

MEDIA STATEMENT

Strengthening Presidential Transitions in Ghana

The Presidential (Transition) Act, 2012 (Act 845) is an initiative of the Institute of Economic Affairs and the Ghana Political Parties Programme (GPPP). The law emerged as a response to the past transition challenges, which deepened political polarisation and led to acrimony in Ghana's body politic. As a result, the Presidential (Transition) Act provides a framework for the political transfer of power from one democratically elected president to another - with the aim of ensuring the transition challenges of 2001 and 2009 are not repeated.

The 2017 transition was the first time Act 845 was applied in the transfer of power from one democratically elected President to another. The IEA monitored the transition process closely and recognises the progress made in areas where the law was applied. However, in other aspects, the Transition law did not work as envisaged. On Tuesday 14th March 2016, the Institute held a roundtable discussion on the theme:

Strengthening Ghana's Transition Process

The objective of the roundtable was to present the findings of the IEA's assessment of the 2017 transition and discuss the Institute's recommendations for reform.

Among the key challenges identified in 2017 transition were the following:

- The lack of a comprehensive inventory of state assets, which creates opportunities for misappropriation and ad hoc seizures of property.
- The limited resources of the Presidential Estate Unit (PEU) and how it impacts the Administrator-General's effectiveness in carrying out his statutory functions.
- The late submission of handing over notes and how it impedes the transition process
- Midnight issues: Contracts awarded, policies introduced and key appointments – in the last few days of the previous government, which has a potentially significant impact on the incoming administration.

Recommendations

The above challenges need to be urgently addressed, as effective management of political transitions remain integral to good governance. In this regard, the IEA has proposed the following recommendations to enhance the transition process in Ghana.

1. Reporting to Parliament: Impose a statutory requirement for the Administrator-General to submit periodic reports to Parliament to ensure accountability and value for money.
2. Subsidiary legislation: Introduce regulation that empower the Administrator-General to carry out his/her functions and ensure compliance with the Act.
3. Resource the PEU.
4. Block the sale of state assets to outgoing/retiring officials.
5. Introduce a "midnight" law to address issues of last minute appointments, contracts and policies.

The IEA recognises that in spite of the challenges identified in the 2017 transition, some progress has been made – in comparison to the 2001 and 2009 transition. However, the Institute is of the view that Ghana could do better. The Transition law remains integral to good governance in our country. Thus, consideration of the recommendations outlined merits support. Taking this stand will not only unlock the full potential of the Transition law – but will also be in the national interest.

SIGNED

15th March, 2017

MRS. JEAN MENSA
EXECUTIVE DIRECTOR