



THE WINNER-TAKES-ALL (WTA) PRACTICE OF GOVERNANCE IN GHANA — PROPOSALS FOR REFORM



The Institute of Economic Affairs
A Public Policy Institute

**THE WINNER-TAKES-ALL (WTA) PRACTICE OF
GOVERNANCE IN GHANA – PROPOSALS FOR REFORM**

PREPARED BY THE INSTITUTE OF ECONOMIC AFFAIRS (IEA)

January, 2015

A Report submitted to His Excellency, John Dramani Mahama,
President of the Republic of Ghana

The Institute of Economic Affairs (IEA) Ghana was founded in October 1989 as an independent public policy institute dedicated to the establishment and strengthening of a market economy and a democratic, free and open society. It considers improvements in the legal, social and political institutions as necessary conditions for sustained economic growth and human development.

The IEA supports research and promotes and publishes studies on important economic, socio-political and legal issues in order to enhance understanding of public policy.

Further information may be obtained from:

The Institute of Economic Affairs,

P.O. Box OS1936, Osu, Accra, Ghana.

Tel:+233-302244716 / 307010714

Fax:+233-302222313

Email: iea@ieagh.org

Website: www.ieagh.org

Facebook: www.facebook.com/ieagh

Twitter: www.twitter.com/IEAGhana

© 2015 Copyright

All rights reserved. No part of this work may be published, used or reproduced in any manner without written permission of the Institute of Economic Affairs.

Contents

<u>EXECUTIVE SUMMARY</u>	4
<u>THE POWERS OF THE PRESIDENT</u>	4
<u>THE COUNCIL OF STATE</u>	5
<u>THE LEGISLATURE</u>	5
<u>DISTRICT LEVEL GOVERNANCE</u>	6
<u>FUNDING OF POLITICAL PARTIES</u>	6
<u>NATIONAL DEVELOPMENT PLANNING</u>	6
<u>ELECTORAL FORMULA FOR SELECTING LEADERS</u>	7
<u>TRANSITIONAL PERIOD</u>	7
<u>PREAMBLE</u>	8
<u>THE IEA-WTA PUBLIC CONSULTATIONS</u>	9
1. <u>POWERS OF THE PRESIDENT</u>	9
2. <u>THE LEGISLATURE</u>	13
3. <u>DISTRICT LEVEL GOVERNANCE</u>	14
4. <u>FUNDING OF POLITICAL PARTIES</u>	15
5. <u>NATIONAL DEVELOPMENT PLANNING</u>	15
6. <u>ELECTORAL FORMULA FOR SELECTING POLITICAL LEADERS</u>	16
<u>APPENDIX A</u>	18
<u>APPENDIX B</u>	29

EXECUTIVE SUMMARY

In response to increasing concerns about the appropriateness of the Winner-Takes-All (WTA) politics implied in the 1992 Constitution over the last twenty years, the Institute of Economic Affairs (IEA) conducted nation-wide stakeholder surveys and public consultations to solicit views on possible reforms. These stakeholders included Members of Parliament, Civil Society Organizations (CSOs), representatives of Political Parties, and ordinary citizens. The result of the consultations was distilled by a twelve-member IEA-Winner-Takes-All Advisory Committee to arrive at some key recommendations regarding how the polarizing effects of Winner-Takes-All politics could be minimized. The principal areas of concern for which appropriate recommendations were made include:

- The Powers of the President
- Council of State
- The Legislature
- District Level Governance
- Funding of Political Parties
- National Development Planning
- Electoral Formula for Selecting Political Leaders

THE POWERS OF THE PRESIDENT

It was acknowledged that the powers of appointment vested in the President under the 1992 Constitution were too extensive. This facilitates Winner-Takes-All (WTA) politics and could compromise the independence, professional competence and performance of the institutions established under the Constitution to protect citizens and act as agents of restraint on executive power.

Appointment and Conditions of Service of Heads of Constitutional Bodies

1. The IEA recommends that while appointment to constitutional bodies should remain under the President, recommendations for these appointments should emanate from certain clearly designated bodies that have the capacity to identify suitable persons using clearly pre-determined criteria. These constitutional bodies and institutions include the Electoral Commission (EC), Commission on Human Rights and Administrative Justice (CHRAJ), Chief Justice, Supreme Court Judges, Governor of the Bank of Ghana, National Commission for Civic Education (NCCE), Economic and Organized Crime Office (EOCO), The Inspector-General of Police and Auditor-General.
2. A duly constituted body comprising professional bodies or institutions, shall recommend at least five suitable individuals from whom the President shall make a nomination to Parliament.
3. Parliamentary vetting and approval of the President's nominees shall be by two-thirds majority of all Members of Parliament.
4. Governance institutions such as the Judiciary, CHRAJ, EC, NCCE, EOCO, Auditor-General etc. should be independently funded. Where applicable, they should be at liberty to generate and manage funds internally.

Public/Civil Service Leadership

It is recommended that a strong tenure-track and technocratic Civil Service be established. This should be an efficient body that can manage the affairs of the country in the absence of an elected government or coalition.

CEOs of Public Corporations

Appointments of CEOs of public corporations and institutions and other analogous positions should be transparent, competitive, well-advertised, inclusive, bi-partisan and based on competence. Nominations should emanate from the State Enterprises Commission/Public Services Commission and appropriate recommendations made to the President for appointment.

THE COUNCIL OF STATE

The Council of State is perceived as an ineffective institution because of the mode of appointment to the Council and the mandate and powers prescribed for the Council. On the basis of consultations, The IEA-WTA Advisory Committee recommends the following regarding the Council of State:

- It should be converted into an elected Second Chamber of Parliament.
- Two people may be elected from each region.
- The mandate of the Chamber should include legislative oversight responsibilities.
- The tenure of office of the members of the chamber must overlap that of the President.
- The minimum age qualification required to stand for elections to the Chamber should be forty-five years.

THE LEGISLATURE

The efficiency and effectiveness of Parliament is weakened by the current practice of:

- a. Appointing Members of Parliament as Ministers
- b. The inability of Parliament to initiate legislation and
- c. Inadequate provisions in the Constitution for Parliamentary control over fiscal management of the economy.

To improve the system, the following recommendations are made:

1. All Ministers must be appointed from outside Parliament. Any Member of Parliament appointed as minister must resign his seat and a bye-election held within twenty-one days to replace him.
2. Article 108 of the Constitution which deals with the legislative role of Parliament should be reviewed to strengthen Parliament's primary role of law making as well as the introduction of Private Members' Bill.
3. The executive must be accountable to Parliament through a Vote of Censor. This must be binding and not dependent on the President's discretion.

DISTRICT LEVEL GOVERNANCE

Decentralization is a mechanism for power distribution and development. The current system is weak and ineffective because of the devolution of responsibilities to the District Assemblies (DAs) without the financial support as well as control by the incumbent government and winners of national elections. The following recommendations are therefore advocated:

1. All Members of District Assemblies should be directly elected by the people. One third of the members used to be appointed by the President. This fraction however, must be reserved for women contestants.
2. All Metropolitan, Municipal and District Chief Executives (MMDCEs) should be directly elected by the people.
3. Adequate financial autonomy should be given to District Assemblies. Twenty-five percent of national revenues should be allocated directly to District Assemblies.
4. District Assembly elections should overlap the Presidential/Parliamentary Elections.

FUNDING OF POLITICAL PARTIES

Public Funding of Political Parties, it was thought, could have considerable benefits in terms of democratic practice and dispensation. There was grave concern about the growing monetization/treating in Ghanaian politics. The IEA therefore recommends that:

1. The state should provide some funding for all Political Parties subject to a defined benchmark.
2. Rules and sanctions for access, use and abuse of the fund must be drawn up.
3. State Funding must be correlated to the resources that can be raised by the parties themselves.
4. There should be a ceiling on the amount of cash and other resources in kind that can be spent by Political Parties during electioneering campaigns.
5. Finally, (The IEA-sponsored) Draft Public Funding of Political Parties Bill, 2008 should be passed into law.

NATIONAL DEVELOPMENT PLANNING

There is a significant demand for a long-term perspective plan that ensures consistency and continuity of policies and development programmes. Such a long-term plan will be implemented according to the four-year electoral cycles as reflected in the various party manifestoes. The IEA-WTA Advisory Committee urges government to revisit the issue. The National Development Planning Commission (NDPC) should be established as a technical and efficient development planning unit with security of tenure.

ELECTORAL FORMULA FOR SELECTING LEADERS

The IEA-WTA Advisory Committee recommends the adoption of a Customized Variant of Proportional Representation that reflects the desire of the people to elect their representatives and the need to achieve representation of identifiable groups, parties and marginalized people. It is recommended that the current 275 seats should be re-demarcated and realigned to create 200 seats. Members of Parliament for the 200 seats will be elected directly on partisan basis. The 75 seats remaining, will be allocated as Proportional Representation seats to parties obtaining a minimum threshold of 1% of the total votes cast in the Presidential Elections and marginalized groups such as women.

TRANSITIONAL PERIOD

The transitional period from one government to another after General Elections, should be three months from the date of the General Elections in a manner akin to what pertains in the US. The transition team must be constituted in line with the Presidential Transition Act, 2012 (Act 845).

PREAMBLE

Ghana, adopted a new Constitution in 1992, after experiencing ten years of military rule under the Provisional National Defence Council (PNDC) led by Chairman J.J. Rawlings. The resounding desire of the era echoed, inter alia, constitutionalism, rule of law, separation of powers, popular participation of the citizenry in decision making, freedom and justice. The Constitution has naturally gone through a number of political, legal and social trajectories since its inception in 1993. The two leading political parties – the National Democratic Congress (NDC) and the New Patriotic Party (NPP) have successively been in government and opposition, thus tasting both sides of the coin as we pursue the constitutional pathway. Certain criticisms have been levelled against some aspects of the Constitution. It is against this background that a number of calls have been made in various directions, to critically examine aspects of the actual dynamics of the Constitution with the aim of improving upon the status quo. Baron de Montesquieu¹ decried the concentration of power in the same hands and perceived it as the bane of political freedom and development. As Lord Acton² echoed, “Power corrupts and absolute power corrupts absolutely.” Such thoughts must have influenced the views of a number of Ghanaians that power under the 1992 Constitution tends to be over-concentrated in the hands of the political party in power and particularly the incumbent President and that something had to be done about it.

One of the main criticisms emerging from the Ghanaian constitutional experience over the last twenty years has been the “Winner-Takes-All” (WTA)³ practice of governance and its attendant divisiveness and hindrance to national development. As part of its commitment to deepen democracy, promote inclusive governance and national development, The Institute of Economic Affairs (IEA-Ghana) deemed it fit to undertake extensive research and conduct nationwide surveys on prevailing thoughts concerning the current notion of WTA in Ghanaian politics. The IEA study is justified in the sense that civil society constitutes a microcosm of the nation. Indeed, Ghana, a shining example of political pluralism in Africa, boasts of a vibrant civil society. This includes professional bodies, workers/trades organizations, women groups, religious bodies, academia, political parties, traditional authorities, youth/student unions, journalists associations and civil/public service bodies. These Civil Society Organizations (CSOs) have played crucial roles in the development trajectory of the nation, and helped to shape our political history in diverse and profound ways. Notably, they were highly vocal and active during Ghana’s struggle for political independence, the return to constitutional rule after military intervention, and, in more recent times, the quest for good governance. Their views continue to remain pertinent in contemporary discourse on public affairs.

The monopoly of power by one political party by dint of its success through the simple majority system undermines political pluralism. It is perceived as inconsistent with the primary meaning of democracy which requires that all citizens should have a say in the decisions that affect them. In the study conducted, there was agreement that broadening the base of participation will deepen our democracy and make governance more responsive, responsible and accountable. The democratic imperative in a pluralistic society such as Ghana, should rest on institutions and systems that give all the various groups and individuals adequate opportunity to participate in decision-making.

1 See Montesquieu (1748) “The Spirit of the Laws”.

2 See Acton (1887) available at <http://www.quotes.net/quote/37674>.

3 See Appendix for definition of Winner-Takes-All politics

WTA has been identified as one of the main factors responsible for the growing polarization of the Ghanaian society and politicization of national issues. Several leaders including President John Dramani Mahama, former President J.A. Kufuor, Mr. Kofi Annan, (former UN Secretary-General), Dr. Kwabena Adjei, (National Chairman of the NDC), Prof. Kwesi Botchwey (former Minister of Finance and Economic Planning) and Prof Mike Oquaye (former Deputy Speaker of Parliament), among others,⁴ have expressed views on this.

⁴ See Appendix for details of what they said about the dangers of Winner-Takes-All politics.

THE IEA-WTA PUBLIC CONSULTATIONS

The IEA-WTA Advisory Committee undertook a nation-wide public consultation exercise to elicit views on WTA. The vast majority of individuals, organizations, associations and institutions consulted, expressed deep concern about the pitfalls of WTA in democratic development. The principal areas of concern that influenced the Committee's subsequent recommendations include:

1. Powers of the President;
2. The Legislature;
3. District Level Governance;
4. Funding of Political Parties;
5. National Development Planning; and
6. Electoral Formula for Selecting Political Leaders.

1. POWERS OF THE PRESIDENT

The view was strongly expressed by the respondents that the President's powers of appointment under the 1992 Constitution were too extensive. These powers are exercised by himself or in consultation with or on the advice or approval of other bodies such as the Council of State and Parliament. Essentially however, the President holds sway, it was clearly stated. The relevant positions include: the Commissioner for Human Rights and Administrative Justice and his or her Deputies; the Auditor-General; the District Assemblies Common Fund Administrator; Chairmen and other members of the Public Services Commission, Lands Commission, governing bodies of public corporations, National Council for Higher Education and several others. By dint of WTA, all these appointments are given to members or supporters of the ruling party. This, it was opined, weakens institutions and undermines meritocracy. From the various views gathered, The IEA-WTA Advisory Committee recommends the following:

a. Appointment and Conditions of Service of Heads of Constitutional Bodies

Firstly, the overriding viewpoint is that recommendations for these appointments should emanate from certain clearly designated bodies that have the capacity to identify suitable persons. The underlying principles for the nominations should be merit, professional integrity, qualifications and experience. The nomination process should be transparent, based on clearly pre-determined criteria. These criteria should promote objectivity. The process should be non-partisan.

These constitutional bodies and institutions include the Electoral Commission (EC), Commission on Human Rights and Administrative Justice (CHRAJ), Chief Justice, Supreme Court Judges, Governor of the Bank of Ghana, National Commission for Civic Education (NCCE), Economic and Organized Crime Office (EOCO), The Inspector-General of Police and Auditor-General.

- Secondly, the duly constituted body comprising professional bodies or institutions shall recommend at least five appropriate individuals from whom the President shall make a nomination to Parliament⁵.

⁵ See Appendix B for recommended examples of nominating institutions

- Thirdly, it is required that parliamentary vetting and approval shall be by two-thirds majority of all members of Parliament.
- Fourthly, it is recommended that governance institutions such as the Judiciary, CHRAJ, EC, NCCE, EOCO, Auditor-General etc. should be independently funded. In this regard, the various constitutional and legal provisions for their independent funding must be made effective and implemented.⁶ Also, where applicable, they should be at liberty to generate and manage funds internally.

b. Public/Civil Service Leadership

The public expressed strong desire for a tenure track and meritorious civil service. This should be an efficient civil service that can run a nation without politicians for a considerable period of time where necessary. Notably, a participant referred to the example of Belgium where civil servants recently ran the country for about two years because the political parties could not form a coalition. In this connection, based on the views collated, the Committee recommends that the Public/Civil Service should be given security of tenure and insulated from partisan politics. For example, the position of Chief Directors and others should be tenured office holders and insulated from arbitrary removal. Notably, the British system of Permanent Secretaries practised in Botswana, South Africa and Mauritius has resulted in strong and dependable bureaucracies which have in turn strengthened good governance and national development.

c. CEOs of Public Corporations and Boards

Appointments of CEOs of public corporations and institutions and other analogous positions should be transparent, competitive, well-advertised, inclusive, bi-partisan and based on competence. Nominations should emanate from the State Enterprises Commission/ Public Services Commission and appropriate recommendations made to the President for appointment.

d. Council of State

The Council of State is perceived as a “lame duck institution”⁷ by many Ghanaians consulted. Other participants in the WTA public consultations used expressions such as “superfluous”, “toothless bull dog”, “unnecessary”, “wasteful charge on public expenditure”, “too subservient to the President” and “not capable of giving independent or meaningful advice”. The problem, as was observed, hinges on two main factors - first, the method of appointment; and second, the functions and powers prescribed for the Council. In the first place, the President has an overriding power of appointment in terms of the composition of the Council. Notably, the Council of State, which was first conceptualized under the 1979 Constitution, was crafted with the concept of the Chief’s Council in the traditional system in mind. However, we have ignored a fundamental principle underscoring the membership of the Chief’s Council. In traditional Ghanaian society, no chief appoints any member of his advisory council. The Council Members are Heads of the various groups or lineages in the society and are sub-chiefs themselves. They come to the Council in their own right and are independent of the chief. The Members of the Council normally support the chief to

⁶ See Article 127 Clause 4 and Article 160 on the Judiciary; Article 54 on the Electoral Commission; Article 227 on the Commission on Human Rights and Administrative Justice; Article 239 on the National Commission for Civic Education; Article 200 Clause 3 on the Police and Inspector General of Police; and Article 187 Clauses 11 and 14 on the Auditor General

⁷ Lame Duck in this context refers to a legitimate institution that is deficient in the discharge of its mandate

rule but if the latter should abuse his position, the Council Members will take a bold stand against the chief. To disregard advice from the Council of Elders is indeed a ground for removal of the chief. This is a practice we must adopt to get a meaningful and powerful Council of State. In Ghana today, the groups that make the society are identifiable. They include the chiefs, religious leaders, professional bodies, women, youth groups, workers etc. Their leaders/representatives should automatically form the Council of State.

The second issue relates to the mandate of the Council which is at present purely advisory and relates to the President only. The overwhelming view is that this should be changed. Not only should the scope of functions be expanded, but also, the Council should actually be redesigned as a Second Chamber of Parliament empowered with legislative, advisory, oversight, inquisitorial and other functions. The Committee of Experts on the 1992 Constitution, made a number of recommendations, which go to the root of the Council's powers. These were not included in the Constitution and should be revisited. Article 90(1) of the 1992 Constitution provides: "A bill which has been published in the Gazette or passed by Parliament shall be considered by the Council of State if the President so requests". The Committee of Experts provided differently and more broadly under section 4(1) as follows: A bill which has been published in the Gazette or passed by Parliament shall be considered by the Council of State –

- (a) If the President requests;
- (b) If the chairman of the Council of State determines;
- (c) If no less than five members of the Council of State so demand; or
- (d) If the bill was passed under a certificate of urgency.

Notably, this was already in existence by Article 107(1) of the 1979 Constitution. Why was it removed in the 1992 Constitution to weaken the Council of State? The Committee of Experts also provided for a Judicial Committee of the Council of State akin to the Privy Council in the U.K. Five eminent Judges who are qualified to be Supreme Court Judges under the Constitution and four other experts, will be invited to assist the Council of State in a variety of ways and assume membership by dint of their expertise. Among other things, they will assist in determining the constitutionality of a bill, any important measure proposed by the Executive and any appointment or vital issue of State whatsoever.

The third issue of relevance was the term of office of the Council of State. The recommendation is that the term of office of the Council of State should be six years and overlap that of the President. By Article (89) (6) of the 1992 Constitution, the appointment of a Member of the Council can be terminated by the President with the prior approval of Parliament. This is enough to tame an independent mind because any person can be removed by a President since the President can easily obtain a majority through his/her majority party in Parliament. It is recommended that once a person is brought to the Second Chamber by an institution, only that body can recall the member by a prescribed method devoid of political manipulation.

In summary, the IEA-WTA Advisory Committee is recommending that the Council of State should be converted to:

- A Second Chamber.
- The mandate of the Chamber should be changed from that of the current Council of State.
- The Chamber’s tenure must overlap that of the President.
- The minimum age qualification for members of the Chamber should be forty-five years.

2. THE LEGISLATURE

Ghana’s Fourth Republican Parliament must be strengthened to become a more independent legislative body. Article 78 (1) of the 1992 Constitution requires that a President shall appoint the “majority” of Ministers of State from among Members of Parliament (MP). This weakens Parliament and promotes WTA politics. In the first place, the fusion undermines the oversight role of Parliament. Majority side MPs look to the President for ministerial appointments. The “successful”, “leading” and “credible” MPs are perceived as those who catch the eye of the President and are made ministers instead of those whose performance constantly catches the Speaker’s eye. Secondly, Parliament is unable to initiate legislation as a result of the interpretation placed on Article 108 of the 1992 Constitution. Thirdly, Parliament’s control over fiscal management of the economy has been poor.

In terms of measures to improve the system, the following recommendations are made:

- First, the constitutional provision for appointing majority of ministers from Parliament should be reviewed. Any Member of Parliament appointed as minister must resign his/her seat and a bye-election held within twenty-one days.
- Second, Article 108 of the Constitution should be amended to strengthen Parliament’s primary role of law making as well as the introduction of Private Members’ Bill.
- Third, the Executive must be accountable to Parliament through a Vote of Censure. Article 82 provides that by a two-thirds majority of its members, Parliament can pass a vote of censure on a Minister of State. But Article 82 Clause 5 provides: “where a vote of censure is passed against a Minister under this Article, the President may, unless the Minister resigns his office, revoke his appointment as Minister”. If the President does not revoke the appointment, Parliament becomes a toothless bull dog. This calls for amendment as in the 1979 Constitution.
- Fourth, MPs should have absolute freedom to vote according to their conscience. Wikipedia, the Free Encyclopaedia, writes about the USA: “Members of the US Congress are generally elected from one of two parties, but its members are free to vote according to their own conscience or that of their constituents. Many members can and do cross party lines frequently. Retribution from party leadership for doing so is nonexistent in the Senate and exceedingly rare in the House. In a parliamentary system, members may be compelled to vote with their party’s bloc, and those who vote against are often cast out of their respective parliamentary parties and become less influential independents.” The US model should be emulated through constitutional amendment.
- To promote parliamentary independence and oversight, Members of Parliament should not serve on Boards and Commissions.

3. DISTRICT LEVEL GOVERNANCE

Decentralization is a mechanism for power distribution. It enhances participation in the decision-making process. It can be applied to limit the incumbent government's control and influence over the outcome of national elections. It was the view of participants that Ghana should examine practical ways of deepening decentralization to strengthen democracy. In this connection, the following recommendations were advocated:

- First, all members of the District Assemblies (DAs) should be directly elected by the people. This will enhance the authority of the DAs. Hence, the President's nomination of one-third of its members should be scrapped. Those seats, it was recommended, should be reserved for women who will compete separately to fill them. This will empower women who will use the opportunity to gain experience for national politics.
- Second, all Metropolitan, Municipal and District Chief Executives (MMDCEs) should be directly elected by the people. By this process, those who are elected will derive legitimacy from the electorate, thus enhancing accountability and responsiveness at the local level.
- Third, it was recommended that adequate financial autonomy should be assured. It was proposed that twenty-five percent of the national revenue should be allocated directly to decentralized authority without any tinkering from central government. . The District Assemblies (DAs) should be allowed by law to apply their funds according to their local development needs.
- Fourth, the power of Regional Coordinating Councils (RCCs) should be curtailed as the RCCs are often applied as instruments of central government control.
- Fifth, DA elections should overlap that of the President by two years.
- Sixth, the manipulation of DAs by the Executive through the creation of new Districts with the aim of gaining constituencies , should be scrapped. The concept of economic viability of these Assemblies should be of prime consideration.

4. FUNDING OF POLITICAL PARTIES

There was grave concern about the growing “monetization” (treating) in Ghanaian politics. Participants expressed the clear view that the practice has heightened the abuse of incumbency in particular, in successive governments.

- Public Funding of political parties, according to participants, should curb the growing monetization and create a level playing field for all.
- Second, the view was expressed that public funding will enable political parties perform the various roles demanded of them by the Constitution, particularly political education for the public.
- Third, it was argued that public funding will help in educating the public generally towards developing issue-based politics. In this connection, party agents and others will be well educated in the dynamics of elections. Indeed, some of such funds can be applied towards providing for party agents during elections. It is further recommended that as much as possible, there should be more of benefits in kind rather than in cash.

- Fourth, it was highly canvassed that The IEA-sponsored draft Public Funding of Political Parties Bill, 2008 should be passed into law and implemented. It was also the view of some participants that in order to avoid the proliferation of political parties, beneficiaries must show a credible track record to qualify for funding. Most funds must also be in kind rather than in cash and geared towards political education, training of agents and allied equipment of empowerment which cannot be misappropriated for individual/selfish ends. Rules and sanctions for the abuse of the funds must be developed.
- Fifth, it was recommended that there should be a ceiling on the amount of cash and other resources in kind that can be spent by political parties.

5. NATIONAL DEVELOPMENT PLANNING

The IEA-WTA Advisory Committee urges government to accept the CRC recommendations on the National Development Planning Commission (NDPC) and the need for a national twenty-year long-term perspective plan. The Committee in principle, shares the view that there should be a long-term national perspective plan formulated through broad consensus with inputs from all across the political divide which must reflect the views of identifiable groups both at the local and national level. The plan should guide all governments irrespective of which political party is in power. The manifestoes of political parties should explain how their policies and programmes would help achieve targets in the plan.

Among other things, through the appointment process and conditions of service, personnel of the NDPC should be totally insulated from politics and political control. This provision must be entrenched in the Constitution. These interventions will ensure that all political parties voted to power are guided by the plan and are assessed by the extent to which they have implemented the national development agenda.

6. ELECTORAL FORMULA FOR SELECTING POLITICAL LEADERS

Some Ghanaians were of the view that there should be a modification of the Winner-Takes-All (WTA) electoral formula even though others favoured the status quo. Proponents of the status quo argued that the current system is familiar; it ensures competition of ideas; it allows the government of the day to implement its ideology and manifesto on the basis of which it was elected; and that it enables politicians to recoup their expenditures and reward supporters. However, it is evident that the inappropriate interpretation and application of the WTA formula by politicians, has often resulted in conflict, raised tension during elections, reinforced divisions in society and promoted the politics of exclusion in the Ghanaian body politic. Moreover, it is observed that against the backdrop of divisions, manifestoes and other issues-related arguments, the issue of ideological differences are drowned while vituperations cloud the political atmosphere.

The IEA-WTA Advisory Committee recommends that Ghana should work towards a customized variant of proportional representation to reflect its pluralistic character and incorporate the interests of smaller parties, women, and marginalized groups by way of affirmative action. It will further promote the injection of more expertise and competence into parliamentary practice. The Committee is of the view that this customized variant should combine the desire of our people to elect their representatives and the need to achieve inclusive representation of the identifiable groups, parties and marginalized people.

This may be implemented by re-demarcating the current 275 seats and realigning them to create 200 constituencies. An additional 75 seats should be allocated as Proportional Representation seats on the basis of the performance of the parties in the presidential elections with a minimum threshold of 1% of total votes cast. In any case, the present allocation is disproportionate. The review of constituency boundaries must not be interpreted as the creation of new constituencies. Census results and population growth must only lead to realignment of constituency boundaries and not the creation of new constituencies in a manner akin to what pertains in the US.

TRANSITIONAL PERIOD

In order to ensure that negotiations do not disrupt governance, we recommend that the transition period from one government to another is extended to three months, taking a cue from the US model. The transition team must be constituted in line with (The IEA-sponsored) Presidential Transition Act, 2012 (Act 845).

APPENDIX A

REPORT ON THE PUBLIC CONSULTATIONS UNDERTAKEN BY THE INSTITUTE OF ECONOMIC AFFAIRS (IEA) WINNER-TAKES-ALL (WTA) ADVISORY COMMITTEE

THEME:

RE-THINKING GHANA’S WINNER-TAKES-ALL PRACTICE OF GOVERNANCE

Introduction

The Winner-Takes-All (WTA) practice of governance in Ghana has been identified as one of the main factors responsible for the growing polarization of the Ghanaian society and politicization of issues of national importance that require consensus. In recent times, several Ghanaians have expressed concerns about the WTA politics including President John Dramani Mahama, Mr. Kofi Annan, former UN Secretary-General, Dr. Kwabena Adjei and Prof. Kwesi Botchwey. President John Mahama, declared on Republic Day, 1st July 2013, that the system in Ghana’s political dispensation was not helpful “as the government and opposition remained parallel even after elections.” President Mahama further noted that “the current trend of democracy in the world needed the cooperation of both government and the opposition to fine-tune the constitutional demands of the people”. The President observed that the country needs:

“...concerted efforts and cooperation from all citizens to achieve development”, and therefore called on “all stakeholders ... to take a look at how best the negative trend entailed in the WTA system could be ameliorated to support the government to strengthen institutions.”

Similarly, on 22nd August 2013, Dr. Kwabena Adjei, Chairman of the ruling NDC, lamented the insecurity generated by WTA, and called on political parties to “unite and do away with the ‘winner takes all’ syndrome in Ghana’s politics”. Speaking at a ceremony to mark the 21st anniversary of the NPP, Dr. Adjei stated the following:

“Let’s work towards the definition and the pursuance of the national interest; let us also work towards the win-win situation in any electoral event. I think that something that makes us insecure is the fact that, usually the winner takes it all; from now on don’t let the winner take it all, let us share, this country belongs to all of us”.

Again, delivering the Distinguished Speaker Lecture Series organized by the Central University College under the theme, “State of the Nation’s Political Economy and the Role of Civil Society” on 3rd June 2014, Prof Kwesi Botchwey also cautioned Ghanaians against the current politics of winner takes all as follows:

“The political terrain lacks common civility. This has extensively affected consensus building for the common good of the nation. Seeking consensus in Ghana has become impossible due to polarization. The ‘winner takes all’ regime could trigger something unhealthy for the country in the near future. The practice is causing rising bitterness and tension among citizens and has transcended beyond political parties to intra-party politics. Due to this, immediately after an election, the losing party starts working against the ruling party. Businesses aligned to losing parties also develop the habit of not seeing anything positive in the government’s

actions. Others also prefer to abandon the country altogether to mind their own business elsewhere without contributing to the building of the country.”

Again, commenting on Ghana’s Election Petition at the Supreme Court following the 2012 General Elections, former UN Secretary-General, Kofi Annan, noted that “...**Democracy is not about winner-takes-all politics; it is about the winner serving all his or her people and shoring up the rule of law. The winner has to be given a chance to lead, and the losers have to find their rightful place in opposition, keeping the government in check and preparing rival policies to present to the electorate the next time round...**”

During the public consultations with other eminent statesmen, former President J.A. Kufuor also indicated his dissatisfaction with the current practice of WTA politics. He noted that **one solution to this divisive practice is to elevate the council of state to the status of a Second Chamber with independent oversight responsibilities on legislations.** Similarly, Prof. Mike Oquaye, a Former Deputy Speaker of Parliament also stressed the need to **decouple parliament from the executive and ensure effective local governance through direct election of MMDCEs as a solution to WTA politics.**

Last but not least, at a roundtable discussion organized by the IEA in collaboration with the Netherlands Institute for Multi-Party Democracy and the Global Leaders’ Forum on 17th June 2014, on the theme: ***Making Ghana’s Natural Resources Count***, Prof. Paul Collier, a renowned economist also noted that: “**It is difficult to build consensus in a multi-party democracy where the winner-takes-all system of governance operates, unlike in a coalition government**”.

Generally, it is contended that as a result of this system, Ghana has only narrowly escaped near social and political breakdown over the period spanning the last two General Elections. This was due to the perceived monopoly of political and economic clout by the winning party, threats of violence and legal challenge to the tenure of the Presidency and the electoral system. Some of the critical constitutional and legal issues that have contributed to the Winner-Takes-All politics in Ghana include:

1. Powers of the Executive
2. The Legislature
3. District Level Governance
4. Funding of Political Parties
5. National Development Planning
6. Electoral Formula for Selecting Political Leaders

Explaining Winner-Takes-All (WTA) as an Electoral Formula

Winner-Takes-All in Ghana is both an electoral formula for determining winners in elections and also a practice for facilitating the evaluative inclusion and exclusion of individuals, groups and classes of persons. Specifically, it is a mechanism for political discrimination, recrimination and exclusion. As an electoral formula, Winner-Takes-All (WTA), also referred to as the Plurality Voting System or First-Past-The-Post (FPTP), is a single-winner voting system often used to elect executive officers or members of a legislative assembly which is based on single-member constituencies. It is the most common system used in Commonwealth countries. Forty-three of the 191 countries of the United Nations, including Zimbabwe, Zambia, Uganda, Tanzania, Swaziland, Singapore, Nigeria, Malaysia, Dominica, Botswana, Ethiopia, Barbados, India, France, Nepal, Pakistan, Malawi, Mexico, Canada, India, UK and the US use this system, or a variant for selecting leaders in local and/or national elections.

In this voting system, the winner of an election is the person with the most votes. A simple majority of votes suffices as there is no requirement that the winner gains an absolute majority (i.e. fifty percent plus one) of votes. Article 50 Clause 1 (a) of the 1992 Constitution prescribes the selection of parliamentary candidates through a simple First-Past-The-Post or Plurality voting system. The Majoritarian System is an additional but less common type of WTA. The slight difference between the Majoritarian System and the traditional WTA is that the winning candidate in the Majoritarian System is required to earn a majority of votes (at least fifty percent plus one) in order to be declared a winner. Article 63 Clause 3 of the 1992 Constitution prescribes the Majoritarian System as a formula for selecting the President of the Republic.

Countries that have opted for, or retained the WTA formula have several reasons for doing so. One reason is that it is a simple, less complicated formula and very suitable for non-homogenous and developing countries where literacy rates are low and complex issues regarding electoral formulae could be a recipe for electoral fraud and chaos. The framers of the 1992 Constitution of Ghana may have been mindful of the nascent nature of Ghana's democracy and the literacy rate in prescribing the WTA i.e., the First-Past-the-Post and Majoritarian system as the electoral formulae for the nation.

Operationalizing Winner-Takes-All Politics

Winner-Takes-All (WTA) politics is a practice and a political sub-culture that excludes all other Ghanaians who are not part of the ruling party from national governance and decision-making; this is done in a manner that polarizes the nation and dissipates the much needed talents and brains for national development. It entails "state capture" or the partisan monopolization of state resources, facilities and opportunities, as well as the exclusion of political opponents from national governance. In effect, one omnibus feature and result of WTA politics is the "dangerous feeling of exclusion" from the governance process by those who are not part of the ruling party/government. This phenomenon has characterized all the regimes of Ghana's Fourth Republic. Incoming governments have used their victory to signal a new "era" and the fact of their control over power and resources. As has oftentimes been the case under all regimes in the Fourth Republic, the assumption of political authority has been used as a means of demonstrating control and the consequent marginalization of perceived political opponents from access to key resources and occupation of certain offices.

The IEA Winner-Takes-All Advisory Committee

As part of its commitment to consolidating Ghana’s constitutional democracy, The Institute of Economic Affairs (IEA) established a twelve-member Advisory Committee of experts and eminent Ghanaians under the chairmanship of **Archbishop Gabriel Charles Palmer-Buckle** to re-examine Ghana’s Winner-Takes-All system; oversee the conduct of a nation-wide public consultation process on this issue and propose recommendations for reform. The other members of the Committee are:

1. Justice Emile Short
2. Dr. Rose Mensah-Kutin
3. Prof. Stephen Adei
4. Dr. William Ahadzie
5. Prof. Ivan Addae-Mensah
6. Rev. Dr. Opuni Frimpong
7. Mr. Sam Okudzeto
8. Ambassador Kabral Blay Amihere
9. Alhaji Khuzaima Mohammed Osman
10. Ms. Hilary Gbedemah
11. Mrs. Jean Mensa

The work of the IEA on the WTA originally began as far back as 2006, when the IEA undertook a two-year study aimed at identifying the gaps in Ghana’s democracy for the purpose of making practical recommendations for reform. The outcome of this study was the Democracy Consolidation Strategy Paper (DCSP) in 2007. Key among the recommendations of the DCSP was the need for constitutional review and the implementation of several policy recommendations to deal with and address the Winner-Takes-All (WTA) practice of politics.

The Committee’s Approach

The Committee conducted nation-wide public consultations in Tamale representing the Northern, Upper East and Upper West Regions; Kumasi representing the Ashanti and Brong Ahafo Regions; Takoradi representing the Western and Central Regions; Ho representing Volta and Eastern Regions; and Accra. Each public consultation was attended by over 200 participants representing the leadership of registered Political Parties, the Electoral Commission, National Commission for Civic Education, Media, Clergy, Traditional Authorities, Youth Groups, Women’s Groups, Security Agencies, Ghana National Association of Teachers, National Association of Graduate Teachers, Ghana Registered Nurses Association, and other indigenous Civil Society Groups selected from the regions.

The Committee also held consultations with various identifiable bodies and key personalities of state including:

1. The Ghana Pentecostal Council
2. The Christian Council of Ghana

3. National Catholic Secretariat
4. National Peace Council
5. NETRIGHT / Women’s Manifesto Coalition
6. National Union of Ghana Students (NUGS)
7. Ghana Medical Association
8. The Ghana Bar Association
9. Ghana National Association of Teachers
10. Trades Union Congress (TUC)
11. University Teachers Association of Ghana
12. New Patriotic Party (NPP)
13. People’s National Convention (PNC)
14. Convention People’s Party (CPP)
15. Center for Democratic Development (CDD)⁸
16. Former President John Agyekum Kufour
17. Professor Kwesi Botchwey
18. Dr. Abu Sakara
19. Mr. Daniel Batidam, The President’s Policy Advisor on Governance

Duration of Public Consultations

The public consultations were held over a six-month period, starting from mid-June 2014 to December 2014. The consultations also involved press conferences, press releases, radio interviews, town hall meetings and interactions with the institutions of government. Through this process, the Committee created public awareness and understanding on the implications of Winner-Takes-All politics as well as other critical issues of national governance.

⁸ CDD Ghana submitted a report as their contribution to the WTA consultation process.

DEALING WITH WINNER-TAKES-ALL POLITICS: PROPOSALS FOR REFORM

“...Winner-Takes-All... Why do you take it all when you do not have the Capacity...?”

John Mefful, Representative of the Ghana Society for the Physically Challenged at the Takoradi WTA Public Consultations.

During detailed discussions with the various stakeholders, they expressed the view that the 1992 Constitution was promulgated by the people and is not a sacrosanct document whose provisions cannot be amended. It was noted that WTA and the politics of exclusion was evident at all levels of the national sphere including the state, culture and economy. It also manifests at the intra-party level where those who are deemed not to have contributed to the electioneering campaign of a candidate and held different views, were marginalized after elections. It was widely held that WTA politics is divisive and appropriate constitutional amendments ought to be made to deal with the challenges it poses to Ghana’s fledgling democracy. Again, an improvement in the living standards of the people as well as attitudinal change and objective interpretation of constitutional provisions, could help douse the flames of WTA politics. Furthermore, the various stakeholders noted that WTA politics has eroded the spirit of patriotism in the Ghanaian and has become a time bomb threatening the survival of the nation’s multi-party democracy and impeding national development.

BROAD CONSENSUS

The various stakeholders consulted generally noted the polarizing effect of the WTA politics and the threats it poses to Ghana’s fledgling democracy. They indicated that the nation’s democracy could relapse if concrete constitutional arrangements are not put in place to deal with the phenomenon. In this regard, they called on the government to slow down the pace of the Constitution Review process to enable proposals for dealing with the current WTA politics to be factored into the review process. This would satisfy the wisdom embedded in the political theory that: *“...A Constitution is not an Act of Government but a People Constituting the Government...”*

PROPOSALS FROM THE IEA-WTA ADVISORY COMMITTEE

Majority of persons and institutions consulted expressed concern about the dangers of the Winner-Takes-All practice of governance. The nation-wide public consultation undertaken by The IEA-WTA Advisory Committee brought out the following issues and manifestations of Winner-Takes-All for which appropriate recommendations have been made:

1. Powers of the Executive
2. The Legislature
3. District Level Governance
4. Funding of Political Parties
5. National Development Planning
6. Electoral Formula for Selecting Political Leaders

The issues are discussed below:

POWERS OF THE EXECUTIVE

Under various articles of the 1992 Constitution of the Republic of Ghana, the President has the power to make several appointments. However, in some cases this is done in consultation with or on the advice or approval of some other bodies, particularly the Council of State, whose independence has been questioned. The appointments include: the Commissioner for Human Rights and Administrative Justice and his Deputies; the Auditor-General; the District Assemblies Common Fund Administrator; Chairmen and other members of the Public Services Commission, Lands Commission, governing bodies of public corporations, National Council for Higher Education howsoever described; and the holders of such other offices as may be prescribed by the Constitution or by any other law not inconsistent with this Constitution. Under Winner-Takes-All (WTA) politics, all these appointments are largely made to benefit party supporters and loyalists to the exclusion of real or perceived political opponents. This often undermines meritocracy and weakens institutions. To redress this, the IEA-WTA Advisory Committee recommends the following:

Appointment of Heads of Constitutional Bodies and Governance Institutions

- Appointment of heads of key constitutional bodies and governance institutions such as the Electoral Commission (EC), Commission on Human Rights and Administrative Justice (CHRAJ), Chief Justice, Supreme Court Judges, Governor of Bank of Ghana, National Media Commission (NMC), National Commission for Civic Education (NCCE), Economic and Organized Crime Office (EOCO), and Auditor-General should be done by the President with the approval of two-thirds majority of Parliament.
- Alternatively, a duly constituted independent and bi-partisan committee should advertise the vacant position, vet the applicants, draw up a shortlist and submit same to the President for appointment. The composition of such a committee would vary depending on the position to be filled. (The detailed modalities are still being discussed by the IEA-WTA Advisory Committee.)
- Important institutions of governance such as the Judiciary, CHRAJ, NMC, EC, NCCE, EOCO, Auditor-General etc. should be independently funded. The sources of funding may include additional 1% VAT, Telecom Tax, Consolidated Fund and National Lottery.

Public/Civil Service Leadership

The Committee recommends that the leadership of the Public/Civil Service, that is, Chief Directors should be tenured positions and not be removed with changes in government. There is strong evidence that countries with Permanent Secretaries such as Botswana, South Africa and Mauritius have experienced strong and dependable bureaucracies which have in turn strengthened development and good governance.

CEOs of Public Corporations and Boards

- Appointments of CEOs of public corporations and institutions and other analogous positions should be made more transparent. The nomination of candidates should come from the State Enterprises Commission and Public Services Commission; the appropriate and shortlisted candidates are then presented to the President for appointment. These appointments and those of governing boards should be inclusive, bipartisan and be based on competence.

Council of State

With regards to appointment of Members of the Council of State, two options may be considered for inclusiveness and increased effectiveness:

- (a) The President should be limited to appointing three (3) members. Civil Society Organizations (CSOs) including, religious groups, professional bodies, business groups etc. should nominate the remaining eight (8).
- (b) Alternatively, the Council of State may be formally reconstituted into a Second Chamber of Parliament. This chamber should comprise mainly technocrats and renowned statesmen and women. (The Committee is still reflecting on the details of this option.)
- (c) To promote accountability and effectiveness, the Council of State, which is funded by state resources, must submit quarterly reports to the Ghanaian public on its activities.

THE LEGISLATURE

Ghana's Fourth Republican Parliament must be strengthened to become a more independent legislative body. The current practice of appointing ministers from Parliament further weakens the institution. Also, it is unable to initiate legislation as a result of the interpretation placed on Article 108 of the 1992 Constitution. Parliament has also been unable to play its fiscal role of ensuring that certain critical governance institutions are funded. The Committee therefore recommends that:

- Article 108 of the Constitution should be amended to strengthen Parliament's primary role of law making as well as the introduction of Private Members' Bill.
- The constitutional provision for appointing majority of ministers from Parliament should be reviewed. No Member of Parliament should hold a second position as Minister of State. In the event that the President appoints an MP as minister, the said MP must vacate the seat and a bye-election held to fill the position.

DISTRICT LEVEL GOVERNANCE

There is consensus on the need for direct election of MMDCEs. The concept of decentralization is undermined by the current mode of appointing MMDCEs. It is contended that the existing mode of appointment also inhibits local development and makes MMDCEs indifferent to the needs of the local people. The IEA-WTA Advisory Committee endorses the recommendations that:

- Metropolitan, Municipal and District Chief Executives (MMDCEs) as well as all members of the District Assemblies, must be directly elected by the people as it is done at the national level. This promotes inclusiveness, increased participation in decision making, rural development and ensures effective decentralization.
- The Political Parties Act 2000 (Act 574) should be amended to impose women oriented affirmative action on political parties as put forward by the Constitution Review Committee (CRC). The CRC recommendation on this issue should be reinstated.

FUNDING OF POLITICAL PARTIES

Political parties are the vehicles through which the ideals of multi-party democracy could be achieved. Unfortunately, they exist merely as “election machines” and become largely inactive during inter-election periods. The proposal for state funding of political parties was seen as a means of reinvigorating them to be able to function effectively and produce quality leaders capable of tackling the developmental challenges of the country. However, the proposal has not yet been implemented. There is a perception that Political Parties appropriate public resources to fund their political activities since the sources of their funding are unknown and undisclosed. Political parties also tend to raise resources through any means for their electioneering campaign and do all they can to recoup such resources after elections. The IEA-WTA Advisory Committee supports the recommendation that:

- There should be public funding of Political Parties by the state. Public funding of political parties will create a level playing field for political parties and keep the parties active in the inter-election period. The draft Public Funding of Political Parties Bill, 2008 submitted to the Presidency by the IEA-Ghana Political Parties Programme should be passed into law and arrangements made for its implementation.
- Additionally, there should be a ceiling on the amount of funds that can be raised by Political Parties during their electioneering campaign. This could help minimise the likelihood of parties seeking illicit funds or incurring huge debts that are allegedly recouped through state resources. The ceiling may be reviewed periodically taking into consideration prevailing economic conditions. This would also prevent the ‘monetization’ of elections.

NATIONAL DEVELOPMENT PLANNING

The IEA-WTA Advisory Committee urges government to accept the CRC recommendations on the National Development Planning Commission (NDPC) and the need for a long-term national perspective plan. The Committee in principle, shares the view that there should be a long-term national perspective plan formulated through broad consensus with inputs from all across the political divide. This plan should guide all governments regardless of the political party in power. The manifestoes of Political Parties should explain how their policies and programmes would help achieve targets in the plan. This provision must be entrenched in the Constitution. These interventions will ensure that all political parties voted to power are guided by the plan and are assessed by the extent to which they have implemented the national development agenda.

ELECTORAL FORMULA FOR SELECTING POLITICAL LEADERS

Some of the people consulted were of the view that there should be a modification of the Winner-Takes-All (WTA) electoral formula even though others favoured the status quo. Those who were in favour of keeping the status quo argued that it is a system we are familiar with; it ensures competition of ideas; it allows the government of the day to implement its ideology and manifesto on the basis of which it was elected; and enables politicians to recoup their expenditures and reward supporters. However, it is evident that the inappropriate interpretation and application of the WTA formula by politicians has, on several occasions, led us into conflict, raised tension in the lead up to elections, reinforced divisions in society, and promoted the politics of exclusion in the Ghanaian body politic. Moreover, it is observed that the issue of ideological differences and manifestoes of the parties remains very insignificant in the political discourse. There is a school of thought that WTA promotes competition of ideas and that inclusive governance will stifle competition. However, this view is not

based on evidence.

The IEA-WTA Advisory Committee recommends that Ghana should work towards a home grown variant of proportional representation to reflect its pluralistic character and take care of the interests of smaller parties, women and marginalized groups. It will further promote the injection of more expertise and competence into parliamentary practice.

The Committee is of the view that a customized variant should combine the desire of our people to elect their representatives and the need to achieve inclusive representation s of the major groups, parties and marginalized people. This may be implemented by ring-fencing the current 275 seats so that any future changes in population would only result in redemarcation of constituencies and not the creation of additional ones. Additional seats which could be allocated on the basis of the performance of the parties in the presidential elections with a minimum threshold of 1% could then be added to the constituency seats. **The number of additional seats to be distributed on proportional basis is currently under discussion. The numbers under consideration are 50, 75 and 100.**

Another option under consideration is the formation of an inclusive government headed by the President and comprising all parties that received a threshold of 1% of the votes cast in the Presidential Elections. These parties would submit their nominees to the President for determination of their portfolios.

Other Recommendations

- a. **The government should adequately resource the National Commission for Civic Education (NCCE) to enable it work in partnership with other CSOs in educating and sensitizing Ghanaians on the values that underpin good governance including patriotism, honesty, respect, tolerance, consensus-building, integrity, good citizenship and nationalism.** Citizenship training grounded in these values would address the attitudes of politicians and the electorate that undergird the Winner-Takes-All system of politics, as an informed electorate is better positioned to demand accountability.
- b. **Government should demonstrate good statesmanship by adopting an attitude of constant dialogue with the opposition and treating all across the political divide fairly.** Constant engagements with the opposition will promote greater inclusivity.
- c. **Government should also endeavour to adequately tackle the poor living conditions of the people.** When living conditions are improved, the marginalization and agitation usually associated with Winner-Takes-All politics will be reduced.

APPENDIX B

THE COMMITTEES IN CHARGE OF RECOMMENDING APPOINTMENTS TO THE PRESIDENT

The Electoral Commission

A Representative of the following:

- Political Parties with representation in Parliament
- Judiciary
- Ghana Bar Association
- National House of Chiefs
- Trades Union Congress (TUC)
- Civil Society in the areas of Governance and Democracy
- Vice Chancellors of Public Universities
- Christian Council and Catholic Bishops Conference
- Muslim Council

The Commission on Human Rights and Administrative Justice (CHRAJ)

A Representative of the following:

- Judiciary
- Ghana Bar Association
- Civil Society Organizations working in the area of Transparency and Accountability
- Civil Society Organizations working in the area of Human Rights
- Ghana Police Service
- Ghana Journalists Association
- Ghana Medical Association
- Trades Union Congress (TUC)
- Christian Council and Catholic Bishops Conference
- Muslim Council

The Inspector General of Police

A Representative of the following:

- Political Parties with representation in Parliament
- Security Agencies besides the Police Service
- Ghana Journalists Association
- Ghana Bar Association
- Trades Union Congress (TUC)
- Civil Society Organizations working in the area of Governance and Human Rights

Chief Justice / Justices of the Supreme Court

A Representative of the following:

- Judicial Council
- Ghana Bar Association
- National House of Chiefs
- Trades Union Congress (TUC)
- Christian Council and Catholic Bishops Conference
- Muslim Council

Governor of Bank of Ghana

A Representative of the following:

- Ministry of Finance
- Ghana Institute of Planners
- Institute of Chartered Accountants
- Trades Union Congress (TUC)
- Chartered Institute of Bankers
- Association of Vice Chancellors
- Former Governors of the Bank of Ghana

Auditor-General

A Representative of the following:

- Institute of Chartered Accountants
- Trades Union Congress (TUC)
- Chartered Institute of Bankers
- Public Services Commission
- Representative from the Ghana Bar Association
- Ghana Police Service

National Commission for Civic Education

A Representative of the following:

- Ghana Journalists Association
- Ghana Medical Association
- Trades Union Congress (TUC)
- Political Parties with representation in Parliament
- Institute of Adult Education
- CSOs in Governance and Advocacy
- Women's Groups
- National Union of Ghana Students

Economic and Organized Crime Office

A Representative from the following:

- Trades Union Congress (TUC)
- Chartered Institute of Bankers
- Ghana Police Service
- Ghana Bar Association
- Ghana Journalists Association
- Chartered Institute of Engineers



The Institute of Economic Affairs
A Public Policy Institute

P. O. Box OS 1936, Osu, Accra, Tel: +233-302-244716/+233-0307-010714, Fax: +233-302-222313
Email: iea@ieagh.org | www.ieagh.org