21

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In this issue

The state of governance in 2005 .... Page 1

Prioritizing the presidency versus wasting resources on developmentally dubious causes .... Page 4

Ghanaian public office holders remain impervious to conflicts of interest? .... Page 4

Policy formulation gone wayward? .... Page 6

Promoting and protecting fundamental human rights under the 4th Republican Constitution – balancing competing rights ......Page 7

Reflections on political party development in Ghana – NPP and NDC congresses ....Page 10

Phone/wire tapping in the name of the state and the public interest in democratic Ghana? ...... Page 12

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IN THE ANNALS OF GOVERNANCE

The state of governance in 2005

President Kufuor has famously declared "good governance" as one of the key themes and goals of his administration. Beginning in its first term, the Kufuor-NPP administration has taken a number of very well-received initiatives to enhance good governance, notable among them, the 2001 statutory repeal of the criminal libel, and the periodic "Peoples' Assembly" and the "Meet the Press" encounters. These initiatives have created an environment highly supportive of media freedom and independence and more governmental openness and accountability. The passage of the Public Procurement Act, the Financial Management Act and the Audit Service Act, coupled with the appointment of a substantive Auditor-General, has also created a credible institutional framework for tackling accountability and integrity in the area public financial management. Other noteworthy and commendable steps in the area of governance include the government's resourcing of the police service, the demilitarization of law enforcement, and continuing efforts to professionalize and modernize the armed forces to play its appropriate role in a civil constitutional order.

2005 marked the beginning of President John Kufuor's second term of office. This milestone was greeted with enormous national and international goodwill. It also brought with it popular expectation that, this being the President's last term in office, Ghanaians would see more "Positive Change" as the Kuffuor Administration strives to leave an enduring and memorable legacy in the area of good governance. The President validated these expectations when, in both his inaugural speech and his Sessional Address at the opening of Parliament, he unveiled an agenda for his last term centered on three themes: Human Resource Development; Good Governance; and Private Sector Development.

> *"...procurement irregularities continued to persist despite the passage of the Procurement Act, in part because of inadequacies in operational guidelines, particularly those that govern sole sourcing"*

National progress in the area of "good governance" was, however, rather modest in 2005, despite opportunities for scoring more significant achievements and consolidating past gains. Events in the year revealed continuing governance gaps and deficits and exposed a surfeit of political will to tackle the tough issues. For the nation to make consistent and meaningful progress, the Executive, Parliament, the Judiciary and other state agencies, as well as well as civil society and the media, will have to work harder and demonstrate greater commitment and resolve toward the cause of good governance in 2006 and beyond.

Continued on page 2

During the past year, the Executive continued to drag its feet on urgent legislative reforms. Legislative action on the Whistleblowers Bill was postponed to 2006. The Freedom of Information Bill, which began as a civil society initiative in 1997 and later benefited from input from various state agencies, did not make it onto the legislative calendar in 2005 and remains apparently on the Executive's desk. The Public Procurement Act, the Financial Management Act, and the Audit Service Act, all passed in 2003 and considered by the Government as important tools for promoting public sector accountability and fighting corruption and waste, did not receive adequate regulatory follow-up necessary to make them fully operational and effective. For example, procurement irregularities continued to persist despite the passage of the Procurement Act, in part because of inadequacies in operational guidelines, particularly those that govern sole sourcing.

"Act 550 is a seriously flawed piece of legislation that is unhelpful to the project of promoting public office holder probity and accountability and out of step with global best practices. The information filed by public officials under the law is virtually kept as a secret, known only to the filing official"

The supervisory board of the Serious Fraud Office (SFO) was finally constituted in 2005, though the position of Executive Director continued to be filled on an "acting" basis, leaving the Office without a secure head for several years now. CHRAJ, SFO, and the Auditor-General's Department continued to be constrained by a lack of resources, despite nominal increases in budgetary allocations. Government commitments to strengthen the capacities of these key anticorruption agencies continued to fall short of the need, despite the fact that sustained support for these agencies can only help advance the Government's own much-touted good governance agenda. Disappointingly, the 2006 draft budget scarcely addressed the serious resource constraints that have hampered the effectiveness of anti-corruption institutions. The Office of Accountability (located in the presidency) began to emerge from the shadows and signaled its intention to take up its place in the agenda to promote integrity and probity among government officials. However, the public outreach failed to adequately inform the public of the agency's exact remit, capacity to deliver on its mandate, and actual accomplishments to date.

The flaws and inadequacies in the Public Office Holders Asset Declaration regime, currently codified in Act 550, came under the spotlight during the 2005 parliamentary

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vetting of the President's nominees for ministerial office. Media requests to the Auditor-General for information regarding the asset declarations of certain public officials were denied, the Auditor-General insisting that he was without power to disclose or make available to the media the matters contained in the asset declarations lodged with his office. Unfortunately, the requesters of the information failed to pursue the matter further; the media did not seek judicial review of the Auditor-General's denial of their request. On its part, Parliament's Appointments Committee, which arguably has stronger standing to obtain the information to assist it with its vetting, showed no interest in the matter. With no amendment to Act 550 in sight or on the Executive's legislative agenda, the nation must continue to live with a Public Office Holders Asset Declaration regime that is inaccessible and non-verifiable, and thus lacks credibility. As it currently stands, Act 550 is a seriously flawed piece of legislation that is unhelpful to the project of promoting public office holder probity and accountability and out of step with global best practices. The information filed by public officials under the law is virtually kept as a

Parliament demonstrated relative effectiveness in the fulfillment of some of its functions. The House, especially its minority group and a few of the majority party MPs, occasionally indicated a desire to countervail the Executive.

The vetting process this time round represented a marked improvement on previous ones. It was an open and transparent process, and attracted massive coverage by the media and high interest from the public, with citizens sending in a record number of submissions. However, the 2005 ministerial approval process also highlighted Parliament's continuing inadequacies. The Parliamentary Committee on Appointments failed to establish clear criteria for assessing nominees or a system for verifying nominee's claimed qualifications and other pertinent information before they were vetted in public. Equally glaring was the inability of the House to address an apparent conflict of interest created by the continued presence on the Appointments Committee of members who had been nominated by the President to ministerial positions. These nominees remained on the Committee during the vetting of their fellow nominees.

The year 2005 saw brazenly retrograde official actions against decentralization in Ghana. As was noted in the June 2005 issue of D-Watch (v.6, n. 2), decentralization was widely expected to receive a big boost following the election of the NPP in 2000. The NPP's manifesto as well as its known ideological heritage suggested that, in power, it would push for greater deconcentration of power and

Continued on page 3 ☛

resources from the national capital city to the districts. After reviewing the Government's record, D-Watch concluded in its June 2005 issue that, "the NPP administration has not advanced decentralization in any meaningful sense." Three reasons were advanced in support of this conclusion: first, the Government's decision that Presidential appointees on district/municipal assemblies have to vote to approve the President's M/DCE nominees or lose their assembly seats; second, the failure to promote transparency and autonomy in the process of vetting and approving the President's M/DCE nominees; and third, the Government's order to metropolitan authorities in the regional capitals to discontinue the downtown area decongestion exercises initiated by the relevant local assemblies. By year's end, no progress had been made on any of these matters, and certain actions, such as the heavy-handed executive branch interference in DCE approval at the District Assemblies, violated the spirit of decentralized governance and subsidiarity, and reflected a clear retrogression from past promises and practice.

"No law can make every interested person or group happy. Thus, to make the achievement of complete consensus a condition for pressing forward with passage of this Bill, as appears to be the case here, is simply to kill the Bill"

The year 2005 also passed with no progress on passage of the Domestic Violence Bill., The Bill appears to have been obstructed by persons or interest groups that have falsely portraryed it as anti-family. Not even the appointment of a new, more dynamic sector Minister has moved the bill past the desk of the Executive.

Few proposed laws can match the Domestic Violence Bill in the extent of stakeholder and civil society deliberation and review that it has received. Both gender advocacy groups and the Ministry of Women and Children's Affairs (MOWAC) have traveled the length and breadth of the country educating the public about the Bill, what it seeks to do, and why domestic violence is a problem deserving of legislative intervention. Critics' objections to certain language and phrases contained in the text of the Bill have also been addressed by the Minister. No law can make every interested person or group happy. Thus, to make the achievement of complete consensus a condition for pressing forward with passage of this Bill, as appears to be the case here, is simply to kill the Bill.

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The Government must be reminded that Ghana is signatory to international conventions that oblige it to address the matters that lie at the heart of the Domestic Violence Bill. The government's hesitation to demonstrate not only its respect for these international instruments, but also its commitment to protecting the women and children of Ghana from household conditions injurious to their physical and mental wellbeing is untenable. Government should place the Domestic Violence Bill on the 2006 legislative calendar.

Government similarly failed to enact pending designed to guarantee and protect the rights of persons with disabilities in Ghana. In 2002, the government released for public discussion and comment a draft disability bill designed to meet the requirements of Article 29 of the Constitution. Despite benefiting from extensive public and civil society review and input, the Disability Bill remains in the form of proposed legislation. No reason has been given for this delay. In the interim, the government claimed to have issued administrative orders to protect persons with disabilities. However, these supposed interim measures have made no dent in the situation of persons with disabilities, as the public is not even aware of their existence.

Government is reminded again that passage of a bill to secure the rights of persons with disabilities is mandatory under the Constitution. The Bill, which would protect and promote the rights of the 1.9 million Ghanaians living with disabilities by removing physical, educational, employment and attitudinal barriers faced by this group, is already long overdue, having been introduced nearly 10 years after the coming into force of the Constitution. While the Labour Act of 2003 contains certain provisions securing employment rights for persons with disabilities, only a disability protection law of general applicability would meet the constitutional requirement. Constitutional obligation aside, passage of a disability protection law is necessary to help change archaic social perceptions and attitudes towards persons with disabilities. Moreover, such legislation will recognize persons with disabilities as full and equal members of society entitled to have their rights respected and protected by law, rather than be left to depend on the sympathy and moral discretion of others. Persons with disabilities must be mainstreamed into Ghanaian society, not only out of respect for their rights and dignity but also because mainstreaming persons with disabilities is necessary to enable our society harness all of its human resources for development. A disability bill will be the beginning, though not the end, of this process.

Prioritizing the presidency versus wasting resources on developmentally dubious causes

Parliament approved a USD60 million loan/grant from the Export and Import Bank of India in the last quarter of 2005. The amount was reportedly Ghana's portion of a USD150 million line of credit (LoC) that the Government of India was extending to a small number of African countries, the others being Congo, Cote d'Ivoire, and Mali. The Congo was reported to be applying its USD 33.5 million LoC to build a cement plant, import buses, and rehabilitate manganese mining activities. The Cote d'Ivoire would use its USD26.8 million facility for agricultural programs and to assist the transport sector, while Mali's USD 27 million LoC would go toward rural electrification and the purchase of agricultural equipment. Ghana, the recipient of largest proportion of the loan facility, plans to use the grant proceeds for rural electrification and to construct new presidential accommodation and refurbish the Flagstaff House (the one-time official residence of the President not used for such purpose since the First Republic).

Parliament approved the Government's proposed use of the grant, with the NDC parliamentary minority boycotting the vote. The approval of Parliament was secured even without the Government presenting cost estimates to back its planned use of the US$60 million facility. Once again, the NPP parliamentary majority voted to approve the Government's request without asking pertinent questions and demanding justification for the Government's choice of priorities.

> *"Merely because the Government has an easy majority in Parliament does not mean that it must use the Legislature to rubberstamp all manner of loan agreements or spending proposals of dubious utility for the country"*

To be sure, the terms of the loan (five year moratorium on payment, a 1.7% interest rate over 20 years, and a 40% grant component) are highly concessional. However, the Government's intended use of this loan facility for a new presidential residential and office accommodations ((justified on grounds of "prioritizing the presidency", building a monument for Ghana, and creating Ghana's version of "Buckingham Palace" or perhaps the Taj Mahal, and the like) is of dubious merit from a development standpoint. With Ghana's external debt having just been written off by its multilateral lenders, one expects the Government to not indulge in the kind of spending that would confirm the fears of those who oppose such debt write-offs on the grounds that they create a "moral hazard" by giving governments an incentive to spend recklessly.

> *"Members of Parliament do not sit in Parliament merely as representatives of their parties; they have been sent to Parliament to defend and represent the interests of their constituents and the national interest"*

Merely because the Government has an easy majority in Parliament does not mean that it must use the Legislature to rubberstamp all manner of loan agreements or spending proposals of dubious utility for the country. Nor must the NPP parliamentary majority allow itself to be turned into an appendange of the Executive. Members of Parliament do not sit in Parliament merely as representatives of their parties; they have been sent to Parliament to defend and represent the interests of their constituents and the national interest. MPs do themselves no credit by voting the party line on every issue, without weighing the implications of their vote for the national interest.

Ghanaian public office holders remain impervious to conflicts of interest

In October 2005, the media reported that the Chairman of the Parliamentary Committee on Mines and Energy, Honorable Eugenia Kusi was simultaneously holding seats on the Governing Boards of two organizations that operate within the mining and energy sector, namely the National Petroleum Authority (NPA) and Goldfields Mining Company Limited (GMCL). The Committee on Mines and Energy has oversight responsibility for the Ministry of Mines and Energy and the mining and energy sector as a whole. The matter came to the attention of the media and general public when the Ranking Member of the Parliamentary Committee on Constitutional, Legal and Parliamentary Affairs, Honorable Mohammed Ayariga, demanded that Honorable Kusi resign from the boards, citing conflict of interest concerns. Honorable Kusi rejected the minority group's demand outright on the grounds that her position on the two boards did not give her exclusive decision-making on either board.

Honorable Kusi's refusal to give up her extraparliamentary board positions reflects a profound lack of sensitivity on

Continued on page 5 ☛

the part of the Ghanaian political class and public officials to issues of conflict of interest. It also reflects the blatant disregard of the explicit injunction against public conflict of interest contained in Article 284 of the Constitution. The language of Article 284 is unequivocal: "A public officer shall not put himself in a position where his personal interest conflicts or is likely to conflict with the performance of the functions of his office." As member or chair of the Parliamentary Committee overseeing the mining and energy sector, the Hon. Kusi is enjoined by Article 284 from taking or holding a position on the board of a corporate entity that operates in the mining or energy sector. That this matter should even be disputed reflects very poorly on the state of ethics within our political class.

What makes this matter even more worrisome is that Hon. Mrs. Kusi was appointed to the board of the NPA by the President. Corporate governance experts have repeatedly condemned this practice of appointing MPs to sit on corporate boards. Still, the practice persists, confirming the durability of an entrenched culture of political patronage in which holders of political offices are given special privileges such as appointment to boards, even where they place those individuals in avoidable conflict of interest situations.

One also wonders what the role is of the Speaker of Parliament in ensuring that MPs comply with the letter and spirit of Article 284. Under Article 98(2) of the Constitution, the Speaker of Parliament is charged with granting permission to MPs to hold offices of emolument outside Parliament, but only where he is satisfied, acting on the recommendations of a committee of Parliament, that the outside engagement will not (i) prejudice the parliamentary work of the MP or (ii) cause a conflict of interest. Did the Speaker grant the Hon. Kusi permission to hold either one of these extra-parliamentary board positions? If so, is the Speaker being faithful to the letter and spirit of Article 284?

The debacle of Honorable Kusi recalls the negative precedence set by leaders of past and present governments in our 4th Republic by appointing MPs and ministers to serve on boards of corporations over which they have direct or indirect regulatory oversight. For example, NDC ministers of finance and of mines and energy held membership of the Board of Ashanti Goldfields Corporation in which the government held controlling interest; communication sector ministers in both the NDC and NPP administrations have chaired the National Communication Authority. If the logic behind these "conflict of interest" appointments for Ministers and

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MPs is to boost their supposedly meager salaries with additional allowances and perks, then the better solution—and one that treats all MPs and Ministers equally—would be to put the matter of their salaries squarely before the public and make the case for a significant upward revision of salaries for MPs and Ministers. While the desire to provide supplementary income for presumably underpaid MPs and Ministers may be well-intentioned, it should not be pursued in disregard of the constitutional injunction against conflict of interest or at the expense of parliamentary effectiveness or sound corporate governance.

It is time to bring an end to this practice in order to free Parliament to take up its important oversight role. Since the beginning of the Fourth Republic, Parliament has not activated in any meaningful way its power to maintain oversight of activities in the various sector ministries and the industries under their control. Already, a majority of Ministers serve as MPs (by constitutional stipulation). Co-opting the rest of the MPs on the majority side to serve on boards of public corporations and agencies effectively turns all of the Majority MPs into paid agents of the Executive branch. The constitutional system of checks and balances is fatally undermined by this practice.

"Given the failure of presidents and MPs to impose self-discipline in these matters, the Speaker stands in the best position to bring an end to this unwholesome practice, by using his Article 98 powers to keep MPs from serving on outside boards of corporations within the public sector whose activities may come up from scrutiny in Parliament or whose financial affairs are audited by the Auditor General and reported to Parliament"

Given the failure of presidents and MPs to impose self-discipline in these matters, the Speaker stands in the best position to bring an end to this unwholesome practice, by using his Article 98 powers to keep MPs from serving on outside boards of corporations within the public sector whose activities may come up from scrutiny in Parliament or whose financial affairs are audited by the Auditor General and reported to Parliament. Along with the Speaker, CHRAJ also has an responsibility, arising out of Article 287(1), to elaborate detailed rules and principles for the effective enforcement of the constitutional injunction against conflicts of interest.

Policy formulation gone wayward?

Policy formulation is one of most important functions of any government. It represents the set of action guidelines, inaction, decisions or non-decisions taken by a government as well as outlines of plans and methods to be adopted for implementation. The public policy process in a democracy is an important barometer of the importance the government attaches to the fulfillment of its electoral promises and effectiveness in the ultimate goal of meeting the expectations of the citizenry. It also provides a framework to adjudge the government commitment to the promotion of the public interest and good governance.

> *"...the implication that lack of MP/Minister engagement in farming ventures is the bane of Ghanaian agriculture is absurd and has no basis in any evidence, empirical or otherwise"*

The Kufuor-NPP administration has embarked on the formulation and dissemination of a wide array of policies in the past five years, including high profile ones on trade, ICT, national health insurance, private sector development, early childhood development, and the Ghana Poverty Reduction Strategy (GPRS). A late 2005 announcement of a new policy initiative at a "Meet the Press" event by the Minister for Private Sector Development and Presidential Special Initiatives (PSI) appeared, at least on the surface, to keep to the Ghanaian practice of "policy making at press conference." The Minister announced that government had decided to allocate up to 100 acres of farmland in its land bank to Members of Parliament, Ministers and Deputy Ministers of State to cultivate oil palm and cassava plantations. Under the package, selected public figures were also to receive government subsidies and support in the form of seedlings, clearing of land, planting and the maintenance of the farms for four years, with beneficiaries expected to pay back their investment in the fifth year.

The policy decision, which was eventually withdrawn by the Minister, received muted support from some of its putative principal beneficiaries, but elicited mostly widespread condemnation from various sections of the public. The ill-conceived announcement raises several troubling questions about the quality of policy formulation in the NPP government, exposes glaring weaknesses in methodology, and highlights conflict of interest issues.

Of course, the idea of modernizing Ghanaian agriculture by subsidizing large scale commercial farming by urban elites

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is not new. But similar efforts by previous governments have scarcely proved successful. Therefore in outlining a similar policy initiative to tackle an age-old problem certain basic questions needed to be asked to ensure that the policy did not suffer a similar fate as its predecessors or to ensure that a proper diagnosis of the problem has been done. Unfortunately, the glib policy statement seemed to beg the crucial questions of "what are the proximate causes of the perennial inability to expand commercial farming in Ghana beyond its largely small to medium base?" It is easy to accept the proposition that factors of "profitability" and "attractiveness" are primary obstacles to agricultural modernization. But the belief that that such a policy is needed to give farming "respectability" and send a clear message to Ghanaians that farming is a "profitable business" is baseless. And the implicit assumption that the involvement of MPs and ministers in farming will enhance the sector's attractiveness and profitability lacks any merit. Indeed, the implication that lack of MP/Minister engagement in farming ventures is the bane of Ghanaian agriculture is absurd and has no basis in any evidence, empirical or otherwise.

> *"The requirement for public policies to serve the interest of the public at large as opposed to the narrow interests of the elite is a sacred principle of democratic governance"*

A proper analysis of the records would have provided a sounder basis for policies to redress the problem. This sort of interrogation is especially imperative in the context of a country that reserves December 2nd every year purposely to celebrate and honor the labor of farmers and to reward selected farmers across the country for their exceptional achievements. Is the fact that some of these award wining farmers own large farms not enough of a demonstration that farming could be rewarding even if the investors and farmers are not MPs/Ministers? And what is the basis of the assumption that the participation of parliamentary and ministerial types in farming would suddenly make the occupation profitable? Has the Government considered offering similar generous schemes to existing or interested career farmers to help boost their productivity and output?

The idea that MPs and ministers will make successful farmers, make a profit and repay the investment is far from convincing. MPs, Ministers and other high level public officials frequently complain of work overload and commonly include that in the litany of excuses for non-performance. Various studies as well as commentary from

Continued on page 7 ☛

ministers/parliamentarians themselves have pointed to the prescription in the 1992 Constitution for a percentage of ministers to be selected from Parliament as a key factor undermining both parliamentary and ministerial effectiveness. And official business in the 4th Republic continues to suffer because MPs and Ministers actively and openly operate private for-profit ventures, ostensibly with the permission of the Speaker. There is hardly a career MP in our Parliament; nearly all our legislators have other income-generating activities on the side, even though parliamentary work is considered a full-time, not a part-time, office. In the face of all these facts, it is therefore highly far-fetched to suppose that these same public officials will be in the position to successfully operate or manage private farms in the countryside. Moreover, being an MP or Minister in no way qualifies one to be a farmer.

> *"...what it would take to make agriculture an attractive and profitable venture is state subvention or assistance, then the proper cause of action is for the government to direct help to existing or interested career farmers and enterpreneurs, including small holders who would like to expand their operations, rather than seek to privilege a handful of politicians who have made a career decision to be politicians instead of farmers and most of whom have no demonstrable interest in being farmers"*

The episode indicates a gross failure to learn appropriate lessons from our past experience- specifically the policies of state subsidies for private commercial farming and other ventures belonging to senior army and police officers and public servants under the Acheampong NRC/SMC government. The predictable failure to sustain those policies beyond a few years, the inability of the state to recoup its investment in these ventures, and especially the damage to public ethics associated with the practice of allocating scarce public resources to political insiders and elite cronies, all of which were factors that in the 1970s contributed to an erosion of moral legitimacy for the regimes in power, should counsel against the kind of self-serving policy proposals that the Minister for Private Sector Development and Presidential Initiatives announced and then hurriedly retracted in 2005.

The requirement for public policies to serve the interest of the public at large as opposed to the narrow interests of the elite is a sacred principle of democratic governance. The proposed policy initiative betrayed a clear intention to share natural resources among a self-selected group of public officials. It

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represented a brazen advertisement of opportunism and confirms an unfortunate tendency to see politics and public office as a way of getting rich. It also carried serious potential for conflict of interest and the dire prospect that official functions and duties would be neglected, eventually shortchanging the public. This persistent attitude of public service as self-service offends the democratic principle of government being of the people, by the people, and for the people and undermines governmental legitimacy.

As previously noted, the Constitution enjoins public officers against engaging in activities that, directly or indirectly, conflict with their official duties and responsibilities. The recent example of revelations made at the recent ministerial vetting process where a nominee's extensive business activities raised serious questions about his ability and availability to undertake his duties as a Minister demonstrates the impropriety of allowing MPs and Ministers to spread themselves thin.

Taken together, the proposed policy represented a gross failure to initiate measures to attract entrepreneurial Ghanaians into commercial farming. If the Government believes that what it would take to make agriculture an attractive and profitable venture is state subvention or assistance, then the proper cause of action is for the government to direct help to existing or interested career farmers and enterpreneurs, including small holders who would like to expand their operations, rather than seek to privilege a handful of politicians who have made a career decision to be politicians instead of farmers and most of whom have no demonstrable interest in being farmers. ▪▪

Promoting and protecting fundamental human rights under the 4th Republican Constitution – balancing competing rights

At its 13th matriculation ceremony at the Wa campus in October 2005, the Vice-Chancellor of the University for Development Studies (UDS), Professor Kaburise, is reported to have announced a ban on tribal associations on its campuses. He defended the decision on the grounds that "the ban was in response to a request by the student leadership to the University authorities to prevent such associations from operating on the campuses in order to create a congenial atmosphere for academic work." He, however, indicated that groupings formed on a "regional basis" were not covered by the ban.

Reaction to the decision has been mixed. Supporters of the ban cite in support of their position the fact that the Northern half of the country is a "trouble spot" for ethnic clashes and calls for exceptional measures to prevent

Continued on page 8 ☛

university campuses from being turned into breeding grounds for inter-ethnic violence. This view is untenable, as it rests on stereotypes and false perceptions. On their part, opponents of the ban raise concerns about its constitutionality, in light of the fact that the Constitution guarantees to all the freedom of association. Of equal concern is how limitations on the right to freedom of association must be handled in a constitutional democracy.

Clans, ethnic groups, and other kinds of vertically-composed associations, and hometown improvement associations that derive from them are not new to the civil society landscape in Ghana, whether on or off university campuses. In the urban centers of the country, such associations are usually organized as mutual-benefit societies and provide various economic and social services to their members and wider communities. Among other things, they help new arrivals from their hometowns to integrate into their new urban settings. These associations have also served as a means for people to link up to their roots and to preserve their cultural identities. Ethnic associations represent an important element of diversity in the context of the Ghanaian political environment. While their exclusive membership could undermine national cohesion, they also help ensure that national and local governments attend fairly to the needs and interests of the diverse communities that make up our pluralistic democracy. In that respect, they serve as an important avenue of countervailing power in a democracy.

Article 21(1)(e) of the 1992 Constitution guarantees that "All persons shall have the right to freedom of association, which shall include freedom to form or join trade unions or other associations, national or international, for the protection of their interest." The Constitution therefore recognizes the fact that human beings cannot live in a vacuum, isolated from each other. Without the right to freedom of association, the other freedoms, such as freedoms of expression, thought and belief, religion, assembly and movement, indeed become valueless, as these can hardly be enjoyed except in a social sense

Admittedly, the right to freedom of association is not without limit. First, it is subject to the general restriction stipulated in article 12(2) that the enjoyment of all rights enshrined in the Constitution is subject to "respect for the rights and freedoms of others and for the public interest." Second, it is also subject to certain specific limitations enumerated under section (4) of article 21.

Depending on the circumstances, limitations on a constitutional right may require local tailoring to respond

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to peculiar local crises and conditions. The report by the student leadership, which presumably formed the basis the UDS administration's decision to ban tribal associations on the campuses, would seem to indicate that the activities of these associations were likely to infringe on the rights and freedoms of others, such as their right to education or else posed a risk to the public order. While that may well be true, the Constitution provides appropriate tools and processes for dealing with such problems and also stipulates the proper process to be followed.

> ***"Ethnic associations represent an important element of diversity in the context of the Ghanaian political environment"***

It is not clear under what authority the Vice Chancellor could restrict the constitutional right to freedom of association of the university's students. Under article 21(4)(a) of the Constitution, restrictions of the right to association may be imposed only by a court order pursuant to a law that is required in the interest of defence, public safety or public order. The Vice Chancellor's order does not qualify as a law. Nor was the ban authorized by a court order. If a Vice Chancellor believes that emergency intervention is needed to avert a crisis of civil order he may bring his concerns to the attention of the appropriate security agencies and, ultimately, to the President, who may invoke a localized state of emergency after going through certain specified constitutional processes and consultation.

Leaving aside constitutional legality, resorting to a ban will merely cause these associations to go underground and possibly become more sinister, rather than operate transparently. Instead of banning these organizations, university authorities should work together with the SRCs to develop appropriate principles and code of conduct to regulate and govern the activities of these various associations as well as create forums and mechanisms for these groups to engage in cross-cultural dialogue and collaboration on various projects on their campuses.

Presidential Press Conferences

On August 9, 2005, President John Agyekum Kufuor held a highly anticipated and long overdue press conference. It was the first press conference of his second term and only the third time during his five-year presidency that the President was submitting to questioning by the men and women of the fourth estate. On April 18, 2001, exactly 100 days after he assumed office, President Kufuor met

Continued on page 9

the press. This was followed by a second press conference on October 3, 2002. Then, for whatever reason the President seemed to have inexplicably gone into hibernation for nearly three years without holding another press conference.

During that long hiatus, so many questions had been raised and debated in the press and on the airwaves regarding the performance of state institutions, government macroeconomic policies, petroleum deregulation and pricing, corruption in government, vetting of ministers and so on that the public's eagerness to get answers from, as it were, the horse's own mouth was almost palpable.

Such press conferences are healthy for our nascent democracy. It is good for government – from the President down to the DCE - to meet regularly with the citizenry either directly or indirectly through the media. Such encounters are indispensable because they provide valuable sources of information. The more information citizens have, the better positioned they are to make informed decisions about national issues.

Access to credible, timely information is also a major antidote to rumors, innuendo, and downright falsehoods. Such access is also justified on the grounds that it will stimulate informed public debate and elevate the quality of our national political discourse. It is therefore a pity, even a disservice to our democracy, when the President and other government officials fail to engage the public in a national conversation on matters of governance at fairly regular intervals between elections.

For the above reasons, perhaps the best news to come out of the press conference was the Minister of Information's preamble to the event. He sought to place the press conference within the overall context of good governance; and stressed that taken in conjunction with the Peoples Assembly and the Repeal of the Criminal Libel Law the President's press conference underscored the government's "open door policy" and respect for "the role of the media as the fourth estate of the realm." These developments, he suggested, are emblematic of a "listening government."

Mr. Dan Botwe reiterated an old but irregularly executed policy under which Ministers would conduct monthly press briefings so that the media could seek clarification of issues. He contended that "government should have nothing to fear from its people" from whom it gets its mandate. He acknowledged that governments present themselves to the people through the media and indicated that the regional

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media would have audience with the President. He seemed to provide a new invaluable tool for ensuring governmental accountability when he revealed that henceforth transcripts of the proceedings of the People's Assembly would be compiled and published. He waved in the air a copy of what appeared to be the first installment of this new tool for the benefit of television viewers and the live audience. According to him, the document features questions asked at such meetings and an "action bar" revealing the actions taken by the government in response to those questions, thus allowing anybody interested in government performance to verify. The Minister's revelations left a number of unanswered and unresolved questions such as how often (weekly, monthly, quarterly) regional ministers and DCEs would meet the media in their respective regions and districts; what modalities are in place for such encounters; what would happen in media deprived districts; and what arrangements have been made to widely disseminate this new informative publication.

Citizens' access to relevant, accurate, and timely information is so critical to good democratic governance that more encounters with the people are preferable and potentially beneficial. The President should be encouraged by past performance to meet the press more often. There are many good reasons for advocating more regular encounters. There is a need to build not just strong democratic institutions but also a democratic political culture. By holding more press conferences and meeting citizens at more regular intervals the President would be contributing to the building of a culture of presidential accessibility. Having established it as a regular feature of state-society relations, it would be very difficult for future presidents to ignore this practice. It would also encourage more transparency and accessibility on the part of lower level office holders.

It is undeniable that one of the reasons why the last press conference lasted so long - roughly two and a half hours – was because the time lag between the last two press conferences had been simply too long. There was therefore the need to respond to a whole lot of questions and to address a number of pressing issues. This made for an exhausting, though not necessarily exhaustive press conference for all concerned.

With shorter intervals, the scope of the press conference could be narrowed considerably to tackle a few issues in more depth. In that case the President's ability to handle issues could be more thorough. He will be in a better position to exhibit much greater command of the issues than was displayed at the last press conference. It did not

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bode well for the prestige of the Office for the President to be constantly turning to a minister to seek answers to questions by the media. Unfortunately, that kind of side interaction turned the encounter into more of a government meet the press than a presidential press conference and showed the President as someone with less command of the issues.

In a similar vein, although we have acknowledged that the Minister of Information's 15-minute preamble was informative, properly speaking, that belonged to a press briefing at a different time and place. It should not have been conflated with the presidential press conference. As it is, it contributed unnecessarily to the prolongation of the press conference and took some of the limelight away from the President.

Because ours is a presidential rather than a parliamentary system with its Prime Minister's Question Time, the President is denied the opportunity to hone the craft of answering questions regularly and demonstrating surefootedness in terms of overall command of policies. The obverse is also true. Too many of our journalists are ill-versed in the art of posing succinct but penetrating questions. They tend to display a voracious appetite for, and seem fixed on the more titillating personal stories of the President and other members of the government. Over time and with more press conferences, both the President and the media will become more adept at handling their respective roles.

Finally, the President's responses to one of the few substantive questions which touched on the vital issue of government statistics raise serious concerns. Although the President was willing to use statistics to buttress his case about satisfactory government performance in a variety of areas, when pressed about unemployment figures, wage and incomes policies and the aspiration to reach middle income status by 2015, he conceded that the Statistical Services are in such a parlous state that does not inspire much confidence. This was an astonishing revelation. Good or reliable data or statistics are the lifeblood of sound government policies. It is therefore a matter of urgent priority and in the supreme national interest to repair the damage to the Statistical Authority so that it can collect reliable national statistics to feed into sound government policies. ▪▪

Reflections on political party development in Ghana – NPP and NDC congresses

December was the month chosen by the two major political parties in Ghana to hold their national congresses to elect new executive leadership. The New Patriotic Party held its congress at the University of Ghana at Legon on December 16 – 18; the National Democratic Congress held its party congress in December 21-23, 2005 at the EREDEC Hotel in Koforidua.

The congresses provide an opportunity to reflect on the state of party development in the 4th Republic. To begin with, it is good to see party congresses become a regular feature of the Ghanaian political cycle. It indicates that Ghanaian political elites are already looking forward to 2008, and confirms, at least at a broad level, a degree of internalization of democratic values and popular acceptance of multi-party contestation as the only legitimate avenue to political power.

Internal party democracy: The massive turn out of the party faithful to the congresses of their respective parties was a clear demonstration of their determination to participate in the decision of the future direction of their respective parties. It was particularly impressive so many party supporters were willing to travel and participate actively in the congresses held close to the end of the year holidays. The vigorous and strident campaign waged by contestants for positions within both parties provided a foretaste of what to expect in the 2008 presidential and parliamentary contests.

However, the 2005 congresses also produced a mixed picture of internal party democracy. The electoral process at the NPP Congress appeared to have been fairly democratic and rules-based. It was quite orderly and mostly calm, though the proceedings began nearly two hours late and were seemingly interminable lasting well into the early morning hours of Sunday, December 18. There seem to have been considerable space for internal dissent at the NPP Congress as well. In his keynote speech, President Kufuor urged the delegates to vote carefully and elect "hard-working men and women of distinction and integrity." He also spoke of being comfortable with whoever the delegates chose for their next leadership and left the party grounds before the voting session began (ostensibly to avoid any impression of influencing its outcome). Significantly, when it came to their turn to speak, some candidates

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disagreed in direct and forceful ways with some of the formal positions laid out by President J.A. Kufuor in his keynote on the "state of the party". It was also a healthy sign of democratic maturity that both the winner of the Party Chair, Mr. Mac Manu, and his primary challenger, Mr. Stephen Ntim, were gracious in accepting the results and pledged to work together in supporting the Party's efforts in the upcoming 2008 polls.

Internal party democracy appears to have suffered a severe backslide at the 2005 NDC Congress. This congress saw a noticeable decline in intra-party democracy, especially in comparison with the very positive strides forward in the NDC's historic April 2002 Congress (which took steps to limit the power of any one individual within the party, dismantled the party prevailing structure of power concentration in the hands of personalities under the rubric of a strange concept of "co-chairmanship", empowered the reformist element within, and fostered unity among factions of the party).

There was simply too much evidence of the use of force, threats, physical intimidation, and the deliberate removal of campaign paraphernalia belonging to opposing candidates at this Congress to be ignored. The widely reported deployment of crude weapons such as horsewhipping on opponents (even if outside of the Congress hall) to influence both the process and the outcome did not speak well of a main opposition party and "government in waiting." Veiled threats made by former President Jerry Rawlings against some members of his own party (Dr. Asamoah and Madam Asiam) as well as unnamed NPP government officials were deeply troubling. The violent attacks on perceived Asamoah supporters (For example, Hidere Mohammed and Frances Asiam - former National Women's Organizer of the Party) represented gross disregard for the rule of law and abuse of their human rights and individual liberties. And the efforts of some key members of the party to justify, explain away, and otherwise glorify intra-party violence represented a negative advertisement of the democratic credentials of those members.

However, the conciliatory approach adopted by the new leadership, and the assurances it has given to investigate and mete out appropriate disciplinary actions against those found guilty provide a glimmer of hope that the Koforidua episode was only a temporary setback for NDC and especially its commitment to internal party democracy.

Vote-buying: Money was obviously a big factor in the party congresses of the two main parties. Money was

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evident in the barrage of newspaper, radio and television advertising as well as the plethora of posters, banners, and other campaign memorabilia displayed for and by candidates. This raises the issue of how such monies were mobilized in the first place when there is no evidence that parties raise a substantial part of their funds from the rank and file of membership. Evidence of staggering levels of free-spending by some candidates (see reports in Africa Confidential, Vol. 46 No. 12 & 19), and reports of party fund-raising through kick-back schemes on state contracts gave a disturbing of picture corruption in our politics and the use of private and unregulated money to influence political outcomes in the 4th Republic. Global experience indicates that it is extremely difficult to deal with this problem. One wonders what has become of the constitutional and statutory requirement for political parties to declare to the public their revenues and assets and sources of such revenues and assets as well as publish to the public annually their audited accounts. Rigorous enforcement of this constitutional obligation might help instill financial discipline and accountability within our political parties and help check the tendency of our political parties to become the paid-for property of a few deep-pocket and self-interested individuals.

> ***"...reports of party fund-raising through kick-back schemes on state contracts gave a disturbing of picture corruption in our politics and the use of private and unregulated money to influence political outcomes in the 4th Republic"***

There were disturbing reports and some evidence of vote-buying during and ahead of the party congresses, with the ruling party as the worst culprit. Reports of the use of money and other inducements to influence votes (with one of the candidates for the chairmanship of the NPP reportedly buying vehicles for each of the ten regional party offices and donating television sets to the 230 constituency offices Africa Confidential, vol. 46, No. 25, page 16) are impossible to confirm. But anecdotal statements by party leaders and activists in the 2005 NPP and NDC congresses provide some confirmation of this phenomenon.

Some members of the old executive of the NPP (who were not official delegates and therefore technically unauthorized to partake in proceedings) were observed in the Great Hall instructing some delegates as to how they should cast their votes, leading one delegate (who claims to have been personally privy to instances of candidates buying votes) expressing disappointment with what he regarded as deterioration of the democratic quality of the 2005

Continued on page 12 ☛

Congress relative to that of 2000). And a leading personality in the NDC is also on record to have claimed that he busted a ring of Asamoah supporters preparing to distribute monies to buy votes. This underscores the endemic nature of corruption in Ghanaian society with givers and recipients as wilful and enthusiastic participants and the prevalence of a system of patronage in public life. It also introduces a huge element of distortions of political choice in the democratic process. ■■

Phone/wire tapping in the name of the state and the public interest in democratic Ghana?

In the last quarter of 2005, the Palavar carried stories alleging phone-tapping of certain individuals by government agencies. These stories came in the wake of claims by the The Vanguard newspaper that it possessed the technical capability to bug the phones and secretly record the phone conversations of any person it wished to subject to such surveillance. In its September 25, 2005 issue, The Vangaurd claimed that it had uncovered a plot by some members of the National Democratic Congress (NDC) against another member. The Vanguard stated that it had information about the plot through phone-tapping The Vanguard is not alone in making such a claim. The editor of the Crusading Guide also has reportedly asserted that he possessed similar technical capabilities and had, in fact, made use of same to intercept the phone conversations and monitor the movements and activities of the former President John Jerry Rawlings and certain persons around him.

Curiously, there has been no official reaction to these phone-tapping claims. What makes the claims even more worrisome is where or who they are coming from. The Vanguard is widely rumored to be owned and operated by certain influential members of the state security apparatus. Phone tapping and other forms of official eavesdropping on the conversations of private persons may be a legitimate part of national intelligence. But when this activity is "privatized" or carried out in an unregulated fashion it poses a grave danger to social discourse and violates the rights of free speech and privacy of the persons concerned.

The 1992 Constitution states in its article 18(2) that, "No person shall be subjected to interference with the privacy of his home, property, correspondence or communication except in accordance with law and as may be necessary in a free and democratic society for public safety or the economic well-being of the country, for the protection of health or morals, for the prevention of disorder or crime or

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for the protection of the rights or freedoms of others." Article 17(1) of the International Covenant on Civil and Political Rights, of which Ghana is a State Party, also states that, "No one shall be subjected to arbitrary or unlawful interference with his privacy, family, home or correspondence, nor to unlawful attacks on his honour and reputation." In the General Comments of the UN Human Rights Committee, this article has been interpreted in paragraph 1 to mean, among others, that there is an obligation on the State to "adopt legislative and other measures to give effect to the prohibition against such interferences and attacks" by the State itself as well as by other natural and legal persons.

"Journalists who engage in or who lend themselves to be used for covert intelligence operations for state or foreign agencies put the entire profession in danger of being mistrusted and targeted for reprisals"

With the enactment of The Security and Intelligence Agencies Act, 1996 (Act 526) Ghana has seemingly complied with this international provision. Act 526 empowers the National Security Council (established under article 1 of this Act), to "ensur[e] the collection of information relating to the security of Ghana," among other things. Regional and District Security Councils have also been established to coordinate security and intelligence issues with the national body. These security councils are fed with information by the Internal and External intelligence agencies, the Bureau of National Investigations (BNI) and the Research Department respectively, whose functions in part, include the collection, analysis, retention and dissemination of appropriate information and intelligence "respecting activities that may constitute threats to the security of the State and the government of Ghana." In addition, a National Security Coordinator is appointed to, among others, "assist the relevant Intelligence Agency to gather intelligence both internal and external and use the information to detect and prevent threats to the security of the State."

Putting aside, for the time being, the question whether Act 526 is properly limited to satisfy the requirements of Article 18(2) of the Constitution, one thing that is clear from the Act is that the collection of information by means of surveillance for the purpose of national security or other public purposes is a power granted to designated state security agencies, not to journalists or other private persons. In fact, Sections 29 and 30 of the Act spell out the steps

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that the Director of an Agency or his/her employee must take to obtain information. Section 30(2) states categorically that "[E]very warrant authorizing the interception of communications shall be issued under the hand of a Judge of the Superior Court."

Journalists who engage in or who lend themselves to be used for covert intelligence operations for state or foreign agencies put the entire profession in danger of being mistrusted and targeted for reprisals. It may be time altogether to review and update the existing laws and regulations to bring them in line with international best practices (such as specifying the time period when state agencies and officials are authorized to "spy" on private persons, and providing affected individuals some opportunity to access the information the state has compiled on them)

Adding to the concerns regarding the legitimate means and manner and the lengths to which journalists could go to obtain information was the Haruna Esseku Tape Affair in which the editor-in-chief of The Enquirer newspaper claimed to have secretly taped the former NPP National Chairman's conversations with some members of the party. Part of the function of the fourth estate of the realm is to play a watch-dog role on the government. However, in fulfilling this obligation to the public, it has to work within the constraints of the Constitution and the existing laws of the land as well as ethical norms governing the practice of journalism. Indeed, major strides have been made under the Fourth Republican Constitution to promote media rights. Among others, article 21(1) (a) guarantees that "All persons shall have the right to freedom of speech and expression, which shall include freedom of the press and other media." Also, article 21(1)(f) recognizes the right to information while article 162(1) further guarantees the freedom and independence of the media. These generous constitutional guarantees for media rights do not, however, serve as a license for journalists to take the law into their own hands. Journalists have to be mindful of the fact that the Constitution grants them these guaranteed rights and protections not for their own selfish purposes, but in the expectation that they would use them as trustees of the public interest. Moreover, with rights come responsibility, including legal restraints to ensure that the rights are not abused. Thus, article 164 of the Constitution stipulates that "The provisions of articles 162 [...] are subject to laws that are reasonably required in the interest of national security, public order, public morality and for the purpose of protecting the reputations, rights and freedoms of other persons."

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Phone tapping and the use of surveillance equipment and devices such as hidden cameras to record the private activities and conversations of people are a clear intrusion on the privacy rights of people who are subjected to these acts without their prior knowledge or consent. In light of this, paragraph 8 of the UN Human Rights Committee's Comments on the right to privacy states categorically that "Surveillance, whether electronic or otherwise, interceptions of telephonic, telegraphic and other forms of communication, wire-tapping and recording of conversations should be prohibited."

Mindful of these privacy rights concerns, article 12(1) of the Ghana Journalists Association (GJA) Code of Ethics, which is in line with the international code of ethics for journalists, stipulates that "A journalist shall obtain information, photographs and illustration only by straightforward means," which should be read to rule out such methods of illicit phone tapping. Also, the first part of article 4(a) of the Print Media Guidelines (prepared by the National Media Commission (NMC)) states that, "As a general rule, journalists must not use, or publish materials obtained by subterfuge, using clandestine devices such as hidden cameras and hidden tape-recorders." However, realizing that occasionally overriding public interests, such as the prevention of an incipient crime, may compel recourse to less transparent methods of information gathering, article 12(2) of the GJA Code provides that "[T]he use of other means can be justified only by overriding considerations of the public interest." [Emphasis added]. Also, article 4(a) of the Media Guidelines concludes that "Such activity may, however, be justifiable in special circumstances such as detecting and inspecting crime sites or protecting public health and safety."

Journalists must make appropriate use of the constitutional climate of freedom, including the repeal of the criminal libel provision, not to undermine public trust and respect for the fourth estate of the realm or engage in needless acts of sensationalism, but to fight for the public interest by promoting the rule of law and deepening constitutionalism in the country.

According to the NMC, "the Print Media Guidelines have [...] been prepared by the Commission to help the press balance freedom of expression and the public right to know with individual rights and matters of national or public interest". Journalists should look to these and other documents such as the Codes of Ethics and the new GJA Constitution for guidance to help foster a culture of professional and responsible journalism in the country.▪▪

CDD-GHANA DEMOCRACY PROGRAMS FOR THE 1st QUARTER OF 2005

June 16
Media Sensitization Seminar (Accra)
The Center collaborated with the Ghana Federation of the Disabled (GFD) and the Center for the Development of People (CEDEP) to organize a seminar to sensitize the media on issues of disability in Ghana, and the Draft Disability Bill in particular. Resource persons for the seminar, chaired by Dr. Audrey Gadzekpo, of the School of Communication Studies at the University of Ghana and CDD-Ghana board member, were Prof. Gyimah-Boadi of the Center; Mr. Samuel Asare, President of the Association of the Deaf; Mr. Christopher Kissieh, President of the Association of the Disabled, and Mr. Yaw Ofori-Debrah, President of the Association of the Blind.

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July 29
Media Sensitization Seminar (Kumasi)
Another media sensitization seminar on the theme of disability and the need for disability legislation in Ghana was held in Kumasi. The Center again collaborated with GFD and CEDEP to organize the seminar chaired by Mr. Charles Sakyi, Deputy Executive Director of CEDEP. Resource persons were Mr. Kojo Asante, Governance and Legal Policy Officer, CDD, Mr. Samuel Asare, President, Association of the Deaf, Mr. Christopher Kisseih, President, Association of the Disabled, Mr. Ernest Yaw Ofori-Debrah, President, Association of the Blind and Mr. Emmanuel Ofosu Yeboah, motivational speaker.

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September 6
Private Sector Stakeholder Forum
In partnership with the GFD, the Center organized a stakeholder forum on the theme "Facilitating the Passage of the Disability Bill 2005: The Role of the Private Sector". The forum was aimed at expanding the circle of stakeholder consultation and input mobilization on the draft Bill. The forum, whose participants were largely drawn from the private sector, was chaired by the Deputy Minister for Manpower, Youth and Employment, Hon. Frema Opare, and was addressed by Prof. Gyimah-Boadi, Honorable Paul Okoh, Chairman of the Parliamentary Committee on Employment, Social Welfare and State Enterprises, Mr. Kofi Kludjeson, President, Association of Ghanaian Industries, Mr Jesse Clottey, the Director of, Technical Services of the Private Enterprise Foundation; Mr. Ernest Ofori-Debrah, President of GFD and Mr. Nicholas Halm, Advocacy Officer of GFD.

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September 8
Information Research Orientation Workshop for Members of Parliament
CDD organized a workshop for Members of Parliament on how to source data and information, and in particular from research and advocacy organizations, for effective policy-making and implementation. A CDD team comprising Prof. Gyimah-Boadi, Mrs. Mary Flanagan Oduro and Joseph Asunka led the presentations at the USAID sponsored program, chaired by Hon. D. K. Adu. Other presenters included Dr. Ofei Ansah, Director of Research Department of Parliament, Mr. John Kugblenu, Director of Public Affairs at Parliament and Mr. Charles Akpalu of USIS.

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September 15
Capacity Building Workshop for Senior Parliamentary Staff
The Center organized a one-day capacity building workshop on information needs in the legislative environment for senior staff of the Information, Publication and Research Division of Parliament. The objective of the workshop was to equip the staff of the Information Division with information seeking techniques so that they could improve their services to Members of Parliament. Mr. Darko Mensah, an ex-member of parliament, chaired the workshop. Mr. Charles Akpalu of USIS, Mr. Alex Banful, CEO of Ghana Social Marketing Foundation, Rasheed Dramani of the Canadian Parliamentary Center and the heads (and their deputies) of the various technical departments of Parliament served as resource persons.

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September 23
Stakeholder Forum for Parliamentarians on Private Sector Role
CDD organized a stakeholder forum on the Disability Bill for selected Parliamentarians and public and private sector organizations. In attendance were, the Ghana Real Estate Developers Association, Ghana Institute of Architects, Metro Mass Transport, and the Attorney General's Office, as well as media representatives. Prof. Gyimah-Boadi, Mr. Yaw Ofori Debrah, Mr Kojo Asante and Mr. Jesse Clottey addressed the forum, chaired by Hon. Paul Okoh, Chairman of the Parliamentary Committee on Employment and Social Welfare.

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September 28
Enhancing the Effectiveness of Lower Level Local Government Structures
The roundtable discussion, organized with the support of FNF, examined the effectiveness of substructures of the Kumasi Metropolitan Assembly (KMA). Participants were drawn from all the sub-metros in Kumasi, Area Councils and Unit Committees. The program was chaired by Patricia Owusu-Ansah, with opening remarks by Prof. Gyimah-Boadi and Stephen Bemile of FNF. Hon. Cletus Avoka (Ex Minister and MP), Dr. Samuel Afranie, Head of Department of Planning (KNUST), and Mr. Kyei-Baffour, Presiding Member, Ashanti-Akim North District led the discussants.

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October 13
Round Table Discussion (RTD) on Law Reform

CDD organized a RTD in collaboration with Ghana Law Reform Commission and Commonwealth Association of Law Reform Agencies (CALRAs) on the theme: "*Law Reform: Current Trends and Challenges in the Democratic Framework."* The discussions, led by Michael Sayers, Hon. General Secretary of CLARA, attracted participants from Parliament, the Bar Association, the Judiciary, and academia.

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October 18 -19
Non-Custodial Sentencing in Ghana's Criminal Justice System
The Commission for Human Rights and Administrative Justice (CHRAJ) collaborated with CDD to organize a workshop on non-custodial sentencing in Ghana. The Hon. Ayikwei Otoo, the Attorney General and Minister of Justice chaired the workshop, with the Chief Justice, His Lordship, George Kingsley Acquah as Guest Speaker.

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October 20-25
Afrobarometer Media Outreach Workshop
CDD organized a two-day workshop in Accra and Kumasi for selected media personnel on how to use Afrobarometer and other survey data. Nana Yaa Ofori Atta, a journalist and

Afrobarometer outreach consultant, was the resource person, whilst Joseph Asunka of the CDD Afrobarometer team provided technical support.

November 1

Roundtable discussion on Municipal/District Chief Executive (M/DCEs) Vetting Process

CDD organized a roundtable discussion to sensitize key stakeholders on the importance of the process of approving M/DCE nominees. The RTD held in Kumasi brought together stakeholders in the local government sector, including Members of Parliament, to deliberate on ways of strengthening the M/DCE vetting process. Participants included Hon Appiah-Pinkrah, Deputy Chairman for Parliamentary Committee on Local Government, lawyer Bondzi Simpson, Prof. Gyimah-Boadi, and Madam Sarah Agyeman of Kumasi Metropolitan Assembly.

September – December

Rights and Voice Initiative (RAVI)

CDD attended a number of meetings both within and outside Accra in the period as part of the management team for RAVI.

November 10 - 13

Review of the 2006 Draft Budget with Parliamentary Leadership

CDD collaborated with the Canadian Parliamentary Center to organize a three-day workshop for parliamentarians to review the 2006 draft budget. Over 80 participants attended, and they included Chairpersons and Ranking Members of all Select Committees, Clerks to Committees, leaders of the Parliamentary Services and officials from the Ministry of Finance. The Speaker of the House opened the workshop, whose resource persons included Mr. Daniel Ogbarmey Tetteh of DATABANK, Dr. William Ahadzie and Dr. Augustine Gockel of the University of Ghana, Dr Nii Moi-Thompson of IDEG, Dr. Rasheed Dramani of CPC, Mr. Vitus Azeem of ISODEC and Mr. Augustine Adongo of FAGE.

November 17

Media Sensitization Workshop on the Disability Bill

The Center held its last media sensitization workshop on the Disability Bill for 2005 in Tamale. It was attended by Thomas Issah of Action on Disability and Development (ADD), Mr. Nicholas Halm, Advocacy Officer of GFD and Yaw Ofori-Debrah, President of the GFD. This workshop provided an opportunity for direct collaboration between CDD and ADD for the first time.

November 18

'Towards Effective Local Revenue Mobilization for Sustainable Development and Growth'

This RTD, organized in collaboration with the Friedrich Naumann Foundation (FNF), was held in Koforidua. It reviewed strategies for local revenue mobilization and possibilities for enhancing the revenue base of District Assemblies while reducing the over-reliance on the District Assembly Common Fund. Participants were drawn from the Metropolitan, Municipal and District Assemblies, with Mr. Cletus Avoka (a former Minister of State) presenting a paper and leading the discussions. In attendance were the Omanhene, New Juaben, Daasebre Oti Boateng, Chairman, the Koforidua Municipal Chief Executive, and Mr. Edusei-Poku, a discussant from KMA.

November 19 – December 13

Public Education on the NRC Final Summary Report

The popular version of the main findings and recommendations of the National Reconciliation Commission report was launched at four public education forums in Tamale, Kumasi, Ho and Accra. The Center and the Civil Society Coalition on National Reconciliation Justice published the report in English, Ga, Ewe, Dagbani, Akan and Hausa. VCRAC Crabbe, Prof. Ken Attafuah, Nana Oye Lithur and Mr. Adusei-Poku were among the personalities who made presentations at the launch events. The Accra event took place in collaboration with the International Center for Transitional Justice (ICTJ).

December 7

Decentralization and Economic Governance in Ghana

This dissemination seminar held in Accra was the result of a desk review and field study on private enterprise development at the local level. The field study was undertaken in two districts, Sunyani in the Brong Ahafo Region and Gomoa in the Central Region. The main objective of the study was to help improve overall economic governance at the local level. This involved reviewing existing Constitutional provisions and Acts and other regulations, and making recommendations to strengthen factors that promote local level economic liberalism. Participants were drawn from the Ministries of Private Sector Development and Local Government, Metropolitan, Municipal and District Assemblies, academia and professional institutions, as well as private entrepreneurs. Mr. Sam Cudjoe from the Private Enterprise Foundation led the discussions.

December 7 – 11

Seminar on Teaching Transitional Justice

In collaboration with the International Center for Transitional Justice (ICTJ), CDD hosted an intensive four-day seminar for professors and researchers from West African universities and research institutions to expose them to scholarship on transitional justice and to provide them with tools for integrating the subject into university curricula and/or their research agenda. Resource persons for this workshop were: Prof. E. Gyimah Boadi, Dr. Louis Bickford, Mr. Eric Ochere-Darko of ICTJ and Dr. Appiagyei-Atua of the University of Ghana.

December 14

Empowering the Serious Fraud Office (SFO)

A one-day workshop was held in Accra to review and build consensus on the reform of the existing SFO Act and corporate governance structure. Resource persons for the workshop included Prof. Kofi Quashigah and Dr. Kwadwo Appiagyei-Atua of the Faculty of Law of the University of Ghana; Mr. Theophilus Cudjoe, Acting Executive Director, SFO; Mr. B A Sapati of GIMPA, Dr. Ekow Bondzie-Simpson and Dr. Kenneth Attafuah of GIMPA. Prof. Gyimah-Boadi of the Center gave the opening remarks.

December 19, 2005

Launch of Policy Briefs on the 'Drivers of Change'

This research project, undertaken in partnership with the Overseas Development Institute and supported by DFID, was finally launched at the CDD conference room. Prof. Emmanuel Acheampong, Harvard University, reviewed the Briefs after opening remarks by Prof. Gyimah-Boadi. Prof. J.R.A. Ayee, University of Ghana, chaired the program, and the launcher was Esther Ofei-Aboagye.

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CDD-Ghana Publications

- Briefing Paper Vol. 1 Nos 1- 4
- Briefing Paper Vol. 2 Nos 1- 4
- Briefing Paper Vol. 3 Nos 1- 4
- Briefing Paper Vol. 4 Nos 1- 4
- Briefing Paper Vol. 5 Nos 1- 4
- Briefing Paper Vol. 6 Nos 1- 4
- Critical Perspectives Nos 1- 20
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The Ghana Center for Democratic Development (CDD-Ghana) is an independent, nonpartisan, nonprofit and public policy oriented organization based in Accra, Ghana. It is dedicated to the promotion of society and government based on the rule of law and integrity in public administration. The Center's mission is to promote democracy, good governance and the development of a liberal economic environment. In so doing, CDD seeks to foster the ideals of liberty, enterprise and integrity in government and society at large.