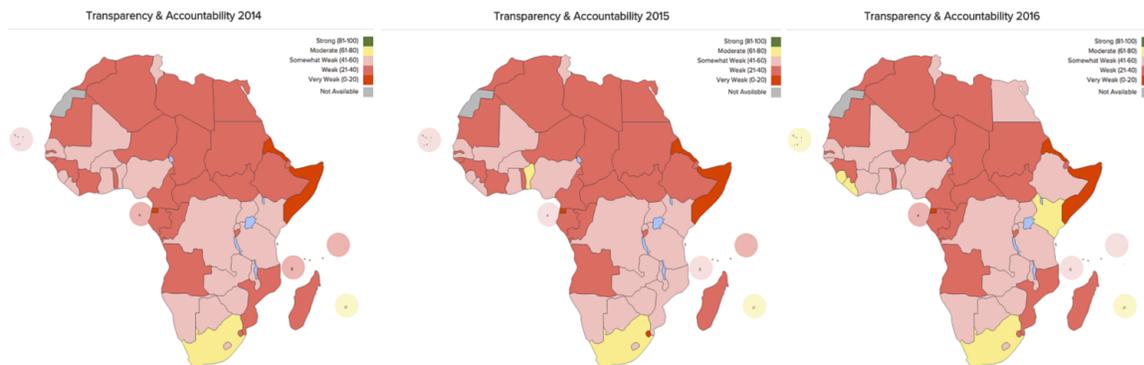


Africa Integrity Indicators – Country Findings



Who is Global Integrity?

Global Integrity supports progress toward open and accountable governance in countries and communities around the world. We focus on generating research and data, supporting the work of country-level reformers, and influencing global conversations on open governance. Our work covers a number of themes, with data, learning and citizen engagement at the core of everything we do. To know more about us, visit our website at www.globalintegrity.org.

What are the Africa Integrity Indicators?

In 2012, Global Integrity embarked on a five-year collaboration with the Mo Ibrahim Foundation to generate the Africa Integrity Indicators (AII), which assesses key social, economic, political and anti-corruption mechanisms at the national level across the continent. Global Integrity staff recruits and manages teams of in-country contributors in 54 countries to generate original governance data on an annual basis.

The questionnaire has 114 indicators and is divided in two main categories: Transparency & Accountability and Social Development. The Transparency & Accountability category consists of 59 indicators examining issues divided in the thematic areas of rule of law, accountability, elections, public management, civil service integrity, and access to information. The Social Development indicators category consists of 51 indicators about gender, rights, welfare, rural sector, business environment, health and education.

The rich data set is designed to be particularly fruitful in identifying both bright spots as well as areas for improvement at the country level. The years of data include [2013](#), [2014](#), [2015](#), [2016](#); the next round of research will begin later in 2016 and be published in April 2017. To access our data, visit our project website at <http://aii.globalintegrity.org>.

Note: Each round of research is named from its year of publication. Thus, the 2016 round of research covers the period from September 2014 to September 2015, with only sources relevant to this period of study being accepted.

Get in touch with us

Global Integrity is dedicated not only to producing high quality data, but ensuring that it is as useful as possible for reformers (both inside and outside of government) around the world. If you're interested in working with this data to identify opportunities to support open governance efforts in your country, contact us at aai@globalintegrity.org.

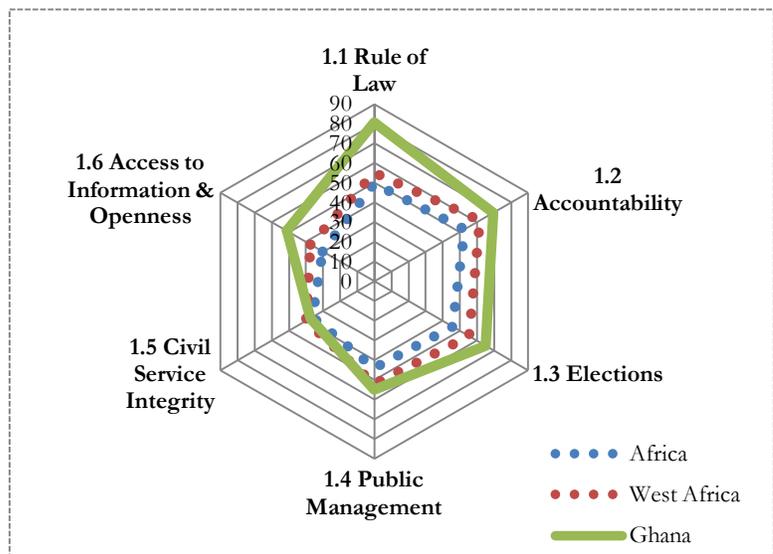
Ghana – Country Findings Summary

1. Transparency & Accountability

The Transparency & Accountability category consists of 59 indicators examining issues divided in the thematic areas of rule of law, accountability, elections, public management, civil service integrity, and access to information & openness. The indicators look into transparency of the public procurement process, media freedom, asset disclosure requirements, independence of the judiciary, and conflict of interest laws, among others.

The overall category score did not show any substantial change, increasing by only two points from 58 in 2015 to 60 in 2016 (“somewhat weak” on the Global Integrity scale).¹ On five out of the [six subcategories](#), Ghana’s aggregate scores were higher than those of the West African region and the continent.

Rule of Law was the highest performing subcategory with an aggregate score of 81, and falling within the “strong” range on the Global Integrity scale. The subcategory recorded a 9-point increase from 2015 when it scored 72. The aggregate scores for the Accountability and Elections subcategories did not change from the previous year, respectively at 69 and 65 (“moderate” on the Global Integrity scale). Aggregate scores for both the Public Management and the Access to Information & Openness subcategories decreased slightly by two points. Although the aggregate score for the Civil Service Integrity subcategory increased five points from 33 in 2015 to 38 in 2016, the subcategory remained the lowest performing (in the “weak” area of the Global Integrity scale).



< Figure 1 > Ghana’s subcategory scores in comparison to the region and the continent. The radar chart depicts the country’s aggregate scores of each of the six subcategories under Transparency & Accountability, in comparison to average scores of the continent (blue dotted lines) and the country’s region (red dotted lines).

Selected highlights

- **The Ghanaian judiciary is legally independent from the executive and legislative branches and it exercised this independence in practice.** As noted in [indicator 1](#), the Ghanaian Constitution of 1992 provides in its article 125 that “neither the President nor Parliament nor any

¹ The Global Integrity scale on the Africa Integrity Indicators website is as follows: 81-100 (Strong), 61-80 (Moderate), 41-60 (Somewhat weak), 21-40 (Weak), 0-20 (Very Weak)

organ or agency of the President or Parliament shall have or be given final judicial power,” and that “the Chief Justice shall, subject to this Constitution, be the Head of the Judiciary and shall be responsible for the administration and supervision of the Judiciary.” [Indicator 2](#) reports that in practice, Ghanaian judges were not influenced in their decisions, and the judiciary was effective in exercising checks over all public institutions. This was evidenced by a ruling of the Supreme Court, which ordered the Electoral Commission to start afresh the nomination process it had previously closed, depriving the plaintiff of the case from filing his nomination for the elections. The independence of judges is also underscored by their appointment process; [indicator 3](#) notes that to be appointed at the highest courts, a candidate needs to have at least 15 years of experience as a lawyer. Appointments involve all three branches of government, including the Judicial Council which does the vetting, and the president who appoints in consultation with the Council of State and with the approval of Parliament. As noted in [indicator 4](#), judges give reasons for their rulings, referencing specific laws they used to decide the matter. These rulings are available both on the website of the Judiciary and at the registry of the court. They are also published by the Ghana Law Report Commission on a monthly, quarterly and annual basis. Upon request at the registry, it takes citizens less than a week to obtain the rulings.

- **Despite limited autonomy, the Ghana Audit Service operated free from influence.** As noted in [indicator 5](#), both the Constitution of 1992 and the Internal Audit Agency Act 2003 (Act 658) mandate the Ghana Audit Service to audit all public accounts. While the law establishes it as an independent institution, this independence is limited in that the Audit Service is not guaranteed consistent funding, and is not authorized to refer cases to the prosecutor office. It can only submit its recommendations to the parliament, as noted in [indicator 6](#). The lack of predictable funding affected the Audit Service’s operations during the study period ([indicator 7](#)). The only way for the Audit Service to secure funding is to submit a request to the Ministry of Finance, which then seeks parliamentary approval before disbursing the funds. Funds are to be disbursed on a quarterly basis, but the interval was not respected during the study period. Although there are no set criteria for the appointment of the Auditor General (AG), who heads the Audit Service, he/she is appointed by the president in consultation with the Council of State, and his staff is recruited through a competitive process. The Auditor General enjoys tenure and can only be removed through due process by a peer panel, as noted in [indicator 8](#). More than ten reports are published per year, and each report includes the AG’s recommendations to parliament on whether or not to prosecute those suspected of wrongdoing. However, due to the lack of resources, the AG always releases reports to parliament past the July 1 deadline established by law.
- **Integrity in the civil service remained low due to weak legal frameworks and cronyism.** Ghana’s performance on the Civil Service Integrity remained the lowest among the six subcategories assessed. Although [indicator 36](#) notes that there is a Whistleblower Act of 2006 (Act 720) that protects those who report cases of corruption from recrimination or other negative consequences, [indicator 35](#) mentions that this law does not specifically require civil servants to report cases of alleged corruption in the public sector. For this reason, Ghana received a “No” on indicator 35. The law also does not prohibit cronyism, nepotism and patronage in all branches of government

([indicator 37](#)), and the Civil Service Law of 1993 (PNDCL 327) does not place any restrictions on civil servants entering the private sector after leaving office ([indicator 40](#)). In addition to the absence of relevant laws, the Ghanaian civil service suffers from cronyism; [indicator 39](#), which assesses appointments in the civil service, reports that many civil servants are hired through their political, ethnic and social connections. It is to be noted, however, that [indicator 38](#) earned a 100 score as during the study period, disciplinary procedures against civil servants followed due process and no civil servants were removed when the last change of government occurred in 2009.

- **Ghana still had no law on access to information, and citizens faced difficulties in accessing information. While citizens could fully access documents on legislative processes, access to asset disclosures of senior officials of the three branches of government was impossible.** During the study period, Ghanaian citizens did not have the right to request public information from state bodies, but [indicator 41](#) reports that in February 2015, the parliament started to review the Right to Information Bill, which had been awaiting approval since 2007. In practice, public institutions turned down information requests from citizens and only citizens with personal relationships within these institutions received responses to their requests ([indicator 42](#)). However, [indicator 43](#) reports that information from legislative processes (transcripts of debates/votes, roll call vote, and full text of bills) were freely accessible to citizens through the parliament’s website and the parliamentary hansard, within 24 hours of the proceedings.

As noted in indicators [44](#) and [46](#), the Constitution of 1992, the Public Office Holders (Declaration of Assets and Disqualification) Act of 1998 (Act 550) and the Civil Service Act of 1993 (PNDCL) 327 require public officers and civil servants in director positions to declare their assets. But these laws do not require immediate family members of public officers to declare their assets, and the disclosures are not to be made public. The declaration forms are collected by the Office of the Auditor General in sealed envelopes and only a court or a commission of inquiry can access them. As a result, they are out of the reach of citizens (indicators [45](#) and [47](#)).

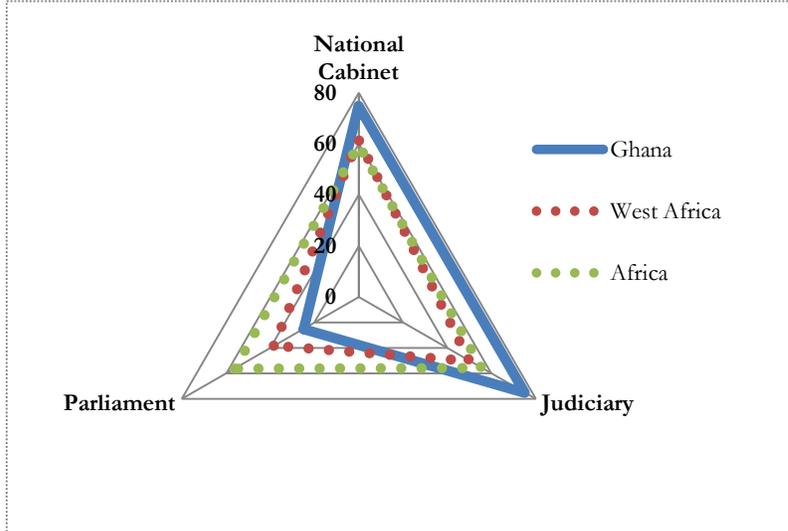
2. Social Development

This category covers seven subcategories, including rights (civil society space and minority rights), gender, business environment and infrastructure, rural sector, welfare, health, education, and civil registration. Because the Social Development portion of the research only includes a small number of questions per each topic area, we only provide the scores for each individual indicator and don't provide aggregated category or subcategory scores. However, the individual indicators themselves contain a wealth of information across a breadth of topics, a select few highlights of which are noted below.

Selected highlights

- **Ghanaian NGOs operated freely and did not face any administrative hurdles. Citizens also faced no restrictions to their rights to associate with their peers. However, workers faced limitations in their ability to organize.** It is fairly easy to register NGOs in Ghana; as noted in [indicator 68](#), registration of new NGOs takes place at the district, regional and national levels. It takes less than two weeks, and costs vary between \$25 for local NGOs and \$1500 for international NGOs. [Indicator 70](#) reports that there were no cases during the study period of NGOs being shut down or harassed with unwarranted administrative burdens, investigations or sanctions as retribution for their work, and [indicator 69](#) notes that no NGO employees were killed, imprisoned, interrogated, threatened or physically harmed during the same period. Similar to NGOs operating unimpeded, Ghanaian citizens faced no obstacles in associating in public to express dissent and participate in civic and political organizations ([indicator 67](#)). However, [indicator 65](#) reports that while the right of Ghanaian workers to organize into trade unions was generally respected, some private companies denied their workers this right and retaliated against those protested against labor violations, as was the case at Cosmo Seafoods Co. Ltd and MODEC, a private company working on Ghana's Jubilee oil field.
- **Despite weak legal frameworks to protect minority groups from discrimination, the National Peace Council and the Commission on Human Rights and Administrative Justice (CHRAJ) were active in responding to cases reported by victims. However, this response does not extend to sexual minorities.** As reported in indicators [71](#) and [73](#), apart from the general principles of the Chapter 5, Article 17(1-3) of the Constitution of 1992, Ghana has no specific laws which protect ethnic and religious minorities from discrimination. In practice however, there are some response mechanisms, and citizens can report cases of ethnic and religious discrimination to the National Peace Council, which has a head office in the capital and regional offices across the country ([indicators 72](#) and [74](#)). These cases can also be reported to the Commission on Human Rights and Administrative Justice (CHRAJ), which has offices across the country and platforms where one can fill out forms to lodge such complaints, or hotlines to call to complain. Regarding sexual minorities, however, [indicator 76](#) notes that while cases of discrimination can be reported to the CHRAJ, this does not happen because LGBT practices are outlawed in Ghana by the Criminal Code (Amendment) Act, 2003 (Act 646) ([indicator 75](#)).

- Women’s representation in the legislative branch remained significantly low compared to the other two branches of the government.** As noted in [indicator 87](#), the Ghanaian parliament is comprised of only 29 women out of 275 members (11%). Ghana thus earned a 25 score on this indicator, which is lower than the West African regional score of 38 and the continental average score of 56. In contrast, women’s representation in the



< Figure 2 > Ghana’s female representation in the three branches of government compared to the country’s region and the continent.

executive and judicial branches were higher. [Indicator 85](#) reports that four out of 19 cabinet members (21%) were women, and Ghana’s score of 75 on this indicator is higher than both the regional average score of 62, and the continental score of 60. Women were also relatively well represented in the highest echelon of the judiciary, as [indicator 86](#) reports that four out of 14 Supreme Court Justices (29%) were women at the time of the research. Ghana’s score of 75 on this indicator is higher than the regional average of 50 and the continental average of 56.

- The country’s statistical capacity is extremely low, and data is collected infrequently.** [Indicator 91](#) notes that although the youth population makes up an estimated 26% of the entire Ghanaian population, there is no updated data regarding their levels of unemployment. Due to the lack of resources, the Ghana Statistical Service (GSS) collects such data only every five years as part of the Ghana Living Standards Survey (GLSS) and the last one was conducted in 2013. The GLSS also provides the opportunity to collect data on poverty, as noted in [indicator 92](#). As for statistics on infrastructure, they are not collected by the GSS, but rather by various agencies under which the country’s infrastructure projects fall. This is the case for the Ministry of Transport regarding statistics on rail lines and airports, the National Telecommunications Authority for telecommunications structures, and the Ministry of Power for electricity. However, these institutions do not publish their data regularly ([indicator 93](#)).

The above findings capture selected highlights and are not an exhaustive analysis of the collected data. We encourage interested users to access our website [here](#) for detailed comments and sources for 114 individual indicators.