

**UNDEF**



The United Nations  
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**EVALUATION REPORT**



**TRANSTEC**  
PROJECT  
MANAGEMENT

**UDF-GHA-08-229: Addressing Ghana's Governance Deficits through  
Constitutional Reform**

**Date:09 July 2013**

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**Disclaimer**

The views expressed in this report are those of the Evaluators. They do not represent those of UNDEF or of any of the institutions referred to in the report.

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## I. Executive Summary

### *i. Project Data*

This report is the evaluation of the project entitled, “Addressing Ghana’s Governance Deficits through Constitutional Reform” implemented by the Ghana Centre for Democratic Development (CDD-Ghana), based in Accra.<sup>1</sup> Project implementation began on 01 October 2009 and was completed on 31 July 2012 (34 months, including a 10-month extension). The project benefited from an UNDEF grant of \$225,000, with a project budget of \$200,000, plus an UNDEF monitoring and evaluation component of \$25,000. The project was implemented directly by CDD. There were no partners, although a large number of other national organizations were involved.

The Centre was established in 1998 and describes itself as an independent, non-partisan, non-profit organization which focuses on public policy. Its mission is “to promote democracy, good governance and the development of a liberal economic environment.” The organization has a staff of 40.

The project related closely to CDD’s mandate and aimed to address what it perceived as “Ghana’s governance deficits” through support for constitutional reform. **The Project Objective**, as stated in the Project Document was as follows:

The project aims to obtain measurable improvements in Ghana’s constitutional and governance mechanisms by providing technical input and advocacy platforms for civil society actors to research and build a constituency for constitutional and legal reform in key governance areas.

### *ii. Evaluation Findings*

#### **Relevance:**

It is recognized by independent observers inside Ghana, as well as by international organizations providing development assistance to the country, that constitutional reform represents the most promising avenue through which to introduce improvements to Ghana’s governance process. Hence, the CDD project was relevant in its focus on efforts to take practical action to address priorities in democratic development, and in ensuring that the priority concerns of Ghanaian civil society, as well as the interests of ordinary citizens (through the national public opinion survey that CDD organized), were heard.

Knowledgeable observers outside CDD, including those involved directly with the work of the official Constitutional Review Commission (CRC), in interviews conducted for the Evaluation, emphasized the strengths that CDD brought to its advocacy for reform. These included: the ability to build on the quality of its research and analysis; the evidential basis of its proposals; and, the credibility of those who present them. The strategy adopted by the project was judged to be appropriate and its reports to the Commission and the proposals which they contained were seen as highly relevant to its deliberations.

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<sup>1</sup> Henceforth in this report, the acronym CDD, rather than the full CDD-Ghana, will be employed.

***Effectiveness:***

The Project did not succeed in achieving constitutional reform, but it certainly made contributions to the prospect of achieving such reform in the future. Hence, it contributed effectively to the achievement of the project's development objective.

By building a platform for providing credible research inputs, in support of advocacy carried out by a broad-based coalition of civil society organizations, CDD had a significant impact on the constitutional review process and in underscoring the centrality of a number of key issues.

The official review process was impressive in the scope of its activities, the depth and breadth of its analysis and the high quality of its final report. It stimulated a national discussion on the need for constitutional change and highlighted those proposals for which there was broad public support. CDD made a very strong contribution to the process and to the analysis on which the CRC Report was based.

All activities completed were relevant to project objectives, and added value to the overall effort; all planned outputs were delivered. The Project Advisory Committee played an active and constructive role and made a difference in strengthening the final design of activities. The forming of the Civil Society Coalition, established in January-February 2010, and which included around 40 major national organizations from a variety of backgrounds, demonstrated CDD's convening power.

All project events and documents were presented under the auspices of the Coalition. This gave considerable weight and legitimacy to the proposals presented, in the eyes of the public, the media and the CRC itself.

One limitation of the project was that its activities and reports were intended principally for an audience of "governance insiders", and not a wider public. This reflects the elite politics of Ghana, with CDD playing its role as an important player in influencing opinion within the intelligentsia. At the same time, and to balance this, the organization of a national public opinion survey (the only one which took place which related to the constitutional review) and the publication of results derived from it performed a significant role in bringing the voice of the wider public to the proceedings of the CRC and the national debate on priorities for reform.

***Efficiency:***

Project management arrangements seem to have been adequate for the management of logistics in Ghana. Further, CDD worked very well with the Advisory Committee throughout the project, as well as with the Civil Society Coalition. A review of the project budget and a consideration of the record of actual expenditures indicated that resources were used as planned, and that individual budget lines, including those for staff salaries and consultant costs, the national survey, and meeting costs and travel, were all reasonable, given the character of the project.

What was less impressive was the grantee's ability to communicating effectively and in timely fashion with the funding agency. At one point there was a ten-month delay during which UNDEF received no response to its emails. While CDD-Ghana appears to be a generally well-managed organization, the unacceptable performance in its relations with the funding agency in this case would seem to indicate certain weaknesses in the overall system of management, particularly regarding project implementation.

**Impact:**

In the short term, the project has had no impact in bringing about improvements in governance process in Ghana. At the same time, the work completed for the project, along with the alliances built, played a role in heightening attention to some critical concerns which may only be addressed through changes in the constitution. Over time, the pressure to introduce changes to enhance the quality of Ghanaian democracy is likely to produce results, whether through the introduction of major adjustments to the constitution, or on an incremental basis.

As to processes and innovations introduced by the project, the establishment of a common platform among civil society organizations was an important step, and one which has been emulated subsequently in the development of similar collective efforts in such fields as anti-corruption. Similarly the proven effectiveness of utilizing well-conducted research, and, particularly, national surveys in support of broad-based advocacy, is likely to influence future efforts to make the case for policy change.

**Sustainability:**

The process introduced by the project for coordinating and channelling civil society advocacy for democratic change is likely to continue beyond the project, and CDD is also committed to maintain its engagement with constitutional reform.

**UNDEF Added Value:**

It was beneficial for the project to be able to display the UNDEF banner at public events, since this reinforced the image of independence. This was of great value to the Civil Society Coalition and CDD in order to demonstrate that they stood aside from partisan politics in the constitutional reform debate. On the whole, it was beneficial for Ghanaian society that the civil society organizations were able to speak with one voice, and that the proposals put forward by the Coalition were so well-supported by high-quality research. All of this was facilitated by UNDEF's timely support

**iii. Conclusions**

- ***The project's area of intervention was extremely relevant in the Ghanaian context, where Constitutional reform is widely recognized as the most promising avenue for governance changes*** in a political system within which there is an excessive concentration of power in the hands of the executive.

- ***The unexpected announcement by the government of the Constitutional Review obliged the grantee to refocus its project design*** since it was launched at a time when the government had made no firm commitment to initiating a constitutional review process. The project was initially intended as an effort to make the case for the urgency of considering governance reform and to identify the most critical issues, but, with the sudden announcement, CDD had to get engaged in a process to identify priorities for constitutional development and undertake advocacy in their support.

- ***With its reputation for professionalism and independence, and its well-established networks, CDD was well-positioned to play a leading role in facilitating a coordinated approach for Ghanaian civil society.*** CDD further strengthened its capacity to carry out the project by establishing a project Advisory

Committee, including a number of leading experts. The Committee played an active role throughout the project.

- While the government has yet to make a firm commitment to implementing the principal recommendations of the CRC, ***the consultative process which the Commission undertook was regarded as extremely important in advancing the national dialogue.*** The Final Report of the CRC was regarded as a highly credible document and received widespread approval. CDD's influence derived from the ***high quality of the research undertaken*** as a basis for the proposals it put forward, the credibility lent to these proposals by the range and number of civil society partners in the Coalition, but also by the findings of the ***National Public Opinion Survey undertaken by CDD.*** This was a thoroughly professional and unique initiative. Its findings were of crucial importance in demonstrating to the Commission the weight of public support for some of what became the key issues addressed in its recommendations.

- ***Project management arrangements were generally effective and efficient.*** The use of project resources was balanced and seemed appropriate in view of the list of activities completed, ***but project management was poor in its communication and reporting,*** especially when it comes to liaising with UNDEF. Despite the establishment of a management team, which met regularly, there was clearly a lack of attention to detail, along with deficiencies in supervision by senior management.

- It is often difficult to assess the impact and effectiveness of a constitutional review process - or of a project intended to support, and/or influence, it. ***The overall view of the Evaluation team is that the project added value to the official constitutional review process.***

#### ***iv. Recommendations***

***It is recommended that:***

- In reviewing its experience with projects relating to constitutional reform, ***UNDEF*** recognizes that some such initiatives can represent an effective and worthwhile contribution to democratic development, even where results are difficult to assess. Particularly important is the ability of such a project to facilitate broad-based civil society involvement.

- ***CDD Ghana*** reviews its performance in managing communications with UNDEF in the course of the project and addresses deficiencies in its management arrangements for future projects, with particular attention to quality control by senior management.

- In light of the experience in this project, ***UNDEF*** reviews the content of its grant agreements to ensure that adequate attention is given to the responsibilities of the grantee for timely communications with the funding agency, including responses to enquiries.

## II. Introduction and development context

### *i. The Project and Evaluation Objectives*

This report is the evaluation of the project “Addressing Ghana’s Governance Deficits through Constitutional Reform.” Project implementation began on 01 October 2009 and was completed on 31 July 2012 (34 months, including a 10-month no-cost extension). The project benefited from an UNDEF grant of \$225,000, with a project budget of \$200,000, plus an UNDEF monitoring and evaluation component of \$25,000.

The project was implemented by the Centre for Democratic Development Ghana (CDD-Ghana)<sup>2</sup>, based in Accra. There were no partner organizations, though many national organizations were actively involved in the project.

CDD was established in 1998 and describes itself as an independent, non-partisan, non-profit organization which focuses on public policy. Its mission is “to promote democracy, good governance and the development of a liberal economic environment.” Its principal activities are research, training and advocacy for “democratic consolidation” and good governance.

The organization has a staff of 40, as well as a broad-based professional network. Beyond policy research, it is also well-known for its strong survey research capabilities, as well as for organization of the leading national program for managing domestic election observation. In addition to its work in constitutional development, it is also actively engaged in policy research in: transparency and accountability in governance; local government reform; and, the governance of the natural resource sector. Internationally, the Centre is the organizational hub for the Afrobarometer Network.

The project related closely to CDD’s mandate and aimed to address what it perceived as “Ghana’s governance deficits” through constitutional reform. Citing recent oil discoveries, the project objective, as stated in the Project Document was as follows:

*The fundamental aim of this project is to ensure Ghana’s governance structures are oil-proof through civil society-led legislative and constitutional reform. The project aims to obtain measurable improvements in Ghana’s constitutional and governance mechanisms by providing technical input and advocacy platforms for civil society actors to research and build a constituency for constitutional and legal reform in key governance areas. This will be done both by technical research and public advocacy through events such as seminars, workshops and conferences so as to fortify Ghana’s governance structures against the strains that will inevitably arise as a result of the oil discovery.*

Since the statement amounts to a short description and justification of the project, rather than an objective, the key sentence, taken to characterize the aim of the project, has been highlighted, and this will be taken as the Project Objective.

The project’s intended outcomes, as stated in the Project Document, were as follows:

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<sup>2</sup> Henceforth in this report the acronym CDD will be used instead of the more complete CDD-Ghana.

- i) Greater legislative and judicial oversight over the executive branch, and improved independence of the legislative and judicial branches in their interactions with the executive;
- ii) Empowering transparency and anti-corruption agencies and statutes to avoid Ghana becoming subject to the resource curse as a result of the oil discovery;
- iii) The promotion of executive accountability between elections.

## ***ii. Evaluation methodology***

The evaluation was conducted by two experts, one international and one national, under the terms of a framework agreement between UNDEF and Transtec. The methodology of the evaluation is set out in the Operational Manual governing this framework agreement, as well as in the evaluation Launch Note. A set of project documents was provided to the Evaluators in the weeks preceding the field mission. On that basis, they prepared the Launch Note (UDF-GHA-08-229) setting out key issues and particular areas of focus to be considered during the field mission, which took place from March 18 - 22, 2013. Additional documents drawn on in the Evaluation were obtained from the grantee during the field mission and from other relevant sources.

All meetings took place in Accra, the national capital. Several meetings were held with senior management and staff of CDD. Other meetings were with those from civil society, closely associated with project, and others closely associated with the constitutional reform process and/or knowledgeable about CDD and its activities.

## ***iii. Development context<sup>3</sup>***

Ghana is a multi-ethnic country, which became a constitutional democracy on independence in 1957. Despite extended periods of authoritarian and military rule, Ghana has enjoyed a period of uninterrupted democratic politics since 1992, and is rated highly on basic measures of democracy. The country has been fortunate in avoiding ethnic or religious division and benefiting from both economic growth and political stability in recent years. While there has also been a steady improvement in social indicators since 1992, the country remains poor, and is currently ranked 135th of 187 countries ranked on the UNDP's Human Development Index (HDI) for 2012. However, it's ranking places it above the average for the countries of Sub-Saharan Africa.<sup>4</sup>

There is a high level of trust in, and commitment to, democratic institutions and the centrality of the constitution, as is demonstrated by the intense level of interest in the constitutional reform process. However, despite the country's success in the past two decades in institutionalizing competitive elections and formal democracy, in practice, most Ghanaians do not participate in political life and decision-making between elections, and have little influence on decisions, while policy-making is confined to small political elite.

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<sup>3</sup> Sources used on Ghana's political dynamics and development, include: USAID, [Ghana Democracy and Governance Assessment](#), April 2011; Bertelsmann Stiftung Transformation Index, [BTI 2012: Ghana Country Report](#); and, E. Gyimah-Boadi and Victor Brobbey, [Countries at the Crossroads 2012, Ghana](#), Washington DC: Freedom House.

<sup>4</sup> UNDP, [Human Development Indicators 2012: Country Profile, Ghana](#).  
<http://hdrstats.undp.org/en/countries/profiles/gha.html>

As a legacy from the post-Independence years, there remains what is regarded by most observers as excessive concentration of power in the Presidency and the executive in a political system, where provisions to ensure accountability and transparency remain weak. Although elections are almost a zero-sum game, where the winner takes all the spoils, gaining monopoly control over state resources and patronage networks, the two major parties each have a chance to succeed, and thus have little interest in taking a leadership role in promoting reform.

The present system is a direct outcome of the 1992 constitution, which places few limits to executive power. Hence, given the vested interest of the leading political parties in maintaining the status quo, the constitutional reform process is viewed as the most promising means through which to mobilize broader public engagement in seeking to bring about change and enable Ghana to realize its democratic potential. The urgency of promoting such change is reinforced by the discovery of substantial quantities of off-shore oil. The experience of other oil-producing states is that the new wealth derived from natural resources places significant pressures on governance systems, while creating further opportunities for rent-seeking by well-placed elites. It will be essential for the country's well-being that it strengthens the democratic character of its political system, as well as accountability mechanisms, before the oil money starts to flow in abundance. The project developed by CDD took place in this context.

### III. Project strategy

#### *i. Project approach and strategy*

The basic structure of the project's substantive program was straightforward. It consisted of two parts, each of which was intended to support the project's plan to build up broad support, and influence government thinking, for initiating a process to replace the 1992 Constitution and put forward an agenda of specific priorities for reform.

- First, to undertake a body of research of varied kinds to inform, focus and provide an evidential basis an agenda for constitutional reform; and,
- Second, to organize a major advocacy campaign among civil society organizations to promote the agenda with government and push for a constitutional review process.

**Key activities** planned in pursuit of these objectives included:

- i) A baseline study, which consisted of a comprehensive literature review, i.e. a desk study, on constitutional law and issues in constitutional development in Ghana;
- ii) Elite stakeholder interviews for a study of elite opinion;
- ii) A major public opinion survey of citizen perceptions and understanding of governance deficits and desire for constitutional reform (a national survey of 1200 randomly-selected respondents);
- iii) Drafting of two reports, summarizing and highlighting key issues emerging from the baseline study and the surveys;

- iv) The holding of five thematic workshops, focusing on key issues relating to the constitutional review;
- v) Holding of two media briefings;
- vi) Holding of two regional stakeholder meetings, one in Accra and one in Kumasi;
- vii) In addition, a workshop on the 1992 Constitution was to be held in Tamale, Northern Ghana, for both government representatives and civil society organizations;
- viii) Holding of a final Stakeholder Briefing;
- ix) Drafting of six “technical reports”, based on the presentations to the thematic workshops;
- x) Establishment of a Civil Society Coalition on Constitutional Reform;
- xi) Holding of a National Constitutional Review Conference to consider the findings of the government-led constitutional review process.

It had been expected that it would take some time before the government indicated that it was prepared to take practical action. Hence, it was intended that the project should complete the entire research program and publish the results prior to building advocacy structures. However, three months after the launch of the project, there was an announcement by the government, in January 2010, of the setting up of its official constitutional review process. This obliged the grantee to adjust the project work plan and intended sequence of activities. Further, the focus of advocacy now moved from promoting a constitutional review process to influencing the official review process, now underway, and directing the government’s attention to critical issues identified by the project.

Planning to set up advocacy structures, the Civil Society Coalition and the Project Advisory Committee, and to organize advocacy-related events, was now accelerated. As a result, activities under this component began while the research work was still underway. This was essential if the project wished to gear its timetable to that of the Constitutional Review Commission (CRC) in order to seek to influence its deliberations and priority themes.<sup>5</sup>

The government’s announcement changed the content and approach of the project in other ways as well. Originally, it had been intended to hold workshops on constitutional reform and human rights in partnership with the judiciary and the Commission for Human Rights and Administrative Justice. However, with the launching of the official constitutional review process, international donors began to make funding available for supporting inputs to the process. Hence, both the judiciary and the Commission were now able to obtain their own funding to host events on related topics. As a result, a decision was made by CDD to amend the initial plan and organize workshops, and commission papers, on more general thematic topics.

Further difficulties arose with the delay by the government in the release of the report of the CRC, along with its own response to the recommendations put forward. The report was due to be released in June 2011. The deadline passed, and the actual release did not take place until January 2012. This led to the postponement of the final event of the project, organization of “a national civil conference”, which was to consider

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<sup>5</sup> The role of the Commission was to: ascertain public opinion and stakeholder views on the constitution; articulate and summarize these views; and make recommendations. The government convened a donor conference following its announcement of the establishment of the CRC. Pledges of \$3 million were made by international donors to support the government process.

the proposals to be tabled by the government.<sup>6</sup> The grantee requested, and was granted, a no-cost extension of the project to accommodate moving the date of the conference.<sup>7</sup>

*Management arrangements:*

The CDD is a well-established body (see above), with credibility for the quality and consistency of its work, both in Ghana and beyond. It has put in place a routine approach to handling projects, with a tested division of labor among the departments dealing with, respectively: policy and legal research and advocacy; designing, managing and reporting on public opinion surveys; and, administration and logistics. The project was managed and delivered through these structures, with responsibilities divided according to the kinds of work required. There was also an internal Project Management Committee, chaired by the Executive Director, with five other members.

In addition, the project was supported by a high-level Advisory Committee. A number of leading experts were recruited on contract to prepare presentations on major topics, to lead workshops on their chosen themes, and to play key roles in major project events and meetings. Further, some 30 Research Assistants were recruited and trained to conduct the elite and national public opinion surveys. Most of those selected had completed previous assignments for the Centre and were trusted to fulfil their responsibilities.



**Professor S.O. Gyandah and Professor H. Kwasi Prempeh (speaker) at Project's Inaugural Public Lecture in Accra (November 2009)**

***ii. Logical framework***

The preparation of the Logic Impact Model is particularly problematic for this project. Three different sets of outcomes have been given, none of which is appropriate as a means to capture and sum up the impact of the inputs provided, and several of which mix activities and results. The Outcomes entered in the chart are those included in the Final Report. The difficulty presented is that all three link to *all* outputs. Hence, the outcomes are simply presented in a list.

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<sup>6</sup> Source: Evaluation interviews and Letter from the Executive Director of CDD to UNDEF, dated March 20, 2012, as well as Project Evaluation Notes prepared by the UNDEF Desk Officer.

<sup>7</sup> There were major problems in communication between project management and UNDEF throughout the project, but particularly in the communication of the need for an extension to the project, which came very late. This issue will be discussed further in the Section on Efficiency.

Project activities	Intended outputs/outcomes	Medium-term impacts	Long-term development objective
<p>A baseline study, which consisted of a literature review, on constitutional law in Ghana;</p> <p>Conducting Elite stakeholder interviews for a study of elite opinion;</p> <p>Carrying out a public opinion survey of perceptions and understanding of governance deficits and desire for constitutional reform (a national survey of 1200 randomly-selected respondents);</p> <p>Drafting of two reports, highlighting key issues emerging from the baseline study and the surveys;</p>	<p>Reports on the studies and surveys used to inform and set agenda for workshops and public advocacy</p>	<p>Reform of legal and constitutional framework between legislative, judicial and executive branches</p>	<p><i>to obtain measurable improvements in Ghana's constitutional and governance mechanisms by providing technical input and advocacy platforms for civil society actors to research and build a constituency for constitutional and legal reform in key governance areas.</i></p>
<p>The holding of six thematic workshops, focusing on key issues relating to the constitutional review;</p> <p>Holding of two media briefings;</p> <p>Holding of two regional stakeholder meetings, one in Accra and one in Kumasi;</p> <p>Holding of a final Stakeholder Briefing;</p> <p>Drafting of six "technical reports", based on the thematic workshops;</p> <p>Establishment of a Civil Society Coalition on Constitutional Reform;</p> <p>Holding of a "National Civic Conference" to consider the findings of the government-led constitutional review process.</p>	<p><b>The workshops and associated presentations and reports nurture dialogue among concerned civil society groups, which leads to establishment of a common platform as a basis for joint advocacy on constitutional reform</b></p> <p><b>Members of The civil society coalition begins to work together in seeking to influence the outcomes of official constitutional reform deliberations</b></p>	<p>Reduction of executive influence over the personnel, internal administration and policy orientations of anti-corruption agencies</p> <p>Passage of subsidiary legislation and constitutional amendments to reduce excessive executive discretion</p>	

## IV. Evaluation findings

This evaluation is based on a set of Evaluation Questions or EQs, designed to cover the Development Assistance Committee's (DAC) criteria: relevance, effectiveness, efficiency, impact, sustainability, and value added by UNDEF. The Evaluation Questions and related sub-questions are presented in Annex 1.



### *i. Relevance*

It is recognized by independent observers inside Ghana, as well as by international organizations providing development assistance to the country, that constitutional reform represents the most promising avenue through which to introduce improvements to Ghana's governance process. The substantial financial commitment by international donors in providing support to the CRC is testimony to the importance that was attached to its work. Accordingly, the CDD project was relevant in its focus on efforts to take practical action to address priorities in democratic development, and in ensuring that the priority concerns of Ghanaian civil society, as well as the interests of ordinary citizens (through the national public opinion survey) were heard.

CDD is a highly-respected organization, with good channels of communication with government, while maintaining its position of independence and political impartiality. The team that it assembled for the project included two of the leading authorities on constitutional development in Ghana. It also facilitated the preparation of a joint platform of proposals to the Constitutional Review Commission, bringing together the leading civil society organizations in the country.

In interviews conducted for the Evaluation, knowledgeable observers outside CDD, including those involved directly with the work of the official Constitutional Review

Commission, emphasized the strengths that the Centre brings to advocacy. These include the ability to build on the quality of its research and analysis; the evidential basis of its proposals; and, the credibility of those who present them. The strategy adopted by the project was judged to be appropriate and its reports to the Commission and the proposals which they contained were seen as highly relevant to its deliberations, even though those involved with the CRC or the government did not always agree with the detailed proposals. Whatever its fate, The Final Report of the Commission is widely regarded as an impressive achievement.

**Risk:** Drawing on the long experience of its Executive Director and other senior figures working with the project, CDD had a firm grasp of the risks it faced in undertaking the work. The central risks were related to the government's limited and uncertain commitment to constitutional reform. The project adjusted well to the unexpected change in direction by the government, which abruptly and unilaterally announced its decision to establish the Constitutional Review Commission (CRC). This development took place after the project had been launched and obliged CDD to restructure the project, as discussed above. It had been fully expected that a long period of sustained advocacy would be required to persuade the government to initiate the process. When this proved not to be the case, CDD and its allies now focused their attention on influencing the review process, rather than pressing the government to begin it.

A further unexpected development occurred with the delay by the government in releasing the CRC Report and its formal response to it. This obliged CDD to hold off its final conference, which was to consider and respond to the government's proposals, until those proposals were made available. The decision to delay the event was sound, and it was managed in acceptable fashion in terms of CDD's ability to maintain communications with the members of the Project Advisory Committee and its partners in the Civil Society Coalition.

By contrast, its communications with UNDEF on the case for a delay in holding the conference and the corresponding need to request a project extension was handled extremely poorly, with a gap of many months in communication between grantee and funder. The support of the funding agency was taken for granted, when a negative response could have put the holding of the final conference and a satisfactory conclusion to the project in jeopardy.

### **ii. Effectiveness**

The Project did not succeed in achieving constitutional reform, but it certainly made contributions to the prospect of achieving such reform in the future. Hence, it contributed effectively to the achievement of the project's development objective:

*The project aims to obtain measurable improvements in Ghana's constitutional and governance mechanisms by providing technical input and advocacy platforms for civil*

#### **The View of a Leader of a Faith-Based Organization, Taking Part in the civil Society Coalition**

"The voice of the people was heard by the government through the CDD process. The CDD position summarized that of all other civil society organizations. The Catholic Church's Memorandum to the CRC and the CDD process were very much on the same lines: focusing on the over-concentration of executive power. It is important that the state function properly".

**From Interview with Father Patrick Amos, Director, Governance, Justice and Peace Program of the Catholic Church of Ghana**

*society actors to research and build a constituency for constitutional and legal reform in key governance areas.*

The process of following up on the CRC Report is still under way, and the decision on which recommendations to accept rests with the government. There is little CDD or any other body outside government can do to influence the final stage of the process.

By building a platform for providing credible research inputs in support of advocacy for a broad-based coalition of civil society organizations CDD had a significant impact on the constitutional review process and in underscoring the centrality of a number of key issues.

Given Ghana's political dynamics and the power of the President, it may be that, despite the enormous effort made by all of those who took part in the constitutional review process, the government's ultimate response may be to do the minimum in terms of introducing changes to the country's governance process. However, for all this, the official review process was impressive in the scope of its activities, the depth and breadth of its analysis and the high quality of its final report. It stimulated a national discussion on the need for constitutional change and highlighted those proposals for which there was broad public support. The CDD made a very strong contribution to the process and to the analysis on which the CRC Final Report was based.



**Media Briefing at CDD on Constitutional Reform Proposals**

With the qualifications noted above, in the discussion of Project Strategy, the project was implemented as planned. All outputs were delivered, and, in the view of the Evaluation Team, all activities added value to the overall effort. The Project Advisory Committee played a constructive role and made a difference in strengthening the final design of activities, including the questionnaire for the national opinion survey and the selection of topics and speakers for major public events. The forming of the Civil Society Coalition, established in January-February 2010, and which included around 40 major national organizations from a variety of backgrounds, demonstrated CDD's convening power.

All project events and documents were presented under the auspices of the Coalition. This gave considerable weight and legitimacy to the proposals presented, in the eyes of the public, the media and the CRC itself.

The major studies and surveys conducted (see full list of project activities under Project Strategy, above) were particularly valuable in providing what was viewed as an objective basis to the proposals which the Coalition put forward to the Commission. The first two “Scoping Studies” were intended to build the foundations for the project and inform subsequent work. The first provided an overview of the case for constitutional reform, while also identifying key issues to be considered. The study, later presented as a public lecture, attracted widespread attention.

The second study was based on a comprehensive survey and review of the literature on constitutional development in Ghana, and was drawn on by the project in informing its shaping of issues for internal discussion. Its findings also constituted the content for one of two research papers presented to the CRC.



**Speakers at the Workshop on Gender and the Constitution**

The two studies were followed by two surveys, the design of which they helped to inform. The first of the two was an “Elite Survey”, consisting of 52 face-to-face interviews, conducted with leading opinion-leaders and practitioners in the major sectors of Ghanaian society. The second was a stratified National Public Opinion Survey of 1200 respondents.<sup>8</sup>

On the basis of the studies and surveys, two Research Reports were prepared, summarizing the major issues raised in the four research initiatives. The first report was based on the literature review and the second on the two surveys. Both were presented later to the CRC. In addition to providing the content for the reports presented to the CRC, the research formed the basis for deliberations within the project, among the

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<sup>8</sup> The survey was carried out over a 14-day period in March-April 2010, with the respondents selected from 75 Enumeration Areas in 22 districts within the 5 regions of Ghana. The survey was conducted by 28 research assistants trained by the research team at CDD.

members of the Advisory Committee and the Coalition. They also provided essential inputs for public events and media releases.

A series of public workshops was held on issues identified by the Advisory Committee as of central importance, but not receiving sufficient attention in the constitutional review. The topics included: Gender and the Constitution; Public Financial Management and the 1992 Constitution; Kenya's Constitutional Review Process: Lessons for Ghana; Article 71 and Public Sector Emoluments; and, the Media and the 1992 Constitution. A series of publications was also prepared, a number of them drawing on the workshop presentations.

Although not apparent on first inspection of the Project Document, there was an overall logic to the sequence of project activities – despite the necessary adjustments made – which gave cohesion to the project process. The continuing series of internal and public meetings, presentations and reports served to maintain momentum and helped to build the case for reform, while generating media and public interest, as well as attracting the attention of the CRC and the government.

A limitation of the project was that its activities and reports were intended principally for an audience of “governance insiders”, and not a wider public. On average, events were attended by 40-50 people, with the final conference attracting 75 participants. This reflects the elite politics of Ghana, with CDD playing its role as an important player in influencing opinion within the intelligentsia. At the same time, and to balance this, the organization of the public opinion survey and the publication of results derived from it performed a significant role in bringing the voice of the wider public to the proceedings of the CRC and the national debate on priorities for reform.

There are few organizations in Ghana with the necessary expertise and experience to organize major surveys. Despite its substantial budget, the CRC did not commission any surveys of its own, and drew heavily on the CDD public opinion survey and elite survey in compiling its report. It is not clear that the survey findings changed the recommendations put forward by the Commission, but they did reinforce its confidence that there was broad national support for some key proposals, which also arose from public consultations held by the Commission.

**Credibility of CDD and the Influence of the UNDEF-Funded Project on the Constitutional Review Commission:**

“The formation of the Civil Society Coalition at the time was unusual: it was a real strength of the project...CDD stood out for the quality of its work, the breadth of the base of the Coalition, and the quality of its experts...When CDD develops a project like that, you can be sure that it will be an evidence-based and more-or-less independent initiative, which will come to a proper conclusion”

**Interview with former staff member of the Commission**

The Commission devoted an afternoon to a consultation with representatives of the Coalition and CDD. In addition, a number of the principal experts involved in the project were asked by the leadership of the Commission to meet them individually to provide input on specific topics of concern.

Taken together, project activities were well-planned and well-selected as a basis for making progress towards the achievement of project objectives. The Civil Society Coalition and CDD undertook some high quality research and analysis, which

strengthened the case made for the principal reforms advocated, and, according to CRC staff members, had significant influence on the proceedings of the Commission.

### ***iii. Efficiency***

Project management arrangements seem to have been adequate for the management of logistics in Ghana. Further, CDD worked very well with the Advisory Committee throughout the project, as well as with the Civil Society Coalition. Particularly given the level of effort involved in the mounting of the National Public Opinion Survey, the grantee produced a long list of high-level outputs with the available resources. A review of the project budget and a consideration of the record of actual expenditures indicated that resources were used as planned, and that individual budget lines, including those for staff salaries and consultant costs, the national survey, and meeting costs and travel, were all reasonable, given the character of the project.

What was less impressive was the grantee's ability and performance in communicating effectively and in timely fashion with the funding agency. At one point, there was a ten-month period during which UNDEF received no response to its emails. CDD had determined that it would require a project extension to accommodate holding the final national conference after the government released the CRC Report. However, it was many months before this change of plans and request for a no-cost extension was conveyed to the funding agency.

While the request was accompanied by a formal letter from the CDD Executive Director, apologizing for "the failures of the management team to properly and systematically communicate issues related to the project to you" (i.e. the UNDEF Program Officer), the problems did not end there. The final event of the project was also the Third Milestone Event, and, as such, required attendance by the Project Monitor. Yet, UNDEF was only advised of the date for the activity a few days before it was to take place, causing major problems in ensuring the attendance of the Monitor.

While it appears to the Evaluation Team that CDD is a generally well-managed organization, the unacceptable performance in its relations with the funding agency in this case would seem to indicate certain weaknesses in the overall system. This would seem to be the case particularly where project management is concerned. Although a management team was established and met regularly, there was a failure by the team as a whole to ensure that all details were being taken care of. There may have been a lack of attention to assigned management responsibilities by particular individuals, but there was also a lack of overall quality control or supervision. It is to be hoped that CDD will review its management procedures and ensure that there is no recurrence in future projects and/or research programs.

### ***iv. Impact***

In the short term, the project has had no impact in bringing about improvements in the governance process in Ghana. At the same time, the work completed for the project, along with the alliances built, played a role in heightening attention to some critical concerns which may only be addressed through changes in the constitution. It seems probable that, regardless of the immediate response by the government to the CRC Report, the pressures to enhance the democratic basis of governance in Ghana will continue. Over time, the pressure is likely to produce results, whether through the introduction of major adjustments to the constitution, or on an incremental basis.

The establishment of a common platform among civil society organizations was an important step, and one which has been emulated subsequently in the development of similar collective efforts in such fields as anti-corruption. The highly effective utilization of survey research to give substance to claims of public support for major reform initiatives was another important innovation, which is likely to be a precedent for future advocacy on behalf of policy or legislative change.

In summary, the project can be judged to have made a significant contribution to promoting constitutional reform in Ghana.

#### ***v. Sustainability***

The process introduced by the project for coordinating and channelling civil society advocacy for democratic change is likely to continue beyond the project, and CDD is also committed to maintain its engagement with constitutional reform. The organization has both the professional credibility and the proven ability to attract international funding to ensure the continuation of its work program in strengthening governance in Ghana and, more broadly, in the continent.

#### ***vi. UNDEF Added Value***

It was beneficial for the project to be able to display the UNDEF banner at public events, since this reinforced the image of independence. This was of great value to the Civil Society Coalition and CDD in order to demonstrate that they stood aside from partisan politics in the constitutional reform debate.

#### **Organizational Members of the Constitutional Reform Coalition** *(Civil Society Coalition)*

- \_ FIDA Ghana
- \_ Association of Advance Women in Africa (ASAWA)
- \_ Action for Disability and Development
- \_ Amnesty International (AI)
- \_ Action on Youth & Community Development (AYCD)
- \_ Center for Development of People (CEDEP)
- \_ Christian Council of Ghana
- \_ Civil Servants Association (CSA)
- \_ Civitas Ghana
- \_ Commission for Human Rights (CHRAJ)
- \_ EANFO WORLD
- \_ Federation of Muslim Council
- \_ Ghana 4 Peace Project
- \_ Ghana Federation of the Disabled
- \_ Ghana Integrity Initiative
- \_ Ghana Journalists' Association
- \_ Ghana Liberal Students' Association
- \_ Ghana Muslim Mission
- \_ Ghana Muslim Academy
- \_ Ghana National Association of Graduate Teachers
- \_ Ghana Registered Midwives Association
- \_ Institute of Democratic Studies
- \_ Islamic Council on Dev't & Humanitarian Service
- \_ National Network of Local Civic Unions
- \_ National Union of Ghana Students
- \_ Non-Violence International
- \_ Partners for Democratic Change
- \_ WILDAF
- \_ Third World Network
- \_ CEPA
- \_ WANEP
- \_ Ghana Anti-Corruption Coalition
- \_ Faculty of Law, KNUST
- \_ Economics Dept. Legon
- \_ Institute for Policy Alternative
- \_ Trade Union Congress (TUC)
- \_ Economics Dept, KNUST
- \_ Muslim Dialogue & Humanitarian Organization.
- \_ Al Husunna



Training at CDD for Research Assistants Working on the National Public Opinion Survey

## V. Conclusions

*All conclusions are derived from the findings of the Evaluation, presented above.*

*i.* It is widely recognized that constitutional reform in Ghana represents the most promising avenue for introducing change to a political system within which an excessive concentration of power in the hands of the executive has resulted in deficiencies in governance processes, including institutional arrangements to support accountability and transparency. ***The CDD project was relevant in its focus on efforts to take practical action to address core issues in democratic development,*** and in ensuring that the priority concerns of Ghanaian civil society, as well as the interests of ordinary citizens (through the national public opinion survey), were heard in the course of the constitutional review process. This conclusion derives from the finding on relevance.

*ii.* The project was designed and launched at a time when ***the government had made no firm commitment to initiating a constitutional review process.*** Hence, it was intended as an effort to make the case for the urgency of considering governance reform and to identify the most critical issues requiring

attention. ***The sudden and unexpected announcement by the government of the establishment of the Constitutional Review Commission a few months following the initiation of the project obliged the grantee to re-focus the project.*** That they were able to do so speaks well for the grantee's flexibility and resilience. Where previously the goal was to press the government to undertake a constitutional review, the emphasis now was on ***influencing the process and the key issues deserving of attention.*** As a result, through the project, CDD was engaged in a process to identify priorities for constitutional development and undertake advocacy in their support which ran in parallel with the program of the official Constitutional Reform Commission (CRC). This conclusion derives from the finding on effectiveness.

***iii.*** With its ***reputation for professionalism and independence,*** and its well-established networks, ***CDD was well-positioned to play a leading role*** in facilitating a coordinated approach by Ghanaian civil society in seeking to influence constitutional reform. CDD further strengthened its capacity to carry out the project and undertake highly credible research on constitutionally-related issues by establishing a project Advisory Committee, including a number of leading experts. The Committee played an active role throughout the project. ***CDD convened a Civil Society Coalition in the name of which all project activities and reports were presented, thus ensuring that major civil society organizations from leading sectors of Ghanaian society spoke with one, powerful voice,*** CDD's high standing, the Advisory Committee, and the Civil Society Coalition contributed to positive performance on a number of the quality criteria discussed above, particularly relevance, effectiveness, impact, and sustainability.

***iv.*** While the government has yet to make a firm commitment to implementing the principal recommendations of the CRC, ***the consultative process which the Commission undertook was regarded as extremely important in advancing the national dialogue on the need for taking action to improve governance processes*** and enhance the quality of Ghanaian democracy. The Final Report of the CRC has been greeted with widespread approval. It is recognized by those involved in the work of the Commission that CDD and ***the Civil Society Coalition which it supported had considerable influence on the official process*** and on the priority issues which it considered. According to the same sources, as well as other observers, CDD's ***influence derived from the high quality of the research undertaken*** as a basis for the proposals it put forward, the credibility lent to these proposals by the range and number of civil society partners in the Coalition, and the credibility of the leading experts who were part of the project team and Advisory Committee. Particularly influential were the findings of the ***National Public Opinion Survey undertaken by CDD. This was a thoroughly professional initiative,*** built on the organization's expertise in survey research, and was the only national survey undertaken relating to the constitutional review process, bringing the voices of ordinary citizens to bear on key issues relating to constitutional change. The survey results were conveyed to the CRC at the time of the Coalition's presentation before the Commissioners. ***The findings were of crucial importance in demonstrating to the Commission the weight of public support*** for some of what became the key issues addressed in its recommendations. The Project did not succeed in achieving constitutional reform, but it certainly made contributions to the prospect of achieving such reform in the future. Hence, it contributed effectively to the achievement of the

project's development objective. This conclusion is based on the findings effectiveness and impact.

**v. Project management arrangements were generally satisfactory and the grantee managed a long list of activities with commendable efficiency.** The use of project resources was balanced and seemed appropriate in view of the list of activities completed. The black spot in project management was its **poor and unacceptable record in communicating with UNDEF.** Despite the establishment of a management team, which met regularly, there was clearly a **lack of attention to detail**, along with deficiencies in supervision by senior management.

**vi.** It is often difficult to assess the impact and effectiveness of a constitutional review process - or of a project intended to support, and/or influence, it. The overall view of the Evaluation team is that **the project added value to the official constitutional review process and was worthy of UNDEF support.**

## VI. Recommendations

***It is recommended that:***

***i.*** In reviewing its experience with projects relating to constitutional reform, **UNDEF** recognizes that some such initiatives can represent an effective and worthwhile contribution to democratic development, even where results are difficult to assess. Particularly important is the ability of such a project to facilitate broad-based civil society involvement.

***ii.*** **CDD Ghana** reviews its performance in managing communications with funders in the course of the project and addresses deficiencies in its management arrangements for future projects, with particular attention to quality control by senior management.

***iii.*** In light of the experience in this project, **UNDEF** reviews the content of its grant agreements to ensure that adequate attention is given to the responsibilities of the grantee for timely communications with the funding agency, including responses to enquiries.

## VII. Overall assessment and closing thoughts

The project supported a process of engaging Ghanaian civil society in a consideration of the need for constitutional reform and identification of the priorities to be addressed. The CDD-led project ran in parallel with the official process undertaken by the CRC, and sought to influence it. The conclusion arrived at by the Evaluation Team is that the project added value to the official process.

On the whole, it was beneficial for Ghanaian society that the civil society organizations were able to speak with one voice, and that the proposals put forward by the Coalition were so well-supported by high-quality research. All of this was facilitated by UNDEF's timely support. It is exceptionally difficult to assess the difference made by a project seeking to support constitutional reform. In this case, at least, it may be concluded that the initiative was very much worthwhile and warranted UNDEF support.

## VIII. ANNEXES

### Annex 1: Evaluation questions

DAC criterion	Evaluation Question	Related sub-questions
Relevance	To what extent was the project, as designed and implemented, suited to context and needs at the beneficiary, local, and national levels?	<ul style="list-style-type: none"> <li>▪ Were the objectives of the project in line with the needs and priorities for democratic development, given the context?</li> <li>▪ Should another project strategy have been preferred rather than the one implemented to better reflect those needs, priorities, and context? Why?</li> <li>▪ Were risks appropriately identified by the projects? How appropriate are/were the strategies developed to deal with identified risks? Was the project overly risk-averse?</li> </ul>
Effectiveness	To what extent was the project, as implemented, able to achieve objectives and goals?	<ul style="list-style-type: none"> <li>▪ To what extent have the project's objectives been reached?</li> <li>▪ To what extent was the project implemented as envisaged by the project document? If not, why not?</li> <li>▪ Were the project activities adequate to make progress towards the project objectives?</li> <li>▪ What has the project achieved? Where it failed to meet the outputs identified in the project document, why was this?</li> </ul>
Efficiency	To what extent was there a reasonable relationship between resources expended and project impacts?	<ul style="list-style-type: none"> <li>▪ Was there a reasonable relationship between project inputs and project outputs?</li> <li>▪ Did institutional arrangements promote cost-effectiveness and accountability?</li> <li>▪ Was the budget designed, and then implemented, in a way that enabled the project to meet its objectives?</li> </ul>
Impact	To what extent has the project put in place processes and procedures supporting the role of civil society in contributing to democratization, or to direct promotion of democracy?	<ul style="list-style-type: none"> <li>▪ To what extent has/have the realization of the project objective(s) and project outcomes had an impact on the specific problem the project aimed to address?</li> <li>▪ Have the targeted beneficiaries experienced tangible impacts? Which were positive; which were negative?</li> <li>▪ To what extent has the project caused changes and effects, positive and negative, foreseen and unforeseen, on democratization?</li> <li>▪ Is the project likely to have a catalytic effect? How? Why? Examples?</li> </ul>
Sustainability	To what extent has the project, as designed and implemented, created what is likely to be a continuing impetus towards democratic development?	<ul style="list-style-type: none"> <li>▪ To what extent has the project established processes and systems that are likely to support continued impact?</li> <li>▪ Are the involved parties willing and able to continue the project activities on their own (where applicable)?</li> </ul>
UNDEF value added	To what extent was UNDEF able to take advantage of its unique position and comparative advantage to achieve results that could not have been achieved had support come from other donors?	<ul style="list-style-type: none"> <li>▪ What was UNDEF able to accomplish through the project that could not as well have been achieved by alternative projects, other donors, or other stakeholders (Government, NGOs, etc.).</li> <li>▪ Did project design and implementing modalities exploit UNDEF's comparative advantage in the form of an explicit mandate to focus on democratization issues?</li> </ul>

## Annex 2: Documents Reviewed

Bertelsmann Stiftung Transformation Index, BTI 2012: Ghana Country Report;

Ghana Constitutional Review Commission, Report of the Constitutional Review Commission: From a Political to a Developmental Constitution, presented to the President of the Republic of Ghana, 20 December 2011

E. Gyimah-Boadi and Victor Brobbey, Countries at the Crossroads 2012, Ghana, Washington DC: Freedom House.

UNDP, Human Development Indicators 2012: Country Profile, Ghana.  
<http://hdrstats.undp.org/en/countries/profiles/gha.html>

USAID, Ghana Democracy and Governance Assessment, April 2011;

## Annex 3: Persons Interviewed and Field Mission Schedule

March 25, Monday
<ul style="list-style-type: none"> <li>• Initial planning and logistics meeting, International and National Consultants;</li> <li>• Ms. Adwa Bame, Executive Director, Women’s Initiative for Self-Empowerment (WISE).</li> </ul>
March 26, Tuesday
<ul style="list-style-type: none"> <li>• Introductory meeting with Victor Brobbey, Lead Researcher on the project and CDD Research Fellow for Governance and Legal Policy, CDD-Ghana; Second meeting: general overview and review of project background and activities;</li> <li>• Father Patrick Amos, Director of Governance, Justice and Peace Program, Catholic Secretariat;</li> <li>• Professor Dadzu Tsikata, Faculty of Social Studies, University of Ghana.</li> </ul>
March 27, Wednesday
<ul style="list-style-type: none"> <li>• Professor Emeritus Samuel Gyandoh, senior partner, Gyandoh, Asmah and Co. (law firm), and member of Project Advisory Team;</li> <li>• Mr. Justice Emile Short, Former Executive Director, Commission for human Rights and Administrative Justice, and member of Civil Society Group on Constitutional Reform);</li> <li>• Mr. Clement Akapame, Senior Associate, and Mr. Oliver Mawuse, Associate, Law and Development Associates (both were formerly seconded to be members of the Research Department of the Secretariat of the Constitutional Review Commission).</li> </ul>
March 28 , Thursday
<ul style="list-style-type: none"> <li>• Sheikh Armiyawo Shaibu, Director of Islamic Education Unit of the Ghana Education Service and Imam; Member of Advisory Board, Coalition of Domestic Election Observers; and, member of Project Advisory Team;</li> <li>• Ms. Regina Oforiwa Amanfo, Program Officer, CDD-Ghana;</li> <li>• Professor E. Gyimah-Boadi, Executive Director, CDD-Ghana;</li> <li>• Ms. Florence Dennis, Executive Secretary, Ghana Anti-Corruption Coalition;</li> <li>• Mr. Paa Kow Acquah, Office of the Attorney General (formerly senior staff member of Constitutional Review Commission).</li> </ul>
March 29 , Friday
<ul style="list-style-type: none"> <li>• Review and Debriefing between International and National Consultants;</li> <li>• CDD-Ghana was unable to confirm other meetings requested by the Evaluation Team, and/or proposed by CDD and the CDD-Ghana Executive Director for Friday or Saturday.</li> </ul>

## Annex 4: Acronyms

BTI	Bertelsmann Stiftung Transformation Index
CRC	Constitutional Review Commission
CSO	Civil Society Organization
DAC	Development Assistance Committee
EQ	Evaluation Question
GDP	Gross Domestic Product
GE	Gender Equality
HDI	Human Development Index
ICT	Information and Communications Technology
NGO	Non-Governmental Organization
ToT	Training-of-Trainers
UN	United Nations
UNDEF	United Nations Democracy Fund
UNDP	United Nations Development Program
US	United States
USAID	United States Agency for International Development
WISE	Women's Initiative for Self-Empowerment