



Beyond Legislation: Making the Right to Information Work Against Corruption in West Africa

Policy Brief
May 2026



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INTRODUCTION

The Right to Information (RTI) is widely recognized as one of the most powerful institutional tools for advancing transparency, accountability, and democratic governance. By granting citizens the legal right to access information held by public authorities, RTI strengthens oversight, enhances public participation, and improves the quality of decision-making. When effectively implemented, RTI enables citizens, civil society, journalists, and oversight institutions to monitor government actions, track public expenditure, and demand accountability for service delivery outcomes. In this way, RTI serves not only as a transparency mechanism but as a foundational pillar of open government.

In West Africa, the importance of RTI is particularly pronounced. The subregion continues to face persistent governance challenges, with corruption undermining public

service delivery, weakening state legitimacy, and diverting scarce resources away from critical sectors such as health, education, and infrastructure. Corruption also intersects with broader illicit activities in the region, including trafficking in arms and narcotics, terrorism, wildlife and forest crime, human trafficking, and migrant smuggling. Several West African states consistently score below the global average on Transparency International's Corruption Perceptions Index (CPI), with a regional average score of approximately 32/100 showing a below average and systemic transparency and accountability weaknesses.

Against this backdrop, strengthening and institutionalizing RTI frameworks is not merely a legal reform exercise but a strategic governance intervention. A well-functioning RTI regime can help shift incentives within public institutions, reduce information asymmetries, empower

citizens, and create sustained pressure for integrity in public administration. As such, enhancing the implementation and effectiveness of RTI laws across West Africa represents a critical pathway toward combating corruption and strengthening democratic governance

To further understand the nature of RTI and its link to anticorruption, a study was conducted with data from four country cases¹. The main report documents the nature of RTI legal frameworks in selected countries and the extent they are functioning in reality, and what practices, norms, or institutional weaknesses are impeding them². This Policy Brief therefore intends to project out the main recommendations, bringing out key policy action needed

West Africa has made notable legal progress in recognizing the Right to Information (RTI) as a fundamental democratic right. Countries such as Ghana, Sierra Leone, Liberia, and Togo have developed dedicated RTI legislations or constitutional provisions aimed at giving

citizens the right to access government-held information. These reforms align with obligations under regional and international instruments, including:

- African Charter on Human and Peoples' Rights (ACHPR)
- African Union Convention on Preventing and Combating Corruption (AUCPCC)
- UN Convention Against Corruption (UNCAC)
- ECOWAS Supplementary Act on RTI
- African Commission's Model Law on Access to Information
- Maputo Protocol and Protocol on Persons with Disabilities
- Guidelines for Elections, Procurement, and Public Finance Transparency

1 Ghana, Liberia, Sierra Leone & Togo

2 The study methodology including data and analytical approach is provided in the annex.

Table 1. Comparative RTI Landscape the Select Countries

Theme	Ghana	Liberia	Togo	Sierra Leone
<i>ACA Integration of RTI</i>	Investigative use within CHRAJ; moderate awareness	LACC collaboratively with IIC; cautious disclosure	Legal dissemination focus; limited transparency	Operational integration; proactive public engagement
<i>RTI Awareness (Citizens)</i>	Low; hindered by bureaucracy and limited outreach	Mixed; rural underserved areas	Low; digital divide and legal ambiguity	High; supported by outreach and compliance mechanisms
<i>RTI Requests & Complaints</i>	Media tend to use often, but CSO rarely. Citizen rarely	10–15 complaints/year; mostly denials	Rare mostly economic rights	Over 19,000 requests/year; formal channels active
<i>Internet Shutdowns</i>	Viewed as harmful to transparency	Rare but recognised as a threat	Frequent disruptive and	Rare but recognized as a threat
<i>Barriers to RTI</i>	Bureaucratic resistance, low awareness, Centralized RTIC system, inadequate digital infrastructure to digitalize request	Budgetary constraints, legal limits, partial compliance with RTI obligations	Poor infrastructure, high costs	Regional disparities, funding gaps
<i>CSO Engagement</i>	Limited; trust deficit with institutions	Expanding; supported by IIC	Constrained by access and cost	Active and strategic; supported by RAIC
<i>Whistleblower Protections</i>	Legal provisions exist but underutilized	Strong legal and psychosocial support	Legal present but weak uptake	Comprehensive legal and operational support

1. RTI's Anticorruption Promise

RTI is globally recognized as a cornerstone of transparency and accountability. West Africa offers an important setting for understanding how corruption and the Right to Information (RTI) interact. While many countries in the region have passed RTI or Access to Information laws, how well these laws work in practice varies greatly. In some places, people still struggle to get information because of restrictive laws, censorship, state-controlled misinformation, internet shutdowns, or officials simply refusing to release information. These barriers weaken the ability to report on or amplify corruption reporting, limit public oversight, and reduce citizen participation. RTI is crucial in the fight against corruption conversation given that high prevalence of corruption indicates the existence of institutional dysfunctionality³.

Access to timely, accurate, and relevant information enables stakeholders to detect, expose, and challenge corrupt practices.

The study identifies three cross-cutting issues that define the regional landscape. First, there are significant enforcement gaps and institutional resistance. Although most RTI laws mandate disclosure, agencies often fail to respond within legal deadlines. In many countries, the right exists *on paper* but is undermined by weak enforcement capacity and the absence of meaningful sanctions. Public bodies frequently misinterpret or broaden exemptions, delay responses without justification, ignore rulings from oversight bodies, provide incomplete or unusable information. Secondly, there is uneven citizen access and limited awareness.

3 Ceva, E. & Ferretti, M. (2021) Upholding public institutions in the midst of conflicts: the threat of political corruption *Ethics & Global Politics* Vol. 14, 2021 - Issue 3

In most countries, RTI usage is dominated by journalists and CSOs, leaving behind marginalized communities who are often the most directly affected by corruption. RTI usage remains low among ordinary citizens due to low legal literacy, limited public awareness, costs/fees, gender, disability, and rural-urban disparities, and language barriers and limited community outreach. Thirdly, analysis from the study indicates digital constraints and civic-space restrictions. Effective RTI systems depend on digital access and unencumbered and transparent online systems. However, internet costs remain high, connectivity is poor especially in rural areas, online request portals are underdeveloped, some countries (e.g., Togo) experience politically motivated internet shutdowns and freedom of expression restrictions limit effective use of RTI.⁴ The result is a fragmented transparency environment where citizens face both administrative and technological barriers.

The regional summary is that West Africa has robust legal foundations for RTI but the implementation and operationalization is insufficient. Strengthening the link between RTI and anti-corruption requires targeted reforms, political commitment, and a multi-stakeholder approach involving government, the judiciary, CSOs, media, and development partners. The next section discusses the recommendations.

4 See the full report for a detail discussion.

2. Recommendations for Strengthening RTI as an Anti-Corruption Tool

This section outlines six priority recommendations from the study, each with justification and actionable guidance for RTI oversight agencies, policymakers, civil-society advocates and journalists, and the international communities.

2.1 Strengthen Enforcement and Sanctioning Powers of RTI Oversight Bodies

For the RTI to be effective against corruption, it should be viewed as a system and the implementation and adherence should be across the spectrum. The RTI system includes a comprehensive legal and institutional framework that enables citizens to access information held by public authorities in a timely, transparent, and enforceable manner. It goes beyond the existence of the RTI law and encompasses the

structures, procedures, and capacities required to translate the legal right to information into practical accountability including a well-designed institutional architecture, robust administrative procedures, emphasize proactive disclosure and effective enforcement mechanisms. Finally, sustained public awareness and capacity-building on both the supply and demand sides strengthen system utilization and impact.

Evidence presented in the study shows there is a robust RTI institutional framework with oversight institutions, such as Ghana's RTIC, Liberia's Information Commission (IIC), and Sierra Leone's RAIC, however, these agencies often lack the authority, resources, or political independence to enforce RTI effectively. These institutions sometimes ignore orders to disclose information, limiting accountability. Extant evidence suggests strengthening public agencies' internal capacity help their service delivery and responsiveness,

when faced with evidence of poor performance⁵. Though the weak RTI enforcement climate has multiple underlying causes, efforts that strengthen the enforcement of these RTI laws, such as, strengthening the agencies' authority to sanction non-compliance, beyond advisory roles will increase its effectiveness.

The specific policy actions include;

- ① Amend RTI laws to grant oversight bodies binding authority to compel disclosure.
- ① Introduce penalties for public officials who obstruct access or fail to respond or respond in a timely manner.
- ① Guarantee direct budget lines for RTI oversight bodies to reduce political influence.
- ① Provide specialized legal and investigative staff to strengthen institutional autonomy.

Bridging the gap between law and practice requires consistent sanctions for non-compliance. Efforts that strengthen the enforcement of these RTI laws, such as, strengthening the agencies' authority to sanction non-compliance and others listed above will increase its effectiveness. A stronger enforcement environment will reduce bureaucratic resistance, encourage compliance, and signal political commitment to transparency. This recommendation requires inter agency actions from parliamentary to executive bodies. The parliamentary unit will see to the amendment of the necessary laws while the executive agencies especially the RTI Commission will see to its implementation.

2.2 Promote Proactive Disclosure and Reduce Bureaucratic Barriers

Most corruption risks arise from opacity or lack of openness in procurement, budgeting, service

5 Cody A Drolc & Lael R Keiser 2021 The Importance of Oversight and Agency Capacity in Enhancing Performance in Public Service Delivery Journal of Public Administration Research and Theory, Volume 31, Issue 4, October 2021, Pages 773–789, <https://doi.org/10.1093/jopart/muaa055>

delivery and so on. Analysis presented in the main study shows that RTI struggles in part because of the reactive nature of the RTI process. Ultimately, entrenching proactive disclosure as institutional culture will reduce administrative bottlenecks and backlogs of requests. When public institutions regularly publish essential data such as budgets, contracts, audit outcomes, and procurement decisions, it will significantly reduce the volume of individual information requests and minimise bureaucratic delays. Proactive disclosure also helps overcome the logistical and financial barriers that limit citizens' ability to file formal requests, particularly in rural and marginalized communities.

This recommendation acknowledges the intergovernmental nature of its implementation, which if implemented effectively would help achieve information disclosure.

The related specific policy actions include;

- More direct efforts on automatic/regular publication of budgets, procurement

data, contracts, audit findings, and asset declarations.

- Standardize digital formats (machine-readable, accessible, multilingual) for public data.
- Reduce fees and eliminate unnecessary administrative steps for information requests.
- Create and maintain a public register of agencies with a mandate to publish annual information disclosure/reports (e.g., annual report, audit reports etc.). This could serve as a form of naming and shaming with intention to drive regular and timely publication.

Proactive disclosure not only fulfils RTI objectives, it also advances open government reforms by reducing information asymmetries, enabling civic oversight, and deterring corruption risks before they materialize. This approach aligns closely with the principles of the Open Government Partnership (OGP), in which countries are encouraged to adopt open

data standards, strengthen fiscal transparency, improve public procurement disclosure, and enhance access to information frameworks. **The implementation of this recommendation requires intergovernmental cooperation, RTI agencies in the respective countries particularly have a great role to play.**

2.3: Expand Public Awareness and RTI Education

RTI laws are only effective when citizens know their rights and are empowered to use them. Findings in this study, and supported by the broader literature show that what matters in the RTI-corruption link is not just the existence of the law, but the broader awareness and successful exercise of the RTI⁶. The study found that RTI use remains concentrated among a narrow

group of actors (mostly Journalists and NGOs) while most citizens, especially women and rural populations, are excluded. This selective use has been reported as common and persistent in other contexts⁷, implying that a deliberate policy intervention is necessary. **RTI agencies in the respective countries have important role to play in executing this recommendation. This can be done in cooperation with NGOs and media.**

The policy actions that are needed from oversight bodies include the following;

- ① Increase national public-awareness campaigns using local languages and community radio. Some agencies are already implementing public awareness programs, but the continuous low uptake suggests the need to intensify the effort

6 Rafael Piñeiro Rodríguez, Paula Muñoz, Fernando Rosenblatt, Cecilia Rossel, Fabrizio Scrollini & Emiliano Tealde 2023 How the exercise of the right to information (RTI) affects trust in political institutions *Government Information Quarterly* Volume 40, Issue 4, October 2023,

7 Colin Darch & Peter G. 2005 Underwood Freedom of information legislation, state compliance and the discourse of knowledge: The South African experience *The International Information & Library Review* Volume 37, Issue 2, June 2005, Pages 77-86

and widen the scope and medium.

- Build civil-society partnerships to support vulnerable groups in making requests.
- Integrate RTI education into civic and human-rights programs in schools and universities.
- Develop simplified RTI guides for women's groups, youth networks, PWD organizations, and rural communities.
- Increase funding support to RTI agency to fully implement and enforce RTI compliance.

The expected impact from these policy actions will include increased citizen literacy and participation which will in turn create bottom-up pressure for performance and strengthen democratic accountability. It will also increase trust in the agency, particularly when there is constant and prompt response to information request.

2.4: Improve Digital Infrastructure and Expand Online RTI Access

RTI systems should increasingly rely on digital tools for efficiency, accessibility, and transparency. In view of continuous digital advancements generally, RTI related digital offering should improve accordingly. **The national or regional digital infrastructure environment will always impact the extent of RTI digital offers and uptake, as such improving the digital infrastructure environment requires a national level action, however, oversight bodies could navigate by improving their agency use of digital infrastructure.**

Some suggested policy actions may include;

- Create or upgrade national RTI portals for online requests and proactive disclosures. RTI duty-bearers could aim to become a one-stop shop for government information, through upload/link for major government reports.
- Create Hybrid RTI Access Channels (Online + Offline). Given that many citizens still

lack internet access or digital tools, maintain walk-in RTI centres at district and local government levels.

- Ensure digital accessibility for persons with disabilities (screen readers, easy-to-read formats).
- Establish community information access centres in low-connectivity areas.
- Campaign, create and adopt policies prohibiting politically motivated internet shutdowns. Campaigns and advocacy against internet shut-down, especially by civil society, journalists and international actors.
- Establish RTI contact points in libraries, post offices, and community centers.
- Support community radio stations to disseminate information on RTI processes

Efforts towards bridging the digital divide is necessary for RTI laws to fulfil their anticorruption purpose. Without deliberate investments in broadband, digital literacy, inclusive design, and hybrid access systems, online RTI tools may unintentionally deepen existing inequalities.

An integrated approach that combines digital expansion with offline access mechanisms ensures that every citizen, regardless of geography, gender, age, or disability, can exercise their fundamental right to information.

2.5: Strengthen ECOWAS-Level Peer Learning and Monitoring

West African countries face similar political and institutional conditions. A regional approach can help harmonize standards, share innovations, and build collective accountability.

The specific policy action may include;

- ◎ Establish an ECOWAS RTI Monitoring Mechanism to track member-state compliance. Some direct ideas could be to develop a regional RTI performance dashboard to track progress across member states using standardized indicators such as request to disclosure rates, complaint resolution timelines, and institutional responsiveness, or a cross-

country technical assistance and twinning arrangements

- Facilitate regional exchanges and best-practice workshops among RTI commissions and NGOs.
- Develop common standards for proactive disclosure, exemptions, and appeals procedures.
- Encourage cross-country investigative journalism collaborations.

More deliberate efforts to foster regional peer learning and ECOWAS-level monitoring can help improve RTI effectiveness. The expected impact will include peer learning and regional monitoring helping to improve harmonization and help sustain political will.

2.6: Strengthening duty-bearers understanding of anticorruption-RTI mechanism:

There is a general recognition of the role of access to information to transparency and accountability, but this is not obvious from the interviews conducted across case study countries. The findings from the study suggest that the RTI-anticorruption link is hardly top-of-mind of staff and not seen as a major reason to ease information access in the day-to-day work of the duty-bearers. This suggests raising the level of understanding of RTI's role in anti-corruption can be a way to improve anticorruption effect of RTI. The message that access to information is anticorruption needs to be amplified more.

The specific policy action may include;

- Mandatory RTI-Anticorruption training for public officials, or issue official guidelines linking RTI to anticorruption mandates.
- Conduct joint capacity-building workshops

with anti-corruption bodies, organize periodic joint training between RTI Commissions and Anti-Corruption Agencies to help officials understand, for instance, the complementary roles of both systems, how RTI requests can trigger corruption investigations, reporting pathways for suspected misconduct and so on.

- ① Establish interagency reporting mechanisms for RTI-Related and corruption red flags. This may include creating structured channels where RTI Commissions can notify anti-corruption agencies when patterns of repeated refusal, unusual delays, missing files, or suspicious exemptions suggest intentional obstruction or corruption.

Conclusion

RTI remains one of the most powerful tools available for combating corruption, enhancing transparency, and rebuilding public trust across West Africa. Despite a strong RTI legal architecture, the region continues to grapple with persistent challenges; weak enforcement, administrative resistance, low citizen awareness, digital inequality, and political constraints that limit the effectiveness of existing RTI laws. Overcoming these obstacles requires governments to move beyond legislative symbolism and demonstrate real institutional commitment.

Effective RTI implementation depends on strong and independent oversight bodies, empowered citizens who understand and use their RTI rights, functional and inclusive digital systems, and sustained regional cooperation. Civil-society organizations and the media are already leading users of RTI mechanisms, and their role in driving

demand, exposing corruption, and holding institutions accountable remains indispensable. This needs to be encouraged to continue while efforts to improve citizens' exercising their right to information is being worked on to improve.

Strengthening RTI is a governance imperative. Beyond its anti-corruption effect, it is a step toward democratic consolidation, improved service delivery, responsive public institutions, and more equitable development across West Africa. A renewed, collective commitment to RTI can help transform transparency norms, reinforce accountability systems, and create a governance environment where citizens are truly at the centre of public decision-making.

4. Annex – Summary of the Study Methodology

This work is part of a four-part Africa study to identify and analyze the alignment between, and the domestication and actual implementation of, the identified RTI provisions in four regions of the African continent (Central, Eastern, Southern, and Western) with a particular focus on 11 specific countries in those regions. Eleven countries are covered in the four regions, and these are Congo, Democratic Republic of Congo (DRC), Ghana, Kenya, Liberia, Rwanda, Sierra Leone, South Africa, Togo, Uganda and Zambia. This report focuses on the research in West Africa. The study was conducted using a two-phase mixed-method design combining desk-based legal and policy analysis with qualitative insights from key actors.

Phase 1: Desk-Based RTI and Anticorruption

Analysis

The study conducted an extensive review of:

- National RTI laws and regulations in the region with specific focus on Ghana, Liberia, Sierra Leone, and Togo
- Regional and international frameworks (ACHPR, AUCPCC, UNCAC, ECOWAS Supplementary Acts, Model Law, etc.)
- Secondary sources including reports, evaluations, civil-society submissions, and independent analyses
- Government documents: - budgets, procurement guidelines, audit reports, and institutional directives

This provided a baseline understanding of legal commitments and structural gaps.

Phase 2: Key Informant Interviews (KIIs)

Semi-structured interviews were held with:

- National RTI institutions (RTIC, IIC, RAIC-SL)
- Anti-corruption commissions and integrity bodies
- Human rights commissions
- Civil-society organizations and journalists (TI National chapters and NGOs)

Interview topics included: Rate of RTI request, Experiences submitting and receiving RTI requests, Barriers to access Institutional challenges and capacity constraints; Perceptions of RTI's impact on corruption and Recommendations for legal and institutional reforms

Analytical Approach

The study used thematic-comparative analysis to identify common patterns across countries, then compared findings to regional and global best practices. Emphasis was placed on feasibility, sustainability, and alignment with existing governance commitments.

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