



IN THE THIRD SESSION OF THE SEVENTH PARLIAMENT  
OF THE FOURTH REPUBLIC OF GHANA

**REPORT OF THE  
SPECIAL BUDGET COMMITTEE  
ON THE  
2020 ANNUAL BUDGET ESTIMATES  
OF THE  
COMMISSION ON HUMAN RIGHTS AND  
ADMINISTRATIVE JUSTICE**

December 2019

# **IN THE THIRD SESSION OF THE SEVENTH PARLIAMENT OF THE FOURTH REPUBLIC OF GHANA**

## **REPORT OF THE SPECIAL BUDGET COMMITTEE ON THE 2020 ANNUAL BUDGET ESTIMATES OF THE COMMISSION ON HUMAN RIGHTS AND ADMINISTRATIVE JUSTICE (CHRAJ)**

### **1.0 INTRODUCTION**

The Budget Statement and Economic Policy of the Government for the year ending 31<sup>st</sup> December, 2020 was presented to Parliament on Wednesday, 13<sup>th</sup> November, 2019 by the Hon. Minister for Finance, Mr. Ken Affori Atta, in accordance with Article 179 of the 1992 Constitution.

Pursuant to Order 140(4) of the Standing Orders of the House, the Rt. Hon. Speaker referred the Annual Budget Estimates of the Commission on Human Rights and Administrative Justice (CHRAJ) to the Special Budget Committee for consideration and report.

### **2.0 DELIBERATIONS**

The Committee met with the officials of CHRAJ under the leadership of the Deputy Commissioner, Mr. Richard Quayson and a technical team from the Ministry of Finance and discussed the Estimates. The Committee acknowledges the inputs of the Commissioner and other officials during the deliberations on the Estimates and extend its appreciation to them for attending upon the Committee.

### **3.0 REFERENCE DOCUMENTS**

In considering the Estimates of CHRAJ the Committee referred to the following documents:

1. The 1992 Constitution of the Republic of Ghana;
2. Standing Orders of Parliament;
3. CHRAJ Act 1993, Act 456
4. The Budget Statement and Economic Policy of the Government for the 2020 Financial Year and;
5. The 2018-2020 MTEF Estimates of the Commission on

## Human Rights and Administrative Justice (CHRAJ).

### **4.0 OBJECTIVE AND VISION OF THE COMMISSION**

The Commission on Human Rights and Administrative Justice exists to promote good governance, democracy, integrity, peace, and social development by promoting, protecting and enforcing, fundamental human rights and freedoms and administrative justice for all persons in Ghana.

The vision of the Commission is to ensure a society that is truly fair, just and equitable, where human rights and human dignity are respected, where power is accountable and governance is transparent.

The Commission on Human Rights and Administrative Justice exists to enhance the scale of good governance, democracy, integrity, peace, and social development by promoting, protecting and enforcing, fundamental human rights and freedoms as well as administrative justice for all persons in Ghana and ensuring that power is accountable and governance is transparent.

### **5.0 MANDATE OF THE COMMISSION**

The mandate of the Commission for Human Rights and Administrative Justice include;

- Investigate complaints of violations of fundamental human rights and freedoms, injustice, corruption, abuse of power and unfair treatment of any person by a public officer in the exercise of his or her official duties
- Investigate complaints concerning the functioning of the Public Services Commission, the administrative organs of the State, the Armed Forces, the Police Service, the Prison Service, offices of the Regional Co-ordinating Council and District Assemblies in so far as the complaints relates to achieve a balanced structuring the failure to achieve a balance structuring of those services or equal access by all to the recruitment of those service or fair administration in relation to those services.

- To investigate complaints concerning practices and actions by persons, private enterprises and other Institutions where those complaints allege violations of fundamental rights and freedoms under the Constitution.
- To investigate all instances of alleged or suspected corruption and the misappropriation of public monies by officials and to take appropriate steps, including reports to the Attorney-General and the Auditor-General, resulting from such investigation;
- To educate the public as to human rights and freedoms by such means as the Commissioner may decide, including publications, lectures and symposia.
- Investigate complaints of human rights violations by persons and institutions in both private and public sectors.
- Investigating complaints and allegations of corruption and misappropriation of public resources.

### **2019 BUDGET ALLOCATION AND EXPENDITURE RETURNS.**

In 2019, an amount of **Thirty-One Million, Nine Hundred and Forty-Eight Thousand, and Seventy Ghana Cedis (GH¢31,948,070)** was allocated to the Commission from GOG source only for its programs. The allocation was disbursed among three main cost centers as summarized below.

<b>Cost Center</b>	<b>GH¢</b>
Employee Compensation	24,000,000
Goods and Services	5,438,185
Capital Expenditure	2,509,885
<b>Total Approved budget</b>	<b>31,948,070</b>

As at 30<sup>th</sup> September, 2019 an amount of **GH¢24,304,068.27** representing 76.1% of the GoG allocation to the Commission was released leaving a balance of GH¢ 7,644,001.73 or 23.9%.

The detail breakdown of the GoG approved allocation and releases as at 30<sup>th</sup> September, 2019 is presented in table 1 below.

**Table 1: Summary of 2019 GoG expenditure returns of CHRAJ**

SN	Cost Centre	2019 Approved Budget (GH¢)	Revised Budget (GH¢)	Actual Expenditure 30/9/2019 (GH¢)	VARIANCE (GH¢)
1	Compensation	24,000,00 0	22,277,673	18,712,612.03	3,565,061
2	Goods and Services	5,438,185	5,438,185	4,332,498.24	1,105,686.78
3	Capital Expenditure	2,509,885	2,509,885	1,258,958	1,250,927.00
	<b>Total</b>	<b>31,948,07</b>	<b>30,225,742</b>	<b>24,304,068.27</b>	<b>5,921,673.80</b>

## **7.0 2019 PERFORMANCE REVIEW**

The 2019 Budget Allocated to the Commission was utilized in undertaking the following activities:

- ❖ CHRAJ continued with the reconstruction of its offices that were destroyed by fire in 2013 which is 17 percent complete.
- ❖ The Commission Coordinated the implementation of NACAP monitor and compile Annual Progress Report and trained 322 MDAs and MMDAs focal persons on NACAP Online Reporting Dashboard (NaCORD). It also organised a trilateral meeting on the review of the implementation of the United Nation's Conventions against Corruption (UNCAC) by Ghana.
- ❖ During the year under review CHRAJ investigated a total of 7,360 cases made up of 7,024 human Rights, 284 Administrative justice and 52 corruption related offenses. In addition, the Commission organised 3,656 public Education Programmes in all its mandates. CHRAJ continued to work as Africa's

Representative on the Working Group of the International Coordinating Committees (ICC) of the United Nation's Offices of the High Commissioner for Human Rights (UNOHCHR) on the Sustainable Development Goals (SDGs).

- ❖ Monitored implementation of NACAP for 2019 and organized dialogue on the NACAP for national and 7 regional houses of chiefs.
- ❖ Partnered with Office of the Senior Minister & the Public Sector Reform Secretariat to implement the Public Sector Reform for Results Project (PSRRP) through Grievance Redress & Capacity Building of Client Service Units in MDAs.
- ❖ Investigated about 8,233 cases on human rights (7,850), administrative justice (322) and corruption and breaches of code of conduct for public officers.
- ❖ Undertook over 4,000 public education and sensitization activities on Human Rights, Administrative Justice and Corruption.
- ❖ Completed UNICEF Child Protection Mapping exercise on the number and Institutions involved in child protection in Ghana.
- ❖ Organized two Capacity Building Programmes for the Security Agencies (Military, Police, Prison Service & Fire Service) and the Attorney-General's Department and Trained 322 focal persons of MDAs and MMDAs on the NACAP Online Reporting Dashboard (NaCORD).

## 8.0 OUTLOOK FOR 2020

The Commission will pursue the under-listed programs in 2020:

- ✓ CHRAJ will continue with the reconstruction of its offices which is 17% complete.
- ✓ The Commission will Coordinate and monitor the implementation of NACAP, issue Annual Progress Report, undertake midterm review of NACAP Implementation and conduct Actual Corruption Survey in collaboration with United Nation's Office on Drugs and Crimes (UNODC)
- ✓ CHRAJ intends to Partner with Public Sector Reform Secretariat to implement Service Charters for MDAs & MMDAs in response to public demand for better service delivery. The Commission will also Partner with NDPC and other stakeholders to implement the SDGs, open new regional offices in the six newly created regions in compliance with the 1992 Constitution as well as strengthen existing regional and District offices to improve service delivery in the regions.
- ✓ Furthermore, the Commission will undertake about 5,000 public education and sensitization activities, investigate about 9,000 cases on human rights,

administrative justice and corruption and breaches of code of conduct for public officers.

- ✓ Promote peaceful and inclusive societies for sustainable development, provide access to justice for all and build effective, accountable and inclusive institutions at all levels.
- ✓ End abuse, exploitation, trafficking and all forms of violence against and torture of children.
- ✓ Promote the rule of law at the national and international levels and ensure equal access to justice by all.
- ✓ Significantly reduce illicit financial and arms flow, strengthen the recovery of stolen assets and combat all forms of organized crime.
- ✓ Develop effective, accountable and transparent institutions at all levels and ensure public access to information and protect fundamental freedoms in accordance with national legislation and international agreements.
- ✓ Provide advice to national and local governments, rights-holders and other actors, to promote a human rights-based approach to implementation and measurement of the SDGs, including assessing the impact of laws, policies, programmes, national development plans, administrative practices and budgets on the realization of all.

## 9.0 2020 BUDGET ALLOCATION TO CHRAJ

For the implementation of its planned programs and activities, the Commission on Human Rights and Administrative Justice has been allocated an amount of **Forty Million, Eight Hundred and Ninety-Seven Thousand, Five Hundred and fifty-One Ghana Cedis (GH¢40,897,551)** for the 2020 financial year. The Budget allocation will be disbursed among the following cost centers in table 2.

**Table 2: Summary of 2020 Budget Allocation to CHRAJ**

ITEM	COMPENSATION GH¢	GOODS &SERVICES GH¢	CAPEX GH¢	TOTAL GH¢
<b>GOG</b>	23,193,131	12,204,420	5,500,000	<b>40,897,551</b>
<b>DONOR</b>	=	=	=	=
<b>TOTAL</b>	<b>23,193,131</b>	<b>12,204,420</b>	<b>5,500,000</b>	<b>40,897,551</b>

The 2020 Budget of the Commission will be expended among four programme namely; Management and Administration, Human Rights, Administrative Justice and Anti-Corruption as in table 3 below..

**Table 3: Summary of 2020 Budgetary Allocation by Program**

S/N	Programme Area	2020 Allocation			
		Compensation (GH¢)	Goods & Services (GH¢)	CAPEX (GH¢)	Total (GH¢)
1	Management and Administration	23,193,131.00	7,704,420.00	-	30,897,551.00
2	Promote & Protect Fundamental Human Rights	-	400,000.00	-	400,000.00
3	Administrative Justice		300,000.00	-	300,000.00
4	Anti-Corruption		300,000.00	-	300,000.00
5	NACAP		2,500,000.00	-	2,500,000.00
6	Public Education/ Research		1,000,000.00		1,000,000.00
	<b>Total</b>		<b>12,204,420.00</b>		<b>35,397,551.00</b>

In 2020, GoG allocation for Goods and Services is expected to be disbursed among the following programs:



<b>Program</b>	<b>GoG Allocation (GH¢)</b>
General Administration	7,704, 420.00
Human Rights	400,000.00
Administrative Justice	300,000.00
NACAP	2,500,000.00
Anti-corruption	300,000.00
Public Education/ Research	1,000,000.00
<b>Total</b>	<b>12,204,420.00</b>

## 10 OBSERVATIONS

The Committee after a careful examination of the 2020 estimates of the Commission on Human Rights and Administrative Justice, made the following observations.

### 10.1 DECLINE IN BUDGET ALLOCATION FOR COMPENSATION OF EMPLOYEES

The Committee observed that, the 2020 budget allocated an amount of **GH¢40,897,551** for programs and activities of CHRAJ. The allocation is an increase over the 2019 approved budget allocation of **GH¢ 31,948,070** for CHRAJ as shown in table 4 below.

#### Comparison – 2019/2020

<b>COST CENTER</b>	<b>2019 GH¢</b>	<b>2020 GH¢</b>	<b>VARIANCE GH¢</b>
<b>Compensation</b>	24,000,000	23,193,131	(806,869)
<b>Goods and Services</b>	5,438,185	12,204,420	6,766,235
<b>Capex</b>	2,509,885	5,500,000	2,990.115
<b>Total</b>	<b>31,948,070</b>	<b>40,897,551</b>	<b>8,94,9481</b>

The Committee observed that notwithstanding the continues increase of GoG's budgetary allocation to CHRAJ, the budgetary provision for Compensation of Employees in the 2020 has declined from GH¢24,000,000 in 2019 approved budget to GH¢23,193,131 a decrease by (GH¢806,869).

The increased budget allocations were in respect of Goods and Services and Capital expenses recording positive or substantial increase in budgetary allocation from **GH¢5,438,185** in 2019 for Goods and services to **GH¢12,204,420** allocated for the 2020 financial year or a percentage increase of **44.6%**. Capital expenses also recorded an increase from **GH¢2,509,889** in 2019 to **GH¢5,500,000**.

Closely linked with the decline in budgetary provision for Compensation of Employee is inadequate staffing level.

The Committee was informed that the staff levels were inadequate and the situation is further aggravated by the creation of new Regions. The Commission does not have the full complement of staff, particularly, the technical staff.

The Committee was further informed that the Commission currently has only five officers in each region out of the Commission's requirement of fifteen additional Staff for which four staff is required in each of the six newly created regions for its optimum functioning.

The Committee expressed its worry about the staff situation at the Commission and is therefore of the view that for the Commission to be able to perform its primary function of providing a free and just society that protects human dignity and human security, where power is accountable and governance is transparent, the Commission must have the needed personnel to enable them function effectively.

Officials of the Ministry of Finance at the meeting explained to the Committee that the higher budgetary provision in respect of Compensation in the 20219 was as a result of an anticipated new recruitment levels and in 2019 by CHRAJ, but for which clearance was not given.

The Committee therefore recommends to the Ministry of Finance to provide funding to CHRAJ and grant the Commission special dispensation and financial clearance to enable them recruit additional staff to complement the required numbers for the six newly created regions of the Country.

### **10.1 Lack of Full staff Complement in the Management of CHRAJ**

The Committee noted that the Commission lacks its full complement in the administration of its mandate at the Management level in accordance with Article 216 of the 1992 Constitution which provides that " there shall be established by an Act of Parliament, within Six months after Parliaments first meet, after the coming into force of this Constitution, a Commission of Human Rights and Administrative Justice which shall consist of (a) A Commissioner for Human Rights and Administrative Justice and (b) two Deputy Commissioners for Human Rights and Administrative Justice".

The Committee observed that despite the provision, the managerial structure of the Commission on Human Rights and Administrative Justice is incomplete and currently has only one Deputy Commissioner at post.

The Committee recalled that a recommendation was made in its 2019 Report to His Excellency the President of the Republic Ghana to fulfill his mandate by bringing into effect the appointment of a Deputy Commissioner as provided under Article 216 of the 1992 Constitution.

The Committee once again reiterates its previous recommendation to His Excellency the President of the Republic of Ghana to consider appointing an additional Deputy Commissioner of CHRAJ to meet the full complement of the establishment of CHRAJ as provided under Article 216 of the 1992 Constitution in order to hasten the implementation of the Commissions mandate.

### **10.2 Delay in releases of approved budget**

The Committee was informed that delays in the release of approved funds have been impeding planned activities and programs of the Commission.

The Committee calls on the Ministry of Finance to ensure timely release of approved funds to enable the Commission carry out its scheduled activities and programs on time.

### **10.3 Training of Ethics and Compliance Officers**


The Commission informed the Committee that as part of their programs and activities for the 2020 financial year, the Commission intends training ethics and compliance officers for MMDAs and MDAs.

The Committee recommends to CHRAJ to consider Collaborating with the Ghana Education Service to integrate ethics and appropriation in the curriculum in basic schools.

**11.0 CONCLUSION**

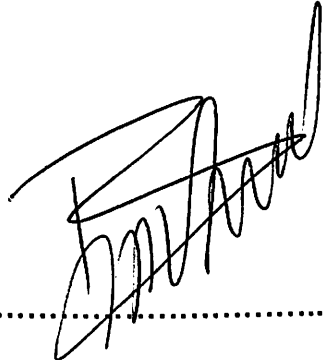
The Committee, having carefully examined the 2020 Annual Estimates of the Commission on Human Rights and Administrative Justice (CHRAJ), recommends to the House to adopt its report and approve the sum of **Forty Million, Eight Hundred and Ninety-Seven Thousand, Five Hundred and fifty-One Ghana Cedis (GH¢40,897,551)** for the implementation of the programs of the Commission on Human Rights and Administrative Justice (CHRAJ) for the 2020 Financial Year commencing 1<sup>st</sup> January and ending 31<sup>st</sup> December 2020.

Respectfully submitted.



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**HON. OSEI KYEI-MENSAH-BONSU  
MAJORITY LEADER AND CHAIRMAN,  
SPECIAL BUDGETS COMMITTEE**



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**INUSAH MOHAMMED  
CLERK,  
SPECIAL BUDGET COMMITTEE**