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**Republic of Ghana**

**Ghana End of Term Self-Assessment Report of the OGP National Action Plan 2013-2014**

**Public Sector Reform Secretariat**

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Contents

[1.0 Introduction and Background 2](#_Toc416083869)

[1.1 Reporting Period and Methodology 2](#_Toc416083870)

[2.0 National Action Plan Process 2](#_Toc416083871)

[2.1 Development of the Action Plan 3](#_Toc416083872)

[2.2 Consultation During Action Plan Implementation 3](#_Toc416083873)

[3.0 National Action Plan Commitments 4](#_Toc416083874)

[3.1 Transparency 5](#_Toc416083875)

[3.1.1 Fiscal Responsibility 5](#_Toc416083876)

[3.1.2 Fiscal transparency 6](#_Toc416083877)

[3.1.3 Right to Information 8](#_Toc416083878)

[3.1.4 Human Rights and Anti-Corruption 9](#_Toc416083879)

[3.1.5 Oil Revenue Management 11](#_Toc416083880)

[3.1.6 Tracking Government Investment 12](#_Toc416083881)

[3.2 Citizen’s Participation 13](#_Toc416083882)

[3.2.1 Participating In Local Government 13](#_Toc416083883)

[3.3 Accountability 14](#_Toc416083884)

[3.3.1 Code of Conduct for Public Officers Bill 14](#_Toc416083885)

[3.3.2 Implementation of Audit Recommendations 16](#_Toc416083886)

[3.3.3 Accountability of Independent Broadcasting 17](#_Toc416083887)

[3.4 Technology and Innovation 17](#_Toc416083888)

[4.0 Conclusion 19](#_Toc416083889)

# 1.0 Introduction and Background

This report is an End of Term Self-Assessment for the Ghana OGP Action Plan prepared for the period 2013 and 2014. The aim of this self-assessment report is to discuss the process of how Ghana joined the Open Government Partnership (OGP) initiative, drafted and implemented its national Action Plan, the main results, and conclusion (briefly outlining challenges and other issues related to the action plan). This draft assessment report has been prepared by the Public Sector Reform Secretariat in March 2015 and hope to be presented for public comments in early April 2015.

Ghana signed onto the OGP in September 2011 as the principles and values of OGP are also enshrined in the 1992 Constitution and other legal provisions. Over the years successive governments have taken measures in one way or the other to promote transparency, enhance citizen’s participation, promote accountability and adopt new technologies to enhance good governance. By signing onto OGP, the government hopes to embark upon the open government principles of OGP (transparency, civic participation, public accountability, and technology and innovation for openness and accountability) in a harmonious and consistent manner and report on the progress made.

## 1.1 Reporting Period and Methodology

The report assesses the progress made by the Government of Ghana in implementation of the OGP Action Plan for the reporting period of 2013-2014. It evaluates the completion of the commitments based on the following compliance ratings:

1. Not started
2. Initiated the process
3. Partly implemented
4. Largely implemented
5. Fully implemented

Based on the analysis below, the government has fully implemented 3 out of 11 commitments, 4 commitments were largely implemented, 1 commitment partially implemented, 1 commitment the government has initiated, and 2 were not started.

# 2.0 National Action Plan Process

The OGP process in Ghana is a government (including Parliament) and civil society engagement. Upon signing onto the OGP, the government established a Steering Committee (SC) with equal representation of membership from government and civil society organizations. The Public Sector Reform Secretariat (PSRS) under the Office of the President and the SC coordinated and facilitated the development of the national action plan.

## 2.1 Development of the Action Plan

To ensure multi-stakeholder consultations and participation of the action plan, the government organized public consultations inviting public institutions, civil society organizations and the general public to be part of the process. For easier accessibility to enable broader consultation the government held public consultations in three geographic zones: Northern Zone (Upper East, Upper West, and Northern regions), Middle Zone (Brong Ahafo, Ashanti, and Eastern Regions), and Southern Zone (Volta, Central, Western, and Greater Accra regions).[[1]](#footnote-2) Subequently, the government held a national validation consultation in Accra to consolidate, harmonize and integrated the issues from the three zones (mentioned above) into a coherent national action plan. The draft action plan for implementation was prepared in January 2013 for the period 2013 and 2014.

## 2.2 Consultation during Action Plan Implementation

Despite the broader consultations on the development of the action plan, the OGP SC and PSRS thought it necessary to organize sensitization workshop for government officials and CSOs with critical roles in action plan implementation. A stakeholder orientation workshop on OGP action plan was organized at the World Bank Office in Accra and attended by seventy (70) participants from government agencies—including the Public Sector Reform Secretariat, the Ministry of Finance, the Ministry of Lands and Natural Resources, the Ministry of Information, Ministry of Energy, the National Information Technology Agency, civil society organizations and media, among others. The OGP Independent Civil Society Coordinator and some staff from the World Bank were also present.

The event was held to enhance the effective implementation and maximize results, participants suggested the following:

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

Participants identified some implementation challenges and also proposed some solutions which are presented below.

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| Potential OGP Action Plan implementation challenges | Proposed solutions |
| 1. Funding was identified as one of the potential challenges for the implementation of the OGP Action Plan. | * Identify commitments that are already being implemented and that have secured budget resources (*short term*) * CSOs could seek funding to support the implementation of specific activities from resources managed by development partners such as the World Bank through the GPSA; Making All Voices Count; and Star Ghana (*short term*) * Breaking down and costing the action plan to have an idea of what resources are needed, by whom, and when (*short term*) * MDAs responsible for implementing specific commitments can include budget for these activities in their annual budget (*long term*) * MDAs should include OGP Commitments they are responsible for in the Medium Term National Development Plan (*long term*) |
| 1. Unclear reporting duties or processes to capture progress made by responsible MDAs | * The Public Sector Reform Secretariat will develop a template for MDAs to report progress. This template will be informed by the overall OGP reporting processes, the Self-Assessment and the Independent Reporting Mechanism. |
| 1. Sustaining political commitment for Ghana’s engagement in OGP | * Awareness raising among citizens so that they can see the value of OGP, as well as MDAs embracing OGP commitments as part of their programs |
| 1. Legal challenges on commitment 3.3 “Accountability”, specifically on verification of assets declarations | * A referendum needs to be held in order to modify the Constitution. |

# 3.0 National Action Plan Commitments

Ghana’s OGP national action plan touched on the four main areas which are also in line with the core open government principles and values of OGP. The main areas of the action plan are transparency, citizen’s participation, accountability, and technology and innovation. Under transparency the commitments were brought under six main headings namely Fiscal Responsibility; Fiscal transparency; Right to Information; Human Rights and Anti-Corruption; Oil Revenue Management; and Tracking Government Investment. When it comes to citizen’s participation, the main focus of the commitment was participating in local government. On accountability the commitments were in three main areas namely: Code of Conduct for Public Officers Bill, Implementation of Audit Recommendations, and Accountability of Independent Broadcasting. There was a commitment on technology and innovation. Further details will be provided in analysis below for each of the commitments.

## 3.1 Transparency

Under transparency, six commitments were listed in the action plan. These are Fiscal Responsibility; Fiscal transparency; Right to Information; Human Rights and Anti-Corruption; Oil Revenue Management; and Tracking Government Investment.

### 3.1.1 Fiscal Responsibility

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| **National Action Plan Commitment**  The first commitment in the action plan government committed to is on fiscal responsibility. We stated “the Government of Ghana will, within the two-year period (2013 - 2014) take concrete action to strengthen the management of public expenditure by working closely with relevant stakeholders to introduce the appropriate legislation in the Ghana Parliament. Towards this end, the Government will consistently work towards the passage of the Fiscal Responsibility Act that strengthens mechanisms for fiscal discipline and provides the citizenry with clear indicators to determine when the Government is veering off approved expenditures in a way that threatens fiscal stability. Fiscal responsibility legislation is critically necessary to reverse, for example, the trend of overspending associated with Ghana’s electoral cycle.  **Actions**   * Conduct a national consultation process with think-tanks, labour unions, private sector organizations on the necessity, content, limits, merits and demerits of a Fiscal Responsibility Act; * Finalize a report on the national consultation process; * Prepare and place a draft Fiscal Responsibility Bill for Cabinet approval; * Introduce Draft Bill in Parliament for debate and passage; and, * Educate the public on content and benefits of the Fiscal Responsibility Act   **Responsible Agency:** Ministry of Finance and Economic Planning (MOFEP)  **Collaborating Agencies:** Centre for Economic Policy Analysis (CEPA), and, Institute of Economic Affairs (IEA)  **Timeline**: A new project planned for 2013 and 2014. |

**OGP Grand Challenge**: Improving public services; and, more effectively managing public resources.

**OGP Value:** Highly relevant for transparency and access to information; highly relevant to enable the government to be accountable for activities, decision-making and financial information; and, relevant for civic participation as citizens require sufficient information to participate

**Implementation Status:** Initiated the process

**Assessment of Progress**

During the action plan period the government held a National Economic Forum in Senchi, the Eastern Region, that brought together different stakeholders like think tanks, labour unions, private sector organisations, and officials from government institutions. At the forum a working group deliberated on fiscal responsibility. The recommendations of the group were:

* The government must establish a mechanism to realign the budget whenever the economy is affected by unanticipated shocks;
* The government must make further efforts to improve tax collection efficiency as well as broaden the tax base and reduce recourse to introducing new taxes. It should also review and reduce discretionary tax exemptions; and,
* The government should consider the amendment to the Bank of Ghana Act, which would set a ceiling on how much money the bank can lend to the government based on the government’s previous year’s revenue collection, rather than the current year’s collection, which is currently the case. This ceiling should be separate from the ceiling on government’s total net domestic borrowing.[[2]](#footnote-3)

In view of the fact that Ghana is part of a regional monetary union -the West Africa Monetary Union –it became necessary for Ghana to engage on fiscal responsibility not only internally but also externally with the regional body like the Economic Community of West African States (ECOWAS) Commission to come out with a fiscal responsibility law that can be more acceptable to all. It is in this vein that the President of Ghana, Mr. H.E. John Dramani Mahama, (within the action plan period) informed the ECOWAS Commission that the country was in the process of preparing and passing a fiscal responsibility act, which would serve as a guide for how Ghana could conduct its fiscal policy. To achieve convergence and have a solid monetary union, the President suggested to the Commission to have a convergence on fiscal policy based on which Ghana can develop the fiscal responsibility act. The delay by the Commission in responding to the Presidents suggestion has somehow affected Ghana efforts to proceed with this commitment of fiscal responsibility within the plan period.[[3]](#footnote-4)

**Next Steps**

The government will continue to engage with stakeholders within Ghana and the sub-region to come out with a fiscal responsibility act that is not only good for Ghana but also conforms to the sub-region’s monetary convergence.

### 3.1.2 Fiscal transparency

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| **National Action Plan Commitment**  Under fiscal transparency, the government noted that budget figures will be rendered more user friendly, simplified versions of the budget will be produced and widely disseminated, and reports on revenues and expenditures produced and distributed twice within the fiscal year. Government further commits to collaborate with relevant civil society organizations and encourage the production and dissemination of a citizens’ budget that reflects more broadly the direction of citizens’ aspirations in relation to their national budget.  **Actions**   * Convene a consultative meeting with all relevant CSOs and private sector on budget presentation format that facilitates effective tracking of expenditures; * Convene forum of Government, private sector organization and CSOs to discuss the production of a simplified version of the budget for popular usage; and, * Support competent and relevant CSOs to co-ordinate the production of a citizens’ budget on an annual basis   **Responsible Agency:** Ministry of Finance and Economic Planning (MOFEP)  **Collaborating Agencies**: Institute For Fiscal Policy (IFFP), Centre for Economic Policy Analysis (CEPA), Institute of Economic Affairs (IEA) and SEND Ghana.  **Timeline**: Implementation for most of the commitments is ongoing and was planned for 2013 and 2014. |

**OGP Grand Challenge:** More effectively managing public resources; and, improving public services,

**OGP Value:** Highly relevant for transparency and access to information; highly relevant to enable the government to be accountable for activities, decision-making and financial information; and, highly relevant for civic participation as citizens require sufficient information to participate

**Implementation Status:** Fully implemented

**Assessment of Progress**

When it comes to fiscal transparency, the Ministry of Finance and Economic Planning (MOFEP) has been proactive. MOFEP in 2014 produced a citizens’ budget and posted the report on its website.[[4]](#footnote-5) The ministry within the action plan period produced and disseminated a simplified budget, and also prepared budget highlights all of which have been posted on the Ministry’s website. With regards to producing twice yearly reports about revenues and expenditures, the Ministry prepared and posted on its website a mid-year review for 2014 budget. Within the plan period, the Ministry also published fiscal data (in some cases monthly, in other cases quarterly) on the website. As part of the national budget process, the Ministry held consultative meetings on the budget with the private sector and civil society organisations.

In 2014, MOFEP collaborated with some civil society organisations working on national budget to organise two different meetings on independent budget monitoring, and promoting fiscal transparency and accountability. With regards to convening forum of Government, private sector organization and CSOs to discuss the production of a simplified version of the budget for popular usage, MOFEP invited the Institute for Fiscal Policy (IFP) for deliberations. IFP was of the opinion that the preparation of the citizens’ budget is the responsibility of the Ministry and not that of civil society organisations. Despite the comment by IFP the Ministry engaged with civil society organisations in the prouction of the 2014 citizens’ budget. GIZ has also supported some civil society organizations in Ghana to produce citizens’ budget.

**Next Steps**

The Ministry of Finance and Economic Planning will continue to be more proactive in ensuring fiscal transparency. Furthermore, the ministry will continue to engage civil society in the production of the citizens’ budget.

### 3.1.3 Right to Information

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| **National Action Plan Commitment**  Government undertakes to work hand-in-hand with Parliament to ensure the early passage of the Bill. To achieve this undertaking, Government will support every effort to ensure an immediate resolution of all outstanding issues between Parliament and CSO supporters of the Bill.  **Actions**   * Convene a weekend retreat of the Coalition on Right to Information Bill and the Parliamentary Committee on Communications and the Parliamentary Committee on Legal, Constitutional and Parliamentary Affairs in order to thrash out the necessary compromises on the Bill; * Pass the Right to Information Bill by the end of 2013; and, * Disseminate information and educate the public on the Law.   **Responsible Agencies:** Ministry of Communications (MOC)[[5]](#footnote-6), and National Media Commission (NMC)  **Collaborating Agencies**: Ghana Journalists Association (GJA), Coalition on the Right to Information Bill (CRTI), and, Media Foundation for West Africa (MFWA)  **Timeline**: Implementation for the commitments is ongoing and will continue for 2013 and 2014. |

**OGP Grand Challenge:** Improving public services; increasing public integrity; more effectively managing public resources; and, increasing corporate accountability

**OGP Value:** Highly relevant for transparency and access to information; highly relevant to enable the government to be accountable for activities, decision-making and financial information; and, highly relevant for civic participation as citizens require sufficient information to participate

**Implementation Status:** Largely implemented

**Assessment of Progress**

Within the period of implementation of the action plan, the government has worked immensely on the Right to Information Bill. The government is determined to the pass Right to Information Bill that is acceptable to all the stakeholders. Following petitions from some key stakeholders on the draft Right to Information Bill, the government through Parliament and Attorney General’s department organized workshops (in May and September 2014) for stakeholders who have concerns on the bill to present them for incorporation into the bill. The views from the stakeholders were collated and the Attorney Generals’ Department has made the necessary modifications in the bill reflecting the key stakeholders’ concerns. Even though the bill has not been passed, the government views the work on the bill as necessary in ensuring a better Right to Information Bill. The bill at the time of preparing this report is in Parliament to be passed into law.

**Next Steps**

The major changes required on the bill have been effected and it is left with Parliament to pass the bill.

### 3.1.4 Human Rights and Anti-Corruption

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| **National Action Plan Commitment**  The Government of Ghana will substantially strengthen the human rights and anticorruption regime already in existence by supporting the Commission on Human Rights and Administrative Justice (CHRAJ) to more effectively pursue its human rights and anti-corruption mandates. One sure way of realizing this commitment will be to clarify the mandate of CHRAJ, in order to ensure that the Commission is not flooded with petitions outside its mandate, especially in Ghana’s rural districts.  Government will also support CHRAJ to monitor Government’s international human rights obligations.  Currently, decisions of CHRAJ do not carry the weight of a court of justice. Government is commited to amending the CHRAJ Act Act 456 to make CHRAJ’s decisions enforceable.  Additionally, Government will review the salaries and conditions of service of CHRAJ personnel with a view to effecting a significant upgrade, to stem the tide of outflow of legal professionals from the Commission.  **Actions**   * Conduct a joint Government and relevant anti-corruption and human rights CSOs review of principal impediments to CHRAJ effectiveness; * Present report to Cabinet, through the Attorney-General, for consideration and implementation of recommendations; * Monitor impact of implementation of recommendations by joint Government-CSO committee; * Monitor implementation of Ghana’s commitment to African Union and UN protocols and instruments against corruption; and, * Conduct, by mid 2014, a joint M&E session of all responsible agencies to ensure that CHRAJ mandate has been clarified (CHRAJ monitors Government compliance with international human rights commitments; CHRAJ enjoys substantial upgrade in remuneration and conditions of service; and decisions of CHRAJ are registered to confer status of court judgment   **Responsible Agencies:** Ministry of Finance and Economic Planning (MOFEP), Ministry of Justice and Attorney-General’s Department (MOJAGD), and, Commission on Human Rights and Administrative Justice (CHRAJ).  **Collaborating Agencies**: Ghana Anti-Corruption Coalition (GACC), Commonwealth Human Rights Initiative (CHRI), and, Ghana Integrity Initiative (GII).  **Timeline**: Implementation for the commitments is ongoing and will continue for 2013 and 2014 |

**OGP Grand Challenge**: Improving public services; increasing public integrity; more effectively managing public resources; Creating safer communities; and Increasing corporate accountability

**OGP Value:** Highly relevant to enable the government to be accountable for activities, decision-making and financial information; and, relevant for civic participation as citizens require sufficient information to participate

**Implementation Status:** Largely implemented

**Assessment of Progress**

On the review of principal impediments to Commission on Human Rights and Administrative Justice (CHRAJ) effectiveness, the government established a high powered body (the Constitutional Review Commission -CRC) to carry out several mandates part of which is to review the functions of CHRAJ. CRC has completed their work and the report also reviewed the principal impediments to CHRAJ effectiveness. The report was sent to Cabinet and the government has issued a ‘white paper’ accepting the decisions of CRC.[[6]](#footnote-7)

With regards to monitoring implementation of Ghana’s commitment to African Union and UN protocols and instruments against corruption, CHRAJ in collaboration with Ghana Anti-Corruption Coalition (GACC), and, Ghana Integrity Initiative (GII) have prepared the report. The report is available but yet to be posted in the internet.

During the plan period the government rolled out the “single-spine” salary structure to address disparities in salary structure for legal and non-legal officers of CHRAJ. With the rolling out of the single spine in 2013, the disparities in salaries and conditions of service of CHRAJ personnel were resolved once and for all.

**Next Steps**

Even though the above commitment has been largely implemented, the government will continue to tackle the issue of corruption and human rights head on by continuing to support CHRAJ and other related institutions.

### 3.1.5 Oil Revenue Management

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| **National Action Plan Commitment**  Over the 2013 - 2014 period, the Ghana Government commits itself to maintain and strengthen the operations of PIAC by continuing the provision of adequate budgetary allocation and supporting relevant CSOs to conduct annual M&E exercises to assess the extent of PIAC independence. Government further commits to the full implementation of recommendations from annual M&E reports as it will maintain and strengthen PIAC’s independent operations.  Government should further strengthen the legal framework on other minerals such as Gold.  **Actions**   * Publish regulations on the Petroleum Management Act (Act 815); * Pass the Mineral Development Fund Bill; * Call at least four meetings of relevant CSOs, Ministries and Departments to formulate a framework for monitoring and evaluation of PIAC independence * Support publication and dissemination of M&E reports; and, * Support relevant agencies to formulate sustainability plans for annual M&E exercises and reports.   **Responsible Agency:** Ministry of Energy  **Collaborating Agencies**: Oil and Gas Coalition, Integrated Social Development Centre (ISODEC), Institute of Economic Affairs (IEA), Institute for Democratic Governance (IDEG)  **Timeline**: Implementation for the commitments is ongoing and will continue for 2013 and 2014 |

**OGP Grand Challenge:** Improving public services; increasing public integrity; and, more effectively managing public resources

**OGP Value:** Relevant for transparency and access to information; relevant to enable the government to be accountable for activities, decision-making and financial information; and, highly relevant for civic participation as citizens require sufficient information to participate

**Implementation Status:** Partially implemented

**Assessment of Progress**

Within the plan period the government commenced with the publication of the regulations on the Petroleum Management Act (Act 815) but this was put on hold because the government initiated a process to review and revise the Petroleum Management Act (Act 815) and therefore proceeding with publishing the regulations on the act became redundant.

The government fully appreciates the role of PIAC in ensuring transparency and accountability in oil revenue management. It is in this vein that the government transferred to the committee GHS 150,000 in 2012 and GHS 500,000 in 2013. The government transfers to PIAC are to strengthen the operations of the institution and place her in a position to effectively implement their programmes and projects.

The government has worked on the Mineral Development Fund Bill but the bill has not been passed.

**Next Steps**

The government plans to pass the Mineral Development Fund Bill and also continue to support PIAC to make it more independent.

### 3.1.6 Tracking Government Investment

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| **National Action Plan Commitment**  The Government commits to assign open and transparent tracking of its overall investment as an additional responsibility of the Policy Evaluation and Oversight Unit in the Office of the President (PEOU). The PEOU, currently, has oversight responsibility for the performance of Ministries, Departments and Agencies (MDAs) but lacks legislative backing.  During the OGPI plan period, Government will take steps to initiate the process for the PEOU legislative backing that clearly specifies the additional function of tracking overall government investment. Experience gained from years of monitoring MDAs will prove useful in tracking total government investments.  **Actions**   * Political leadership and administrative heads to provide the PEOU with accurate and timely information. Organize a forum or meeting of CSOs in governance and economic policy to discuss legislative backing and additional PEOU responsibility for oversight and tracking of government investment; and, * Hold meeting with Attorney-General’s Department to prepare the draft legislation for the PEOU, including new function of exercising oversight and tracking of government investments.   **Responsible Agencies:** Office of the President, Ministry of Justice and Attorney-General’s Department (MJAGD), Ministry of Finance and Economic Planning (MoFEP), Policy Evaluation and Oversight Unit (PEOU).  **Collaborating Agencies**: Institute of Economic Affairs (IEA), Centre for Democracy and Development (CDD), Institute for Democratic Governance (IDEG)  **Timeline**: A new project planned for 2013 and 2014 |

**OGP Grand Challenge**: Improving public services; and, more effectively managing public resources.

**OGP Value:** Highly relevant for transparency and access to information; relevant to enable the government to be accountable for activities, decision-making and financial information; and, relevant for civic participation as citizens require sufficient information to participate

**Implementation Status:** Not started

**Assessment of Progress**

During the plan implementation, there was change in policy direction of government to transfer the functions of the Policy Evaluation and Oversight Unit in the Office of the President (PEOU) to the Policy Planning Monitoring and Evaluation Units (PPMEs). The government policy is to empower the Policy Planning Monitoring and Evaluation Units (PPMEs) of the Ministries Departments and Agencies (MDAs) to carry out investment oversights instead of the PEOU. As a result, the PEOU was scrapped so that the PPMEs will carry out investment oversights for the government. Within the plan period, the PPMEs carried out tracking of government investment. The implementation status of the commitment has been indicated ‘not started’ just because it is not PEOU that is undertaking the tracking of investment rather the PPMEs because of the policy change.

**Next Steps**

The government will continue to support the PPMEs to carry out their mandates effectively.

## 3.2 Citizen’s Participation

There is only one commitment under citizen’s participation and that is participating in local government

### 3.2.1 Participating In Local Government

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| **National Action Plan Commitment**  Government commits to deepening participatory democracy by encouraging MMDAs to promote extensive participation of local Civil Society Organizations in their budgetary processes and development planning. The National Development Planning Commission (NDPC) and the Ministry of Finance and Economic Planning (MOFEP) shall, accordingly, require of MMDAs evidence of popular participation in these processes before acceptance and approval.  Government further commits to support Metropolitan, Municipal and District Assemblies  (MMDAs) to organize annual meet-the-people fora to create opportunities for CSOs, other stakeholders and the public at large to participate in the evaluation of activities undertaken by the Assemblies in the preceding year.  **Actions**   * Organize two meetings between CSOs engaged in local government activities and Ministry of Local Government, MOFEP, NDPC, National Association of Local Governments (NALAG) and District Assemblies Common Fund Administrator, to synthesize guidelines for deepening CSO participation in local government planning and budgetary processes; * Submit guidelines for wider discussion and adoption by representatives of MMDAs and CSOs; and, * Set 2014 as starting point for implementation of guidelines   **Responsible Agencies:** Agencies: Ministry of Local Government and Rural Development, Ministry of Finance and Economic Planning, National Development Planning Commission, District Assemblies Common Fund Administrator.  **Collaborating Agencies**: National Association of Local Government, Institute of Local Government Studies, the SEND Foundation  **Timeline**: Implementation for the commitments is ongoing and will continue for 2013 and 2014 |

**OGP Grand Challenge:** Improving public services; increasing public integrity;more effectively managing public resources;and creating safer communities

**OGP Value:** Relevant for transparency and access to information; relevant to enable the government to be accountable for activities, decision-making and financial information; and, highly relevant for civic participation as citizens require sufficient information to participate.

**Implementation Status:** Fully implemented

**Assessment of Progress**

The National Development Planning (System) Act 1994, Act 480, makes provisions to promote extensive participation of local civil society organizations in their budgetary processes and development planning. Within the plan period, the the National Development Planning Commission (NDPC), Fiscal Decentralisation Unit (FDU) of Ministry of Finance and Economic Planning (MOFEP), and the Metropolitan, Municipal, and District Assemblies (MMDAs) have worked in various ways to promote extensive participation of local civil society organizations in their budgetary processes and development planning. Without evidence of public consultations there is no way NDPC will accept plans presented by MMDAs. All the MMDAs have adhered to NDPC directives within the plan period. The MMDAs also consult widely during the preparation of their Composite Budgets before presenting them to FDU of MOFEP.

Onorganising Meet–the–People Forum, the Ministry of Communications has within the plan period organized public forums dubbed ‘Government for the People’. In 2014 the Ministry of Communications held several ‘Government for the People’ forums at the regional levels in the country.

**Next Steps**

The government for the people forums will continue to be pursued and the issues integrated into the government planning processes.

## 3.3 Accountability

There are three commitments under accountability and these are: Code of Conduct for Public Officers Bill, Implementation of Audit Recommendations, and Accountability of Independent Broadcasting.

### 3.3.1 Code of Conduct for Public Officers Bill

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| **National Action Plan Commitment**  In 2013 - 2014, Ghana Government commits to make public officers more accountable to the public by encouraging Parliament to effect the speedy passage of the Code of Conduct for Public Officers Bill and initiate action for immediate implementation. Government will introduce arrangements for the verification of assets declared by public officers through the appointment of a public officer of a rank not lower than an appeal court judge to verify assets and liabilities declared by public officers.  **Actions**   * Organize one consultative forum on the status of the Code of Conduct for Public Officers; * Bill and legal requirements for appointing an Assets Declaration Commissioner * Passage of the Bill by parliament; and, * Government to appoint Assets Verification Commissioner, by 2014.   **Responsible Agencies:** Minister in charge of Government Business, Parliamentary Committee onLegal, Constitutional and Parliamentary Affairs, Attorney-General’s Department, and Commission on Human Rights and Administrative Justice (CHRAJ)  **Collaborating Agencies**: Ghana Anti-Corruption Coalition (GACC), and, Ghana Integrity Initiative (GII).  **Timeline**: Implementation for the commitments is ongoing and will continue for 2013 and 2014 |

**OGP Grand Challenge:** Increasing public integrity

**OGP Value**: Highly relevant for transparency and access to information; relevant to enable the government to be accountable for activities, decision-making and financial information; and, highly relevant for civic participation as citizens require sufficient information to participate.

**Implementation Status:** Largely implemented

**Assessment of Progress**

Within the plan period, the Commission on Human Rights and Administrative Justice (CHRAJ) spearheaded the passage of the Public Officers Code of Conduct Bill, which would regulate the conduct of public officers in relation to their official functions. Consultation forums were organized and the Attorney-General’s Department has received inputs on the Public Officers Code of Conduct Bill. The bill by the end of 2014 was being fine-tuned to be placed before Parliament for passage.[[7]](#footnote-8)

**Next Steps**

Government will ensure that the bill is properly fine-tuned before it is forwarded to Parliament for passage.

### 3.3.2 Implementation of Audit Recommendations

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| **National Action Plan Commitment**  Government will further strengthen the accountability mechanisms of Ministries, Departments and Agencies (MDAs) by reviewing the composition of the largely dysfunctional Audit Report Implementation Committees (ARICs) to include CSO representatives and independent professionals who will more effectively implement the recommendations of audit reports. A major impediment to effective implementation is that the Implementation Committee is predominantly composed of officers of the same Ministry or Department whose handling of public money has been queried by the Auditor-General.  **Actions**   * Convene a meeting of appropriate CSOs and government Agencies to review the Audit Service Act 2000, Act 584 particularly the provision on Audit Report Implementation Committees (ARICs); * Agree on amendment of composition of ARICs to include CSO representatives and independent professionals; and, * Amend Audit Service Act 2000, Act 584.   **Responsible Agency:** Ministry of Finance and Economic Planning (MOFEP).  **Collaborating Agencies**: Centre for Economic Policy Analysis (CEPA), Institute of Economic Affairs (IEA)  **Timeline**: A new project planned for 2013 and 2014 |

**OGP Grand Challenge:** More effectively managing public resources

**OGP Value**: Highly relevant for transparency and access to information; relevant to enable the government to be accountable for activities, decision-making and financial information; and, relevant for civic participation as citizens require sufficient information to participate.

**Implementation Status:** Not started

**Assessment of Progress**

Within the plan period the government was not able to review the composition of the largely dysfunctional Audit Report Implementation Committees (ARICs) to include CSO representatives and independent professionals who will more effectively implement the recommendations of audit reports. The government realized that working on the commitment requires amending not only the Financial Administration Act, 2003 (Act 654) but also the Audit Service Act, 2000 (Act 564). This requires broad sakeholder consultations. As mentioned in the implementation status above, the commitment has not been worked on.

**Next Steps**

The government will engage with wide range of stakeholders to come out with modalities for ensuring that the ARICs include CSO representatives and independent professionals who will more effectively implement the recommendations of audit reports. The government will assess the performance of all the ARICs to know those that are largely dysfunctional and then take the necessary action.

### 3.3.3 Accountability of Independent Broadcasting

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| **National Action Plan Commitment**  Within the Action Plan period (2013 - 2014), Government will review and enact the national Broadcasting Bill to bring broadcasting, in Ghana, in line with nationally acceptable accountability standards and ensure that it is supportive of national unity and cohesion. Currently, a major national political concern is the threat posed by a vibrant but unregulated independent broadcasting. Some political broadcasting content is considered a threat to national unity, cohesion and even public morality.  **Responsible Agencies:** Ministry of Communications (MOC), and National Media Commission (NMC).  **Collaborating Agencies**: Ghana Journalists Association (GJA), Ghana Independent Broadcasters  Association (GIBA), Media Foundation of West Africa (MFWA), National Coalition on Broadcasting Bill (NCBB)  **Timeline**: Implementation for the commitments is ongoing and will continue for 2013 and 2014 |

**OGP Grand Challenge:** Creating safer communities

**OGP Value**: No applicable

**Implementation Status:** Largely implemented

**Assessment of Progress**

Within the plan period, the government held series of stakeholder workshops to review the National Broadcasting Bill. The recommendations from the workshop were incorporated into the bill to revise it. After the revision the government sent the revised draft to media-related organisations and other stakeholders (for example Media Commission, Ghana Journalist Association) for a final round of review.

**Next Steps**

The final draft National Broadcasting Bill will go to cabinet and then to Parliament for passage.

## 3.4 Technology and Innovation

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| **National Action Plan Commitment**  During the 2013 - 2014 Action Plan period, the Ghana Government will continue, with increased vigour, the policy of achieving economic growth and development through the development and deployment and application of ICT. The modernization of the civil and public services through the application of ICT will be accelerated to enhance service delivery, efficiency and effectiveness.  **Actions**   * Institute twice yearly support and solidarity meetings with Ghana Immigration Service and Ministry of Finance and Economic Planning to track prospects, progress and problems faced in rolling out GIFMIS and E-immigration; * Call two meetings of Ministry of Communications, NITA and relevant CSOs to assess resource requirement of NITA in rolling out one portal, by end 2014; * Support NITA to roll out the portal to be used for policy making and community participation; and, * Collaborate with Ministry of Communications, NITA and relevant CSOs to evaluate benefits to users of the portals established |

**OGP Grand Challenge:** Improving public services; and, more effectively managing public resources.

**OGP Value**: Highly relevant for transparency and access to information; relevant to enable the government to be accountable for activities, decision-making and financial information; and, relevant for civic participation as citizens require sufficient information to participate.

**Implementation Status:** Fully implemented

**Assessment of Progress**

The Ministry of Finance and Economic Planning (MOFEP) engaged with the Ghana Immigration Service to track prospects, progress and problems faced with the E-immigration. The project which commenced in May 2014 has chalked a lot of successes. MOFEP also engaged with Ghana Integrated Financial Management Information System (GIFMIS) Secretariat also to track prospects, progress and problems faced with rolling out the GIFMIS project. In fact MOFEP is in constant rapport with the GIFMIS Secretariat. The GIFMIS project has been rolled out and the project is now able to capture whole the consolidated fund. More Ministries Departments and Agencies (MDAs); Regional Coordination Councils (RCCs); and Metropolitan, Municipal, and District Assemblies (MMDAs) have been rolled onto GIFMIS. By the end of 2014, 33 MDAs, all the 10 regional Coordination Councils/Treasuries, and 7 metropolitan assemblies, are connected to the GIFMIS system.

Before the end of 2014, the National Information Technology Agency (NITA) has rolled out one of the portals - for policy making and community participation. NITA also collaborated with the relevant stakeholders including civil society organizations to evaluate benefits to users of the portals established. Furthermore, NITA provided opportunity for users of the portal to continuously bring feedback on how useful or otherwise is the portal.

**Next Steps**

The government will continue to support NITA to help in ensuring open data. The government believes technology and innovation operated currently by NITA will help immensely to promote transparency and accountability in the country.

# 4.0 Conclusions

Given the fact that the OGP action plan under review is the first of its kind, the government has not fared badly in terms of implementation. The commitments that were not started are very few while a lot have either been largely or fully implemented. The government also recognized some implementation challenges like inadequate recourses for implementation and therefore finding innovative ways to address this challenge. The government also recognized that awareness about OGP was very low despite extensive public consultations. It is in this vein that during the last quarter in 2014, the Public Sector Reform Secretariat organized series of workshops to create awareness on the OGP. The government has taken note of the recommendations from the OGP IRM report and will incorporate those recommendations in the next OGP process. Despite the progress the government has made so far, the government is still committed to improve upon the current OGP process and ensuring that next OGP action plan process in Ghana will even be better than the previous.

1. The reports of the workshop could be accessed on: <http://ghanaopengov.org/sites/default/files/reports/KumasiReport.pdf>

   <http://ghanaopengov.org/sites/default/files/reports/TamaleReport.pdf>

   <http://ghanaopengov.org/sites/default/files/reports/CapeCoastReport.pdf> [↑](#footnote-ref-2)
2. The report is available on: <http://www.presidency.gov.gh/senchireport.pdf> [↑](#footnote-ref-3)
3. For full transcript of the President’s address please go to:<http://www.presidency.gov.gh/node/364> [↑](#footnote-ref-4)
4. MOFEP website is: <http://www.mofep.gov.gh/> [↑](#footnote-ref-5)
5. In the action plan, Ministry of Information was stated but this ministry was merged to Ministry of Communications. [↑](#footnote-ref-6)
6. The report is available on: <http://www.ghana.gov.gh/index.php/information/reports/2573-report-of-the-constitution-review-commission> [↑](#footnote-ref-7)
7. The media was involved in the process and reported it on: http://graphic.com.gh/news/general-news/21915-law-to-regulate-conduct-of-public-officials-in-the-offing.html [↑](#footnote-ref-8)