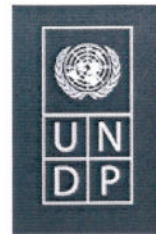




## 2013-2014 WORK PLAN

### CONSOLIDATING TRANSPARENCY AND ACCOUNTABILITY IN GHANA



<b>UNDAF Outcome 10:</b>	Key national institutions of democracy are effective, accountable, gender responsive and promote peace inclusive governance, human security with focus on vulnerable groups, by 2016
<b>Expected CP Output(s):</b>	Proposals for policy, institutional and operational reform in the justice sector formulated and actions taken to build consensus among stakeholders.
<b>Implementing Partner:</b>	<b>Commission on Human Rights and Administrative Justice (CHRAJ)</b>
<b>Responsible Parties:</b>	UNDP, CHRAJ, Ghana Anti-Corruption Coalition, (GACC), Ghana Integrity Initiative (GII), Centre for Democratic Development (CDD), African Peer Review Mechanism (APRM), Ministry of Justice and Attorney General's Department (MoJAGD), Legal Aid Scheme, Customs Division of the Ghana Revenue Authority (Customs), Civil Society Organisations (CSOs, justice sector related).

#### Narrative

The 2013/2014 WP for Transparency and Accountability is in full alignment with the UNDAF 2012-2016 and the Ghana Shared Growth Development Agenda (GSGDA). Aware of the need to scale up efforts to improve access to justice and the anti-corruption agenda in Ghana, planned activities build on lessons from previous anti-corruption measures and new perspectives, methods and tools to ensure a more holistic approach while strengthening the administration of justice and the capacity of citizens to access the legal system. During the two-year WP period, capacities of state and civic institutions will be enhanced in order to combat corruption and strengthen reform of the public sector and the justice delivery system. In order to alleviate the incidence of corruption there is a need in Ghana, as in other countries in Africa, to build key oversight institutions by strengthening the parliamentary, judiciary, the ombudsman, the public procurement system and the various anti-corruption bodies, which will be undertaken by supporting Ghana's National Anti-Corruption Action Plan (NACAP). Partnerships will be a vital plank in the strategy underpinning UNDP's anti-corruption efforts. This WP will also emphasise the need for access to legal assistance by the poor and the vulnerable by strengthening Ghana's Legal Aid Scheme and seeing to the sustained increased of Ghanaians, particularly women, who benefit from the Scheme.

Programme Period: 2013-2014 UNDAF

Programme Component: \_\_\_\_\_

Intervention Title: Consolidating Transparency & Accountability in Ghana

Budget Code: \_\_\_\_\_

Duration: 2 years

Estimated annualised budget:

Allocated Resources: \$1,164,450

Government:

Regular:

Unfunded: \$1,033,200

Agreed by the Implementing Partner: \_\_\_\_\_

(on 25/01/13)

Chair, CHRAJ

Agreed by UNDP: \_\_\_\_\_

(on 25/01/13)

UNDP Country Director

## **I: SITUATION ANALYSIS**

Although Ghana has made significant progress in achieving a system of good governance compared to the other countries in the sub-region and the continent at large, there still remain a number of critical challenges that require urgent resolution to deepen and sustain the progress made. These include: conflict of roles between and among the arms of government and governance institutions; resource disparity undermining the role of different arms of government; inadequate participation of civil society in governance processes; little interest of citizens in the democratic processes; and a perception of corruption in the public sector.<sup>1</sup>

In Ghana, three arms of Government represented by the Executive, the Judiciary and the Legislature perform critical roles in the democratization processes of the state. Currently however, there are still grey areas and unclear functions resulting in periodic conflict between and among them. Resource disparity undermines the role of these different arms of governance. The independent governance institutions are under-resourced. There are also inadequate transition regulation arrangements in place to effectively manage the transition process during changes in administration (Ghana Shared Growth Development Agenda).

Afrobarometer surveys conducted in the country since the 1990s have shown a strong and increasing commitment toward democratic values. Popular consent to the basic pillars and institutions of democracy at all levels appears high. The increased level of public participation in the most recent elections (above 70%) reveals the enthusiasm of voters. Two turnovers of power at the ballot box, still an exception in Africa, show a high commitment to democratic institutions while an impressive number of proposals for constitutional amendments in the current review process is one indicator (BTI 2012).

Certain legitimacy problems persist, particularly with regard to poor quality or complete absence of poverty reduction strategies or job creation initiatives. Furthermore, politicization and polarization along party lines pose challenges manifested in the areas of political party functioning, political competition, policy making and power centralization. Shortcomings in the administration are mostly of structural origin – corruption, education and underfunding and are less connected with undue political interference (BTI 2012).

Persistent challenges facing current governments and the potential newly elected one in 2013 also include damaged socio-political and ethno-political relationships, conflict of roles between and among the arms of government and governance institutions, regional disparities, as well as economic, political and social distortions associated with oil production.

The challenges to democratic governance come to a head and are manifest in the thematic areas of *Transparency and Accountability*, *Human Rights* and *Access to Justice*, with *Gender Equality* as an important cross cutting theme.

### ***Transparency and Accountability***

Corruption and limited administrative capacity continue to pose the biggest challenges, exemplified in unduly long legal procedures (BTI 2012).

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<sup>1</sup> Quoted verbatim from Ghana Shared Growth and Development Agenda (GSGDA), 2010-13

The National Anti-Corruption Action Plan Report (NACAP) defines corruption as “the misuse of entrusted power for private gain”. So defined, corruption includes bribery, embezzlement, misappropriation, trading in influence, abuse of office, abuse of power, illicit enrichment, laundering of proceeds of crime, concealment, obstruction of justice, patronage, nepotism, and conflict of interest (NACAP Report, 2011).

Corruption has negatively impacted Ghana’s socio-economic and political development since Ghana’s independence in 1957; it undermines good governance and the rule of law, erodes public confidence in the merits and rewards system and inefficient service delivery. The Afrobarometer Survey 2011 mirrors public opinion with regard to corruption among elected officials. Survey results showed that more than half of citizens perceive corruption among “*some*” officials at the presidency (58%), Members of Parliament (58%) and government (56%). Nearly a third perceive “*most*” or “*all*” officials at the presidency (29%), Members of Parliament (32%), and government (35%) as corrupt. The Survey also revealed that the majority of Ghanaians perceive “*some*” local government councillors (61%) and Metropolitan, Municipal and District Chief Executives (56%) as corrupt while a sizeable minority also perceive “*most*” or “*all*” Metropolitan, Municipal and District Chief Executives (33%) and local government councillors (24%) as corrupt.

According to the NACAP Report, factors causing corruption in Ghana include a lack of effective corruption reporting system, absence of good record keeping, poor management practices in public institutions and low levels of integrity. Corruption facilitates generalised disrespect for the law and disregard for the rule of law, placing a heavy toll on Ghana’s economy, society and politics, retarding national development. Padding of salaries or what is generally known as “ghost names” on the public pay roll alone, costs Ghana thirty billion Ghana cedis (¢30,000,000.000.00) annually (NACAP Report, 2011).

There is growing public concern about the scale of corruption<sup>2</sup> and its impact on society and equally growing recognition that corruption can and must be effectively tackled in a comprehensive manner. A growing consensus reflects that the new approach requires the development of a well-articulated national anti-corruption strategic plan that builds on previous anti-corruption measures and integrates new perspectives, methods and tools. The new anti-corruption approach demands manifest political will from the nation’s political elite, as well as multi-partisan commitment that transcends political leadership competitions (NACAP Report, 2011).

Over the years, UNDP has identified the need to review constitutional provisions to ensure clarity of roles and responsibilities of governance institutions and arms of Government with the aim of building the capacities of governance institutions and Parliament to draft laws and perform oversight responsibilities.

As Ghana’s economy develops, challenges associated with managing increased oil and public sector revenues, natural resources, internal security and policy making will increase. These challenges include

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<sup>2</sup>The Governance and Corruption Survey conducted by the Ghana Centre for Democracy and Development (CDD Ghana) in 2000 found that 75% of the Ghanaian households surveyed regarded corruption as a serious national problem; 59% of households saw corruption as a major problem in the private sector; and 86% saw it as a major problem in the public sector (CDD-Ghana, 2000). A later survey in 2005 conducted by the Ghana Integrity Initiative (GII) also indicated that Ghanaians perceived corruption as equally serious, with 92.5% of urban households in Southern Ghana citing corruption as prevalent in the country while 90% of those surveyed considered it a serious problem (GII, 2005).

drug smuggling and organised crime, corruption, efficiency and effectiveness in public administration, and transparency.

The State has established laudable mechanisms for addressing challenges relating to transparency and accountability, including the institutionalising of CHRAJ and the recent finalisation of the National Anti-Corruption Action Plan (NACAP), for example. These efforts are characterised by constructive and steady partnerships across stakeholders, including civil society. Still, challenges remain - particularly at the local levels. Perhaps most significantly, more effective partnerships between rights holders and duty bearers can catalyse and lead to measureable improvements in transparency and accountability through greater involvement by citizens in the business of governance.

### *Access to justice and human rights*

In the area of Human Rights, Ghana has received positive reviews from various international organizations and human rights “watch dogs”. Ghana has ratified many of the major international treaties relating to the promotion of human rights, including those of women, and the rule of law, its record had been consistently improving since 1993 after the adoption of Constitutional rule. The country has an impressive record of encouraging public education on fundamental human rights as a means to improve citizens’ access to justice, with several Non-Governmental Organizations (NGOs) engaged in human rights promotion to complement the education programmes conducted by the Commission on Human Rights and Administrative Justice (CHRAJ) and the National Commission on Civic Education (NCCE) (Ghana Policy Analysis, 2010).

However, access to justice is constantly hampered by a geographic imbalance in court distribution that is concentrated in areas of high economic activity instead of areas with high density of population, and some reports indicate a high caseload of close to 2,500 detainees who had not been brought before the court for periods in excess of what the law provides. The juvenile justice system is also affected by lack of adequate detention centers for youth, causing them to share facilities with adults, where they lack access to basic necessities like education that are vital to their rehabilitation (Ghana Policy Analysis, 2010).

Earlier efforts have contributed to strengthened justice delivery services that can be more readily accessed by the public, particularly the poor and vulnerable groups. UNDP’s previous programming cycle reaffirmed the Government of Ghana and UNDP’s objectives to ensure that judicial reform takes place, including fair and speedy resolution of disputes, protection of human rights and strengthening institutional capacities for effective conflict prevention and resolution. The baseline report of the justice sector in Ghana produced by MoJAGD with UNDP support in 2012, indicate that 74% of Ghanaians do not report human rights violations for fear of victimization, high cost and lack of confidence in the institutions that redress human rights violation. Despite progress made to enhance the quality, timeliness and accessibility of judicial services, including the establishment of the Community Media Centres (CMCs) and the High-Level Dialogue (led by the MoJAGD) that enhanced intra-sector collaboration, challenges persist.

Some of the problematic issues include poor coordination among justice delivery institutions such as the police, judicial and prison services resulting in a backlog of cases, congestion in prisons, delays in justice

delivery, inadequate operational support and logistics as well as general limited public awareness and exercise of rights and responsibilities as rights-holders.

## **II: PAST COOPERATION AND LESSONS LEARNED**

In order to improve the human rights situation in Ghana there is a need to strengthen the capacity of civil society to demand services as a right, while holding both central and local government accountable for delivery of services and creating the environment for broad based participation in decision-making (Ghana Country Analysis, 2010).

Over the years, realising the nature of corruption and its adverse impact on Ghanaian society, governments have undertaken national anti-corruption strategies including strengthening the nation's anti-corruption legislative framework and national anti-corruption institutions such as the Ghana Police Service, Commission on Human Rights and Administrative Justice (CHRAJ) and the erstwhile Serious Fraud Office (SFO). Other measures taken in the past include public execution of persons for corruption, confiscation of properties found or believed to have been corruptly acquired by public office holders.

The NACAP seeks to mobilise national efforts to ensure the effective control of corruption and constitutes the benchmark to assess the performance of stakeholders, especially government, in the fight against corruption. The NACAP will therefore guide stakeholders in their roles and responsibilities to combat corruption and goes beyond controlling corruption in the public sector, targeting non-state actors regardless of gender, age, local or international status. The NACAP adopts a long-term strategic perspective and utilises a three-prong approach to the fight against corruption, namely: (a) prevention; (b) education, and (c) investigation and enforcement.

NACAP integrates anti-corruption measures into the programmes and activities of public sector organisations, particularly MDAs and MMDAs, and key actors in the private sector. The development of the NACAP has taken account of the limitations and shortcomings that characterised previous anti-corruption strategies and spelt their failure.

The Legal Aid Scheme, intended to meet the needs for justice of the vulnerable in particular, was only able to support 8047 cases in 2011. UNDP has made efforts to enhance operational capacities of oversight bodies, provide resources, revisit staff structures and remuneration that may lead to corruption and ensure a democratic environment for the anti-corruption organs to function. While civil society is vibrant and the media has a strong and free voice, there is a need to link these two key national stakeholders to the anti-corruption constituency so that they can collaborate to play an oversight role.

The UNDP Governance Programme's work plan is based on the following theory of change as follows:

“Institutional performance can be improved by simultaneously building the capacity of citizens and institutions to partner with each other. By prioritising those aspects that enhance political processes, strengthened partnerships will lead to improved service delivery and human development, increasing public participation and confidence in political processes. In summary, more and better partnerships will lead to better governance.”

The UNDP Ghana Governance Programme has over the years honed the capacities of key national governance institutions, enhanced the country's governance process and engaged citizens in democratic processes, ensuring access to justice and human rights and nurturing conflict prevention mechanisms.

UNDP's 2011 Assessment of Development Results (ADR) report recognized UNDP's earlier contributions in strengthening national governance institutions (Parliament, the Judiciary, Justice System and the Electoral Commission) and establishing new frameworks for the consolidation of peace, including the National Peace Council and Ghana National Commission on Small Arms. The ADR also noted UNDP's support to election-related activities by facilitating preventive advocacy and mediation through the National Peace Council, establishment of fast track courts to resolve election disputes and technical support to Electoral Commission for electronic capturing of results. The Government's trust and confidence in UNDP was also evident in the request to coordinate donor assistance to the Constitutional Review Process.

Educational programmes have been held in collaboration with the Public Procurement Authority (PPA) and Ghana Anti-Corruption Coalition (GACC) to promote transparency, accountability and anti-corruption, the Corruption Monitoring Index was also launched by the GACC and the National Africa Peer Review Mechanism Governing Council. UNDP also provided support to the review of the constitution through the work of the Constitutional Review Commission and strengthening the role of Parliament through initiatives such as the Speaker of Parliament Breakfast meeting.

In the past, UNDP has supported Civil Society Organizations (CSOs) through the establishment of the Civil Society's Resource Centre to strengthen their participation in decision-making. As emphasized in the *Ghana Shared Growth Agenda*, the role of civil society as key stakeholders/partners in the development process is very crucial to achieving transparency and accountability. Civil Society Organisations (CSOs) have not been actively involved in the decision-making process in the country for various reasons. This is attributed to either lack of interest or that they are not well informed on the democratic process to enable them participate. Their active participation in the governance process would enhance grass-root participation, as well as a "bottom-up" approach to governance, as most civil society organisations are located within communities and will voice out the views of the local citizenry on governance issues. Strategies identified to achieve this objective include the following: review the legal and institutional framework for the management and operations of civil society organisations; improve the coordination mechanism among CSOs; and identify the clear and specific roles of the civil society groups (Ghana Shared Development Agenda).

**Respect for human rights and access to justice for all** is an important ingredient in the governance agenda. Under the Access to Justice and Human Right component, a platform has been provided under the High Level Dialogue for national institutions involved in justice delivery to discuss, collaborate and address challenges impeding access to justice. UNDP has been instrumental in the establishment of specialized courts including the Gender Justice Court; and various capacity building programmes for judges, magistrates and mediators. Support has been provided to the 36 Community Mediation Centers (CMCs) established under the Legal Aid Schemes and the use of the Alternative Dispute Resolution (ADR). The Access to Justice Component continues to provide support to the Chief Justice Forum and the Judicial Service Outreach Programme that provides a platform for public engagement in judicial delivery. The newly established Economic and Organized Crime Office (EOCO) has also been given institutional

capacity support while work with the Ghana Prison Service included support to establishment of the Ghana Prison Service Diagnostic Center. These interventions promoted public confidence in the justice system and enhanced access to justice to all especially women and vulnerable groups.

UNDP's ADR identified areas for improvement in the forthcoming programme, relevant to the Governance Programme. These include the need for deepening support for decentralized governance; shifting emphasis from poverty reduction to inclusive growth and private sector development; developing clear exit strategies that lead to national ownership and sustainability, and; strengthening communication, M&E and knowledge and information management functions.

Some of the lessons learned from previous programmes include the need for more coordination and synergies among the various clusters in the governance programme, in addition to more collaboration/information with UN agencies to avoid duplication of efforts. There is also a need to ensure that peace building is mainstreamed into all components, particularly the participation and representation in governance and justice initiatives. Again, there is the need to develop appropriate exit strategies in collaboration with national partners to ensure the sustainability of programmes. Finally, the capacities of national partners in programme management and UNDP's programme policies, rules and regulations should be enhanced in order to ensure more timely and adequate delivery of outputs.

### **III: STRATEGY**

Policy makers and civil society stakeholders are aware of the need to scale up efforts to improve governance and the anti-corruption agenda in Ghana because good governance is central to economic development and to realizing the Millennium Development Goals (MDGs). In order to alleviate the incidence of corruption there is a need in Ghana, as in other countries in Africa, to build key oversight institutions by strengthening the parliamentary, judiciary, the ombudsman, the public procurement system and the various anti-corruption bodies.

Transparent and Accountable Governance is considered the bedrock for the achievement of the objectives set out in the Ghana Shared Growth Development Agenda (GSGDA). This includes enhancing the capacity of the public and civil service for transparent, accountable, efficient, timely, effective performance and service delivery, promoting evidence-based decision making and efficient public policy management and coordination of the development planning system for equitable and balanced spatial and socio-economic development.

Additional interventions in this thematic area are on women's empowerment, development communication, fighting corruption and economic crimes, enhancing the rule of law and justice, ensuring public safety and security, improving access to rights and entitlements, especially for vulnerable populations.

Ghana's positive track record for stability and reputation as reliable partner in development has elevated the political image of the country internationally. Ghana governments have historically shown that they cooperative, constructive and reliable partner in the international arena, as an example, Ghana entered and supported the New Partnership for Africa's Development (NEPAD) process from its inception, and was

among the first to participate in the peer review mechanism. The country also enjoys good relationships with the Bretton Woods institutions and the donor community.

Action against corruption has intensified over the last decade with the development of several anti-corruption initiatives, including institutional reform programmes and harmonised efforts with emerging international initiatives including the world community's adoption of the United Nations Convention Against Corruption (UNCAC) in 2003. The African Union (AU) Convention Against Corruption 2005 and the ECOWAS Protocol on the Fight Against Corruption (ECOWAS Protocol) were adopted at the regional and sub-regional levels respectively. Ghana ratified both the UNCAC and the AU Convention in 2005, and the ECOWAS Protocol in 2003.

Given that the UN Country Analysis process coincided with the final drafting stages of the GSGDA, members of the UN Country Team were able to fully assimilate the vision and direction of the new Government agenda and validate the findings of the Country Analysis against the seven priority areas of the GSGDA. The result is an UNDAF with a clear concentration on four thematic areas, including Transparent and Accountable Governance in full alignment with the seven areas of the GSGDA (United Nations Development Assistance Framework, UNDAF 2012-2016).

The work of UNDP's Governance Unit over the next programming period will be organized around six thematic areas (*representation and participation, transparency and accountability, decentralisation, access to justice, gender equality and conflict prevention*). *Transparency and accountability* and *access to justice* are the subject of this WP and, together with additional WPs on Representation and Participation (inclusive of decentralisation) and Consolidation of Peace, comprise the three main vehicles for addressing UNDAF Outcome 10. Gender equality has been mainstreamed across all three WPs and will receive dedicated support through a Gender Officer.

This WP has been developed with key national governance institutions and civil society organizations to promote national ownership and sustainability of interventions. Implementation of this WP will be based on previous programme experiences to ensure efficiency. This Work Plan focuses on the national priorities of deepening the country's democratic process by promoting transparency, access to justice, and accountability:

- Baselines and situation analyses
- Policy support
- Institutional capacity building
- Advocacy and creation of platforms for dialogue

The programme strategy rests on the causality analysis where immediate, underlying and root causes of problems or issues in different aspects of governance are identified and various activities plan for implementation to achieve desired changes. The main elements of the thematic areas are:

**Enhance the accountability, transparency and public policy oversight role of civil society and government actors**

- Conduct social auditing, building duty bearers/ political authorities' capacity to effectively interact with citizens on issues of social accountability and monitor government projects at the district level

- Publish a simplified version of the findings and recommendations of PAC for advocacy and institutional reforms “Show me the money”
- Strengthen local accountability networks (LANEKs) at regional levels to ensure efficiency, transparency and accountability in use of public financial resources with focus on vulnerable groups

**Mobilize CSO and government stakeholders at local level to dialogue on transparency and accountability issues.**

- Enhance skills of relevant stakeholders and vulnerable groups to monitor and evaluate public services
- Build capacity of CSOs and vulnerable groups to engage at the local level (using the evidence from the capacity assessment of CSOs conducted by GACC in 2012) and through APRM structures

**Develop capacities of national institutions and CSOs to implement national and international anti-corruption instruments**

- Capacity building of key stakeholders to implement NACAP
- Support implementation of UNCAC review mechanism of Ghana

**Conduct baseline study and provide capacity building support to the Customs division on integrity and good governance**

- Education of citizens on structures and rules

**Strengthen the capacities of Justice sector institutions in main function to delivery justice effectively**

- Capacity building of staff on ombudsman function, anti-corruption and good administrative justice
- Development of service charters and capacity building on service delivery for good governance
- Capacity development of State attorney in prosecution of corruption cases

**Support justice system platforms for dialogue on national priorities**

- Organize high level platforms to review progress of justice reforms

**Support the implementation of legal aid policy, with a particular emphasis on the needs of women and vulnerable groups**

- Development and implementation of personnel strategy
- Development of legal aid guide, manual and training of mediators on manuals and guides
- Provide support to develop 5 year strategic plan for legal aid scheme
- Research on traditional justice systems

#### **IV: MANAGEMENT ARRANGEMENTS**

##### **Context:**

Despite written long-term strategies, short-term decision-making interferes repeatedly, especially when elections are approaching. Road maps exist in the form of a variety of strategic plans, but they are not always followed through and are sometimes victims of political whim. As major underpinnings of public policy are not called into question, especially given Ghana's role as a model democracy in West Africa, deviations are tolerated by the donor community. With oil revenue on the horizon, short-term rent-seeking becomes a real danger, which has to be avoided at all costs and the government has sought the advice of successful oil producer Norway on how to avoid the "resource curse". So far, however, the regulations and mechanisms to manage this challenge have not been put in place.

Ghana's aid architecture is currently operating under Ghana's Shared Growth and Development Agenda. Most Bilateral and Multilateral partner are organized in Sector Working Groups reflecting the Governments Development Priorities and the development partners' own division of labor with "lead" and "active participation" roles.

The United Nations have also aligned their development assistance to the Governments priorities and formalized it in a United Nations Development Assistance Framework. As a DaO self-starter country each UNDAF outcome (11 in total) is led by one UN Agency which participates actively or as lead in a respective Sector Working Group. The UNDAF is jointly monitored by the UN and the Ministry of Finance and Economic Planning (MoFEP) on an annual basis. The lead agency for each UNDAF outcome is responsible to provide regular progress up-dates to sector working groups and will as such coordinate and convene the various UN agencies and Implementing Partners working under one UNDAF.

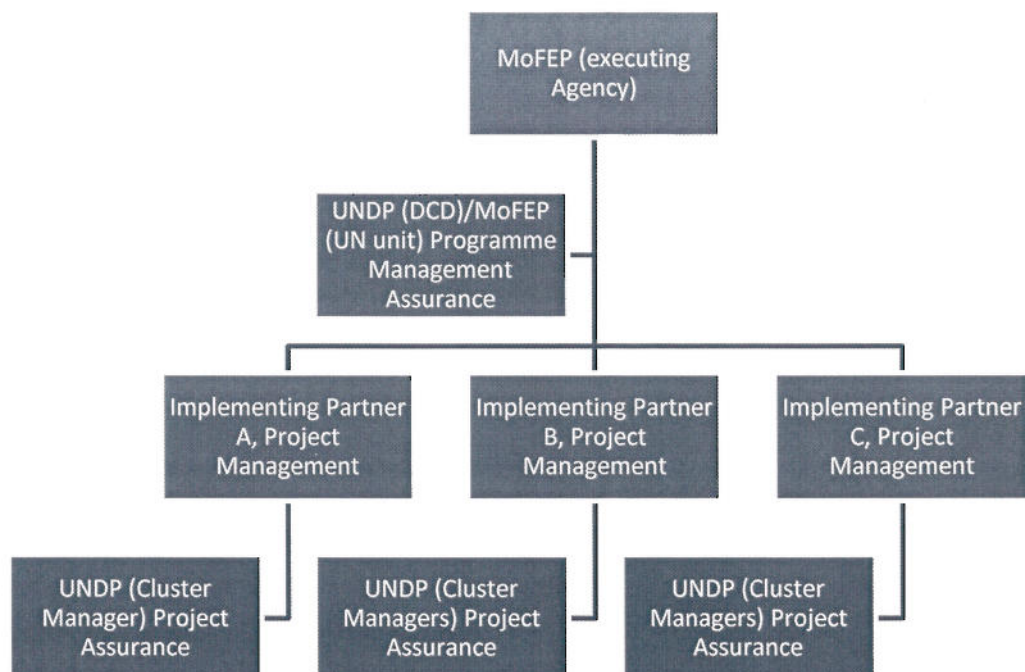
UNDP is leading three UNDAF outcomes, that is Disaster Risk Reduction and Climate Change, Political Governance and Evidence based Policy Planning and Budgeting which corresponds to its internal programme structure with a "governance cluster", an "Inclusive Growth Cluster" and a "Sustainable Development Cluster.

##### **Management Arrangements 2012-2016**

To enable UNDP to substantively feed into the sector working groups, it is imperative to gather relevant information and data on those three outcomes from the work of other UN agencies and their partners as well as from its own work with its implementing partners.

Consequently, for effective coordination and implementation, and to avoid parallel reporting structures, the following management arrangements will be in place for the new programming cycle:

There will be internal UNDP quarterly review meetings (3) which are expected to generate the required information at the technical level on programme implementation, and also provide MoFEP with up to date information on programmes. It is expected that the outputs from these internal quarterly meeting will feed into the bi-annual review (mid-year meeting) with UNDP and IPs. This meeting will ultimately inform decision makers at an annual high level breakfast meeting to be held at year end between UNDP and IPs.



### Definitions and Accountabilities of Implementing Partner and Responsible Party

As stated in Financial Regulation 27.02 of the UNDP Financial Regulations and Rules, an **implementing partner** is “the entity to which the Administrator has entrusted the implementation of UNDP assistance specified in a signed document along with the assumption of full responsibility and accountability for the effective use of UNDP resources and the delivery of outputs, as set forth in such document.” By signing a project document an implementing partner enters into an agreement with UNDP to manage the project and achieve the results defined in the relevant documents. The accountability of an implementing partner is to:

- Report, fairly and accurately, on project progress against agreed work plans in accordance with the reporting schedule and formats included in the project agreement;
- Maintain documentation and evidence that describes the proper and prudent use of project resources<sup>3</sup> in conformity to the project agreement and in accordance with applicable regulations and procedures. This documentation will be available on request to project monitors (project assurance role) and designated auditors.

As stated in the Financial Regulation 17.01 of the UNDP Financial Regulations and Rules, an implementing partner may enter into agreements with other organizations and entities, known as responsible partners, who may provide goods and services to the project, carry out project activities and produce project outputs. Responsible parties are accountable directly to the implementing partner.

<sup>3</sup> Prudent and proper use of resources refers to transparency, fairness and integrity in use of resources, compliance with administrative regulations and procedures, and attainment of best value for money.

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A **Responsible Party** is defined as an entity that has been selected to act on behalf of the implementing partner on the basis of a written agreement or contract to purchase good or provide services using the project budget. In addition, the responsible party may manage the use of these goods and services to carry out project activities and produce outputs. All responsible parties are directly accountable to the implementing partner in accordance with the terms of their agreement or contract with the implementing partner. Implementing partners use responsible parties in order to take advantage of their specialized skills, to mitigate risk and to relieve administrative burdens.

## **V: MONITORING AND EVALUATION**

At a minimum, on an annual basis, the following monitoring activities should be carried out in accordance with UNDP Programme and Operations Policies and Procedures (POPP):

- On a quarterly basis, a project progress reports shall be submitted to the MoFEP through UNDP
- An Issue Log shall be activated in Atlas and updated to facilitate tracking and resolution of potential problems or requests for change
- A risk log shall be activated and regularly updated by reviewing the external environment that may affect the WP implementation.
- A project Lesson-learned log shall be activated and regularly updated to ensure on-going learning and adaptation within the organization, and to facilitate the preparation of the lesson-learned report at the end of the project
- A monitoring schedule plan shall be activated in Atlas and updated to track key management actions/events
- Annual Review: An annual review shall be conducted during the fourth quarter of the year or soon after, to assess the performance of WP and appraise the Work Plan for the following year.
- Field Visits: A representative from UNDP office and the IP should visit each project at least once a year. Field visits serve the purpose of results validation and should provide latest information on progress for annual reporting preparation. Field visits should be documented through brief and action-oriented reports submitted within the week of return to the office.

## **VI: AUDIT CLAUSE**

The Project will be audited in accordance with UNDP Programme and Operation Policies and Procedures (POPP) and would cover the following areas: review of work plans, progress reports, project resources, project budget, project expenditure, project delivery, recruitment, operational and financial closing of projects (if applicable) and disposal or transfer of assets.

## **VII: RISKS AND ASSUMPTIONS**

It is assumed that the major focus of governance stakeholders in 2013 will be on the set up of a new administration for the Country. The December 2012 presidential and parliamentary elections, have set out a new path for the country which may translate into slightly different development policies and direction for the country. With the entrance of a new government, reforms and policy development processes may progress at a relatively slower pace after installation of the new administration. if the new administration decides to redefine and redirect its strategic direction for the country. UNDP is itself undergoing a process of internal transformation with a view to strengthening its human resource base and business

processes. Capacity building for staff involved in the delivery of this WP, at both the Implementing Partner and UNDP levels, will be needed.

**Management of risks:** UNDP will work to support the building of strong relationships with the new government in early 2013, to better ensure that political support for needed reforms, whether sectoral or constitutional, is secured and implementation commences as early as possible. CHRAJ, as an independent institution will be supported at the high level, to lead anti-corruption initiatives, which are part of its institutional mandate embedded in their 2011-2015 strategic plan while and supporting justice sector reforms proposed for the two year period. The justice sector baseline survey will be finalised in Q1 2013 with a view towards assuring the continuity of ownership and commitment for the needed justice sector institutions. A conscientious pursuit of the Governance Concept Paper and its Theory of Change will help mitigate many risks associated with this workplan over the period 2013-14.

### **VIII: LEGAL CONTEXT**

This document together with the UNDAF signed by the Government and UNDP which is incorporated by reference constitute together a Project Document as referred to in the SBAA [or other appropriate governing agreement] and all UNDAF provisions apply to this document.

Consistent with the Article III of the Standard Basic Assistance Agreement, the responsibility for the safety and security of the implementing partner's custody rests with the implementing partner.

The implementing partner shall:

- a) put in place an appropriate security plan and maintain the security plan, taking into account the security situation in the country where the project is being carried;
- b) assume all risks and liabilities related to the implementing partner's security, and full implementation of the security plan

UNDP reserves the right to verify whether such a plan is in place, and to suggest modifications to the plan when necessary. Failure to maintain and implement an appropriate security plan as required hereunder shall be deemed a breach of the agreement

The implementing partner agrees to undertake all reasonable efforts to ensure that none of the UNDP funds received pursuant of the AWP are used to provide support to individuals or entities associated with terrorism and that the recipients of any amounts provided by UNDP hereunder do not appear on the list maintained by the Security Council Committee established pursuant to resolution 1267 (1999). The list can be accessed via <http://www.un.org/docs/sc/committees/1267/1267ListEng.htm>. This provision must be included in all sub-contract or sub-agreements entered into under the AWP.

The UNDP Resident Representative and Country Director in Ghana are authorized to effect writing the following types of revisions to this WP, provided that he/she has verified the agreement thereto and is assured that the other signatories to the WP have no objection to the proposed changes:

- a) Revision of or addition to any of the annexes to the WP;

- b) Revisions, which do not involve significant changes in the immediate objective, outputs or activities of the project, but are caused by the rearrangement of the inputs already to or by cost increases due to inflation;
- c) Mandatory annual revisions which re-phase the delivery of the agreed project inputs or increase expert or other costs due to inflation or take into account agency expenditure flexibility; and
- d) Inclusion of additional annexes and attachments only as set out here in this WP.

## ANNUAL WORK PLAN – TRANSPARENCY AND ACCOUNTABILITY

Total Budget: \$2,197,650; 2013=\$1,164,450; 2014=\$1,033,200

Output 10.1 Governance institutions operate within a decentralized, enabling environment and promote inclusive, accountable and transparent governance

KEY RESULTS, BASELINES, ASSOCIATED INDICATORS AND TARGETS		LIST OF ACTIVITIES FOR RESULTS AND ASSOCIATED ACTIONS		Parties	PLANNED BUDGET			Budget Description
OUTPUT 10.1: GOVERNANCE INSTITUTIONS OPERATE WITHIN A DECENTRALIZED, ENABLING ENVIRONMENT AND PROMOTE INCLUSIVE, ACCOUNTABLE AND TRANSPARENT GOVERNANCE				RP	2013	2014	Funding Source	
<b>KEY RESULT 10.1.3</b> Capacity for efficiency, transparency and accountability in public affairs and public financial resources management at local governance level is improved		Enhance the accountability, transparency and public policy oversight role of civil society and government actors						
Baseline 1.3.1: 68% of citizens have not contacted local government officials to demand accountability (Source: Afro-barometer 2012)		Conduct social auditing, capacity assessment and build local/political authorities' capacity to effectively interact with citizens on issues of social accountability and monitor government projects at the district level		GII	80,000	100,000	TRAC/ Regional Service Centre	Local consultants, training, meetings costs
Indicator 1.3.1: Percentage of citizens demanding accountability from local government		Publish a simplified version of the findings and recommendations of Public Accounts Committee (PAC) for advocacy and institutional reforms "Show me the money"		GII	20,000	20,000	TRAC	Materials production, printing, local consultants
Target 1.3.1: Baseline reduced to 63% by end-2014		Strengthen local accountability networks (LANEKs) at regional levels to ensure efficiency, transparency and accountability in use of public financial resources with focus on vulnerable groups.		CDD	100,000	100,000	TRAC	Travel, local consultants, meeting costs
Baseline 1.3.2: Noticeably low levels of citizen responses to the Citizen Report Card (11,078 citizens), participation in the district assembly debates (1,032) and validation workshops (11,968) (Source: APRM District Report 2011)		Mobilize CSO and government stakeholders at local level to dialogue on transparency and accountability issues.						
Indicator 1.3.2: Number of citizens participating in local governance assessments (including vulnerable groups), district assembly debates and validation workshops through		Build capacity of CSOs, local actors including women to engage at the local level, monitor and evaluate public services (using the evidence from the capacity assessment of CSOs conducted by GACC in 2012) and through APRM structures		APRM/ GACC	120,000	120,000	TRAC	Local consultants, training, meeting, travel costs equipment

APRM structures Target 1.3.2: 10% increase in number of citizens participating in governance assessments by end-2014									
Baseline 1.3.3: NACAP not approved by parliament (Source: CHRAJ) Indicator 1.3.3: Extent of implementation of NACAP Target 1.3.3: NACAP approved by parliament, 5% implementation of NACAP by end-2014	Develop capacities of national institutions and CSOs to implement national and international anti-corruption instruments					50000	50000	TRAC	Meeting costs, local consultants
Baseline 1.3.4: UNCAC not reviewed by Ghana (Source: UNODC) Indicator 1.3.4: Extent of completion of UNCAC review Target 1.3.4: 70% UNCAC review completed by end-2014	Support implementation of the National Anti-corruption Action Plan (NACAP)						50,000	CHRAJ/ GACC	Meeting costs, local consultants, travel
Baseline 1.3.5: 83% of Ghanaians think Customs Excise and Preventive Service (CEPS) is corrupt. (Source: Voice of the people survey, GII 2011) Indicator 1.3.5: % of people that think CEPS is corrupt Target 1.3.5: 10% reduction in perception of CEPS being corrupt by end-2014	Support implementation of United Nations Convention on Anti-Corruption (UNCAC) review mechanism of Ghana						X	TRAC	Local consultants, training, meeting costs
	Conduct baseline study and provide capacity building support to the Customs division on integrity and good governance					100,000	50,000	TRAC	Printing, materials productions
	Educate citizens on customs structures and rules					50,000	50,000	TRAC	
	<b>SUB-TOTAL</b>					<b>570,000</b>	<b>490,000</b>		

KEY RESULTS, BASELINES, ASSOCIATED INDICATORS AND TARGETS	LIST OF ACTIVITIES FOR RESULTS AND ASSOCIATED ACTIONS	Parties	PLANNED BUDGET			
			2013	2014	Funding Source	Budget Description
<b>OUTPUT 10.3: PLANNED JUSTICE SECTOR REFORMS COMPLETED AND KEY INSTITUTIONS FUNCTIONAL AND RESPONSIVE</b>	<b>RP</b>					
<b>KEY RESULT 10.3.1</b> <b>Credibility, professionalism and independence and efficiency in the administration of justice strengthened</b> <b>Baseline 3.1.1: Ombudsman (Administrative Justice) of CHRAJ is not functional (Source: CHRAJ)</b> <b>Indicator 3.1.1: Number of Administrative Justice/Ombudsman cases reported and resolved by CHRAJ (gender dis-aggregated data)</b> <b>Target 3.1.1: 20 cases reported and resolved by 2014</b>	Strengthen the capacities of Justice sector institutions in main function to deliver justice effectively Build capacities of staff on ombudsman function, anti-corruption and good administrative justice (based on assessment in CHRAJ 5-year strategic plan 2011-2015) Develop service charters and capacity building on service delivery for good governance (based on assessment in CHRAJ 5-year strategic plan 2011-2015)	CHRAJ	80,000	100,000	TRAC	Equipment, training, meeting costs,
<b>Baseline 3.1.2: No of specific platforms to jointly review progress on justice sector reforms</b> <b>Indicator 3.1.2: Number of review meetings held by justice forum</b> <b>Target 3.1.2: Conduct two meetings to review progress on justice reforms</b>	Build capacities of State attorney in prosecution of corruption cases Support justice system platforms for dialogue on national priorities Organize high level platforms to review progress of justice reforms	MoJAGD	20,000	20,000	TRAC	Local consultants, printing, meeting costs Training, meeting and equipment
<b>Baseline 3.1.3: 40 legal aid personnel providing service nationwide (15 lawyers &amp; 25 ADR staff full time)</b> <b>Indicator 3.1.3: % increase in legal aid personnel</b> <b>Target 3.1.3: 50% increase in personnel by end-2014</b>	Support the implementation of legal aid policy with a particular emphasis on the needs of women and vulnerable groups Development and implementation of personnel strategy Development of legal aid guide, manual and training of mediators on manuals and guides Provide support to develop 5 year strategic plan for legal aid scheme	MoJAGD  LAS LAS LAS	20,000  40,000 50,000 60,000	20,000  30,000 30,000 30,000	TRAC  TRAC TRAC TRAC	Travel, meeting, local consultants Local consultants, meetings Printing, local consultants Local consultants, travel,



KEY RESULTS, BASELINES, ASSOCIATED INDICATORS AND TARGETS		LIST OF ACTIVITIES FOR RESULTS AND ASSOCIATED ACTIONS	Parties	PLANNED BUDGET			
OUTPUT 10. TA . Support : Cross Cutting support to enable the implementation of this AWP provided			RP	2013	2014	Funding Source	Budget Description
		<b>TA.1: Capacity of IP and RPs to implement this AWP is strengthened</b>	<b>UNDP</b>	10,000 4,000 15,000 5,000 5,000	10,000 4,000 15,000 5,000 5,000	TRAC	Training, meeting costs, staff hire
		<b>TA.2: Advocacy, knowledge management and communication capacity supported</b>	<b>UNDP</b>	10,000 10,000 10,000	10,000 10,000 10,000	TRAC	Materials productions, Printing, local consultants, travel and meeting costs
		<b>TA.3 : Monitoring and evaluation of activities undertaken</b>	<b>UNDP</b>	10,000 5,000 10,000 20,000 10,000	10,000 5,000 10,000 20,000 10,000	TRAC	Travel, local consultants hired, meetings costs,
		<b>TA.4 : Implementation support services (ISS) – 5%</b>	<b>UNDP</b>	55,450	49,200	TRAC	
		<b>SUB-TOTAL</b>		<b>179,450</b>	<b>173,200</b>		
		<b>GRAND TOTAL</b>		<b>1,164,450</b>	<b>1,033,200</b>		