and revise 70% of mining and agricultural lease agreements and contracts • OGP Value Relevance: Clear • Potential Impact: Moderate • Completion: Limited	The National Minerals Agency has been publishing mining agreements, the Petroleum Directorate has not started publishing processes and outlining the checks and balances carried out for the allocation of licenses. No public discussions were held on any new mining licenses and agribusiness contracts as there were no new contracts. For the next action plan the commitment could include large-scale agribusiness and outline standardized procedures for making mining lease agreements.
10. Right to Access Information law • OGP Value Relevance: Clear • Potential Impact: Transformative • Completion: Limited	This commitment seeks to implement the Right of Access to Information Act passed in 2013. Parliament has appointed members of the Right to Access to Information Commission (RAIC). While the MIC is legally the responsible government body, a civil society organization, Society for Democratic Initiatives has drafted the regulation for future approval by the Cabinet. Training and sensitizations have been limited.
11. Open data portal for transparency in fiscal transactions • OGP Value Relevance: Clear • Potential Impact: Moderate • Completion: Limited	This commitment takes steps to establish an open data portal in line with Right of Access to Information Act provisions. An open data portal readiness assessment was a pre-requisite for the establishment, but it was delayed by the Ebola pandemic. The MIC hired private contractors to design and set up the open data portal, but during implementation, work was limited. Key government documents, such as the annual national budget, mining contracts, leases for commercial agricultural lands, and laws of Sierra Leone, remain unavailable.

RECOMMENDATIONS

The OGP initiative offers a critical opportunity for advancing institutional progress in accountability, transparency, and government openness. Sierra Leone needs to in parallel to its current focus, include commitments that seek to improve public service delivery outcomes at the sub-national level. This should include efforts that facilitate participation of local community structures and community based organizations in action plan development and implementation. Based on the challenges and findings identified in this report, this section presents the principal recommendations.

TOP FIVE "SMART" RECOMMENDATIONS

1. **Work with independent bodies to introduce commitments that would strengthen integrity and independent oversight of corruption prone areas.** Building on the commitment on checks and balances in revenue management, work to include other open government commitments originating from and strengthening other independent bodies such as judiciary, or appropriate Parliamentary committees. This might include commitments to improve citizen feedback or transparency measures to ensure that cases receive adequate follow up.

2. **Get the implementing government institutions more involved with the OGP as insiders.** Ministries Departments and Agencies with responsibility that directly bears on the implementation of a commitment in the action plan should be active members of the steering committee, be involved in stakeholder consultations, and interface with other public entities on the committee for the development and implementation of commitments and reporting thereon.

3. **Include local government commitments in the next action plan.** Include a commitment in the next action plan dealing specifically with improving transparency in public service delivery at the local government level.

4. **A final review of the EIRA involving stakeholders** in civil society and government should be done to reach consensus on any last-minute changes, so that the critical intents of the bill are not compromised.

5. **Complete implementation of the commitment on audit recommendations and access to information regulations.** Implementation of audit and access to information related commitments is crucial for improving public sector accountability. Recommendations should be pursued by implementing existing milestones in the current action plan. Completion of the White Paper on Audit recommendations and passage of the regulations on the Right to Access Information Act should be seen as the critical steps.

I | NATIONAL PARTICIPATION IN OGP

HISTORY OF OGP PARTICIPATION

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. OGP provides an international forum for dialogue and sharing among governments, civil society organizations, and the private sector, all of which contribute to a common pursuit of open government. 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 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.

Sierra Leone began its formal participation when the chief of staff in the Office of the President submitted a letter of intent on behalf of the government to join OGP in October 2013. Sierra Leone qualified to enter the partnership by meeting the minimum points required for eligibility. Sierra Leone scored 4 out of 4 points for fiscal transparency; 4 out of 4 points for access to information; 2 out of 4 points for income and assets disclosure; and 3 out of 4 points for citizen engagement.[1]

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 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. See Section IX: Eligibility Requirements for more details.

All OGP-participating governments develop OGP country action plans that elaborate concrete commitments over an initial two-year period. Action plans should set out governments' OGP commitments, which move government practice beyond its current baseline. These commitments may build on existing efforts, identify new steps to complete on-going reforms, or initiate action in an entirely new area.

Sierra Leone developed its OGP national action plan from March to April 2014. The effective period of implementation of the action plan was July 2014 through June 2016. However, the Ebola viral disease epidemic, which broke out in May 2014, led to deferment of many state affairs, including the start of the action plan implementation. Consequently, commitment implementation timelines were affected, and adjustments were made to reflect the time lost as a result of the outbreak.[2]

This report covers the period from 1 July 2014 to 30 June 2015. It is the aim of this IRM report to inform on-going dialogue around development and implementation of existing and future commitments in each OGP participating country. Methods and sources are dealt with in a methodological annex in this report.

BASIC INSTITUTIONAL CONTEXT

Sierra Leone is a unitary state, with the president as head of state and government. The executive, legislature, and judiciary constitute the three branches of government in a multiparty system. Each of the country's fourteen administrative districts has a local government. Local governments in Sierra Leone are responsible for basic infrastructure, human settlement, education, health, and other social services. None of the commitments in the action plan relates to these functions of local governments.

The Open Government Initiative (OGI) under the Office of the President is the leading institution in charge of OGP in Sierra Leone. In February 2014, the president gave the OGI responsibility to provide guidance to government on meeting OGP eligibility criteria, build stakeholder platforms, and lead the development of the action plan.

OGI manages and facilitates interface and collaboration between ministries, departments, and agencies (MDAs) in respect of their various contributions towards implementation of the action plan.

The national steering committee is the mechanism specifically established to bring together MDAs and civil society involved with the OGP process. The steering committee was established in March 2014 and has thirty four members with civil society and MDAs having equal representation. The OGP secretariat under the OGI is the focal liaison between the government and civil society. The secretariat directly reports to the government on the implementation of the action plan.

The OGP commitments are directly implemented by MDAs, and OGI facilitates synergy among MDAs and provides quality control guidance. The OGI has no statutory mandate for its existence, and therefore holds no legal power to compel MDAs to implement OGP commitments. Most of the commitments in the action plan pertain to the work of the executive branch of government and are in line with broad ambitions stated in various national development and governance strategy documents to build an open, democratically governed, free-market society. These include the "Sierra Leone Vision 2025" document, the report of the Truth and Reconciliation Commission, and the report on the Sierra Leone Conference on Development and Transformation: Charting the Next 50 Years.

When Sierra Leone joined the OGP in 2014, a secretariat was established with offices at a location different from the OGI. The OGP coordinator works from OGI offices at State House. Many steering committee members told the IRM researcher that the officials who have the real power to move things for the OGP are those at the OGI office at State House, and that those at the OGP secretariat might feel marginalized.

In the annual Government Budget and Statement of Economic and Financial Policies, a line is dedicated to the OGI activities. For the financial year 2016, the OGI secretariat will be allocated 222.4 million Leones, roughly USD 41,000.[3]

METHODOLOGICAL NOTE

The IRM partners with experienced, independent national researchers to author and disseminate reports for each OGP-participating government. In Sierra Leone, the IRM partnered with Charlie Hughes, an independent researcher. The IRM interviewed civil society leaders, appropriate government officials, OGI/OGP staff, and other stakeholders. The IRM researcher reviewed documents relevant to the OGP, including the action plan, relevant legislation, the first country self-assessment report published in September 2015, the national development strategy plan, and other relevant documents. To gather the voices of multiple stakeholders, the IRM researcher organized one stakeholder forum in Freetown, which was conducted according to a focus group model. The IRM researcher also held one focus group discussion in each of the other three regions outside the western area, where the capital is located. The focus group discussions were meant to specifically capture the voices of community-based organizations. The stakeholder meeting allowed other observers who are not directly involved with the OGP process to reflect on the initial findings of the IRM researcher.

This report covers the first year of implementation of Sierra Leone's action plan, from July 2014 to June 2015.

[1] Sierra Leone OGP Self-Assessment Report. September, 2015
[2] National Action Plan—Post Ebola
[3] Government Budget and Statement of Economic and Financial Policies for the Financial Year 2013. www.mofed.gov.sl/budgetspeeches.htm

II | PROCESS: ACTION PLAN DEVELOPMENT

Sierra Leone's consultations towards the development of the action plan took place in all the country's 14 administrative districts. Numerous community-based organizations and ordinary citizens representing diverse interests were able to participate. However, details of the public consultations and timelines were not given to the public in advance, including online.

A fifth requirement, during consultation, is set out in the OGP Articles of Governance. This requirement is dealt with in 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.

Table 1 | Action Plan Consultation Process

PHASE OF ACTION PLAN	OGP PROCESS REQUIREMENT (ARTICLES OF GOVERNANCE SECTION)	DID THE GOVERNMENT MEET THIS REQUIREMENT?
During Development	Were timeline and process available prior to consultation?	No
	Was the timeline available online?	No
	Was the timeline available through other channels?	No
	Provide any links to the timeline.	Not available
	Was there advance notice of the consultation?	No
	How many days of advance notice were provided?	Not available
	Was this notice adequate?	No
	Did the government carry out awareness-raising activities?	Yes
	Provide any links to awareness-raising activities.	facebook.com/groups/OGPSalone
	Were consultations held online?	Yes

	Provide any links to online consultations.		facebook.com/groups/ OGPSalone
	Were in-person consultations held?		Yes
	Was a summary of comments provided?		No
	Provide any links to summary of comments.		Not available
	Were consultations open or invitation-only?		Open
	Place the consultations on the IAP2 spectrum.[1]		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.		Involve

ADVANCE NOTICE AND AWARENESS-RAISING

In February 2014, President Ernest Koroma designated the Open Government Initiative (OGI), to be supported by the Millennium Challenge Corporation Unit as co-implementers of the processes to develop the OGP action plan. The president specifically requested that the action plan be developed in partnership between government and civil society. The OGI made a call on behalf of government to civil society through the Federation of Civil Society Organizations to join the OGP process, to which the latter responded favourably.

Ongoing participation largely took place through two channels. The first was through the national steering committee. The second, in the lead up to the plan, took place through a series of consultations at the local level and internationally.

Steering committee meetings
The Steering Committee was representative of organized civil society groups in Sierra Leone and provided a formal channel for input into the plan. The thirty-four member steering committee, equally

representing government institutions and CSOs, was established in March 2014. The composition of the membership of the steering committee is adequately representative and does not appear to be biased against any sectors of civil society. In the course of interviews with stakeholders and the regional focus group discussions, the IRM researcher did not come across any concerns or complaints regarding the composition of the group.

From information gathered in interviews with CSO leaders and OGP officials, civil society organizations' involvement in the development of the action plan consisted in their participation in the steering committee meetings. At the steering committee meetings facilitated by the OGI, civil society organizations and government institutions discussed and took decisions on the broad and specific issues that were put in the draft action plan, on which consultations were later held with the wider public. Civil society organizations again contributed to the finalization of the action plan through meetings of the steering committee following the public consultations.

The consultations within the steering committee did have some effect on final action plan. As a result of public input, the steering committee added the commitments on public service delivery.

In-person consultations
The government mainly used town hall community meetings, social media, and radio for public consultations on the action plan. Given the level of Internet penetration in the country, these mediums were largely appropriate. All the steering committee members interviewed by the IRM researcher affirmed that social media platforms existed and were used by members of the public who wanted to contribute to the OGP action plan discussions.[2] Citizens' contributions or a summary of the comments, if any, were not made available.

The town hall meetings took place in all the country's fourteen administrative districts. A civil society network known as the National Federation of Civil Society coordinated the invitation of participants to the consultations held in all the country's administrative districts. According to one member of the steering committee, as confirmed by the head of the National Federation of Civil Society, the network relied on its member contacts in each district to issue the invitations. For the meeting in the capital city to validate the action plan and the meetings with the Sierra Leonean community abroad, the OGP secretariat coordinated the invitation of participants.[3]

Civil society stakeholders participating in the steering committee say the town hall meetings were mostly useful as an opportunity to learn about the OGP, rather than facilitating citizen contributions to the development of the action plan. Interviewed steering committee members noted that the public meetings were not used as a forum for soliciting people's views on Sierra Leone's commitments but rather for the conference to validate the action plan, where participants specifically were invited to represent the views of academia, business, and traditional authority.

Nonetheless, because a draft of the action plan was not available online or distributed ahead of time, consultations at the district levels largely had the effect of validating the action plan, rather than soliciting wide proposals. Similarly, because most consultations were one-off affairs, this limited the amount of back and forth and negotiation in the final contents of the plan.

As a final note, discussions during the two diaspora consultations were understandably dominated by emergence of the Ebola Crisis, although open government initiatives were discussed.[4]

The final sensitization report contains a summary of the comments received at each event. As a future step, the government of Sierra Leone might make clear how public input influenced the final version of the action plan.

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[1] International Association for Public Participation. "IAP2 Spectrum of Political Participation", Available online at: http://bit.ly/1kMmlYC
[2] Interview of Khadija Sesay (Ms), Coordinator OGP with researcher on 5 February 2016.
[3] Interview of Marcella Samba-Sesay of Campaign for Good Governance on 23 October 2015; and Foday Sesay of the National Federation of Civil Society on 3 February 2016.
[4] IRM staff observation of Participation events 2015 Washington DC. Note: Government provided additional evidence of sign-in sheets in Sierra Leone, Netherlands and the United States, although the specific meeting minutes were not available.

III | ACTION PLAN IMPLEMENTATION

During the action plan implementation, a steering committee in which ministries, departments, and agencies (MDAs) and civil society had equal membership, met regularly. Attendance at the meetings by MDAs directly in charge of implementation of commitments was poor. While the government did not publicly disclose the proceedings or outcomes of steering committee meetings, journalists did occasion to attend steering committee meetings.

REGULAR MULTI-STAKEHOLDER CONSULTATION

The steering committee is the mechanism specifically established to enable regular multi-stakeholder consultation on the implementation of the action plan. Since its inception in March 2014, the committee met monthly. Steering committee meetings however are mostly attended by civil society organizations (CSOs). Attendance by the implementing government agencies remains poor. Many heads of MDAs directly in charge of implementing the commitments saw the steering committee as a civil society affair. [1]

The steering committee is chaired by Reverend Canon Ajayi Nicol of the Inter-Religious Council, representing civil society. Minutes of the steering committee meetings are not made public by any means. Meetings are held at the OGP Secretariat offices and are not open to the wider public, but civil society participation is strong in the discussion at the meetings. According to the government, "While steering committee meetings were not opened to the general public, journalists from both print and the electronic media were always invited… The President of the Reporter's Union is also a member of the Steering Committee who often publishes the proceedings and outcomes of the meeting."

A major difficulty faced by the steering committee, however, is the low level of attendance at meetings from government institutions who have direct responsibility for the implementation of commitments. The IRM researcher obtained lists of attendance of some meetings to illustrate the problem. For instance, the meeting of 13 May 2015, only had the Anti-Corruption Commission (ACC) and Performance Management and Service Delivery Directorate (PMSD) in attendance as institutions responsible for implementation, out of twenty seven stakeholders in attendance. The steering committee meeting of 7 September 2015 only had the PMSD directly responsible for implementing a commitment, out of twenty four stakeholders in attendance. The meeting of 16 October 2015 had only the National Minerals Agency (NMA), Sierra Leone Local Content Unit (SLCCU), which was tasked with advancing local manufacturing enterprise development and the Right to Access Information Commission (RAIC) as institutions directly responsible implementing a commitment, out of twenty four stakeholders in attendance.

The steering committee continued consultations around the country in the course of implementation of the action plan. These meetings were used to keep community-based organizations and ordinary people abreast with progress on implementation of OGP commitments, and these meetings allowed the steering committee to obtain community-level concerns on issues pertaining to any of the commitments. A number of civil society representatives on the steering committee interviewed by the IRM researcher confirmed that they had taken part in such consultations. OGI did not provide regular online public updates on the progress of implementation of commitments.

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[1] Most heads of civil society organisations that the researcher spoke to thought of the OGP steering committee as a largely civil society process. The head of the Sierra Leone Local Content Unit similarly told the IRM researcher that the affairs of the steering committee were conducted as a civil society event. The Deputy Auditor General did not even know that there was an OGP commitment to improve implementation of audit recommendations.

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 open government, including specific strategies and on-going programs. Action plans then set out governments' OGP commitments, which stretch practice beyond its current baseline. These commitments may build on existing efforts, identify new steps to complete on-going reforms, or initiate action in an entirely new area.

Commitments should be appropriate to each country's unique circumstances and policy interests. OGP commitments should also 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

Commitments around access to information:

- Pertain to government-held information, as opposed to only information on government activities. As an example, releasing government-held information on pollution would be clearly relevant, although the information is not about "government activity" per se;

- Are not restricted to data but pertain to all information. For example, releasing individual construction contracts and releasing data on a large set of construction contracts;

- May include information disclosures in open data and the systems that underpin the public disclosure of data;

- May cover both proactive and/or reactive releases of information;

- May cover both making data more available and/or improving the technological readability of information;

- May pertain to mechanisms to strengthen the right to information (such as ombudsman's offices or information tribunals);

- Must provide open access to information (it should not be privileged or internal only to government);

- Should promote transparency of government decision making and carrying out of basic functions;

- May seek to lower cost of obtaining information;

- Should strive to meet the 5 Star for Open Data design (http://5stardata.info/).

CIVIC PARTICIPATION

Commitments around civic participation may pertain to formal public participation or to broader civic participation. They should generally seek to "consult," "involve," "collaborate," or "empower," as explained by the International Association for Public Participation's Public Participation Spectrum (http://bit.ly/1kMmlYC).

Commitments addressing public participation:

- Must open up 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 throughout the policy cycle;

- Can include elements of access to information to ensure meaningful input of interested members of the public into decisions;

- Often include the right to have your voice heard, but do not necessarily include the right to be a formal part of a decision making process.

Alternately, commitments may address the broader operating environment that enables participation in civic space. Examples include but are not limited to:

- Reforms increasing freedoms of assembly, expression, petition, press, or association;
- Reforms on association including trade union laws or NGO laws;
- Reforms improving the transparency and process of formal democratic processes such as citizen proposals, elections, or petitions.

The following commitments are examples of commitments that would not be marked as clearly relevant to the broader term, civic participation:

- Commitments that assume participation will increase due to publication of information without specifying the mechanism for such participation (although this commitment would be marked as "access to information");
- Commitments on decentralization that do not specify the mechanisms for enhanced public participation;
- Commitments that define participation as inter-agency cooperation without a mechanism for public participation.

Commitments that may be marked of "unclear relevance" also include those mechanisms where participation is limited to government-selected organizations.

PUBLIC ACCOUNTABILITY

Commitments improving accountability can include:

- Rules, regulations, and mechanisms that 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.

Consistent with the core goal of "Open Government," to be counted as "clearly relevant," such commitments must include a public-facing element, meaning that they are not purely internal systems of accountability. While such commitments may be laudable and may meet an OGP grand challenge, they do not, as articulated, meet the test of "clear relevance" due to their lack of openness. Where such internal-facing mechanisms are a key part of government strategy, it is recommended that governments include a public facing element such as:

- Disclosure of non-sensitive metadata on institutional activities (following maximum disclosure principles);
- Citizen audits of performance;
- Citizen-initiated appeals processes in cases of non-performance or abuse.

Strong commitments around accountability ascribe rights, duties, or consequences for actions of officials or institutions. Formal accountability commitments include means of formally expressing grievances or reporting wrongdoing and achieving redress. Examples of strong commitments include:

- Improving or establishing appeals processes for denial of access to information;
- Improving access to justice by making justice mechanisms cheaper, faster, or easier to use;
- Improving public scrutiny of justice mechanisms;
- Creating public tracking systems for public complaints processes (such as case tracking software for police or anti-corruption hotlines).

A commitment that claims to improve accountability, but assumes that merely providing information or data without explaining what mechanism or intervention will translate that information into consequences or change, would not qualify as an accountability commitment. See http://bit.ly/1oWPXdl for further information.

TECHNOLOGY AND INNOVATION FOR OPENNESS AND ACCOUNTABILITY

OGP aims to enhance the use of technology and innovation to enable public involvement in government. Specifically, commitments that use technology and innovation should enhance openness and accountability by:

- Promoting new technologies that offer opportunities for information sharing, public participation, and collaboration.
- Making more information public in ways that enable people to both understand what their governments do and to influence decisions.

- Working to reduce costs of using these technologies.

Additionally, commitments that will be marked as technology and innovation:

- May commit to a process of engaging civil society and the business community to identify effective practices and innovative approaches for leveraging new technologies to empower people and promote transparency in government;

- 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.

Not all eGovernment reforms improve openness of government. When an eGovernment commitment is made, it needs to articulate how it enhances at least one of the following: access to information, public participation, or public accountability.

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 report details each of the commitments that the Sierra Leone included in its Action Plan, and analyses them for the first year of implementation.

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

1. Specificity: The IRM researcher first assesses the level of specificity and measurability with which each commitment or action was framed. The options are:
   o High (Commitment language provides clear, measurable, verifiable milestones for achievement of the goal)
   o Medium (Commitment language describes activity that is objectively verifiable, but does not contain clearly measurable milestones or deliverables)

   o Low (Commitment language describes activity that can be construed as measurable with some interpretation on the part of the reader)
   o None (Commitment language contains no verifiable deliverables or milestones)

2. Relevance: The IRM researcher evaluated each commitment for its relevance to OGP values and OGP grand challenges.
   o 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.

3. Potential impact: 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.
   o 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.

All of the indicators and methods used in the IRM research can be found in the IRM Procedures Manual, available at (http://www.opengovpartnership.org/about/about-irm). Finally, one indicator is of particular interest to readers and useful for encouraging a race to the top between OGP-participating countries: the starred commitment. Starred commitments are considered to be 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. The commitment's 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 would have a transformative potential impact if completely implemented.

4. Finally, the commitment must see significant progress during the action plan implementation period, receiving a ranking of substantial or complete implementation.

Based on these criteria, Sierra Leone's action plan contained no starred commitments.

Note that the IRM updated the star criteria in early 2015 in order to raise the bar for model OGP commitments. Under the old criteria, a commitment received a star if it was measureable, clearly relevant to OGP values as written, had moderate or transformative impact, and was substantially or completely implemented.

Based on these old criteria, the Sierra Leone action plan would have received no additional starred commitments.

Finally, the graphs in this section present an excerpt of the wealth of data the IRM collects during its progress reporting process. For the full dataset for Sierra Leone's and all OGP participating countries, see the OGP Explorer.[1]

GENERAL OVERVIEW OF THE COMMITMENTS

Sierra Leone's action plan is divided into five sections: Sierra Leone's open government efforts to date, action plan development process, Sierra Leone's open government commitments, and timeframes and implementing institutions. The timeframes and implementing institutions section is not indicated in the table of contents.

Sierra Leone's action plan contains eleven commitments. In most of the cases, the titles of the commitments convey both the action to be taken and the objectives sought, making the language at times cumbersome. For example, see commitment eight: "Improve monitoring of the Local Content Policy (LCP) especially around the implementation of activities and improving linkages with MDAs in order to improve local participation and accountability in the process."

The timeframes and implementing institutions section can be read as a *road map* indicating the responsibility of implementing institutions against a timeframe. However, it is difficult to discern which are lead and which are supporting institutions. The names of various institutions are simply placed against different milestones for each commitment.

A second action plan, titled "Sierra Leone's Reviewed National Action Plan Post Ebola," was produced in early 2015, changing only the timelines for implementation of commitments. The dates for the execution of the commitments and milestones have been changed according to the revised action plan. In all other aspects, "Sierra Leone's Reviewed National Action Plan Post Ebola" remains the same as the original second action plan.

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[1] The OGP Explorer provides the OGP community - civil society, academics, governments, and journalists. It is available at http://www.opengovpartnership.org/explorer/landing

Theme 1: Improved public integrity

1 | PUBLIC INTEGRITY PACT WITH 5 MDAS

Commitment Text:

Sierra Leone does not currently have a public integrity policy, however, it is expected that a Public Integrity Policy will institute safeguard measures that will guarantee timely access to public services. There is a Code of Conduct for all public officials and other regulations, however, adherence and popularization leaves much to be desired which adversely affects corruption. It is expected that the development of the Pacts will promote ethical and proactive performance by public officials in the discharge of their duties especially in delivering key public services in an effort to improve accountability.

Actions:

Dissemination, administration and enforcement of existing integrity policies to improve public trust strengthened.

5 pilot MDAs selected to sign an integrity pact with ACC on key commitments to reduce corruption in their Institutions.

Service charters for 20% MDAs (including 5 pilot MDAs for integrity pacts) which clearly identifies the service provided, timeframe to expect service to be rendered and any associated costs developed and displayed with clearly visible complaints mechanisms to identify when services are not rendered according to published procedures and timeframes.

Yearly assessment of integrity commitments undertaken for 5 pilot MDAs.

Lead Institution: Anti-Corruption Commission

Supporting Institution(s): Ministry of Information and Communication. Public Sector Reform Unit. Open Government Initiative.

Start Date: April 2014   End Date: September 2016

COMMITMENT OVERVIEW	SPECIFICITY				OGP VALUE RELEVANCE				POTENTIAL IMPACT				COMPLETION			
	None	Low	Medium	High	Access to information	Civic participation	Public accountability	Tech. and innov. for transparency and accountability	None	Minor	Moderate	Transformative	Not started	Limited	Substantial	Complete
Overall			✗		✗		✗			✗				✗		
1.1. Disseminate and enforce integrity policies		✗			Unclear					✗			✗			
1.2. Five pilot MDAs sign Integrity Pacts with ACC			✗		Unclear					✗						✗
1.3. 20% of MDAs develop Service Charters			✗		✗		✗					✗		✗		
1.4. Assess Five pilot MDAs' integrity commitments			✗		Unclear					✗			✗			

WHAT HAPPENED?

This commitment aims to use Public Integrity Pacts in public agencies to promote ethical performance of public officials in delivering key public services. The Public Integrity Pact document details key integrity obligations that institutions signing it must abide by when conducting government affairs. The Public Integrity Pacts are part of the National Anti-Corruption Strategy 2014–18 outlining the range of specific measures to be taken to prevent corruption in public offices. An official of the Anti-Corruption Commission (ACC) interviewed by the researcher said that Sierra Leone's participation in the Open Government Partnership became the catalyst to roll out the Public Integrity Pact initiative.

Milestone 1.1: This milestone envisioned strengthening the dissemination, administration, and enforcement of integrity policies. These activities are envisioned by the Anti-Corruption Commission Act

2008 and the National Public Procurement Authority, which are the key state institutions concerned with integrity in public office. An official of the Anti-Corruption Commission (ACC) agreed with the opinion of the IRM researcher in an interview that the commitment language in this particular milestone does not clearly specify how strengthening the dissemination, administration, and enforcement of integrity policies is to be pursued.[1] This statement, and the fact that the country self-assessment report did not show what specific results have been achieved regarding the milestones, led to its completion level given as not started.

Government, in responding to an early draft of this report stated, "…it is worth noting that the Systems and Process Review Department of the ACC is currently developing Anti-Corruption Policies for the Key MDAs and an integrity element has been incorporated into all of these policies. Furthermore,

they undertake regular monitoring of compliance of the integrity pact…" While commendable, the question remains as to the activities will open government to public, or if this remains an internal government control.

Milestone 1.2: In May 2015, the Anti-Corruption Commission and five pilot ministries, departments and agencies (MDAs) signed Integrity Pacts at a ceremony at State House. The MDAs were the Ministry of Education, Science, and Technology; the Ministry of Agriculture and Food Security; the National Revenue Authority; the Ministry of Health and Sanitation; and the National Social Security Trust. This milestone has been completed; however, the commitment did not envision public disclosure of Integrity Pacts, making its relevance to OGP values unclear. While the MDAs were made public through radio and the pacts were signed on television, which are among the most important mediums in Sierra Leone, without disclosing monitoring of performance of key indicators, the commitment remains of minor potential impact.

Milestone 1.3: This milestone was to get 20% of MDAs to have service charters. A service charter clearly identifies the service provided, timeframe to expect services to be rendered, associated costs, and complaints mechanisms. These were to be publicly displayed. There are approximately 100 MDAs in Sierra Leone, excluding foreign missions.[2] According to the country self-assessment report, and, as verified by the IRM researcher, the target to have service charters for 20% of MDAs has been achieved. However, from the IRM researcher's findings, no more than 10 MDAs (less than 10%) have publicly displayed service charters, achieving only half of the foreseen target. None of the service charters have a complaints mechanism.

Milestone 1.4: The yearly assessment of the integrity commitments undertaken by the five pilot MDAs is not due until May 2016. As a result of this milestone not envisaging public disclosure, its relevance to OGP is unclear. An official of the ACC confirmed to the IRM researcher that the mechanisms for the yearly assessment of integrity pacts have been developed. The country self-assessment reports that the modalities for yearly assessment of the Public Integrity Pact have been agreed upon. Neither the ACC official nor the

OGP secretariat were able to provide the researcher evidence of the existence of such mechanisms or modalities upon request, resulting in being evaluated as not started.

DID IT MATTER?

The IRM researcher has evaluated the overall potential impact for this commitment as minor. The development and implementation of a Public Integrity Pact could be seen as a way to improve public trust in public service delivery and to ensure accountability of public officials. However, according to the stakeholder views, different from the existing legislative provisions, integrity pacts do not contain punitive measures and thus do not bring much additional value in terms of ensuring accountability in public offices.

Although the action plan states that there is no public integrity policy, Sierra Leone has a set of existing legislation seeking to promote and protect integrity in public office. The most comprehensive of these is the Anti-Corruption Commission Act of 2008. The Public Integrity Pacts signed with the five pilot ministries, departments and agencies (MDAs) cover mainly issues around fiscal transparency, which are already covered under the ACC Act 2008; the Public Procurement Act and Public Procurement Regulations, and the Code of Conduct for Civil Servants. In fact, the provisions in these instruments to protect and promote integrity are stronger as they carry sanctions and penalties, which is not the case with the Public Integrity Pact. Therefore, according to stakeholder views, it is questionable whether the Public Integrity Pacts have added value in promotion of accountability in the public sector.

The Public Integrity Pact commitment was meant, among other things, to promote public trust in public services, and provide citizens access to information on public services. Only the Service Charters can be expected to yield these outcomes. According to stakeholders, publicly displayed service charters allow citizens to tell how well public institutions are delivering services in terms of timeliness, costs, and related issues. At the moment there is little or no predictability of what citizens are to expect in terms of timeliness and costs of services from many public institutions.[3]

MOVING FORWARD

The IRM researcher recommends the following:

• Since there are already a number of existing acts and codes of conduct covering integrity in public offices, the action plan should have a specific and a stand-alone service delivery charter commitment and clearly include public disclosure elements in its milestones;

• Implementation of this commitment would be more feasible if only those MDAs that deliver public services directly are required to be bound by a service delivery charter.

[1] Interview of Mariama Navo with researcher November 4, 2015.
[2] This count is taken from government's list in the Government Budget and Statement of Economic and Financial Policies, 2016.
[3] IRM researcher interview with civil society stakeholders on diverse dates between October and December, 2015. .

2 | ARCHIVES AND RECORDS MANAGEMENT ACT

Commitment Text:

The Archive and Records Management Bill has been drafted and several small scale consultations have already been had in collaboration with the Strategy and Policy Unit in the Office of the President. However, it has yet to be tabled by Cabinet or Parliament. Passing the Archive and Records Management Bill will support the implementation of the Right to Access Information Act as it will serve as a key tool to informing database management and archiving of key Government documents that will be stored in formats that are accessible to the public vis-a vis print and electronic.

Actions*:*

* *Public consultations on the Archives and Records Management Bill undertaken.*
* *Draft tabled in Cabinet by the Ministry of Information and Communication in collaboration with the Ministry of Education, Science and Technology.*
* *Capacity and needs assessment in records management completed.*
* *Bill submitted to Parliament by Ministry of Information and Communication.*
* *Archives and Records Management Bill passed by Parliament.*
* *Establish of an e-governance infrastructure*

Responsible Institution: Public Service Reform Unit.

Supporting Institution(s): Ministry of Education. Open Government Initiative.

Start Date: August 2014   End Date: March 2015

COMMITMENT OVERVIEW	SPECIFICITY				OGP VALUE RELEVANCE				POTENTIAL IMPACT				COMPLETION			
	None	Low	Medium	High	Access to information	Civic participation	Public accountability	Tech. and innov. for transparency and accountability	None	Minor	Moderate	Transformative	Not started	Limited	Substantial	Complete
Overall				✗	✗			✗			✗			✗		
2.1 Public consultations on Archives bill				✗	✗			✗		✗				✗		
2.2. Archives bill tabled in Cabinet				✗	✗						✗		✗			
2.3. Capacity and needs assessment on records management				✗	✗				✗							✗
2.4. Archives bill tabled in Parliament				✗	✗						✗		✗			
2.5. Parliament passes Archives bill				✗	✗						✗		✗			
2.6. e-governance infrastructure established			✗		✗			✗			✗		✗			

WHAT HAPPENED?

This commitment is part of the government's efforts to develop a Public Records Management Act. In 2014, a self-assessment on the records management carried out in selected ministries and local councils by the Public Service Reform Unit (PSRU) (formerly Governance Reform Programme) recommended the development of a Public Records Management Policy and Public Archives Bill. PSRU has been put in charge of implementing this commitment.

Milestone 2.1: As of July 2015, a Public Archives and Record Management bill was drafted. The PSRU sourced technical expertise from private individuals and the meetings of the relevant public institutions and CSOs. Due to the technical nature of the bill, the development of the first draft did not involve wider public consultations.

Milestone 2.2: A draft bill had not been tabled in the Cabinet as of July 2015. The Public Archives Department is under the supervision and remit of the Ministry of Education, Science and Technology (MEST). Under the proposed public archives management infrastructure, the Public Archives Department will be placed under the supervision and remit of the Ministry of Information and Communication (MIC). A key stumbling block, according to the head of PSRU and civil society actors involved with archival issues, is that MEST seems reluctant to cede the Public

Archives Department to the MIC. The MEST has not shown enthusiasm to push the process forward. Until the Public Archives Department is taken away from the MEST and placed under the MIC, the process of tabling the Public Archives Bill in the Cabinet is likely to remain stalled.

(Note: At the time of writing, a draft was to be tabled in Cabinet by the Ministry of Information and Communication in collaboration with MEST.)

Milestone 2.3: The milestone sought to do what would amount to a forensic audit that illustrated the weaknesses and problems in records management. The outcomes of the assessment were meant to directly inform the critical investments that should be made towards building a proper records management infrastructure, and to provide the evidence for discussions among the stakeholders. While the milestone was completed before the action plan implementation started, it was included to galvanize more support for the archives reform under the auspices of the PSRU–commissioned report on "Capacity and Needs Assessment of Records Management in (February – July 2014)." The report has been circulated among the OGP committee.

Milestone 2.4: The Public Archives Bill will not be submitted to Parliament until it is tabled first in the Cabinet for approval.

Milestone 2.5: The achievement of the milestone depends on the completion of the previous milestones, particularly the tabling of the draft Public Archives Bill in the Cabinet, and its submission to Parliament for debate by the MIC.

Milestone 2.6: This milestone has not started. Public archives management actors interviewed by the IRM researcher say that a starting point in establishing e-governance infrastructure would be to have an e-governance policy.[1] The MEST had been facilitating work on the development of an e-government policy, but the work has been stalled. The articulation and adoption of an e-government policy has to be concluded to lay the framework for building e-government facility in Sierra Leone. Without such a policy, no progress is possible on establishing e-government in the country, to be also relevant to public records management.

DID IT MATTER?

The IRM researcher has evaluated the overall potential impact for this commitment as moderate. The Public Archives Act is an essential step to ensure effective implementation of the Right to Access Information Act. Without having a proper management system of key government documents, those documents cannot be publicly disclosed. Effective management of archived information is also important for the accountable and transparent operation of public institutions.

The current Public Archives Act dates back to 1965. Records management actors in government and civil society agree that the Act is deficient in critical respects. It is hardly relevant in providing guidance on systems and processes on records management, and it holds no provisions for the use of technologies that have evolved over the years.

In addition, the 1965 act was enacted in the colonial era, and thus it does not reflect the modern administrative set up of the country in which local government is a major element. A suitable public records regulatory framework is therefore needed to provide roles for local government in public records archiving and management.[2]

A new public Archives Act will bring uniformity in improved standards, systems, and processes for records management. This would make easier the retrieval and access to information. In addition to helping in the implementation of the Right to Access Information law, the law would bring efficiency in management of information in public institutions.

As initially envisaged, the bill would have limited potential impact. As noted in Milestone 2.2 above, the potential impact of the commitment, as initially envisaged, would have limited impact if it remains in the MEST. This department largely focuses on education and science, but does not have the authority to compel other MDAs to implement an archives act. In order to have the greatest impact, the MIC, with its jurisdiction over government-held information more broadly, will need to control the process.

Consequently, the achievement of all the milestones (except the e-governance infrastructure) will remain stalled until the Public Archives Department is formally

brought under the charge of the MIC from the Ministry of Education, Science and Technology MEST. The MIC will then be able to table the bill in the Cabinet and, after approval, to Parliament for passage. It is promising that some efforts have been made in this direction following the assessment period of this report.

MOVING FORWARD

The IRM researcher recommends that actions/milestones required towards the passage of a Public Archives bill be reset to reflect the current situation. The current situation warrants that the first action be the transfer of the Public Archives Department to the Ministry of Information and Communications.

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[1] Interview of Muniru Kawa, former manager, Records Management Improvement Project on 19 October 2015; and interview of Umaru Bangura, Executive Director, Society for Knowledge Management on 27 October 2015.

[2] At the time of this report, work was being done on the physical improvement of records management in Local Councils; under a United Nations–funded project.

Theme 2: Transparency in budget management of public resources

3 | SCALE UP PERFORMANCE MANAGEMENT AND SERVICE DELIVERY DIRECTORATE

Commitment Text:

The Performance Management and Service Delivery Directorate was established in 2013 in the Office of the Chief of Staff to lead performance contracting of key public officials within key service delivery institutions across Government. To date, performance contracts have been rolled out to over 80% of ministries, departments and agencies, tertiary education institutions and local councils. The Performance Tracking Table is used to help institutions plan their activities against which they are assessed on a bi-yearly basis in a bid to ensure improved service delivery, however, dissemination of the assessments to the public has been poor, which has undermined its objectives of improving accountability. Improving on civic participation in the PMSD process will increase accountability which is assumed will result in improved service delivery.

Actions:

- *All assessments of MDAs covered by PMSD published in a yearly volume to be made available to the public in print and online mediums.*
- *9 pilot MDAs for implementation selected.*
- *Ensure that in the planning and budget cycle for an initial 9 piloted MDAs; yearly activity plans are prepared in conjunction with procurement plans which will be the basis of budgets submitted for consideration to the Ministry of Finance and Economic Development. The planning cycle and fiscal cycle must be synchronized to ensure that the activity based budget by MOFED is in fact informed by proper planning vis-à-vis a robust activity and procurement plan, which should inform budget preparation.*
- *Town Hall meeting held not more than 2 months after publication to engage the public on the findings by the Performance Management and Service Delivery Directorate through a public bi-yearly assessment of the performance contracts.*

Responsible Institution: Performance Management and Service Delivery Directorate

Supporting Institution(s): Open Government Initiative

Start Date: September 2014   End Date: November 2014

COMMITMENT OVERVIEW	SPECIFICITY				OGP VALUE RELEVANCE				POTENTIAL IMPACT				COMPLETION			
	None	Low	Medium	High	Access to information	Civic participation	Public accountability	Tech. and innov. for transparency and accountability	None	Minor	Moderate	Transformative	Not started	Limited	Substantial	Complete
Overall			✗		✗	✗					✗			✗		
3.1. Publish Yearly assessment of MDAs			✗		✗						✗		✗			
3.2. Nine pilot MDAs		✗			✗				✗							✗
3.3. Activity-based budgeting			✗				Unclear		✗							✗
3.4. MDA town halls			✗		✗	✗	✗				✗		✗			

WHAT HAPPENED?

This commitment seeks to expand and improve on the system for monitoring and assessing the performance of government ministries, departments and agencies in their delivery of services.

In 2009, Sierra Leone established the Office of the Chief of Staff in the Office of the President. The Office of the Chief of Staff is intended to bring a more technical, rather than only political, approach to the president's oversight of ministries, departments and agencies (MDAs). The Performance Contract was introduced as a set of development and service delivery targets for MDAs, over a one-year period. A performance tracking table and project tracker set comprehensive performance targets with clarity over what public institutions should achieve over a fixed period. The implementation of activities and achievement of targets are monitored through various periodic review processes.

Milestone 3.1: The results of the yearly assessment of MDAs under the Performance Contract scheme have not been made public. The 2014 results were announced by the President in 2015 and 2015 results

have been pushed back to 2016 due to the Ebola crisis. The first results, according to government officials, were discussed on SLBC, Democracy Radio 98.1, and AYV Radio. According to interviewed steering committee members, there is, however, no discussion or decision with government to make performance contract assessment results public "in print or online mediums" as described in this milestone. While the broadcast publicity is commendable, accountability will likely only be served when the details of plans are easily available to potential users.

Milestone 3.2: The milestone mentioned "nine pilot MDAs for implementation selected" without clarifying what these pilots would be. However, if the milestone is about implementing performance contracts, then it was not necessary to talk about nine MDAs at the time of the development of the action plan. At the time the action plan was developed, all twenty four ministries and numerous departments had signed performance contracts with the president. At the time of the writing this report, the scope of Performance Management and Service Delivery Directorate (PMSD) covered twenty

four ministries, nineteen Local Councils, two public universities, five polytechnics, and twenty six state-owned enterprises, resulting in this commitment being evaluated as completed.[1]

Milestone 3.3: In prior years, the Sierra Leone budget comprised of recurrent line items and did not link clearly to the services to be delivered. As a result of this commitment, frontline service delivery MDAs (covering education, environment, and water resources) will more closely link budget lines to specific procurement. Activity-based budget planning by MDAs, however, had been introduced by the Ministry of Finance and Economic Development (MoFED) two years ago, before the development of the action plan. This has resulted in this commitment being completed before the development and implementation of this action plan.[2] In order to make clear its relevance to open government, future milestones on activity-based reporting will need to have some element of publication, or social accountability.

Milestone 3.4: This milestone's purpose was to hold town hall meetings not more than two months after the publication of performance tracking results to engage the public on the findings; it has not taken place. According to officials, this was primarily due to the outbreak of the Ebola virus. The forthcoming End of Term IRM report will be able to assess final completion to 2016 now that the country has largely returned to normalcy.

DID IT MATTER?

This commitment represents a positive step; it introduces a results-based performance management system on public service delivery, which could aid in improving the quality of service delivery. Sierra Leone has never implemented a systemized way of recurrently measuring the performance of public institutions in their delivery of services to the public. Development partners, international and local NGOs, have in recent times been advocating a results-based management approach to delivering development aid and services in Sierra Leone.

There is evidence from the past that public disclosure of the findings of assessments of the performances of public institutions contribute to accountability and civic participation. Between 2006 and 2011, the government conducted yearly public expenditure–tracking surveys. These surveys examined the extent to which funds released delivered the services intended. CSOs and the press paid much attention to surveys results. CSOs in particular found opportunities in the public expenditure tracking survey results for advocacy in service delivery. In telling the stories behind the survey results, the media kept the service delivery debate alive.

The tracking of MDAs' performance against set outputs is going to transform public discussion of development and public services, and public servants' approaches to delivering them. Citizens would know what to expect in terms of service delivery from civil servants and would be able to hold them to account against a given timeframe. Citizens and citizens' groups could ask public offices to account for any mismatch between what was expected and what was delivered, contributing to building civic participation. In the first three years of experimenting with performance tracking and measurement, the media has attempted to use the results to hold ministers accountable for non-performance. The milestone to hold town hall meetings to engage the public on the findings of performance assessments is clearly necessary, given the limitations in engaging the public through mass media in Sierra Leone.

MOVING FORWARD

The IRM researcher recommends that the commitment include a milestone that provides the space for citizen feedback to influence actions on performance assessments of government institutions and public officials.

The IRM researcher also recommends that achievement targets set for public institutions in the performance contracts be made public.

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[1] www.statehouse.gov.sl
[2] Government Budget and Statement of Economic and Financial Policies for the Financial Year 2016

4 | COMPLIANCE WITH AUDIT MEASURES

Commitment Text:

The Audit Service Sierra Leone is the key institution that have championed the fight against reducing public wastage and promoting value for money across Government. However, there are still opportunities to strengthen the work of this institution in an effort to ensure more effective and transparent use of public resources.

Actions:

- *White Paper prepared by the Executive that addresses key mechanisms and actions that Government intends to take to implement the recommendations of the annual Audit report with the view of reviewing recommendations.*

- *Policy paper to advice the Parliamentary Public Accounts Committee with regard to placing limitations on length of time their review and deliberations and the publishing of the audit report. This policy paper will be prepared by Open Government Partnership Sierra Leone National Steering Committee.*

- *At least 50% of the published Audit Report and/or PAC recommendations implemented by relevant MDAs and these actions made public during the annual performance contracting assessment process.*

Responsible Institution: Strategy and Policy Unit/Open Government Initiative.

Supporting Institution(s): Performance Management Service Delivery Directorate

Start Date: September 2014   End Date: December 2014

COMMITMENT OVERVIEW	SPECIFICITY				OGP VALUE RELEVANCE				POTENTIAL IMPACT				COMPLETION			
	None	Low	Medium	High	Access to information	Civic participation	Public accountability	Tech. and innov. for transparency and accountability	None	Minor	Moderate	Transformative	Not started	Limited	Substantial	Complete
Overall			✗		✗							✗		✗		
4.1. White Paper (executive)			✗		Unclear						✗		✗			
4.2. Policy Paper (Parliament)			✗		Unclear						✗				✗	
4.3. 50% recommendations implemented				✗	✗							✗	✗			

WHAT HAPPENED?

This commitment seeks to improve compliance with audit reporting recommendations from the Audit Service Sierra Leone and the Parliamentary Public Accounts Committee (PAC).

The 1991 Constitution in Sierra Leone established the Office of the Auditor General. Audit Service Sierra Leone, led by the Auditor General, is the office responsible for auditing the accounts of all public institutions, offices, and central and local governments. Essentially, the Audit Service Sierra Leone has the principal responsibility for minimizing wastage of public funds and ensuring that value for money is maximized in public expenditures.

The Auditor General is required by law to submit to Parliament an annual report for the previous year, within 12 months of the end of the current financial year.[1] Parliament through its Public Accounts Committee reviews the audit report. Parliament would then issue the required directives based on the recommendations of the audit report to any public office concerned. The report of the Auditor General always carries recommendations on addressing weaknesses uncovered in accounting and financial management. Implementing recommendations from the Auditor General's reports has, however, remained a challenge in Sierra Leone. Every year, the Auditor General's annual audit report highlights the problem of limited implementation of audit recommendations by government institutions. According to the Auditor General's office, among the recurring issues that ministries, departments and agencies were failing to address were financial management and internal controls, compliance with procurement rules, and management of administrative and financial records.[2]

At the time of this research, the Public Accounts Committee was benefitting from the capacity building project, under an on-going Public Financial Management Improvement and Consolidation project. One of the outcomes is for the Public Accounts Committee better responds to audit reports.

Milestone 4.1: This milestone essentially sought to compel the government to lay out a clear road map on how to address the challenge of lacklustre implementation of audit recommendations. The IRM researcher did not come across any evidence that

discussion was going on within government to do such a road map, and an official at the Accountant General's office was not aware of any discussion within government to develop such a document. Interviewed civil society representatives in the national steering committee were not aware whether the government had indicated clear mechanisms and or any actions intended to implement audit recommendations. Later information from the government stated that the delay was due to the Ebola outbreak. According to officials reviewing an early draft of this report, "As an alternative, SPU engaged with PMSD as a sister unit within the Office of the Chief of Staff to include implementation of audit recommendations into the performance contracts of ministers." Further, according to officials, the implementing the audit recommendations is now a requirement of the Progress Assessment Framework which triggers donor funds.

Milestone 4.2: This milestone was the development of a policy paper to advise the Public Accounts Committee of Parliament on the length of time of the reviews and the publication of report on the auditor general's report. It had a limited completion. The head of the Budget Advocacy Network, who is a member of the steering committee, and an OGP official told the IRM researcher on separate occasions that the steering committee submitted to the constitutional review committee a position paper on the length of time Parliament should take to debate and produce a report on the Auditor General's report. Two other steering committee members who did not want to be cited on the issue, however, refuted the claim to the researcher. The OGP coordinator however made available a hard copy of the position paper to the IRM researcher during an interview. The position paper was however not among the 97 position papers received by the Constitutional Review Committee at the time of checking the respective website.[3] The position paper had four paragraphs, with the first dedicated to introducing the Sierra Leone OGP process, and the second reiterating sections in the constitution pertaining to presentation and debate of audit report in Parliament. The third paragraph restates the challenge of Parliament's delays in debating the audit report. The final paragraph simply goes on to suggest that the relevant section of the constitution be revised to state that Parliament

debates the audit report within six months.[4] Some steering committee members are not aware of the position paper, because the position paper is not on the website of the Constitutional Review Committee. The position paper, as written, could be better quality in the researcher's view.[5]

Milestone 4.3: According to interviews carried out by the IRM researcher, apart from the policy paper submitted to the Public Accounts Committee, and the Constitutional Review Committee, no work was done during the assessment period by the OGP National steering committee to try to get "at least 50% of the published audit report recommendations implemented." Following the assessment period of this report (to end of June 2015) performance contracts have been signed although they have not met the 50% target, according to government.

DID IT MATTER?

The IRM researcher has evaluated this commitment as having a transformative potential impact, on the basis of implementing at least 50% of audit report recommendations .

The National Corruption Perception Surveys conducted by the country's ACC in 2013 said that corruption was particularly pervasive in public institutions. Stakeholders stated in an interview with the IRM researcher that the vast majority of the cases prosecuted by the ACC concern financial fraud in public offices. Stakeholders agree that weak accounting and financial management systems invariably perpetuate or allow fraud to happen. As part of their work, Audit Sierra Leone seeks to regularly eliminate the weaknesses in systems that perpetuate or allow financial malpractice.

The Auditor General's annual reports on the audit of government institutions have been identifying loopholes in financial management systems that need to be addressed. However, the recommendations

made to address the loopholes concerning poor accounting practice allowing unauthorized and wasteful expenditure, such as the handling of Ebola crisis donor funds.[6] Annual audit reports from Audit Sierra Leone are consistently made public. Stakeholders interviewed by the IRM researcher say that Parliament remains the weak link in ensuring that audit recommendations are implemented. According to them, Parliament hardly takes any steps for the implementation of the recommendations made in the annual audit reports. One newspaper had claimed that Parliament has never given the annual report deserved seriousness.[7] In the 2014 annual audit report, it was highlighted that only 24% of audit recommendations made between 2010 and 2014 had been implemented.[8] Stakeholders agreed with this suggestion by the newspaper.

Audit reports in Sierra Leone would yield critical accountability, transparency and service delivery outcomes. First, implementation of audit recommendations will lead to strengthened systems, making it easier to hold officials accountable for financial malpractices. Second, implementation of audit recommendations may block loop holes in financial management systems. The resulting reduction in fraud and other leakages will mean that funds are well spent, resulting in better delivery of services.

MOVING FORWARD

The IRM researcher recommends the following actions:

- Hosting public debates, within government and with CSOs, on how to regularize the implementation of audit recommendations.

- Identifying means to get Parliament to carry out oversight on the audit reports.

- In cases where serious financial mismanagement has been found, the Audit Commission should forward this documentation to the Anti-Corruption Commission to initiate a criminal investigation.

[1] The 1991 Constitution of Sierra Leone. Section 119 (4)

[2] Annual Reports, Auditor General Sierra Leone, http://www.auditservice.gov.sl/reports-2-annual-reports.html

[3] See http://bit.ly/1OKg4LR

[4] Sierra Leone Open Government Partnership Steering Committee Position Paper: Establish timeframe within which Parliament shall produce a report on the auditor General Report; given to the researcher on 5 February 2016.

[5] See http://bit.ly/1OKg4LR

[6] http://bit.ly/1MiXhK2

[7] Global Times 23 April 2012

[8] Annual Reports, Auditor General Sierra Leone, http://www.auditservice.gov.sl/reports-2-annual-reports.html

5 | SINGLE TREASURY ACCOUNT

Commitment Text:

It is evident that reducing wastage in the management of public resources is partially dependent on fiscal discipline and the leveraging of the extractive industry especially through the promotion of transparent practices in contract negotiation and management. The aim is to leverage on key actions that the Government has already identified as essential to improving fiscal and extractive industries transparency with a view towards better management of public resources such as the establishment of the Single Treasury Account which was highlighted in the 2014 Budget presentation by the Honourable Minister of Finance and Economic Development. Its establishment will streamline Government fiscal procedures and create more transparency and accountability in Government spending.

Actions:

- *Single Treasury Account established by undertaking a census of all Government Bank accounts and findings made public.*
- *Procedures and mechanisms implemented by the Ministry of Finance and Economic Development in collaboration with relevant institutions will run a Single Treasury Account (STA) which will form the basis of a new Memorandum of Understanding with relevant Banks on the modus operandi of Government transactions based on Single Treasury Account Model.*

Lead Institution: Ministry Finance and Economic Development

Supporting Institution(s): Open Government Initiative

Start Date: September 2015   End Date: December 2015

COMMITMENT OVERVIEW	SPECIFICITY				OGP VALUE RELEVANCE				POTENTIAL IMPACT				COMPLETION			
	None	Low	Medium	High	Access to information	Civic participation	Public accountability	Tech. and innov. for transparency and accountability	None	Minor	Moderate	Transformative	Not started	Limited	Substantial	Complete
Overall			✗		✗							✗		✗		
5.1. Establishment and census			✗		✗							✗			✗	
5.2. Mechanisms and procedures			✗		Unclear							✗		✗		

WHAT HAPPENED?

This commitment seeks to create one treasury account to improve financial accountability in Sierra Leone. Sierra Leone has, over the past decade, pursued improvements in legislation, infrastructure, and systems for public financial management. The work on public financial management improvement has been largely instigated and financed by international development partners, including the World Bank. Public financial management initiatives facilitated by development partners over the past five years have included the Integrated Public Financial Management Reform Project and the Integrated Financial Management Information System Project. Under the Integrated Public Financial Management Reform Project, the International Monetary Fund has been urging government to pass a Public Financial Management bill and also to establish a single treasury account.[1]

In the Government Budget and statement of Economic and Financial Policies for the Year 2014, the Minister of Finance and Economic Development affirmed government intentions to establish a single treasury account. The single treasury account eventually became part of the budget execution and treasury management reforms provisions in the Public Financial Management bill that was submitted to Parliament in October 2015.[2]

Since September 2015, the Ministry of Finance and Economic Development (MoFED) has accelerated the setting up of the procedures and mechanisms of the single treasury account in collaboration with the relevant institutions. On 22 September 2015, a special session was organized by the Ministry of Finance and Economic Development to demonstrate to vote controllers in ministries, departments and agencies (MDAs) how the single treasury account would work. At the time of writing this report, the work was still going on to finalize procedural and process issues for the single treasury account before it becomes operational. The Public Financial Management bill, which provides the legal basis, has not been passed into law by Parliament. As these developments have occurred outside of the evaluation period, this has resulted in the completion level being limited.

Milestone 5.1: Compilation of an inventory of all bank accounts held by MDAs was one of the first activities to be undertaken by MoFED towards the establishment of the Single Treasury Account. While this had not been done as of July 2015, it has been completed in the intervening period. International Monetary Fund records from the same time show that while the Single Treasury Account has not been established according to set timelines,[3] records provided by the government during the IRM review demonstrate that a census of the accounts has been completed[4] in early 2015. At the IRM's end of term report, this milestone is likely to be marked as complete.

Milestone 5.2: The MoFED has set up a database to maintain records of all bank accounts authorized by the Minister of Finance. The Governor of the Central Bank has directed commercial banks to fairly submit balances on bank accounts that are at the moment classified as government accounts. As of July 2015, the work was going on technological, legal, and other operational issues. However, completion was evaluated as limited.[5] During the review process, the government provided evidence that memorandums of understanding (MoUs) have been signed between commercial banks and the Bank of Sierra Leone.[6] Because they are protected for confidentiality reasons, the actual MoUs are unavailable although it is clear that some movement has been made in this direction. As it is written, this milestone does not contain any public-facing element and as a result, its relevance to OGP is unclear. In order to make it clearly relevant, for the next action plan, the government can make public its actions to consolidate accounting for all bank accounts.

DID IT MATTER?

This commitment has been evaluated as having a transformative potential impact. Section III of the Constitution of Sierra Leone established the Consolidated Fund, into which all revenues or monies raised by or received for the purpose of government are paid. The revenues referred to do not include funds established for a specific purpose, payable by or under an act of Parliament, or revenues that may be retained by MDAs for the purpose of defraying

their expense. Some state institutions have legislation allowing them to collect and retrain revenue, while most do not.

The government's pursuance of a single treasury account would add to on the gains made so far in improving public financial management infrastructure and systems. The single treasury account will have multiple benefits for public financial management in respect to accountability, transparency, and service delivery according to stakeholders. However, only the first milestone is relevant to OGP values as it provides for public disclosure of a census of all bank accounts. The second milestone does not contain any public-facing elements and therefore its relevance to OGP is unclear.

The existence of numerous bank accounts for transacting government business has been a serious source of weakness in public financial management. According to an official in the Ministry of Finance, the huge number of accounts did not allow timely availability of information on government cash resources and made it difficult to generate quality fiscal data.[7] The monies would lie idle in accounts with no proper attention, leading to inefficiencies in the use of public resources, the head of the Budget Advocacy Network, a Civil Society platform, said in an interview with the IRM researcher.[8] Stakeholders acknowledged that receiving and paying government funds through numerous bank accounts has been a facilitator of inefficiencies.

The single treasury account as one account or set of unified linked accounts is going to make it much easier to do bank reconciliations and improve the quality of fiscal data.

MOVING FORWARD

Moving forward, it is recommended that the commitment be improved by working to repeal all laws that currently allow certain government agencies to operate accounts outside of the Consolidated Fund, against the intent of the Single Treasury Account. A future commitment to make this especially relevant to OGP would be to issue a public progress report on consolidation. By continually reporting on progress, an array of interested stakeholders (private sector, non-profit organizations, interested citizens, and international development partners) would be able to trace progress on this important work.

[1] Statement by the Clerk of Parliament at the Expert Seminar Series on Finance Provisions in the 1991 Constitution, at the CGG, 30 October 2015.
[2] The Public Financial Management Act, 2015. Part V. 47 (1)
[3] http://www.imf.org/external/np/sec/pr/2016/pr16143.htm
[4] Accountant General's Department. 2016. Treasury Single Account. Scanned version available at: http://bit.ly/1Nlukku
[5] Government introduces Single Treasury Account. www.mofed.gov.sl
[6] Government of Sierra Leone. 2016.
[7] Interview conducted with Accountant Brima Kamara of the Office of the Accountant General on 19 October 2015.
[8] Interview conducted with the Coordinator of the Budget Advocacy Network on 21 October 2015.

6 | EXTRACTIVE INDUSTRY REVENUE ACT (EIRA)

Commitment Text:

The Extractive Industry Revenue is an Act that is required to regulate the management of revenue especially with reference to the granting of tax incentives to companies operating in Sierra Leone. Implementing the draft Extractive Industry Revenue Bill is crucial in that it would require the Government to publish a statement of its tax expenditure, detailing all tax exemptions, the beneficiaries and the revenue foregone in a bid to promote transparency. It will also require producing and publishing a cost benefit analysis on the need to grant tax incentive on an annual basis hence the public will be well informed on the rationale for granting tax incentives which may engender public debate and foster accountability and reduce the discretionary powers of Government officials. Recently, according to the National Revenue Authority over $1 billion in concessions were given to companies operating in Sierra Leone over a two-year period.

Actions:

- *Public consultations held on the Bill within a reasonable time frame.*
- *Bill tabled in Cabinet by Ministry of Finance and Economic Development.*
- *Bill tabled in Parliament.*
- *Bill passed by Parliament and enacted.*

Responsible Institution: Ministry of Finance. Open Government Initiative.

Supporting Institution(s): Parliament. Open Government Initiative.

Start Date: June 2014   End Date: January 2016

COMMITMENT OVERVIEW	SPECIFICITY				OGP VALUE RELEVANCE				POTENTIAL IMPACT				COMPLETION			
	None	Low	Medium	High	Access to information	Civic participation	Public accountability	Tech. and innov. for transparency and accountability	None	Minor	Moderate	Transformative	Not started	Limited	Substantial	Complete
Overall				✗	✗	✗						✗	✗			
6.1. Public consultations			✗		✗	✗						✗	✗			
6.2. Bill tabled in Cabinet				✗	✗							✗	✗			
6.3. Bill tabled in Parliament				✗	✗							✗	✗			
6.4. Bill passed and enacted				✗	✗							✗	✗			

WHAT HAPPENED?

This commitment seeks to enact the draft Extractive Industries Revenue bill, prepared by the Ministry of Finance and Economic Development (MoFED) in 2012. The bill deals with the management of the revenue received from the extractive industry exploitation.

The extractives sector has dominated Sierra Leone's economy since the discovery of diamonds in the 1930s. The country, however, has very little to show in the way of national development and progress derived from extractive rents. The resurgence of mining activities in Sierra Leone since 2008 raised the issue of responsibly and transparently managing the rents and taxes that accrue to government as national development resources. The intended purpose of the bill is to manage the country's mining and petroleum fiscal regimes and related matters. The bill spells out all the taxes, levies, and charges applicable to mining and petroleum activities.[1] A secondary function of the bill is to establish and regularize financial and administrative reporting in Sierra Leone's extractive sector, which will assist in maintaining the current standard of Extractive Industries Transparency Initiative (EITI) compliance.[2]

There has been no progress in implementation of this commitment. Public consultations on the draft bill on the Extractives Industries Revenue have not taken place. The Ministry of Finance has not consulted publicly or tabled the bill in the Cabinet (milestones 6.1 & 6.2) and consequently, there has been no progress on pursuing the bill towards its enactment by the Parliament (milestone 6.3). The head of the Budget Advocacy Network, the most prominent civil society coalition on public financial management says government is no longer interested in enacting an Extractive Industries Revenue Bill.[3] The heads of two civil society platforms involved with extractive rents issues told the IRM researcher that the failure to pass the Extractive Industry Revenue bill could be interpreted as the government not having the political will to advance transparency in the extractives sector.[4]

While the Extractive Industry Revenue bill has not been passed into law by Parliament (milestone 6.4), the Public Financial Management (PFM) (also referred to as the "Revenue Management Bill") bill tabled in Parliament in October 2015 has an entire section devoted to management of extractive industries revenues. The section in the PFM bill submitted to Parliament deals entirely with the establishment of two savings and investment funds from the proceeds of extractives.[5]

In a telephone conversation with the IRM researcher, the director of revenue and tax policy unit in the Ministry of Finance affirmed that the government has not abandoned the Extractive Revenue bill. Discussions had taken place between the Ministry of Finance and Parliament concerning the contents of the bill, and it was going to be passed into law in early 2016.[6] Civil society organizations who have given up hope on the passage of the bill have not been informed regarding the nature of discussions between the Ministry of Finance and Parliament with reference to finalizing the bill.

DID IT MATTER?

Overall, this commitment has a transformative potential impact. The EITI is relevant to the OGP process primarily as a public accountability tool for the extractive sector. Since the country heavily depends on extractives revenue to fund development activities, accountability—or the lack thereof—in the sector impacts the delivery of public services greatly. Improving public services is one of the grand challenges that Sierra Leone seeks to address through the OGP process. CSOs expect that the Extractives Industries Revenue bill will reduce the gaps in the granting of duty waivers to mining companies, which was a huge source of revenue to the government. Discriminatory powers in the hands of various agencies to grant tax concessions are what civil society wants reduced, which will be addressed by the bill.

Studies by civil society and development partners between 2009 and 2013 have highlighted areas concerning potential risks in extractives rent management in Sierra Leone. A study by DanWatch established that Sierra Leone was losing millions of dollars of potential extractive rents through tax payment leaks and corporate structures seeking to evade tax repayments. Similarly, another report by Christian Aid illustrated the loss of millions of dollars of potential government revenue as a result of waivers of duty on mining equipment imports.

The Extractives Industry Revenue Act will consolidate and clear up the inconsistencies in the tax laws that apply to mining and petroleum, and it will harmonize tax collection streams in the sector. Consolidating the tax regime and clearing inconsistencies will enhance transparency in extractives rents collection by being a single view extractive taxes regime document. The Extractives Industries Revenue Act will thus make it easier for the government, development partners, and civil society to project rents expected from extractives, which could facilitate better dialogue on planning and budgeting of public expenditure.

There is no obligation in law at the moment for the government to report as public information the use of extractive sector receipts. The draft Extractives Industries Revenue bill requires the Ministry of Finance to make an annual publication of a statement on tax management for the year, detailing tax incentives. This will promote transparency and accountability beyond the current level of financial disclosures in the sector. At the moment, extractive taxes disclosure obligations are only on mineral rights holders, who are required by law to give the Ministry of Mines and Minerals Resources quarterly financial transparency reports.[7]

The Extractives Industries Transparency Initiative (EITI) reconciliation reports also provide the extractive sector with financial information. Although Sierra Leone is currently EITI compliant (since April 2014), it has encountered several challenges in the EITI reporting process. EITI reporting in the period 2012–14 has been impacted by the Ebola epidemic, with the EITI board granting a concession for deadline extension for 2012 and 2013's application is under review. The most

recent EITI report for Sierra Leone is the 2011 report.[8] CSOs expect that expanded avenues for information disclosure envisaged by the bill will put citizens in a better position to dialogue with government on proper or better use and management of extractive rents.

The current inclusion of a section on management of extractive industries revenues in the Public Financial Management Act (2015), according to stakeholders, is deficient and will not enable the consolidation and establishment of comprehensive tax regime for the mining and petroleum sectors. At the time of writing this report, it was announced that Parliament will henceforth be responsible for granting a waiver of customs duty. The huge financial loss incurred through duty-free concessions granted to mining companies was one of the main reasons CSOs have been pushing for the Extractives Industries Revenue bill.

MOVING FORWARD

The IRM researcher recommends the following:

- The Parliament which has by now received the draft Act should take all necessary steps to speed up passing the Act the end of the OGP action plan.

- Civil society reviews the existing Extractive Industry Revenue bill to keep up with what is been finalized by Ministry of Finance and Parliament, so that the issues that civil society are primarily concerned with in the sector are not unduly compromised, for example the collection of taxes in the extractives sector.

[1] The Government Budget and Statement of Financial Expenditure, 2013. Page 13. www.mofed.gov.sl/budgetspeeches.htm
[2] Extractives Industries Transparency Initiative: Sierra Leone, https://eiti.org/SierraLeone
[3] The Coordinator of the Budget Advocacy Network made the remarks at the training for committee on monitoring OGP Action Plan; conducted via video call by Tinatin Ninua of the OGP Support Unit on October 14, 2015.
[4] Interviews with the Coordinator of the Budget Advocacy Network, and the Chairman, Natural Resources and Economic Governance Network on October 22, 2015 and October 24, 2015 respectively.
[5] The Public Financial Management Act, 2015.
[6] Researcher and OGP Coordinator's telephone conversation with the Director, Revenue and Tax Policy Unit, Ministry of Finance on February 5, 2015.
[7] Government of Sierra Leone. Mines and Minerals Act, 2009 Section 160 (b)
[8] Extractives Industries Transparency Initiative Report: Sierra Leone, https://eiti.org/report/sierra-leone/2011

7 | EXTRACTIVE INDUSTRY REVENUE ACT (EIRA)

Commitment Text:

In the area of transparency in the extractive industries, Sierra Leone has been a member of the Extractive Industry Transparency Initiative since 2008, and although it was suspended in 2012, she just recently became EITI-compliant. It is currently working on passing the EITI bill which has already been developed to improve efforts towards transparency and to ensure Sierra Leone's compliance. The non-disclosure of mining contracts has been an issue that has been raised by Civil Society organizations and the issue is valid as it will hold both government and the extractive Industries accountable.

Actions:

* *EITI Bill tabled in Cabinet by the relevant MDA (Ministry of Mines and Mineral Resources or the Office of the Chief of Staff).*

* *EITI Bill passed by Parliament.*

* *Publish the process and outline the checks and balances carried out for allocation of licenses by the Mines and Mineral Resources Ministry and the Petroleum Directorate.*

* *Disclose environmental impact assessments prior to the award of any extractives rights.*

* *Perform audits and publish reports of the Diamond Area Community Development Fund and the Community Development Fund.*

Responsible Institution: Ministry of Finance. Open Government Initiative.

Supporting Institution(s): Parliament. Open Government Initiative.

Start Date: June 2014   End Date: January 2016

COMMITMENT OVERVIEW	SPECIFICITY				OGP VALUE RELEVANCE				POTENTIAL IMPACT				COMPLETION			
	None	Low	Medium	High	Access to information	Civic participation	Public accountability	Tech. and innov. for transparency and accountability	None	Minor	Moderate	Transformative	Not started	Limited	Substantial	Complete
Overall				✗	✗						✗			✗		
7.1. EITI bill tabled in Cabinet				✗	✗						✗		✗			
7.2. EITI bill passed by Parliament				✗	✗						✗		✗			
7.3. Minerals licenses allocation processes published online				✗	✗				✗							✗
7.4. Disclose environmental impact assessments				✗	✗				✗							✗
7.5. Audit reports on Diamond Area Community Development Fund & 50% of audit recommend-ations published			✗		✗						✗			✗		

WHAT HAPPENED?

This commitment seeks to maintain Sierra Leone's Extractive Industries Transparency Initiative (EITI) compliance[1] through implementing a range of measures, including an EITI bill, and improving transparency in the governance of its extractive sector.

A major development in extractives sector governance over the last decade in the country is Sierra Leone's participation in a number of international partnership frameworks for good practice sector governance. These international partnership frameworks include the African Mining Vision, the Kimberly Process, the African Initiative on Mining, Environment, and Society, and the EITI. Sierra Leone became an EITI candidate country in 2008. The country's use of the initiative to push accountability and transparency had an unimpressive start leading to Sierra Leone's suspension from it in 2013 in part due to the Ebola epidemic.[2]

In April 2014, Sierra Leone once again became EITI–compliant. Government and CSOs involved with extractives sector issues recognized that EITI momentum could only be maintained predictably through some form of legislation. This led to the quest for the Sierra Leone Extractive Industry Transparency Initiative (SLEITI) law. At the time of the articulation of the Sierra Leone's action plan, a draft SLEITI bill was already available.

Milestone 7.1: Since the SLEITI bill was already at hand, the logical step in taking it forward was to table it in Cabinet for approval. However, during the review

period, the draft bill has not been presented in Cabinet. On the advice of the Law Officers Department, the process of taking the bill to Cabinet and ultimately to parliament has been put on hold, awaiting the development of an EITI policy.[3] SLEITI and Civil society officials confirm that it was their agreement that an EITI policy be prepared first, to lay the basis for the finalization of the draft bill. Officials noted that funding was a major impediment to implementation. At the time of the writing of this report, funds had just been secured through the African Development Bank to hire a consultant to work on the policy, resulting in the completion level being evaluated as not started. The consultancy for the development of the EITI policy is expected to be offered at the end of 2015, with the end of February 2016 as the expected date for the completion of the job.

Milestone 7.2: The EITI bill has not been presented to the Parliament due to the delay on the finalization of the draft bill, thus registering as not started.

Milestone 7.3: The processes and checks by which mining licenses are granted by the Ministry of Mines and Mineral Resources are all contained in the Mines and Minerals Act (2009) and related laws, such as the Environmental Protection (Mines and Minerals) Regulations (2013). All mining lease agreements are available online on the National Minerals Agency's website. Environment Impact Assessments are fully disclosed in public. This has already been the case before the adoption of the OGP action plan; therefore it is not clear what new information the milestone was going to make available to the public.

Milestone 7.4: This commitment seeks to disclose environmental impact assessments prior to the award of any extractives rights. It did not set out to achieve anything new as the disclosure of environmental impact assessments to the wider public has always been ensured by the regulatory authority, the Environmental Protection Agency. This was confirmed in an IRM interview conducted with coordinator of the EITI, stating categorically that the Environmental Protection Agency was enforcing the rules around EIA disclosure. This has resulted in the commitment being evaluated as completed but with no potential impact.

Milestone 7.5: According to a SLEITI official, the NMA has handed over a report on all Diamond Area Development Fund payments. However, the report is not an audit report. According to the official, the report merely states what amounts have been paid to various beneficiary communities. This report has not been published to allow the public access, and this milestone is thus evaluated as having a limited completion level.

Large-scale mining companies in Sierra Leone are required by law to enter a Community Development Agreement (CDA) with communities primarily hosting their operations.[4] A CDA established a Community Development Fund into which not less than 1% of the company's annual turnover is paid yearly for development activities. To date, no company has entered into a CDA with a community hosting their operations, and therefore at the moment no Community Development Fund exists.

DID IT MATTER?

This commitment has been evaluated as having a moderate potential impact overall. The commitment—through the adoption of the Sierra Leone Extractive Industries Transparency Initiative bill—seeks to address challenges concerning Sierra Leone's ability to meet and maintain the requirements for Extractive Industries Transparency Initiative (EITI) membership. Even though several milestones (7.3 and 7.4) are superfluous, given that these milestones would not achieve anything new or innovative in the respective policy areas; overall, this remains an important commitment.

Sierra Leone was suspended in 2013 when the country failed four EITI requirements. Countries involved in the EITI process publish reports that disclose the revenues and other information from extraction in the country's natural sector. Companies report payments to government, and the government reports what it has received. These two sets of figures are compiled and reconciled by an independent administrator and published in the EITI report.[5] Sierra Leone's last reconciled report was published in 2011. Officials at the Ministry of Mines and Mineral Resources, the National Minerals Agency (NMA), and civil society

activists remain seriously concerned about Sierra Leone's capacity to continue to meet EITI standards. Stakeholders interviewed told the IRM researcher that it was not going to be easy for Sierra Leone to meet the EITI membership requirements. Implementing the EITI is now made even more difficult with the new standards requiring government to provide detailed information on how extractive revenues are spent. At the time of this research, the secretariat had no appointed head.

The EITI scheme is implemented by participating countries to ensure full disclosure of taxes, and other payments made by mining companies to government. The EITI process offers an opportunity for stakeholders in Sierra Leone to collect and analyse information for informed policy engagement and policy making around mineral resources governance and use. The ordinary citizens would see what the government is getting from the exploitation of minerals. Stakeholders say that it would be difficult for Sierra Leone to drive implementation of the EITI scheme without comprehensive legislation.

MOVING FORWARD

The IRM researcher recommends the following:

- There is a need for greater civic participation and CSO oversight, in the form of an EITI multi-stakeholder steering committee, to ensure the implementation of this important commitment;

- The passing of the EITI bill should be seen as an integral step to securing EITI membership;

- Mining companies should be compelled (as is the current law) to set aside 1% of revenues for community development initiatives. All tax incentives given to mining companies should be annually published in the annual government budget.[6]

CSO stakeholders recommended the following:

- The SLEITI secretariat should publish the list of payments made by NMA to beneficiary communities under the Diamond Area Community Development Fund, as public information. The steering committee should cease to pursue activities to get reports on the Community Development Fund, which are non-existent at the moment.

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[1] Extractives Industries Transparency Initiative: Sierra Leone, https://eiti.org/SierraLeone
[2] Extractives Industries Transparency Initiative: Sierra Leone, https://eiti.org/SierraLeone
[3] Interview of the Acting Coordinator, SLEITI Secretariat by the researcher, 9 November 2015.
[4] Mines and minerals Act, 2009. Section 139.
[5] Sierra Leone country reports, Extractive Industries Transparency Initiative, http:/eiti.org/countries/reports
[6] OGP Sierra Leone OGP Self-Assessment Report September 2015.

8 | LOCAL CONTENT POLICY (LCP) LINKAGES WITH MDAS

Commitment Text:

The policy is necessary to ensure that there is sufficient linkage between the local economy and foreign enterprises. By setting specific performance requirements, the Government aims to ensure that the benefits that Sierra Leone seeks to obtain from FDI including improved technology and managerial skills are integrated into the domestic market and networks. There are key facilitative commitments that are already prescribed by the Local Content policy such as the establishment of an implementing committee; however it is currently not functional. And for us to proceed effectively, it needs to become functional. Since key MDAs have a monitoring role to play it is important that they understand their roles and responsibilities to implement the Local Content policy. Moreover, MDAs should have collaborative meetings and share plans, revenue streams to enhance transparency and accountability.

Actions:

- *Setting up of an MDA linkage mechanism (revival of the implementing committee) to inform the implementation and monitoring of the local content policy to ensure more efficient sharing of information across key implementing institutions facilitated.*

- *An audit of the implementation of the Local Content Policy to inform the development of a Local Content Bill to be undertaken.*

- *Local Content Bill tabled by Ministry of Trade and Industry in Cabinet.*

- *Local Content Bill discussed and ratified by Parliament and passed into law.*

Lead Institution: Ministry of Trade and Industry.

Supporting Institution(s): Ministry of Labour and Social Security. Open Government Initiative.

Start Date: August 2014   End Date: October 2015

COMMITMENT OVERVIEW	SPECIFICITY				OGP VALUE RELEVANCE				POTENTIAL IMPACT				COMPLETION			
	None	Low	Medium	High	Access to information	Civic participation	Public accountability	Tech. and innov. for transparency and accountability	None	Minor	Moderate	Transformative	Not started	Limited	Substantial	Complete
Overall				✗	Unclear						✗				✗	
8.1. MDAs linkage on Local Content				✗	Unclear						✗					✗
8.2. Assess implementation of Local Content Policy				✗	Unclear						✗				✗	
8.3. Bill tabled in Cabinet			✗		Unclear						✗					✗
8.4. Bill Passage			✗		Unclear						✗		✗			

WHAT HAPPENED?

This commitment seeks to improve oversight of the Local Content Policy. The policy is intended to bring a greater number of people into the formal economic space. It is a capacity development and technology orientated policy to ensure that local citizens receive opportunity for employment and skills development through obliging investors to train and hire local citizens.

The government articulated the Sierra Leone Local Content Policy in 2011, with the aim of facilitating domestic participation in private sector–led economic development in the country. The details of this ambitious plan are laid out in key national development and poverty reduction policy documents, including the 2013–18 Poverty Reduction Strategy Paper, and the Transformation: Charting the Next 30 Years Forward.

At the time of the articulation of the Local Content Policy, Sierra Leone was witnessing unprecedented Foreign Direct Investment in the mining and agricultural sectors in particular. This investment followed in the wake of purposive institutions and programs to ease the environment for doing business in the country, including the establishment of the Sierra Leone Investment and Export Promotion Agency, in addition to a number of regulatory reforms.

The development of the policy was led by the Chief of Staff in the Office of the President. In 2013, the Sierra Leone Local Content Unit (SLLCU) was established to be the lead government institution on the development and implementation of a Local Content Policy.

Following consultations with various business associations and some community-level meetings with ordinary people, the SLLCU led the finalization and adoption of the Sierra Leone Local Content Policy in 2014. The policy was not yet law and therefore not mandatory for businesses. The businesses the policy applied to however, were encouraged to implement it. In this regard, the Sierra Leone Local Content Unit has worked with all 19 Local Councils to integrate Local Content into their business approaches. The Sierra Leone Chamber of Mines, the Sierra Leone Chamber of Commerce, and the Sierra Leone Association of Manufacturers voluntarily opted to implement the policy.[1]

Milestone 8.1: The milestone to setup a linkage mechanism for ministries, departments, and agencies (MDAs) seeks to meet key requirements regarding the structures necessary for the implementation of the Local Content Policy.[2] The Local Content Policy provides for the creation of the Local Content Committee charged with the responsibility to coordinate the implementation of the policy among different state institutions. The committee consists of members drawn from various government agencies (two are from civil society). The Local Content Committee had been in existence before the articulation of the action plan, although officials of the Sierra Leone Local Content Unit confirmed that during this period the committee was ineffective and met seldom. The Local Content Committee now meets quarterly, according to SLLCU, resulting in this milestone being evaluated as complete.

Milestone 8.2: This milestone was to be the process by which lessons are learnt from the implementation of the Local Content policy would inform the drafting of a Local Content Bill. In 2014, the SLLCU used a scorecard system to assess business compliance with the Local Content policy. The Sierra Leone Local Content so-called scorecard collected information from 26 companies on a half yearly basis in 2014. Evidence from the scorecard formed part of the presentations made at community meetings and consultations for the development of the action plan. The head of the SLLCU say evidence from the scorecard informed the drafting of the Local Content bill.[3] This information resulted in the milestone in being evaluated as substantially complete.

Milestone 8.3: The Local Content bill has been taken to Cabinet by the Ministry of Trade and Industry and adopted for onward presentation to Parliament for passage.

Milestone 8.4: As of June 2015, the bill had not been passed into law.

The language of the commitment is confusing: "Improving monitoring of the Local Content policy involves to monitoring the implementation of activities that are supported to be undertaken by the SLLCU; and monitoring business compliance with the Local Content policy." It is not clear which of these two areas

the commitment is talking about. The implementation of the commitment did contribute to improving MDAs' coordination in the revival of the Local Content Committee's quarterly meetings. This did not amount to a monitoring exercise however. The scorecard assessments done in 2014 facilitated learning around what was working and what was not, which was fed back into the development of the Local Content policy. Again, this was more an evaluation/assessment exercise than a monitoring one. The milestones set to take the Local Content bill to Cabinet for approval and to Parliament for discussion and passage were equally not monitoring exercises.

DID IT MATTER?

The overall potential impact for this commitment has been evaluated as moderate.

Sierra Leone remains one of the poorest countries in the world. Seventy percent of the population depends on informal economic activities, particularly in subsistence agriculture. The central development objective of the government as indicated in the Poverty Strategy Reduction Paper, has been to change the economic profile of the population. The government has sought to reduce the population's dependence on informal subsistence economic activities, and to become earners of meaningful income.

The Local Content Policy, among other policy choices, has the biggest potential to rapidly transform the economic profile of the population as informal and subsistent, into earners of meaningful income. The experience with economic growth from between 2007 and 2013 has helped to reveal the need to pursue local content for development transformation. The growth in GDP figures and other macro-economic indices did not significantly change the economic profile of the population. Sierra Leone's economic performance has largely been buoyed by mining and commercial scale plantation agriculture investments. These sectors at best have only been able to offer limited jobs to locals at the lower rungs of the labour chain. It is recognized of course that a number of structural barriers, including low education and lack of access to finance, are inhibiting local's participation in the economic

space being opened by Foreign Direct Investment. Stakeholders say it is precisely these barriers and challenges that the Local Content Policy will help to address.

It is envisaged that first, obligations on foreign businesses to train locals will accelerate the availability of the human resource pool in the country in terms of numbers and different skills areas. Second, the commitment guarantees that foreign businesses will give a certain quota of supply services contracts to local businesses will significantly ease the challenge of access to capital. Third, people who get vocational and other life-skills training are potential business innovators or entrepreneurs. Locals whose businesses are patronized by foreign investors would be able to generate downward supply-chain linkages among the wider population. This increased participation in economic activities is bound to increase citizens'

interest in economic and governance policies.

MOVING FORWARD

The IRM researcher recommends the following:

- The next action plan could seek to instil OGP values into this commitment, for example by publishing information concerning information about local investments made by investors, including commitments to train local citizens, and scale of transfer of knowledge and technology from foreign firms.

- To ensure transparent and uniform application of the Act, once it is passed, the government will need to create a monitoring mechanism on the performance of the Local Content Committee as a coordination mechanism.

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[1] Interview conducted with the head of the Sierra Leone Local Content Unit on November 4, 2015.
[2] The Sierra Leone Local Content Policy, May 2010.
[3] Interview conducted with the head of the Sierra Leone Local Content Unit on November 4, 2015.

9 | PUBLISH AND REVISE 70% OF MINING AND AGRICULTURAL LEASE AGREEMENTS AND CONTRACTS

Commitment Text:

Currently, not all mining and agribusiness agreements and contracts are accessible documents vis-à-vis Government online repositories. Following the preparation of the 2011 EITI report, a gap analysis was undertaken by Government institutions in collaboration with Civil Society organizations and one of the key areas of concern was the revision of contracts and making these documents public. While significant progress has been made on the revision of key mining contracts, some work is still required on making lease agreements and contracts public in an effort to promote transparency and encourage civic participation in the debate and execution of mining contracts. This commitment will create more access points for the public to these documents to engender national debate. Similar issues lie around agribusiness contracts and the level of concern is similar to that of mining companies.

Actions:

- *70% of mining and agricultural contracts published on the yet to be established open data portal, in addition to the websites of the Ministry of Finance and Economic Development, National Minerals Agency and Ministry of Agriculture, Forestry and Food Security.*

- *Publish processes and outline the checks and balances carried out for allocation of licenses by the Ministry of Mines and Mineral Resources and the Petroleum Directorate.*

- *A yearly symposium held of private sector partners, relevant communities, Government and Civil Society organizations to discuss the state of contract execution.*

- *Public discussions held on all new mining licenses and agribusiness contracts before they are signed by Government with relevant documentation prepared for public dissemination by the Ministry of Mines and Mineral Resources and Ministry of Agriculture, Forestry and Food Security.*

- *Participating companies make public their Corporate Social Responsibility (CSR) policies and yearly Work Plan (online posting a minimum) to facilitate operation of the Community Development Agreement and ascertained by the Strategy and Policy Unit. Adherence monitored by the National Minerals Agency in a yearly assessment of the respective work plans of the participating Companies*

Lead Institution: Ministry of Information and Communication.

Supporting Institution(s): Ministry of Finance. National Minerals Agency.

Start Date: June 2015   End Date: June 2016

COMMITMENT OVERVIEW	SPECIFICITY				OGP VALUE RELEVANCE				POTENTIAL IMPACT				COMPLETION			
	None	Low	Medium	High	Access to information	Civic participation	Public accountability	Tech. and innov. for transparency and accountability	None	Minor	Moderate	Transformative	Not started	Limited	Substantial	Complete
Overall				✗	✗						✗			✗		
9.1. 70% publication goal				✗	✗				✗							✗
9.2. Mining license processes & checks			✗		✗						✗			✗		
9.3. Yearly symposium			✗			✗					✗			✗		
9.4. Discussion on new mining licenses and land leases			✗			✗					✗			✗		
9.5. CRS policies and plans			✗		✗						✗			✗		

WHAT HAPPENED?

This commitment seeks to improve access to information concerning mining- and agriculture-related economic activity, including the issuing of mining licenses and land leases. More specifically, the commitment seeks to address two important and contentious areas. First, it has emerged that the mining lease agreements negotiated and ratified during the 2000s commodity boom were not in the national interest and needed to be renegotiated. The second aspect addressed concerns the agribusiness sector—a sector that has previously been neglected. This involves large-scale land acquisition for non-food agricultural activities such as plantations in a country were rural subsistence agriculture is essential for sustaining the vast majority of the country's population.

Milestone 9.1: All mining agreements signed with the government and companies after the licenses have been granted, are available on the National Minerals Agency's website (www.nma.gov.sl/home/mining-agreements). Mining agreements had been on the NMA's website before the adoption of the OGP National Action Plan. Three of the five mining agreements renegotiated so far are also on National Minerals Agency's website.[1] Effectively, the milestone was a pre-existing practice before the articulation of the action plan. Since it has been the practice by National Minerals Agency to publish online mining agreements, the milestone has therefore been evaluated as completed. For the end of term IRM report, evaluations will be made with regard to any new mining contracts entered into following the implementation period.

Milestone 9.2: The National Minerals Agency has begun publication of procedures regarding allocation of licenses in what is referred to as the "Fifth

Schedule."[2] It is unclear from the documents, however, which checks exist from other agencies (such as the Ministry of Environment) to review applications for exploration, exploitation or artisanal mining. Further, it is unclear what guidance there is for disclosure and review of the mining contract agreements. An established division of labor between the application process and any review or audit process remains unclear, which could result in a potential conflict of interest.

Despite progress in mining, the Petroleum Directorate has, however, not started publishing processes and outlining the checks and balances carried out for the allocation of specific licenses. The Petroleum Directorate also does not have a website.

Milestone 9.3: In interviews with the deputy director of mines at the National Minerals Agency, the coordinator of the donor-funded Extractive Industry Technical Assistance Project at the Ministry of Mines, and the SLEITI acting coordinator, the IRM researcher established that no symposium had been held in 2015 to bring together government, the private sector, relevant communities and civil society to discuss the state of the extractive sector. Therefore, this milestone is evaluated as not started.[3] The government, in reviewing an earlier draft of this report, stated that there has been no reason to carry out such a symposium as there have been no major contracts signed as a result of the ebola crisis.

Milestone 9.4: From the IRM researcher's investigations no public discussions were held on any new mining licenses and agribusiness contracts before they were signed by the government. The opportunity did not arise in the course of the past year for such discussions to be held, as no new mining licenses and agribusiness land leases were signed, resulting in this milestone being evaluated as not started.

Milestone 9.5: From the IRM researcher's investigations, none of the five mining license holders or large-scale agribusinesses has ever published Corporate Social Responsibility (CSR) policies and plans for public consumption. No mining company or plantation agribusinesses is publishing online or by any other means their Corporate Social Responsibility

policies and work plans, resulting in this milestone being evaluated as not started. Officials, in reviewing an earlier draft of this report, noted that companies are reticent to publish CSR policies and annual work plans in primary host communiities. As an alternative, the government may choose to engage through Community Development Agreements with citizen participation through "community development committees." As a result of Ebola and drop in global commodity prices, however, there is little movement to establish new projects.

DID IT MATTER?

Although many of this commitment's intended activities were already addressed by pre-existing initiatives, particularly in the area of mining, the IRM researcher has evaluated the overall potential impact for this commitment as moderate.

The Ministry of Mines and Mineral Resources, working with the National Minerals Agency (NMA) is primarily responsible for granting mining concessions and licenses in Sierra Leone. In the global commodity boom at the turn of the new millennium, mining resurged in the country. The Ministry of Mines and Mineral Resources supported by the Office of the President negotiated and made mining lease agreements on behalf of government with a number of mining companies. These agreements were subsequently ratified by Parliament. It emerged that the mining lease agreements had major weaknesses that were detrimental to the country's revenue mobilization efforts. Civil society in particular, supported by international development partners, began to deliberate on these weaknesses. Consequently, civil society organizations playing frontline role in extractive sector advocacy criticized the mining lease agreements. Some CSO stakeholders stated that one of the mining agreements ratified by Parliament was illegal and bad for the country.[4]

In the national development plan, the Agenda for Prosperity, 2013–18, the government laid out clear policy objectives to exploit minerals for economic transformation of the country. The government called for strategies, programs, and interventions with the singular aim and vision of promoting sectorial

integration, emphasizing transformation, striving for sustainability, avoiding errors of the past, reducing dependency, and promoting good governance. It became the basis for a revision of the existing mining lease agreements.

In 2013, the government established the Minerals Negotiating Team with members drawn from agencies related to the extractive sector. The Minerals Negotiating Team works as part of the Strategy and Policy Unit, in the office of the President. The Minerals Negotiating Team set itself a target to re-negotiate the five major mining agreements.

It is in the agribusiness sector that challenges remain regarding information disclosure processes and public participation spaces. Sierra Leone has been witnessing large-scale land acquisition for commercial agriculture over the past decade. In a country where 70% of the population lives in rural areas, land is the anchor for livelihoods. Consequently, local and international non-governmental organizations have been mounting reform campaigns over the process followed in large-scale land acquisition for non-food agricultural activities. In particular, one concern is that community people are losing their lands and livelihoods in processes that lack transparency.

Plantation agribusinesses do not have information disclosure processes and public participation spaces provisions for community development in law. Public participation is limited only to land-owning communities' negotiation of land leases with business entities. And even in these negotiations, government sets the rent threshold. At the heart of campaigns for reforms in the sector are calls for land deals to be concluded on the basis of free, prior, and informed consent of the occupants of the land. For the most part, free, prior, and informed consent means that citizens have the right to accept or reject any proposed activity that may affect them or their land resources. Improving information disclosure and public participation will enhance free, prior, and informed consent of ordinary people around land leases for agribusinesses and makes this commitment an important one.

The government is a signatory of the Food and Agricultural Organization's "Voluntary Guidelines on the Responsible Governance of Tenure of Land, Fisheries and Forests in the context of national Food Security." The government therefore now has obligations to incorporate the principles of the Voluntary Guidelines into the country's laws and policies. Calls should be made to revise existing land laws to incorporate the Voluntary Guidelines. The Food and Agricultural Organization's "Voluntary Guidelines" is one key international instrument that facilitates public participation in land tenure issues.

It is the IRM researcher's opinion that milestones 9.1 and 9.2, which deal with online information disclosure and community involvement in extractive sector dialogue, bring little additional dimensions to transparency, accountability and public participation. The existing information disclosure processes and public participation spaces that have potential are already promoting OGP values. The outcomes of mineral license negotiations, which are contained in a mining lease agreements, are already available online. Stakeholders agree that, regarding information disclosure, in particular online, the existing provisions and current practice in the sector are good as a result of Sierra Leone currently being EITI compliant.[5]

Stakeholders stated that holding a yearly symposium and public discussions on new mining licenses will not bring any added value for getting ordinary people directly involved in minerals sector dialogue compared to existing schemes. While citizens are not directly involved in mining licenses negotiations, the legal requirements around community development and environmental protection provides space for public participation. Concerning milestone 9.5, the Community Development Agreement has public disclosure, public participation, and reporting obligations on the part of miners and communities. Also, the processes for accessing the environmental and social impacts of mining provide for the involvement of communities.

MOVING FORWARD

The IRM researcher recommends the following:

- The commitment in the current action plan be reformulated to deal specifically with large-scale agribusinesses, with a focus on putting all laws and policies in line with the Food and Agricultural Organization's "Voluntary Guidelines on the Responsible Governance of Tenure of Land, Fisheries and Forests in the context of national Food Security."

- There needs to be a legal basis for the Minerals Negotiation Team concerning the issue of mining licenses negotiation. Currently it exists as a non-statutory body. There should be an official document outlining standardized procedures by which mining lease agreements are made.

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[1] National Mineral Agency, www.nma.gov.sl/home/mining-agreements
[2] http://www.nma.gov.sl/home/fifth-schedule-guidelines/
[3] Interview of the Deputy Director of Mines, National Minerals Agency with researcher on 16 October 2015; of the Coordinator of the Extractive Industry Technical Assistance Project, Ministry of Mines on October 2015; and of the Acting Coordinator SLEITI on 9 November 2015.
[4] Sierra Leone Parliament ratifies illegal mining agreement that is bad for the country's development, Network Movement for Justice and Development, 24 March 2010, http://bit.ly/1QptbEt
[5] Extractives Industries Transparency Initiative: Sierra Leone, https://eiti.org/SierraLeone

10 | RIGHT TO ACCESS INFORMATION LAW

Commitment Text:

The Right to Access Information Act was passed in October, 2013 as part of Government's response to a clarion call to improve transparency across Government by making information readily available and accessible. Government has worked collaboratively with Civil Society and donor partners to develop the Right to Access Information Act and implementation has leveraged on support from partners; however we need to put pressure to ensure full implementation. Government of Sierra Leone is vested in ensuring that the Right to Access Information tenets take root in Sierra Leone and engender greater transparency in Government wide transactions. Some training has been undertaken of Information Officers and a Right to Access Information Act implementation readiness assessment is currently underway but the process needs to be supported and nurtured to achieve the desired results.

Actions:

- *Regulations to implement the Right to Access Information Act developed.*
- *250 public information officers in 13 Districts within the first year of implementation trained.*
- *Public sensitization campaigns launched for both Government and non-government users.*
- *Public Information Commission established with Commissioner(s) identified.*

Lead Institution: Ministry of Information and Communication.

Supporting Institution(s): Open Government Initiative.

Start Date: July 2014   End Date: February 2015

COMMITMENT OVERVIEW	SPECIFICITY				OGP VALUE RELEVANCE				POTENTIAL IMPACT				COMPLETION			
	None	Low	Medium	High	Access to information	Civic participation	Public accountability	Tech. and innov. for transparency and accountability	None	Minor	Moderate	Transformative	Not started	Limited	Substantial	Complete
Overall			✗		✗			✗				✗		✗		
10.1. Regulations			✗		✗			✗				✗			✗	
10.2. 250 Public Information Officers trained				✗	Unclear						✗			✗		
10.3. Public sensitization			✗		✗							✗		✗		
10.4. Public Information Commission			✗		✗							✗			✗	

WHAT HAPPENED?

This commitment seeks to implement the Right of Access to Information Act (RAI Act). Sierra Leone passed the Right to Access Information Act in October 2013 following nearly a decade of campaigns by civil society organizations (CSOs).

The RAI Act established the Right to Access Information Commission (RAI Commission) with the principal responsibility to ensure the implementation of a freedom of information regime in Sierra Leone. The Act provides, among other things, for the deployment of information communication facilities in ministries, departments, and agencies (MDAs), appointment and training of public information officials and records management, as the essential measures to facilitate disclosure of official information to the public. The RAI Act mandates the Commission to make regulations regarding these core duties.

Among other duties, the Right to Access Information Commission monitors and reports MDAs' compliance with the RAI Act, arbitrates grievances between public institutions and members of the public around official information disclosure, and supports public institutions with information disclosure training. In September 2014, government appointed the chairman and commissioners of the Right to Access Information Commission. An executive secretary of the Commission was appointed in December 2014. Since March 2015, the Information Commission has had a physical office from where its affairs are conducted.

It has been the local CSO, Society for Democratic Initiatives, and not the Ministry of Information and Communication (as indicated in the action plan,) leading the implementation of the actions listed under this commitment.

Milestone 10.1: In 2014, Society for Democratic Initiatives, a CSO, which had been leading a coalition on the freedom of information law, developed and submitted to the Ministry of Information and Communication draft regulations for the implementation of the Right to Access Information Act. The Ministry in turn sought assistance from a United States law firm on a review and finalization of the draft regulations submitted by the Society for Democratic Initiatives. In August 2015, the Ministry of Information

and Communication replied to the Society for Democratic Initiatives with the contributions from the United States firm. At the time of writing this report, the Society for Democratic Initiatives was working with the Right to Access Information Commission to finalize the regulations, for onward submission to Cabinet, resulting in a substantial completion level. However, there has been no independent assessment of the draft regulations. Assuming completion of the regulations, for the end of term report, this milestone will likely be rated as being complete or having made substantial progress.

Milestone 10.2: The milestone aimed to train 250 Public Information Officers, which is a key provision of the RAI Act that requires all public institutions to have a public information officer. The Society for Democratic Initiatives has been the only provider of training for Public Information Officials on the Right to Access Information. In 2014, 50 Public Information Officers were trained over a two-day period, resulting in a limited completion level. Given the resource constraints they face, it has been a stated strategy of the RAI Commission to support CSOs to do the work that the commission should be doing, including trainings.[1] The two trainings were fully endorsed by the Information Commission, 3 in a statement made by the Chairman at the October 22 meeting. Since the mid-point of the OGP action plan (30 June 2015), the funding and staffing of the Commission has improved, with 14 professional staff members. According to government, an addition 47 government employees have been trained. Upon verification, this will be reflected in the IRM's end of term report.

Milestone 10.3: This milestone was to launch several information campaigns to inform citizens about the RAI Act. Officials of the Commission and CSO actors involved with the access to information say that public education sensitization campaigns have been ad hoc, resulting in a limited completion level. In its case the RAI Commission has only been making appearances on radio and television, and at other media as opportunities arose to talk about the RAI Act. On the part of civil society, Society for Democratic Initiatives has produced a simplified version of the RAI Act, and done radio and television appearances from time to time.

The RAI Commission has a public education/ communication strategy which is yet to be rolled out. Commission officials say the strategy has to be implemented because of lack of funds. In these circumstances, officials say that the commission is going to continue to rely on ad hoc public sensitization campaigns by all stakeholders. The commission has done a mapping of stakeholders involved with Right to Access Information in 2015. According to government, the sensitization process will be scaled to up to reach a broader public in the future.

Milestone 10.4: The milestone was achieved with the nomination of the commissioners by the president and approval of their appointment by Parliament. The commission is established as an autonomous institution by the 2013 Act. The Commission is a corporate body having perpetual succession. The Act gives the Commission powers of the High Court when conducting investigations that pertain to refusal of a public office to grant a citizen access to official information. The appointment of the commissioners, however, only reflects a partial establishment of the RAI Commission, thus resulting in a substantial completion level. The RAI Act requires the Commission to have offices in each of the country's administrative four regions, and these are yet to be established. At the time of the preparation of this report, the national headquarters had only an executive secretary and an accountant as administrative staff. Officials at the Right to Access Information Commission say that the institution is hampered by insufficient funding from government.[2]

In a more recent communication, the Commission has moved location and increased staff, with the goal to make offices functional by May 2016. The government looks to donors for continued and increased support for rollout of the act.

DID IT MATTER?

The IRM researcher has evaluated this important commitment as having a transformative potential impact.

Implementation of the Right to Access Information (RAI) Act is going to change the culture, practice, and administrative arrangement facilities around how people seek and receive official information from public institutions. Access to information will enhance citizens' engagements with public institutions regarding accountability and transparency.

Until the passage of the RAI Act, Sierra Leone never had any legislative basis guaranteeing citizens' access to official government information. In the absence of legislation compelling the release of information, public officials considered granting citizens' access to official information as a matter of discretion on their part.

Laws such as the Treasons and State Offences Act (1965) and the Public Order Act (1965), which criminalized disclosure and receipt of certain information, in fact made public officials more inclined to refuse citizens access to information.[3] The administrative arrangements and processes did not previously exist for granting citizens access to information on demand. Consequently, it has been the practice to seek and receive official information from public institutions largely through informal means.

It is this gap in administrative arrangements and processes that is going to be filled by the regulations. Until the administrative arrangements and processes are established, the Right to Access Information Act will remain of very little relevance in granting citizens access to official information.

MOVING FORWARD

The IRM researcher recommends the following:

- The draft regulations need to be tabled in the Cabinet and passed to the Parliament for enactment

- To carry out its functions effectively, the newly established Right to Information Commission needs to be adequately resourced with administrative staff for the national office and the regional offices

- A comprehensive public education program needs to be undertaken on the work of the RAI Commission, following the fulfilment of the first two recommendations

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[1] The Chairman of the Right to Access Information Commission made the point at a training workshop organized by Society for Democratic Initiatives on 22 October 2015.
[2] The Chairman of the Right to Access Information Commission made the point at a training workshop organized by Society for Democratic Initiatives on 22 October 2015; and interview with Commissioner Yeama Thompson on 2 February 2016.
[3] Open Society Foundations. Sierra Leone-Democracy and Political Participation. A review by AfriMAP and the Open Society Initiative for West Africa. January 2014. Page 55.

11 | OPEN DATA PORTAL FOR TRANSPARENCY IN FISCAL TRANSACTIONS

Commitment Text:

The Government of Sierra Leone has made commitment to participate in the Open Government Partnership in order to increase transparency and accountability, and at the same time help in the fight against corruption.

Building on our progress to date with other initiatives, Sierra Leone continues its efforts to expand access to government data from government ministries, departments and agencies. Today, we do not have such a website that is fully functional with open government data even though we have a website named Transparency Sierra Leone that has not met its objectives. This past October, Sierra Leone announced its intent and commitment to become a member in the Open Government Partnership whose strategy is grounded on information technology as the primary medium to open government.

Actions:

- *Open data readiness assessment completed in collaboration with development partners.*
- *Experts on the design of an open data portal with development partners and Non-Governmental Organizations engaged.*
- *Source funding to establish a data portal for pilot Government documents such as budget, 70% of mining and agricultural contracts and 20% of Laws of Sierra Leone that have been gazetted.*

Lead Institution: Ministry of Information and Communication.

Supporting Institution(s): Open Government Initiative. Millennium Challenge Corporation Coordinating Unit.

Start Date: August 2014   End Date: April 2015

COMMITMENT OVERVIEW	SPECIFICITY				OGP VALUE RELEVANCE				POTENTIAL IMPACT				COMPLETION			
	None	Low	Medium	High	Access to information	Civic participation	Public accountability	Tech. and innov. for transparency and accountability	None	Minor	Moderate	Transformative	Not started	Limited	Substantial	Complete
Overall				✗	✗	✗		✗			✗			✗		
11.1. Open data readiness assessment				✗	✗						✗		✗			
11.2. Design of an open data portal			✗		✗	✗		✗			✗			✗		
11.3. Funding and data upload			✗		✗						✗			✗		

WHAT HAPPENED?

The establishment of an open data portal was taken up as a commitment to begin to support the emergence of a proactive disclosure culture, in line with the Right to Access to Information (RAI) Act. The commitment to establish an open data portal responds to the provision in the RAI act for the establishment for a proactive information disclosure scheme.

Milestone 11.1: An open data portal readiness assessment was an antecedent for the establishment of the open data portal. According to the OGP officials, the assessment has been delayed due to the outbreak of the Ebola epidemic in the country. Consultants who were supposed to work on the assessment could no longer travel to Sierra Leone and thus this milestone has not started.[1] Nonetheless, the lack of a readiness assessment is not a major delaying development of the open data portal.

Milestone 11.2: Limited work has been made in this milestone. According to an official of the Right to Access Information Commission, two service providers were contracted by the World Bank—the American companies NuCivic and IBM. NuCivic had a video conference meeting with the Sierra Leone OGP lead in the United States. According to an official at the RAI Commission, the service providers never met with the steering committee or any other partners, as suggested in the original commitment language, as a way of engaging on the open data portal.[2] However, the government gave evidence that trainings were to take place in August 2015. This progress will be assessed in the end of term IRM report.

Milestone 11.3: The two components of the milestones were the following: first, to secure funding to establish an open data portal, and second, to upload documents such as the annual national budget, mining contracts, leases for commercial agricultural lands, and laws of Sierra Leone. The first component of the milestone was achieved when the World Bank approved funding for the open data portal project in 2014. Due to the outbreak of the Ebola virus, the government primarily used the website to publish data on the virus. (At the time of publication—early 2016—the datasets are no longer available on the site, however.)

Regarding the uploading of documents on to the portal however, none of the specific examples of documents mentioned were on the open data portal at the end of July 2015, resulting in this milestone's completion level being evaluated as limited. Regarding the uploading of 20% of laws of Sierra Leone, it should be mentioned that laws passed by parliament are already available at (www.sierra-leone.org/laws.html).

DID IT MATTER?

The IRM researcher has evaluated this commitment as having a moderate potential impact, as it is coming only as an addition to existing proactive disclosure of government information.

The language of the commitment says the open data portal was to be established "to improve transparency in fiscal and extractive transactions." However, according to the stakeholder views, the portal established in May 2015 does not bring extra relevance to information disclosure in fiscal and extractives transaction. The Ministry of Finance and Economic Development (MoFED) is already generating and disseminating online government's fiscal information. There is significant extractive sector information across government.

By law, small- and large-scale mining license documents are submitted to the mining cadastre office, in the National Minerals Agency (NMA). These documents are uploaded onto an online repository (www.slminerals.org). Mining lease agreement can be easily accessed at (www.nma.gov.sl/home/mining-agreements). The open data portal is in fact now being used primarily as a proactive mechanism for ministries, departments, and Agencies (MDAs) to bring information to the public concerning their work. There is no particular focus on fiscal information.

Before the passage of the RAI Act, some public institutions proactively disclosed information through their websites, newsletters, and other media. These public institutions include the office of the Auditor General, the Anti-Corruption Commission, the National Revenue Authority, the government statistics office, the Ministry of Finance, and the National Public

Procurement Authority. Stakeholders interviewed say that there was, however, no predictability and regularity concerning these voluntary disclosures by public institutions. Much of what public institutions give out as information in proactive disclosures are largely for promoting their own good public image. Legal obligations on public institutions now ensure predictability and regularity of proactive disclosure of information and make proactive disclosure of information non-discretional on the part of public institutions. The legal obligations in the Information Act will also ensure that useful information and not mere public relations information is given out to the public.

MOVING FORWARD

The IRM researcher recommends that:

- Strategic efforts be made to upload more useful government documents, including fiscal documents that are not currently publicly displayed.

- The existence of the Open Data Portal be publicized to increase user uptake.

[1] Interview with Yeama Thompson of the Right to Access Information Commission and Marcella Samba Sesay of the Campaign for Good Governance, 23 October 2015.
[2] Interview with Yeama Thompson of the Right to Access Information Commission, 2 February 2015.

V | PROCESS: SELF-ASSESSMENT

All OGP-participating governments are to publish an annual progress report approximately three months after the end of the first 12 months of action plan implementation.

This report should be made publicly available in the local language(s) and in English and deposited on the OGP portal. (See Articles of Governance, Addendum C.)

All countries are required to have at least a two-week public comment period on draft self-assessment reports before finalizing, for public input on implementation performance into account.

Countries are to report on their consultation efforts as part of the self-assessment, and the IRM is to examine the application of these principles in practice.

This report should assess government performance in living up to its OGP commitments, according to the substance and timelines elaborated in its country action plan.

Each country self-assessment report should be drafted with the following elements in mind: Reaffirmation of Responsibility for Openness, Relationship of the Action Plan with Grand Challenge Areas, etc. (Guiding Principles for Government Self-Assessment).

Table 2 | Self-assessment checklist

Question	Yes	No
Was the annual progress report published?	[X] Yes	[ ] No
Was it done according to schedule?	[X] Yes	[ ] No
Is the report available in the administrative language(s)?	[X] Yes	[ ] No
Is the report available in English?	[X] Yes	[ ] No
Did the government provide a two-week public comment period on draft self-assessment reports?	[ ] Yes	[X] No
Were any public comments received?	[ ] Yes	[X] No
Is the report deposited in the OGP portal?	[X] Yes	[ ] No
Did the self-assessment report include review of consultation efforts during action plan development?	[X] Yes	[ ] No

Did the self-assessment report include review of consultation efforts during action plan implementation?	☒ Yes ☐ No
Did the self-assessment report include a description of the public comment period during the development of the self-assessment?	☐ Yes ☒ No
Did the report cover all of the commitments?	☒ Yes ☐ No
Did it assess completion of each commitment according to the timeline and milestones in the action plan?	☐ Yes ☒ No

SUMMARY OF ADDITIONAL INFORMATION

Sierra Leone published the first OGP self-assessment report in September 2015. Publicity on the self-assessment report has been very low. Only one or two newspapers reported news on the presentation of the report to the president by the steering committee.

It is stated in the country self-assessment report that two consultative meetings were held in the weeks prior to the publication of the report, with an objective to validate the status of the commitments as reported by CSOs parallel monitoring and the report presented to government. The IRM researcher is aware that consultations took place in the weeks prior to the publication of the report. The IRM researcher is however not aware of any parallel monitoring by CSOs. The IRM researcher is aware that an external consultant was hired to help with the writing of the self-assessment. The report however, was eventually put together by members of the steering committee supported by the OGI office. All the stakeholders interviewed by the IRM researcher who have not been directly involved with the OGP say they have not set eyes on the report and are not familiar with its contents. The self-assessment report is not available on the OGI website.

VI | COUNTRY CONTEXT

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

COUNTRY CONTEXT

Sierra Leone, a liberal democracy, held multiparty elections in 2002 following the end of a ten-year civil conflict, and the successful disarmament of ex-combatants. Sierra Leone's constitution broadly holds the principles and framework relevant for participatory, open, accountable, pluralistic, and free-market democracy. Emerging from three decades of a one-party regime, and under military rule during the civil war (1991–2002), the country lacked the substantive institutions supportive of the aspirations set out in the constitution. Building the critical institutions and processes in-line with the provisions of the constitution and the recommendations of the Truth and Reconciliation Commission report (2004) thus became a preoccupation of government, civil society, and development partners.

Among the major areas over the past decade that have been the focus of attention are accountability, openness, integrity in public office, citizen participation in public life, and improved delivery of public services. As measures to push accountability and integrity in public offices have advanced, the Anti-Corruption Commission was established to prosecute cases of fraud involving public officials and prevent corruption through various measures. The National Public Procurement Authority established in 2004, similarly seeks to leverage transparency and fairness, in public procurement processes, with the aim to contribute to better public service delivery. The Office of the Ombudsman was established in 2004 to receive and look into complaints of administrative injustice brought by individuals against public institutions.

With a gross national income per capita estimated at USD 720, Sierra Leone remains one of the poorest countries in the world.[1] The vast majority of the population live the below the poverty line. Life expectancy at 47 years, remains one of the lowest in the world. A low-skilled, highly illiterate population, and poor infrastructure continue to hamper the country's development efforts. With this socio-economic profile, the country's latest five-year national development and poverty reduction strategy is focusing on economic diversification, better natural resource management, accelerated human development, international competitiveness, labour, employment, governance, gender equality, and public sector reform.[2]

Until May 2014, when an epidemic of Ebola hit Sierra Leone along with other West African countries, it was showing signs of an economic revival and growth surge. The Ebola epidemic however took a massive social and economic toll on Sierra Leone. According to government figures the lives of 2.3 million of the country's population was worsened by the impact of Ebola.[3]

The impact of the Ebola pandemic coincided with the end of the recent global commodity boom. Since the early 2000s, Sierra Leone's economic growth had been buoyed by the global commodities boom. Being rich in minerals, Sierra Leone pinned its hopes to drive economic development on a sustained demand for a range of commodities. Rising minerals exports, for instance, moved real GDP growth into double digits, estimated to have reached 21.3% in 2013.[4] Towards the end of 2014, however, the mining sector in the country suffered a setback when the two iron ore mining companies folded up due to financial difficulties as a result of the global slump in commodity demand and pricing. Real gross domestic product (GDP) growth in 2014 was 7.1%, and 1.0% excluding iron ore production, compared to the pre-Ebola forecast of 11.3% and 6% respectively.[5] The country has since been grappling with the attendant drop in government revenues. For instance, the World Bank estimated real GDP to have contracted by 13% and 24% in 2015, as a result of continuing deterioration in the mining sector.[6]

Peasant agricultural activities dominate the informal sector, which is the livelihood source for the majority

of Sierra Leoneans. A priority of the government, however, has been to promote export-oriented agricultural investments.[7] Moved by incentives offered by the government, there are at least eight foreign companies that have acquired leasehold land for large-scale commercial agribusinesses. Sections of civil society are critical of these investments, seeing them as compromising peasants' livelihoods. The head of a national civil society coalition on land rights stated that all the processes of acquisition of lands by foreign companies in the country lacked transparency and the informed consent of the peasant owners.[8]

Sierra Leone continues to be ranked as one of the most corrupt countries in the world ranking 119 out of 168 countries in Transparency International's Corruption Perception Index (2015). According to Transparency International's Africa Survey 2015 Global Corruption Barometer report, Sierra Leone is ranked the fourth worst performing country in Africa, with 41% of respondents interviewed stating that they have paid a bribe for public services in the previous year.[9]

Ensuring the separation of powers between the executive, legislative, and judicial branches of government in Sierra Leone continues to be an area of concern in Sierra Leone. It is not uncommon for the executive and legislative branches of the government's powers to overlap. This is evident in the lack of uniformity in which the Anti-Corruption Commission is executing its mandate. Although the ACC is investigating and prosecuting corruption cases, it is emerging that in corruption matters involving huge sums of money and influential political actors, the ACC is often side-lined and made redundant. The government's handling of a report of the Auditor General issued in February 2015, on the audit of funds meant to fight the Ebola epidemic, highlights this problem. The report of the Auditor General concluded that around USD 14 million dollars could not be properly accounted. The Anti-Corruption Commission issued a statement marking the start of action on the matter. A counter statement was immediately issued by the leader of the majority political party in Parliament in an attempt to subvert public accountability by calling for a cessation in discussing the audit report's findings. However, in the months that followed, Parliament has instigated investigations concerning

the claims levelled in the audit report, ultimately prosecuting perpetrators guilty of corruption.

There are numerous civil society organizations that work directly to promote democracy and good governance, including holding the public sector accountable. Civil society organizations are able to freely criticize government and voice dissent. In August 2015, participants at a National Civil Society Forum expressed concern regarding the delays to enact key legislation that would foster transparent government. Among some prominent ones that have regularly done so are the Institute for Governance Reform, Campaign for Good Governance, the Centre for Accountability and Rule of Law, and the Network Movement for Justice and Development. Stakeholders say the legal and regulatory environment in which civil society exists in the country is relatively conducive.

Sierra Leone is considered partly free with reference to press freedom, according to Freedom House's 2015 index.[10] Although there is a relatively high degree of private media ownership, including print media, two private television stations, and nearly 50 privately owned radio stations, the media is constrained in a number of ways. These constraints include laws that make libel seditious. The Sierra Leone Association of Journalists made it clear in 2014 that the condition in which the media works is deteriorating in the country, and rapidly so.[11]

While there are constitutional guarantees for human rights, a number of challenges mitigate against their full protection and promotion. Among such challenges that international observers have highlighted are human rights, judicial corruption, police unprofessionalism, and poor working conditions for the judiciary and law enforcement.[12] It is within this socio-political context that the OGP action plan was developed and implemented.

STAKEHOLDER PRIORITIES

The issues in the existing action plan largely reflect the decisions and focus area of government institutions that contributed to the development of the action plan. However, civil society and other non-state actors that the IRM researcher interviewed, accept the commitments as relevant to the challenges facing the country. All of the commitments on the

extractive sector, and commitments on the right to access information are issues with which civil society has been involved with over the years. The commitments concerning extractive sector governance (commitments 6, 7, 8, 9) appeared to be of the biggest importance to stakeholders that the IRM researcher interviewed. The priority for stakeholders therefore is the complete and proper execution of the existing action plan, with emphasis on the extractive sector-related commitments and the right to access information. Stakeholders interviewed state that a commitment such as the Public Integrity Pact (commitment 1) should not be pursued, since it is already part of the routine work of the Ant-Corruption Commission.

Stakeholders equally stressed that local government, which happens to be the level of government that citizens regularly interface and interact with, should be considered in setting Sierra Leone's OGP commitments. Most of the commitments in the current action plan will address critical issues they say, but mostly at the level of legislation, and concerning the work of central government. The vast majority of citizens today live under local government, which had been reintroduced in May 2004 with expressed objectives to promote civic participation.

The biggest challenge is that government is showing signs of ambivalence on taking forward institutional progress with accountability, transparency, and openness. This is evidenced by the fact that crucial legislation such as the Extractive Industry Revenue Act, and the Revenue Management Act have not been achieved to date even though the draft bills have been available and are pending implementation since 2012. A statement by the Clerk of Parliament helps to point out the hesitance, ambivalence or confusion in government regarding where to take forward accountability and transparency reforms. The Clerk stated that it was the World Bank that has urged and motivated the government to pass the Public Financial Management Act—which passed in November 2015. This could be viewed, according to the Clerk, as the World Bank imposing its will on government, or that the World Bank viewed the passing of the bill as a priority for Sierra Leone. The impression is given that without World Bank's push the Public Financial Management bill would remain unimplemented and be in the same

position as the Extractive Industry Revenue bill.

Stakeholders agree that the OGP process offers a critical opportunity for taking forward institutional progress around accountability, transparency, and openness. From stakeholders' contributions in interviews and at the Focus Group Discussions, the key issues to be addressed for the OGP, and to yield the desired results, would be

- To improve advocacy efforts and popularize the OGP process, including country commitments, to a wider audience; and

- Focus on the delivery of services and building synergy across institutions and existing and new initiatives within government.

SCOPE OF ACTION PLAN IN RELATION TO NATIONAL CONTEXT

In the opinion of the IRM researcher, the current action plan is limited in scope on a number of fronts. First, a number of commitments have low language specificity or have milestones that do not directly bear on the achievement of the commitments under which they appear. The action plan also has limitations in scope regarding among other things, clarity of OGP values in certain commitments. Further, limitations are evident in certain milestones that are already routine government work, such as the commitment concerning integrity codes in public offices (commitment 1), and in certain aspects of the commitments relating to extractive sector. There is a need to ensure OGP relevance of commitments, such as commitment 8 (aiming to increase citizen participation in the economy beyond informal subsistence activities), however lacking in OGP values. Based on the chart in Section IX on changes in eligibility criteria, Sierra Leone should focus on improving the following areas that directly has a bearing on its OGP eligibility criteria:

FISCAL TRANSPARENCY

Fiscal transparency challenges remain an area of concern for Sierra Leone. Among two issues to be highlighted are the monitoring of tax incentives and information management. There is no legislation or policy at the moment that allows citizen to regularly know what tax revenues the government has foregone, and who the beneficiaries of foregone taxes are. Equally, the fact that the Right to Access

Information Commission is not fully functional, and the anticipated improved Public Archives Act has not been passed has implications for fiscal transparency. Effective management of information is important for accountable and transparent operation of public institutions.

ACCESS TO INFORMATION

The legal basis to improve availability of official information to the public has been laid in the passage of the Right to Access Information Act. Commissioners of the Right to Access Information have commenced their assignments. Nothing has changed however from the past in terms of how citizens still get official information. This is because the next steps to getting the Right to Access Information Commission fully operational are yet to be taken, and the passage of the Public Archives Act is yet to be realized. The Public Archives Act is essential to ensure citizens' access to public information. Without having a proper records management system in government documents public access to them will be made difficult. An efficient public archives infrastructure and system will support people's access to information in Sierra Leone.

Important also to the issue of access to information is the issue of management of contents. In the extractive sector some progress has been made regarding what specific types of relevant information that government agencies must proactively disclose. In other sectors there is no such approach.

DISCLOSURES BY SENIOR PUBLIC OFFICIALS

Disclosure rules protect the principles underpinning transparency. There are a number of provisions covering public official's disclosure of financial and

related interests in matters pertaining directly to their offices. Among laws that have such disclosure rules are the Public Procurement Act, 2004, the Company Act, 2009, and the Petroleum (Exploration and Production) Act, 2011.[13] In Sierra Leone all public officials are required by law to annually disclose their assets to the Anti-Corruption Commission and this is the case in practice. There is evidence that some of these disclosure rules need further improvement. For instance, Section 8(5) only requires the Director General of the Petroleum Directorate to disclose beneficial interest in a company involved in the Sierra Leone petroleum industry. The law does not explicitly prevent the Director General however from being involved in relevant discussions or deliberations. In the case of disclosure made to the Anti-Corruption Commission, there is no public access however for the information given to the Anti-Corruption Commission.

CITIZEN ENGAGEMENT

There are no formal requirements for consulting with the public in the development of government policies and laws. Outside statutory requirements to have civil society representation on the boards of some institutions, the government largely engages civil society only as a matter of discretion.

Currently, the government involves civil society in policy discussions in three ways: first, government occasionally involves civil society as deemed necessary in the development of some policies, such as was done in 2013 for the articulation of the Environmental and Social Regulations and the Mines and Minerals Operational Regulations. Secondly, structures such as the Sierra Leone Extractives Industries Transparency Initiative Multi-Stakeholder Group have civil society participation. Thirdly, there are institutions that have civil society representation on their board by law.

[1] http://bit.ly/1L3Dz82
[2] Government of Sierra Leone. The Agenda for Prosperity. 2013–18.
[3] Government figure from the Directorate of Planning, presented by the Director of Planning, Ministry of Finance at the HUB hotel, 29 May 2015).
[4] Government Budget and Statement of Economic and Financial Policies for the Financial Year 2013. www.mofed.gov.sl/budgetspeeches
[5] World Bank Overview: Sierra Leone, http://www.worldbank.org/en/country/sierraleone/overview#3
[6] www.worldbank.org/en/country/sierraleone/overview
[7] See Agenda for Prosperity at www.sierra-leaone/Agenda4Prosperity/pdf
[8] Interview conducted with Joseph Rahall, Executive Director, Green Scenery. November 6th, 2015
[9] Transparency International: People and corruption Africa survey, 2015, http://www.transparency.org/whatwedo/publication/people_and_corruption_africa_survey_2015
[10] Freedom House report: Sierra Leone 2015, http://freedomhouse.org/report/freedom-world/2015/sierra-leone
[11] Press Release issued by the Sierra Leone Association of Journalists on World Press Freedom Day, May 3, 2015
[12] Freedom House report: Sierra Leone 2015, http://freedomhouse.org/report/freedom-world/2015/sierra-leone
[13] www.sierra-leone.org/laws

VII | GENERAL RECOMMENDATIONS

Going forward, the government could focus on the following:

- The government should work on increasing ordinary citizens' knowledge of the OGP, particularly the commitments and milestones. The mechanisms for bringing information to communities on the OGP should be expanded beyond the ad-hoc town hall meetings or open-air meetings that the OGP secretariat holds from time-to-time. Linkages should also be established with community structures and institutions such as community-based organizations and community radio for regular interface with community people on OGP progress.

- The government should work on increasing the opportunities for ordinary citizens to feedback regularly on ministries, departments and agencies delivery of services to further enhance uptake of accountability civic participation initiatives offered via the OGP process.

- Participation in the OGP should be used as an opportunity to bring harmony in the various initiatives aimed at promoting accountability and transparency in public life and improving delivery of services.

- OGP principles should be pursued in sectors where the evidence suggests that the wider citizenry face the greatest incidence of abuse of rights, corruption, and lack of accountability and transparency; including law enforcement.

TOP FIVE SMART RECOMMENDATIONS

1. **Work with independent bodies to introduce commitments that would strengthen integrity and independent oversight of corruption prone areas.** Building on the commitment on checks and balances in revenue management, work to include other open government commitments originating from and strengthening other independent bodies such as judiciary or appropriate Parliamentary committees. This might include commitments to improve citizen feedback or transparency measures to ensure that cases receive adequate follow up.

2. **Get the implementing government institutions more involved with the OGP as insiders.** Ministries Departments and Agencies with responsibility that directly bears on the implementation of a commitment in the action plan should be active members of the steering committee, be involved in stakeholder consultations, and interface with other public entities on the committee for the development and implementation of commitments and reporting thereon.

3. **Include local government commitments in the next action plan.** Include a commitment in the next action plan dealing specifically with improving transparency in public service delivery at the local government level.

4. **A final review of the EIRA involving stakeholders** in civil society and government should be done to reach consensus on any last-minute changes to it, so that the critical intents of the bill are not compromised.

5. **Complete implementation of the commitment on audit recommendations and access to information regulations.** Implementation of audit and access to information related commitments is crucial for improving public sector accountability. Recommendations should be pursued by implementing existing milestones in the current action plan. Completion of the White Paper on Audit recommendations and passage of the regulations on the Right to Access Information Act should be seen as the critical steps.

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,[1] 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 organizations.

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 will carry out at least one public information-gathering event. Care should be taken in inviting stakeholders outside of the "usual suspects" list of invitees already participating in

existing processes. Supplementary means may be needed to gather the inputs of stakeholders in a more meaningful way (e.g. online surveys, written responses, follow-up interviews). Additionally, researchers perform specific interviews with responsible agencies when the commitments require more information than provided in the self-assessment or accessible online.

The IRM researcher used Key Informant Interviews, Focus Group Discussions (FGD) and one stakeholder meeting as primary tools for getting information from diverse sectors, actors and groups. Key Informant Interviewed included members of the OGP steering committee, officials from government agencies directly involved with implementing the commitments, and CSOs whose work bear on the achievement of the commitments. All interviews took place after government released the Self-Assessment report in September, 2014.

One meeting was held in the capital city on 13 November 2015 to bring together stakeholders who were not involved with the OGP, to discuss and proffer views on the initial findings of the researcher. In the rest of the country, the IRM researcher held one Focus Group Discussion in each of the other three regional cities specifically to specifically allow community-based organizations outside the capital city reflect on the initial findings. Each FGD had eight participants drawn from eight different community-based organizations in a region. The northern region FGD took place in the city of Makeni on 19 November 2015. The eastern region FGD took place in the city of Kenema on 20 November 2015. The southern region FGD took place in the city of Bo on 21 November 2015.

The approach of the researcher at the FGDs was to first probe participants' knowledge of the OGP and their involvement with it. The IRM researcher then introduced the commitments and milestones, following which discussions opened with a focus on perceptions on country context and relevance, and challenges in implementation. Critical views from key informant stakeholder interviews and opinions of the IRM researcher were presented during the discussions for validation. It was the consensus or dominant opinions from the Key Informant Interviews, FGDs and Freetown meeting that the IRM researcher presents as stakeholder views.

Across all the FGDs, it was a recurring issue that participants had little or no idea about Sierra Leone's OGP commitments, even though most know of the existence of an Open Government Initiative. Participants across all the FGDs were generally not aware of the Anti-Corruption Commission's Integrity Pacts, government's efforts to pass an Extractive Industries Revenue Act and a Public Archives Act, and efforts to establish an Open Data Portal, and a single treasury account.

The table hereafter shows the range of institutions the stakeholders represented.

No.	Name	Institution	Date
1	Abu Bakarr Kamara	Coordinator, Budget Advocacy Network	21 October 2015
2	Abu Brima	Chairman, Natural Resource and Economic Justice Network	13 November 2015
3	Andrew Lavali	Executive Director, Institute for Governance Reform	15 October 2015
4	Brima Kamara	Accountant General's Office, Ministry of Finance and Economic Development	19 October 2015
5	Charles Keif-Kobai	Society for Democratic Initiatives	22 October 2015
6	Emmanuel Konjoh	Head, Sierra Leone Local Content Unit	4 November 2015
7	Foday Sesay	Chairman, Federation of Civil Society Organizations	2 February 2016
8	Joseph Rahall	Executive Director, Green Scenery	6 November 2015
9	Khadija Sesay (Ms)	Director, Open Government Initiative	2 February 2016
10	Mariama Navo (Ms)	Officer, Public Education Department, ACC	4 November 2015
11	Marcella Samba-Sesay (Ms)	Campaign for Good Governance	23 October 2015
12	Mustapha Gibril	Ministry of Mines and Minerals Resources	17 October 2015

13	Mina Horace (Ms)	Acting Coordinator, Extractive Industry Transparency Initiative	9 November 2015
14	Muniru Kawa	Former Project Manager, Records Management Improvement Project	19 October 2015
15	Peter Bangura	National Minerals Agency	16 October 2015
16	Sidratu Koroma (Ms)	Executive Director, Public Sector Reform Unit	Email reply to researcher
17	Umaru Bangura	Executive Director, Society for Knowledge Management	October 27, 2015
18	Yeama Thompson (Ms)	Commissioner, Right to Access Information	October 23, 2015 and February 2, 2016

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:

- Yamini Aiyar
- Debbie Budlender
- Hazel Feigenblatt
- Jonathan Fox
- Hille Hinsberg
- Anuradha Joshi
- Liliane Klaus
- Rosemary McGee
- Gerardo Munck
- Ernesto Velasco

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

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

IX | ELIGIBILITY REQUIREMENTS ANNEX

In September 2012, OGP decided to begin strongly encouraging participating governments to adopt ambitious commitments in relation to their performance in the OGP eligibility criteria

The OGP Support Unit collates eligibility criteria on an annual basis. These scores are presented below.[1] When appropriate, the IRM reports will discuss the context surrounding progress or regress on specific criteria in the Country Context section.

	2011	Current	Change	Explanation
Budget Transparency[2]	4	4	No change	4 = Executive's Budget Proposal and Audit Report published 2 = One of two published 0 = Neither published
Access to Information[3]	1	4	↑	4 = Access to information (ATI) law in force 3 = Constitutional ATI provision 1 = Draft ATI law 0 = No ATI law
Asset Declaration[4]	2	2	No change	4 = Asset disclosure law, data public 2 = Asset disclosure law, no public data 0 = No law
Civic Engagement (raw score)	3 (5.29)[5]	3 (5.29)[6]	No change	*1 > 0* *2 > 2.5* *3 > 5* *4 > 7.5*
Total / Possible (Percentage)	10 / 16 (62%)	13 / 16 (81%)	↑	75% of possible points to be eligible

[1] For more information, see http://www.opengovpartnership.org/how-it-works/eligibility-criteria

[2] For more information, see Table 1 at http://internationalbudget.org/what-we-do/open-budget-survey/
as well as http://www.obstracker.org/

[3] The two databases used are Constitutional Provisions at http://www.right2info.org/constitutional-protections and Laws and draft laws http://www.right2info.org/access-to-information-laws

[4] This database is also supplemented by a published survey that the World Bank carries out biannually. For more information see http://publicofficialsfinancialdisclosure.worldbank.org

[5] Economist Intelligence Unit, "Democracy Index 2010: Democracy in Retreat" (London: Economist, 2010). Available at: ://bit.ly/eLC1rE

[6] Economist Intelligence Unit, "Democracy Index 2010: Democracy in Retreat" (London: Economist, 2010). Available at: ://bit.ly/eLC1rE

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