



**SWIMMING AGAINST THE TIDE:
IMPLEMENTING GHANA'S ANTICORRUPTION ACTION PLAN, 2014–2016**

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SYNOPSIS

In 2014, Ghana began to implement its National Anti-Corruption Action Plan, adopted a decade after the West African country signed the United Nations Convention against Corruption. With over 120 goals, the plan's strategy was wide-ranging and ambitious. The goals included strengthening the public service code of conduct, improving the asset declaration system, and expanding freedom of information, as well as adopting many new laws. About 15 other countries around the globe had announced similar aims, though few included as many goals in their plans or required as many statutory changes. Ghana's Commission on Human Rights and Administrative Justice, which was responsible for translating the strategy into practical accomplishments, faced stiff challenges, including limited coordination capacity, electoral disruption, reluctant legislators, and a few scandals that drew the government's credibility into doubt. By the early months of 2017, the commission was still struggling to implement important parts of the strategy, but there were a few signs of progress: more public agencies were beginning to report regularly on the actions they had taken to meet their goals, a memorandum of understanding to improve coordination among parts of the anticorruption system was in place, and the Electoral Commission had stepped in to require asset declaration by candidates—even while bigger changes remained mired in the legislature. Ghana's experience illuminated the challenge of introducing broad anticorruption policies in the face of embedded opposition and the ways that dedicated citizens and officials could take smaller but still significant steps to improve governance.



INTRODUCTION

The headline “Ghana’s Hall of Shame” topped the September 27, 2009, weekly press rundown on GhanaWeb, one of the West African country’s prominent news websites.¹ For two months, reporting about the UK trial of a British bridge construction company, Mabey & Johnson, had claimed front-page status in the country’s national media. A UK court convicted the firm of paying bribes totaling 470,000 pounds sterling, or about US\$772,400 at the time, to Ghanaian officials, including five persons cited by name.²

Despite calls to try those suspected of crimes, Ghanaian prosecutors never issued charges against any of the five.³ Ghana’s Commission on Human Rights and Administrative Justice (CHRAJ)—the top anticorruption authority in the country—launched an investigation after the news broke in 2009, but eight years later there were still no reports of progress in the investigation. “The case was put in cold storage, along with other cases that were still pending and not vigorously pursued,” said Emile Short, who headed the commission from its creation in 1993 until 2010.

The Mabey & Johnson case illuminated the gap between widespread public concern about corruption and officialdom’s reluctance to deal with it. A 2008–09 Afrobarometer survey found that almost three-quarters of Ghanaians said they thought at least some of the people in the central government were corrupt and that they felt the same way about members of parliament and elected local councilors.⁴ The country ranked 69th out of 180 in the 2009 Transparency International Corruption Perceptions Index, next to the Republic of Georgia and Colombia—in other words, not the worst but still in a worrisome zone.⁵ Prominent citizens, organized through the Ghana Anti-Corruption Coalition, proclaimed the need for change.

Continued inaction was not an option. Five years earlier, in 2004, Ghana had signed the UN Convention against Corruption treaty, impelled by media stories about kickbacks to public officials,⁶ the use of government letterhead to secure private loans,⁷ and thousands of ghost workers on ministry payrolls.⁸ Parliament ratified the treaty in 2007, obliging the government to develop “coordinated anti-corruption policies” and to pursue “effective practices aimed at the prevention of corruption.”⁹

Corruption became a major issue in Ghana’s hotly contested 2008 presidential election, just a few months before the Mabey & Johnson story broke. John Atta Mills, who had won a runoff election by a razor-thin margin, promised to empower anticorruption institutions and put an end to malfeasance by government officials.¹⁰

In December 2009, Mills’s vice president, John Mahama, formed a working group to develop an anticorruption strategy as a first step toward bringing the country into compliance with its UN obligation. Mahama assembled leaders from government, the business community, universities, and civil society, putting the CHRAJ and its head, Short, in charge. Two employees of the National Development Planning Commission—Jonathan

Azasoo and Alice Amekudzie—supported the working group members and helped transform their broad aims into 120 goals organized under four broad headings: building anticorruption capacity; increasing efficiency, accountability, and transparency; engaging citizens, media, and civil society in fighting corruption; and increasing the effectiveness of corruption investigations and prosecutions (See textbox 1). The result was the National Anti-Corruption Action Plan (NACAP), a 10-year agenda that included many prevention-focused proposals. The plan specifically aimed to give legal backing to the existing code of conduct for public officers, to win passage of other enabling legislation, to strengthen the country’s existing asset declaration program, and to create a monitoring system for measuring impact.

To build support and credibility, in October 2011 the CHRAJ hosted a National Conference on Integrity, a meeting of about 150 representatives of government agencies, political parties, the private sector, civil society, the

Textbox 1: Activities Included in the National Anti-Corruption Action Plan

In December 2009, then Ghanaian vice president John Mahama inaugurated an anticorruption strategy working group that consulted broadly with representatives from every economic sector and with people in every part of the country. The resulting plan included about 120 specific objectives or tasks, each categorized as short-term (1 to 2 years), medium-term (3 to 5 years), and long-term (6 to 10 years). The first category focused on building awareness of anticorruption policies and motivating citizens to report violations. The 28 activities listed in that category included organizing public education and awareness programs; strengthening public complaint units in the judicial service and police service; introducing whistle-blowing mechanisms in local government; and simplifying tax procedures.

The strategy listed 45 activities in the second category, which focused on institutionalizing efficiency, accountability, and transparency in all sectors of Ghanaian society. Those activities included making sure that government institutions prepared financial statements in time for audits, enacting a law that would set a ceiling on political party financing, passing a code-of-conduct law for public officers, appointing leaders of state institutions through open and competitive processes, and training journalists to investigate corruption.

The third category contained 16 activities focused on monitoring and reporting. The activities included enacting a right-to-information law, creating a system for the confidential reporting of cases of corruption, providing legal advice for victims of corruption, and increasing the allocation of resources to audit agencies.

The final category included 47 activities related to investigation and prosecution. The activities included amending the definition of corruption in the criminal code, enacting witness protection legislation, training officers of anticorruption institutions and law enforcement agencies in investigation techniques, establishing an independent prosecution authority, and recruiting prosecutors and investigators. These were primarily medium- and long-term objectives, because they were more difficult than preventive measures and built on some of the other actions proposed.

media, other African anticorruption agencies, the World Bank, the United Nations Office on Drugs and Crime, and the Danish development agency, which funded the conference.¹¹

Although the law did not require him to do so, Mahama, now president, submitted the strategy to parliament for approval in 2013. (He took over as acting president in July 2012 when John Atta Mills died in office, and he won election later that year.) In 2014, legislators, under pressure from aid donors, adopted the plan as a national policy document. That gesture demonstrated political support—in theory—even though the strategy lacked the status of law.

It was then up to the CHRAJ to help realize the strategy's ambitions, occasionally assisted by an implementation oversight committee centered on the president's office. Richard Quayson, a deputy commissioner, had responsibility for moving the strategy from paper to practice, taking over from Short, who had earlier retired after 17 years of service.

THE CHALLENGE

A lawyer, Quayson had worked with the CHRAJ since the commission's inception in 1993. Supporting him at the CHRAJ was the director in charge of anticorruption activities, Charles Ayamdoo, previously acting director of the Centre for Public Interest Law, a Ghanaian nongovernmental organization.

Quayson knew there were strong political and structural forces arrayed against his team's successful implementation of the new anticorruption strategy. The challenges to success started with the CHRAJ itself. Although the commission was the guardian of the new anticorruption strategy, its own staff and finances were spread thin. The CHRAJ's corruption division had fewer than 20 employees at the head office in Accra, and the more than 150 investigators spread out among 99 district offices worked primarily on non-corruption cases. Formed in 1993, the organization combined the mandates of an ombudsman, a human rights commission, and an anticorruption agency under one umbrella. The majority of resources went to human rights investigations, not anticorruption work; and though the CHRAJ had the authority to discipline public officials, including removing them from their offices, it had to forward criminal-level cases to the attorney general's office for prosecution.

Further, Quayson's division had relatively limited experience. It could investigate an issue only if it had received a formal complaint from a Ghanaian citizen. In 2010, as the working group drafted the new strategy, the CHRAJ received 38 corruption complaints—a small fraction of the 12,900 total complaints logged. "Because of relationships, families, and ethnicity, you feel that if you come out to complain against somebody, that person may be connected to others," Quayson said. "People may come to you and ask, 'Why have you done this to your own ethnic group member?'" Moreover, the

CHRAJ resolved only 10 (26%) of the 38 corruption cases that year.¹² (See textbox 2).

A second challenge was coordination. To put the new national anticorruption strategy into action, the CHRAJ had to work with many other parts of government, starting with other elements of the anticorruption system. As in most countries, responsibilities for monitoring, prevention, investigation, and prosecution fell to different agencies, with varying levels of independence from partisan politics. Whereas the CHRAJ handled mainly noncriminal human rights and administrative code violations, a separate, Economic and Organized Crime Office (EOCO) handled misallocated funds, money laundering, human trafficking, tax fraud, and other offenses. President John Atta Mills had created that unit in 2010 in response to the same pressures that led to the new strategy. Located within the attorney general's office, EOCO had authority to investigate and prosecute. However, in total, the attorney general's office had only around 30 prosecutors in Accra who were charged with reviewing thousands of cases, plus 30 more spread throughout the country, so capacity in the new unit was limited.¹³

Other agencies, from the police service, which helped investigate cases, to the Audit Service, which reviewed public accounts, also played important roles, but like the CHRAJ, each faced strong constraints that limited the ability of the whole system to work effectively. For example, the attorney

Textbox 2: Taking the Measure of Public Concern

During the 2000s, perceptions of corruption in government institutions grew. The World Bank set the ball rolling when it reported that about 80% of households and more than 80% of civil servants said corruption had increased in the previous three years. More than 60% of households said they spent at least one-tenth of their incomes on bribes to public officials, and more than 40% of companies indicated they had paid bribes to government officials. The police motor transportation division, the customs service, the regular police service, and the immigration service topped the list of most-bribed agencies.

Afrobarometer surveys underscored the need to act. In 2002, 47% of respondents said the president and officials in his office were corrupt. By 2008, that number had reached 70%. Other institutions were also a source of concern. For example, 74% of respondents said members of parliament were corrupt. Fully 79% said the same of judges and magistrates, 86% said it of the police, and 79% said it of tax officials.¹

A 2011 Transparency International report noted that although Ghana's regulatory framework had improved during the 2000s in a number of areas—administrative procedures for starting a business, paying taxes, and trading across borders, for instance—low salaries and inefficiency continued to provide both opportunities and incentives for corruption and rent seeking.²

1 Afrobarometer, "Trust and Corruption in Public Institutions: Ghanaian Opinions," http://www.afrobarometer.org/sites/default/files/media-briefing/ghana/gha_r6_presentation3_trust_corruption.pdf

2 Transparency International, "Overview of Corruption and Anti-Corruption in Ghana," February 22, 2011; http://www.transparency.org/files/content/corruptionqas/271_Corruption_and_anti_corruption_in_Ghana.pdf.

general's ability to prosecute depended on police investigation skills: "If you're going to court, you have to present a case beyond a reasonable doubt," said Marietta Brew Appiah-Oppong, who served as attorney general from 2013 to the end of Mahama's presidency in January 2017. "[But] corruption is a very tricky issue and sometimes involves forensic audits," she said. "If the capacity is not there to go into the books of whatever institution or to trace the money, you have challenges." The Ghana police struggled to develop the capacity to conduct such investigations.

With respect to corruption monitoring, the auditor general, whose job was to verify whether agencies used money as intended, held information that could be useful for assessing vulnerabilities and evaluating compliance. But the Audit Service struggled to develop and release the 14 reports it was charged with producing each year. Agencies were slow to respond to the Audit Service's requests for information. Further, according to Daniel Domelevo, who became auditor general in 2016, the office lacked the resources to conduct field visits or to complete other elements of its reviews. By the time the reports reached the parliamentary accounts committee and became available for public inspection, they were usually two or more years out-of-date, said Ransford Gyampo, a political science lecturer at the University of Ghana. Ghana Anti-Corruption Coalition researchers found that sometimes the government agencies the auditors reviewed did not receive copies of the auditor's recommendations or copies of public accounts committee reports and were not aware of the reports' substance.¹⁴ In other instances, the agencies simply ignored the recommendations (See exhibit 1).

A third broad challenge was ambiguity in the level of political support. Despite the president's willingness to take the new national strategy to parliament and despite the assent that legislators had provided, Quayson's office doubted it would be easy to assemble coalitions to support the steps the plan required. Past cooperation from executive branch offices was limited, and senior leaders typically declined to exert pressure for reform when the auditor general or others offered their advice. "After the recommendations are made by the public accounts committee, getting the executive to do anything is a challenge," said Rasheed Draman, executive director of the African Centre for Parliamentary Affairs.

Many of the gatekeepers—the people charged with policy making and public management—depended on being able to tap the public treasury for political survival. Running for elected office cost money. Politicians gave such things as "satellite dishes, motorbikes, gas cylinders, jerseys, footballs, and benches to individuals, communities, and groups in an attempt to influence their votes," according to a report by the Ghana Anti-Corruption Coalition and two other organizations.¹⁵ Candidates for elected office could not simply promise to implement beneficial policies if they won; they had to give money or goods to voters before the election took place. "They would say, 'Give us what we are due,'" political science lecturer Gyampo said. The

competitiveness of Ghanaian elections increased the price tag by causing politicians to try to squeeze more votes out of each electoral district. In 2008, the winning party captured 50.2% of the vote—compared with 49.7% for the opposition—in the second ballot.

The Ghana Anti-Corruption Coalition and Ghana Integrity Initiative had pushed for legislation in the past, but political leaders had not budged. Bypassing the gatekeepers was not an option, however. To carry out the steps in the new national anticorruption strategy, Quayson’s working group needed the legislature to pass several new statutes, including a right-to-information law, which had languished since the early 2000s, and a law to refine the government’s code of conduct and make it legally enforceable. The proposed code-of-conduct legislation authorized penalties to be imposed on elected officials who refused to declare their assets, and some groups, such as the Ghana Integrity Initiative (the local chapter of Transparency International), wanted a new law to require that all asset declarations be verified and published.¹⁶

Textbox 3: The Ghana Anti-Corruption Coalition

In Ghana, public concern about corruption soared during the late 1990s. In 1999, in response, the World Bank Institute organized a core course called *Controlling Corruption: An Integrated Approach*, which brought together representatives of Ghana’s CHRAJ, the Serious Fraud Office (which the Economic and Organized Crime Office replaced in 2010), and the Institute of Economic Affairs, an independent research group.¹

With technical and financial assistance from the World Bank, those three core organizations formed the Ghana Anti-Corruption Coalition, which swiftly expanded to include civil society groups such as the Private Enterprise Foundation, the Center for Democratic Development, the Ghana Journalists Association, and the Ghana Integrity Initiative. In 2000, the National Institutional Renewal Program, an office directly under the presidency and in charge of Ghana’s public-sector reform agenda, joined the coalition to represent the executive’s viewpoint, as did the Ghana Conference of Religions for Peace.

The Ghana Anti-Corruption Coalition was unique in that it combined high-level advocacy with grassroots mobilization. Over the years, the coalition was instrumental in raising awareness about corruption and in advocating for stronger measures to reduce the prevalence of corrupt practices. In 2004, it lobbied for the government to sign on to the United Nations Convention against Corruption treaty and worked with lead institutions such as parliament, the media, and the attorney general’s office to support the mainstreaming of anticorruption into public policy. The coalition petitioned the government to pass a code of conduct for public officials and the right-to-information law. It also built local accountability networks focused on citizens’ monitoring of public works projects.

In partnership with the Ghana Integrity Initiative, the coalition launched the online reporting platform “I Paid a Bribe” (www.ipaidabribe.org.gh), which enabled citizens to report on the nature, number, pattern, types, location, frequency, and values of actual corrupt practices.

¹ *Building a Clean Machine: Anti-corruption Coalitions and Sustainable Reform*, Policy Research Working Papers, World Bank, 2005; <http://elibrary.worldbank.org/doi/abs/10.1596/1813-9450-3466>.

Fifth, the independence of Ghana's anticorruption institutions was sometimes in doubt. The president had the power to appoint the attorney general, the auditor general, and the CHRAJ commissioners without any legislative review and confirmation.¹⁷ That raised two dangers: (1) that the leaders of those agencies owed their loyalty not to the broader political community but to the president who appointed them, and (2) that partisan considerations might influence leaders' decision making and their willingness to cooperate with other agencies.

And finally, meeting the strategy's goals would require changing norms in the whole society, not just in government. Survey data from Afrobarometer and other organizations laid bare what many Ghanaians already knew: officials often behaved in ways that clashed with their roles as trustees of public resources, but sometimes citizens aided and abetted their actions. Quayson pointed to one example: "One of the issues we struggle with involves gifts to public officials." Gift giving was an important part of Ghanaian social life, but when citizens used gifts to influence civil servants, it became impossible to fulfill policy promises or treat everyone equally. For instance, a contractor might give money to a ministry employee who helped process a successful bid, or a citizen might reward a civil servant who processed a permit application. Such gifts raised expectations of preferential treatment. Nepotism was a related problem. "Someone might see that a person is trying to appoint this ethnic group member only on grounds of ethnicity and not because the person has the best qualifications," Quayson said.

Quayson and his team had to find ways to overcome those challenges in order to implement the new anticorruption strategy (See textbox 3).

FRAMING A RESPONSE

When parliament approved the strategy as a national policy in 2014, Quayson's team could swing into action. The team's liaison in the president's office was Daniel Batidam, a former activist who had just that year become the president's governance and anticorruption adviser.¹⁸ Batidam had directed the Ghana Integrity Initiative for four years and then led the African Parliamentarians Network against Corruption. Azasoo and Amekudzie of the National Development Planning Commission pitched in to provide expertise on setting goals and tracking progress.

Because strategy implementation would require cooperation from local governments, political parties, companies, and individual citizens, the group felt it was important to make people aware of the possible changes and to build support before taking other steps. From 2011 to 2014, while the strategy moved slowly through the approval process, Quayson and his colleagues started laying the groundwork for broad public consultation. "We had to rally the entire nation around the strategy," Quayson said. He secured support from the UN Development Programme's country office to finance

an outreach program that would include meetings around the country with representatives of government and civil society. Quayson continued with his regular work at the CHRAJ, saying he could not do much to prepare for implementation until parliament approved the strategy.

As soon as parliament voted to approve the National Anti-Corruption Action Plan in July 2014, Quayson, Ayamdoo, Azasoo, and Amekudzie quickly embarked on a series of outreach meetings around the country. Officials from the president's office accompanied them, including Batidam, the president's adviser. Also included were members of civil society groups such as the Ghana Anti-Corruption Coalition and the Ghana Integrity Initiative (See textbox 4). The team traveled throughout Ghana and spoke with more than 600 heads of departments and other civil servants whose cooperation it needed to succeed. Team members visited with journalists around the country, urging the media to cover corruption cases in court while also avoiding "bias and sensationalism."¹⁹

Quayson worked to enlist faith-based organizations, which he saw as essential tools for getting the message out to citizens in cities and villages

Textbox 4: The CHRAJ

Under Ghana's constitution and as enshrined in law, Ghana's Commission on Human Rights and Administrative Justice (CHRAJ) could investigate complaints of administrative injustice, corruption, and human rights violations against the public service commission, all administrative units of the state, the armed forces, the police service, and the prison service. The CHRAJ also could specifically investigate allegations that a public officer had failed to comply with the Code of Conduct of Public Officers in the constitution and allegations of corruption. But it could not initiate prosecutions. Instead, the commission had to submit its findings to the attorney general's office in the Ministry of Justice for action. The CHRAJ also was responsible for educating the public on anticorruption, human rights, and administrative justice. The commission had to report annually to parliament on its performance.

The CHRAJ commissioner and two deputy commissioners, all of whom were appointed by the president, had the same security of tenure that appeals court and high court judges enjoyed in Ghana: they could hold their jobs until mandatory retirement at age 65 years. The purpose of the tenure provision was to enable the commissioners to make decisions impartially, without fear of losing their jobs.

The CHRAJ had the authority to (1) issue subpoenas requiring people to appear before the commission and to produce records relevant to an investigation, (2) bring court proceedings against anyone who refused to comply with its subpoenas, (3) question anyone on any subject under investigation, and (4) require anyone to disclose, under oath, any knowledge relevant to an investigation. However, certain structural elements hindered the commission's performance: Its jurisdiction did not extend to matters pending before a court or judicial tribunal or to matters involving Ghanaians' dealings with other governments or international organizations or to matters dealing with executive pardons. In addition, parts of the CHRAJ mandate were vague and open to conflicting interpretation—such as whether the commission was permitted to investigate private citizens in their dealings with government officers.

throughout the country. He said religion was an integral part of communication with citizens in a very religious society. “In Ghana, statistics show that about 94% of the population ascribe to one faith or another,” he noted. More than 70% professed Christianity, but they were divided among many different sects. Around 17% of Ghanaians were Muslim.²⁰ Quayson said he wanted to meet with leaders of all faiths “to let them appreciate their roles in speaking strongly on the issue of corruption and helping change people’s mind-sets and attitudes.”

In December 2014, after Quayson’s team had spent months traveling the country, senior officials began to plan the implementation process. President Mahama opened a two-day conference on the National Anti-Corruption Action Plan. Representatives from the parliament, government institutions, civil society organizations, universities, religious communities, and the media attended the conference to discuss how to launch the activities in the strategy.

The national anticorruption strategy itself outlined a coordination system and set up a High-Level Implementation Committee and a Monitoring and Evaluation Committee. The first committee, which consisted of 25 representatives of accountability institutions, government, civil society, and the private sector, would be responsible for providing policy guidance and strategic advice, and each participating organization chose its own representative. The second committee would track implementation and oversee compliance, including developing reporting systems and preparing and disseminating performance results. The plan was for the president’s chief of staff to chair the implementation committee and for the CHRAJ to chair the monitoring committee.

At the December meeting, the president inaugurated the implementation committee, which included among its 75 members representatives of the institutions that had critical roles to play in preventing, investigating, or prosecuting corruption: the parliament, the Audit Service, the finance ministry, and the judicial service.

But the conference proceedings competed for attention when a long-brewing scandal once again hit the media. For several months, news services had reported that Laurretta Lamptey, a former investment banker who appointed to head the CHRAJ in 2011, had misused public funds while renovating her official residence.²¹ Although Quayson had led the commission’s corruption work throughout, Lamptey, as commission chief, had nonetheless wielded considerable influence. Columnists expressed outrage at high hotel bills she allegedly charged to the government, and a group of citizens petitioned to have her removed from office.²² The president suspended Lamptey from her post in January 2015 in accordance with the law and set up a committee, led by the chief justice, to investigate the allegations.²³ In November 2015, the president accepted the committee’s

recommendation that Lamptey was unfit to serve as CHRAJ commissioner and fired her.²⁴

Although implementation of the strategy began, the scandal shook the confidence of the Ghanaian public, which was already skeptical about efforts to root out pervasive patterns of corruption. The disclosures “undermined the image of the commission both nationally and internationally,” said Short. “These allegations of financial impropriety against the former commissioner went viral.” The scandal also led the Danish development agency, which had provided critical financial support for the CHRAJ, to cut off funding.

Under the circumstances, Quayson, who became acting commissioner, soon found that the institutions that were represented on the implementation committee sometimes declined to cooperate. In March 2015, the president tried to throw stronger backing behind the strategy by issuing to all public institutions a directive ordering them to assist the CHRAJ in putting the strategy into effect. The directive stipulated that implementation of anticorruption activities would form part of the performance appraisal criteria for ministers, chief directors, and CEOs of state institutions. It further mandated that implementing partners in government submit to the CHRAJ quarterly reports on their progress, with copies sent to the office of the president.²⁵

GETTING DOWN TO WORK

Quayson and Ayamdoo had to swing into high gear, develop a tracking system that would coordinate their work with the other institutions that were part of the anticorruption effort, strengthen and advertise a code of conduct for civil servants, make a years-old asset declaration plan operational, set up a way to conduct annual compliance reviews, and push relevant legislation through parliament.

The CHRAJ team also wanted to change how people thought about corruption. “Deterrence is very important,” Quayson said. “People must know they can be detected and punished. But we are adding other components that have been absent in the past: capacity building, public education, and prevention.” However, the CHRAJ did not have enough money either to make all civil servants aware of the initiative or to launch public education on the scale Quayson imagined. Nonetheless, his team sponsored 46 seminars and workshops on conduct and corruption control, 50 district-level sensitization programs, and 6 regional dialogues while also training 780 employees of public agencies and 30 members of the media. The efforts reached the capital and the regions but did not extend to the district level and below.

Creating a tracking system

Quayson maintained that it was essential to have a way to clearly communicate the actions each agency or organization had to carry out in a

given year—one that would set forth clear goals. His team had started working on that task in 2014, immediately after parliament approved NACAP.

Once parliament had adopted the anticorruption strategy, Quayson's team brought together major partners to suggest specific, measurable goals. Azasoo and Amekudzie, at the planning commission, had created a matrix that contained a line for each proposed activity, stipulated the time frame in which each activity should be carried out, created an estimated budget for implementation, and listed which agencies or organizations would implement it. The matrix had appeared as an annex to the strategy and it gave the implementers a broad, 10-year timeline, but it did not divide the activities into yearly obligations with specific, measurable goals.

In April 2015, the team held a three-day training and planning workshop in the eastern city of Koforidua for members of the implementation committee. During the workshop, CHRAJ staff and the planning commission invited representatives from implementing partners—public agencies, ministries, and nongovernmental organizations included in the plan—to help decide which indicators each partner would report on for the first reporting period, which would run from January 2015 to September 2015. The initial work plan comprised 43 implementing agencies consisting of both government institutions and nongovernmental organizations.

Azasoo and Amekudzie intended those annual action plans to be flexible regarding implementation. They could add or subtract activities from year to year if the implementation committee later decided such changes were necessary. The focus was on easily quantifiable information such as number of training sessions organized for anticorruption investigators or number of revenue collection agencies with computer systems. Other results could be reported as yes or no answers—for example, if parliament passed a specific bill. The committee would use the data to track implementation of the activities and then prepare an annual report on the progress of the strategy.

The workshop led to a list of specific activities that fell within the broad obligations included in the original strategy, such as conducting public education and awareness programs about corruption, publishing the list of allowances paid to civil servants, setting up toll-free complaint hotlines in the police service, and creating customer service charters. The workshop discussions also yielded a specific indicator for each activity and determined the data collection method for each indicator, including desk review, surveys, or interviews.

Azasoo and Amekudzie used the goals and indicators from the workshop to create the annual work plan spreadsheet for the year. The document mirrored the structure of the original list of actions in the strategy but included specific activities tailored to partners. For 2015, the work plan prioritized 57 of the 135 broad activities contained in the strategy. Quayson

said the tasks represented mostly the low-hanging fruit—steps that did not require additional funding or reallocation of resources.

Before Azasoo and Amekudzie could officially launch the work plan, the monitoring committee had to sign off on it and the president had to convene the implementation committee. The president took that step in October 2015, a few months later, appointing 10 members drawn from the CHRAJ, the planning commission, the Public Services Commission, the State Enterprises Commission, the Private Enterprise Federation, and the Ghana Anti-Corruption Coalition. Representatives of the CHRAJ and the planning commission served as co-chairs. The committee approved the action plan in early November.

The CHRAJ sent the approved work plan and reporting tools to an initial 43 implementing partners via e-mail, setting a November 20 deadline for replies. The deadline was extraordinarily tight, but Quayson said the partners had already had months to read the strategy and speak with officials about their obligations under it.

Quayson's team wrote letters to all of the agencies and institutions included in the action plan, reminding them of their obligations. The president's January 2015 directive "was not well publicized," Quayson said. "We had to step in and send copies of it to the state institutions to remind them of the president's directive and the requirement that they budget for implementation." He said that lack of communication was a reason the agencies were slow to meet the objectives in the action plan and submit their reports.

Despite the reminders, the response was weak. Only 19 out of 43 partners submitted their reports to the monitoring committee on time, and some of those 19 provided information that was either incomplete or in incorrect format. The 24 partners that did not respond included important government agencies such as the attorney general's office, which had a critical role in the fight against corruption, and the ministries of finance and energy, which were responsible for 89% of the total financial irregularities reported for 2012–14 in the auditor general's reports on Public Boards and Corporations.²⁶

The monitoring committee sent its progress report to the implementation committee for review. The implementation committee, chaired by the president's chief of staff, was responsible for providing guidance to partners that were struggling to reach their goals and for applying pressure on institutions that were not complying with their commitments. "We discuss the issues, the challenges, and what to do about them," said committee member Beauty Narteh of the Ghana Anti-Corruption Coalition. Following those discussions, the committee submitted the progress report to the parliament through the CHRAJ, and CHRAJ posted the report to its website, where the public could view it.²⁷

The poor rate of reporting led Quayson and his colleagues to ask the office of the president for assistance in motivating participation, and at a ceremony marking completion of the first progress reports in December 2015, Mahama underscored that heads of agencies that did not cooperate would suffer consequences: “I expect heads and CEOs of state institutions to comply with directives they receive. If any head will not do so, then she/he is in the wrong place.”²⁸

The president also issued a letter to all government institutions, echoing the threat of penalties if they did not comply. Azasoo said the letter and the threat of sanctions motivated greater compliance, but there was no evidence that the president’s office actually carried out any of the sanctions.

Ministers said they lacked the resources to follow up on the activities their institutions had pledged to carry out. In reply, Azasoo and other members of the monitoring committee emphasized the importance of including anticorruption activities in annual budgets approved by the finance ministry. If the ministry made sure that budgets accounted for those costs, government institutions would have fewer excuses for noncompliance. The finance ministry took up the recommendation and beginning in 2017, required budgeting for anticorruption activities.

To help push for implementation and keep track of progress, the CHRAJ trained 35 government agency ethics and compliance officers, who would act as desk officers for corruption-related matters and serve as liaisons between their institutions and the coordinating committees overseeing the National Anti-Corruption Action Plan.

In late 2016, the monitoring committee took additional steps to enhance communication by making stronger efforts to contact offices via telephone instead of e-mail and by placing notices in leading newspapers. Quayson also wanted to distribute the work plans earlier and give implementers more time to work toward compliance. In 2015, implementers had had only a few weeks between release of the action plan and the reporting deadline. In 2016, the work plan came out prior to a July midyear reporting deadline, which gave implementers more than half a year to prepare for the final 2016 report.

Quayson and his colleagues delayed work on the second progress report until after the 2017 election. When he finally called the meeting, in April, the president’s office declined to send anyone to participate. “The new government was still settling in,” said Narteh of the Ghana Anti-Corruption Commission. It would be many months until the report became public.

The monitoring committee was itself imperfectly constructed for its role. It appeared to have enough independence to criticize government institutions for poor performance in implementing anticorruption policies and for failure to comply with reporting obligations, but it lacked the resources to spot-check the information the ministries provided.

Revising the code of conduct

Most people in most parts of the world do not regularly pick up a copy of their country's laws and read it. One way to help make sure employees and officials know the main provisions, including any standards that may be hard to understand, is to restate the basics in the form of a simple code of ethics or code of conduct and to regularly publicize the terms.

At the time that the CHRAJ began to implement the national strategy, Ghana already had on its books several laws against corruption. The Criminal and Other Offences (Procedure) Act, 1960 (Act 30); the Public Procurement Act, 2003 (Act 663); the Financial Administration Act, 2003 (Act 654); the Audit Service Act, 2000 (Act 584); and the Internal Audit Agency Act 2003 (Act 658), among others, all criminalized the use of public office for private gain. But the existing code of conduct was not completely in sync with those laws. Although Ghana's 1992 constitution included a code and authorized the CHRAJ both to investigate failure to comply and to refer cases to the attorney general or the auditor general if the evidence so warranted, it left some elements ambiguous. For example, what counted as a "gift" provided to influence a decision or service versus an acceptable token of appreciation? and What outside jobs or activities might compromise the ability to carry out one's job fairly? "There's a constitutional provision that public officers should not place themselves in a conflict-of-interest situation," Quayson said. "That provision is powerful, but it requires elaboration for people in public service to understand what it actually requires of them."

The CHRAJ produced conflict-of-interest guidelines in 2006, defining the term *conflict of interest* and its application in more-precise terms. It produced a generic code of conduct for public officers in 2009. The code stated that public officials were not permitted to derive personal benefit from using information acquired during the course of their duties, allow their personal interests to conflict with their performance of office functions, or convey confidential information outside their work—and they had to maintain political neutrality in the execution of their public roles.

The national anticorruption strategy called for translating the terms of the 2009 code into statutory form, authorizing penalties against those who failed to comply should existing laws not suffice. The anticorruption team prepared that language even before the legislature accepted the anticorruption strategy, drawing on a draft Short had prepared before stepping down as CHRAJ commissioner in 2010. The government introduced the bill in parliament in 2013.

In addition to defining *conflict of interest*, establishing procedures for declaring conflicts of interest to the commission, and clarifying the kinds of gifts civil servants were permitted and not permitted to accept, the proposed legislation empowered the CHRAJ to levy administrative sanctions—including removal from office—against those who broke the law.²⁹ The proposed legislation also stated that all ministries, departments, and agencies

would have to follow that code of conduct.

The Ghana Anti-Corruption Coalition and the Ghana Integrity Initiative used media appearances to push for passage of the law, but the process was slow. The legislature declined to move forward in 2013 and again in 2014 and 2015, calling for further consultation. One of the points of contention was the permissible monetary value of a gift received.³⁰

Frustrated, the Ghana Anti-Corruption Coalition launched a media campaign to push for passage of the bill. Pressure from civil society increased when news broke in 2016 that the president had accepted an automobile from a Burkina Faso-based company. The details of the donation were a matter of dispute between the government and opposition parties, with the CHRAJ ruling that Mahama had violated the gifts policy but not broken the law.³¹ Still, the matter heightened public attention to the issues the code addressed.

Franklin Oduro of the Ghana Center for Democratic Development said parliament was dragging its heels because its members routinely violated the code of conduct. “Legislative inaction is due to the fact that the parties have shared interests when it comes to some of the aspects of anticorruption measures,” he said. “Aspects of the Conduct of Public Officers bill, for instance, would directly affect the way [members of parliament] do their jobs. For one thing, the bill would create a definition of *acceptable gifts* that would not apply to gifts many may have already received or anticipate receiving.”

By 2017, parliament still had not passed the bill.³²

Asset declaration

The national anticorruption strategy highlighted improvement in Ghana’s asset declaration regime as a specific priority. In principle, a robust asset declaration framework could increase public trust in government by enabling monitors, or sometimes citizens themselves, to view the sources of income or wealth that politicians and civil servants received beyond their official salaries. Enforcing asset disclosure across the public sector could potentially prevent officials from engaging in misconduct or illegal enrichment and also help protect from false accusations those who were blameless. From a human resources perspective, regular asset disclosure would also help heads of departments and agencies spot conflicts of interest among employees and resolve them efficiently.

Ghana already had important legislation on the books. The 1992 constitution required certain categories of public officers to declare their assets (1) on assumption of office, (2) every four years while serving in government, and (3) on leaving office. A 1998 law required high-ranking civil servants from the level of director on up, elected officials (president, cabinet, parliamentarians, and presidential staff and aides), police officers, military officers serving in civilian roles, senior staff in parastatal organizations, and those in accountant, procurement, or auditor roles to submit written asset

declarations to the Office of the Auditor General (1) before taking office, (2) every four years while serving in government, and (3) on departure.

Ghana's asset declaration framework had several loopholes that hindered its effectiveness, however. For example, the law required neither the spouses nor the children of public officers making declarations to themselves file declarations, thereby permitting properties to be held in those spouses' and children's names.

The framers of Ghana's strategy also recognized that making the system operational would require procedures for collecting, storing, and verifying declarations and mechanisms to ensure compliance. Transparency International's best practices for asset declaration called for a monitoring and evaluation agency to collect and verify information and then investigate, prosecute, and sanction those who failed to comply.³³ Ghana's system fell short of that ideal because the agency that received the declarations did not verify the contents and did not initiate investigations when declarations showed suspicious increases in wealth. A citizen could request that the CHRAJ investigate violations by a public official, but potential conflicts of interest would likely remain undisclosed as long as the official was not the subject of a legal proceeding or investigation.

"The most important thing was that no individual institution had a mandate to check veracity," said Short, who earlier directed the CHRAJ.³⁴ The 1998 law did not authorize the auditor general to review the disclosures, make declarations available to the public, or indicate who had complied with filing obligations and who had not. The Ghana Integrity Initiative issued a statement in June 2015 demanding that the law be amended to include mandatory verification—and publication—of asset declarations. "If there is no verification by the custodian and publication of such assets, ... how would members of the public get to know what is declared in order to complain?" the statement said.³⁵

Domelevo, who became auditor general in 2016, found the asset declaration system nearly useless. "You fill out the form, you put it in an envelope, and you seal it," he said. "You could have newspapers in there. You don't know what's inside. ... If not for a court order, it won't be touched."

Quayson concurred. "We believe that the asset declaration regime should improve so that the Audit Service will ... verify what has been declared by public servants," he said.

The National Anti-Corruption Action Plan called for review of the existing asset disclosure regimen and gave the responsibility to the attorney general in collaboration with the auditor general, the CHRAJ, and civil society organizations. The strategy set a late 2015 due date for the goal. However, progress on reforming the asset declaration regimen was contingent on parliament's passing the Conduct of Public Officers bill, which included penalties for failure to declare assets. The Ghana Integrity Initiative

called for parliament to take action in February 2017, but as of July 2017, no progress had resulted.³⁶ “Leaving lawmakers to decide how to declare their assets will never succeed,” Domelevo said.

Compliance versus impact monitoring

Another dimension of corruption control, often considered a litmus test of seriousness and success, was a vigorous system to monitor compliance with new rules and impact on operations. Compliance was different from tracking steps to implement reforms. Determining compliance meant deciding whether civil servants were abiding by new rules once they were in place. Going one step further, impact was the effect of the strategy on things like incidence of financial irregularities within a given agency and whether that incidence decreased, stabilized, or rose over time. The CHRAJ found this aspect of its work constrained in a variety of ways. It struggled to develop a measurement strategy for assessing the impact of its work because corruption was notoriously hard to measure, and creating a monitoring and evaluation system focused on the frequency and scale of corrupt practices was difficult.

For the few indicators it could muster, the committee lacked baseline data, however, and the strategy itself contained no provision for that kind of information gathering—such as perception surveys, bribery surveys, or public expenditure tracking.

Quayson and other authors of the strategy had wanted to conduct a baseline study prior to implementation of the strategy, and the UN Development Programme offered to help the CHRAJ find a consultant to conduct the survey. Jennifer Asuako, an analyst at the UN Development Programme’s office in Ghana, produced and distributed terms of reference for a “national survey on the level and extent of corruption as well as existing measures and capacities for implementation of NACAP to serve as a baseline.” But Asuako said none of the responses to the call for proposals were sufficiently realistic and affordable. Implementation therefore proceeded without a baseline study, which made it difficult to assess whether the actions taken had any real influence.

At least one option was still available for tracking certain types of impact—in some domains. The auditor general had useful data on financial irregularities and waste that the CHRAJ could draw on to track corruption in government. “The purpose of an audit is not to find fraud,” said Domelevo, who became auditor general in December 2016. “But in the course of an audit, you can come across fraud, and professional standards require that the auditor draw attention to it.” The Audit Service had a constitutional mandate to audit all ministries, departments, agencies, and other institutions that subsist on government funding. But there were obstacles. First, the Audit Service faced its own set of problems. Agencies were slow to respond to requests for information needed to prepare its reports. Second, Domelevo

said the Audit Service usually lacked the resources to quickly conduct audits around the country—especially by making field visits—and submit timely reports to parliament; auditors might have to wait months for the required information. Third, the Audit Service had to wait for the government to provide money for printing hard-copy audit reports for parliament—and parliamentary review was slow. That delay could itself add several additional months. (But on a more promising note, by 2016 there were more than 300 committees throughout the government charged with acting on the auditor general’s reports—an increase from nearly zero in 2011.³⁷)

Moreover, there was no formal provision for information sharing. Domelevo, who took over at the Audit Service in December 2016, said in 2017 that the only planned meeting he had with CHRAJ was the gathering of the High-Level Implementation Committee.

A few other institutions had information helpful for carrying out impact evaluation. Civil society efforts themselves could yield valuable data, for example. The Ghana Anti-Corruption Coalition ran an “I Paid a Bribe” program and a whistle-blower program, both of which could serve as ways of identifying agencies that were prone to problems and assess impact. However, the data were flawed. Because bribery was illegal, it was likely that people underreported requests—or at least underreported whether they had paid a little extra, under the table, for service.

OVERCOMING OBSTACLES

The Lamptey scandal had damaged government credibility when the strategy launched at the end of 2014, but as 2015 unfolded, two more problems surfaced that slowed progress to a crawl. The first was a bribery scandal in the judiciary that broke in September. A journalist had secretly videotaped judges’ soliciting and accepting bribes of cash, food, and goats. Chief Justice Georgina Wood acted quickly to view the video, investigate, and dismiss judges, but she attracted criticism for not adhering fully to standards of due process. The government suspended 22 junior magistrates and 7 high court judges in October, then dismissed 21 of the magistrates in December.³⁸

The second obstacle lay in another branch of government: the legislature. The 2015 national anticorruption strategy work plan included as a goal parliamentary passage of a right-to-information bill and a bill to strengthen the code of conduct for public officials. The plan also called for the government to submit to parliament a bill on money laundering and transnational organized crime. But parliamentarians stalled.

The draft of the right-to-information bill was 15 years old. Originally prepared in 1999, it would give citizens a mechanism for requesting information about government institutions and public officials. Governments reintroduced the legislation in parliament several times, but the bill had never made it to the floor for a vote. In 2015 and 2016, it was stuck in committee

because of disagreements over its content and over which institution should regulate access to information. But a member of parliament told a news website in 2016 that some of his colleagues said they would become exposed to scrutiny if the bill passed and that they preferred to further delay its progress. The bill had to be newly introduced into the parliament each year—and members of parliament proposed amendments to the legislation 1,000 times after its introduction.³⁹

The code-of-conduct legislation, which included provisions for strengthening Ghana's asset declaration rules, also remained stuck. Parliament debated the bill in 2015 but made no progress toward its passage. Batidam, Mahama's governance and anticorruption adviser, told a local radio station that the president supported the changes, which increased transparency, but as of 2016, no change was in sight.⁴⁰ "The parliament has not showed a willingness to address this particular matter," Short said.

As a general matter, assembling parliamentary support was difficult. Quayson corresponded in writing with members of parliament about the importance of each piece of legislation. Under his direction, the CHRAJ organized workshops for members of parliamentary committees, but the CHRAJ was unable to assemble an adequate coalition. As the 2016 elections approached, the stalemate in the legislature hardened. There was no will on either side to adopt anticorruption policies.

Civil society activists said there was still a chance that public pressure could nudge more members of parliament to take action, and the 2016 election seemed to support their view. Corruption was a leading topic during the 2016 campaign between President Mahama's National Democratic Congress Party and the New Patriotic Party, led by challenger Nana Akufo-Addo, who had served as attorney general and then foreign minister when his party held power from 2001 to 2007.

The New Patriotic Party won the 2016 parliamentary and presidential elections and took power in January 2017. Akufo-Addo had run on a platform that embraced several points of the National Anti-Corruption Action Plan, including strengthening asset declaration and passing the right-to-information law. "If you look at the manifesto of the new government, the key things the National Anti-Corruption Action Plan targeted are things the new government advocates," Quayson said. "We find it very encouraging." Quayson said he believed the new government was likely to pass anticorruption legislation that had languished for years. But as of July 2017, there was still no sign of progress in parliament.

ASSESSING RESULTS

Two years after adoption of the national anticorruption strategy, Quayson's team could point to a few achievements as well as to a few disappointments. Narteh of the Ghana Anti-Corruption Commission emphasized that the country was only three years into implementation and

that progress would be gradual. Coordination among the agencies that were part of the country's anticorruption system had improved slightly. The CHRAJ began to develop memorandums of understanding with the EOCO (the specialized corruption unit in the attorney general's office), the police, the Bureau of National Investigation, and the National Security Ministry, a new ministry created in January 2017. "Because we operate under different statutes, we put together this memorandum and developed protocols that will allow us to do some joint investigations," Quayson said. One of the concepts was to create a common data bank whereby each institution could access information without compromising the confidentiality of cases under investigation. As of February 2017, the draft memorandum of understanding had gone to each agency for review. The Audit Service was not part of the agreement, however.

The tracking systems were only partly functional—a work in progress. A significant number of ministries or agencies declined to report as required. (Only 45 out of 120 partners submitted their October 2015 to June 2016 midyear statements.) Further, the progress reports did not provide a clear picture of whether partners were on track to achieve their goals. As a stopgap solution, the CHRAJ and the planning commission agreed to staff a pilot audit program that would spot-check reporting on action items in randomly selected parts of the government.

Although the asset declaration scheme was imperfect and reform was stuck, it was possible to act on existing rules. In September 2016, the electoral commission said all candidates in the December 2016 national elections must submit asset declarations to the auditor general to become eligible to run. That step marked a change in practice from previous elections, in which only the successful candidates submitted their declarations prior to taking their seats.⁴¹ Following the 2016 elections, the Ghana Anti-Corruption Coalition put public pressure on the new president, Akufo-Addo, and his cabinet to abide by a campaign promise to declare their assets publicly.⁴²

The parliament also made progress in developing the right-to-information law during 2016, Narteh said. "It had gone through to the final stage," she said, but the then opposition New Patriotic Party was reluctant to support it in the end. Narteh attributed that to possible political maneuvering so the New Patriotic Party could get credit for passage of the law after the elections.

Other achievements included a new, open, merit-based recruitment process for CEOs and chief directors in the public service and civil service, along with training of investigators in the judicial service and Public Procurement Authority. The CHRAJ itself began to resolve a greater number of corruption complaints brought to it, nearly doubling its earlier rate to 61% for the period 2010–15.

Despite the limited progress, civil society members valued the strategy

because it gave them a menu of commitments to cite in their communications with public officials. The clear agenda contained in the National Anti-Corruption Action Plan provided people in government, business, advocacy organizations, and other sectors of society with a vocabulary for talking about corruption and how it must be fought in Ghana, said Linda Ofori-Kwafo of the Ghana Integrity Initiative. There was a common agenda that had not existed prior to the drafting of the strategy, and the list of commitments was something civil society could use to pressure government agencies to take action.

In December 2016, after the election and shortly before leaving office, President Mahama finally appointed a new CHRAJ commissioner—a decision he had put off for over a year. He chose not to move Quayson into the role, instead choosing the other deputy commissioner, Joseph Whittal. Quayson continued to serve as a deputy commissioner.

In January 2017, Akufo-Addo publicly endorsed the creation of a special prosecutor who would handle primarily corruption cases. Quayson viewed the move as a possible step toward an independent public prosecutor as envisioned in NACAP, but he said that true independence required a constitutional amendment to allow prosecutions to happen outside the authority of the attorney general.

Civil society groups also continued to work outside the framework of the National Anti-Corruption Action Plan. One example was a campaign to increase accountability for wasteful spending. The auditor general had the constitutional authority to ask a civil servant deemed to have improperly used public funds to pay back the money. Such a so-called surcharge was applicable if, for example, a ministry employee improperly used funds earmarked for another purpose to purchase office equipment. But the Audit Service rarely applied surcharges when it uncovered misuse of funds, because its staff did not have the training to gather evidence of wrongdoing that would hold up to a challenge in court, Domelevo said.

In 2015, a civil society group called OccupyGhana made use of the surcharge its chief policy goal. The organization, which had a core membership of around 25 people, had a growing media presence and was frustrated that nothing was being done with auditor general reports that documented irregularities and wrongdoing. Nana Sarpong Agyeman-Badu, one of the group members, said Ghana had lost 5.5 billion cedis (US\$1.28 billion) from 2009 to 2014 because of fraudulent public expenditures, adding that the auditor general could have recovered most or all of it if he had been surcharging the offenders.

OccupyGhana asked the auditor general to begin using the surcharge power and threatened legal action. The group prepared a white paper to detail how the auditor general could use that power, and after a year with no response, the group filed a civil suit with the Supreme Court demanding that the auditor general apply the surcharge. When Domelevo became auditor

general in December 2016, he met with the group and agreed that he should use the surcharge. Agyeman-Badu said the civil suit would stand until his group saw evidence of the surcharge's being used.

REFLECTIONS

Ghana's approach to anticorruption reform from 2009 through 2017 was especially challenging.

The front-door, textbook approach of taking an ambitious agenda through a consultative process and then to the legislature to enact new statutes was the long route to corruption prevention—especially because for elected officials, some of the changes threatened business as usual. Other countries had made progress by doing things that did not require legislative action (See textbox 5).

Moreover, the National Anti-Corruption Action Plan was very broad. It included a wide variety of commitments across government, civil society, and the private sector. The strategy's framers said that a far-reaching strategy was necessary given the widespread prevalence of corruption in Ghana. The advantage of that approach would be that it would set standards that civic groups could cite in holding just about any part of the government to account. It was clear what any given agency had committed to do, but the scope of the agenda—the breadth of the commitments—stretched scarce resources and limited both creative problem solving and follow-up.

Another option would have been a more narrowly tailored strategy focused on a small number of specific problems or institutions—for instance, the creation of effective audit report implementation committees that did not already exist or the reduction of the risk of corruption in procurement. Although less ambitious, a narrower strategy could focus more pressure and attention on a major corruption problem and create a platform for a sequence of successes. In May 2017, the government took steps to do just that, proceeding with a plan to automate customs, removing the human element in a function where money often passed between hands.⁴³

Gradually emphasis on prevention over prosecution won support. Nana Osei-Bonsu, head of the Private Enterprise Federation, said high-profile prosecutions had shock value essential to improving compliance. But preventive measures, too, could more quietly and steadily increase the ability to monitor corruption, even though they tended to send a blurrier signal about the level of government commitment and would also have a slower impact on shifting public expectations about what was acceptable behavior. (Media coverage of an official's going to jail for accepting kickbacks, for instance, would expand awareness of high-level corruption throughout society and increase the fear of punishment for wrongdoing.)

Maintaining the integrity of anticorruption authorities was essential and an important lesson from Ghana's experience. The Lamptey affair undermined credibility and made it much harder to make progress. "The

Textbox 5: Comparing Anticorruption Strategies

This case, “Swimming against the Tide,” is part of a series about the implementation of national anticorruption strategies. Ghana took on a big agenda and struggled, though it did achieve some modest successes. The question was whether Ghana could learn from others.

To facilitate comparison, the countries chosen for our series all aimed to set up a tracking system to monitor implementation, develop a code of conduct, implement or expand asset declaration, pass one or more new laws to reduce corruption, and assess impact. They varied in breadth of focus, forms of collaboration, and intensity of coordination. And they faced strong counter pressures from elected politicians who benefited from the status quo.

Mauritius pursued a bottom-up strategy to reduce opportunities for bribe taking, nepotism, and conflicts of interest in the public service. The country’s anticorruption commission gave responsibility for the revision of practices to government agencies and their employees. Commission staff guided each agency through the process of setting up an anticorruption committee, assessing institution-specific corruption risks, developing solutions, and monitoring implementation. The coordinated strategy purposely sidestepped certain major concerns such as the influence of money on elections, but it succeeded in reducing the incidence of highly visible forms of graft that undermined government credibility at the grassroots level.

Like Mauritius, Indonesia decentralized much of its anticorruption implementation. A team in the planning agency, working with the president’s delivery unit, negotiated action plans that committed each government office to yearly goals and created an online reporting system. The planning agency team struggled to secure meaningful commitments, however, and a new administration developed more-focused, more-top-down action plans and involved the country’s powerful anticorruption commission in strategy coordination and monitoring.

South Africa had a number of strong laws and institutions in place, but it, too, struggled with a variety of crosscurrents. The finance ministry anchored progress by creating a central procurement office that could have a big impact on a single problem—the reduction of inefficiency—while also limiting a major site of corruption.

Brazil focused on improving coordination between parts of the anticorruption ecosystem. Leaders in the judiciary, the executive branch, and the prosecutor’s service drafted enabling legislation, strengthened monitoring, improved information sharing, and built institutional capacity and specialization.

All of the cases in this series are available online through the Innovations for Successful Societies website.

situation . . . dented the image of the CHRAJ both nationally and internationally,” Short said. “These allegations of financial impropriety against the former commissioner went viral. What I hope is that we can get somebody who is prepared to demonstrate that he is going to take the mandates more seriously and revive or resuscitate the CHRAJ’s image.”

Ibrahim Tanko, program director of STAR-Ghana (Strengthening Transparency, Accountability and Responsiveness in Ghana), said, “If citizens doubt the integrity of the body that is supposed to help them address corruption, it affects the willingness to engage and report cases.” The commission continued to receive only 50 or fewer corruption cases out of

about 10,000 total cases per year, Quayson said in 2017.

The experience to date also highlighted the need to ensure that anticorruption organizations be independent from partisan influence and do not become tools of one political party or another. In Ghana, the president appointed the CHRAJ commissioner, which raised questions about the commission's decision making in the eyes of opposition politicians and some members of the public.

Short, the first CHRAJ commissioner, said a determined leader could make the commission effective, but he also favored the creation of a new body focused specifically on corruption, citing the example of Indonesia's anticorruption commission as a model that could guide Ghana in such a project. "My recommendation has not found favor with the government or even some leaders of CHRAJ, but I think the mandate is too broad and it restricts our ability to fight corruption effectively."

Exhibit 1: National Anti-Corruption Action Plan Timeline

- December 2009: Vice President John Mahama inaugurates working group.
- October 2011: National Conference on Integrity meets to discuss and validate draft strategy.
- Late 2011: Working group finalizes document.
- January 2012: CHRAJ commissioner Loretta Lamptey presents strategy to Vice President Mahama.
- July 2012: President John Atta Mills dies. Mahama becomes president.
- December 2012: Mahama wins presidential election. His National Democratic Congress Party maintains control of parliament.
- January 2013: President Mahama submits National Anti-Corruption Action Plan (NACAP) to parliament for discussion and approval.
- July 2014: Parliament approves National Anti-Corruption Action Plan.
- Mid 2014 to 2015: After parliament approves document, CHRAJ deputy commissioner Richard Quayson begins outreach by taking a team to speak with stakeholders, including faith-based organizations and journalists.
- December 2014: Mahama hosts two-day high-level conference on National Anti-Corruption Action Plan. At the conference, he inaugurates the High-Level Implementation Committee.
- January 2015: Mahama suspends CHRAJ commissioner Laurretta Lamptey based on charges she misused funds to pay for her accommodations. Quayson becomes acting commissioner.
- March 2015: Mahama issues directives to all government offices to implement NACAP, including requirement to provide quarterly reports for CHRAJ with copies to the president.
- April 2015: Quayson's team organizes three-day workshop in Koforidua for members of implementation committee.
- October 2015: Mahama assembles NACAP monitoring committee.
- November 2015: Quayson holds two-day workshop for members of monitoring and implementation committees, which approve initial set of goals and targets for first progress report, due at end of year.
- November 2015: President Mahama accepts recommendation by an investigatory committee that Lamptey is unfit to serve as CHRAJ commissioner and fires her.
- December 2015: Ceremony to mark completion of 2015 progress report. Mahama gives speech threatening sanctions for agencies that failed to meet their reporting obligations.
- December 2016: Mahama loses reelection bid.
- December 2016: Mahama appoints CHRAJ deputy commissioner Joseph Whittal to be new CHRAJ commissioner.
- January 2017: Nana Akufo-Addo becomes president. His New Patriotic Party takes control of parliament.

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