

**ANNUAL REPORT OF THE UNDP SUPPORTED TECHNICAL
ADVISORY SERVICES TO THE MINISTRY OF LOCAL GOVERNMENT
AND RURAL DEVELOPMENT (MLGRD) FOR THE PERIOD ENDING
31ST DECEMBER, 2018**

1.0 Introduction:

This is the annual report of the UNDP supported Technical Advisor to the MLGRD for the period 1st January-31st December, 2018. The report among other things:

- gives an account of the main activities and support services provided by the technical advisor to the MLGRD under the arrangement,
- challenges encountered
- developments in the local government sector and concludes with
- Plan of action and proposed activities for 2019.

2.0 Vision , Mission and Core Functions of the MLGRD

The vision of the Ministry is to ensure good governance, equitable and balanced development at the local level.

The Ministry of Local Government and Rural Development's mission is "to promote good governance of the urban and rural communities through the formulation of policies and plans, coordination, monitoring and evaluation of programs using highly trained and motivated staff and adoption of appropriate technology for national development".

The core functions of the Ministry of Local Government and Rural Development are to:

- design, monitor and evaluate policies, programmes and projects to reform local governments;
- formulate policies for the installation of effective decentralized public administration system at the Regional, District and Sub-District level
- promote efficiency in local administration
- promote participation of civil society in administration and development through community actions;

- facilitate accelerated rural development;
- facilitate the allocation of resources for local level development;
- promote orderly development of human settlements in urban and rural areas;
- facilitate the registration of births and deaths to provide the statistical bases for development planning; and
- advise government on matters affecting local government

3.0 Main Activities in 2018:

The Technical Advisor assumed duty in December, 2017 and was accommodated at room 13 at the Ministry of Local Government and Rural Development, Accra. The main Terms of Reference of the Advisor's is to among other things provide technical advisory services to support the MLGRD achieve its statutory objectives.

3.1 Main Deliverables in 2018

The main activities and deliverables of the Technical Advisor in the 2018 Fiscal year are:

- Development of a Road map to facilitate the election of MMDCEs in Ghana in 2021
- Developed two (2) orientation and capacity building programmes for newly appointed MMDAs in July 2017 and September, 2018 respectively.
- Worked with the Legal Committee of the Ministry to develop a Revised Draft Model Standing Orders for MMDAs in line with the new Local Governance Act 2016(Act 936).
- Worked with the staff of the Ministry to finalize a National Rural Development Policy
- Worked with the staff of the Ministry to develop a draft Local Government Financial management Bill
- Facilitated ten(10) nationwide regional sensitization and awareness raising programme on the election of MMDCEs.
- Supported the Legal Directorate of the Ministry to provide technical legal inputs into all processes filed by the Attorney General on behalf of the MLGRD.

- Supported the Ministry to formulate the Bill to amend article 55(3) and 243 of the 1992 Constitution , which if carried would allow Political Parties to take part in local level elections by sponsoring candidates to stand for any local level election(including the position of MMDCE).
- Supported the Ministry to develop a framework to prepare the first consolidated Audited accounts of MMDAs required of the Ministry by the Public Financial Management Act 2016(Act 921).
- Supported the Ministry to review a status implementation of the National Decentralization Policy Framework (2015-2019) and the accompanying action plan (NDAP) and initiate a process to develop a revised National Decentralization Policy Framework (2020-2024) to succeed the current policy which expires in 2019.
- Provided legal support to the Attorney General's Office to successfully defend three (3) suits brought against the Ministry by Japan Motors Ghana Limited (One at the Humana Rights Court and the other at the Financial Court) and another by African Automobile limited.
- Provided direct legal and court representation support through direct legal representation for selected MMDAs in matters bothering on decentralization brought against the Assembly by members of the assembly and third parties in certain cases.¹
- Provided Technical Support to enable the Ministry report its activities to Cabinet within the reporting period.
- Provided Technical Support to enable the Ministry Brief the media on its activities in a meet the Press session organized in May, 2018 by the Ministry of information.
- Provided technical support for the creation and inauguration of 38 new Assemblies in Ghana

4.0 Challenges:

A number of challenges were encountered in the reporting period, though most of them were resolved after a meeting between officials of the UNDP and the leadership

¹ The MMDAs supported under this included Ga West Municipal Assembly, Krowor Municipal Assembly and La Nkwantanang Madina Municipal Assembly.

of the Ministry, some still persists. Among the major challenges i faced as a Technical Advisor of the Ministry in 2018 include:

1. The delays in the submission of requests by the Ministry for my salary to be paid. This led to my salary been paid on bi-monthly basis instead of the originally agreed monthly basis. Though the issue was raised during a meeting between officials of the Ministry and staff of the UNDP, it persisted till December, 2018.
2. An official vehicle was allocated to my office during the last half year of 2018 after series of discussions with management.
3. Though management promised changing the furniture, chairs and other logistics in the office allocated to me, this has not been done as at the period of reporting (though I have receive continued assurance from the Director of Administration from the Ministry that it will be done).
4. Apart from briefings and meetings with the Hon. Minister and Deputy Ministers, inadequate information sharing was another challenge faced during the reporting period. It was difficult getting information, this only improved during the second half of 2018 when the Director of Administration, took it upon himself to ensure that I receive official information on meetings and programmes of the Ministry on time to enable me execute my tasks with distinction.
5. Another challenge is difficulty in securing an appointment with the UNDP to undertake period briefings on my activities at the Ministry by way of feedback. This leaves me with the submission of quarterly and annual reports as the only option of communicating and giving feedback to the UNDP on the support they are providing to the MLGRD.

It is instructive to note however that, the above have already been discussed with management, and they promised taking action on them.

5.0 Report on progress in the Local Government Sector:

The Ministry has made significant progress in advancing good local governance, decentralization and local democracy in the reporting period. Under Decentralization and Governance: The ministry has made the following progress:

- a. Has made significant progress towards implementing the roadmap on the election of MMDCEs in 2021. Principally the Ministry has as at the reporting period:
 - i. Organized 10 regional consultations and awareness raising on the subject for CSOs, Political Party representatives, Traditional Authorities, Youth, Women and Economic Groupings as well as Faith Based Organizations(FBOs).
 - ii. The Ministry also met with the Chair and members of the National Commission for Civic Education (NCCE).
 - iii. The Ministry has also met with the Chairperson and Members of the Electoral Commission on preparations for the Referendum to amend article 55(3) and 243 of the 1992 constitution due to be held in 2019.
 - iv. The Ministry also met with the Parliamentary Select Committee on Local Government (PSCLG) to brief them on the process.
 - v. The Ministry has also developed a Bill to amend the entrenched provision of article 55(3) of the 1992 constitution which has since been gazette awaiting the expiration of the 6 months mandatory period.
- b. To finalize a new Births and Deaths Registration Bill for the consideration of Cabinet.
- c. To develop a new Local Government Financial Management Bill to support and rationalize the financial management capacities of local governments.
- d. In collaboration with the GiZ the ministry is implementing a revenue improvement project for 60 MMDAs to boost their resource mobilization capacities.
- e. The Ministry developed and sensitized MMDAs on the new fee fixing guidelines

6.0 Projected Activities for 2019

As per the Ministry's Programmed Based Budget submitted to Parliament and reported in the 2019 Budget and Economic Policy of Ghana, the following activities shall be undertaken in 2019 by the Ministry which I will be supporting them to execute in 2019:

- a. The Ministry will review the LED Policy and Operational Manual and develop a Roadmap for its implementation
- b. The Ministry will continue and complete the establishment of the District Centers of Agriculture, Commerce and Technology (DCACT) to serve as data gathering and analysis center of the District Planning Coordinating Units (DPCU) in monitoring of progress of interventions, and guide both public and private investor decision-making.
- c. The Ministry will also continue its collaboration with the MoFA in implementing the Modernizing Agriculture in Ghana (MAG) programme
- d. The Ministry will carry out sensitization and advocacy towards a referendum to be conducted in 2019, for the election of MMDCEs on partisan basis.
- e. Facilitate organization of the District level elections for Assembly members and Unit Committee members in 2019.
- f. The Ministry in collaboration with the IMCC and other sector Agencies will promulgate a new National Decentralization Policy framework and Action Plan, for the period 2020 – 2024
- g. Provide initial infrastructure for the establishment of 38 (and intended 6) newly created District and Municipal Assemblies
- h. The Ministry will continue to comply with the provisions of Act 921 and prepare and submit MMDAs consolidated Audited Accounts to Parliament.
- i. Facilitate the passage of the new Local Government Finances Bill.
- j. The Ministry will conduct Performance assessment using the District Performance Assessment Tool(DPAT) for all 254 Assemblies based on FY2017.
- k. The Ministry will carry out post-referendum review of relevant legislations to enable the election of MMDCEs
- l. The Ministry will also facilitate the sensitization of Professional Bodies and interest groups on the upcoming Referendum to amend article 55(3) of the 1992 constitution to have MMDCEs elected on partisan basis.
- m. Lead a process to develop amendment Bills to amend the constitutional provisions and other legislations likely to affect the election of MMDCEs on partisan basis.
- n. Support the Electoral Commission of Ghana formulates the Referendum question for the amendment of article 55(3) on the 1992 Constitution.
- o. Facilitate the organization of the 2018 annual MMDCEs conference in Accra.

7.0 Conclusion

The technical support has covered attending to the legal matters involving the Ministry in courts, providing technical legal support to the MMDAs as well as advising on policy issues affecting the local government and decentralization in Ghana. The first year of the Technical Advisory support has immensely benefitted the Ministry as it has added to the numerous expertise in the Ministry. The Advisor has supported the Ministry to develop a number of policies and frameworks which are due for implementation in 2019. It has contributed to the varied success chalked by the ministry in the 2018 reporting year.

Appendix 1: Status Report on the Roadmap for Electing MMDAs

No.	Timeframe	Description of Activities	Responsible Institution	Collaborating Institutions	Remarks
1.	August, 2017	Constitution of Election of MMDCE Committee.	MLGR D	MLGRD, ILGS, OHLGS, IMCC, NALAG, Attorney General's Department, Electoral Commission, NCCE, CSO Representative, NALAG, DACF.	Completed
2.	Sept.-Oct., 2017	Review of Legislations and Preparation of Background Documents	MLGRD	MLGRD, Attorney General's Department, ILGS	Completed
3.	February, 2018	Media Engagement	MLGRD	MLGRD, Electoral Commission, NCCE and OHLGS	Completed
4.	March– April, 2018	<ul style="list-style-type: none"> • Eastern Region, • Volta Region, • Central Region, • Greater Accra , 	MLGRD, ILGS and Electoral Commission and NCCE	RCCs, MMDAs and MDAs, Media, Political Party Representatives ,CSOs and CBOs, Professional bodies , Research and Academic Institutions, Faith Based Organizations, Economic Groupings and Women and Youth Groups , Regional House of Chiefs and Traditional Councils .	Completed
5.	March-April , 2018	<ul style="list-style-type: none"> • Brong-Ahafo • Ashanti • Western Regions. 	MLGRD, IMCC ,ILGS and Electoral Commission and NCCE	RCCs, MMDAs and MDAs, Media, Political Party Representatives, Professional bodies , Research and Academic Institutions ,CSOs and CBOs ,FBO's, Sub-District Structure Representatives, Economic Groupings and Women and Youth Groups , Regional House of Chiefs and Traditional Council .	Completed
6.	May 2018.	<ul style="list-style-type: none"> • Upper East, Bolgatanga • Upper West Wa • Northern Region, Tamale 	MLGRD, ILGS and Electoral Commission and NCCE	RCCs, MMDAs and MDAs, Media, Political Party Representatives, Sub-District Structure Representatives, Professional bodies , Research and Academic Institutions ,CSOs and CBOs, Traditional Authorities, FBOs, Economic Groupings and Women and Youth Groups , Regional House of Chiefs and Traditional Council .	completed
7.	July-Oct. 2018	Meeting with National Level Institutions and Special Groups in Accra and Kumasi.	MLGRD, ILGS and Electoral Commission and NCCE	<ul style="list-style-type: none"> • Leadership of Registered Political Parties • The Electoral Commission(EC) • Parliamentary Select Committees on Local Government(PSCLG) and Legal and Constitutional • Development Partners (Including the DSWG and SWaP Technical Committee) • National House of Chiefs • National Leadership of FBOs: Office of Chief Imam, Christian Council of Ghana, Ahmadiyah Movement etc • Recognized Professional Bodies and Associations: 	Partly completed²

² Meeting with professional bodies and Faith Based Organizations (FBOs) are outstanding.

				<ul style="list-style-type: none"> o Ghana Bar Association(GBA) o Medical and Dental Council o Institute of Chartered Accountants, Ghana(ICAG) o Ghana Association of Engineers o Ghana Institution of Planners. o Ghana Registered Nurses Association o Chartered Institute of Taxation, Ghana (CITG) o Chartered Institute of Marketing o Chartered Institute of Purchasing and Supply(CIPS) o Chartered Institute of Management Accountants(CIMA) o Chartered Institute of Bankers(CIB) o Association of Chartered Certified Accountants(ACCA) o Institute of Internal Auditors (IIA), Ghana. o Ghana Journalists Association (GJA). o Association of Judges and Magistrates, Ghana (AJMG) o Civil and Local Government Workers Association(CLOSAG) o Local Government Workers Union(LGWU) o Institute of Directors(IoD), Ghana o Organizational Development (OD)Practitioners Forum, Ghana 	
8.	November, 2018	Finalization and Submission of National Consensus Report and Proposed Bill for Amending Article 55(3) of the Constitution to Cabinet.	<ul style="list-style-type: none"> • MLGRD • Ministry of Justice and Attorney General 		Completed
9.	December, 2018.	Finalization and Submission of Proposed Bill for Constitutional	<ul style="list-style-type: none"> • MLGRD, • Ministry of Justice and Attorney 		Partly Completed

		Amendments to Parliament.	General • Electoral Commission		
10.	December, 2018	Submission of Bill for Amending Article 55 by Speaker to Council of State for Advice. ³	MLGRD and Parliament of Ghana	=	Process Commenced.
11.	January 2019	Publication of Bill for amendment in the Gazette ⁴	MLGRD and Parliament of Ghana		Outstanding
12.	Jan.-Aug., 2019	Nationwide, Education, Awareness Raising, and Sensitization on the September Referendum.	MLGRD, Electoral Commission and NCCE		Outstanding
13.	Sept., 2019	Referendum on Constitutional Amendment for the Election of MMDCEs on Partisan Basis Completed.	Electoral Commission and MLGRD		Outstanding
14.	November, 2019	Finalization and Submission of Referendum Results Report	Electoral Commission and MLGRD		Outstanding
15.	February, 2020	Draft Amendments to Articles 55 and 243 of the 1992 Constitution and Local Governance Act, 2016(Act 936).	MLGRD and Attorney General's Department		Outstanding
16.	March, 2020	Parliament Passes Amendment to the Constitution and Act 936.	MLGRD and Parliament of Ghana		Outstanding
17.	April-June, 2020	Consequential amendments to affected legislations, development of Policy Frameworks and Guidelines Pursuant to the new laws to Guide the process.	MLGRD, Parliament of Ghana, Attorney General's Department		Outstanding
18.	April-Dec. 2020	Nationwide sensitization, education and awareness raising meetings on the new laws and arrangements for the election of MMDCEs.	NCCE, MLGRD, Electoral Commission and the Media	RCCs, MMDAs and MDAs, Media, Political Parties, CSOs and CBOs, Professional bodies, Research and Academic Institutions, FBOs, Economic Groupings and Women and Youth Groups, Regional House of Chiefs and Traditional Councils.	Outstanding

³ See Article 290(2) of the 1992 Constitution.

⁴ See Article 290(3) of the 1992 Constitution.

19.	Jan.-Mar, 2021	ECC Prepares Electoral register and systems for the Election of MMDCEs .	MLGRD and Electoral Commission		Outstanding
20.	June- July, 2021	Election of MMDCEs	Electoral Commission of Ghana and MLGRD		Outstanding
21.	August, 2021	Swearing of the First Batch of MMDCEs Elected on Partisan Basis into Office	Office of The President, Judicial Service and MLGRD.		Outstanding
22.	September,2021	Orientation and Capacity Building for the 1 st Batch of Elected MMDCEs.	MLGRD		Outstanding
23.	October, 2021	Nationwide Change Management Programme for Officers of the MMDAs ⁵ and RCCs	<ul style="list-style-type: none"> • MLGRD • OHLGS • ILGS 		Outstanding
24	November, 2021	Nationwide Capacity Building and Change Management Programme for Leadership of the Local Assemblies ⁶ .(PMs and Chair of Statutory Committees).	<ul style="list-style-type: none"> • MLGRD • OHLGS • ILGS 		Outstanding

⁵ Participants shall include the Coordinating Directors and heads of all the 16 Departments (Maximum) in the MMDAs to prepare the officers to support the new arrangement takeoff with minimum challenges.

⁶ Participants shall include Presiding Members (PMs) and Chairpersons of the several of Statutory Committees of the Assemblies to prepare the system for efficiency and effectiveness on the part of the elected MMDCE.