



**RIGHT TO INFORMATION COMMISSION**

**ACCRA**

**28<sup>TH</sup> JANUARY 2026**

**RTIC/AFR/68/2025**

**GILBERT KORBLA KEKLIE**

**APPLICANT**

**KETA MUNICIPAL ASSEMBLY**

**VOLTA REGION – GHANA**

**VRS**

**ECONOMIC AND ORGANISED CRIME OFFICE**

**RESPONDENT**

**ACCRA**

**DETERMINATION BY THE RIGHT TO INFORMATION COMMISSION IN RESPECT  
OF AN APPLICATION FOR REVIEW FILED BY GILBERT KORBLAH KEKLIE  
AGAINST THE ECONOMIC AND ORGANISED CRIME OFFICE FOR NON-RELEASE  
OF REQUESTED INFORMATION**

**FACTS**

On 2<sup>nd</sup> October 2025, the Right to Information Commission (hereinafter referred to as the “Commission”) received an application for review from Gilbert Korbla Keklie (the “Applicant”) seeking a review of the decision of the Economic and Organised Crime Office (EOCO) (the “Respondent”) for failure to grant access to information requested under the Right to Information Act, 2019 (Act 989).



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According to the Applicant, an initial request for information was submitted to the Respondent on **16<sup>th</sup> January 2023**, and subsequently received an official response from the Respondent on 2<sup>nd</sup> March, 2023 citing section 7 of Act 989 as the basis for refusal on grounds that the disclosure of the requested information could prejudice ongoing investigations or the subsequent prosecution of likely offenders.

The Applicant requested the following information:

1. **The report on the investigation involving Seth Yorwemu and others.**
2. **The report on how much each of the officers involved refunded to the Keta Municipal Assembly and supporting same with documentary evidence.**
3. **The report on the investigation involving Emmanuel Gemegah.**

After receiving the application, the Commission wrote to the Respondent by letter dated **10<sup>th</sup> November 2025**, directing it under **section 43(2) (f)** of Act 989 to furnish the requested information to the Commission within seven (7) days of receipt of the said letter for the purposes of review.

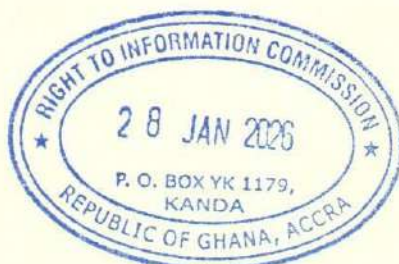
As at the date of this determination, the Respondent has failed, refused, and/ or neglected to respond to the Commission.

### **LEGAL ANALYSIS**

Under **section 27(1) of Act 989**, a public institution may refuse access to information where:

- a. the application is manifestly frivolous or vexatious; or
- b. the information requested is exempt information.

Information that is exempt from disclosure is provided for under sections 5 to 16 of Act 989. Specifically **Section 7(1)(b)&(e)** provide that *“information is exempt from disclosure where the information contains matters which if disclosed can reasonably be expected to prejudice the*



*investigation of a contravention or possible contravention of an enactment, or impede the prosecution of an offence”.*

However, under **Section 7(2)**, *information is not exempt from disclosure where that information consists merely of a report on a law enforcement investigation that has already been disclosed to the person who is the subject of the investigation.*

For purposes of this determination, a report is defined as an account given of a particular matter, especially in the form of an official document, after thorough investigation or consideration by an appointed person or body. From the Commission’s examination of the request and considering that section 7(1) is primarily intended to protect active and ongoing investigative processes, it follows that once investigations have been concluded and a report issued, such a report, pursuant to section 7(2), is not exempt from disclosure.

It is also important to note that **section 43(2)(f) of Act 989**;

*Empowers the Commission to require the production of information to which access has been refused on the basis of an exemption, for the purpose of deciding whether the information is indeed exempt from disclosure*

In accordance with the above provision, the Commission in its letter dated 10<sup>th</sup> November, 2025 directed the Respondent to furnish it with the requested information to enable the Commission determine whether the information is exempt or otherwise. The Respondent received the Commission’s letter on 14<sup>th</sup> November, 2025, yet failed, refused and/ or neglected to comply and has provided no response whatsoever to the Commission.

It is instructive to note that **section 70 of Act 989** places a statutory duty on public institutions to assist the Commission during investigations. It has to be pointed out that the continued silence and refusal of the Respondent to provide the requested information constitutes a violation of this statutory duty under Act 989.

Consequently, **section 71(2)(f)** empowers the Commission to impose an administrative penalty for failure to comply with the provisions of Act 989. It states that: *“A decision of the Commission may include imposition of an administrative penalty against the public institution or relevant*



*private body where the public institution or relevant private body fails to comply with an obligation under this Act”.*

The Commission therefore finds the Economic and Organised Crime Office in breach of the following provisions of Act 989:

1. Section 43(2)(f): failure to produce the requested information for determination whether or not it is information exempt from disclosure.
2. Section 70: failure to assist the Commission in the release of a requested information.

### **FINAL ORDERS**

Pursuant to the powers conferred on the Commission under **Section 43(2)(c)** of Act 989, that is, to “make any determination as the Commission considers just and equitable including issuing recommendations or penalties in matters before the Commission”, the following orders are hereby made:

#### **Administrative Penalty:**

An administrative penalty of **One Hundred Thousand Ghana Cedis (GH¢100,000.00)** is imposed on the Economic and Organised Crime Office (EOCO) (the “Respondent”) for its failure to respond to the Commission, in violation of Act 989. This amount shall be paid to the Commission within **fourteen (14) days** of receipt of this determination. In default, an additional **ten percent (10%)** shall accrue for every fourteen (14) days thereafter.

#### **Provision of Information:**

The Economic and Organised Crime Office (EOCO) (the “Respondent”) is hereby directed to provide the Applicant with the requested information within **seven (7) days** of receipt of this determination with the Commission duly kept in copy

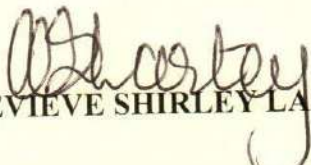


**Fees and charges:**

Any reproduction of information or documents shall attract statutory fees as stipulated under the **Fees and Charges (Miscellaneous Provisions) Act, 2022 (Act 1080)** as follows:

- GH¢0.27 per photocopied page.
- GH¢0.38 per printed page.
- GH¢0.29 per page for data provided on an electronic device.

The Commission further reminds the Economic and Organised Crime Office (EOCO) (the “Respondent”) of its duty to uphold transparency and accountability under Act 989 and to comply fully with all lawful requests for information in the future.

  
GENEVIEVE SHIRLEY LARTEY, ESQ  
EXECUTIVE SECRETARY

