

**“Mid Term Evaluation Anti-corruption, Rule of Law and Accountability Programme (ARAP), Ghana”**

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The views expressed in this report are those of the evaluators. They do not represent those of FIIAPP or any of the stakeholders referred to in the report. All errors and omissions are the responsibility of the authors.

**Glossary of acronyms**

ARAP	Anti-Corruption, Rule of Law and Accountability Programme
CHRAJ	Commission on Human Rights and Administrative Justice
CSO	Civil Society Organisation
CU	Coordination Unit
DFID	UK Department for International Development
DPP	Director of Public Prosecution
EOCO	Economic and Organised Crime Office
EPA	Environmental Protection Agency
EU	European Union
FIIAPP	International and Ibero-American Foundation for Administration and Public Policies
GPS	Ghana Police Service
ICBs	Independent Constitutional Bodies
IGOs	Inter-governmental Organisations
JS	Judicial Service of Ghana
KRAs	Key Result Areas
LAC	Legal Aid Commission
MTE	mid-term evaluation
NACAP	Ghana's National Anti-Corruption Action Plan
NAO	National Audit Office
NCCE	Ghana's National Commission for Civic Education
NGOs	Non-Governmental Organisations
NIP	National Indicative Programme
OAG	Office of the Attorney General
OECD-DAC	The Organisation for Economic Co-operation and Development's (OECD) Development Assistance Committee (DAC)
PAD	Public Affairs Department
SC	Steering Committee
TA	Technical advisor
TBD	To Be Defined
TI	Transparency International
ToR	Terms of Reference

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## EXECUTIVE SUMMARY

This is the executive summary of the draft final report of the mid-term evaluation (MTE) of the Anti-Corruption, Rule of Law and Accountability Programme (ARAP), implemented since January 2016 in Ghana with support from the European Union Delegation (EUD). The programme, which is running until January 2021, is implemented by a Coordination Unit (CU) assisted by long-term and short-term technical advisors (TAs) provided by the International and Ibero-American Foundation for Administration and Public Policies (FIIAPP), which is the beneficiary of a Delegation Agreement with a budget of €13m. According to the MTE Terms of Reference (ToR), FIIAPP has overall responsibility for the implementation of ARAP, including in relation to two additional separate components:

- A Delegation Agreement with the UK Department for International Development (DFID), under which the EU contributed €4m to a pool fund supporting the STAR-Ghana facility, to carry out activities aimed at civil society organisations, Parliament and the media;
- A grant to Ghana's National Commission for Civic Education (NCCE) amounting to €2.2m, to deliver a civic education campaign.

The **specific objective** of the ARAP programme is to contribute to current reforms in relation to rule of law, accountability, the fight against corruption and environmental governance, through support to key institutions. At the same time, the programme also supports efforts to increase the ability of the public, civil society organisations (CSOs) and the media to hold government accountable in relation to corruption. According to the ARAP Action Document, the programme has two **key result areas** (KRAs):

- KRA 1: accountability is enhanced, leading to a reduction in corruption and improved environmental governance.
- KRA 2: compliance with and respect for the rule of law are improved, particularly in the areas of accountability and anti-corruption.

The ARAP Programme is designed to foster improvement in anti-corruption by addressing both the “demand” and the “supply” sides of transparency and accountability. On the “demand” side, by contributing to enhancing awareness of corruption and by reinforcing the role of institutions, media and civil society in maintaining accountability, and by highlighting the relationship between transparency/integrity and human rights. On the “supply” side, ARAP seeks to enhance the capacity of the investigation and prosecution authorities to address and fight corruption effectively, with a view ultimately to ensure just and effective punishment, respecting judicial independence. This two-pronged “supply and demand” approach forms the basis of the intervention logic.

### Relevance

The Programme design was firmly anchored in, and continues to respond to, anti-corruption needs and priorities of Ghana's government and those of other institutional, private sector, citizens and civil society stakeholders. The objectives fail to fully take into account Ghana's governance context, characterised by weak anti-corruption law enforcement. The linkages between the results area are also not embedded in programme design. These concerns are somewhat tempered by the specific objective, which refers to a *contribution to reform processes, through support to institutions*, which is considered reasonably attainable in the programme's life, and centred on the processes themselves, rather than purely quantifiable outcomes.

The narrative intervention logic developed in programme design is dense, and somewhat muddled, but was nevertheless coherent at the time. However, this has not been revised subsequent to significant programme changes, nor has a programme Theory of Change been developed. The “intervention logic” contained in the ARAP programme log frame (appended to the Terms of Reference of the present evaluation) is simply a repetition of the programme's objectives and results.

It is therefore recommended that the overall objective and key result areas be adjusted to remove any circular logic, their targets clarified (demand/supply), the result areas reframed to align with what are objectively achievable outcomes given the Ghanaian context, the linkages between the result areas clearly highlighted. The log frame will have to be adjusted to reconcile and clarify the result values, and the narrative intervention logic updated, and

integrated more clearly in the logical framework. The programme as a whole is, from a structural and hence activity perspective, highly compartmentalised, in the sense that different sets of activities and operational modalities target institutions and CSOs, and that workplans are designed in consultation with individual institutions on the basis of their specific needs. This is of particular concern given that the Programme was designed on the premise that “*a strategy to fight against corruption needs a holistic and comprehensive approach*”.

The Programme was intended to be “*as flexible as possible to meet changes that may occur over its lifetime*”. As a result, the original logical framework contained numerous “sub-activities”, but others were left to stakeholders to develop on an annual basis. This original strong emphasis on flexibility was not as “embedded” in the Financial Agreement, and was instead to be assured through the creation of a Short-Term Expert (STE) facility to “*respond to an evolving environment*”, which subsequently manifested as a single contract with GIZ to recruit short term experts. A *de facto* commitment to ensuring the Programme’s overall flexibility was reiterated in the Inception Report, and is clearly evident in implementation (see *Effectiveness* below). This inherent flexibility is considered to be a considerable strength of the Programme, in that it allowed bespoke responses to changing contexts and institutions, and to capitalise on emerging opportunities, and even the emergence of new institutions.

The Programme is strongly aligned with the objectives and priorities of the EU in relation to its Ghana country strategy. The [National Indicative Programme \(NIP\)](#) for Ghana, covering EU support to Ghana under the 11th EDF (2014-2020) focusses on three broad areas: governance (public sector management and accountability); practical investment in agriculture, and Employment and social protection.

### **Effectiveness**

The ARAP programme is effective in the sense that it is involving the implementation of a broad, multi-faceted range of activities in many different fields, that are laying the groundwork for what could become substantial advances in the fight against corruption in all its forms, for more transparency and for a more effective justice system. Indeed, it is difficult to overstate the breadth of activities being implemented under this programme:

- The ARAP component has implemented over 120 activities up to end-2018, a figure likely to reach over 200 by end-2019, ranging from training sessions to the development of policies and guidelines, through to the provision of IT equipment and the organisation of study visits;
- STAR-Ghana is supporting at least 20 projects directly connected to the fight against corruption, as well as many others that have a transparency/political participation dimension relevant to anti-corruption; in so doing it is supporting work with Parliament at the national level, through to schools and health services at the local level, as well as many other national and regional initiatives;
- NCCE is conducting awareness-raising activities at the national and local levels through a broad range of channels, while also supporting social audit activities that contribute to enhancing citizens’ understanding of their rights, and to foster their involvement in decision-making that affects them, including for example on the use of local level government budgets.

Nevertheless, concerns are emerging:

- A need exists for high-level support for change in each ARAP beneficiary institution. It is clear that ARAP support to stakeholders – such as the development of policies and guidelines and the deployment of new IT tools – can only be effectively used if stakeholders’ senior decision-makers send clear signals of support for innovation and new approaches.
- At the same time, it is important for ARAP and stakeholders to address fully the change management challenges related to the introduction of new technology; support often needs to go beyond training, as changes in work modalities and mindsets are often also required.
- The delivery of outputs has largely been demand-driven (based on each stakeholder’s needs and capacity), to the relative detriment of the reinforcement of coordination and synergies across institutions – although some demand-driven outputs did contribute to more coordination among justice sector actors. The three components of the programme have, to date, acted largely separately (although NCCE is in the unusual situation of being both an ARAP stakeholder and the implementer of a separate component).
- It is important also to ensure that the international dimension of the fight against corruption is better taken into account in activities.

The KRAs do not easily fit with the “supply and demand” intervention logic referred to in programme documentation (and analysed in this report’s introduction). The formulation of the programme objective and outcomes follows the key results areas outlined in the introduction to this report. However, outcomes are vaguely worded. As a result, it is necessary to rely on the proposed indicators, not just to assess the achievement of outcomes, but also to understand what they mean. In this context, it remains unclear whether the programme will be able to achieve the indicators set in the current log frame and results framework.

The programme will be more likely to achieve its outcomes if it can ensure that incremental changes in individual institutions – Points to Prove, NACoRD, Practice Directions and numerous other items – actually mesh together to lead to a qualitative step change in the fight against corruption. While achieving the change itself is the responsibility of the institutions concerned, ARAP’s contribution should be to help ensure that every institution knows about changes undertaken by their counterparts and understands how stakeholders can better cooperate.

### **Efficiency**

The STAR-Ghana and NCCE component, being implemented under separate contracts, have been following their own timelines, and no particular concern was noted in terms of timeliness. The ARAP component, on the other hand, faced a relatively lengthy inception period, which according to interviewees was largely related to the need to build trust and understanding with the stakeholders: needs assessments were carried out and consultation processes implemented with each stakeholder with a view to develop work plans for ARAP support. This process took the best part of the first year of ARAP implementation.

The evaluators found, on the basis of programme progress reports, detailed interviews and interactions with CU members, that the CU team was highly effective and focused on achieving the programme’s activities and outcomes. Team members are experts in their fields and bring substantial experience of anti-corruption and other key skills. Short-term TA personnel are also bringing very relevant expertise, effectively complementing that of the permanent CU staff. Similar remarks may be made about the other components. For these reasons, the evaluators are confident that the programme is making good use of its financial and human resources to deliver the required outputs and outcomes.

However, the parliamentary and presidential elections scheduled for the last quarter of 2020 present a substantial risk to the timely implementation of the programme. In 2020, this electoral period will coincide with the last few months of the programme, when the workplan envisions activities taking place at an intensive rate. Contingency planning to take account of this situation should be considered. As part of this contingency planning, it will be important to ensure that the CU has sufficient human resources at its disposal to deliver the required activities and to support the beneficiary institutions.

The SC has proven to be an effective accountability and information exchange forum, which helps contribute to Ghanaian ownership and buy-in for the programme as a whole. There are, nevertheless, two concerns in relation to high-level management of the programme:

- The SC could do more to seek synergies from the three components, including joint participation in activities where this is relevant.
- The SC should also work with relevant stakeholders to reinforce high-level buy-in for the ARAP strategy and outcomes among senior leadership in the beneficiary institutions.

### **Sustainability**

Sustainability is not addressed in programme design, nor in subsequent reporting, and there are some serious concerns about the sustainability of many aspects of the Programme. The most serious barrier to sustainability is related to higher-level political will, and to some extent the degree of institutional will. It would appear that there has been high-level involvement in activities by GoG representatives, however it is considered that the Programme could benefit from additional high-profile interventions by the Head of Delegation.

Sustainability issues are linked to the various types of support. Training of staff is generally sustainable, but can be undermined by attrition caused by staff rotation or departure. Judicial training on environmental cases is also



likely to lead to highly sustainable results. However, one example was given of a judge who had been trained having been transferred to a court where his skills cannot be utilised. Information systems, equipment and other technological support are objectively sustainable, but require strong commitment by authorities to upgrade, maintain, assure technical assistance and troubleshooting, and provide on-going training. Web-sites also require constant updating. This Programme's IT support, such as the AG's case-management system, remain highly vulnerable to stagnation after the Programme's conclusion.

The Programme benefits from momentum within society itself relative to accountability, fighting corruption and improving the rule of law, which will also have very positive effects on the sustainability of the Programme. Programme documents do not provide for an exit strategy, and one has not been prepared to date. Nevertheless, it is understood that the Programme will include a "closing period" of six months at the end of the implementation period, during which the activities will be concluded, final assessments conducted, and stakeholders' supported in moving forward with their institutional agendas and capitalising on the Programme's support. A structured, pre-emptive exit strategy should be developed, whilst ensuring that this is periodically adjusted, in line with the Programme's flexible approach.

### **Impact**

It is accepted that it is still too early to make an assessment of any impacts, and to a certain degree any likely impacts. As one stakeholder stated: "*if we expect 100% improvement, we will be disappointed, because change takes a long time*". It is also evident that many impacts will be dependent on the extent to which sustainability can be integrated, as discussed above.

However, the Programme appears to be well on track to achieving a number of improvements in practices, as supported by manuals and guidelines. Improved practices and procedures, together with technological support, will transform efficiencies, and help ensure transparency and accountability of critical rule of law institutions supported by the Programme, in particular the police and judiciary. Training has also already had significant impacts on how institutions conduct their activities, and in the case of judicial training, will continue to have qualitative impacts on the interpretation and development of case-law, and general accountability, relative to environmental issues.

The likely impact on environmental governance will be considerable, and will likely have significant impacts relative to deterrence (see also the encouraging secondary effects below). Stakeholders report that inter-institutional trust, coordination and cooperation has already been generally improved through Programme activities. The decentralisation of oversight mechanisms, such as the Justice Service Public Relations and Complaints Unit, will provide a significant contribution to access to justice. The Legal Web Library also has the potential to transform the way that legal professionals conduct their work, contributing significantly to access to legal information. Public outreach and awareness activities are clearly already impacting on attitudes and knowledge concerning corruption, and provide the information needed for citizens to demand accountability.

### **EU added value and coherence**

The programme design has effectively taken into account lessons from past support to the governance sector in Ghana, by ensuring that ARAP addresses a limited range of key institutions in the justice and anti-corruption fields. The design thus benefited from the EU's experience as a development partner for Ghana in relation to governance and decentralisation. The programme is working effectively in coordination with STAAC, which is the key anti-corruption programme currently active. STAAC stakeholders include the Ghana Audit Service (GAS) and other public finance management institutions (Internal Audit Agency and Public Procurement Authority), which ARAP chose therefore not to address as stakeholders. The design of ARAP took into account the background of Danish support to CHRAJ and JS (though this was focused on access to justice rather than anti-corruption per se).

### **Human rights and gender equality**

Programming documents refer to a rights-based supply-demand driven model. The CHRAJ holds the central role in ensuring human rights in Ghana are upheld, and the NACAP itself is centred on a rights-based approach, constantly reinforcing the links between corruption, human rights, and development. However, these crucial

aspects have not integrated in the Programme to date. The only rights-related activity conducted to date has been 2018 LAC training of trainers that included human rights litigation. Human rights have not been integrated in other activities, and no mention of same is made in Progress Reports. It is accepted nevertheless that the Programme is addressing in real terms many of the rights that are most relevant to anti-corruption, rule of law and accountability, including the right to information, and access to key public services including justice, health and education, however this is occurring in an incidental manner, rather than being addressed directly, or woven into activities. The ARAP Key Expert responsible for rule of law issues is experienced and qualified in rights issues, and has expressed strong interest in developing an RBA action plan, and incorporating rights elements in the remaining Programme.

Programme design documents stated that “*although the programme centres on good governance, it does not have a specific focus on gender. However, gender is mainstreamed into it: both CHRAJ and the Judiciary have mainstreamed gender in their strategic plans and support to these will support gender equality*”. However, there is little concrete analysis of broader gender issues relative to corruption, accountability or rule of law, and how the action would address these. Nevertheless, gender appears to have been generally mainstreamed in activities, although this is largely through the existing gender mainstreaming approaches of stakeholder institutions, rather than through the Programme itself.

### **Lessons learned**

- The programme has found innovative ways of addressing various aspects of corruption.
- The programme is laying the groundwork for holistic and evidence-based strategies to fight corruption.
- A more “systemic” approach should follow the ARAP programme.

### **Conclusions**

- The ARAP programme responds to a clear need in Ghana.
- The programme’s “supply and demand” intervention logic is in line with strategic needs.
- The programme design lacks internal coherence.
- The programme does not take a sufficiently systemic, holistic approach to the fight against corruption.
- The programme is delivering a well thought-out, increasingly intensive set of activities in all three components.
- The programme’s over-ambitious planned outcomes are unlikely to be fully delivered.
- The coordination of the three programme components is weak and should be enhanced in the short term.
- The programme will need strong political-level support by the EU in its closing phase.
- Programme management is effective at the level of each component.
- The programme needs an exit strategy aimed at strengthening its sustainability.
- The programme is likely to achieve substantial elements of impact in all three components.

### **Recommendations to the ARAP Steering Committee**

The Steering Committee should require the CU to implement the following recommendations:

1. **Revise the programme logframe to adapt the high-level indicators.** The formal, overall programme logframe should be adjusted, to the extent possible<sup>1</sup> in line with the findings (overall objective, key result areas, linkages between result areas, indicators, baselines, sources of verification, assumptions). A Theory of Change for the ARAP Programme should be developed, on the basis of work done at inception stage and of the analysis in the present report.
2. **Ensure that the programme is resilient in view of the forthcoming national elections.** ARAP and EUD should provide support to reenergising and operationalising the existing Governance and Justice Sector Working Groups, in order to formalise and therefore improve and foster inter-agency cooperation. Related to this, consideration should be given to strengthening the institutional focal points to support technical cooperation and improve work-flows. The Office of the Special Prosecutor should be engaged more strongly in programme activities, where appropriate and subject to time and resource constraints of the programme and the OSP. Memoranda of Understanding (MoUs) should be developed with and where appropriate between stakeholders, in particular to ensure the sustainability of the benefits provided by the programme – consideration should be given to the possibility of developing MoUs between institutions and CSOs, strengthening citizen participation in the work of anti-corruption agencies. Consideration should also be given to prolonging the ARAP programme into 2021 if this proves necessary to complete the agreed workplans.
3. **Develop an explicit programme exit strategy.** A political economy analysis (PEA) should be conducted, in particular relative to sustainability issues, and the programme’s exit strategy, taking account of the overall National Integrity System of Ghana.<sup>2</sup> The opportunities and risks posed by the forthcoming election period should be discussed between ARAP, EUD and stakeholders as a matter of urgency, and findings (including mitigation measures) integrated into programme structure, approaches, and activities. Mentoring and similar embedded support should be established, where possible, in remaining activities. A rights-based approach and accompanying action plan should be developed and implemented as a priority, as part of the exit strategy. Gender mainstreaming should be strengthened, and gender-disaggregated indicators and data sources developed.
4. **Strengthen ARAP’s international dimension.** Increased emphasis should be given in programme strategy, approaches and activities to the links of corruption to international corruption and organised crime, regional security and peace, and international investment and development.
5. **Strengthen human resources for CU.** Additional human resources and other support should be allocated to the Coordination Unit, to assist in the implementation of remaining activities. Consideration should also be given to engaging some of the short-term experts on a full-time, in situ basis, if possible, for the remaining programme period.
6. **Programme management.** Issues relative to under-represented and vulnerable groups should be directly addressed and/or mainstreamed in the programme logframe and implementation. Programme reporting should be strengthened to incorporate results-based monitoring, with for example additional fields integrated in the SIA monitoring framework.

### Recommendations to the EUD

- a. **Enhance high-level support to the ARAP programme.** It is important in the forthcoming period that the EU should demonstrate its high-level support for the aims and modalities of the ARAP programme. In particular, the EU could assist with programme implementation through diplomatic engagement with the senior leadership of the beneficiary institutions – this would come in addition to the public support that the EUD provides to ARAP, for example through the EU Ambassador’s attendance at public events.
- b. **Initiate planning for a successor programme building on the groundwork laid by ARAP.** Building on the proposed exit strategy, it would be appropriate at this point for the EUD to initiate the identification and formulation process for a successor programme to ARAP. This process should take a holistic approach to the fight against corruption, taking into account the entire range of anti-corruption actors and processes, as set out in the National Integrity System approach (or similar, academically proven analysis frameworks).

<sup>1</sup> Some high-level aspects of the logframe may not be easily changed because they are part of contractual agreements. Priority for revision should go to key indicators. See proposed revisions in annex to this report.

<sup>2</sup> The work done by Transparency International to analyse national integrity systems could be used to guide the PEA.

**Implementation of the recommendations**

The last phase of the ARAP programme, till end-2020, will involve intensive work by all stakeholders. The CU will likely play a key role as organiser and provider of support. It is recommended that a workshop be held in September 2019, focusing on the consideration of the findings and recommendations made in the present report. Such a workshop could also be an opportunity for the EUD, the beneficiary institutions, CSOs and programme implementers to renew their mutual commitment to achieve programme outcomes, and to reinforce the programme's resilience in view of the challenges that are likely to be posed by the 2020 national electoral context.

## I. INTRODUCTION

### THE PROGRAMME

This is the draft final report of the mid-term evaluation (MTE) of the Anti-Corruption, Rule of Law and Accountability Programme (ARAP), implemented since January 2016 in Ghana with support from the European Union Delegation (EUD). The programme, which is running until 29 January 2021, is implemented by a Coordination Unit (CU) assisted by long-term and short-term technical advisors (TAs) provided by the International and Ibero-American Foundation for Administration and Public Policies (FIIAPP), which is the beneficiary of a Delegation Agreement with a budget of €13m. According to the MTE Terms of Reference (ToR), FIIAPP has overall responsibility for the implementation of ARAP, including in relation to two additional separate components:

- A Delegation Agreement with the UK Department for International Development (DFID), under which the EU contributed €4m to a pool fund supporting the STAR-Ghana facility, to carry out activities aimed at civil society organisations, Parliament and the media;
- A grant to Ghana's National Commission for Civic Education (NCCE) amounting to €2.2m, to deliver a civic education campaign.

The **specific objective** of the ARAP programme is to contribute to current reforms in relation to rule of law, accountability, the fight against corruption and environmental governance, through support to key institutions. As the same time, the programme also supports efforts to increase the ability of the public, civil society organisations (CSOs) and the media to hold government accountable in relation to corruption. According to the 2016 ARAP Action Document, the programme has two **key result areas** (KRAs):

- KRA 1: accountability is enhanced, leading to a reduction in corruption and improved environmental governance. As part of this, the programme is designed to:
  - Build capacity of civic education providers – National Commission for Civic Education (NCCE), Commission for Human Rights and Administrative Justice (CHRAJ), civil society organisations (CSOs) and the media – to campaign, advocate and lobby for increased accountability and a reduction in corruption;
  - Support the NCCE to conduct civic education and awareness on accountability;
  - Support CHRAJ to conduct anti-corruption campaigns and activities in line with Ghana's National Anti-Corruption Action Plan (NACAP);
  - Support CSOs, the media, Parliament and selected parliamentary committees to enhance their accountability, anti-corruption and lobbying and advocacy roles and functions.
- KRA 2: compliance with and respect for the rule of law are improved, particularly in the areas of accountability and anti-corruption. As part of this, the programme is to:
  - Build capacity of prosecutors to prosecute corruption and related offenses;
  - Build capacity of the Judiciary to hear and decide corruption cases and related offences, and to hold government to account;
  - Establish a free web-based library and resource centre for all stakeholders and users of the justice system;
  - Support the police and judiciary to combat corruption amongst their ranks.

To achieve these results, the ARAP component of the programme implements activities including training sessions, provision of IT equipment and TA, and development of manuals and handbooks. STAR-Ghana and the NCCE implement activities under their respective mandates.

### THE CONTEXT

Ghana has a well-deserved reputation as a stable, open and democratic country, often held as an example of improving democratic and economic governance. A range of legal provisions are in force to address various aspects of the fight against corruption – most recently the Office of the Special Prosecutor (OSP) Act, 2017, under

which the OSP is mandated to investigate and prosecute major corruption cases, and the Right to Information Act, 2019, adopted by Parliament in March 2019 and signed by President Nana Addo Dankwa Akufo-Addo in May.<sup>3</sup>

Ghana is also a signatory to the UN Convention against Corruption (UNCAC). Importantly, Ghana has also developed the National Anti-Corruption Action Plan (NACAP) 2015-2024. NACAP was adopted by Parliament in 2014. The mandate of the Commission on Human Rights and Administrative Justice (CHRAJ, Ghana's national human rights institution) includes an anti-corruption investigation and prevention dimension. This mandate complements that of the other key institutions, including the police, judicial service, Office of the Attorney General (OAG) and Economic and Organised Crime Office (EOCO).

The electoral context is of relevance to the present MTE. The issue of corruption was widely debated during the presidential and parliamentary election campaigns of 2016, and it is likely that it will be prominent again in the run-up to the next elections due to take place in the last quarter of 2020. The ARAP programme also happens to be scheduled to conclude in late 2020.<sup>4</sup> As a result, public interest in ARAP activities is likely to grow during 2020: this might enhance the visibility and impact of the programme. At the same time, the sensitive political context ahead of the 2020 elections will also present two key challenges:

- Governments in parliamentary democracies traditionally refrain from taking high-profile executive, policy or legislative initiatives in the run-up to elections;
- Political groups may use ARAP activities and outputs (including publications issued with ARAP support) for political gain.

Taken together, these two factors may hamper the execution of approved ARAP workplans. It will be important for the CU to monitor the socio-political context of the programme during 2020 and to consult closely with institutions and other stakeholders to ensure that the pre-election context is used to reinforce Ghana's anti-corruption agenda, while limiting any adverse impact.

### **EU approach**

The 2014-2020 National Indicative Programme (NIP) identifies governance (public sector management and accountability) as one of three priority sectors of intervention. The NIP notes that Ghana, despite a "favourable track record on good governance, rule of law and respect for human rights", faces "challenges in the short to medium term to consolidate its democracy and good governance".<sup>5</sup> The NIP identifies the "need to reinforce rule of law and public accountability of state functions" and sets out a three-pronged approach addressing the accountability chain through:

1. Improved rule of law and access to justice through a more effective, responsive and transparent justice sector (particularly with regard to public mismanagement and breach of authority);
2. Strengthened role of communities, CSOs, and media to effectively participate in and influence policy processes improved accountability, transparency and service delivery; and
3. Support to oversight and control functions over the executive, notably through the reinforcement of the Parliament and Independent Constitutional Bodies (ICBs).

### **ARAP PROGRAMME INTERVENTION LOGIC AND THEORY OF CHANGE**

The ARAP Programme is designed to foster improvement in anti-corruption by addressing both the "demand" and the "supply" sides of transparency and accountability:

- On the "demand" side, by contributing to enhancing awareness of corruption and by reinforcing the role of institutions (Parliament, independent bodies such as CHRAJ, NCCE, etc.), media and civil society in maintaining accountability, and – most important – by highlighting the relationship between

<sup>3</sup> Other relevant laws adopted since the 2000s include the Whistleblower Act, 2006; Anti-Money Laundering Act, 2008; Economic and Organised Crime Office Act, 2010; and the Public Financial Management Act, 2016.

<sup>4</sup> The programme is formally due to end in January 2021, but most activities are currently planned to conclude by the end of 2020.

<sup>5</sup> National Indicative Programme 2014-2020, p. 11.



transparency/integrity and human rights: corruption ultimately hurts the most vulnerable, be it in terms of economic status or in terms of gender.

- On the “supply” side, ARAP seeks to enhance the capacity of the investigation and prosecution authorities to address and fight corruption effectively, with a view ultimately to ensure just and effective punishment, respecting judicial independence.

The two-pronged “supply and demand” approach outlined above forms the main basis of the intervention logic. In addition, the 2016 ARAP inception report noted that:

“The accountability and anticorruption sector can be visualized as a chain linking different stages (access to information, detection, reporting, investigation, prosecution, adjudication, enforcement and recovery of assets) to different actors with specific functions. It follows that to have successful anti-corruption interventions, these need to address not only the single institutions but also the linkages and connections between the actors and stages of the chain.” (Inception Report, p.18)

The Inception Report further noted lessons from previous anti-corruption activities, which it summarised as follows:

- Necessity to take account of the socio-economic context of each intervention – the “systemic yet specific nature of corruption” in each country;
- The need to focus on “attainable objectives” in the programme period, rather than to expect an overall drop in corruption levels over the duration of the programme;
- The need to take account of the fact that “the causal chain linking macro-level phenomena to individual behaviour is not well defined” – meaning that building awareness of rights or strengthening capacity among duty bearers does not necessarily lead to an improved set of outcomes.

In view of this context and lessons, the programme proposed to take “a three-step approach with a basic principle of joining the efforts of the Ghanaian authorities and civil society to fight against corruption in their context (ownership and context specific).” This involved the following phases:

- To “identify key governance and capacity building entry points with the main stakeholders involved in the anti-corruption chain, mostly related to NACAP”;
- To develop “a joint Theory of Change to reduce corruption” and “identify which outcomes are under the control of which stakeholders (...), leading to more realistic expectations and better-coordinated work”.
- To identify elements for ARAP to address “along the anti-corruption chain, which in the long run can be further strengthened and improved”.

The graph on the next page (Fig. 1) summarises this original ARAP approach. The overall and specific objectives set out in the programme’s logical framework clearly refers to the “supply and demand” model outlined above, on the assumption that support to both aspects would lead to a cycle of mutually reinforcing strengthening of the “demand” and “supply” sides. This is most clearly expressed in the logframe as it states:

[The specific objective of ARAP is to] “contribute to current reform processes in the area of rule of law, accountability, anti-corruption and environmental governance, through support to key institutions, while at the same time increasing the ability of the public, civil society organisations and the media to hold government to account.”

It is therefore possible to summarise the programme’s intervention logic in the form of the table (Fig. 2) below, using elements inferred from project documents (mainly inception report, logframe and annual reports). It should

be noted that the wording of items in the table is a summary, not a direct quote of documents. The Programme’s logframe further sets out activities and indicators, as well as targets to be achieved and sources of verification.

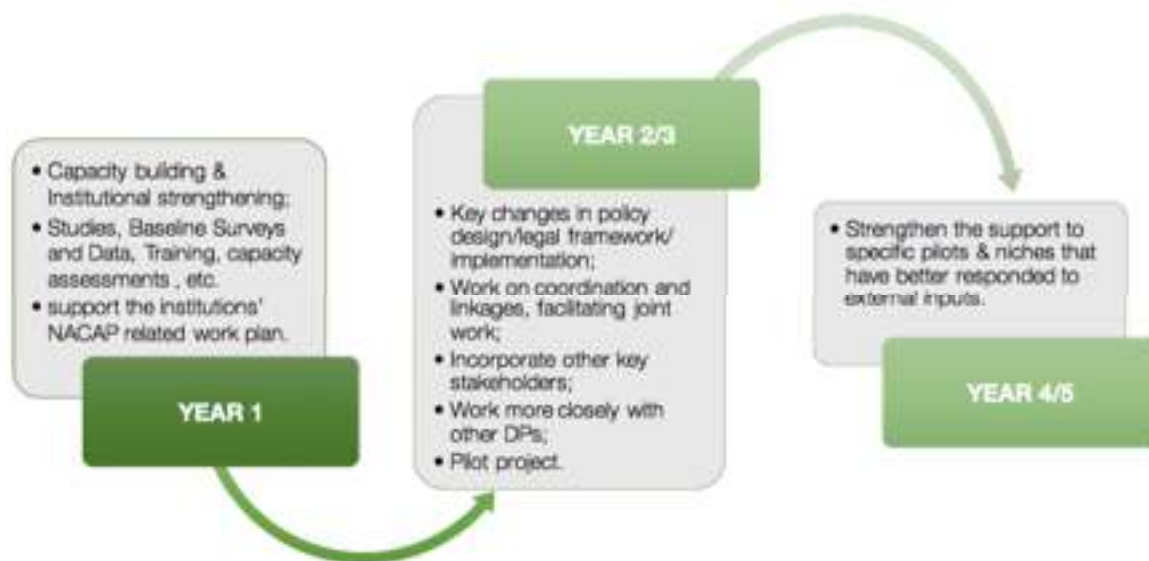


Figure 1: ARAP approach, as per Inception Report (p.19)

Outputs	Contribution	Outcomes	Contribution	Results	Contribution	Impact
<ul style="list-style-type: none"> <li>Training sessions</li> <li>Thematic workshops</li> <li>Training of trainers</li> <li>Public education campaigns</li> <li>Equipment support to institutions</li> <li>Handbooks and manuals</li> <li>Web-based resource centre</li> </ul>		<ul style="list-style-type: none"> <li>Institutional capacity building</li> <li>Civil society capacity building</li> <li>Media investigative capacity building</li> <li>Reinforcement of anti-corruption chain</li> <li>Coordination amongst anti-corruption agencies</li> <li>Strategic litigation</li> </ul>		<ul style="list-style-type: none"> <li>Enhanced public awareness of accountability and corruption</li> <li>Enhanced reporting and prosecuting of corruption</li> <li>Increased capacity of citizens to demand transparency</li> <li>Enhanced institutional capacity to address corruption through law enforcement and the judiciary</li> </ul>		<ul style="list-style-type: none"> <li>Reduced corruption</li> <li>Improved accountability</li> <li>Improved rule of law</li> <li>Improved environmental governance</li> </ul>

Figure 2: ARAP summarised programme intervention logic (sources: inception report, logframe, annual reports)



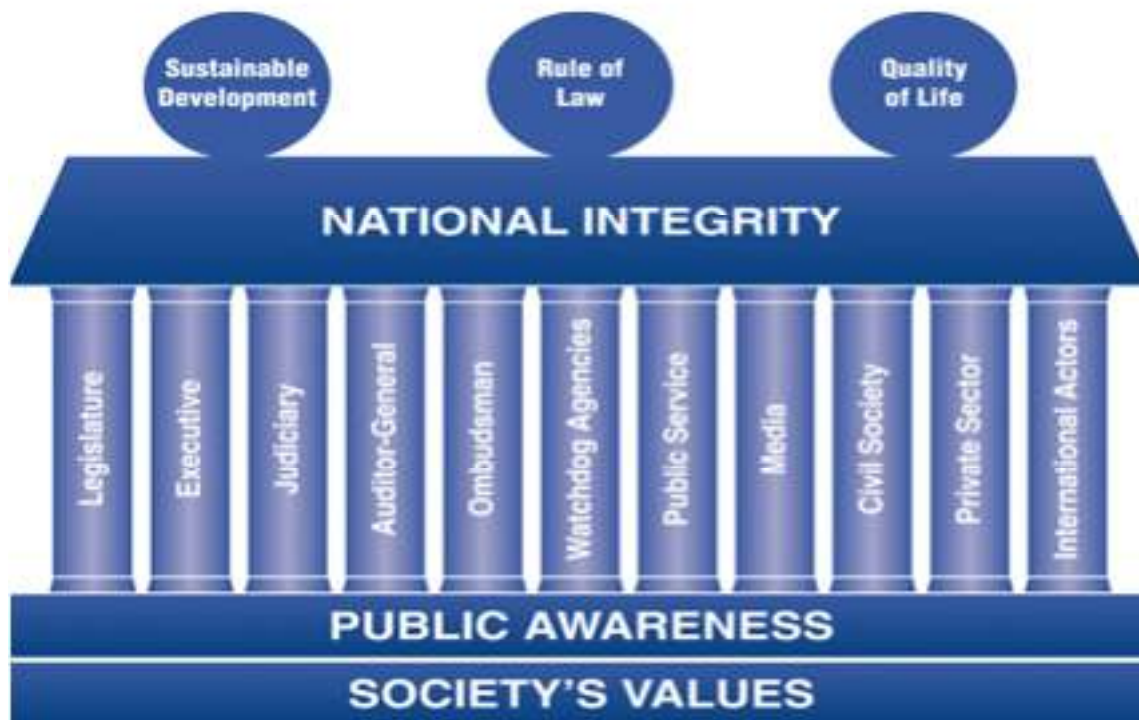
**Assessment of the intervention logic**

The intervention logic of the programme is clearly intended to be holistic, as made clear by the “supply and demand” model and by its concern for understanding and addressing the socio-economic context of corruption, as well as the institutional response to it. This holistic starting point is valid and lends credibility to the overall programme approach.

In this regard, it is worth recalling the notion of integrity systems developed in the 1990s by Transparency International (TI)<sup>6</sup>. This was based on the view that “a diversity of holistic, well-embedded reforms was likely to be more important than symbolic one-off responses such as a single new anti-corruption law or agency”. As a result, an “integrity system” came to be understood by TI and other practitioners as:

“the practical effort – based on theoretical insights – to combine law enforcement and motivation in an integrated system of rules, values, guidelines and socialization mechanisms”.

The “temple” metaphor helps represent the holistic nature of anti-corruption efforts, as these need to address not only the legal, judicial and law enforcement capacity of a country, but also its citizens’ attitude to corruption. It was useful, during the course of the mid-term evaluation, to refer back to this model and assess the extent to which ARAP and its various components are able to address corruption in the holistic way illustrated by the “temple” metaphor.



**Figure 3: the National Integrity System “temple”** (source: A.J. Brown, F. Heinrich, op. cit. note 3)

The programme’s intervention logic provides it with the flexibility to address the various elements of the integrity system (the columns of the temple) while also seeking to influence the public awareness and values system that form the basis of the system. In that sense, the intervention logic is contributing to the programme’s relevance and effectiveness.

<sup>6</sup> This paragraph and the National Integrity System “temple” metaphor are based on: “National Integrity Systems – An Evolving Approach to Anti-Corruption Policy Evaluation”, by A.J Brown and F. Heinrich, in *Crime Law Soc Change* (2017), Vol 68, pages 283-292. Published online 19 September 2017.

Nevertheless, it was important to test during the field phase the extent to which the “supply and demand” approach is actually of use in programme implementation, and the extent to which the programme is able to ensure that the two aspects are mutually reinforcing.

## METHODOLOGY OF THE MID-TERM EVALUATION

### Phasing

The present draft report launches the third and last phase of the MTE, in accordance with the ToR. The initial (desk) phase of the MTE was carried out in the week of 10 June 2019. It consisted of the review and analysis of project documentation<sup>7</sup> and the preparation of the MTE Inception Note, submitted on 20 June 2019.<sup>8</sup> The Inception Note included an overview of the programme, the socio-political context of its implementation, and a review and initial assessment of its intervention logic. It also provided an overview of the MTE methodology. As part of the Inception Note preparation, the evaluators developed an evaluation matrix, consisting of 16 evaluation questions (EQs), together with judgement criteria (JCs), indicators and sources of information. The EQs, covering all the evaluation criteria set out in the ToR, are used to frame the findings set out in the present report. The evaluation matrix is appended to this report.

The evaluators’ mission to Ghana took place from 17 June to 5 July inclusive for the Team Leader and to 8 July inclusive for Key Expert 2. The mission began with a briefing session with the evaluation Reference Group (RG), where the evaluators presented the inception note, and participants commented on the evaluation matrix, which was subsequently amended and approved.

The mission concluded field activities on 5 July with a half-day workshop with members of the Reference Group and representatives of all the direct and indirect ARAP stakeholders (including STAR-Ghana, a sample of its grantees and representatives of NCCE), where the evaluators presented the preliminary findings set out in this Intermediary Note, supported by a PowerPoint presentation. Following this presentation, the workshop participants divided into two groups to discuss the findings and formulate recommendations aimed at maximising the impact of the programme over the 18-month period of its remaining implementation period. Following the workshop, the evaluators revised the draft Intermediary Note to take account of comments received from participants, including those of the Reference Group members. The Intermediary Note was approved by the Reference Group on 10 July 2019.

### Approach

This is a mid-term evaluation. As such, it is clear that it will be looking at a Programme that is evolving, where it cannot be expected that results and outcomes are fully achieved. Indeed, it is partly the role of an MTE to contribute to the potential good performance of a project, and to the fulfilment of its aims and objectives. The fact that this is an MTE affects differently the consideration of the **evaluation criteria**. Here is an overview:

- The assessment of **relevance** is unaffected by the mid-term nature of the evaluation because it involves the consideration of the project’s intervention logic, the underlying analyses and strategic approaches taken in its design, as well as the policy frameworks of the EU and Ghana. These elements are essentially unaffected by the fact that the Programme is underway. The same can be said about the consideration of the extent to which the Programme responds to needs at country and local levels.
- In terms of **effectiveness**, it is obviously inappropriate to expect results and outcomes to be delivered at the time of the MTE. However, the MTE was able to assess the likelihood that these will be delivered, on the basis of work done to date and of plans for on-going activities. It was also possible at this point to

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<sup>7</sup> Annex II of the ToR lists the type of documentation required. Most of the documentation used by the evaluators was provided by the EUD, the CU, and by interlocutors at STAR-Ghana and the NCCE. Other documents used included publications by civil society organisations and other publicly available material available online. A list of documentation used will be annexed to the final report.

<sup>8</sup> Inception Note of the MTE of the ARAP Programme, uploaded on the EVAL database on 20 June, approved on 24 June.

assess the appropriateness of processes used to achieve the Programme's outcomes, including the three-phase approach outlined in the ARAP Inception Report and described below (Figure 1).

- Like relevance, the assessment of **efficiency** was relatively unaffected by the fact that this is an MTE. While it was obviously impossible yet to assess the Programme's *overall* cost-effectiveness and value for money, it was possible to develop initial findings on the basis of the record to date. Also, even if quantitative and qualitative results are not yet known at the time of the MTE, it was possible to assess whether systems and processes (including on monitoring and evaluation) are in place, or planned, to obtain this information. Similarly, it was possible to assess the appropriateness of project management and governance/accountability mechanisms, as well as reporting and planning processes.
- While it was premature for the MTE fully to assess **sustainability**, it was possible to assess the likelihood of the Programme being sustainable, in terms of durable capacities being built and mechanisms being established, which may operate beyond the Programme's end. Also, it was possible to assess the extent to which the project managers have developed appropriate exit strategies, and are working to implement them.
- As above, it was impossible to assess **impact** to a substantial extent as part of the MTE, but was possible to assess the likelihood of achieving impact over the entire Programme period. It was also possible to develop recommendations for enhancing impact.
- The **added value of the EU** was assessed on the basis of project performance to date. This involved in particular a consideration of the unique characteristics of the EU as a development partner, compared to other development actors.
- A consideration of **coherence** was possible and was relatively unaffected by the midterm nature of this evaluation.
- The MTE was also able to address each of the **cross-cutting issues**, unaffected by the midterm nature of the evaluation. Though human rights and gender equality issues were not all addressed to the same degree, the extent to which these issues are mainstreamed into the work was considered.

The **approach** taken by the evaluators required them to be *constructive* and to seek to achieve buy-in among stakeholders, particularly those represented in the Reference Group, on the MTE findings and conclusions, and on the recommendations and ways forward proposed. This is because there is relatively little time left between the end of the field phase and the end of the programme itself, in late 2020. This means that achievement of consensus about next steps is likely to help enhance the effectiveness of the last phase of the programme.

### Data collection

This mid-term evaluation followed a mixed-methods and gender-responsive evaluation approach following the EU evaluation standards and requirements. The data analysis included secondary data assessed as part of the desk review as well as primary data collected during the field mission in form of semi-structured interviews and focus group discussions. Triangulation of sources, methods and hypotheses ensured an objective as well as thorough analysis of all collected data, which formed the basis for formulating findings and drawing conclusions. Recommendations and lessons learned, and best practices were derived from these analyses. Recommendations are formulated in such a way that they can realistically be put into practice, as appropriate, in the remaining Programme period.

The evaluation team used the following information gathering tools:

- **Desk analysis** – this involved studying all documentation received from the project team; compiling other relevant documentation from public sources such as government, NGOs, IGOs, academic institutions, etc.; and using those to:
  - Formulate preliminary hypotheses that can be tested in the course of primary data collection;
  - Triangulate information against other sources such as interviews.

- **Semi-structured interviews** with a range of stakeholders including beneficiaries of programme activities. This involved assessing the programme, on the basis of the evaluation matrix, and taking into account each stakeholder's particular area of work, level of knowledge or experience of the programme, and other specificities. The evaluators made sure that interviewees were also given opportunities to raise issues of their choice, even if not covered in the evaluation questions. Interviewees were also given time to address future needs, identify good practice that they would like to see reproduced, and to raise any concern.
- **Focus group meetings** with groups of beneficiaries, and representatives of relevant civil society organisations. These meetings primarily brought together people who have a shared experience of an aspect of the programme. As such, the meetings primarily helped assess the impact of the programme's activities. However the meetings also addressed other aspects, such as the overall needs of participants or their views about the quality of inputs received. As in the case of individual interviews, focus group meetings attempted to give time to participants to look into the future and make corresponding recommendations.

#### ACTIVITIES CONDUCTED DURING THE FIELD PHASE

The evaluators held a broad range of meetings, interviews and focus group discussions during the field phase. In addition to staff at the EUD, they met the direct and indirect stakeholders involved in activities implemented by the CU. These were:

- Commission for Human Rights and Administrative Justice (CHRAJ)
- Ghana Police Service (GPS)
- Judicial Service of Ghana (JS)
- Office of the Attorney General (OAG)
- Legal Aid Commission (LAC)
- Environmental Protection Agency (EPA)
- Economic and Organised Crime Office (EOCO)

The evaluators also met representatives of NCCE and of STAR-Ghana, as well as civil society, media and parliamentary stakeholders supported for anti-corruption activities through STAR-Ghana. During visits to the Ashanti, Eastern and Central Regions, the evaluators met local EPA, police and JS representatives, observing a demonstration of an ARAP-supplied drone for mining mapping in Dunkwa (Central region), meeting NCCE and STAR-Ghana grantees and interlocutors at district/regional level, and interviewing the Chair of the regional Public Relations and Complaints Unit (PRCU) and a Judge who had received judicial training at the Koforidua regional tribunal.

In addition, the evaluators met members of the CU and other FIIAPP staff and interviewed (in person or remotely) current and former short- and long-term TAs involved in ARAP programme activities. They attended an NCCE public event in Accra.<sup>9</sup> They met representatives of the UK Department for International Development (DFID) who are overseeing its work on anti-corruption and its support for STAR-Ghana.<sup>10</sup>

Focus group discussions were held with members of a Court Users Committee in Kumasi (project supported by STAR-Ghana); citizens involved in a social audit process supported by NCCE in a municipality near Dunkwa; and representatives of sixteen STAR-Ghana grantees implementing projects funded through the Foundation's call for proposals on anti-corruption activities.

These meetings – complemented by the review of extensive written information – provided the evaluators with a well-rounded view of the programme, in all three of its components.

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<sup>9</sup> The full schedule of meetings held, and the list of people met, will be appended to the final report of the MTE.

<sup>10</sup> A representative of USAID, which alongside the EU and UK is a key donor for legal reform and anti-corruption activities, was not available for a meeting due to the completion of his term of duty in Ghana.

## CHALLENGES AND LIMITATIONS

The evaluators did not encounter difficulties during the field phase. The CU, STAR-Ghana and NCCE were effective in arranging meetings with their stakeholders and the CU provided all the information necessary for the evaluators to reach TAs not based in Ghana. Although some meetings had to be rescheduled due to last-minute changes in stakeholders' availability, this was done effectively and raised no concern whatsoever. Indeed it was the consistent experience of the evaluators that the ARAP stakeholders met – whether senior officials or working-level officials – were well-briefed about the programme (at least in relation to their institution's involvement) and were able to respond to the evaluators' queries in a cogent and detailed manner.

Although the evaluators met dozens of people in total, including senior managers, this number only represented a fraction of all the people who participated in activities implemented by ARAP, STAR-Ghana and NCCE. However, the level of responsibility of the people met, as well as their overall knowledge about the aspects of the programme they were involved in, helped ensure that the evaluators could effectively triangulate the information received (that is, they could compare opinions conveyed by one interviewee with those of other stakeholders knowledgeable of a similar situation).

## NOTE ON TERMINOLOGY – ARAP PROGRAMME VS. FIIAPP COMPONENT

There is some ambiguity in documents (and in interviews) as to what is referred to under ARAP. In documents such as the ToR of the present evaluation, ARAP refers to the entire programme, including its three components: those implemented through the CU, as well as the activities of STAR-Ghana and those of the NCCE supported by the EU under the programme. However, many stakeholders refer to ARAP to mean only the component that is implemented by the CU, which is also the largest in budgetary terms.

To avoid confusion, this report uses the following terminology:

- By “ARAP programme”, reference is made to the programme in its entirety, including all three components mentioned above;
- “FIIAPP” or “FIIAPP component” refer to the part of the programme that is implemented by the CU.

As a result, “FIIAPP team” refers to the CU and the short- and long-term TAs who support it. However, in keeping with the practice seen in programme reports, we use the expression “ARAP stakeholders” to refer to the institutions benefiting from activities implemented as part of the FIIAPP component.<sup>11</sup>

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<sup>11</sup> The NCCE is both the implementer of one of the three components of the ARAP programme and one of the stakeholders benefiting from capacity building support through the FIIAPP component.



## II. MTE FINDINGS

This section is structured according to the evaluation criteria and related questions set out in the Inception Note. The findings are based on evidence from the desk review of documentation received and from information obtained during the field phase. The assessments set out under each evaluation criterion generally refer to the ARAP programme as a whole. A closer look is then provided with regard to the FIIAPP component itself, because it represents the largest budget.

### RELEVANCE

*EQ 1 To what extent are the outputs, outcomes and objectives of the ARAP programme in its entirety relevant to the anti-corruption needs and priorities of Ghana’s government and those of other institutional, private sector, citizens and civil society stakeholders?*

The Programme design was firmly anchored in, and continues to respond to, anti-corruption needs and priorities of Ghana’s government and those of other institutional, private sector, citizens and civil society stakeholders.

#### Programme design: objectives and results

The Programme’s overall objective is “*to promote good governance in Ghana by reducing corruption and improving accountability and compliance with the rule of law, particularly when it comes to accountability, anti-corruption and environmental governance*” (sic)<sup>12</sup>. Its specific objective “*to contribute to current reform processes in the area of rule of law, accountability, anti-corruption and environmental governance through support to key institutions, while at the same time increasing the ability of the public, civil society organisations and the media to hold government to account*”<sup>13</sup>.

The Programme has two interlinked and mutually supportive key results, which were intended to ensure that “*gains in one result area lead to and reinforce gains in the other and that both contribute to the objectives*”<sup>14</sup>. The results at the formulation stage were centred around corruption and rule of law alone, however this was expanded in negotiations with stakeholders, to incorporate accountability and environmental governance in the Financing Agreement. The overall Programme was therefore structured around two Key Result Areas (KRA) and eight activities, as follows:

<b>KRA 1:</b> Accountability is enhanced, leading to increased accountability, a reduction in corruption, and increased environmental governance
– Building capacity of civic education providers (NCCE, CHRAJ, CSOs and the media) to campaign, advocate and lobby for increased accountability and a reduction in corruption
– Supporting the NCCE to conduct civic education and awareness on accountability
– Supporting CHRAJ to conduct anti-corruption campaigns and activities in line with NACAP
– Support CSOs, the media, Parliament and selected Parliamentary Committees to enhance their accountability, anti-corruption and lobbying and advocacy roles and functions
<b>KRA 2:</b> Compliance with and respect for the rule of law is enhanced, particularly in the areas of accountability and anti-corruption
– Building capacity of prosecutors to prosecute corruption and related offences
– Building capacity of the Judiciary to hear and decide corruption cases and related offences and to hold government to account

<sup>12</sup> ARAP Financing Agreement, p.2

<sup>13</sup> *Ibid.*

<sup>14</sup> *Ibid.*

- Establishment of a free web-based library/resource centre for all stakeholders and users of the justice system
- Support the police and Judiciary to combat corruption amongst their ranks

It is considered that the overall objective (which is poorly drafted) is framed in overly ambitious terms (*to reduce corruption, and improve compliance with the rule of law*), which is then directly reflected within the two KRA. This means that, realistically, these objectives and results, are highly unlikely to be objectively achieved, even though this is a longer-term Programme with a significant budget. The long programme period, on the other hand, provided an inherent opportunity to allow working relationships to be built between partners, and for incremental change to occur.

The objectives do not take adequately into account the complexity of Ghana’s governance context, characterised by weak anti-corruption law enforcement, the contributions of other partners, the unintended impacts that increased awareness can have on perception of corruption and reporting, etc. They also employ a circular logic (*(improving accountability [...] particularly when it comes to accountability (overall objective)/ accountability is enhanced, leading to increased accountability (KRA 1)*). Upon examination of the activity groups, the two KRA appear to be addressing, firstly, oversight mechanisms that ensure accountability (the demand side/ rights bearers), and secondly those institutions that are required to ensure compliance (the supply side/ duty-bearers), however the phrasing of these results (in essence, enhanced accountability/ increased compliance) does not make this sufficiently clear. The linkages between these results are also not embedded in Programme design, which had flow-on effects in the structure of activities (*see below*).

This over-ambitiousness, over-simplification and logical inconsistencies are somewhat tempered by the specific objective, which refers to a *contribution to reform processes, through support to institutions*, which is considered reasonably attainable in the Programme’s life, and centred on the processes themselves, rather than purely quantifiable outcomes.

Later logical frameworks (in reality, in the monitoring results framework 2017 and 2018) split the Key Result Areas into individual Results and Sub-results. These are sometimes poorly or illogically arranged in the framework (for example, some sub-results are floating and not attached to the Result but to the KRA itself; the KRAs are split (KRA1 Result 1 is followed by KRA2, then KRA1 resumes with Result 3). These inconsistencies will need to be reconciled.

The narrative intervention logic developed in Programme design is dense, and somewhat muddled, but was nevertheless coherent at the time. However, this has not been revised subsequent to significant Programme changes, nor has a Programme Theory of Change been developed. The “intervention logic” contained in these subsequent log frames is simply a repetition of the objectives and results.

It is therefore recommended that the overall objective and key result areas be adjusted to remove any circular logic, their targets clarified (demand/supply), the result areas reframed to align with what are objectively achievable outcomes given the Ghanaian context, the linkages between the result areas clearly highlighted. The log frame will have to be adjusted to reconcile and clarify the result values, and the narrative intervention logic updated, and integrated more clearly in the logical framework.

#### Programme design: activities

The activities, when taken alone, are individually coherent and realistic, and likely to contribute to enhancing accountability, the rule of law and the fight against corruption in Ghana. It is considered however that Programme activities as originally designed, and then subsequently adjusted during Programme implementation, are extremely dense, and aimed at addressing institutions and civil society in a vertical manner, rather than horizontally across themes, and what could be termed “the accountability chain”, that is, how problems are addressed from prevention through to final resolution. This is reflected in the selection of an exceptionally large number of direct and indirect stakeholders, the former of which (in fact partners and direct beneficiaries) have their own dedicated workplans. The consequences of this density and vertical approach are considerable, notably in terms of the programme’s

ability to implement the activities, and weaknesses in coordination, cooperation and developing synergies (see *Effectiveness*).

#### Programme design: indicators

The impact indicator provided in the results framework is a reiteration of the overall objective (*see difficulties above*), which is then parsed as four “indicator definitions” that are framed in absolute and quantitative terms (reduction/ decrease). No programme-specific indicators are provided. The first two outcome indicators are based on the key result areas, whose indicator definitions are linked exclusively to corruption, despite the programme’s focus on accountability in general, the rule of law and environmental governance.

An additional indicator to “*enhance cooperation with and among relevant stakeholders*” addresses to some extent the concerns relative to institutional and thematic links, however this is framed solely in terms of joint activities and reports between institutions. In this regard, the role of civil society (and specifically of STAR-Ghana) is not mentioned in the revised log frame, nor indeed anywhere in the Inception Report. Similarly, while NCCE’s participation in and responsibility for anti-corruption campaign activities is mentioned, their contribution to the overall programme results is not specifically analysed or articulated. This resulted in a structural lack of “embedded synergy” and links between components.

The Programme as a whole is therefore, from a structural (*see Objectives & Results above*) and hence activity perspective, highly compartmentalised, which is of particular concern given that the Programme was designed on the premise that “*a strategy to fight against corruption needs a holistic and comprehensive approach*”. The consequences of this compartmentalisation are examined in *Effectiveness* below.

Environmental governance was incorporated in Programme design; however, management and stakeholders initially struggled to integrate and operationalise this theme. Impact and outcome indicators have nevertheless still not been developed for this important and cross-cutting element (only three EG indicators are provided). Gender was addressed in programme design, and incorporated in planned activities, but is not present in any of the log frame indicators. Social inclusion was raised briefly, in programme design, but there are no dedicated activities, or indicators. It is also observed that no analysis is provided relative to human rights considerations or under-represented/ vulnerable groups, and while some activities are rights based (for example the development of a gender manual, support to LAC), there is no mainstreaming of right, gender or vulnerability indicators. (*see EQ 16 below*). Indicators are regularly repeated for different fields (Result & Sub-result), but are confusingly assigned different references.

Indicators to baselines that are centred on objective and reliable sources (Corruption Perception Index, etc.), however it is unclear how these and related performance indicators were calculated (*see Effectiveness below*). Baselines are absent for a large number of the outcome indicators.

Indicator definitions will therefore need to be adjusted in line with any changes to the objectives/results, and additional indicators developed to reflect the Programme’s emphasis on general accountability and environmental governance, and relevant gender, human rights and other cross-cutting issues (*see EQ 16 below*), and generally reconciled to increase clarity. Baselines and related sources of verification will also need to be established for a number of outcome indicators.

Suggested adjustments to the programme log frame are appended to this report and which should form the basis of subsequent discussion between the CU, EUD and concerned stakeholders.

#### Programme design: assumptions

Assumptions were not analysed or incorporated in the log frame/ results framework in the formulation and financing documents, nor in the Inception Report. Subsequent log frames (2017 and 2018) provide Assumptions, but there is no analytical foundation for these in the accompanying Progress Reports. Assumptions are largely missing in the Outcome Indicator section of the logical framework.



Whilst objectively sound, the identified assumptions are in reality a source of significant risk to the Programme's sustainability, and to some extent to the implementation of the Programme itself. Government commitment/ buy-in appears high, but this has never been fully assessed or tested, and their real commitment to continue to support the results is unclear; the Memoranda of Understanding currently being negotiated may mitigate this. The assumption that "*Courts and prosecutors will be able to cope with increase in number of corruption cases*" has similarly not been tested, and presents a real threat to institutions, which face genuine capacity issues if awareness-raising efforts are successful. Finally, the assumption that "*Judges, GPS, and prosecutors will be susceptible (sic) to training*" was also not fully analysed, and indeed has presented some challenges to date, as outlined below.

#### Programme design: flexibility

The Programme was intended to be "*as flexible as possible to meet changes that may occur over its lifetime*". As a result, the original logical framework contained numerous "sub-activities", but others were left to stakeholders to develop on an annual basis. This original strong emphasis on flexibility was not as "embedded" in the Financial Agreement, and was instead to be assured through the creation of a Short-Term Expert (STE) facility to "*respond to an evolving environment*", which subsequently manifested as a single contract with GIZ to recruit short term experts. A *de facto* commitment to ensuring the Programme's overall flexibility was reiterated in the Inception Report, and is clearly evident in implementation (see *Effectiveness* below). This inherent flexibility is considered to be a considerable strength of the Programme, in that it allowed bespoke responses to changing contexts and institutions, and to capitalise on emerging opportunities, and even the emergence of new institutions.

#### Programme design: responsiveness to needs and constraints

Programme design incorporated an analysis of the country, sector and institutional context, which highlighted the key needs and constraints that the Programme was to address, as well as the opportunities to contribute to enhancing accountability, the rule of law, and the fight against corruption.

The Programme also responded to genuine challenges in the areas of accountability, corruption and the rule of law. While Ghana scores considerably higher on accountability indexes than other countries on the African continent and ranks highest in the region, Programme design documents stated "*there is clearly room for improvement*". Similarly, while corruption in Ghana is objectively far lower than most countries in Africa or the region, has ratified key anti-corruption instruments (United Nations Convention Against Corruption (UNCAC), African Union Convention Against Corruption 2005, ECOWAS Protocol on the Fight Against Corruption), and has a range of laws to address corruption, the legislative framework still lags behind that envisaged by the UNCAC. At the time of Programme design, legislative reform to redefine corruption in Ghanaian law, which was anticipated to have a major impact and require re-education of all stakeholders and the public. Finally, while Ghana ranks far higher than the continental average relative to the rule of law, major issues remain within the areas of accountability and anti-corruption within justice sector and other rule of law institutions.

At the time the Programme was conceived, the Constitution of the Republic of Ghana was undergoing a review process, intended to implement recommendations made by the 2011 Constitution Review Commission, the Commission on Human Rights and Administrative Justice (CHRAJ) and the National Commission for Civic Education (NCCE). In addition, laws addressing corruption and related offences were currently being revised to expand the current definition of 'corruption' in the criminal law, and address environmental governance and accountability, including a comprehensive public finance management and oil governance legislative framework. The Programme therefore aimed to provide timely support to these changes to the legislative and institutional framework.

From the policy perspective, the Programme was also highly relevant. Ghana was at the time also finalising its new development plan, the Ghana Shared Growth and Development Agenda (GSGDA) II 2014-17 which had a strong focus on governance and accountability, including in the extractive industries; anti-corruption; and the rule of law. The plan was structured around four pillars, with the final pillar (Transparent and Accountable Governance) focussing *inter alia* on deepening democracy and institutional reforms; local governance and decentralisation; public sector reform; gender equity and women empowerment; corruption and economic crimes; rule of law and access to justice; and access to rights and entitlements.

Ghana had also very recently adopted the National Anti-Corruption Action Plan (NACAP), intended to be the overarching strategy for all anti-corruption stakeholders. The strategic objectives of the NACAP are to build public capacity to fight corruption; institutionalise efficiency, accountability and transparency in the public, private and not-for profit sectors; engage individuals, media and civil society organisations in the reporting and combat of corruption; and conduct effective investigations and prosecution of corrupt conduct. CHRAJ is central to the implementation of the plan, and is also required to develop a comprehensive public education strategy. The NACAP states that civil society organisations and the media should also provide education and assist the public to report corruption. The anti-corruption components of the Programme therefore responded directly to each of the strategic elements of the NACAP, engaging key stakeholders, notably CHRAJ as “custodian” of the NACAP, NCCE providing public education responses, and STAR Ghana supporting civil society and media organisations.

The Programme has been highly responsive to needs during implementation through specific activities, for example developing communication strategies for institutions intended to align “demand” and “supply” relative to accountability and anti-corruption; integrating institutions that had not been originally included (EOCO and the EPA), notably through their own justified insistence; regular workshops to ensure alignment of the Programme to institutional needs; responding directly to the legal and institutional implications of the 2018 Supreme Court Decision Republic v Baffoe-Bonnie and Others, which imposes a duty of disclosure on prosecuting authorities; and preparing manuals or guidelines that had not been revised for long periods. Needs and capacity gaps assessments that have been conducted have also ensured that the relevance of activities and approaches is maintained.

There are however some concerns about the full alignment of the project to needs. Training on substantive law and procedure for judges was poorly received, indicating that their views were not sought in the formulation of the Programme. The relevance and suitability of inputs by civil law experts in the early stages of the Programme was initially met with considerable scepticism by interlocutors. The Evaluators share this concern relative to legal technical inputs, which they note are now provided by experts from common law backgrounds. However interlocutors report that support of civil law experts is now greatly appreciated where this is related to innovative and more practical approaches, for example regarding environmental governance, and consider their experience to be highly relevant and their enthusiasm very inspiring however later support by continental European experts has been greatly appreciated, with exposure to, and sharing of, differing approaches considered to have been nonetheless relevant to institutions’ practices, and indeed quite inspiring.

The Programme does not provide a strict distinction in its focus between small and grand corruption, however the Inception Report suggested that such a distinction be made. In reality, ARAP has shown considerable flexibility in its interventions, for example the integration of EOCO in the programme, whose mandate includes tackling 'organised' economic crimes, and ipso facto grand corruption cases. Furthermore, ARAP was involved with STAAC in the consultations held during the establishment of the Office of the Special Prosecutor in 2017, whose role includes ensuring accountability for grand corruption. When the Office was created, the EU engaged directly at the highest level, offering collaboration. At the time of writing, no specific request for support of the OSP was received by ARAP. Should the situation evolve and time allows, ARAP could support the Office.

*EQ 2 To what extent is the ARAP programme consistent with the objectives and priorities of the EU in relation to its Ghana country strategy and its positions on good governance, the fight against corruption and the SDGs?*

The Programme is strongly aligned with the objectives and priorities of the EU in relation to its Ghana country strategy. The National Indicative Programme (NIP) for Ghana, covering EU support to Ghana under the 11th EDF (2014-2020) focusses on three broad areas: governance (public sector management and accountability); practical investment in agriculture, and Employment and social protection. The overall budget for the NIP was €323m with 23% of the budget allocated to Governance under two specific objectives:

- Specific Objective 1.1: Central and local institutions deliver more effective and accountable services;
- Specific Objective 1.2: Enhance the rule of law and the fight against corruption.

The Joint Programming process in Ghana was initiated in 2012 resulting in the "Transition towards EU Joint Programming 2013-2016" (2014), subsequently laying the ground for a full Joint Strategy for 2017-2020 titled

"*European Partners Working Together in Ghana*" (2017). This was an outcome of strengthened coordination by the European Union with Denmark, France, Germany, the Netherlands, the United Kingdom as well as Switzerland and the Government of Ghana. The EU contribution to the Joint Programming reflects the sectors of intervention selected in the 11th EDF NIP 2014-2020, notably Priority Sector 6 (accountability, anti-corruption and rule of law), and outlines the potential linkages between the ARAP programme and the complementary STAAC Programme supported by DFID (see *Complementarity below*). This built on the overall country strategy: *Compact 2012-2022 'Leveraging Partnerships for Shared Growth and Development'*, signed by the Government of Ghana and 15 Development Partners.

The Programme is also strongly aligned with EU positions on good governance, the fight against corruption and the SDGs. The *Cotonou Agreement* provides the basis for EU-ACP partnership until 2020, with Article 9 outlining the essential elements regarding human rights, democratic principles, the rule of law, and good governance, emphasising that "*democracy based on the rule of law and transparent and accountable governance are an integral part of sustainable development*". The Agreement states that good governance "*entails [...] transparent and accountable institutions, the primacy of law [...] and capacity building for elaborating and implementing measures aiming in particular at preventing and combating corruption*" (Article 9(3)). The Programme is also aligned with the *Sustainable Development Goals*, in particular Goal N° 16: [...] *Provide access to justice for all and build effective, accountable and inclusive institutions at all levels*, but also with the Goals in their entirety, given that accountability, transparency and the rule of law are necessary pre-requisites for the attainment of them all.

#### EFFECTIVENESS

*EQ 3 To what extent is the ARAP programme delivering the outputs it set out to deliver, and to what extent are planned outcomes achieved/on the way to being achieved?*

*EQ 4 To what extent are the various components of the ARAP programme mutually supportive, and to what extent is engagement with the range of direct and indirect stakeholders likely to enhance the effectiveness of the overall programme through synergies?*

#### Outputs

The ARAP programme is effective in the sense that it is involving the implementation of a broad, multi-faceted range of activities in many different fields, that are laying the groundwork for what could become substantial advances in the fight against corruption in all its forms, for more transparency and for a more effective justice system. Indeed, it is difficult to overstate the breadth of activities being implemented under this programme:

- The ARAP component has implemented over 120 activities up to end-2018, a figure likely to reach over 200 by end-2019, ranging from training sessions to the development of policies and guidelines, through to the provision of IT equipment and the organisation of study visits;
- STAR-Ghana is supporting at least 20 projects directly connected to the fight against corruption, as well as many others that have a transparency/political participation dimension relevant to anti-corruption; in so doing it is supporting work with Parliament at the national level, through to schools and health services at the local level, as well as many other national and regional initiatives;
- NCCE is conducting awareness-raising activities at the national and local levels through a broad range of channels, while also supporting social audit activities that contribute to enhancing citizens' understanding of their rights, and to foster their involvement in decision-making that affects them, including for example on the use of municipal budgets.

It can be said therefore that, at the activity level, the programme as a whole and each of its components are fully engaged in delivering results. This engagement is reflected, to varying degrees, among the direct and indirect institutional stakeholders of the FIIAPP component, though their level of buy-in and ownership appears to be uneven. The range – indeed the efflorescence – of activities is impressive and is one of the hallmarks of the programme.

It should be noted that the CU had spent substantial amounts of time, particularly during the first 24 months of the programme, to develop trust and understanding among the stakeholders. This laid the groundwork for the current high level of activity and the development of detailed workplans stretching till the end of 2020, formally agreed by the ARAP Steering Committee after being discussed at the level of each institutional stakeholder. To achieve this, members of the core CU team and individual TA experts developed a detailed understanding of the organisational structure and decision-making mechanisms of each institution, carrying out needs assessments and developing workplans based on the expert input and other forms of support that ARAP could provide, such as IT equipment. Interviews show that the need for such intensive relationship-building with stakeholders had not been fully anticipated at the start of the inception period, and that stakeholder institutions also needed more time than originally anticipated to integrate the support of ARAP into their organisational development strategies. The CU's work eventually paid off in the sense that the majority of the stakeholders developed an accurate understanding of the programme's objectives and of the CU's role, and were able to make good use of the input provided. Nevertheless, some institutional stakeholders remained wary of the CU's role, questioning in particular the funding mechanism for programme activities (some institution representative suggesting that they had originally assumed that programme funds would be administered by the institutions themselves). One important way in which the CU was able to overcome such wariness was by engaging with the most senior leaders of the beneficiary institutions, involving them in the development of plans and in activities such as study visits. Several interviewees noted that buy-in by institutional stakeholders also benefited from the perception that the CU's work was actively supported by the EUD at senior political level, for example when the EU Head of Delegation attended public events and made statements reiterating the EU's commitment to supporting anti-corruption strategies. It will be important, in the time available till the end of the programme, to ensure that the EU's political support for the ARAP programme remains appropriately visible to senior officials in beneficiary institutions (while avoiding any perception of EU interference in the domestic political affairs of Ghana in the sensitive pre-election period).

## ARAP

Numerous ARAP activities and outputs contribute to developing the capacity of stakeholder institutions and to enhancing the professional skills and competencies of staff. These include the following examples, concerning the key direct and indirect stakeholders:

1. Support to CHRAJ includes work on the National Anti-Corruption Reporting Dashboard (NACoRD), an online monitoring tool for the implantation of NACAP. This involves in particular workshops with stakeholders, training sessions and the provision of IT equipment. ARAP is also supporting training for CHRAJ investigators, in the context of CHRAJ's plan to carry out systemic investigations in national institutions. ARAP is also working with the Public Education department of CHRAJ to develop communication strategies, inform citizens about procedures to bring corruption complaints to CHRAJ, and disseminate some of the outcomes of ARAP's work to the broader public. It is to be noted that the level of involvement of CHRAJ in the ARAP programme, though substantial, is not fully commensurate with CHRAJ's mandate as a key anti-corruption agency in Ghana.
2. With regard to the GPS, activities include training for supervisors, development of a Points to Prove Handbook for police prosecutors (in consultation with the Office of the DPP, the AG and the Ministry of Justice), as well as training on pre-trial disclosure requirements. Another major area of support is related to public education and communication, including through workshops bringing together the GPS and other stakeholders working on public and civic education. The Ghana Police Watch series was also supported, with ARAP contributing to episodes on anti-corruption issues (while other work on the series was also supported by STAR-Ghana). ARAP's two-pronged engagement with the police – institutional capacity-building component through the CU and public education through STAR-Ghana – is a good example of effective synergy being developed by the programme.
3. With the JS, activities include the development of a web-based legal library – which is due to be launched in the coming weeks, with legal hurdles having been recently overcome – and the decentralisation of Public Relations and Complaints Units (PRCUs) at the regional level, accompanied by an innovative e-PRCU application.
4. With the OAG, ARAP is working with the Department of Public Prosecution on the development of a docket registry system (including training on its use for prosecutors and staff), and on guidelines relative to prosecutorial disclosure. ARAP also supported the development of a manual on the prosecution of environmental offenses, congruent with the work done with EPA (see below).



5. With the LAC, a key form of support was the development of a training manual on basic law and anti-corruption, used as a basis for training LAC staff (including training of trainers). In addition, ARAP supports the development of a legal aid policy, and has also provided some IT equipment.
6. With regard to the EPA, ARAP helped develop web-based compliance monitoring tools that provide a systematic and consistent methodology to assess risk and check compliance; this process is now complemented by the innovative use of drones, also provided by ARAP, to help map small-scale mining and identify possible breaches of licensing terms by small-scale miners. ARAP is also working with the EPA and DPP to help develop methodologies to prosecute offenders. The EPA is a prime example of a secondary stakeholder that assumed a greater role in the ARAP programme thanks to a high level of buy-in on the part of EPA staff and the ability of the CU to meet demands for innovative approaches in environmental protection.
7. ARAP is working with EOCO – a stakeholder which had worked previously with the Strengthening Transparency, Accountability and Anti-Corruption (STAAC) programme implemented by the UK Department for International Development (DFID), to strengthen its public education activities. This has included the development of EOCO’s client service charter (the first such charter for an institution within the Ministry of Justice) and upgrading EOCO’s website.

### STAR-Ghana

This component of the programme is centred around a Call for Proposals (CfP), funded by the EU, under which CSOs receive support to conduct anti-corruption activities. The CfP was launched in October 2017 and has been supporting a range of initiatives at the national and local level across the country. In addition, CSO partners working on Gender Equality and Social Inclusion (GESI) are also active in anti-corruption-related fields, and are therefore also included in STAR-Ghana’s reporting to ARAP. Parliamentarians and parliamentary aides are also stakeholders, with a focus on parliamentary oversight of governance at local level – STAR-Ghana also supports the African Parliamentary Network against Corruption. In the theory of change adopted by STAR-Ghana, anti-corruption is considered through a holistic approach, which also includes support for citizen participation in political decision-making and for GESI. This approach helps foster a “demand” for more transparency on the part of citizens, by addressing the anti-corruption value chain from the “lower end” (awareness creation based on citizens’ experience).

STAR-Ghana is funded by multiple donors and is operating as an independent foundation (its management link to Christian Aid in the UK being due to end in 2021). In addition to managing the CfP, STAR-Ghana also supports and coaches beneficiary CSOs in a range of management and strategy development domains, including project design and M&E. The portfolio of projects with an anti-corruption dimension clearly benefited from STAR-Ghana’s capacity building support for CSOs, in that project proposals were generally crisp and well thought out, and activity reports to date have been detailed, clearly setting out achievements as well as challenges. The evaluators were able to observe the activities of a small number of projects, confirming that the strategies and approaches developed in project proposals were implemented in practice. The effectiveness of the STAR-Ghana component thus raised no concern – the projects were generally very effective and largely delivered the planned results and outcomes.

The key concern in relation to this component is that its linkages with the ARAP component were not systematic. A range of projects involved contacts with institutions also addressed by the ARAP component (justice sector, police, CHRAJ) but there were few explicit linkages between the two components. This is largely due to the nature of the CfP process, which respected CSOs’ own priorities and freedom to develop project proposals independently of other aspects of the ARAP programme. Nevertheless, those STAR-Ghana CSO projects that coincided with ARAP institutional support, as was the case in relation to the GPS, suggest that the programme’s overall effectiveness could have been enhanced by more intensive sharing of information on activities between the two components and coordination of some activities. For example ARAP’s support to the EPA in relation to the fight against illegal mining could have been complemented by support for environment protection CSOs.

The EU grant and cooperation with ARAP supported the implementation of a major research report on corruption in Ghana, published by NCCE in November 2017.<sup>15</sup> This survey, based on interviews with a nationwide sample of over 8,700 citizens, sets out findings on corruption as experienced by citizens, perceptions of public accountability and responses to corruption. Since then, NCCE has carried out a wide range of public education activities related to the fight against corruption and to citizens' participation in decision-making at local level across the country. The effectiveness of the NCCE component – the many activities summed up in NCCE reports attest to it – is a substantial contributor to the effectiveness of the overall ARAP programme. Key factors of effectiveness include the NCCE's nationwide reach (it has offices in all regions, down to the district level) and to its cogent use of a variety of communication channels – radio, TV, social networks. It also has access to well-known personalities and senior female and male experts, which it uses as speakers. Interviews suggest that the NCCE's work is contributing to broadening the public's awareness of corruption and of the need to fight it. It probably also contributes to open discussions of corruption concerns in the media, beyond NCCE input. Another factor of effectiveness is the substantial degree of liaison between NCCE and the public information departments of ARAP beneficiary institutions, especially CHRAJ. This aspect should be developed as ARAP engagement deepens with specific stakeholders such as a EPA. There is also scope for more public awareness-raising work on the anti-corruption component of LAC's mandate.

### Quality of outputs

It is clear from interviews, reports and observation that ARAP stakeholders are generally satisfied with the support received, and that the outputs do contribute to the development of institutional capacity and staff skills within the beneficiary institutions. Similarly, STAR-Ghana's project monitoring, as well as reports by NCCE, indicate that these components are also achieving satisfactory levels of quality in their outputs, thus likely contributing to the achievement of programme outcomes.

Nevertheless, concerns are emerging:

- A need exists for high-level support for change in each ARAP beneficiary institution. It is clear that ARAP support to stakeholders – such as the development of policies and guidelines and the deployment of new IT tools – can only be effectively used if stakeholders' senior decision-makers send clear signals of support for innovation and new approaches. There are examples of senior management support clearly contributing to the success of outputs, and it is important to ensure that this is continuously sought and obtained, across all stakeholders. However, the programme faces two key limitations that put its sustainability and the achievement of outcomes at risk (see also *Sustainability*):
  - One limitation concerns the buy-in of the overall ARAP strategy by individual institutions. Interviews with TA and stakeholder officials indicate that ARAP support is widely recognised as useful to improve professional skills. However, whether these skills are brought to bear on the fight against corruption (as it applies to the mandate of a given institution) is highly dependent on policy directions set by senior leaders in each institution concerned. It is important that ARAP work with other stakeholders (including EU and other diplomats, as well as civil society) to continuously highlight the need to prioritise the fight against corruption.
  - The other limitation is related to cooperation and coordination by ARAP stakeholders with other institutions and other components of the ARAP programme. The institution- and demand-based nature of ARAP support risk overshadowing, in the view of stakeholder institutions' senior officials, the need to share information and enhance cooperative action amongst institutions, and between institutions and civil society.
- At the same time, it is important for ARAP and stakeholders to address fully the change management challenges related to the introduction of new technology; support often needs to go beyond training, as changes in work modalities and mindsets are often also required. ARAP should work with stakeholders to encourage a holistic approach to change management whenever new technologies or procedures are introduced. There is otherwise a risk that new technologies and skills introduced by the programme will remain unused if they are perceived as a threat to existing jobs or as disrupting pre-existing practices.

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<sup>15</sup> Survey on public perception on the state of corruption, public accountability and environmental governance in Ghana, November 2017.

- The delivery of outputs has largely been demand-driven (based on each stakeholder’s needs and capacity), to the relative detriment of the reinforcement of coordination and synergies across institutions. While a number of coordination initiatives were taken (such as joint training sessions bringing together staff from different institutions), there is still scope for broadening cooperation and coordination among stakeholders. The three components of the programme have, to date, acted largely separately (although NCCE is in the unusual situation of being both an ARAP stakeholder and the implementer of a separate component). The fact that the CU, STAR-Ghana and NCCE liaise and share information, as they do, is not sufficient to provide integration at programme level. The intervention logic implies that “demand” inspired by STAR-Ghana and NCCE activities should meet “supply” supported by ARAP – however the components remain too isolated from one another for this virtuous cycle to occur. Connections between the components should be more systematically sought, for example by involving representatives of CSOs in activities implemented by ARAP, and representatives of ARAP stakeholders in CSO activities (this is done for example already in the case of the police, as the Police Watch series is supported in complementary ways by both ARAP and STAR-Ghana).
- It is important also to ensure that the international dimension of the fight against corruption is better taken into account in activities. Study visits are appropriate to address this point, but there is scope to address, for example, cooperation between anti-corruption institutions in Ghana and their counterparts in the region or elsewhere. Similar scope for cooperation should probably also be explored at civil society level, particularly in view of the fact that environmental governance is a challenge faced in similar ways by most countries in West Africa.

#### Achievement of outcomes

The KRAs do not easily fit with the “supply and demand” intervention logic referred to in programme documentation (and analysed in this report’s introduction). The intervention logic underpins the separation of the programme into three components, essentially with ARAP dealing with the “supply” side (building institutional capacity to address transparency and accountability) and STAR-Ghana and NCCE addressing the “demand” side (raising citizens’ awareness and demand for more transparency and accountability). At the same time the two KRAs both address elements of “supply” and “demand”.

The formulation of the programme objective and outcomes follows the key results areas outlined in the introduction to this report. However, outcomes are vaguely worded. As a result, it is necessary to rely on the proposed indicators, not just to assess the achievement of outcomes, but also to understand what they mean. In this context, it remains unclear whether the programme will be able to achieve the indicators set in the current log frame and results framework. For example, achieving the improvement in Ghana’s Corruption Perception Index (CPI) that is foreseen in the log frame will most likely be impossible because the CPI actually worsened in the early years of the ARAP programme, compared to the baseline.<sup>16</sup> It is important for the log frame to make adequate room for qualitative indicators, alongside quantitative ones.<sup>17</sup>

The programme will be more likely to achieve its outcomes if it can ensure that incremental changes in individual institutions – Points to Prove, NACoRD, Practice Directions and numerous other items – actually mesh together to lead to a qualitative step change in the fight against corruption. While achieving the change itself is the responsibility of the institutions concerned, ARAP’s contribution should be to help ensure that every institution knows about changes undertaken by their counterparts and understands how stakeholders can better cooperate. The involvement of CSOs and parliament (beneficiaries of STAR-Ghana’s work) may encourage synergies. A learning event with institutions, CSOs, and the media, could also contribute to the required qualitative change, by enhancing public understanding of the reforms underway.

#### Revision of programme indicators

<sup>16</sup> The negative change in the CPI value largely took place before the ARAP programme began its activities in earnest, in 2017. There is no reason therefore to attribute its worsening to the programme. Also, it should be noted that the CPI being by definition linked to perception, a lower value may result in part from enhanced awareness of the need for transparency.

<sup>17</sup> The Final Report of the MTE will propose changes to the logframe taking this need into account.

The programme’s objectives and success indicators, as discussed above as part of the consideration of design, were over-ambitious and vague. It is clear at this point – and should have been at design stage – that the programme will not be able on its own to lead to improvements in the broad indicators that are set out in the logframe as it stands. To do so, it is worth recalling the broader context of the programme, and particularly the concept of National Integrity System (NIS, see the introduction to this report). The academic paper quoted in the introduction to describe the NIS also offered a review of governance and anti-corruption assessments (see below, Fig. 4). Within this, the NIS provide an assessment framework that can be broken up into the various “pillars” of the “temple model” described in Figure 3 above. In 2011, TI published a set of 155 indicators, some of which are particularly relevant to the ARAP programme. The table on the next page (Fig. 5) sums up these NIS indicators and explains their relevance to the ARAP programme.

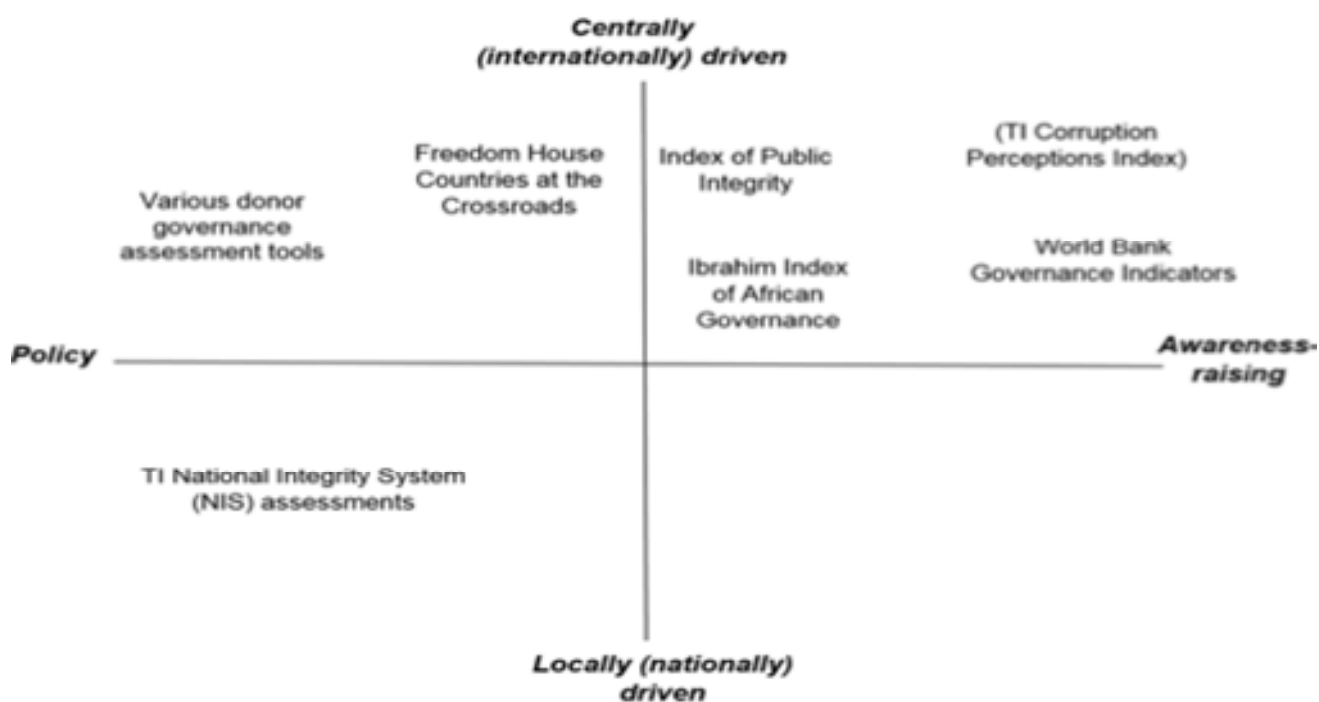


Figure 4: some governance and anti-corruption assessments (source: A.J. Brown, F. Heinrich, op. cit. note 3)

Proposed indicator	NIS document reference number*	Justification	Key ARAP component/institution concerned
Cooperation between the public sector and public watchdog agencies, private sector and civil society on anti-corruption initiatives	4.3.2	Highlights the extent to which the programme was able to foster cooperation among stakeholders.	All components
Increased detection and investigation of corruption cases	5.3.1	Focus on the outcome of the capacity building provided by ARAP to anti-corruption institutions.	ARAP component
Increased number of public complaints received and investigated by anti-corruption agencies	7.3.1	Focus on the “demand side” and on the way demands were dealt with.	CHRAJ



Increased awareness raising by anti-corruption agencies concerning standards of ethical behaviour in public institutions	7.3.2	Focus on the “supply side” in terms of attitudes towards governance.	CHRAJ, NCCE
Development of provisions to ensure that the public is better informed about the activities of anti-corruption agencies	9.2.1	Highlights the public information dimension of anti-corruption.	ARAP component, NCCE component
Increase in educational activities by anti-corruption agencies regarding the fight against corruption	9.3.2	Highlights the public information dimension of anti-corruption.	NCCE component
Increase in media activities and success in investigating and exposing cases of corruption	11.3.1, 11.3.2	Focus on the media uptake of anti-corruption issues	All components
Increase in civil society activity and success in holding government to account	12.3.1	Focus on CSO participation in anti-corruption.	STAR-Ghana component
Increased civil society engagement in policy reform on anti-corruption	12.3.2	Focus on CSO participation in anti-corruption.	STAR-Ghana component

**Figure 5: proposed new indicators of success for ARAP programme, based on NIS framework.** Wording of proposed indicators is based on TI NIS framework assessment document<sup>18</sup>, 2011, modified to correspond to the Ghana context. *\*Reference number is found in TI NIS framework assessment document 2011, see footnote on this page.*

## EFFICIENCY

*EQ 5 To what extent have the financial and human resources of the programme been converted to outputs in a timely and cost-effective manner?*

The STAR-Ghana and NCCE component, being implemented under separate contracts, have been following their own timelines, and no particular concern was noted in terms of timeliness. The ARAP component, on the other hand, faced a relatively lengthy inception period, which according to interviewees was largely related to the need to build trust and understanding with the stakeholders: needs assessments were carried out and consultation processes implemented with each stakeholder with a view to develop work plans for ARAP support. This process took the best part of the first year of ARAP implementation. As a result of the relatively long inception period and of the wide range of needs to be addressed, ARAP geared up from late 2017 to deliver a growing range of outputs. Momentum has undeniably been gained in 2018, and ARAP is now organising activities at a rapid pace. Detailed workplans have been agreed with each stakeholder, running until the end of 2020. Implementing these workplans will be demanding in organisational and human resources terms. However, should the workplans be fulfilled as agreed, ARAP will have achieved by 2020 a very substantial set of outputs.

The evaluators found, on the basis of programme progress reports, detailed interviews and interactions with CU members, that the CU team was highly effective and focused on achieving the programme’s activities and outcomes. Team members are experts in their fields and bring substantial experience of anti-corruption and other key skills. Short-term TA personnel are also bringing very relevant expertise, effectively complementing that of the permanent CU staff. Team leadership and management is effective, the team leader has acted in a timely manner since her arrival to engage with the team and the stakeholders, and pursue the consultative process that has led to the development of the detailed workplans recently agreed by the Steering Committee.

<sup>18</sup> See: [https://www.transparency.org/files/content/nis/NISIndicatorsFoundations\\_EN.pdf](https://www.transparency.org/files/content/nis/NISIndicatorsFoundations_EN.pdf). See also methodology overview: [https://www.transparency.org/files/content/nis/NIS\\_Background\\_Methodology\\_EN.pdf](https://www.transparency.org/files/content/nis/NIS_Background_Methodology_EN.pdf) (both documents accessed August 2019).

Similar remarks may be made about the other components. STAR-Ghana is tightly managed and reports extensively about its activities, led by highly committed managers and staff. The NCCE staff in charge of the anti-corruption activities are also highly qualified and have demonstrated excellent strategic and organisational skills in planning and implementing activities.

For these reasons, the evaluators are confident that the programme is making good use of its financial and human resources to deliver the required outputs and outcomes. However, the parliamentary and presidential elections scheduled for the last quarter of 2020 present a substantial risk to the timely implementation of the programme. Past experience (including ARAP's own experience in the run-up to the 2016 elections) shows that stakeholders' level of activity may be reduced in the months preceding elections or in the transition period between elections and the assumption of office by the newly elected authorities. "Slow" periods of this nature are common in democracies, and Ghana is no exception in this respect. In 2020, this electoral period will coincide with the last few months of the programme, when the workplan envisions activities taking place at an intensive rate. Contingency planning to take account of this situation should be considered.

As part of this contingency planning, and to make it as likely as possible that workplans will be delivered in a timely manner, it will be important to ensure that the CU has sufficient human resources at its disposal to deliver the required activities and to support the beneficiary institutions. It is therefore necessary, in the view of the evaluators, to add to the human resources available to the CU. It is proposed to bring one professional-level staff member, and one or two assistant-level personnel, tasked with liaison with the beneficiaries and with organising the logistics of planned activities.

*EQ 6 To what extent is the management structure (Steering Committee, Coordination Unit) conducive to programme management that adapts to circumstances and acts in a timely manner in each programme component; and to what extent are programme governance processes conducive to management accountability and monitoring/oversight?*

The CU is doubtless key to the efficient and effective implementation of ARAP. The CU team, supported by a FIIAPP team based in Madrid, is highly committed to delivering project activities – its dedication and effectiveness are impressive and are clearly appreciated by stakeholders. The core team of permanent staff is complemented by short-term experts supporting the delivery of specific outputs. This arrangement appears to be very effective. The team is also supported by FIIAPP's experts on monitoring and evaluation (M&E), which developed a very cogent and detailed M&E framework, and which the team appears to be using on a day-to-day basis. Although the team experienced a months-long gap in leadership in late 2018 and early 2019 as a result of the change of team leader, continuity was assured and this did not substantially alter the accelerating rhythm of output delivery – a further testimony to the dedication and commitment of the CU staff as a whole.

The CU team reports and supports a Steering Committee (SC) made up of representatives of the EU, the NAO, and stakeholders. The SC has proven to be an effective accountability and information exchange forum, which helps contribute to Ghanaian ownership and buy-in for the programme as a whole. STAR-Ghana and NCCE have separate management structures, which raise no concern in relation to this MTE. Both organisations are represented on the SC, and both cite this as important to ensure effective exchange of information and timely decision-making on programme implementation.

There are, nevertheless, two concerns in relation to high-level management of the programme:

- The SC is an appropriate forum to keep programme managers accountable (especially the management of the CU team, whose budget is by far the largest of the three components), and is also a relevant locus of information exchange. However it could do more to seek synergies from the three components, including joint participation in activities where this is relevant. This could contribute to strengthening cooperation between institutions and civil society.
- The SC should also work with relevant stakeholders to reinforce high-level buy-in for the ARAP strategy and outcomes among senior leadership in the beneficiary institutions. Political support by the EU political echelon and by senior government officials would help strengthen the commitment of the beneficiary institutions to delivering programme outcomes.

## SUSTAINABILITY

*EQ 7 To what extent does the programme help develop mechanisms or processes for programme outcomes that are to be maintained beyond the end of the programme period? To what extent is the ARAP programme likely to contribute to the sustainability of anti-corruption efforts in Ghana?*

Sustainability is not addressed in programme design, nor in subsequent reporting, and there are some serious concerns about the sustainability of many aspects of the Programme. The most serious barrier to sustainability is related to higher-level political will, and to some extent the degree of institutional will (see also *Effectiveness*). While some improvement has been observed relative to political will, this is still “*not what it should be*”, and that there are “*a lot of critical anti-corruption institutions that are handicapped*” in terms of their levels of resources.

It would appear that there has been high-level involvement in activities by GoG representatives, and it is considered that the Programme could benefit from continued high-profile interventions and support by the Head of Delegation. The two Heads of Delegation that have overseen ARAP to date are well known in the international context and within Ghana society as committed and outspoken ambassadors regarding accountability and anti-corruption. The annual political dialogue between the EU and Ghana at the highest level (co-chaired by the Vice-President and EU ambassador) has consistently maintained the issue of accountability as a top priority in the agenda. The HoDs Twitter accounts, and the EUD social media accounts regularly relay messages coming from ARAP or elsewhere in support of the fight against corruption and the call for accountability. Both HoDs and Heads of Cooperation have attended major activities and visibility events organised by ARAP.

The Programme provides ample entry-points for policy and political dialogue by the EU Delegation on the main thematic areas, and related gender, human rights, and civil society issues. The EU Delegation considers that the continuity of policy dialogue is a key element in ensuring the Programme’s sustainability. In this regard, the EU Delegation has made attempts to maintain the activity level of the Governance Working Group (co-chaired by USAID and the AG office), however for this to be effective, the underlying goodwill of government representatives will be essential.

Institutional will can also be problematic, where there may be a lack of commitment to utilise systems, pass on knowledge, or otherwise benefit from support. Interviewees stressed the need for change management support as a means to counter this, and improve overall sustainability. Adequate human and other resources need to be in place in institutions to deal with any surge of complaints generated by awareness-raising. Institutions consider they would cope with any increases, but this does not align with the concern that institutions are already seriously under-resourced.

Sustainability issues are linked to the various types of support. Training of staff is generally sustainable, but can be undermined by attrition caused by staff rotation or departure. Some training activities are more susceptible to attrition than others, for example digital communication skills, which are highly desirable in the private sector. However, most training demonstrates strong sustainability. Training of trainers will leverage and amplify skills, and some institutions are already undertaking their own training. Judicial training on environmental cases has also produced highly sustainable results. However, one example was given of a judge who had been trained having been transferred to a court where his skills cannot be utilised.

Information systems, equipment and other technological support are objectively sustainable, but require strong commitment by authorities to upgrade, maintain, assure technical assistance and troubleshooting, and provide on-going training. Web-sites also require constant updating. This Programme’s IT support, such as the AG’s case-management system, remain highly vulnerable to stagnation after the Programme’s conclusion. However, interlocutors feel confident that the benefits conferred will justify, and help them push for, a commitment to provide adequate continual support.

Initiatives that have been spontaneously undertaken by direct stakeholders, such as the intention of the EPA to upscale their drone surveillance system to other regions, also demonstrates that there is high interest and momentum, which will in turn help leverage ongoing national support. The Programme also benefits from

momentum within society itself relative to accountability, fighting corruption and improving the rule of law, which will also have very positive effects on the sustainability of the Programme. Support to the development of institutional strategies and regulations have considerable sustainability, and manuals, guidelines and operating procedures developed will also have strong ongoing benefits.

Stakeholders are very conscious of the need, and their own responsibility, to integrate sustainability mechanisms in the support received, and the ARAP Coordination Unit is also conscious of the need to discuss with stakeholders the sustainability issues outlined above. A Memorandum of Understanding will be signed shortly between the Judicial Service of Ghana and the Council for Law Reporting of Ghana regarding the Legal Web Library for justice sector actors, which defines the scope of the rights and obligations of the parties, including how data will be provided, used and protected, and related financial conditions. This initiative could be replicated for all other Programme components, and could help make institutions (and government) accountable for continuing to support ongoing initiatives.

*EQ 8 To what extent is an exit strategy built into the ARAP programme in anticipation of its completion?*

Programme documents do not provide for an exit strategy, and one has not been prepared to date. Nevertheless, it is understood that the Programme will include a “closing period” of six months at the end of the implementation period, during which the activities will be concluded, final assessments conducted, and stakeholders’ supported in moving forward with their institutional agendas and capitalising on the Programme’s support. While in reality this will amount to the development of an exit strategy, it is considered that discussions to this end should commence forthwith, in the context of the Memoranda of Understanding referred to above, and a structured, pre-emptive exit strategy developed, whilst ensuring that this is periodically adjusted, in line with the Programme’s flexible approach described above.

## IMPACT

*EQ 9 To what extent is the Programme likely to contribute to promoting good governance in Ghana by reducing corruption and improving accountability and compliance with the rule of law?*

It is accepted that, even in Year 4 of implementation, it is still too early to make an assessment of any impacts, and to a certain degree any likely impacts. As one stakeholder stated: “*if we expect 100% improvement, we will be disappointed, because change takes a long time*”. It is also evident that many impacts will be dependent on the extent to which sustainability can be integrated, as discussed above.

However, the Programme appears to be well on track to achieving a number of improvements in practices, as supported by manuals and guidelines. Improved practices and procedures, together with technological support, will transform efficiencies, and help ensure transparency and accountability of critical rule of law institutions supported by the Programme, in particular the police and judiciary. It will transform internal and external monitoring of institutions, and provide crucial data and statistics upon which future institutions’ policies and strategies – and even national sector, development and other strategies – can be developed. Such guidelines also help transform mentalities, values and expectations within institutions, which will then be expressed in myriad qualitative ways.

Training has also already had significant impacts on how institutions conduct their activities, and in the case of judicial training, will continue to have qualitative impacts on the interpretation and development of case-law, and general accountability, relative to environmental issues.

The likely impact on environmental governance will be considerable, and will likely have significant impacts relative to deterrence (see also the encouraging secondary effects below). The EPA’s current drone initiative is considered to be “transformational”, and can be scaled up, to encompass other environmental concerns such as emissions, or in other environmental sectors such as manufacturing, energy (including oil and gas, and atomic waste), and hospitality. Future collaboration with the DPP will ensure that data collection can be refined to ensure its admissibility as evidence for prosecution.

Stakeholders report that inter-institutional trust, coordination and cooperation has already been generally improved through Programme activities; the benefits of such collaboration are widely understood (“*this is the only way you can really move the system*”) and hence such activities are likely to be prioritised.

The decentralisation of oversight mechanisms, such as the Justice Service Public Relations and Complaints Unit, will provide a significant contribution to access to justice, and overall accountability at the local level, particularly for rural populations and the most vulnerable, and is also likely to have a deterrent effect.

The Legal Web Library also has the potential to transform the way that legal professionals conduct their work, contributing significantly to access to legal information, and to the efficiency and quality of justice in the country. It is noted *in passim* however that access to digital legislation and reported case-law is provided free of charge by justice ministries in many countries, in order to provide access to information to all citizens.

Public outreach and awareness activities are clearly already impacting on attitudes and knowledge concerning corruption, and provide the information needed for citizens to demand accountability: “*These are people who are without voices, and today they are able to speak out*”. Such knowledge is difficult to reverse, although successive campaigns are clearly necessary (*see generally Sustainability above*). Given that school-age children are a primary target of campaigns, this has the potential to generate resonance out into the next generations.

*EQ 10 Are there (is it likely there will be) any secondary or unexpected effect, positive or negative, of the ARAP programme beyond those included in the logical framework?*

There are, and will likely be, a number of secondary effects of the Programme beyond those included in the logical framework. EPA activities can potentially serve as an example of innovative and best practice for other countries in the region – also plagued by problems relative to, for example, illegal mining. The EPA can also share resources and know-how with other agencies, and intends to engage in joint activities.

There is also evidence that awareness-raising efforts have already mobilised some local communities in practical ways, for example establishing a local watchdog authority regarding fertiliser issues.

#### EU ADDED VALUE AND COHERENCE

*EQ 11 Is the ARAP programme able to achieve, as a result of EU support, results or outcomes that could not have been achieved in the same way through the support of other donors or individual Member States?*

The programme design has effectively taken into account lessons from past support to the governance sector in Ghana, by ensuring that ARAP addresses a limited range of key institutions in the justice and anti-corruption fields. The design thus benefited from the EU’s experience as a development partner for Ghana in relation to governance and decentralisation.

Despite this, there is scope for the ARAP programme to profit more broadly from the EU’s position as one of Ghana’s key development partners, by ensuring that EU diplomats systematically highlight the benefits and needs of the programme in their interactions with senior Ghanaian officials. The EU’s representative in Ghana have a key role to play in reinforcing senior officials’ buy-in for the programme and their support for the institutional reforms that ARAP is supporting though policy advice and capacity building.

*EQ 12 To what extent is the ARAP programme taking into account the activities of other donors and institutions in relation to the fight against corruption in Ghana? EQ 13 To what extent is the ARAP programme consistent, and able to develop synergies, with other anti-corruption projects and programmes in Ghana and the region?*

The programme is working effectively in coordination with STAAC, which is the key anti-corruption programme currently active. STAAC stakeholders include the Ghana Audit Service (GAS) and other public finance management institutions (Internal Audit Agency and Public Procurement Authority), which ARAP chose therefore not to address as stakeholders. The design of ARAP took into account the background of Danish support to CHRAJ and JS (though this was focused on access to justice rather than anti-corruption per se). The ARAP design is also



taking into account the fact that USAID is supporting AGO capacity-building, and is working on an integrated case management and tracking software (USAID has also supported capacity building of the GAS on performance audit of capital projects). At the regional and international level, UNODC runs a limited number of capacity-building activities aimed mainly at supporting Member States in meeting their commitments under the UN Convention against Corruption (UNCAC). CHRAJ is a stakeholder in this respect but there is no overlap with ARAP's areas of support to CHRAJ.

#### CROSS-CUTTING ISSUES

*EQ 14 To what extent are human rights considerations, including a rights-based approach, sufficiently included in the ARAP Programme design and implementation?*

Programming documents refer to a rights-based supply-demand driven model, however there are few direct references, apart from a description of the role of CHRAJ and NCCE in protecting and promoting human rights issues. Rights are not mentioned in the Inception Report, including relative to cross-cutting issues.

The CHRAJ holds the central role in ensuring human rights in Ghana are upheld, and the NACAP itself is centred on a rights-based approach, constantly reinforcing the links between corruption human rights, and development, however these crucial aspects have not integrated in the Programme to date. The log frame contains two references to human rights (Result 3:2 *LAC and private lawyers are more empowered with skills and knowledge to safeguard their clients' rights*; Result 1 Output indicator 13. *Train CHRAJ officers in basic investigation techniques, ethics, integrity, human rights*).

The only rights-related activity conducted to date has been 2018 LAC training of trainers that included human rights litigation. Human rights have not been integrated in other activities, and no mention of same is mentioned in Progress Reports. This is despite the enormous importance of addressing rights relative to anti-corruption and accountability in general, including right to information, privacy, data protection, due process and fair trial rights, as well as the broader rights implications of accountability and corruption, including access to health, education and justice, and the right to development itself.

Apart from CHRAJ itself, human rights organisations do not appear to have been directly consulted or implicated in activities. While individual lawyers, including those within the AG and DPP have been involved in various activities, the General Legal Council and the Ghana Bar Association were not consulted in the development of key manuals and guidelines, including the Police Service Instructions, DPP Guidelines relative to Disclosure, the LAC Manual, etc. to ensure their compliance with fair trial and other serious rights considerations.

It is accepted nevertheless that the Programme is addressing in real terms many of the rights that are most relevant to anti-corruption, rule of law and accountability, including the right to information, and access to key public services including justice, health and education, however this is occurring in an incidental manner, rather than being addressed directly, or woven into activities.

The [New European Consensus on Development](#) commits the EU and its Member States to implementing a rights-based approach (RBA) to development cooperation, encompassing all human rights. It thereby reinforces the EU's commitment to a RBA as outlined in the [2012 EU Strategic Framework on Human Rights and Democracy](#), the [2014 Tool-box "A Rights-Based Approach, encompassing all human rights, for EU development cooperation"](#) and respective Council Conclusions.

This means that integrating an RBA in all EU cooperation actions is a positive requirement, and should therefore be implemented in the Programme as a priority. The ARAP Key Expert responsible for rule of law issues is experienced and qualified in rights issues, and has expressed strong interest in developing an RBA action plan, and incorporating rights elements in the remaining Programme.

*EQ 15 To what extent could gender equality considerations be further included in the project design and implementation, in particular in the trainings and workshops carried out under the ARAP programme, and in relation to civil society/media engagement?*



Programme design documents stated that “*although the programme centres on good governance, it does not have a specific focus on gender. However, gender is mainstreamed into it: both CHRAJ and the Judiciary have mainstreamed gender in their strategic plans and support to these will support gender equality*”. It highlighted the gender equality mandates and functions of CHRAJ and STAR-Ghana, and highlighted that the Programme included significant support to civic education highlighting gender issues, and to training that would ensure equal gender representation. However, there is little concrete analysis of broader gender issues relative to corruption, accountability or rule of law, and how the action would address these.

Nevertheless, gender appears to have been generally mainstreamed in activities, although this is largely through the existing gender mainstreaming approaches of stakeholder institutions, rather than through the Programme itself. A couple of specific activities have addressed gender issues: an NCCE study which examined susceptibility to corruption from a gender perspective, which was then used to target their awareness-raising efforts, and the development of a gender policy for the GPS. SIA generates gender-disaggregated indicators, but these have to be developed or transposed at the log frame level.

*EQ 16 To what extent is the situation of under-represented and vulnerable groups taken into consideration in Programme design and implementation?*

Under-represented and vulnerable groups have not been specifically taken into consideration in Programme design and implementation, and no activities or related indicators have been developed in this regard.

However, a number of institutions and their activities have a direct effect on such groups, notably the LAC, which provides access to justice for vulnerable groups including the indigent, rural populations, the illiterate, and minors. The NCCE also provides awareness raising and access to information in multiple forms (including importantly radio, which has enormous reach), which also reaches such groups, and indeed are often directly targeted at them. For example, the NCCE is working with the Ghana Education Service to work with children as entry points and influencers.

*EQ 17 To what extent is environmental issues, including climate change, taken into consideration in the project design and implementation?*

Environmental issues, including climate change, have been strongly taken into consideration in the project design and implementation. The Programme Financing Agreement included environmental governance in the key result areas, however the relevance and importance of this component appears to have been somewhat misunderstood during the Inception Phase. The EPA itself subsequently mobilised interest in reintegrating this aspect, which has subsequently emerged as an essential cross-cutting and stand-alone component of the action. Their results and impacts are described throughout this Report.

### III. OVERALL ASSESSMENT

The evaluators believe that the findings developed in Chapter II in response to the evaluation questions, on the basis of the substantial evidence base provided by the study of documentation and the field visit, permit the following overall assessment.

While the findings in Chapter II follow the evaluation questions and are based on the evaluation matrix appended to this report, this assessment is organised differently, in accordance with the ToR. The assessment synthesises the findings under three themes that run across the programme components and evaluation criteria. These themes are:

- The value of innovation;
- Programme design and political economy analysis of corruption;
- Programme delivery modalities;
- Gender equality and rights-based approach.

It should be noted at the outset that the programme is generally implemented in a satisfactory manner in view of the way it was designed, and that it is likely to deliver substantial outcomes related to the fight against corruption. The present chapter should therefore not be read as a critique of the programme implementation, still less a critique of the managers and staff involved, whose commitment and skills are impressive. However, the evaluators believe that the programme could have delivered more – and more relevant – outcomes if it had been designed and delivered differently, and if a more deliberate gender-equality and rights-based approach had been taken.

#### **Innovation**

ARAP's support to the EPA is genuinely innovative, in that it involves the provision of drones to map mining operations, which allows the identification of illegal mining activities. The use of drones has many other advantages, including speed (an entire mining area can be mapped through a 30-minute drone flight) and dissuasion (illegal miners being wary of remaining on the ground when they hear the drone approaching). The drone operation itself is complemented with software and new operational modalities that ensure the EPA hold detailed data about every mining operation that is covered by the system, including through interviews with licensees.

Innovations such as this allow an institution to experience a step change in its work, developing capacities that would be unachievable without the relevant technology, and (in practice) without the support of a donor such as the EU. This is a prime example of the value of innovation in programme implementation. Although the innovation was not originally planned into the programme (drones equipped with high-resolution cameras were a rarity at the time the programme was designed), its design was sufficiently flexible to permit the implementation of the drone technology once its feasibility and desirability was established. Such an IT-based approach should be replicated in other programmes, and in relation to other anti-corruption activities.<sup>19</sup>

#### **Programme design**

The programme design was based on the “supply and demand” model described in the introduction to this report, and accordingly developed the institutional and CSO components – the third component, implemented by NCCE,

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<sup>19</sup> Despite the very positive potential impact of the drone technology on the work of the EPA, one should note a caveat: the technology, and associated methodologies such as the development of a detailed online database of mining activities in Ghana, involves the EPA gathering and storing large amounts of data about individuals. The data includes private items such as previous convictions, and may in principle be used in legal proceedings if a mining operator is found to be conducting illegal operation. However, Ghana does not at this point have privacy protection legislation governing the nature of individual data government agencies may hold, data management modalities and the scope for individuals to access the data held concerning them. It is important for the EU to ensure that data protection measures are taken alongside the development of data collection technologies.

being related to public awareness-raising. There was some justification in the use of this model, mainly on the basis of two findings reflected at programme identification and inception stages:

- One finding concerned the notion that law enforcement, investigation and judicial institutions lacked capacity (in terms of specialist skills, policy guidelines and infrastructures) to fight corruption effectively;
- Another finding concerned the perception that civil society (and the public at large) could do more to fight corruption, particularly through enhanced government accountability and dialogue with CSOs.

These elements were clearly addressed in the programme design. However the design did not take a more holistic approach, such as that of the National Integrity Systems analysis developed since the 1990s by Transparency International. In that approach, civil society, law enforcement and the judiciary are but three of eleven “pillars”, which all need to be strengthened. It is of course not always possible for a given programme to address all the “pillars” to the same extent, but the lack of explicit reference to the other “pillars”, combined with the use of ambitious, high-level indicators of success, substantially weakened the programme’s design and harmed the likelihood that it would achieve its desired outcomes.

It would be advisable in future for any anti-corruption programme to explicitly set out how the “pillars” it is addressing can influence the NIS as a whole. This could be done by developing a political economy analysis (PEA) of the fight against corruption in the country, analysing national strengths and weaknesses with regard to each NIS “pillar” and linking any specific programme outcomes to the overall NIS.

### **Delivery modalities**

The division of the programme into three discrete but related components – with the institutional component clearly dominant in budget terms – was justified in part by practical considerations, as no single Ghanaian institution was perceived to be able to manage the entire programme on its own, and as the institutional and CSO components were aimed at stakeholders that operate in very different ways, requiring different support skills and methodologies. In addition, as noted by the EUD, the policy orientation that saw many 11<sup>th</sup> EDF programmes opting for Delegation Agreements with EU Member States implementing agencies (such as FIIAPP) applied independently of the institutional assessment at the Ghana country level. The EUD further noted that Delegation Agreements also allow for relatively simplified implementing modalities, thus reducing transaction costs.

There have been opportunities for CSOs and institutions to meet and debate, for example at public events supported by ARAP, such as the annual events organised by CHRAJ with ARAP support to mark International Anti-Corruption Day, including a week-long series of activities involving senior government representatives and CSOs. It appears, however, that CHRAJ may need further support and impetus to spearhead a more permanent national dialogue on anti-corruption, in line with its mandate. Future anti-corruption programmes should prioritise dialogue and mutual learning between institutions and CSOs. This does not necessarily require that one entity implements all elements of the programme: what is required is that both sides are aware of plans and activities, and that permanent, real-time channels of communication and exchange are in place – using social networks or other group communication techniques where appropriate.

### **Gender and human rights**

The programme lacks explicit gender mainstreaming and rights-based dimensions. As mentioned in the previous chapter, individual institutions (and CSOs) involved in the three programme components have gender mainstreaming strategies of their own, and are in some cases implementing a rights-based approach. This is the case to varying degrees of CHRAJ, NCCE, and STAR-Ghana beneficiaries in particular. However, the programme puts little emphasis on the gender dimensions of corruption and anti-corruption: research conducted as part of the programme did consider the impact of corruption in gender-disaggregated terms, but this is not explicitly leading to specific anti-corruption strategies taking gender identities and social roles into account.

The lack of a gender equality dimension in the programme contrasts with a broader context in which an increasing proportion of women are in senior decision-making positions in the civil service, the judiciary, and CSOs. This context should be conducive to supporting activities focused on women as anti-corruption agents.

#### IV. CONCLUSIONS AND RECOMMENDATIONS

##### Lessons learned

- **The programme has found innovative ways of addressing various aspects of corruption.** It has done so for example in relation to environmental management, by providing the EPA with drones and thereby helping control illegal mining. It has also done so in relation to policing, by supporting both internal police regulations against corruption and TV/social media broadcasts developed with CSO support.
- **The programme is laying the groundwork for holistic and evidence-based strategies to fight corruption.** The research commissioned as part of the programme, as well as the broader capacity-building undertaken with the beneficiary institutions, have reinforced the likelihood that the NACAP anti-corruption action plan will bear fruit. The support provided to CSOs at the same time should help ensure that citizens group maintain the pressure on government to deliver on its anti-corruption commitments. The broad “supply and demand” nature of the programme, is a positive step to make the fight against corruption more effective.
- **A more “systemic” approach should follow the ARAP programme.** For all its merits, the ARAP programme is not encompassing key actors and processes in the fight against corruption, including in particular the public service oversight system.<sup>20</sup> The private business sector is also largely outside the scope of the programme. A future programme should not merely continue along the line of the current ARAP programme – it should be based on an analysis of the national integrity systems as they operate in Ghana (including after ARAP’s results are taken into account) and its design should start from a clean sheet.

##### Conclusions

- **The ARAP programme responds to a clear need in Ghana.** The extent of corruption, the existence of a national anti-corruption action plan and UNCAC commitments, as well as the profile of corruption among citizens’ concerns in Ghana, are some of the key grounds justifying an anti-corruption programme. The specific priorities set by the ARAP programme (strengthening law enforcement, investigation agencies and the justice sector, as well as support for CSOs and public awareness-raising, are also consistent with clear needs.
- **The programme’s “supply and demand” intervention logic is in line with strategic needs.** The programme’s approach of mutually supporting institutional capacity building and CSO awareness raising is sound and consistent with existing national strategies. The intervention logic is therefore justified; its flexible implementation has enabled the programme to seize opportunities as they arose. However the ARAP component team probably underestimated the initial need to explain the intervention logic and build trust with stakeholders.
- **The programme design lacks internal coherence.** The programme brings together three separate components under two key results areas, but few structural connections have been built into its design,

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<sup>20</sup> The Parliament of Ghana is a stakeholder in some ARAP activities, which goes some way towards strengthening the monitoring of the public service. However, there is a need for more intensive monitoring of the public services in areas such as public procurement, disbursement of subsidies, etc., which have not been fully addressed by ARAP. The Public Services Commission, a constitutionally-mandated body under the Ministry of Finance, may be an appropriate stakeholder in this respect.

linking the institutional and the CSO components. This is hampering the overall programme's ability to deliver the expected outcomes.

- **The programme does not take a sufficiently systemic, holistic approach to the fight against corruption.** While the institutional component of the programme is right in prioritising key stakeholders involved in the fight against impunity for corruption, it is not doing enough to link its work to the broader national integrity systems, though it does lay the ground work for a more holistic approach. Such an approach should be developed in a future programme.
- **The programme is delivering a well thought-out, increasingly intensive set of activities in all three components.** The effectiveness of activities under each component has been impressive; the ARAP component is now facing the challenge of implementing intensive workplans agreed with each beneficiary institutions, while also reinforcing interactions between the three components of the programme. However well thought-out the individual institutional workplans are, the high rate of activity the plans imply will be difficult to implement in the context of the 2020 national elections.
- **The programme's over-ambitious planned outcomes are unlikely to be fully delivered.** The high-level outcomes of the programme are not in line with the fact that the programme is not addressing all aspect of the national integrity system of Ghana. It is therefore unlikely that the indicators of success that are currently in the logframe will be able to be fulfilled. A review is necessary, along lines outlined in the recommendations below.
- **The coordination of the three programme components is weak and should be enhanced in the short term.** The programme's overall effectiveness depends in part on reinforcing interactions between its various components to increase the likelihood that the "supply and demand" concept leads to more investigations of corruption cases. Deliberate efforts should be made to bring together institutions and CSOs in the final period of the programme.
- **The programme will need strong political-level support by the EU in its closing phase.** In view of the challenges of investigating and prosecuting corruption, and in view of the forthcoming set of national elections in 2020, it will be essential for the programme to be explicitly supported by the EUD at the highest level, so as to maintain the momentum of political will that has been achieved in recent years. To that end, it is important that the programme and the EU Delegation should be aligned in terms of the anti-corruption message they send to the Government of Ghana.
- **Programme management is effective at the level of each component.** The managers and staff of the three components are experts in their fields and demonstrate a clear understanding of the programme strategy and commitment to its implementation. The accountability mechanisms, overseen by the Steering Committee, provide adequate information to the EU as donor and to the NAO.
- **The programme needs an exit strategy aimed at strengthening its sustainability.** The programme has clear elements of sustainability – skills acquired by institution personnel, equipment and new work methods adopted, which will most likely continue to be used beyond the programme's end-date – but it will be important for the programme in its final period to work with beneficiaries (including CSOs) to entrench the benefits of the programme's activities and ensure mechanisms are in place to make further progress.
- **The programme is likely to achieve substantial elements of impact in all three components.** Beyond the delivery of specific outputs, elements of impact are likely to include the development of new attitudes towards the fight against corruption – a more holistic and joined-up approach made possible by enhanced coordination among actors. Cooperation between institutions and CSOs is also likely to lead to a greater sense of agency among both sets of stakeholders, thus encouraging further progress.



The following recommendations stem from the present MTE. They are mainly addressed to the Steering Committee in its capacity as a decision-making group regarding programme management. Implementation of the recommendations, if agreed by the Steering Committee, is likely to be the responsibility of the CU and, to a lesser degree, of STAR-Ghana and NCCE. Separate recommendations are addressed to the EU Delegation.

The aim of the recommendations is threefold: to adjust programme indicators so that they are more reflective of activities actually conducted and have a reasonable chance of being fulfilled; to ensure that programme workplans are implemented; and to lay the groundwork for a possible successor programme.

### Recommendations to the ARAP Steering Committee

These recommendations are addressed to the SC, on the assumption that they will require the CU to implement them, if the SC agrees with them.

7. **Revise the programme logframe to adapt the high-level indicators.** The formal, overall programme logframe should be adjusted, to the extent possible<sup>21</sup> in line with the findings (overall objective, key result areas, linkages between result areas, indicators, baselines, sources of verification, assumptions). A Theory of Change for the ARAP Programme should be developed, on the basis of work done at inception stage and of the analysis in the present report.
8. **Ensure that the programme is resilient in view of the forthcoming national elections.** ARAP and EUD should provide support to reenergising and operationalising the existing national Sector Work Group, in order to formalise and therefore improve and foster inter-agency cooperation. Related to this, consideration should be given to strengthening the institutional focal points to support technical cooperation and improve work-flows. The Office of the Special Prosecutor should be engaged more strongly in programme activities, where appropriate and subject to time and resource constraints of the programme and the OSP. Memoranda of Understanding (MoUs) should be developed with and where appropriate between stakeholders, in particular to ensure the sustainability of the benefits provided by the programme – consideration should be given to the possibility of developing MoUs between institutions and CSOs, strengthening citizen participation in the work of anti-corruption agencies. Consideration should also be given to prolonging the ARAP programme into 2021 if this proves necessary to complete the agreed workplans.
9. **Develop an explicit programme exit strategy.** A political economy analysis (PEA) should be conducted, in particular relative to sustainability issues, and the programme's exit strategy, taking account of the overall National Integrity System of Ghana.<sup>22</sup> The opportunities and risks posed by the forthcoming election period should be discussed between ARAP, EUD and stakeholders as a matter of urgency, and findings (including mitigation measures) integrated into programme structure, approaches, and activities. Mentoring and similar embedded support should be established, where possible, in remaining activities. A rights-based approach and accompanying action plan should be developed and implemented as a priority, as part of the exit strategy. Gender mainstreaming should be strengthened, and gender-disaggregated indicators and data sources developed.
10. **Strengthen ARAP's international dimension.** Increased emphasis should be given in programme strategy, approaches and activities to the links of corruption to international corruption and organised crime, regional security and peace, and international investment and development.
11. **Strengthen human resources for CU.** Additional human resources and other support should be allocated to the Coordination Unit, to assist in the implementation of remaining activities. Consideration should also be given to engaging some of the short-term experts on a full-time, in situ basis, if possible, for the remaining programme period.
12. **Programme management.** Issues relative to under-represented and vulnerable groups should be directly addressed and/or mainstreamed in the programme logframe and implementation. Programme reporting should be strengthened to incorporate results-based monitoring, with for example additional fields integrated in the SIA monitoring framework.

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<sup>21</sup> Some high-level aspects of the logframe may not be easily changed because they are part of contractual agreements. Priority for revision should go to key indicators. See proposed revisions in annex to this report.

<sup>22</sup> The work done by Transparency International to analyse national integrity systems could be used to guide the PEA.

### Recommendations to the EUD

- c. **Enhance high-level support to the ARAP programme.** It is important in the forthcoming period that the EU should demonstrate its high-level support for the aims and modalities of the ARAP programme. In particular, the EU could assist with programme implementation through diplomatic engagement with the senior leadership of the beneficiary institutions – this would come in addition to the public support that the EUD provides to ARAP, for example through the EU Ambassador’s attendance at public events.
- d. **Initiate planning for a successor programme building on the groundwork laid by ARAP.** Building on the proposed exit strategy, it would be appropriate at this point for the EUD to initiate the identification and formulation process for a successor programme to ARAP. This process should take a holistic approach to the fight against corruption, taking into account the entire range of anti-corruption actors and processes, as set out in the National Integrity System approach (or similar, academically proven analysis frameworks).

### Implementation of the recommendations

The last phase of the ARAP programme, till end-2020, will involve intensive work by all stakeholders. The CU will likely play a key role as organiser and provider of support. It is recommended that a workshop be held in September 2019, focusing on the consideration of the findings and recommendations made in the present report. Such a workshop could also be an opportunity for the EUD, the beneficiary institutions, CSOs and programme implementers to renew their mutual commitment to achieve programme outcomes, and to reinforce the programme’s resilience in view of the challenges that are likely to be posed by the 2020 national electoral context.

## ANNEXES

### TERMS OF REFERENCE (ANNEXES NOT INCLUDED)

Mid Term Evaluation Anti-corruption, Rule of Law and Accountability Programme (ARAP), Ghana

FWC SIEA 2018 - LOT 3 Human Rights, Democracy, Peace EuropeAid/138778/DH/SER/multi Request for Services No. 2019/406819/1 Contracting Authority: the European Union Delegation to Ghana

### BACKGROUND

#### 1.1 Relevant country / region / sector background

Ghana's progress towards democracy and good governance since the end of military rule in 1992 has been impressive. The country ranks high in all major governance, human rights and rule of law indicators when

compared to countries in the sub-region and in Africa generally.<sup>1</sup> With some exceptions, Ghana has a solid legislative framework in place. The 1992 Constitution includes all major democratic principles and a comprehensive Bill of Rights (mostly focused on civil and political rights) and establishes various Independent Constitutional Bodies (ICBs) including the Commission on Human Rights and Administrative Justice (CHRAJ) and the National Commission for Civic Education (NCCE).

The 1992 Constitution created independent governance institutions (IGIs) to promote good governance and to help eradicate corrupt practices and conflict of interest. These IGIs include the Commission on Human Rights and Administrative Justice (CHRAJ), the National Commission on Civic Education (NCCE), the Electoral Commission (EC), the Judiciary, the National Development Planning Commission and the National Media Commission. Ghana enjoys a high degree of media freedom, and the private press and broadcasters operate without significant restrictions.

A revision of the Constitution was initiated in 2011 and the Constitution Review Commission issued a range of recommendations but the process to implement them (drafting legislation and referendum consultation) has stalled.

#### Legal framework on anti-corruption

In addition to the Constitution, various laws are in place to prevent and deal with corruption and related offences. Among these laws are the Criminal Offences Act, 1960 (Act 29), Criminal (Procedure) and other Offences Act, 1960 (Act 30), Criminal Offences (Amendment) Act, 1993 (Act 458); Whistle Blower Act, 2006 (Act 720), Anti-Money Laundering Act, 2008 (Act 749) and Regulations, 2011; Economic and Organized Crime Office Act, 2010 (Act 804) and Regulations 2012; Commission on Human Rights & Administrative Justice Act, 1993 (Act 456); and the Public Office Holders (Declaration of Assets & Disqualification) Act, 1998 (Act 550).

Some other legislation was passed after ARAP implementation commenced. These include the Public Financial Management Act, 2016 (Act 921), the Office of Special Prosecutor's Act, 2017 (Act 959). Other relevant legislation is pending in Parliament. These include the Right to information Bill and the Public Officers Code of Conduct Bill. Additional initiatives to fight corruption include the adoption by the Parliament of Ghana in 2014 of the National Anti-corruption Action Plan (NACAP), an overarching strategy for all stakeholders in the fight against corruption.

Ghana signed the United Nations Convention against Corruption (UNCAC) on 9th December, 2004 and ratified same on 27th June 2007. Also, the African Union (AU) Convention against corruption and the ECOWAS protocol on the fight against corruption were adopted at the regional and sub-regional levels. However, the legal framework still lags behind that envisaged by the UNCAC. In particular, the definition of the crime of corruption in the Criminal Offences Act dates back to 1960. It mainly covers bribery of public officials, making it merely a misdemeanour, while many actions that would be regarded as corruption by the UNCAC and other countries are also only regarded as misdemeanours.

At the moment of formulation of ARAP, a process was underway to revise and broaden the definition of corruption in Ghanaian law. It was anticipated that the new definition will criminalize numerous acts that

<sup>1</sup>  
2017 Mo Ibrahim Index of African Governance ranks Ghana 8<sup>th</sup> amongst 54 African countries with an overall score of 65 (down however from the 7<sup>th</sup> place and the 68.2 score in 2014).

are either regarded as minor offences or that are not currently criminalized in Ghana. Re-education and training of the stakeholders and of the public was considered then a major activity in ARAP formulation. A drafting process started but has not yet been completed.

A significant effort in the fight against corruption is the establishment of the Office of the Special Prosecutor. Parliament passed the Office of the Special Prosecutor Bill in November 2017 as the Office of the Special Prosecutor Act, 2017 (Act 959). The Office will investigate and prosecute specific cases of corruption, when the offence is in respect of a vast quantity of assets that (a) constitute a substantial proportion of the resources of the country; (b) threaten the political stability of the country; or (c) threaten the sustainable development of the country. The first Special Prosecutor, Hon. Martin Amidu was appointed on 22<sup>nd</sup> February, 2018. Ms. Ms. Cynthia Lamptey, a former acting Director of Public Prosecutions was appointed as Deputy to the Special Prosecutor on 26<sup>th</sup> April, 2018 and was sworn into Office on 29<sup>th</sup> May, 2018. The governing Board members have been appointed and the Regulations are being drafted.

The Supreme Court in the Rep. vrs. Baffoe Bonnie and 4 others, gave a landmark ruling regarding pre-trial evidence disclosures. The Baffoe-Bonnie judgement will affect meaningfully the way prosecutions are done. This Supreme Court ruling has important implications for the whole of the criminal justice system, requiring the need for institutions to coordinate in their work. Investigators, police prosecutors, state prosecutors and judges will have to adjust their working models and timeframe in order to meet the requirements of the Baffoe Bonnie decision.

The Legal Aid Commission Act, 2018 (Act 977) was passed to transform the scheme into a Commission in order to improve legal aid service provisioning in Ghana. The Legal Aid Commission Act mandates the Legal Aid Commission to administer legal aid to deserving individuals, provides an improved system for the assessment and approval of legal aid applications. Act 977 also improved conditions of service for staff and provides the opportunity for the LAC to lead in the development of a para-legal practice in Ghana.

EU National Indicative Programme (11<sup>th</sup> EDF 2014-2020)

Under the NIP, the first sector of intervention was set as Governance: Public Sector Management and Accountability (allocation € 75m to fund ARAP, PFM project, Decentralisation programmes and Elections, 23% of the total NIP). Since the return to constitutional rule in 1993, under the 1992 Constitution, Ghana has made considerable progress in establishing democratic governance. Nevertheless, there was strong recognition by the Government and DPs that some interlocking governance challenges need to be addressed in Ghana in the immediate future: improving service delivery to citizens, expanding public and private participation in governance, and accountability in managing Ghana's natural resources. Thus, the sector focus was to support the public sector reform at targeted levels of government. There is also a need to reinforce rule of law and public accountability of state functions, in a three pronged approach addressing the accountability chain through: i) improved rule of law and access to justice through more effective, responsive and transparent justice sector (particularly with regard to public mismanagement and breach of authority), ii) strengthened role of communities, CSOs, and media to effectively participate in and influence policy processes improved accountability, transparency and service delivery and iii) support to oversight and control functions over the executive, notably through the reinforcement of the Parliament and Independent Constitutional Bodies (ICBs). These entities play the important roles of holding the Government accountable to its citizens, counterbalancing the powers of the Executive and deepening practice of democracy and institutional reforms.

#### Corruption indicators

Perception of corruption in Ghana among the population is high, according to different surveys and researches in the last few years, including researches carried out by the Ghana Integrity Initiative (GII), the Ghana chapter of Transparency International and the National Commission for Civic Education (NCCE).

Ghana Integrity Initiative (GII) has compiled the evolution of Ghana Corruption Perception Index which shows that the position has deteriorated in the last two years. The table below shows a summary of Ghana's Corruption Perception Index.

Corruption Perception Index Ghana 2012-2017			
Year	Score	Rank	Countries
2012	45	64	176
2013	46	63	177
2014	48	61	175
2015	47	56	168
2016	43	70	176
2017	40	81	180
2018	41	78	180

Source: Ghana integrity Initiative web page

The level of perception of corruption according to the World Bank Governance Indicator on Control of Corruption is moderate (scores between 50<sup>th</sup> and 75<sup>th</sup> percentile) closer to substantial (between 25<sup>th</sup> and 50<sup>th</sup>) than to low (higher than 75th). Other related indicators are as follows:

WB Governance Indicators	2010	2011	2012	2013	2014	2015	2016	2017
Voice and Accountability	63.03	62.44	61.97	62.44	61.58	64.04	67.49	67.49
Rule of Law	54.50	54.93	55.87	58.22	60.10	60.58	55.77	59.13
Control of Corruption	57.62	57.35	54.98	55.45	52.40	52.88	51.92	49.04

Source: compilation based on “Worldwide governance indicators 2018 update, World Bank”



In general, Governance indicators have maintained or improved, but the control of corruption has deteriorated all over the last 7 years.

Action to be evaluated<sup>2</sup>

Title of the Action to be evaluated	Anti-corruption, Rule of Law and Accountability Programme (ARAP)
Budget of the Action to be evaluated	€ 20 million
CRIS number of the Action to be evaluated	GH/FED/037-368
Dates of the Action to be evaluated	<ul style="list-style-type: none"> <li>• <input type="checkbox"/> Start: 29/01/2016</li> <li>• <input type="checkbox"/> End: To date</li> </ul>

The programme’s specific objective is to contribute to current reform processes in the area of rule of law, accountability, anti-corruption and environmental governance through support to key institutions, while at the same time increasing the ability of the public, civil society organisations and the media to hold government to account. The programme has two interlinked and mutually supportive key results with eight main activities:

Key Result Area 1: Accountability is enhanced, leading to increased accountability, a reduction in corruption and increased environmental governance.

Key Result Area 2: Compliance with and respect of the rule of law is improved, particularly in the areas of accountability and anti-corruption.

The programme is overseen by a Steering Committee and is implemented on a daily basis by a Coordination Unit (6 staff), long-term and short-term technical advisors provided by the Foundation for Administration and Public Policies (FIIAPP), which is the beneficiary of the maiden Delegation Agreement (€13m). FIIAPP has the overall responsibility of implementation of ARAP, including in overseeing the separate components described below:

- a Delegation Agreement with DFID (€4m) to contribute to a pool fund (along other donors) supporting the facility called STAR-GHANA, with activities aimed at civil society organisations, Parliament and the media, on the above result areas.

<sup>2</sup>

The term ‘Action’ is used throughout the report as a synonym of ‘project and programme’.  
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- a Grant to the National Commission for Civic Education (€2,2m) to deliver a civic education campaign on the above result areas.

Budget lines	EU contribution (EUR)
2.1.2 Indirect management with FIIAPP	13 000 000
2.1.3 Indirect management with DFID	4 000 000

2.1.4 Indirect management with the Government of Ghana (Grant to NCCE)	2 200 000
2.6 and 2.7 Evaluation and audit	450 000
2.8 Communication and visibility	50 000 <sup>3</sup>
Contingencies	300 000
Totals	20 000 000

Under Key Result Area 1, the main activities are:

1. Building the capacity of civic education providers (NCCE, CHRAJ, CSOs and the media) to conduct campaigns, advocate and lobby for increased accountability and a reduction in corruption.
2. Supporting the NCCE to conduct joint civic education and awareness on accountability.
3. Supporting CHRAJ to conduct joint anti-corruption civic education campaigns and other activities in line with the NACAP.
4. Support to CSOs, the media, Parliament and selected Parliamentary Committees to enhance their accountability, anti-corruption and lobbying and advocacy roles and functions.

Note

Support to Parliament, CSOs and the media are channelled through STAR-Ghana. Under Key Result Area 2, the main activities are:

1. Building the capacity of prosecutors to prosecute corruption and related offences.
2. Building the capacity of the Judiciary to hear and decide corruption cases and related offences and to hold government to account.
3. Establishment of a free web-based library/resource centre for all stakeholders and users of the justice system.
4. Support the police and Judiciary to combat corruption amongst their ranks.

Intervention logic

In line with the human rights based approach, activities under KRA 1 target the ‘demand side’ of accountability and aim to increase the ability of citizens, CSOs and the media to hold government to account at both the national and local levels, including when it comes to how revenues are raised and spent and how services are delivered, and to improve their capacity to lobby and advocate for increased transparency and anti-corruption efforts. Support will be provided to all stakeholders to improve their understanding and capacity when it comes to anti-corruption and accountability before campaigns are undertaken. Campaigns on accountability will be led by the NCCE in partnership with other stakeholders (including the EPA, CSOs and the media) and will focus inter alia on roles and functions of government at

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Funds for communication and visibility are included in the two Delegation Agreement and the grant to NCCE and are not taken into account in this line.

national and local level, services to which people are entitled and how to claim these, decision and budgetary-making process and how to participate in these, how to make one's voice heard, and processes and decision-making around the oil and gas industry. In addition, Parliament and its various committees, such as the Public Accounts Committee and the Committee on Mines and Energy, will be supported to enhance their oversight role of the executive and to increase accountability including in the extractive industries sector and in the area of environmental governance. In line with the NACAP, support under this KRA will also enhance the ability of the CHRAJ to perform its constitutional anti-corruption mandate and to become a lead player in the fight against corruption, including through public education and awareness (in concert with the NCCE and other stakeholders) and raising awareness amongst citizens and Municipal and District Assemblies (MDAs) of the NACAP as the overarching strategy for fighting corruption and through support to key activities under the NACAP (including those related to corruption in the oil and gas sector that are currently included in CHRAJ's strategic plan). It also recognises the critical role of the media and CSOs in educating the public and in exposing corruption, including in the oil and gas industry.

In line with the NACAP, and mindful that the definition of corruption may be revised, KRA 2 seeks to enhance the capacity of police prosecutors, State Advocates and, to a lesser extent, other prosecutors to prosecute cases of corruption, and the capacity of Magistrates and Judges (particularly those in the Circuit Courts) to hear and decide cases of corruption. It recognises that police prosecutors lack basic prosecution knowledge and skills and seeks to build these skills. Where possible, and if required, EPA prosecutors will also be invited to attend such training. More specialised training on prosecuting cases of corruption will be developed and provided to the 'best of the best' police prosecutors as well as CID detectives and State Advocates on the specific elements, evidence and skills required to prove corruption and possibly all of the new forms of corruption included in the new definition if and when it is adopted. Support is also included to the High Court, and in particular the Financial and Economic Crimes Courts that will also play the role of the Financial Administration Court for the foreseeable future, thus assisting to build capacity of the Judiciary to deal with both the criminal and civil matters referred to it and increasing the potential for accountability. High Court Judges will also be trained on the new definition of corruption, if and when it is adopted, and support will be provided to the Judicial Service to establish and maintain an electronic library for all users of the justice system (including the public) to address the lack of access to key laws, court judgments and related documents for prosecutors and lower level courts. To reduce corruption within the police and Judiciary, support is also provided to the Police Investigations and Professional Standards Unit (PIPS) and the Judiciary's Complaints Unit to increase their capacity and outreach when it comes to receiving and dealing with complaints of corruption amongst police and judicial officers. Although training is an integral part of KRA 2, it is not sufficient in itself and programme management will be specifically required to follow up and monitor the impact of training and other capacity development interventions to determine whether it is producing concrete outcomes and to adapt such interventions as required.

In addition, and to increase ownership and sustainability in relation to both KRA 1 and KRA 2, memoranda of understanding will be entered into with key stakeholders to ensure that capacity building interventions are agreed to, in line with priorities, supported and maintained after the end of the project (for example, through integrating training programmes developed by the programme into regular training curricula).

### 1.3 Stakeholders of the Action

#### Direct Stakeholders

- Commission for Human Rights and Administrative Justice (CHRAJ)

The Commission on Human Rights and Administrative Justice (CHRAJ) was created in 1993 as an independent institution designed to ensure the realization of fundamental human rights and freedoms in Ghana; to combat corruption and conflict of interest and provide an avenue for redress for administrative justice infractions. It exists to build on and improve good governance, democracy, integrity, peace and

social development across the nation. Such a role allows it to pursue justice in Ghana's administrative system and fairness throughout society, which includes dealing with complaints about public institutions and investigating corruption.

As Ghana's anti-corruption agency, CHRAJ has the responsibility to investigate and report cases of corruption, abuse of power and unfair treatment by public officials. Most notably, CHRAJ is also responsible for coordinating the country's National Anti-Corruption Action Plan. ARAP supports CHRAJ in these lines of work, enhancing on

one hand NACAP coordination through technical assistance and capacity building to strengthen planning, monitoring and reporting. On the other, ARAP supports CHRAJ to plan and deliver on its direct NACAP mandates such as systemic investigations, public education and ensuring transparency and integrity in the Public Sector.

- Ghana Police Service (GPS)

The Ghana Police Service (GPS) is the primary law enforcement agency for the country. Its history dates back to 1821 with the introduction of professional policing. Working under the Ministry of Interior, it seeks to protect and preserve the internal security of Ghana, helping to ensure citizens can enjoy safe, secure and peaceful communities. Its focus on crime prevention and detection, as well as the apprehension and prosecution of offenders, also makes it an important stakeholder for ARAP's anti-corruption efforts in Ghana.

ARAP actively works alongside GPS to ensure accountability and transparency throughout its own policies, procedures and working practices. Such efforts seek to strengthen internal integrity and accountability, necessary for combatting corruption within the police ranks, and staying true to their motto 'Service with Integrity'. GPS is a crucial actor of Ghana's anti-corruption chain, as one of the main investigating and prosecuting agencies.

- Judicial service of Ghana (JS)

The Judicial Service (JS) of Ghana is an independent State body that has the authority to interpret, apply and enforce the laws of Ghana. It exists to resolve legal conflicts fairly and efficiently. All citizens have the right to access the Courts, which have a presence in all regions of the country. This central role in Ghanaian society, together with its strong commitment to fight corruption, makes the JS an important stakeholder for ARAP. Collaboration has involved support for the judiciary to improve their ability to hear and decide on corruption cases. Training for judges, magistrates and staff who may be inexperienced in the handling of corruption cases is essential in the fight against corruption. This includes strengthening environmental governance by providing training in the environmental courts.

In addition to training and public education activities, the JS also focusses on using technology to help increase efficiency and therefore minimize opportunities for corruption. ARAP is supporting the development of a web-based library to help the criminal justice system handle cases of corruption and increase awareness for the general public.

- Office of the Attorney General (OAG)

Article 88 of the 1992 Constitution creates the Office of the Attorney General as the principal legal advisor to Government. The OAG exists to oversee an efficient and transparent legal system, and helps ensure that all citizens have equality of access to justice. This position of duty means that any civil proceedings against the State can be brought against the Attorney General as Defendant.

ARAP supports the OAG by providing technical assistance and capacity development, equipping it with key tools to effectively conduct prosecutions throughout the country. Dialogue with the Attorney General Department and particularly the Public Prosecution Division (PPD) has resulted in three main areas of ARAP collaboration: information management (particularly case registry), prosecution capacity development (particularly corruption cases); and inter-agency coordination (with other prosecution and investigation agencies). The recent Supreme Court of Ghana decision in the Republic v. Baffoe Bonnie and

4 others on the obligation of the prosecution to engage in pre-trial disclosures has necessitated support of ARAP to train Attorneys of the OAG to fully appreciate their obligations to disclose evidence to accused persons.

- National Commission for Civic Education (NCCE)

The National Commission for Civic Education (NCCE) was set up in 1993 by the National Commission on Civic Education Act, 1993 (Act 452) to strengthen and promote Ghana's democracy through educating citizens about their rights and obligations. The main functions of the NCCE are:

- to create and sustain within the society the awareness of the principles and objectives of the Constitution as the fundamental law of the people of Ghana;
- to educate and encourage the public to defend the Constitution at all times, against all forms of abuse and violation;

- to formulate, implement and oversee programmes intended to inculcate in the citizens of Ghana awareness of their civic responsibilities and an appreciation of their rights and obligations as free people; and

The NCCE is an independent, non-partisan public institution. With a presence in every district throughout the country, it plays a crucial awareness raising role that supports ARAP’s delivery of public and civic education activities.

NCCE’s expertise in public education coupled with its ability to reach citizens at national, regional and district level make it an important stakeholder in the programme. In the ARAP framework, NCCE deploys its public educators to work directly with the general public on anti-corruption and accountability issues.

Indirect Stakeholders

- Legal Aid Commission (LAC)

In 1997, Ghana’s Legal Aid Scheme (LAS) was created to ensure that all citizens have equal access to justice and equal treatment before the law.

Its goal is to achieve a just and equitable society by providing nationwide quality legal aid. LAS acts as a Public Defender in cases where Ghana’s socially and financially disadvantaged citizens may require legal services. With a presence in all districts throughout Ghana, the LAS works to provide information for the general public to increase their understanding of the law, and the legal services they can receive.

The LAS is fundamental to the fight against corruption, where legal aid can be offered to citizens wishing to pursue cases of corruption. Encouraging citizens to file lawsuits against public officials in cases of misappropriated funds for example can help to reduce the size of the problem. ARAP supports the training of lawyers and paralegals, as well as public education activities in such anti-corruption efforts. In 2018, the Legal Aid Commission Act, 2018 (Act 977) transformed the LAS into the Legal Aid Commission (LAC).

- Environmental Protection Agency (EPA)

The Environmental Protection Agency (EPA) was established in 1994 to improve and protect Ghana’s environment, oversee the implementation of the National Environment Policy, and find solutions to global environmental problems. With offices throughout the country, it is the public body responsible for planning, managing and regulating all environment-related projects, policies and programmes. Ensuring that environmental factors are included in development strategies at national, regional, district and community levels is central to the EPA’s work.

For the EPA, public participation, new scientific and technological innovations, good governance and partnerships are all crucial to looking after Ghana’s air, land and water. Due to ARAP’s particular focus on environmental governance in Ghana, the EPA is a fundamental partner for the programme. Its expertise

helps facilitate the training for judges and prosecutors in environmental law, as well as ARAP’s public education activities.

Within the environmental governance sector, ARAP has identified small scale mining as a serious environmental problem in Ghana. Joint efforts with the EPA have focused on monitoring small scale mining, creating a reporting mechanism to address any non-compliant and illegal practices. Such monitoring is a priority to strengthen environmental governance and tackle related corrupt activities. EPA also helps to lead the programmes’ awareness campaigns to prevent such illegal and unsafe practices.

- Economic and Organised Crime Office (EOCO)

The Economic and Organised Crime Office (EOCO) was established in 1993 to lead Ghana’s efforts against the increasing challenges of economic and organised crime. It is responsible for preventing, detecting and investigating crimes such as money laundering, human trafficking, illegal cyber activity and tax fraud. Under the authority of the Attorney General, the EOCO can prosecute such offences and importantly, confiscate any proceeds of the crime.

EOCO’s responsibility also includes the sharing and reporting of information related to economic and organised crime, which requires working alongside related agencies and partner organisations. EOCO’s expertise in and position to help fight complex fraud and corruption in Ghana makes it an important partner organisation for ARAP, mainly through public education activities.



- Civil Society, Media and Parliament STAR Ghana II

Civil society organizations are relatively well-established and with a good number of policy think-tanks as well as local organizations. Media space remains good, but with a degree of self-censorship and other informal constraints. There are regular indications of subtle threats when media, most often progressive radio- and web-based media, report on corruption.

ARAP, building on the achievements done under Star Ghana I, joined through a separate Delegation Agreement this major CSO facility in the country with €4m managed by DFID as a multi-donor action. Specifically, the EU contribution to STAR II is expected to support CSOs, the media, Parliament to enhance accountability, anti-corruption, lobbying and advocacy roles and actions. Particularly, two specific Anti- Corruption and Local Governance Calls, along a Parliamentary support is currently implemented; these components are at the core of the EU contribution to STAR GHANA.

1.4 Other available information

See Annex II.

2 DESCRIPTION OF THE EVALUATION ASSIGNMENT

Type of evaluation	Mid-term
Coverage	The Action in its entirety
Geographic scope	Ghana
Period to be evaluated	From 29/01/2016-To date

2.1 Objectives of the evaluation

Systematic and timely evaluation of its programmes and activities is an established priority<sup>4</sup> of the European Commission<sup>5</sup>. The focus of evaluations is on the assessment of achievements, the quality and the results<sup>6</sup> of Actions in the context of an evolving cooperation policy with an increasing emphasis on result-oriented approaches and the contribution towards the implementation of the SDGs.<sup>7</sup>

From this perspective, evaluations should look for evidence of why, whether or how these results are linked to the EU intervention and seek to identify the factors driving or hindering progress.

Evaluations should provide an understanding of the cause and effect links between: inputs and activities, and outputs, outcomes and impacts. Evaluations should serve accountability, decision making, learning and management purposes.

The main objectives of this evaluation are to provide the relevant services of the European Union, the interested stakeholders and other audience with:

- an overall independent assessment of the past performance of the programme ARAP to be evaluated, paying particular attention to its ‘intermediate’ results measured against its expected objectives; and the reasons underpinning such results;
- Key lessons learned, conclusions and related recommendations in order to improve the ongoing Action.

In particular, this evaluation will provide the Coordination Unit and the EUD with the basis to review ARAP performance against its expected results, with key recommendations for the remaining implementation period.

The main users of this evaluation will be ARAP Stakeholders as above-described.

## 2.2 Requested services

### 2.2.1 Scope of the evaluation

The evaluation will assess the Action using the five standard DAC evaluation criteria, namely: relevance, effectiveness, efficiency, sustainability and perspectives of impact. In addition, the evaluation will assess two EU specific evaluation criteria:

- the EU added value (the extent to which the Action brings additional benefits to what would have resulted from Member States' interventions only);
- the coherence of the Action itself, with the EU strategy in Governance sector of the 11<sup>th</sup> National Indicative Plan, and with other EU policies and Member State Actions.

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COM(2013) 686 final “Strengthening the foundations of Smart Regulation – improving evaluation” - [http://ec.europa.eu/smart-regulation/docs/com\\_2013\\_686\\_en.pdf](http://ec.europa.eu/smart-regulation/docs/com_2013_686_en.pdf); EU Financial regulation (art 27); Regulation (EC) No 1905/2006; Regulation (EC) No 1889/2006; Regulation (EC) No 1638/2006; Regulation (EC) No 1717/2006; Council Regulation (EC) No 215/2008

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SEC (2007)213 "Responding to Strategic Needs: Reinforcing the use of evaluation", [http://ec.europa.eu/smart-regulation/evaluation/docs/eval\\_comm\\_sec\\_2007\\_213\\_en.pdf](http://ec.europa.eu/smart-regulation/evaluation/docs/eval_comm_sec_2007_213_en.pdf) ; SWD (2015)111 “Better Regulation Guidelines”, [http://ec.europa.eu/smart-regulation/guidelines/docs/swd\\_br\\_guidelines\\_en.pdf](http://ec.europa.eu/smart-regulation/guidelines/docs/swd_br_guidelines_en.pdf) ; COM(2017) 651 final ‘Completing the Better Regulation Agenda: Better solutions for better results’, [https://ec.europa.eu/info/sites/info/files/completing-the-better-regulation-agenda-better-solutions-for-better-results\\_en.pdf](https://ec.europa.eu/info/sites/info/files/completing-the-better-regulation-agenda-better-solutions-for-better-results_en.pdf)

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Reference is made to the entire results chain, covering outputs, outcomes and impacts. Cfr. Regulation (EU) No 236/2014 “Laying down common rules and procedures for the implementation of the Union's instruments for financing external action” - [https://ec.europa.eu/neighbourhood-enlargement/sites/near/files/pdf/financial\\_assistance/ipa/2014/236-2014\\_cir.pdf](https://ec.europa.eu/neighbourhood-enlargement/sites/near/files/pdf/financial_assistance/ipa/2014/236-2014_cir.pdf).

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The New European Consensus on Development 'Our World, Our Dignity, Our Future', Official Journal 30th of June 2017. <http://eur-lex.europa.eu/legal-content/EN/TXT/?uri=OJ:C:2017:210:TOC>

The evaluation team shall furthermore consider whether gender, environment and climate change were mainstreamed; the relevant SDGs and their interlinkages were identified; the principle of Leave No-One Behind and the rights-based approach methodology was followed in the identification/formulation documents and the extent to which they have been reflected in the implementation of the Action, its governance and monitoring.

### 2.2.2 Indicative Evaluation Issues to be addressed

The specific Evaluation Issues to be addressed as formulated below are indicative. Based on the latter and following initial consultations and document analysis, the evaluation team will discuss them with the Evaluation

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Manager and propose in their Inception Report a complete and finalised set of Evaluation Questions with indication of specific Judgement Criteria and Indicators, as well as the relevant data collection sources and tools.

Once agreed through the approval of the Inception Report, the Evaluation Questions will become contractually binding.

The issues to be addressed are:

- The extent to which ARAP three separate components – FIIAPP Delegation Agreement, NCCE grant, STAR Ghana Delegation Agreement have generated some outcomes, with reasonable chances of reaching impact at the end of the Action.
- Why progress is happening or is not happening as planned with recommendations on how to improve the Action during its residual duration in order to achieve the expected objectives, taking into account problems and opportunities.

In effect, the Evaluators must identify the contributing factors to progress, and the obstacles towards attaining results and propose corrective measures to mitigate any difficulties for the Action.

### 2.3 Phases of the evaluation and required outputs

The evaluation process will be carried out in three phases:

- Inception  Field
- Synthesis

The outputs of each phase are to be submitted at the end of the corresponding phases as specified in the synoptic table in section 2.3.1.

#### 2.3.1 Synoptic table

The following table presents an overview of the key activities to be conducted within each phase and lists the outputs to be produced by the team as well as the key meetings with the Contracting Authority and the Reference Group. The main content of each output is described in Chapter 5.

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The Evaluation Manager is the staff of the Contracting Authority managing the evaluation contract. In most cases this person will be the Operational manager of the Action(s) under evaluation.

Phases of the evaluation	Key activities	Outputs and meetings
Inception Phase	<ul style="list-style-type: none"> <li>• <input type="checkbox"/> Initial document/data collection</li> <li>• <input type="checkbox"/> Background analysis</li> <li>• <input type="checkbox"/> Inception interviews (as relevant)</li> <li>• <input type="checkbox"/> Stakeholder analysis</li> </ul>	<ul style="list-style-type: none"> <li>• <input type="checkbox"/> Kick-off meeting with the Contracting Authority and the Reference Group in Accra, Ghana</li> <li>• <input type="checkbox"/> Inception Note</li> </ul>

Phases of the evaluation	Key activities	Outputs and meetings
	<ul style="list-style-type: none"> <li>• <input type="checkbox"/> Reconstruction (or as necessary, construction) of the Intervention Logic, and/or description of the Theory of Change (based upon available documentation and interviews)</li> <li>• <input type="checkbox"/> Methodological design of the evaluation (Evaluation Questions with judgement criteria,</li> </ul>	

	indicators and methods of data collection and analysis) and evaluation matrix	
Field Phase	<ul style="list-style-type: none"> <li>• <input type="checkbox"/> Gathering of primary evidence with the use of relevant tools, such as interviews, focus groups, storytelling sessions, surveys etc.</li> <li>• <input type="checkbox"/> Data collection and analysis</li> </ul>	<ul style="list-style-type: none"> <li>• <input type="checkbox"/> Meetings at country level with relevant stakeholders</li> <li>• <input type="checkbox"/> Slide Presentation of key findings of the field phase</li> <li>• <input type="checkbox"/> Debriefing with the Reference Group</li> </ul>
Synthesis phase	<ul style="list-style-type: none"> <li>• <input type="checkbox"/> Final analysis of findings (with focus on the Evaluation Questions)</li> <li>• <input type="checkbox"/> Formulation of the overall assessment, conclusions and recommendations</li> <li>• <input type="checkbox"/> Reporting</li> </ul>	<ul style="list-style-type: none"> <li>• <input type="checkbox"/> Draft Final Report</li> <li>• <input type="checkbox"/> Executive Summary according to the standard template published in the EVAL module</li> <li>• <input type="checkbox"/> If needed, remote conference with Reference group in view of finalising the report</li> <li>• <input type="checkbox"/> Final Report</li> </ul>

### 2.3.2 Inception Phase

This phase aims at structuring the evaluation and clarifying the key issues to be addressed.

The phase will start with initial background study, to be conducted by the evaluators from home. It will then continue with a kick-off session in Accra, Ghana, between the Reference Group and the evaluators. Half-day presence of evaluators is required. The meeting aims at arriving at a clear and shared understanding of the scope of the evaluation, its limitations and feasibility. It also serves to clarify expectations regarding evaluation outputs, the methodology to be used and, where necessary, to pass on additional or latest relevant information.

In the Inception phase, the relevant documents will be reviewed (see annex II).

Further to a first desk review of the political, institutional and/or technical/cooperation framework of EU support to Governance sector in Ghana, the evaluation team, in consultation with the Evaluation Manager will reconstruct or as necessary construct, the Intervention Logic of the Action to be evaluated.

Furthermore, based on the Intervention Logic, the evaluators will develop a narrative explanation of the logic of the Action that describes how change is expected to happen within the Action, all along its results chain, i.e. Theory of Change. This explanation includes an assessment of the evidence underpinning this logic (especially between

outputs and outcomes, and between outcomes and impact), and articulates the assumptions that must hold for the Action to work, as well as identification of the factors most likely to inhibit the change from happening.

Based on the Intervention Logic and the Theory of Change the evaluators will finalise i) the Evaluation Questions with the definition of judgement criteria and indicators, the selection of data collection tools and sources, ii) the evaluation methodology, and iii) the planning of the following phases.

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The methodological approach will be represented in an Evaluation Design Matrix<sup>9</sup>, which will be included in the Inception Report. The methodology of the evaluation should be gender sensitive, contemplate the use of sex- and age-disaggregated data and demonstrate how actions have contributed to progress on gender equality.

The limitations faced or to be faced during the evaluation exercise will be discussed and mitigation measures described in the Inception Report. Finally, the work plan for the overall evaluation process will be presented and agreed in this phase; this work plan shall be in line with that proposed in the present ToR. Any modifications shall be justified and agreed with the Evaluation Manager.

On the basis of the information collected, the evaluation team should prepare an Inception Note; its content is described in Chapter 5.

The evaluation team will then, if needed, present in Accra the Inception Note to the Reference Group.

### 2.3.3 Field Phase

The Field Phase starts after approval of the Presentation of the Inception Note by the Evaluation Manager.

If any significant deviation from the agreed work plan or schedule is perceived as creating a risk for the quality of the evaluation or not respecting the end of the validity of the specific contract, these elements are to be immediately discussed with the Evaluation Manager and, regarding the validity of the contract, corrective measures undertaken.

In the first days of the field phase, the evaluation team shall hold briefing meetings with the programme management, the Delegation, and/or other relevant stakeholders.

During the field phase, the evaluation team shall ensure adequate contact and consultation with, and involvement of the different stakeholders; with the relevant government authorities and agencies. Throughout the mission the evaluation team will use the most reliable and appropriate sources of information, respect the rights of individuals to provide information in confidence, and be sensitive to the beliefs and customs of local social and cultural environments.

At the end of the field phase, the evaluation team will summarise its work, analyse the reliability and coverage of data collection, and present preliminary findings in a meeting with the Reference Group.

At the end of the Field Phase a Slide Presentation will be prepared; its content is described in Chapter 5.

### 2.3.4 Synthesis Phase

This phase is devoted to the preparation by the contractor of two distinct documents: the Executive Summary and the Final Report, whose structures are described in the Annex III; it entails the analysis of the data collected during the desk and field phases to answer the Evaluation Questions and preparation of the overall assessment, conclusions and recommendations of the evaluation.

The evaluation team will present, in a single Report with Annexes, their findings, conclusions and recommendations in accordance with the structure in Annex III; a separate Executive Summary will be produced as well, following the compulsory format given in the EVAL module (see Annex III).

9

The Evaluation Matrix is a tool to structure the evaluation analysis (by defining judgement criteria and indicators for each evaluation question). It helps also to consider the most appropriate and feasible data collection method for each of the questions,

The evaluation team will make sure that:

- Their assessments are objective and balanced, statements are accurate and evidence-based, and recommendations realistic and clearly targeted.



- When drafting the report, they will acknowledge clearly where changes in the desired direction are known to be already taking place.
- The wording, inclusive of the abbreviations used, takes into account the audience as identified in art. 2.1 above.

The evaluation team will deliver and then present in a Remote Conference if needed, the Draft Final Report to the Reference Group to discuss the draft findings, conclusions and recommendations. One day of presence is required - as minimum of the team leader to participate.

The Evaluation Manager consolidates the comments expressed by the Reference Group members and sends them to the evaluation team for the report revision, together with a first version of the Quality Assessment Grid (QAG) assessing the quality of the Draft Final Report. The content of the QAG will be discussed with the evaluation team to verify if further improvements are required, and the evaluation team will be invited to comment on the conclusions formulated in the QAG (through the EVAL Module).

The evaluation team will then finalise the Final Report and the Executive Summary by addressing the relevant comments. While potential quality issues, factual errors or methodological problems should be corrected, comments linked to diverging judgements may be either accepted or rejected. In the latter instance, the evaluation team must explain the reasons in writing. After approval of the final report, the QAG will be updated and sent to the evaluators via EVAL Module.

#### 2.4 Specific Contract Organisation and Methodology (Technical offer)

The invited Framework Contractors will submit their specific Contract Organisation and Methodology by using the standard SIEA template B-VII-d-i and its annexes 1 and 2 (B-VII-d-ii).

The evaluation methodology proposed to undertake the assignment will be described in the Chapter 3 (Strategy and timetable of work) of the template B-VII-d-i. Contractors will describe how their proposed methodology will address the cross-cutting issues mentioned in these Terms of Reference and notably gender equality and the empowerment of women. This will include (if applicable) the communication action messages, materials and management structures.

#### 2.5 Management and Steering of the evaluation

##### 2.5.1 At the EU level

The evaluation is managed by the Evaluation Manager of the EUD/Governance section; the progress of the evaluation will be followed closely with the assistance of a Reference Group consisting of members of Chairperson of the Steering Committee of ARAP, one representative from STAR Ghana and NCCE, and the National Authorising Officer, the Coordination Unit of ARAP being managed by FIIAPP, and the Evaluation Manager.

The main functions of the Reference Group are:

- To define and validate the Evaluation Questions.
- To facilitate contacts between the evaluation team and the EU services and external stakeholders.
- To ensure that the evaluation team has access to and has consulted all relevant information sources and documents related to the Action.
- To discuss and comment on notes and reports delivered by the evaluation team. Comments by individual group members are compiled into a single document by the Evaluation Manager and subsequently transmitted to the evaluation team.
- To assist in feedback on the findings, conclusions, lessons and recommendations from the evaluation.
- To support the development of a proper follow-up action plan after completion of the evaluation.

##### 2.5.2 At the Contractor level

Further to the Requirements set in the art. 6 of the Global Terms of Reference and in the Global Organisation and Methodology, respectively annexes II and III of the Framework contract SIEA 2018, the contractor is responsible

for the quality of: the process; the evaluation design; the inputs and the outputs of the evaluation. In particular, it will:

2.6

Support the Team Leader in its role, mainly from a team management perspective. In this regard, the contractor should make sure that, for each evaluation phase, specific tasks and outputs for each team member are clearly defined and understood.

Provide backstopping and quality control of the evaluation team’s work throughout the assignment.

Ensure that the evaluators are adequately resourced to perform all required tasks within the time framework of the contract.

Language of the Specific contract

The language of the specific contract is to be English.

3 EXPERTISE REQUIRED

3.1 Number of experts and of working days per category

The table below indicates the minimum number of evaluators and the minimum number of working days (overall and in the field), per category of experts to be foreseen by the Contractor.

Category of Minimum number of Total minimum number of (Out of which) minimum experts evaluators working days (total) number of working days

on mission

CatII Expert 35 24

In particular, the Team Leader (to be identified in the Organisation and Methodology and in the Financial Offer) is expected to be a Cat I expert, possess a demonstrable senior evaluation expertise coherent with the requirements of this assignment and not provide less than 40 working days, out of which 24 in the field.

3.2 Expertise required

Minimum requirements of the team (Cat. I and II experts):

- Significant experience -12 years- in Good governance, Accountability and/or Corruption matters;
- Demonstrable in-depth knowledge of and participation in projects evaluation will be a defining criterion;
- Participation in EU funded accountability projects and/or anti-corruption projects in Sub- Sahara Africa will be an added-value;
- Technical experience in accountability and transparency reforms, anti-corruption legislation and processes, public service reform, economic crimes prosecution, judicial, prosecutorial and investigation capacity strengthening, will be an asset.

At least one member of the team (Team Leader):

Significant experience -at least in 4 Evaluation assignments- in Evaluation policies, methodology -EU preferably- as well as practical experience of projects evaluation in leading role -at least twice- will be a defining criterion;

Participation in EU Evaluations will be an added-value;

15 years of general experience preferably in good governance, accountability, anti-corruption

reforms will be an asset.

Language skills of the team:

The team shall be fluent in English, with excellent writing skills.

Languages levels are defined for understanding, speaking and writing skills by the Common European Framework of Reference for Languages available at <https://europass.cedefop.europa.eu/en/resources/european-language-levels-cefr> and shall be demonstrated by certificates or by past relevant experience.

The European Union pursues an equal opportunities policy. Gender balance in the proposed team, at all levels, is highly recommended.

### 3.3 Presence of management team for briefing and/or debriefing

The presence of member(s) of the management team is not required for briefing or debriefing purposes.

## 4 LOCATION AND DURATION

### 4.1 Starting period

Provisional start of the assignment is beginning of June 2019.

### 4.2 Foreseen duration of the assignment in calendar days

Maximum duration of the assignment: 180 calendar days.

This overall duration includes working days, week-ends, periods foreseen for comments, for review of draft versions, debriefing sessions, and distribution of outputs.

### 4.3 Planning, including the period for notification for placement of the staff 10

As part of the technical offer, the framework contractor must fill in the timetable in the Annex IV (to be finalised in the Inception Note). The 'Indicative dates' are not to be formulated as fixed dates but rather as days (or weeks, or months) from the beginning of the assignment (to be referenced as '0').

Sufficient forward planning is to be taken into account in order to ensure the active participation and consultation with government representatives, national / local or other stakeholders.

### 4.4 Location(s) of assignment

The assignment will take place in Accra, with field visits in Ghana.

## 5 REPORTING

### 5.1 Content, timing and submission

The outputs must match quality standards. The text of the reports should be illustrated, as appropriate, with maps, graphs and tables; a map of the area(s) of Action is required (to be attached as Annex).

### 5.3 Comments on the outputs

For each report, the Evaluation Manager will send to the Contractor consolidated comments received from the Reference Group or the approval of the report within 30 calendar days. The revised reports addressing the comments shall be submitted within 15 calendar days from the date of receipt of the comments. The evaluation team should provide a separate document explaining how and where comments have been integrated or the reason for not integrating certain comments, if this is the case.

### 5.4 Assessment of the quality of the Final Report and of the Executive Summary

The quality of the draft versions of the Final Report and of the Executive Summary will be assessed by the Evaluation Manager using the online Quality Assessment Grid (QAG) in the EVAL Module (text provided in Annex V). The Contractor is given – through the EVAL module - the possibility to comment on the assessments formulated by the Evaluation Manager. The QAG will then be reviewed following the submission of the final version of the Final Report and of the Executive Summary.

The compilation of the QAG will support/inform the compilation by the Evaluation Manager of the FWC SIEA's Specific Contract Performance Evaluation.

### 5.5 Language

All reports shall be submitted in English.

### 5.6 Number of report copies

Apart from their submission -via the EVAL Module-, the approved version of the Final Report will be also provided in 10 paper copies and in electronic version 10 USB Keys at no extra cost.

#### 5.7 Formatting of reports

All reports will be produced using Font Arial or Times New Roman minimum letter size 11 and 12 respectively, single spacing, double sided. They will be sent in Word and PDF formats.

EVALUATION MATRIX

Evaluation Questions/Judgement Criteria	Indicators	Sources of evidence
<b>Relevance</b>		
EQ 1 To what extent are the outputs, outcomes and objectives of the ARAP programme in its entirety relevant to the anti-corruption needs and priorities of Ghana’s government and those of other institutional, private sector and civil society stakeholders?		<ul style="list-style-type: none"> <li>• Project proposal, identification report and grant agreement.</li> <li>• Project documentation (annual reports, etc.)</li> <li>• EU country strategy</li> <li>• Other project-related documentation (management committee meeting notes, etc.)</li> <li>• Publications by other stakeholders.</li> <li>• Research on conflict by relevant international NGOs</li> <li>• Research reports by national NGOs</li> <li>• Interviews with representatives of direct and indirect stakeholders</li> <li>• Interviews with other government officials, parliamentarians, NGO representatives, etc.</li> <li>• Interviews with other donors, UN agencies representatives, development banks, etc.</li> </ul>
JC 1.1 The project was discussed with relevant stakeholders prior to design being finalised, and is consistent with Ghana’s national strategy and international commitments on the fight against corruption.	<ul style="list-style-type: none"> <li>• Consistency with NACAP</li> <li>• Justice sector strategy</li> <li>• Consistency with UNCAC</li> </ul>	
JC 1.2 The project design took into account lessons learned from previous anti-corruption activities in Ghana and the region at the time of its design.	<ul style="list-style-type: none"> <li>• Baseline studies</li> </ul>	
EQ 2 To what extent is the ARAP programme consistent with the objectives and priorities of the EU in relation to its Ghana country strategy and its positions on good governance, the fight against corruption and the SDGs?		
JC 2.1 The project design took into account the EU’s country strategy.	<ul style="list-style-type: none"> <li>• NIP</li> </ul>	
JC 2.2 The project design took into account Ghana’s performance against the SDGs	<ul style="list-style-type: none"> <li>• SDG 16</li> <li>• HDI</li> </ul>	
<b>Effectiveness</b>		
EQ 3 To what extent is the ARAP programme delivering the outputs it set out to deliver, and to what extent are planned outcomes achieved/on the way to being achieved?		Sources as above
JC 3.1 The project activities and outputs help enhance the professional skills of training participants, including investigators, legal advisors, prosecutors and judges.	<ul style="list-style-type: none"> <li>• % of planned activities implemented</li> </ul>	
JC 3.2 The project helps enhance coordination among beneficiary institutions at working/expert level.	<ul style="list-style-type: none"> <li>• % change in caseload</li> <li>• % change in successful prosecutions</li> </ul>	
EQ 4 To what extent are the various components of the ARAP programme mutually supportive, and to what extent is engagement with the range of direct and indirect stakeholders likely to enhance the effectiveness of the overall programme through synergies?		

JC 4.1 Degree of coordination among programme components.	<ul style="list-style-type: none"> <li>Number of activities common to ARAP, STAR, NCCE</li> </ul>	
JC 4.2 There is evidence that the project team holds a continuing dialogue with stakeholders, aimed at supporting the application of skills imparted through the project.	<ul style="list-style-type: none"> <li>% change in engagement of indirect stakeholders in activities</li> </ul>	
<b>Efficiency</b>		
EQ 5 To what extent have the financial and human resources of the programme been converted to outputs in a timely and cost-effective manner?		<i>Sources as above</i>
JC 5.1 Taking into account its activities, outcomes and impact, the project makes good use of the financial and human resources available, in keeping with similar EU-supported projects.	<ul style="list-style-type: none"> <li>% of budget spent to date</li> </ul>	
2. JC 5.2 Institutional arrangements help ensure that project management mechanisms put in place by the Coordination Unit were appropriate to deliver management that was timely, flexible and accountable.	<ul style="list-style-type: none"> <li>Frequency of SC meetings, time to decision implementation</li> </ul>	
EQ 6 To what extent is the management structure (Steering Committee, Coordination Unit) conducive to programme management that adapts to circumstances and acts in a timely manner in each programme component; and to what extent are programme governance processes conducive to management accountability and oversight?		
JC 6.1 The Coordination Unit is able to manage the project in a way that ensures integration between its components.	<ul style="list-style-type: none"> <li>% of programme activities involving 2 or more components</li> </ul>	
JC 6.2 CU and other stakeholders share information about their anti-corruption activities and programmes, to enhance synergies.	<ul style="list-style-type: none"> <li>Number of joint activities held</li> </ul>	
<b>Sustainability</b>		
EQ 7 To what extent does the project help develop mechanisms or processes for programme outcomes to be maintained beyond the end of the programme period? To what extent is the ARAP programme likely to contribute to the sustainability of anti-corruption efforts in Ghana?		
JC 7.1 There is evidence that the project activities and objectives are being integrated into beneficiary institutions' strategies and development plans.	<ul style="list-style-type: none"> <li>% of institutions with internal development plans</li> </ul>	
JC 7.2 The stakeholders in the project are willing and able to follow up on project activities, where applicable.	<ul style="list-style-type: none"> <li>Existence of follow-up plans</li> </ul>	
4. EQ 8 To what extent is an exit strategy built into the ARAP programme in anticipation of its completion?		



JC 8.1 The CU initiates a dialogue with stakeholders about ARAP follow-up.	<ul style="list-style-type: none"> <li>NACAP follow-up</li> </ul>	
JC 8.2 Ghana's implementation of UNCAC is consistent with programme follow-up	<ul style="list-style-type: none"> <li>UNCAC implementation</li> </ul>	
<b>Impact perspective</b>		
EQ 9 To what extent is the project likely to contribute to changes in stakeholders' outlook on corruption, or to institutional and organisational strategies to address corruption?		<i>Sources as above.</i>
JC 9.1 The project is likely to achieve its outcomes in accordance with the Project Document.	<ul style="list-style-type: none"> <li>Number of people trained, as proportion of total staff in stakeholder institutions</li> </ul>	
JC 9.2 The project helped enhance institutional and operational capacity of investigators, legal advisors, prosecutors and judges dealing with corruption and improve inter-agency cooperation.	<ul style="list-style-type: none"> <li>Number of joint activities implemented by stakeholders</li> </ul>	
EQ 10 Are there (is it likely there will be) any secondary or unexpected effect, positive or negative, of the ARAP programme beyond those included in the logical framework?		
5. N/A		
<b>EU added value</b>		
EQ 11 Is the ARAP programme able to achieve, as a result of EU support, results or outcomes that could not have been achieved in the same way through the support of other donors?		
JC 11.1 There is evidence that the programme is able to take advantage of the EU's unique position and comparative advantage to achieve results that could not have been achieved by other implementers.	<ul style="list-style-type: none"> <li>Examples based on interviews</li> </ul>	
<b>Coherence and complementarity</b>		
6. EQ 12 To what extent is the ARAP programme taking into account the activities of other donors and institutions in relation to the fight against corruption in Ghana?		<i>Sources as above.</i>
N/A		
EQ 13 To what extent is the ARAP programme consistent, and able to develop synergies, with other EU-supported projects and programmes in Ghana?		
7. N/A		
<b>Cross-cutting issues</b>		
EQ 14 To what extent are human rights considerations sufficiently included in the ARAP programme design and implementation?		

JC 14. 1 Principles such as transparency, accountability, equality before the law, non-discrimination and participation were taken into account in activities such as training and policy advice.	<ul style="list-style-type: none"> <li>• % of activity reports that reflect human rights considerations</li> </ul>	<i>Sources as above.</i>
8. JC 14.2 The project activities systematically and explicitly addressed human rights issues, including in terms of the human rights impact of judicial anti-corruption responses.	<ul style="list-style-type: none"> <li>• As above</li> </ul>	
9. EQ 15 To what extent could gender equality considerations be further included in the project design and implementation, in particular in the trainings and workshops carried out under the ARAP programme, and in relation to civil society/media engagement?		
JC 15. 1 The programme activities systematically and explicitly address issues of gender equality, including in terms of the gender impact of anti-corruption investigations.	<ul style="list-style-type: none"> <li>• % of activities reflecting a consideration of the gender impact of corruption.</li> </ul>	
10. JC 15. 2 The programme encourages target institutions to address gender equality issues in the context of their plans to follow up on the project activities.	<ul style="list-style-type: none"> <li>• % of stakeholders adopting specific gender guidelines.</li> </ul>	
EQ 16 To what extent was the situation of under-represented and vulnerable groups taken into consideration in the project design and implementation?		
11. N/A		

## PROPOSED LOGFRAME REVISION

## ARAP LOGICAL FRAMEWORK

Intervention logic	Objectively Verifiable Indicators (OVIs)	Baselines / Dec 2018 Values	Sources of Verification (SoVs)	Assumptions
<p>Overall Objective (OO): To contribute to the promotion of good governance in Ghana by reducing corruption and improving accountability and compliance with the rule of law.</p>	<p>OO II: By 2020 improvement to rule of law and the fight against corruption.</p>	<p>2016 CPI score: 43</p>	<p>Transparency International Corruption Perception Index 2020</p> <p>World Justice Project Rule of Law Index (2020)</p>	<ul style="list-style-type: none"> <li>• Democracy and stability are maintained.</li> <li>• Government of Ghana (GoG) remains committed to fighting corruption, increasing accountability and transparency, and supporting environmental governance and the rule of law.</li> </ul>

**Specific Objective (SO):**

To contribute to current reform processes in rule of law, accountability, Anti-Corruption (AC) and Environmental Governance (EG) through support to key institutions, while at the same time increasing the ability of public, CSOs and media to hold government to account.

SO I1: Increase of 20% of members of public who correctly understand the concept of corruption by 2020.

SOI2: By 2020, increase of 10% of members of public who would trust CHRAJ, Police Station, the Judiciary/Courts as reliable institutions for reporting corruption.

SOI3: By 2020, reduction of 10% of the members of public who consider the corruption level to be very high.

Data that is disaggregated according to gender and disadvantaged/vulnerable status (minors, minorities, etc.) will be sourced where available.

Data from 2017 NCCE Corruption Report (Dec 2017)/No values were foreseen for this indicator in December 2018.

Data from 2017 NCCE State of Corruption Report (Dec 2017) / No values were foreseen for this indicator in December 2018.

Data from 2017 NCCE State of Corruption Report, (Dec 2017) / No values were foreseen for this indicator in December 2018.

SoV I1: NCCE State of Corruption Report, Question 7.

SoV I2: NCCE State of Corruption Report, Question 16/a/

SoV I3: NCCE State of Corruption Report, Question 16/a/.

The anticipated NCCE Report for 2020 should be taken into account.

- GoG complies with transparency' requirements.
- GoG buy-in to the NACAP is maintained and increased.
- Courts and prosecutors will be able to cope with increase in number of corruption cases.
- Judges, GPS, and prosecutors will accept training.

<p>Key Result Area 1: Accountability is enhanced, leading to a reduction in corruption and increased environmental governance.</p> <p>Result (R1): Enhanced CHRAJ's capacities to coordinate NACAP, to increase awareness, to investigate AC cases and address institutional gaps.</p>	<p>R1 I1: By 2020, increase of 10% of members of public, including women and disadvantaged/ vulnerable groups, who trust CHRAJ as reliable institution for reporting corruption.</p>	<p>Data from 2017 NCCE State of Corruption Research (Dec 2017). /No values were foreseen for this indicator in December 2018</p>	<p>NCCE State of Corruption Research, disaggregated by gender/ disadvantaged/ vulnerable groups, including 2020 report.</p>	<p>GoG is willing to take steps to prevent corruption and enhance integrity. NACAP will continue to be implemented by all MDAs and MMDAs. CHRAJ continues to be adequately supported (politically and financially) by GoG, including to enable CHRAJ to respond to any increases in complaints, and other changes resulting from the Action.</p>
	<p>R1 I2: By 2020, increase of up to 20 reports submitted to CHRAJ on NACAP by CSOs.</p>	<p>5 Reports in 2016. / 2017's value is 3 reports, 2018's target is 10 reports. 2018 report was not prepared yet in Dec 2018 (Downward trend)</p>	<p>CHRAJ / NACAP Progress Reports of 2018 and 2019.</p>	

<p>R1 I3: By 2020, increase to a total of 200 public institutions reporting to CHRAJ on NACAP.</p>	<p>55 institutions reported in 2016. 2017's value is 87 reports, 2018's target is 175 reports. 2018 report was not prepared yet in Dec 2018 (Increasing trend, however an annual increase to a total of 200 reports by 2020 remains a challenge).</p>	<p>CHRAJ / NACAP Progress Reports of 2018 and 2019.</p>	<p>CHRAJ staff available to attend project activities and to act as focal points for implementing the actions.</p>
<p>R1 I4: By 2020, up to 7 institutions are examined by CHRAJ using advanced systemic investigation techniques.</p>	<p>0 in 2017/ 0 in 2018.</p>	<p>CHRAJ / NACAP Progress Reports of 2018 and 2019.</p>	
<p>R1 I7: Improved quality of systemic investigations conducted by CHRAJ for each examined institution.</p>	<p>Limited/ N/A in Dec 2018 as no investigation were conducted.</p>	<p>CHRAJ Reports. Quality Assessment Missions (QAM) and Key Informant Interviews (KII).</p>	



<p>R1 I8: By 2020, increase of 50% of complaints (including from women and disadvantaged/ vulnerable groups) received by CHRAJ from several sources including the IT Complaint Platform</p>	<p>59 complaints in 2016. / 2018 data shall be collected once the 2018 Report is prepared.</p>	<p>CHRAJ Reports, Complaint Platform, QAM/KII Reports Data disaggregated by gender/ disadvantaged/ vulnerable groups</p>	
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	<p>R1 I9: By 2020, increase of 50% of corruption related complaints processed by CHRAJ.</p>	<p>31 AC complaints in 2016/ 2018 data shall be collected once the 2018 Report is prepared. 2017 value is 15 cases, which is lower than the 2016 baseline (Downward trend).</p>	<p>CHRAJ Reports QAM Reports.</p>	
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	<p>R1 I10: ARAP-supported SOPs/Manuals/regulations on AC systemic investigation adapted as part of the daily procedures and practices.</p>	<p>0 ARAP-supported docs in 2016 / Good progress as the regulations on systemic investigation are reported to have been adapted as part of CHRAJ procedures and practices (Source: CHRAJ)</p>	<p>CHRAJ Reports QAM Reports.</p>	
<p>Key Result Area 2: Compliance with and respect of the rule of law is improved, particularly in the areas of accountability and anti-corruption.</p> <p>Result 2 (R2): GPS and AG confirm their key AC role through enhanced capacities to take proactive measures, to receive, address and prosecute more AC cases.</p>	<p>R2 I1-GPS: By 2020, reduction of 10 % of members of public who consider GPS as being more prone to corruption when compared to other institutions.</p>	<p>Data from 2017 NCCE State of Corruption Research (Dec 2017). /No values were foreseen for this indicator in December 2018.</p>	<p>NCCE State of Corruption Research. Data disaggregated by gender/ disadvantaged/ vulnerable groups</p>	<p>GPS and AG staff are willing and available to attend ARAP activities.</p>
	<p>Control group's Indicator for the above R2I1-GPS: Increased / Same percentage of public who consider the Immigration Service as being more prone to corruption when compared to other institutions.</p>	<p>Data from 2017 NCCE State of Corruption Research (Dec 2017). /No values were foreseen for this indicator in December 2018.</p>	<p>NCCE State of Corruption Research. Data disaggregated by gender/ disadvantaged/ vulnerable groups</p>	<p>GPS and AG demonstrate proactive willingness towards sectoral reforms and to improve their performance.</p>

<p>R2 I2-GPS: By 2020, increase of 10% of members of public who trust GPS as reliable institution for reporting corruption.</p>	<p>Data from 2017 NCCE Corruption Research (Dec2017). /No values were foreseen for this indicator in December 2018.</p>	<p>NCCE State of Corruption Research.  Data disaggregated by gender/ disadvantaged/ vulnerable groups</p>
<p>R2 I3-GPS: By 2020, increase of 10% of members of public who believe GPS is quick in processing corruption. Comment: gender and vulnerable/ disadvantaged groups indicator needs to be developed in line with examples provided above</p>	<p>Data from 2017 NCCE Corruption Research (Dec2017). /No values were foreseen for this indicator in December 2018.</p>	<p>NCCE State of Corruption Research. Data disaggregated by gender/ disadvantaged/ vulnerable groups</p>
	<p>1293 cases in 2016 or +43% in</p>	
	<p>2016 vs.2015. / 2018 data shall</p>	
	<p>be collected once the 2018 Report</p>	
	<p>is prepared. According to 2017</p>	

<p>R2 I4-GPS: By 2020, increase of up to 60% in the number of all cases of complaints registered at GPS.          Comment: gender and vulnerable/ disadvantaged groups indicator needs to be developed in line with examples provided above</p>	<p>Annual report: +5% increase in 2017* vs. 2016 (1362 vs 1293).          The latest increase pace of 5%</p>	<p>PIPS / GPS Reports, QAM/KII Reports.          Data disaggregated by gender/ disadvantaged/ vulnerable groups</p>
	<p>is relatively low when considering</p>	
	<p>that the expected annual increase</p>	
	<p>for 2018 vs. 2017 is +33% and for</p>	
	<p>2020-2019 is 60%.</p>	
<p>R2 I5-GPS: By 2020, increase of 30% in the number</p>		
<p>of Unprofessional Handling of cases, Undue delay</p>	<p>306 cases-2016. 2018 data</p>	
<p>of investigation, Harassment, Misconduct, Unfair</p>	<p>shall be collected once the 2018</p>	
<p>treatment, Misappropriation of exhibits, Unlawful</p>	<p>Report is prepared. According to</p>	<p>PIPS / GPS Reports,</p>
<p>arrest/detention, Extortion, Enlistment fraud,</p>	<p>2017 Annual report: 26% annual</p>	<p>QAM/KII Reports.</p>



<p>R2 I8: By 2020, considerable increase of number of GPS staff trained by their peers following ARAP's ToT.</p>	<p>0 in 2017. / By Dec 2017 15% (or 386 staff) of the target of up to 2800 staff by 2020. (The current value is far from the target, the trend is not satisfactory).</p>	<p>GPS and ARAP Consultants' Reports. Data disaggregated by gender/ disadvantaged/ vulnerable groups</p>
<p>R2 I9-AG: By 2020, increase of 10% of members of public who believe AG is quick in prosecuting for reporting corruption.</p>	<p>Data value from 2017 NCCE Corruption Research (Dec2017). / No values were foreseen for this indicator in December 2018.</p>	<p>NCCE State of Corruption Research. Data disaggregated by gender/ disadvantaged/ vulnerable groups</p>
<p>R2 I12-AG: By 2020, number of key SOPs, Manuals, and regulations are revised, upgraded, adapted as part of AG regulations/practices.</p>	<p>0 in 2017. No performance indicators were foreseen to have accumulated a value by December 2018.</p>	<p>AG Reports, QAM/KII Reports.</p>
<p><i>Note: Additional Outcome Indicators may be included in the upcoming period.</i></p>		



<p>Result 3: Enhanced JS's capacities to process/adjudicate AC cases and to enable access to legal documents; improved LAS's capacities to investigate AC cases</p>	<p>R3 I1: By 2020, increase of 10% of members of public who believe JS is quick in dealing with corruption.</p>	<p>Data from 2017 NCCE Corruption Research (Dec2017). /No values were foreseen for this indicator in December 2018.</p>	<p>NCCE State of Corruption Research. Data disaggregated by gender/ disadvantaged/ vulnerable groups</p>	<p>JS and LAS staff are willing and available to attend ARAP activities. JS assigns necessary human and financial resources to maintain and upgrade</p>
	<p>R3 I2: By 2020, reduction of 10 % of members of public who consider JS as being more prone to corruption when compared to other institutions.</p>	<p>Data from 2017 NCCE State of Corruption Research (Dec 2017). /No values were foreseen for this indicator in December 2018.</p>	<p>NCCE State of Corruption Research. Data disaggregated by gender/ disadvantaged/ vulnerable groups</p>	
	<p>R3 I3: By 2020, increase of 30% of corruption-related cases (Fraud, Misappropriation/withholding of exhibits, and Extortion) submitted to all PRCUs.</p>	<p>0 / /No values were foreseen for this indicator in December 2018 as the PRCUs are established very recently in November 2018.</p>	<p>DANIDA-funded Database. Data disaggregated by gender/ disadvantaged/ vulnerable groups</p>	

<p>Sub-Result 3:1-JS' capacities are further enhanced for adjudicating AC related cases.</p> <p>Sub-Result 3:2-LAS and private lawyers are more empowered with skills and knowledge to safeguard their clients' rights in cases related to corruption, and/or accountability.</p>	<p>R3 I4: By 2020, increase of 30% of corruption-related cases (Fraud, Misappropriation/withholding of exhibits, and Extortion) adjudicated in all courts.</p>	<p>To be decided by DANIDA DB on Wednesday. /No values were foreseen for this indicator in December 2018.</p>	<p>DANIDA-funded Database. Data disaggregated by gender/ disadvantaged/ vulnerable groups</p>
	<p>R3 I5: By 2020, increase of 100% in the total number of complaints registered in all PRCUs.</p>	<p>/No values were foreseen for this indicator in December 2018 as the PRCUs are established very recently in November 2018.</p>	<p>JS PRCUs records Data disaggregated by gender/ disadvantaged/ vulnerable groups</p>
	<p>R3 I6: By 2020, increase of 100% in the number of corruption related complaints registered in all PRCUs, or in the number of reports on complaints prepared by PRCU evidencing corruption.</p>	<p>/No values were foreseen for this indicator in December 2018 as the PRCUs are established very recently in November 2018.</p>	<p>JS PRCUs records Data disaggregated by gender/ disadvantaged/ vulnerable groups</p>

<p>Sub-Result 3.3. Justice system users can more easily access legislation and legal documents, including but not limited to AC, accountability, EG through a functional web-based legal library.</p> <p>Sub-Result 3.4. EOCO and Council for Law are strengthened internally to contribute to ARAP issues.</p>	<p>R3I7: By 2020, number of key SOPs, Manuals, and regulations are revised, upgraded, adapted as part of JS regulations/practices.</p>	<p>0 in 2017 / No values were foreseen for this indicator in December 2018.</p>	<p>JS Reports, ARAP Reports, QAM/KII Reports.</p>	
	<p>R3I8: By 2020, number of key SOPs, Manuals, and regulations are revised, upgraded, adapted as part of LAS regulations/practices.</p>	<p>0 in 2017 / No values were foreseen for this indicator in December 2018.</p>	<p>LAS Reports, ARAP Reports, QAM/KII Reports.</p>	
	<p>R3I9: By 2020, increase of up to 20 AC related cases where trained LAS lawyers and private ones have applied the techniques and skills transferred by ARAP.</p>	<p>0 in 2017 / No values were foreseen for this indicator in December 2018.</p>	<p>LAS Reports, ARAP Reports, QAM/KII Reports.</p>	
	<p>R3I10: By 2018, justice system' actors can easily meet their need for updated legal documents, including but not limited to AC through the e-library.</p>	<p>TBD in first semester-2018. / No values were foreseen for this indicator in December 2018. E-library will be functional by early 2019.</p>	<p>Reports generated by the E-library</p>	
	<p><i>Note: Additional Outcome Indicators may be included in the upcoming period.</i></p>			
<p>Result 5: Instruments for reporting illegal SSM complaints are in place,</p>	<p>R5.1 II: Number of protocol(s) signed between agencies with compliance monitoring responsibilities by 2020.</p>			

<p>together with increased management, investigative, prosecutorial capacities, and improved SSM legal framework.</p> <p>Sub-Result Better government management of environmental resources.</p> <p>Sub-Result 5.1.1 More effective, cost-efficient and accountable compliance monitoring of licence- and permit-holders, with better management of corruption risks (multi-agency, but led by EPA).</p>	R5.1 I2: Increased number of new tools adopted to do compliance monitoring by 2020.	<p>R5.1 I1: / No values were foreseen for this indicator in December 2018.</p> <p>R5.1 I2: 0 / Good progress. Tow new tools are adopted as of Dec 2018: 1) Compliance Monitoring platform and 2) Drones.</p> <p>R5.1 I3, R5.1 I4, R5.1 I5, R5.1 I6,</p> <p>R5.1 I7: / No values were foreseen for these indicators in December 2018.</p>		
	R5.1 I3: Increased number of districts adopting conflict of interest guidelines and registers by 2020.			
	R5.1 I4: Increased number of new protocols on data-sharing by 2020.			
	R5.1 I5: Number of SOPs in place to guide coordination with other agencies by 2020.			
	R5.1 I6. By 2020, increase of 10% of public understanding on what constitutes illegal SSM.			
	R5.1 I7. By 2020, increase of 10% of. Public awareness on obtaining SSM license / permits.			

<p>Sub-Result 5.1.2 Improved knowledge of the location and scope of legal and illegal SSM.</p>	<p>R5.2 I1: By 2020 increased number of reports of illegal SSM.</p>			
<p>Sub-Result 5.1.3 Decision-making over resource management based on shared guidelines and data.</p>	<p>R5.2 I2: By 2020 EPA Compliant Units are sufficiently staffed (including female staff) to deal with reports about impropriety on the part of EPA staff.</p>	<p>R5.2 I1, R5.2 I2: / No values were foreseen for these indicators in December 2018.</p>		
<p>Sub-Result 5.1.4 Improved professionalism, capacity and performance of EPA.</p>				
<p>Sub Result</p> <p>More effective reporting of noncompliance and illegal behaviour.</p> <p>Sub-Result 5.2.1 The public better able to identify illegal resource exploitation.</p>	<p>R5.3 I1: By 2020, total increase of 30% of cases related to EG crimes prosecuted by AG. / No values were foreseen for these indicators in December 2018</p>			

<p>Sub-Result 5.2.2 Reporting illegal resource use is made easier (focus on illegal SSM).</p> <p>Sub-Result 5.2.3 Improved reporting and complaints mechanisms for EG breaches.</p>				
<p>Sub-Result 5.2.4 Potentially vulnerable complainants get assistance to report.</p>				
<p>Sub Result Area 3: A robust criminal justice system response to wrongdoing is strengthened.</p> <p>Sub Result 5.3.1 Police investigations of EG breaches have quality evidence for prosecution.</p>	<p>R.5.4 I1 By 2020 NACAP considers EG corruption as one of its focuses. / EG is part of NACAP priorities.</p>			



<p>Sub Result 5.3.2 Experts from relevant agencies understand the evidence they need to provide to support court action.</p> <p>Sub Result 5.3.3 Prosecutors prepare more effective cases.</p>	<p>R.5.4 I2 By 2020 the Parliament approves/amends the relevant legislation on reduced incentives for working with illegal loggers and illegal SSM. / No values were foreseen for these indicators in December 2018.</p>			
<p>Sub Result Area 4: Legal and policy reform.</p> <p>Sub Result 5.4.1 Concerns on EG corruption is included in NACAP.</p>	<p>R.5.4 I3 By 2020 EITI standard and requirements are approved for the SSM sector. / No values were foreseen for these indicators in December 2018.</p>			
<p>Sub Result 5.4.2 Reduced incentives for working with illegal loggers and illegal small-scale miners.</p> <p>Sub Result 5.4.3 Improved transparency around profits and income from SSM.</p>	<p>R.5.4 I4 By 2020 the Parliament approves the Minerals and Mining Act recognising medium-scale mining as a distinct legal category. / No values were foreseen for these indicators in December 2018.</p>			
<p>Sub Result 5.4.4 Minerals and Mining Act recognises medium-scale mining as a distinct legal category.</p> <p>Sub Result 5.4.5 Tougher penalties for corrupt public officials.</p>	<p>R.5.4 I5 By 2020 new penalties on EG violation are included in AC law and adopted by the Parliament. / No values were foreseen for these indicators in December 2018.</p>			

LIST OF PEOPLE CONSULTED

Time	Details of activity	Comments
<b>Monday, 17-06-19</b>		
10:00-13:00	Inception meeting Confirmed	Reference Group- Made up of ARAP CU, NCCE, STAR Ghana, NAO & ARAP SC Chair (JS)
<b>Tuesday, 18 -06-19</b>		
8:30	Meeting with ARAP CU Team Confirmed	ARAP CU Office
13:00	Legal Aid Commission	[REDACTED]
14:00	Meeting with GPS - Communications and Public Affairs Unit	Director PAD and Team [REDACTED]
<b>Wednesday, 19-06-19</b>		
10:30	Commission on Human Rights and Administrative Justice	CHRAJ – Deputy Commissioner Anti-corruption [REDACTED]
12:00	Judicial Service	JS – Director of Reforms and Reforms Department [REDACTED]
15:00	Justice Gertrude Torkornu Justice of the Court of Appeal	Judges Chambers Judicial Service Building
<b>Thursday, 20-06-19</b>		
10:00	Meeting with STAR Ghana Governing Board	[REDACTED] – Star Ghana Office
12:00	Meeting with STAR Ghana Team	
13:00	Meeting with Ghana Police Service on Police Service Instructions	[REDACTED] – Ghana Police Service
14:30	Economic Organised Crime Office	EOCO – Public Education Department [REDACTED]
<b>Friday, 21 -06-19</b>		
9:00	Meeting with Commission Members of NCCE	[REDACTED] - NCCE Office
11:00	Meeting with Management and Core Team of NCCE	

TIME	Details of activity	
<b>Monday, 24-06-19</b>		
9:00	Meeting with AGO	DPP's Office ██████████
10:30	Meeting with EPA	EPA Head Office ██████████
14:00	Other follow up meetings	Evaluators to arrange further follow up meetings
<b>Tuesday, 25 -06-19</b>		
9:30	Participate in NCCE Dialogue on Public Accountability – Abuse of Office	Accra Venue TBC
16:00	Travel To Kumasi	Evaluators fly to Kumasi
<b>Wednesday, 26-06-19</b>		
9:30	Meet with Dunkwa Compliance monitoring Team of EPA	EPA to Accompany
10:30	Participate in field Demonstration of Compliance monitoring tools	EPA to Accompany
14:00	Participate In NCCE Social Auditing Activity	NCCE Team Member To Accompany
17:00	Evaluators return to Obuasi	
<b>Thursday, 27-06-19</b>		
7:30	Return to Kumasi	
9:30	Visit STAR Ghana partner Project In Kumasi (AWLA CUC)	STAR GH Team Member to Accompany
10:30	JS Public Relations and Complainers Unit	JS
11:30	Attorney Generals office	
2:00	Meet with Team of STAR Ghana Project CEDEP Offic, Bosumtwi District	
18:00	Travel back to Accra by Flight	Book flight
<b>Friday, 28-06-19</b>		
8:30	TBD	TBD
<b>WEEKEND 29<sup>TH</sup> -30<sup>TH</sup></b>		

Time	Details of activity	Comments
<b>01-07-19</b>		
9:00		Evaluators to arrange further follow up meetings
<b>02 -07-19</b>		
9:00	Meet With STAR Ghana Grant Partners in Accra	Star Ghana to Facilitate
<b>03-07-19</b>		
8: 30	Follow up meetings	Evaluators may arrange further follow up meetings
<b>04-07-19</b>		
9:00	ARAP CU supported activity TBC with JS	EPA/ARAP CU
12:00		
<b>05-07-19</b>		
9:00 – 17:00	Evaluation Stakeholder workshop to Validate preliminary findings	