



Enhancing Citizens' Access to Information at the Local level in Ghana

Using the RTI law (989)



Media and Governance Series
February 2020

Enhancing Citizens' Access to Information at the Local level in Ghana

Using the RTI law (989)

*Media and Governance Series
February 2020*

Content

1.0 Introduction.....	4
1.1 History of Right to Information (RTI).....	5
1.2 RTI and its place in Democratic Governance.....	6
2.0 The Access to Information Framework in Ghana.....	8
2.1 The Local Governance and Decentralization System in Ghana.....	9
3.0 The RTI Law 2019 (Act 989).....	13
3.1 General highlights of the law.....	13
3.2 Applying for information.....	14
3.3 Processing of application.....	15
3.3 Exemptions.....	17
4.0 Appeals / Oversight responsibility.....	18
5.0 The RTI Information Commission.....	19
6.0 Sanctions.....	19
7.0 How citizens can utilise the law at local level.....	20
7.1 Status of Assembly projects.....	20
7.2 Relief items distribution and beneficiaries.....	21
7.3 School Feeding Programme.....	21
7.4 Programmes to assist local farmers.....	21
7.5 Disbursement of Assembly funds.....	21
7.6 Demand of Fair Wages.....	22
7.7 Productivity at public institutions.....	22

7.8 Overcrowding in public facilities.....	23
7.9 Status of applications.....	23
7.10 Clarity on admission criteria	23
7.11 Beneficiaries of government intervention programmes.....	24
7.12 Building on water ways.....	24
7.13 Medicines available on NHIS schemes in local Hospitals.....	24
7.14 Youth intervention programmes at the local level.....	25
8.0 Specific recommendations.....	25
9.0 General recommendations.....	26
10 Conclusion.....	27
References.....	28
Appendix.....	32

1.0 Introduction

The relative advantage of democracy is the premise of equity and an equal voice for all manner of persons. Absolute power resides with citizens who choose who to entrust with that power and its accompanying resources. Therefore, rulers in a democracy, despite their elevated status, must serve the people and must account to them whenever called upon to do so. Open government improves trust in public offices and builds goodwill with citizens, thereby encouraging national development through citizen participation.

Research has shown that there is a positive correlation between transparency and economic growth. Even though transparency is critical for the development of a country, the prioritisation of partisan parochial interests over national interest has caused the slow adoption of right to information laws in many countries; especially among developing countries where corruption is most prevalent. However, increased education about transparency alongside steady pressure from civil society groups is changing attitudes about right to information in many countries. According to Loesche (2017) quoting data from a UNESCO report, there are more countries in the world with freedom of information laws than those without.

1.1 History of Right to Information (RTI)

Right to Information (RTI) sometimes referred to as Access to Information or Freedom of Information is a process or a state of affairs which creates opportunities for the people to get or receive, either through their own initiative or governmental action, information generated, received, collected or stored by or available to government, Kumado (1997). It is a legal framework that gives citizens and non- citizens the right to access government records without a need to show a legal interest or standing in the information being requested. RTI is considered an intrinsic good, a human right that should be enjoyed by individuals regardless of its effect on economic growth or political stability.

While the roots of RTI laws can be found in the very tenets of democracy, it was not until 1776 that the Swedish legislature officially passed the first RTI law. In the two hundred years following Sweden's passage of the law, only four countries across the world passed similar legislation. As at 1990, only 13 countries had RTI laws which is arguably a demonstration of the resistance that the passage of RTI law encounters. In the final quarter of the 20th century however, twenty-six nations passed the law, indicating the increased demand for transparency from governments by citizens. In the first two decades of the 21st century, ninety-six countries have adopted the law with Ghana being the latest country to do so.

Fundamentally, RTI frameworks have a common composition in so far as they give citizens the right to request access to government records. However, the differences in the efficiency of the laws depend on the scope of the law, the process for accessing information, procedures for handling refusal,

sanctions for refusal, citizen's awareness of their right to information and the political will to fully implement the law. The Global Right to Information Rating ranks countries based on the efficiency of their RTI frameworks. Despite the slow rate of adoption on the continent, Africa has the most countries (5) named in the top 15 countries with the best RTI legislation.

The Right to Information is also a fundamental extension of freedom of expression. A citizen cannot express any informed opinion about the performance of a government if the citizen cannot access information about the government and by extension any devolved authority.

1.2 RTI and its place in Democratic Governance

Across the world, the arguments for the adoption of RTI laws have been consistent. If a government is democratic, citizens must have a right to government documents and must be privy to government business. The bedrock for democracy is informed choice. Citizens must be well informed about the actions and inactions of their political representatives in order to determine whether they are the best leaders for the state. Denying citizens, the right to original information and limiting them to government framed messages or political propaganda weakens the ability of the citizen to make informed democratic choices. Thus, by their right to select and remove leaders, citizens inherently must be able to fully assess governments through original records for them to make electoral choices. Access to government records and information is considered as an essential requirement for modern governance because it facilitates public knowledge and discussion; provides an

important guard against abuses, mismanagement and corruption. And contrary to the perception by some that RTI is only beneficial to those on the demand side, it can also be beneficial to governments, (supply side) and by extension public institutions, since an open and transparent decision-making process goes a long way to assist in developing citizen trust in government actions – one of the essential elements in maintaining a civil and democratic society at the national and local government level.

At the local government level, RTI is an essential tool that has been used and can be used to empower citizens to access information on public policy choices and decision-making processes. It can help citizens to understand their entitlements in relation to the provision of basic services, monitor government expenditure and performance and it provides opportunities for more direct social accountability. According to FOIANet, RTI laws have the tendency to improve public services by allowing citizens to engage more meaningfully in public life.

A research by Mungiu-Pippidi (2013) found that the existence of the Freedom of Information (FOI) Act is positively associated with lower corruption and a significant positive trend in controlling corruption. Other studies have also shown a positive correlation between control of corruption and years of implementation of RTI laws. The older a RTI law in a country, the more the country tends to have lower corruption levels (Tandoc 2013). It must however be stated that some studies have shown a negative synergy between the passage of RTI laws and its positive impact on corruption or corruption related activities. A reason for this could be because either more transparency is leading to an increased perception of corruption, as more corruption cases are uncovered and the media publish-

es more on the topic (Dokeniya 2013), or that the effectiveness of RTI laws depend on the broader institutional and political environment. These notwithstanding, there is a broad consensus of the importance of RTI laws in enhancing transparency and accountability, thus reducing the opportunities for corruption.

2.0 The Access to Information Framework in Ghana

In Ghana, citizens' access to information and participation in governance both at the national and local level are guaranteed by the 1992 Constitution chapter 12 article (21) (f): "All persons shall have the right to information subject to such qualification and laws as are necessary in a democratic society". The 1992 Constitution which is the highest law of Ghana in its preamble states that:

"We the people of Ghana." It further goes on in Chapter 1, article (1) to state that: "The sovereignty of Ghana resides in the people of Ghana in whose name and for whose welfare the powers of government are to be exercised in the manner and within the limits laid down in this constitution".

The Constitution also underscores the freedom of citizens to mobilize, partake in demonstrations and join any association for the protection of their interests. It further grants citizens the right and freedom to form or be part of a political party and to participate in political activities subject to laws of the country. Ghana's system of local government and decentralized administration also seeks to bring governance to the doorstep of the people. There exists several accountability and participatory mechanisms at the national and local level for citizens. These

include engagements in collective action (where all persons are entitled to the right of free speech and expression; and the right of citizens to participate in elections. The media also plays a critical role in promoting citizens voice. They act as watchdogs on power and engender citizens'-authorities' engagements on critical development issues.

2.1 The Local Governance and Decentralization System in Ghana

Shah (2006) defines local governance as a broader concept that deals with the processing and the discharge of collective action at the local level. He further noted that it involves the direct and indirect roles of formal institutions of local government and government hierarchies, as well as the roles of informal norms, networks, community organizations, and neighbourhood associations in pursuing collective action by defining the framework for citizen-citizen and citizen-state interactions, collective decision making, and delivery of local public services. Shah further stated that good local governance is not just about providing a range of local services but also, creating space for democratic participation and civic dialogue and facilitating outcomes that enrich the quality of life of residents.

Decentralization is often described as part of democratic governance. It should enhance the roles that decentralized authorities play in local development and be conceptualized in terms of its impacts on the capabilities, accountability and responsiveness of local governance.

Ghana's Local Government Act, 2016 (Act 936) makes assemblies (Metropolitan, Municipal and District Assemblies,

MMDAs) responsible for the overall development in the district through the exercise of deliberative, legislative and executive powers. Their functions include:

- *Exercising political and administrative authority in the district*
- *Maintenance of security and public safety in the district*
- *Provision of infrastructure (such as schools and clinics)*
- *Provision of municipal services (including sanitation services, water delivery and recreational services and playgrounds)*
- *Formulation and approval of budget of the district through consultative processes*
- *Making byelaws*
- *Levy and collection of taxes, rates and fees to generate revenue and*
- *Promotion of justice by ensuring ready access to the courts in the district.*

Since the 1992 Constitution is the highest law in Ghana and it grants the right to access information, it invariably means that every resident in a Metropolitan, Municipal or District is empowered to have access on request to information held by these decentralised structures of governance subject to limitations imposed by law. Also, under the planning systems and regulations, citizens have the right to participate in the formulation and execution of the local development plans and budgets of the decentralised government. Various literature on the concept of decentralisation has categorised it in three parts:

- Political decentralization which gives local citizens and their representatives more power in any type of decision making;
- Administrative decentralization which re-distributes authority, responsibility and resources among different levels of government;
- Fiscal decentralization which involves the definition of authority over raising revenues or access to transfers and making decisions on current and investment expenditures.

According to Rao, S et al (2014) estimates suggest that decentralisation is being pursued in over 80% of developing countries worldwide. And for most of these 80% of people, local governance and for that matter decentralisation is the part of government that most directly impacts on their lives, particularly in the area of provision of services such as water, sanitation, primary education and healthcare. As one of the key hallmarks of decentralization is accountability, it has been argued that local governments must disclose information that is "actionable" to citizens, that is, information that can be used to hold governments to account, Fox (2015). Local governments should strive for and constituents should demand high quality, accurate, timely and clear data disclosures relating to government activities (Bovens et al. 2008 cited in Schillemans et al. 2013). For transparency to empower citizens, information must be readily available and as noted by Porumbescu (2015) intelligible and useful to them.

This is where the RTI information law becomes very useful in ensuring an effective and efficient local and decentralized system

of government. This is because as Anand (2011) argued with decentralization being about the protection of freedoms of individuals, citizens right to information law can be a useful tool to make local government accountable to individual citizens and by extension non- citizens as well. According to Ardigó (2019), recent experiences in decentralisation have seen an ever-growing need to incorporate accountability mechanisms into local governance structures to counter corruption and mismanagement.

According to Esther Offei Aboagye in a keynote address delivered at the 66th new year school on the theme, "improving the performance of the local government system in the era of e-governance", local authorities and their collaborators require an appreciation of the changing relationships that they are involved in. She further noted that these relationships are underpinned by effective communication and coordination. The involvement of citizens in the political process is an essential part of democracy as their participation helps them to assess their own needs and allows them to participate in local project planning and budget monitoring. This it has been noted improves public resource management and the reduction of corruption, by making public servants and political leaders accountable to the people.

For citizens participation to work, transparency of government information is needed. What is more, engaging citizens in local governance improves accountability and the ability of local authorities to solve problems, it further creates a more inclusive and cohesive communities, and increases the number and quality of initiatives made by communities. On the other hand, excluding the weak and powerless from decision-making is a cause of poverty because it denies them rights and creates unequal power relationships, Pandeya (2015).

3.0 Ghana's RTI Law 2019 (Act 989)

Ghana officially passed the RTI Bill into Law on March 26th, 2019 after immense pressure from civil society organisations and other RTI advocates. The bill first drafted in 1999 underwent many amendments before its final passage into law. Ghana's RTI Law currently scores 97 out of a possible 150 points on the Centre for Law and Democracy (CLD's) Global Right to Information ranking which is an 8-point improvement on 89 score the RTI Bill received in 2018. It performed best against the *Right to Access* (5/6) indicator but scored rather lowly for *Scope* (13/30) and *Exceptions and Refusal* (18/30) - <https://www.rti-rating.org/methodology/>.

3.1 General Highlights of the Law

- *The acts apply to nearly all government bodies and any private organisation that perform public functions in the discharge of its duties or responsibilities or make use of public funds.*
- *The RTI law does not only grant citizens and non-citizens the right to request and access information, it also charges public institutions to proactively publish details about their activities.*
- *The law demands that public institutions maintain an up-to-date manual containing the organisational structure of the institution, the agencies in the institutions, the duties of the agencies, and the contact details of the agencies.*
- *The Law also requires the institution to publish the classes of information that can be accessed via a free application as well as those that can only be accessed via a paid application.*

3.2 Applying for Information

Article 1 of the RTI law gives a person the right to access information from a public institution without giving reason for the application. However, when a request is submitted as urgent, it is mandatory for the applicant to give reason for the urgency. While the letter of the law states the right must be enjoyed by persons, companies/organisations by virtue of their legal standing as artificial persons may arguably also apply for information. Articles 18 – 20 of Ghana's RTI Law dictates the procedure for applying for information from a public institution. Any person who wishes to access information from a public institution shall be required to:

- Make an application in writing to the public institution
- Provide enough information for easy identification of the information required.
- Indicate the form and manner of the access to the information required
- State name and address of the applicant to which a communication or notice may be addressed
- Provide identification
- Sign the application
- **Illiterate applicants** can make their request orally, upon which an information officer shall write down the request and read it to the hearing and understanding of the applicant in a language the applicant understands for affirmation.



- The applicant must thereafter thumbprint the formal request in the presence of a witness to affirm that their intention of making the request has been captured.
- The officer is required to assist the requester to identify the issues he/she is requesting.
- The fees to be charged for information application are to be set by the individual institutions in accordance with the Fees and Charges (Miscellaneous provisions) Act, 2009 (Act 793). However, no fee shall be charged to access personal information.

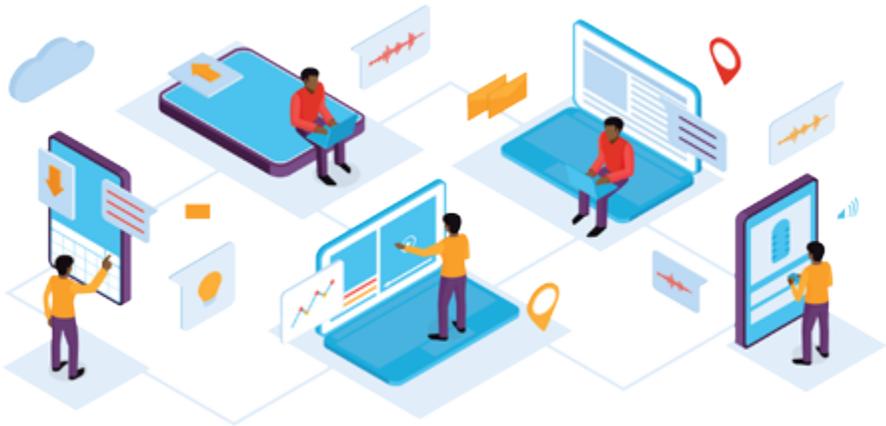
3.3 Processing of Application

- According to section 20 of Ghana's RTI Law, all requests for information submitted to a public institution must be decided on within **fourteen days** (14) of the application. If an institution refuses to respond to an applicant after fourteen days of receiving a request, the applicant may assume the request has been rejected and that entitles the person to seek redress using the redress mechanisms.



- If the information requested is not available to the institution from which it was requested, the institution shall within a maximum of ten days refer the request to an institution which has the information requested. However, if the information requested is not available to the institution but is known to be possessed by another institution, the information officer shall within two days refer the request to the appropriate institution.

- If the information being requested is to be published in the next 90 days or has been prepared to be submitted to another person, the information officer can defer the request to a later date. However, the applicant must be informed in writing about the deferment within three days of his application stating the reason for the deferment and the likely period the information shall be made available to the applicant.



- When an applicant makes an urgent application because the information required is necessary for the protection of their life or liberty, the information office shall determine whether to grant the application in 48 hours. However, if the information required cannot be justifiably argued to be necessary for the protection of their life or liberty, the information office shall determine the application within fourteen days. Also, if the urgent application requires information about a third party, the information shall not be released until the time that the right of the third party to appeal against the release of the information has expired or an appeal by the third party has been determined.

- When an institution receives a request for information that is not required by law or duty to collect, the information officer shall inform the applicant of the unavailability of the information stating the reasons for the unavailability. However, when an institution has a duty to collect the information but does not have possession of the information, the information officer shall write to the applicant to notify them of the unavailability and outline the steps the institution shall take to ensure the information shall be available.

- An extension of the 14-day processing period may only be triggered if the head of institution determines that the information required is too large to compile such that compilation within 14 days shall be a constraint on the institution (Section 25). The extension shall not last beyond 7 days. The applicant must be notified in writing stating the reason for the extension. Therefore, the absolute time limit to processing an information request shall not exceed 21 days after the application has been submitted.

- An institution may refuse to process an application if an applicant fails to make payment for the processing fees (Section 26). The institution may also refuse to provide information if the application is "manifestly frivolous and vexatious" or the information is exempt.



3.3 Exemptions

Even though information is a public resource and that openness in government enhances the accountability of government, in line with the constitutional requirement that qualified the right to information – Article 21 (1) (f), the

RTI law has exempted some type of information from being accessed.

- Some documents such as **advice intended for the President or Vice President, cabinet deliberations, privileged parliamentary and judicial records, tax returns, information about law enforcement, information about international relations, and information that may affect the public safety, state security and economic wellbeing are exempted from compulsory disclosure by public institutions.**
- However, despite the explicit exemptions, the law details principles for and specific instances where information can be disclosed under the exempt categories.
- There are no blanket exemptions under the Act. Rather all exemptions are based on the harm test, that is, whether disclosure will cause harm to legitimate public or individual interest.
- For instance, despite the exemption on the non-disclosure of personal information, the RTI can be used to disclose personal details if the information shall be beneficial to the promotion of public health and safety or the information shall be beneficial for the investigation of a public interest matter.

4.0 Appeals/ Oversight Responsibility

There is a three-stage appeals process.

1. A request is made first to the information officer-the decision of the information officer is subject to internal review.
2. The internal review is made to the head of the institution. If the requester of the information is not satisfied with the decision of the head of the institution, he/she has a right to appeal to the information commission.
3. Decisions of the information commission is appealed at the High court for judicial review.

5.0 The RTI Information Commission

- The RTI Act establishes the Right to an independent Information Commission.
- The Information Commission's independence in the performance of its functions under the Act, can be interfered with by the High Court where it is contrary to the provisions of the Constitution or the RTI Act.
- This provision is to insulate the Information Commission from control by government, political party, economic interest, or social group from directions both direct and indirect with regards to its work.

6.0 Sanctions

- Any person who wilfully reveals information which the law does not allow to be revealed commits an offence and can be fined for a fee which is not less than 250 penalty units and not more than 500 penalty units, or imprisoned for a term of imprisonment of not less than 6 months and not more than 3 years, or both.
- An information officer or any other public officer who fails or neglects to perform his duties under this Act commits an offence and can be fined a sum which is not less than 250 penalty units and not more than 500 penalty units, or imprisoned for a term of imprisonment of not less than 1 year and not more than 3 years, or both. One penalty point is currently equal to Twelve Ghana cedi's (GHC12.00).

7.0 Instances where Citizens can utilise the RTI law to access information at local governance level

The RTI is a great tool for accountability and transparency. Below are instances where a citizen can use the RTI to demand accountability from duty bearers including local assembly officials.

7.1 Status of Assembly projects

A citizen can apply to see the progress on an assembly project such as a new social amenity (toilet, school, market etc), a plan for renovation or plans to expand an existing facility. The RTI law presents an opportunity for citizens to cut through the lip service to see the actual progress being made on developmental projects in the assembly.

Key examples:

1. *If there is an abandoned school block construction in a community by the Assembly. A citizen can request for information on why the work is stalled, the contractor working on it, the amount allocated, the expected finish date amongst others.*
2. *What is the budget allocation to the construction of the Community Clinic or the Market.*

7.2 Relief Items Distribution and Beneficiaries

Flood victims could use the RTI law at the local level to request for information about relief items distributed by the National Disaster Management Organisation (NADMO). Questions such as the number of beneficiaries, items distributed and the cost of providing those relief items could be requested.

7.3 School Feeding Programme

The RTI law could be used to request for information about the school feeding programme at the Metropolitan, Municipal and District levels. The request could be about the

- criteria for selecting the schools,
- the caterers
- how much the contracts were awarded for
- whether there has been any impact assessment to assess the impact of the programme since its inception.

7.4 Programmes to Assist local farmers

The RTI law could be used to explore the modalities for the distribution of cocoa seedlings and fertilizers to farmers within any local government administration that is executing such a policy.

7.5 Disbursement of Assembly Funds

The RTI law can be used to discover how much an Assembly has allocated to a project. This will assist in establishing whether the project is suffering from underfunding or mismanagement of allocation funds. Once an individual discovers how much funds has been made allocated to a contractor or a project, the individual could successfully track the performance of the contractor or the project to determine whether the performance matches the funding received.

7.6 Demand of Fair Wages

Through the RTI law, individuals can verify the legal base pay threshold in order to demand better wages for their labour. Individuals can also use the law to verify the labour allocations on public contracts to ascertain whether workers are being paid what is due them. For example, one could find out how much

a contractor pays workers working on the road or a clinic or a school in the community. This could expose the suspicions that some contractors pay less than the minimum wage to such workers.

7.7 Productivity at Public Institutions

Individuals can use the RTI law to track the punctuality of public officers in their community to ensure that they are regular and punctual and perform all their assigned duties. This will stem the tide regarding the allegations that in some of the remote parts of the country, some public officials only turn up for their official duties sparingly because of lack of monitoring. *For example, a journalist can demand the daily attendance of the staff of a local school to expose the rampant absenteeism which hampers learning for students.*

7.8 Overcrowding in Public Facilities

Inadequate number of facilities such as schools, hospitals and jails mean the potential for overcrowding in these institutions. Overcrowding is unhygienic and increases the risk of exposure to contagious infections. However, a case cannot be made officially for overcrowding unless one can provide the numbers to justify the claim. An advocate could use the RTI law to demand the official number of students in a school or inmates in a prison or patients in a hospital to start an advocacy for better treatment.

7.9 Status of Applications

Often, citizens may have to wait for long periods when they make applications for documents at public institutions. The wait is terrible but the lack of proper communication about the status of the application is worse. Some public officials in charge of passport, birth certificate, educational transcripts etc are accused of holding out for as long as possible in the hope that a citizen succumbs to expediting the process with a bribe or inducement. However, a citizen can use the RTI law to request for the official waiting time as well as the progress on an application filed in a public office. The information released could assist in determining whether work is being done on the application or it has been abandoned.

7.10 Clarity on Admission Criteria

Despite acceptable protocols to guide admission processes to schools or recruitment for jobs, these processes are usually fraught with bribery, nepotism and favouritism. An RTI application could be made to demand clarity on a criterion for admission to ensure that all applicants are treated fairly, especially in relation to the disparity of students from poor backgrounds who fail to gain admission to some of the prestigious schools. It could also be used to establish whether there is any disparity in the recruitment policy or process of a local administration.

7.11 Beneficiaries of government intervention programmes

The RTI law could be used to demand the list of beneficiaries of government's social intervention programmes at the local level to identify inconsistencies and any possible malfeasance in the programme.

7.12 Building on water ways

The RTI law could be used to request information about whether the owner or a company constructing on a waterway have been granted the necessary permit or not, and the justification for granting the permit.

7.13 Medicines available on NHIS schemes in local Hospitals

The RTI law could be used to request information about medicines that are available on the scheme, as well as payments to NHIS administered hospitals at the local level.

7.14 Youth Intervention programmes at the local level

The RTI law could be used to find out how many youth intervention programmes exist at the local level; how it can be accessed, and the list of beneficiaries.

8.0 Specific Recommendations

The RTI is indeed a brilliant addition to Ghana's legal framework however, the passage alone of the law is not enough to promote accountability at the local level. The following may assist in making it achieve its purpose:

- Central and local government must exhibit good faith and commit politically to the full implementation of the law.
- There must be capacity building within public institutions to educate them on the law, its scope and penalties for faulting it. It is important for this education to be as practical and far reaching as possible to prevent instances where officers may inadvertently breach the law due to genuine ignorance. Education can include how information request from are treated especially for those who cannot read or write.
- On the other hand, there must be education on the new freedoms this law brings and the value of these freedoms in everyday life. People must be encouraged to take an active role in ensuring transparency by demanding the accountability using the RTI.
- Education on the law, particularly, rights and responsibilities contemplated under the law must be relentless. The education can be through word of mouth, mass media and community durbars.

- To succeed, some of the exemptions of the RTI law must be tested.
- Civil Society/Media: Must publicly criticize restrictions that do not inure to the public generally and campaign to have them removed.
- Courts/Information Commission: Must be bold to reject refusals that are unjustified.
- Parliament: Where the need arises, parliament must not be reluctant to step in and reverse changes and amend or replace inadequate laws.

9.0 General recommendations

- There is the need to provide appropriate staffing and resources; ensure proper records management.
- There is the need to train public officials / information officers about the RTI and Intensify public education and awareness activities.
- There is the need to develop mechanisms to assist citizens who file complaints when their RTI requests are denied and develop the internal system necessary to implement the law to avoid severe consequences which have the potential to make the law a toothless legislation.

10. Conclusion

Administrative processes at the local government is fraught with inconsistency and allegations of corruption. The consequence of RTI laws on local government is immense. In fact, it is at the local level that citizens can exploit the full value of the RTI Law. By requiring institutions to proactively publish information, locals can stay up to date with local government activities and contribute meaningfully to the development of local communities. Democracy cannot exist without transparency and accountability; however, the passage of the law alone is not enough to promote accountability at the local level. Central and local government must exhibit good faith and commit politically to the full implementation of the law. The RTI is only a tool- by itself, it can only do so much to clamp down on corruption. But in the hands of well-meaning citizens dedicated to accountability, the RTI is a powerful tool for promoting good governance and development especially at the local level. Therefore, the adoption of an RTI law by a country is only the first step towards openness. Citizens must pay close attention to the nature of the law and ensure governments remain committed to implementing the law.

References

For this paper, the following served as valuable sources of reference:

1. Alston, Philip. "Ships Passing in the Night: The Current State of the Human Rights and Development Debate Seen through the Lens of the Millennium Development Goals." *Human Rights Quarterly*, vol. 27, no. 3, 2005, pp. 755–829. JSTOR, www.jstor.org/stable/20069811. Accessed 20 Feb. 2020.
2. Anand, PB (2011) Right to information and local government: An exploration.
3. Ansari, 2008. *Right to Information and its Relationship to Good Governance and Development*. Central Information Commission New Delhi. <http://cic.gov.in/>
4. Anti-Corruption Resource Centre. 2007. "Local Anticorruption Agencies: Pros and Cons." A U4 Expert Answer
5. Anwar Shah, 2006. "Local Governance in Industrial Countries," World Bank Publications, The World Bank, number 7108, January.
6. Appiagyei-Atua, K, 2005. Access to Information and National Security in Ghana: Drawing the Balance
7. Ardigó I, (2019) Local government accountability mechanisms. Accessed on Feb 18, 2020
8. Banisar, D, Global Survey Freedom of Information and Access to Government Record Laws Around the World

9. Centre for Law and Democracy, Analysis of the Right to Information Bill, June 2018, https://www.law-democracy.org/live/wp-content/uploads/2018/06/Ghana.FOI_Jun18.pdf. Accessed Feb 12, 2020.
10. Centre for Law and Democracy, Global Right to Information By Country, February 2020 <https://www.rti-rating.org/country-data/> Accessed Feb 13, 2020
11. Dokeniya A, 2013. Implementing Right to Information: lessons from experience. The World Bank and PREM. Washington. https://pdfs.semanticscholar.org/629a/40c294379e7e68fcda3be2ee57c98b-80cb1d.pdf?_ga=2.69296336.1741815799.1583075701-994163797.1583075701. Accessed on Feb. 11, 2020
12. FOIANet, (2013). *Global Right to Information Update: An analysis by region*. MP expenses leak 'not for money". BBC News. 24 June 2009. http://news.bbc.co.uk/1/hi/uk_politics/8115998.stm Accessed Feb 12, 2020.
13. Kumado C. E. K., "The State of the Law Relating to Access to Information," in Dawn Routledge, *et al*, eds., *Proceedings of the Information for Accountability Workshop* (Held at the British Council Ghana Auditorium, 30-31 August 2000, Accra, Ghana; organised by Ghana Integrity Initiative and Rights and Records Institute, The International Records Management Trust), 37 at 39. Centre for Law and Democracy, Global Right to Information Rating by Country, 2019, <https://www.rtirating.org/country-data/> Accessed Feb 13, 2020
14. Martini M (2014) Right to information laws: Impact and implementation, Transparency International
15. Mungiu-Pippidi, A., 2013. FOIA as an Anti-Corruption tool. Hertie School of Governance. <http://www.againstcorrup->

tion.eu/wp-content/uploads/2013/04/WP-34-FOIA-as-an-anti-corruption-tool1.pdf

16. Neuman, L., and Calland, R., (2007) 'Making the Access to Information Law Work: The Challenges of Implementation', in *The Right to Know*, ed. A. Florini, Colombia University Press

Ofei Aboagye E O (2015) Keynote address delivered at the 66th new year school on the theme "improving the performance of the local government system in the era of e-governance Accessed Feb 18, 2020

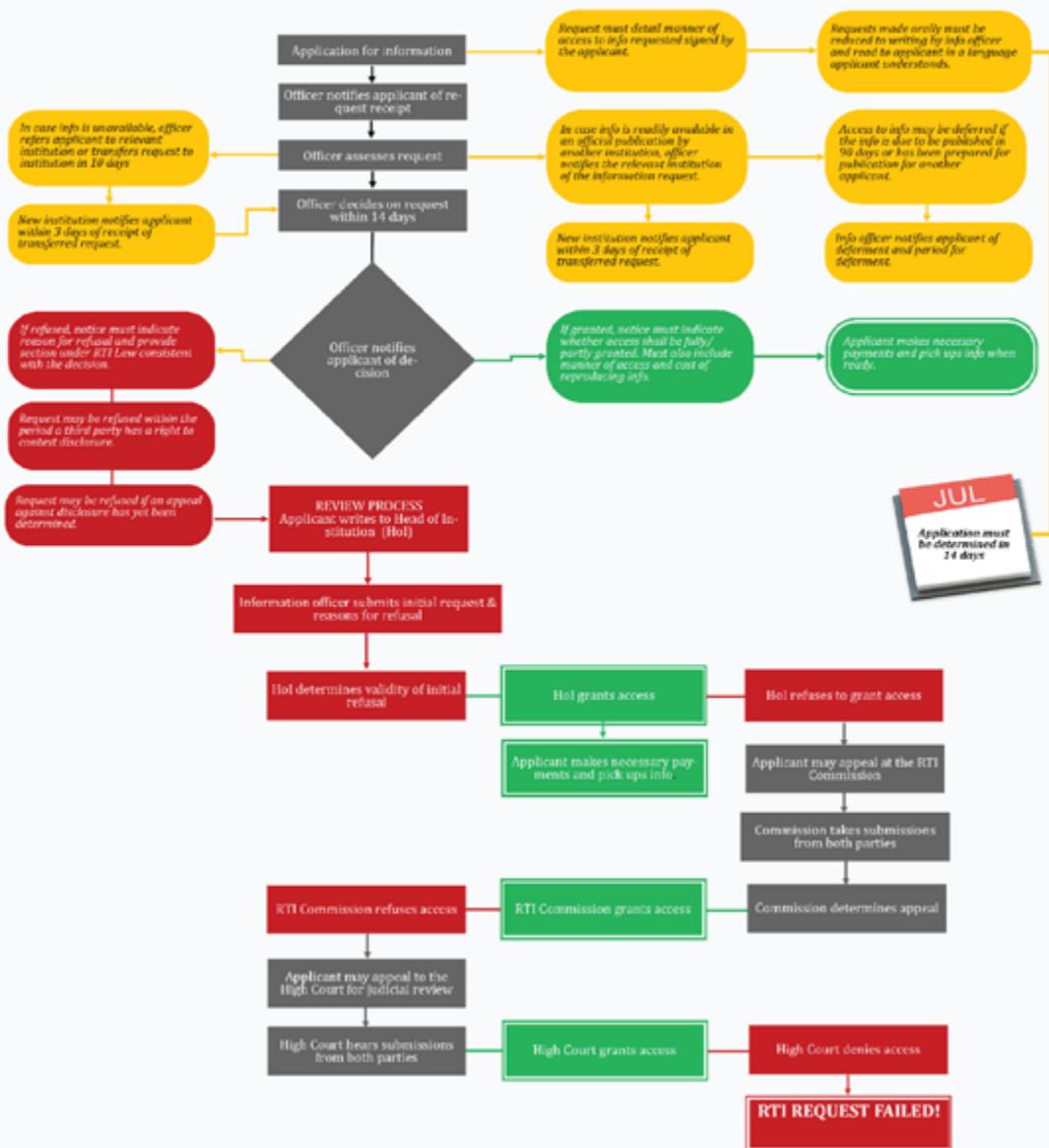
17. Pandeya G, (2015) Does citizen participation in local government decision-making contribute to strengthening local planning and accountability systems? An empirical assessment of stakeholders' perceptions in Nepal. https://www.researchgate.net/publication/304785254_does_citizen_participation_in_local_government_decisionmaking_contribute_to_strengthening_local_planning_and_accountability_systems_an_empirical_assessment_of_stakeholders_perceptions_in_nepal Accessed on Feb. 12, 2020.
18. Podobnik, B.; Shao, J.; Njavro, D.; Ivanov, P. C.; Stanley, H. E. (2008). "Influence of corruption on economic growth rate and foreign investment". *The European Physical Journal B*. 63 (4): 547
19. Rao, S., Scott, Z. and Alam, M. (2014). *Decentralisation and Local Government: Topic Guide* (3rd ed.) Birmingham, UK: GSDRC, University of Birmingham; Accessed on Feb 20, 2020.
20. Surie, M., (2011) Right to Information in India: An Effective Tool to Tackle Corruption. <http://asiafoundation.org/in-asia/2011/09/28/right-to-information-in-india-an-effective-tool-to-tackle->

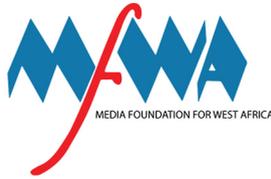
[corruption/](#) Accessed on Feb 12, 2020

21. Tandoc, C., (2013) FYI on FOI Exploring the effects of freedom of information (FOI) laws around the world. University of Missouri-Columbia. [http://freedominfo.org/documents/Tandoc%20%20Davis%20\(AEJMC%202013\).pdf](http://freedominfo.org/documents/Tandoc%20%20Davis%20(AEJMC%202013).pdf). Accessed Feb 10, 2020
22. The Ghana Constitution, 1992
23. Transparency International, 2006. *Using the Right to Information as an anti-corruption tool.* http://oas.org/dil/access_to_information_human_Policy_Recommendations_Transparency_International_Right_to_Information_as_an_Anti-Corruption_Tool.pdf. Accessed Feb 12, 2020
24. Trapnell S E (2014). Right to Information: http://siteresources.worldbank.org/PUBLICSECTORANDGOVERNANCE/Resources/285741-1343934891414/8787489-1344020463266/8788935_1399321576201/RTI_Case_Studies_Implementation_WEBfinal.pdf <http://www.worldbank.org/publicsector/gpa/transparency>. Accessed on Feb 10, 2020.

APPENDIX

GHANA RTI REQUEST PROCESS SIMPLIFIED





Media Foundation for West Africa

32 Otele Avenue, East Legon

Telephone: +233 (0) 302 5553 27

Twitter: @TheMFWA

Facebook: Media Foundation for West Africa

info@mfwf.org

www.mfwf.org



[@themfwa](https://www.facebook.com/themfwa)



[@TheMFWA](https://twitter.com/TheMFWA)



www.mfwf.org