

Governance

Denmark has been supporting democratic and financial governance in Ghana in the period 2007-2018 with a mix of support to civil society, human rights, access to justice, anti-corruption, decentralisation and local service delivery. Danida has to a large extent been supporting the same institutions and modalities throughout the period. Danida has supported independent governance institutions such as the Commission for Human Rights and Administrative Justice (CHRAJ) and the Judicial Service (10% of the funds of the interventions selected for analysis). Civil society and media has been supported through grant making mechanisms such as G-RAP and STAR (13% of funds). Finally, Danida has spent substantial resources on decentralisation programmes in the period (more than 75% of the funds).

Programme	Components	Year	Grants (DKK)*	mil.
Good Governance & Human Rights Programme	1.Decentralisation 2005-2008 2.Independent Governance Institutions 3.Support to CSOs) Other engagement in the programme falls outside the scope of the evaluation (Support to General Election Support, Budget support (MDBS), Support to National APRM, Media Foundation for West Africa)	Period: 2003-2009	Total DKK million	budget: 230
Good Governance and Human Rights Programme in Ghana, phase II	1.Independent governance institutions 2.Civil society and the independent media	Period: 2009-2013	Total DKK million	budget: 170
Local Service Delivery and Governance Programme	1.Decentralisation	Period: 2009-13	Total DKK million	budget: 600
Right to Services and Good Governance Programme	1.Human rights, good governance and Access to Justice 2.Service delivery and Local Governance 3.Support to Civil Society	Period: 2014-2018	Total DKK million	budget: 250
Total funding 1,250,000,000 in the period				

Judiciary:

Relevance: The support to the Judiciary has been highly relevant. According to the Ghana Growth and Poverty Reduction Strategy (GPRS II), from 2006 the Judiciary suffered from lack of adequate capacity to administer justice with major delays in resolution of cases. Besides, the cost of legal processes was high and often unaffordable to the poor. There was further widespread perception that the Judiciary was very corrupt. GPRS II highlighted that the existing anti-corruption institutions were weak in terms of their collaboration and that there was a need for them to form a united front to effectively rid society of corrupt practices. The Danish support has focused on addressing these challenges although the support to rooting out corruption in the institution has come very late.

Efficiency: With regard to construction of buildings and purchasing of hardware the inputs have been procured at reasonable price and the outputs could generally not have been achieved with other inputs

at lower cost.¹ The court-linked Alternative Dispute Resolution (ADR) is considered to be very cost efficient, and with an important potential for improving access to justice. The ADR system is however underutilised, and there is a steady decline in the number of cases being referred. The VfM study also highlights that there is a lack of maintenance, which with time will be a major problem. This was confirmed by the visit to a court in the Eastern region by the evaluation team. Some of the buildings in Koforidua were falling apart and most of the hard ware (computers, recording equipment etc.) purchased with Danida funds had broken down because of lack of maintenance.

In general, there has also been limited operational and institutional capacity in the Judicial Service to ensure effective and timely implementation of activities. Furthermore, instability and delay in funding from the GoG also contribute to late implementation of activities.² Ten new corruption cases were opened during the period and the implementation of programs was generally behind schedule. Ghana's judiciary was thrown into crisis in September 2015 following the release of a video documentary that implicated 34 judges and scores of officials in acceptance of bribes. Punitive action has since been taken by the Judiciary, among others strongly encouraged by Denmark, in terms of suspending or dismissing most of the involved judges.

Effectiveness: The picture is generally mixed as regards the achievement of results. There are results (the number of days for resolving disputes have dropped in the period, extension of services to remote districts, reduction of un-sentenced prisoners). There is a realistic and implementable anti-corruption action plan with strong management buy-in. In other areas, there has been limited or no traction. The mobile courts were never established because Danida dropped the idea due to the Judicial Service's delay in producing a feasibility study report to justify the activity. The very few PRCUs that have been established barely deal with complaints. It seems like one of the main factors which limit the effectiveness is that in many cases (Gender Based Violence Courts, Public Relations and Complaints Units, outreach activities) the strategies have not been made clear from the outset or there has been no genuine ownership or interest. With regard to the steady decline in the number of cases being referred to the ADR the main reason also appears to be limited buy-in from Judges and Magistrates, who have shown considerable reluctance to refer cases to mediation³ and the still limited number of ADR connected courts (67 courts which is far from target (107 in 2018)).⁴

Impact/Transformation: The magistrate's courts and CHRAJ both offer ADR as a form of justice and a set of remedies which are highly valued. The support to ADR have reduced the backlog of cases and ensured better access to justice for Ghanaians in poorer parts of the country.⁵ If their reach could be extended and the legal profession brought on board, the scheme might begin to make a real impact.⁶ The Justice for All Programme has also contributed to reducing the number of unsentenced prisoners and increased access to justice especially for the poor. There has been a significant reduction in Ghana's remand prisoners in the period 2007-2017 from 35% to 12%.⁷ However the programme has not been able to address the structural problems related to Ghana's legal framework. This includes the lack of laws on non-custodial sentencing, the Narcotics Law⁸ and no probation options. The Danida has recently entered a partnership with the POS Foundation (a Think Tank engaged in legal advocacy) and the embassy has

¹ Danida "Value for Money Study, Ghana" April 2016, Interviews in Accra

² Danish Embassy "Ghana Annual Country Report 2014"

³ Judges are assess for promotion based on the number of cases dispensed and because of that they feel reluctant to refer cases to ADR for fear that they might not make up the number required for their own assessment.

⁴ Danida "Value for Money Study, Ghana" April 2016, Interviews in Accra

⁵ Danida "Value for Money Study- Support to the Judicial Service 2013-15", 2016

⁶ Richard C Crook et al "Popular Concepts of Justice and Hybrid Judicial Institutions in Ghana", 2011

⁷ Senanu, Amuza & Associates (CHRAJ) "The State of Human Rights In Ghana", 2017, Danida "Value for Money Study, Ghana" April 2016, Interviews in Accra

⁸ 10 years sentences for procession of even small amount of drugs

also addressed these structural problems by advocating for legal amendments in high level dialogue with the Chief Justice and the Attorney General. This high-level dialogue on more structural issues has however only taken place in recent years and the only detectable result is that the Government has committed itself to maintain and institutionalise the ADR scheme.

Sustainability: The severe resource constraint is a key challenge which cuts across and affects all areas of human rights realisation in Ghana. Almost all state institutions that work to protect, respect and fulfill human rights in Ghana are grossly under resourced, not just in relation to financial resources but also human and logistical resources as well. As an example, there is clearly an issue of sustainability with regard to ADR. There is a steady decline in the number of cases being referred despite the increase in the number of courts linked to ADR and mediators trained and appointed. This can, according to the VfM, be attributed to delays and uncertainty in funding after Danida funding of allowances has to an end. The GoG has itself set a target of a 30% increase in the actual release in the amount released to the Judiciary compared to the 2013 baseline. In actual fact there has only been a 14% increase and the amount released to the Judiciary fell short of the approved budget with 28% in 2016.⁹ On the positive side the Danish capacity development of the Judiciary has focused on changes at the organizational level and a number of documents have been signed off by the Chief Justice (the Operating Guideline for the GBVC, the Policy Guidelines for the PRCUs, the Anti-Corruption Action Plan, the Communication Strategy) or validated (Judicial Service Charter). The relative independence of the Judiciary is also a factor that indicates sustainability of the results. As an example, the Judiciary showed strong independence in handling the legal challenge when the opposition disputed the election results in 2012. The grievances were eventually resolved peacefully in 2013 through the judicial system.¹⁰

Danish contribution: Danida has been a valued and trusted partner of the Judiciary. Danida has had “staying power” and has been a key (and at times) only development partner to the Judiciary. Danida has aligned to the support of the strategic plan of the Judiciary and is regarded as flexible. The long-term partnership has ensured sustained and stable funding and Danida has also played a critical role in supporting the Judiciary getting strengthened out of the corruption scandal a few years ago (funding for strategic plan, critical dialogue). Danida priority areas (gender, HRBA) has had a positive impact on improving access to justice for women and marginalised groups. Danida could however have contributed to overcome some of challenges (e.g. related to focus and strategy as outlined above) if Danida had engaged more in critical dialogue (a la the critical dialogue on the anti-corruption strategy) with the Judiciary over the years.¹¹ There is no evidence of Danida having ensured synergies between its support to the Judiciary and its other engagements in Ghana. The support to CHRAJ and the Judiciary has not been extended in collaboration with other development partners. There are therefore some missed opportunities of collaboration between the two institutions for example in relation to a concrete issue such as the Alternative Dispute Resolution, public awareness campaign on the rights of vulnerable groups (e.g. people in detention) as well as joint advocacy in terms of resource constraints of independent governance institutions. A sector-wide approach involving other accountability and justice institutions and more development partners may have led to changes in the broader enabling environment and enhanced the prospect of sustainability. On the positive side that EU’s Anti-corruption, Rule of Law and Accountability Programme (ARAP) and its support to the Judicial Service’s Public Relations and Complaints Unit is a form of extension of Danida support to the Judiciary in collaboration with EU. Currently Danida is supporting a roll out of the PRCUs to the remaining 7 regions where they are non-

⁹ NDPC, “Annual Progress Report 2016”

¹⁰ Economic Intelligence Unit, “Country Report G furtherhana”, 2018

¹¹ Danida “Value for Money Study, Ghana” April 2016, Interviews in Accra

existent while EU-ARAP are providing training based on operational guidelines developed through Danida support.

CHRAJ:

Relevance: The support to CHRAJ has been relevant in bringing justice closer to the people with its free and accessible services. CHRAJ has expanded and established offices in 110 districts. In this respect CHRAJ has prioritized their work in areas where there is undoubtedly a need, but to the detriment of the other areas such as corruption cases. CHRAJ has focused more on for example human rights including most notably mediating marital and land disputes rather than systemic gaps at the highest level and tougher high-level corruption cases which they also have the mandate for. Denmark has provided financial and technical support for development of the National Anti - Corruption Action Plan, 2015 – 2021 NACAP, which was relevant. It would however have been relevant if the Danish Embassy had engaged in more pro-active dialogue throughout implementation to facilitate the strategic shift in the way the Commission prioritises. Corruption has been identified as a major problem undermining development in Ghana¹² and there are even indications that the problem may have worsened in the period. As an example, the perception of impunity for corruption has risen from 10% (2008/09) to 30% (2013/14).¹³ The perception of impunity is confirmed in some of the c-cases opened by the Danish Embassy. Errant officers in districts are not sanctioned but remained in their positions or are just been transferred to another district. Governance indicators such as the World Bank's Country Policy and Institutional Assessment and Mo Ibrahim Index confirm this picture. They are stagnating or in some cases deteriorating. Broadly speaking, many governance indices peaked around 2010 and have stagnated since.

Efficiency: CHRAJ is undertaking a large number of activities per year considering its limited budget. The mid-term review from 2014 recommended that CHRAJ reduced the number of annual activities to ensure sufficient resources were available to complete the activities. They also recommended that prioritized activities should be skewed in favour of the administrative justice and anti-corruption mandates.¹⁴ CHRAJ has however continued to spread thin its resource base. Instability and delay in funding from the GoG has contributed to late implementation of activities as in the case of the Judiciary. Further, Danida has since late 2014 withheld funding to the Commission on Human Rights and Administrative Justice (CHRAJ) due to investigations of mismanagement of funds in 2014 and irregularities cited in an external audit of Danida's support to CHRAJ for 2013/14.

Effectiveness: In the beginning of the period, CHRAJ lacked the capacity to fulfil its mandate of investigation of corruption cases as it didn't have the right skills or tools for investigation and submitting cases for prosecution.¹⁵ It is difficult to rate changes in the capacity of CHRAJ as an institutional capability study was not carried out in the beginning of the period. CHRAJ has however resolved a greater number of cases (doubling its earlier rate to 60% in the period 2010-15) but the number of complaints that CHRAJ receives from citizens is very low (only 50 per year), which presumably indicates that the public do not have sufficient trust in the complaint system. The lion share of cases received and investigated by CHRAJ still concern human rights in 2018. Anti-corruption cases account for only 0.6% currently, down from 2.8% in year 2006.¹⁶ CHRAJ has facilitated the development of the NACAP. The plan was

¹² As an example: Percent of firms identifying corruption as a major constraint was 43% in 2013. Bribery incidence (percent of firms experiencing at least one bribe payment request) was 19% according to the World Bank Enterprise Survey (2013)

¹³ Afrobarometer; Country country reports,

¹⁴ Daystar Solutions "Mid-term review of CHRAJ", 2014

¹⁵ GG&HR document from 2003, MFA "Joint evaluation of the Ghana-Denmark Development Cooperation" 2008:03

¹⁶ NDPC, "Annual progress Report 2015", Danish Embassy, "CHRAJ Results Study", 2016

approved by Parliament in 2014. However, CHRAJ has been struggling to implement large part of the Plan. Only 12% of the Plan was implemented by 2016 (against a target of 38%).¹⁷

Impact/Transformation and Danish Contribution: Over 3000 public education programmes have been held annually across the country especially on human rights of vulnerably groups¹⁸ and this type of activities comprise a major part of CHRAJ's activities.¹⁹ It is difficult to detect an impact of these activities. The latest figures from a perception study in 2017 indicate that the basic knowledge of human rights in Ghana is still wanting.²⁰ CHRAJ has resolved in average app. 10,000 human rights cases per year in the period under evaluation. A lion share (2/3) of which were resolved through mediation. The service is free and CHRAJ is present in all regions and 110 districts.²¹ Their service is especially attuned to the needs of poor and vulnerable people, particularly young women who would normally be afraid to take these kinds of cases to court or who can't afford it.²²

Sustainability: The institution has in recent years experienced a rise in GoG funding. The actual releases have increased by 1/3 since the 2013 baseline and 8% more than budgeted was actually released in 2016. However as mentioned the support to the Judiciary and CHRAJ has not sufficiently incorporated the wider sector issues. The longer-term sustainability of the support is threatened when the wider issues related to the enabling environment have not been addressed. This includes for example the mandate of the institution as well as coordination issues with other anti-corruption institutions.

Danish contribution: Denmark has provided budget support type support to strengthening CHRAJ presence at the sub-national level. This is in line with the Danish focus on improving access to justice for the poor in the rural areas. The Danish financial and technical support has also been instrumental in facilitation of the National Anti - Corruption Action Plan, 2015-2024. Denmark has however not been successful in facilitating a shift in strategic thinking within CHRAJ towards anti-corruption and administrative justice. Other development partners have indicated that Danida may have been a bit naïve and too trustful in supporting an institution such as CHRAJ.²³ When Danida did stop the funding to CHRAJ after allegations of fraud and irregularities, it came almost as shock to the institution as it broke with the idea of long-term partnership in t

Decentralisation:

Relevance: The support to decentralization has also been highly relevant. According to the GPRS II an acceleration of the process of devolution of political power to the district and sub-district structures to promote citizen's participation in local governance was needed. There was a low interest of citizens in the democratic process, a communication gap between district assembly members and the citizenry at the district level and an urgent need to better uphold the principles of transparency and accountability in

¹⁷ British Academy "Swimming against the tide; implementation of Ghana's anti-corruption action plan", 2017, Danish Embassy, CHRAJ Results Study, 2016, Interviews in Ghana

¹⁸ According to Senanu, Amuza & Associates (CHRAJ) "The State of Human Rights In Ghana", 2017, vulnerable groups include children and juveniles; persons with disabilities; persons with HIV/AIDS; the aged; women; persons in detention facilities; refugees and internally displaced persons; migrant workers; and lesbians, gays, bisexual, transgendered and intersex persons

¹⁹ NDPC, "Annual progress Report 2015", Danish Embassy, "CHRAJ Results Study", 2016

²⁰ According to the study 59% of Ghanaians are aware that children and juveniles do have rights. However only 53% of respondents were aware that women had rights and for LGBTI, migrant workers and persons in detention 88%, 81% and 78% respectively of respondents believed that these groups do *not* have rights. See reference to the perception study in Senanu, Amuza & Associates (CHRAJ) "The State of Human Rights In Ghana", 2017

²¹ Richard C Crook et al "Popular Concepts of Justice and Hybrid Judicial Institutions in Ghana", 2011

²² District case statistics show that the majority of complainants going to CHRAJ were women bringing cases against men for maintenance of children, disagreement over custody of children, breaches of promise to marry, and maintenance after separation or divorce, often mixed with accusations of domestic violence and abuse. See Richard C Crook et al "Popular Concepts of Justice and Hybrid Judicial Institutions in Ghana", 2011 and Senanu, Amuza & Associates (CHRAJ) "The State of Human Rights In Ghana", 2017

²³ Interviews with development partners

governance processes. There was further inconsistency between laws, lack of clarity of roles and administrative coordination at district and sub-district levels and weak accountability by districts with regard to employment generation, a systemic problem of weak financial management and inadequate accountability and transparency in the utilisation of the District Assemblies Common Fund (DACF) and other resources at the district level.²⁴ The strategy for decentralization has thus been relevant as it is aligned with the GoG's commitment to implement the constitutional and legal provisions on transferring powers, responsibilities and resources to local government institutions. It further met Danida's strategic priorities with regard to improving local service delivery and local democracy by bringing government closer to people and thereby allowing the poor better opportunities to claim their rights and hold government accountable.

Efficiency: The District Development Facility (DDF), a pool funding supported by Denmark, has become a well-established operating mechanism. However, the issue of delayed fulfilment of agreed preconditions for disbursement to the DDF has caused inefficiencies throughout the period. Delayed disbursement of the government's contribution, which is a precursor to the development partners' contributions has negatively affected the integration of DDF into the planning and budgeting cycle of the districts.²⁵ Annual financial audits of Metropolitan Municipal and District Assemblies (MMDAs) constituted a major problem with huge backlogs in the beginning of the period, but Ghana Audit Service (GAS) received considerable support from Development Partners including from Denmark, which has helped overcome some of these challenges.²⁶ Quite a number of cases on irregularities in the decentralization support involving relatively large sums have been opened in the last years. Follow up on the cases was initially not very swift. The present embassy management has however ensured a more swift and joint follow-up on the audit findings with other bilateral donor agencies. A Joint Review Team involving Danish Embassy staff, the Ministry of Local Government and Rural Development and Ghana Audit Service (GAS) was also set up to monitor the work of the Audit Reports Implementation Committees in all 216 districts and this has proved a very valuable exercise providing additional capacity development support to districts in the area of financial management and governance.

Effectiveness: Decentralisation efforts are assessed to be positive in the medium term. According to the Joint Evaluation of Budget Support, 2017 there has been significant progress in the decentralisation reforms the last years. There is now a much more coordinated and coherent approach to reform spearheaded by an Inter-Ministerial Coordinating Committee (IMCC). Since 2012, the IMCC has been chaired by the President of Ghana. Major aspects of the reform are still to be implemented, but groundwork has been completed and has led to the development of major pieces of draft legislation for overall guidance of local governments (the 2016 Local Governance Act), as well draft bills for the decentralisation of several important functions – not least, education and health. Some important practical steps for decentralisation have also been implemented. These include the establishment of several decentralised departments for local service delivery (in sectors such as works, agriculture and community development/social welfare) from 2010 and the introduction of composite budgeting in all MMDAs from 2012.²⁷ The introduction of the DDF in 2008 has provided additional development funds to MMDAs and established a performance assessment system and related system for partly decentralised capacity development. Nevertheless, important challenges remain. The transfer of resources from the centre to the sub-national level is still only app. 3% (2016)²⁸.

²⁴ MFA "Joint evaluation of the Ghana-Denmark Development Cooperation" 2008:03

²⁵ Danish Embassy "Ghana Annual Country Report 2014, 2015/16", Interview with Development Partners, MLGRD and OHLGS, MFA

²⁶ Interview with Development Partners, MLGRD and OHLGS, MFA, "Appraisal report RSGGP (2014-18)", 2013

²⁷ EC, *Joint Evaluation of Budget Support to Ghana Volume 2a*, 2017

²⁸ NDPC, *Annual Progress Report 2016*

There has generally been limited progress in non-state actors' involvement in local governance over the years. There are however good examples of how civil society has been able to use the openings provided by the decentralization reforms and the new emphasis on transparency, accountability and inclusiveness. Various parts of the decentralization efforts have reinforced the ability of the MMDA to engage with citizens and civil society. The planning and budgeting capacities have gradually improved since 2008 which Denmark has contributed to. The capacity building support for improving MMDAs planning and budget capabilities have largely come from DDF funding- to which Denmark has been a major contributor. The District Development Facility (DDF)- a pool funding supported by Denmark has further had performance grants conditioned on transparency, accountability and inclusiveness. This includes for example public hearings and publishing budgets.

The political settlement and the persistence of clientelist and political patronage systems are the main factors behind the difficulties in changing the system of presidentially- appointed members on district assemblies and has put the strain on achieving greater transparency and accountability in governance at the local level.²⁹ The challenges of implementing a coherent structure for decentralisation in Ghana is caused by vested interests. In other words, in many countries including Ghana, corruption is not only a consequence, but also a cause, of poorly implemented decentralised governance.

With regard to gender, positive outcomes have been detected in terms of improvement of recruitment of females in all strata of the MMDA structure. The figures in the MMDA are relatively higher than the national average.³⁰

Impact/Transformation: There are still major differences in development levels between districts as those districts at the top of the ranking are doing almost 60% better than the lowest ranked districts.³¹ As an example the 20 best performing MMDAs were able to generate funds internally to the level of about 67% of their total revenue, whilst the 20 worst performing MMDAs had less than 1% of their total revenue being Internally Generated Funds.³² The gap between the most developed and the least developed districts is however starting to close slightly and the performance of the MMDAs has generally improved the last 10 years. The national average FOAT score of the MMDAs have increased from 47.4% in 2006 to 92.2% in 2013.³³

The DDF is regarded by most rural districts as the major source of funding for their development projects (e.g. buildings) particularly in areas of education, health and sanitation³⁴ However service delivery in sectors such as health and education is not effectively decentralised. It is not possible to link DDF funding to development outcomes in terms of improved service delivery and poverty reduction. Secondly women's participation in local governance is yet to be increased and made more effective.³⁵

The consistent support to the decentralization over many years has however produced some transformative changes. A good example is the pilot support to capacity development of districts in terms of feeder roads and water & sanitation in selected districts in under the Local Service Delivery and

²⁹ EC, *Joint Evaluation of Budget Support to Ghana*, 2017

³⁰ The Review Aide Memoire of Danida's support to OHLGS notes under the section on Gender that "Females in key decision making positions in political and senior administrative leadership in the country is less than 30%. Data on the 5 (five) MMDAs visited indicated that, the total number of female employees constitute 15.16% in senior management positions, 44.78% in middle management, 39.23% in sub technical positions, 44.86% as junior officers with 45.51% occupying utility positions. Cumulatively, females constitute 37.90% of the employees in these 5 (five) MMDAs"

³¹ Unicef/CDD "Ghana's District League Table" 2017

³² NDPC, "Annual Progress Report 2016"

³³ EC, *Joint Evaluation of Budget Support to Ghana Volume 2a*, 2017

³⁴ EC, *Joint Evaluation of Budget Support to Ghana Volume 2a*, 2017

³⁵ EC, *Joint Evaluation of Budget Support to Ghana*, 2017

Governance Programme (2009-2013). This was later translated into support for capacity development and performance grants to all MMDAs. A key result is the institutionalization of the works departments at district level. The effective roll-out of composite budgeting is also a measure of improved quality of the planning and budgeting process. This was initiated in 2012 and has since then been applied by all MMDAs in Ghana. All budgets for all MMDAs are now published by the MOF (FDU) on its website hereby increasing the transparency of the budgeting and planning process.

Sustainability: There are good prospects of sustainability of the decentralisation efforts. A merger between the DACF and DDF is in the pipeline and enhances the prospect of sustainability of the gains in the decentralization sector. The purpose of merger is to have *one* nationally owned performance based fiscal transfer system with one set of performance criteria.³⁶ The recently adopted Local Government Act (2016) further incorporates large sections on the involvement of non-state actors in local governance. The President has moreover committed himself and the ruling party to hold a referendum on direct election of all district assembly members next year. The creation of new MMDAs however brings about new challenges, as existing districts are not fully functional (and sub-district structures even less so) due to resource constraints. This may well jeopardize the gains achieved and lead to setbacks in efforts to achieve improved service delivery for the poor.

Danish contribution: Denmark has been a very long-term, reliable and trusted partner on decentralisation and has played an instrumental role in the acceleration of the reform process in the last 10 years. Danida has contributed positively to aid effectiveness and donor harmonisation in the sector and is regarded by other development partners as a team player.³⁷ Danida has provided substantial financial (20-40% of the financial support to DDF³⁸) and technical capacity development assistance to Local Government Service Secretariat (LGSS). Danida has had a strong capacity development focus and technical advisors have played multiple roles including conceptualization of legislative instruments, clearing of backlog of district audits and development of the performance assessment framework to mention a few.³⁹ These technical advisers have been highly appreciated. A baseline assessment of the capacity situation in the respective organisations such as LGSS and their wider institutional contexts have not been provided⁴⁰ and the organisational and institutional capabilities have not been monitored during implementation.

The overall purpose of the Danish engagement in Ghana in the period has been to reduce inequality among regions and among people. The end purpose of Danish support to decentralisation has also been to meet the needs of the most deprived among others through DDF funding. As mentioned it is not possible to directly link DDF funding to improved service delivery and poverty reduction but the Danish focus on accountability and especially social accountability has contributed to improving the engagement between duty bearers and right holders. The capacity building support for improving MMDAs planning and budget capabilities have largely come from DDF funding- to which Denmark has been a major contributor.

Civil society:

Relevance: The support to STAR has been in alignment with GoG policy as articulated in Ghana Shared Growth and Development Agenda 2010-2013 (GSGDA). In the Strategy, the GoG notes that one of the key policy objectives of deepening the practice of democracy is to enhance civil society participation in governance. The support to STAR has also been in alignment with Danida policies particularly, the focus

³⁶ Interview with Ministry of Local Government & Rural Development and OHLGS

³⁷ Interviews with Development Partners (decentralisation), February 2018

³⁸ Figures provided by OHLGS for the period 2013-15

³⁹ Interviews with Development Partners (decentralisation) and LGS, February 2018

⁴⁰ See criticism of this in MFA, “*Appraisal report RSGGP (2014-18)*”, 2013

on the HRBA through its promotion of non-discrimination, participation, transparency and increased accountability of government. Finally, as a multi-donor pooled fund STAR and its predecessors (RAVI and G-RAP) has contributed to improved aid effectiveness and harmonization.⁴¹

Efficiency: The management costs of STAR are about 1/3 of the total costs. This type of pooled grant making arrangement is efficient as transaction costs for Denmark is lower than if Denmark had to bear all the management costs by itself and there is a much larger outreach than if Denmark had to support individual organisations. The overall management and supervision of STAR is delegated to DFID. In general STAR has good organisational management structures (administrative, finance and procurement systems) in place and has established strong working relationships with stakeholders at both national and sub-national levels. STAR-Ghana also has a solid due diligence system in place with assessments of organisations shortlisted for funding as part of STAR-Ghana's risk management and capacity building strategies and cover key risk areas like governance, financial capacities, internal controls, human resource, monitoring and evaluation systems and information security.

Effectiveness: Various assessments in the beginning of the evaluation period have pointed to civil society *not* having had a major influence on Ghanaian society even if the media, trade unions and international NGOs, had some limited, influence.⁴² Civil society has however gained more influence and especially increased its influence on policy processes in the period under evaluation.⁴³ The Danish support to especially G-RAP (predecessor of STAR) contributed to making CSOs more institutionally robust in the beginning of the period and able to produce quality advocacy and research, which have been utilised by key government ministries, agencies, and public and private institutions.⁴⁴ There were in particular important advances in terms of adoption of gender sensitive policies at the time. Since 2010 there are likewise a number of achievements obtained through the support to STAR I and II including 1) Parliamentary strengthening, 2) Enhancing the effectiveness and vibrancy of civil society 3) Engaging the media to promote accountable and transparent governance and finally 4) contribution to peaceful election and promotion of issue-based discussions.⁴⁵ STAR has maintained its credibility built up over the years and has demonstrated the ability to drive innovation especially with relation to “domestication” of the facility.

Impact/transformation:

Consolidation of Democratic Governance: The support to civil society over the years has contributed to improved democratic governance in Ghana by enhancing the role of CSO's and non-state actors in the election process including community members, faith groups and volunteers etc. The number of conflicts and violent clashes is generally reduced over the last ten years from the 2008, to the 2012 and finally the 2016 Presidential and Parliamentary elections.⁴⁶ Advocacy by the Institute of Economic Affairs and the National Catholic Secretariat for example contributed to the passage of the Presidential Transition Act which helped to ensure that unlike 2008, there was an orderly transition to power after the 2012 elections. The election support extended over the years have contributed in making the elections more credible, transparent and peaceful although it is difficult to determine the extent of this

⁴¹ Previous to STAR, funding to CSOs for advocacy and policy engagement was available through the Ghana Research and Advocacy Programme (G-RAP), the Rights and Voice Initiative (RAVI) and the Good Governance and Human Rights Programme. STAR effectively collapsed these funds into one pooled fund bringing together the DPs who had supported the other mechanisms.

⁴² MFA “*Joint evaluation of the Ghana-Denmark Development Cooperation*” 2008:03

⁴³ EC, “*Joint Evaluation of Budget Support to Ghana Volume 2a*,” 2017, DFID, “*G-RAP evaluation of the first period (2007-10)*”, 2010, Project completion reports, NDPC Annual progress Reports

⁴⁴ DFID, “*G-RAP evaluation of the first period (2007-10)*”, 2010

⁴⁵ DFID, “*End of project report covering the period 2010-2015*”.

⁴⁶ STAR, “*End of Election Call Evaluation*,” 2016, Interviews with STAR secretariat, CSOs, Think Tanks, Development Partners and Members of Parliament

contribution. There is also evidence to suggest that the 2016 election was more issue-based among others as a result of engagement by STAR grantees. As an example, all the four leading political parties addressed issues of non-discrimination by including disability in their manifestoes and making it an election issue and 323 persons with psychosocial disabilities were able to vote in the elections for the first time. Similarly 119 out of 180 voting centers monitored across the country were found to be accessible for those with physical disabilities whilst blind citizens were enabled to vote independently.⁴⁷

Improvement of the Gender framework: According to the Ghana Joint Assistance Strategy 2007 gender equality was not broadly accepted as a critical development issue at the beginning of the evaluation period, and women's exclusion from national processes, under-representation in public life and decision making, and weak entitlements to economic assets appeared at odds with Ghana's performance in the economic and political spheres. A few positive gains have been recorded in the last 10 years. The support to civil society over the years have contributed to positive gains in terms of gender equality. Both G-RAP and STAR1 worked on advocacy for the domestic violence act, women's inheritance rights and women prisoners' rights and a more gendered approach to the delivery of social services, particularly health and education. STAR2 has also worked both directly and indirectly on gender issues such as empowerment of women in politics. Gender issues have been increasingly well integrated in the national policy framework, in part thanks to budget support but also thanks to research and policy advocacy from civil society. The Domestic Violence Act, 2007 (Act 732) has for example been passed to combat violence in the domestic setting.

Sustainability: CSOs in Ghana face constraints in terms of funding as the majority are 100% dependent on external donor financing. Mobilisation of resources from local philanthropy, government and internally generated revenue is all but absent. Danida has along with other development partners moved away from institutional support aligned to strategic plans in its support to civil society. G-RAP provided institutional core support until 2010, which allowed the supported CSOs/Think Tanks to produce research and resulted in a sharp increase in the number of state institutions that consulted CSOs during policy development.⁴⁸ STAR on the other hand do not provide institutional core support. This has had implications in terms of CSOs and think tanks ability to produce research and is likely to have consequences for their ability to sustain more evidence-based campaigns for social and political change in the future.⁴⁹ In general, there is a concern among the CSOs that they may be less vocal and critical towards the GoG in the future as they may exercise a certain self-censorship in order to obtain government funding. There is serious concern that many of the present CSOs may disappear in the near future because of lack of funding.⁵⁰ There is further a danger that the CSO campaigns that have extended over a long period and have produced good results (mining royalties, domestic violence bill, free secondary education, health insurance and free maternal health among others) will not be carried out in the future because CSOs are not able to mobilise the type of financial support, which will allow them to sustain these types of long-term campaigns.⁵¹

On a positive note, there are some signs that other types of citizens action are emerging. A citizens' movement against corruption 'Occupy Ghana' led by middle class/elites has for example been successful in winning cases in the Supreme Court. These cases have the effect of promoting non-state

⁴⁷ DFID, "STAR-Ghana Annual Review Report 2017", STAR "End of Election Call Evaluation, 2016, Evaluation team visit to CSOs/CBOs in the Eastern region, Programme Completion Report STAR I (2010-2015)

⁴⁸ DFID, "G-RAP evaluation of the first period (2007-10)", 2010, Danish Embassy, "Danida's support to good governance and decentralization in Ghana (1990-2018)", 2018

⁴⁹ Interviews with CSOs and Think Tanks in Ghana

⁵⁰ Interviews with CSOs, Think Tanks and Development partners, STAR semi-annual report, 2017, Civicus "The State of Civil Society in Ghana", WACSI "The State of Civil Society Organisation's Sustainability in Ghana", 2015

⁵¹ Interviews with CSOs and Think Tanks in Ghana

actors access to information from Government officials regarding suspected corruption issues, and compelling the Auditor General Office to prosecute public officials found culpable of misuse of public resources. In the same vein a 2015 undercover film by journalist Anas Aremeyaw Anas captured video of judges and other judicial officials extorting bribes from litigants to manipulate the justice system, which led to dismissal of judges. There is some evidence that these cases may prompt CSO including STAR partner to think out of the box and engage in new types of advocacy initiatives.⁵²

There is continued donor and consortium support until 2020 (from the EU and DFID) and STAR-Ghana is currently exploring the possibility of transforming itself into an Independent National Entity (INE). An INE is an interesting and innovative idea and would have the benefits of being a fully Ghanaian owned and managed facility. The financial sustainability of such a facility is however a concern beyond 2020 when many development partners will have phased out their support to Ghana.

Danish contribution: Danida has consistently supported civil society in the period and has thus used the specific Danish modality of ensuring checks and balances by supporting both the supply and demand side of state building as well as independent oversight institutions. The support to civil society has been extended as part of basket arrangement with other development partners and DFID has played a key role in conceptualising and implementing the various grant making mechanism in the period (both G-RAP and STAR).⁵³ Danida has largely been in tune with DFID and their approach to management and governance of the facilities and both donor agencies have also largely been in agreement as regards the thematic priorities (e.g. the recent decentralisation and anti-corruption calls).

⁵² Project documentation, interviews with STAR secretariat and partners

⁵³ DFID has provided app. half of the budget while Denmark and the EU contributes with ¼ each to STAR II