

Independent Reporting Mechanism

Ghana
Co-Creation Brief 2023

Open
Government
Partnership



Independent
Reporting
Mechanism

Introduction

This brief from the OGP's Independent Reporting Mechanism (IRM) serves to support the co-creation process and design of the fifth action plan and to strengthen the quality, ambition, and feasibility of commitments. It provides an overview of the opportunities and challenges for open government in the country's context and presents recommendations. These recommendations are suggestions, and this brief does not constitute an evaluation of a particular action plan. Its purpose is to inform the planning process for co-creation based on collective and country-specific IRM findings. This brief is intended to be used as a resource as government and civil society determine the next action plan's trajectory and content. National OGP stakeholders will determine the extent of incorporation of this brief's recommendations.

The co-creation brief draws on the results of the research in prior [IRM reports for Ghana](#) and draws recommendations from the data and conclusions of those reports. The brief also draws on other sources such as [OGP National Handbook](#), [OGP Participation and Co-creation Standards](#), and IRM guidance on [the assessment of OGP's minimum requirements](#) and [the minimum threshold for "involve"](#), to ensure that recommendations provided are up-to-date in light of developments since those IRM reports were written, and to enrich the recommendations by drawing on comparative international experience in the design and implementation of OGP action plan commitments as well as other context-relevant practice in open government. The co-creation brief has been reviewed by IRM senior staff for consistency, accuracy, and with a view to maximising the context-relevance and actionability of the recommendations. Where appropriate, the briefs are reviewed by external reviewers or members of the IRM International Experts Panel (IEP).

The IRM drafted this co-creation brief in June 2023.

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Section I: Action Plan Co-Creation Process

Ghana has established a robust OGP process and implemented four action plans since joining the Partnership in 2011. Ghana's OGP Secretariat is in the Finance and Administration Public Sector Reform Secretariat of the Office of the Senior Minister to the President. A Steering Committee with representation from the executive, parliament, and civil society oversees Ghana's OGP process. A core team of open government champions in and outside of government have driven the OGP process for several action plans. This has allowed for strong institutional knowledge and continuity of reforms across action plans.

Ghana has achieved key reforms over the last decade, such as the passage of the Access to Information Act in 2019. However, previous action plans have achieved only modest levels of both implementation and early results. Challenges to implementation include misalignment between government workplans, budgets, and OGP commitments; limited understanding by implementing agencies of their obligations under the action plan; and broad, ambitious commitments that lack measurable activities. The design of a four-year action plan presents the opportunity to address these obstacles through a strategic design that balances ambition, feasibility, specificity, and flexibility.

RECOMMENDATIONS

Recommendation 1: The OGP Ghana Steering Committee can provide inclusive and informed opportunities for public participation during development of the action plan.

Ghana's OGP community includes a core team of civil society and government reformers who have collaborated across multiple action plans. The IRM recommends that the Steering Committee use each co-creation period to broaden participation inside and outside government. To do so, the Steering Committee can create and publicise complementary channels for new participants to engage in co-creation. In particular, the IRM recommends that the Steering Committee consider the minimum requirements under Standard 3 in the [OGP Participation and Co-Creation Standards](#):

- **Conduct outreach to stakeholders beyond the Steering Committee** to raise awareness of OGP and opportunities to get involved. Liberia [publicises](#) OGP activities through radio, while Côte d'Ivoire holds regional consultations with diverse groups. The Steering Committee can identify new actors interested in advancing their policy priorities through the OGP process. These individuals and organisations can be invited to join thematic working groups to assist with implementation.
- **Develop a mechanism to gather input from a range of stakeholders.** A multistakeholder consultation and a validation meeting are planned under the current Co-Creation Roadmap. The IRM recommends that these are complemented by online spaces for public input. For example, the Secretariat could upload draft commitments in the Google Drive, enabled for comments for at least two weeks. This link could be shared by email, social media, and WhatsApp to solicit comments from a wider community.
- **Publish the Co-Creation Roadmap** in the [OGP Google Drive](#) and disseminate opportunities for the public to participate at least two weeks in advance. Ghana could share opportunities on an OGP Facebook page, like [Côte d'Ivoire](#) and [Tunisia](#), as the [Ghana OGP website](#) is currently inaccessible.

Recommendation 2: The Steering Committee can lead the design of commitments with measurable milestones and a strong open government lens.

Ghana's 2021–2023 action plan addressed key priorities for the public and government. However, as written, nearly half of the commitments [lacked clarity](#) on the planned activities and intended outcomes. This limits clarity for implementers and the IRM on what concrete activities will be carried out and whether they will contribute to the overall policy aim. Consequently, the ambition and early results from the 2021–2023 action plan will be difficult to assess.

For example, commitment 9 to advance beneficial ownership transparency in the 2021–2023 action plan did not specify whether implementation would result in information being made available to the public. Thus, the commitment's connection to transparency was not evident from the text. If continued in the next action plan, drafters can outline specific milestones that will either indirectly contribute to greater transparency—such as passing or amending legislation to enable greater publication—or milestones that directly result in access to beneficial ownership information, such as permitting civil society organisations to use the existing beneficial ownership register.

The IRM recommends that the Steering Committee review the draft action plan before submission to ensure each commitment includes specific and measurable milestones. These milestones should directly contribute to greater government transparency, civic participation, or public accountability. The committee can also confirm that there is a logical connection between the problem each commitment aims to address, its objectives, and milestones. The IRM is available to hold a virtual workshop with the Committee to discuss draft commitments and provide guidance for strong commitment design later in the process.

Recommendation 3: The Steering Committee can strategically design feasible and ambitious commitments for a four-year action plan.

For the first time, Ghana will undertake a four-year action plan. A four-year action plan will need to balance concrete and measurable activities with flexibility to account for unforeseen circumstances and emerging lessons. The IRM recommends that **the Steering Committee consider developing a one- or two-year implementation roadmap to accompany the action plan.** The roadmaps can include specific short-term activities that clarify next steps and responsible actors. For example, Jordan developed commitment-level implementation plans to supplement its four-year action plan. Thematic working groups with government and civil society members could be responsible for implementing roadmaps.

Implementing agencies' limited understanding of their responsibilities under commitments has previously presented a challenge to implementation. The OGP Secretariat could ask each **implementing agency to confirm their agreement to undertake specific activities by signing the implementation roadmap.** The Steering Committee can then designate moments during implementation to reflect on progress, obstacles, and lessons to update the roadmaps. Reformers should keep in mind that there will be a refresh moment halfway through the implementation period where Ghana can formally expand or update the action plan.

When designing the action plan and implementation roadmaps, the IRM recommends that the OGP team consider how government budget and election cycles could impact the four-year action plan. Likewise, drafters are encouraged to analyse obstacles to commitments that have seen little progress across several action plans. This analysis can inform how commitments can be reconsidered to strengthen their chances for success.

Recommendation 4: The Steering Committee can establish thematic working groups and a process for periodic reporting and publication on implementation progress.

The IRM recommends that Ghana establish thematic working groups with government and civil society members to drive implementation. There could be a group for each commitment or for each thematic area in the action plan. The groups should include the main implementers and partners committed to assisting in the reform. Kenya and Nigeria both have thematic working groups that are co-chaired by government and civil society representatives, chosen through elections. Each group could appoint a representative responsible for collecting information and evidence on implementation progress to report back quarterly to the Steering Committee.

The IRM also recommends that the Steering Committee establish a process for periodic reporting and publication on implementation progress. Currently, Ghana's [OGP Google Drive](#) includes limited information on implementation progress of the 2021–2023 action plan and [the website](#) is not functional. The OGP Secretariat could publish updates from thematic working groups on the OGP Google Drive and consolidate the information into a self-assessment report at the end of the action plan period. If the OGP website is revived, then [Morocco's](#) and [Tunisia's](#) websites offer examples of how to include information and evidence on implementation progress. The action plan should be designed with clear commitment objectives, baselines, and activities to facilitate monitoring. The reporting framework can then directly reflect the activities and indicators listed in the action plan and implementation roadmaps.

Section II: Action Plan Design

AREAS OF OPPORTUNITY FOR COMMITMENTS

Areas of opportunity for ambitious reforms in the fifth action plan include furthering implementation of the Access to Information Act and increasing transparency in the fishery and energy sectors. Greater accountability in healthcare and disclosing public officials' asset declarations also present opportunities to address national priorities.

AREA 1. Implementing the Access to Information Act

The Government of Ghana passed the 2019 Access to Information Act under the [third action plan](#) and strengthened implementation [under the fourth](#). However, important steps remain to fully uphold Ghanaians' constitutional right to information. Reformers are encouraged to review progress, obstacles, and achievements under the previous commitment to design an ambitious and feasible iteration for the fifth action plan. Broadly, next steps to enhance access to information could include:

- **Continued training for access to information officers** and other public servants to build awareness of obligations and processes under the act. Ongoing training and guidance can particularly communicate recent developments such as the [Fees and Charges Act](#) and guidance on reasonable application of exemptions. For example, Kenya's School of Government created an access to information course for public servants. Morocco [committed](#) to create a network for access to information (ATI) officers to share experiences and questions.
- **Collaborating with nongovernment partners to create a user-friendly information request portal.** The government [highlighted](#) an online ATI request system as a next step in implementing the act. Reformers can use the next action plan

to develop a portal in partnership with civil society, such as [Media Foundation for West Africa](#). For example, Morocco created an [ATI portal](#) where access to information requests are submitted, passed to the relevant government body, and publicly tracked.

- **Strengthened proactive publication of information**, prioritising information that supports open government aims, such as fisheries and energy contract information. Academia and civil society can help the government identify priority areas for publication.

AREA 2. Health Sector Accountability

Open government reformers have identified health sector accountability as a new priority area for the fifth action plan. Strengthening public accountability will require that the commitment goes beyond publication of health data and information. **Commitment drafters can identify activities that will directly enable the public to hold the government to account regarding health services.** For example, the commitment could prioritise public accountability mechanisms in health budgeting, spending, procurement, or the quality of medical supplies or health service delivery. Examples of members working to increase public accountability in the health sector include:

- Mongolian civil society [strengthened](#) their capacity to provide evidence-based advocacy for improved health services. **CSOs monitored procurement of medicine** and health equipment, which result in savings and improved quality of supplies. CSOs also successfully advocated for allocated budget towards a public health campaign on sexually transmitted diseases.
- Liberia [has begun](#) to **establish County Health Boards** that include representatives from local and traditional government, civil society, and local health officials. The boards will oversee county-level healthcare delivery. Liberia also committed to publish information on the medical supply chain, emergency procurement spending, and open health data to inform public participation in healthcare delivery.
- Nigeria [publishes COVID-19 spending information](#) on their Open Treasury Platform and emergency procurement information on the Nigerian Open Contracting Platform. Consequently, Nigerian civil society flagged suspected COVID-19 spending mismanagement for the government to address.

For more, see the OGP [Health Fact Sheet](#) and the Global Report [Health Chapter](#).

AREA 3. Open Fisheries Policymaking

Ghana has identified fisheries transparency as a new policy area to include in the fifth action plan. OGP members such as the Seychelles, Cabo Verde, and Senegal are using the OGP platform to advance progress under the [Fisheries Transparency Initiative](#) (FiTI). Likewise, Ghana can use the fifth action plan to:

- **Build toward FiTI membership** by establishing a multistakeholder group (MSG), work plan, and FiTI reporting process, as demonstrated by [Senegal](#) and [Cabo Verde](#). In the [Seychelles](#), ongoing communication between the Fishing Authority and the FiTI MSG led to the publication of greater fisheries information in parallel to preparation of Seychelles' first FiTI report.
- **Prioritise publishing existing fisheries data and information** under ongoing open data and access to information reforms. [FiTI recommends](#) updating the fishing vessel registry, publishing all laws and policy documents in one location, and publishing information on stock assessments as well as fish imports and exports.
- **Translate transparency into informed public participation and accountability** in fisheries policymaking. For example, [Seychelles'](#) parliament met with the FiTI MSG

group to discuss report findings, particularly the importance of the government avoiding fishing agreements with nondisclosure clauses and publication of fish stock data. The MSG also prepared summary sheets and meetings to discuss findings with fishermen and other stakeholders.

AREA 4. Energy Sector Contract Transparency

Reformers have identified energy sector contract transparency as a priority area. Ghana has advanced contract transparency across [four previous](#) action plans, particularly in the [extractives sector](#). The Public Procurement Authority [publishes contracts](#) under the amended Public Procurement Act. However, persistent opacity of energy sector contracts [contributes](#) to financial strain, weak sector planning, and limited public accountability. Transparency International [recommends](#) several avenues to advance open contracting in the energy sector:

- **Amend the legal framework to mandate transparency and ensure parliamentary oversight** of Power Purchase Agreements (PPAs) and for the submission and evaluation of unsolicited proposals for energy projects.
- **Publish information on PPAs** including: (i) aggregate information on the stability, cost, and sustainability of the power system; (ii) sufficient details of individual agreements to enable public scrutiny of project viability and financial implications; and (iii) information on new, renegotiated, and terminated PPAs across government bodies.
- Align efforts with reformers perusing access to information to prioritise **proactive publication of energy sector information**. In 2016, Georgia [implemented](#) a quality control program for energy service providers. Ghana could go a step further to publish information on quality control in the energy sector.

AREA 5. Asset Transparency

While Ghanaian public officials are required to disclose their assets, properties, and liabilities, this information is not public. Public officials' compliance with disclosure requirements remains low, despite Ghana's 2021 [commitment](#). Resultantly, Ghana currently scores 2 out of the 4 total possible points under [OGP's Eligibility Criteria](#). The fifth action plan presents an opportunity to strengthen Ghanaians' access to public officials' asset declarations and their ability to hold public officials to account:

- **Conduct public consultations** to amend the draft [Conduct of Public Officers Bill](#) to reflect public priorities and international best practices, such as enabling the publication of asset declarations.
- **Pass and implement** the Conduct of Public Officers Bill.
- Establish a channel for civil society to collaborate with the Attorney General to **verify and analyse asset disclosures**. For example, in Georgia, the Civil Service Bureau [investigates](#) declarations flagged as suspicious by external stakeholders.
- Strengthen **implementation of the Whistleblower Act** to protect civil servants and citizens who raise corruption concerns.

For more information, see: Transparency International's [Recommendations on Asset and Interest Declarations for OGP Action Plans](#); the World Bank's Stolen Asset Recovery Initiative's [Asset and Interest Disclosure: A Technical Guide to an Effective Form](#); and OGP's Broken Links Report, [Chapter on Asset Disclosure](#).