

# THE WAY FORWARD

LESSONS LEARNED & SUGGESTIONS BY  
THE COMMITTEES OF GHANA'S THIRD PARLIAMENT



*Parliamentary Centre*  
*Le Centre parlementaire*



A publication of the Ghana Parliamentary Committee Support Project Phase II  
prepared by the Parliamentary Centre  
with financial support from the Canadian International Development Agency

**THE WAY FORWARD**  
***Lessons Learned and Suggestions***  
***by the Committees of Ghana's Third Parliament***

**Conclusions from the 2004 Committee Workshop**  
**July 9-11, Elmina**

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## FOREWORD

Ghana's parliamentary committees have been working to improve their performance since early 1994, soon after the restoration of Parliament as an institution.

Contributing to this process have been workshop retreats, overseas and African study visits, training courses, special seminars on specific topics and interactions with civil society groups. Inputs have been provided by many different African institutions (from the Centre for Economic and Policy Analysis in Accra to the Institute for Policy Alternatives in Tamale) and from many external agencies (from the World Bank Institute in Washington to IDASA in South Africa).

However the main leadership in improving performance has come from the committees themselves and from their chairs, members and staff over the years.

Ghana's parliamentary committees have continually taken initiatives to open up new directions – launching hearings across the country, drawing in civil society groups to consult about policy changes, building ties to policy institutes for advice, and assessing government responsiveness to previous recommendations made.

This report represents a further step on the part of Ghana's committees to work for self-improvement. The past four years of parliamentary work in the 2001-2004 Parliament have provided rich learning experiences for committee members. This report draws those lessons together to offer insights to the committees of the next Parliament.

Such deliberate assessment of achievements and of areas where improvement is needed is extremely valuable. This volume provides a solid review of the points to which the committees have progressed. Even more important, it points to the challenges to overcome in future work.

The Parliamentary Centre has worked with Ghana's parliamentary committees since 1994, and we are happy that Phase Two of the Ghana Parliamentary Committee Support Project will now continue this support for the next four years. This report provides very helpful direction as we all move ahead in strengthening parliamentary democracy in Ghana.



Steven Langdon  
Project Director and Director of the Africa Program  
Parliamentary Centre

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## **BACKGROUND**

### **The Elmina Workshop**

A workshop on the theme “Preparing parliament for the transition, post elections” took place from July 9-11, 2004 at the Elmina Beach Resort, under the auspices of the CIDA funded Ghana Parliamentary Committee Support Project II, a follow-up to ongoing efforts to build the capacity of the Ghana Parliamentary Committees to monitor poverty reduction plans, assure sustained participation of the poor in these, and improve transparency and effectiveness of governance.

The workshop brought together representatives - Chairs and members - from the Parliamentary Committees of: Public Accounts; Finance; Government Assurances; Local Government and Rural Development; Gender and Children; Special Committee on the GPRS. The Clerks of the above committees were also present. The leadership of the House (Majority Leader and Minority Leader) participated actively. Other participants included the 1st Deputy Speaker, the Deputy Clerk, a representative from the Ministry of Finance, a panel of resources persons representing institutions and NGOs, representatives from CIDA (Ottawa and Ghana) and representatives from the Parliamentary Centre (Ottawa and Ghana)

Through reflection by the committee members as well as analysis from an outside perspective, the workshop served as a platform for discussions aimed at:

- Reviewing the committees’ progress and current “state of play” on issues such as: Budgetary oversight; Involvement in the HIPC and PRSP processes; Attention to gender equality.
- Identifying strengths and weaknesses, lessons learned and strategies that have been adopted by the committee to perform their work, as well as further suggestions of strategies, to pass on to the next set of committees.
- Suggesting ideas and issues that should be addressed through project activities and other means.

This publication presents the main conclusions from the discussions, in the form of concrete points that the MPs wished to pass on to the Committees of the Fourth parliament.

### **The Ghana Parliamentary Committee Support Project**

The Parliamentary Centre has interacted with the Parliament of Ghana in capacity-building efforts on governance since 1994, mainly in supporting the work of its Finance and Public Accounts Committees. In earlier stages, this interaction took the form of support for separately financed workshop retreats of these two committees outside of Accra. At first, the support focused mainly on training activities in such areas as macro-economic policy, procedures involved in national budget making, and financial accountability measures. But as Ghana’s Parliament moved from early inexperience to more substantive engagement in the governance system, the workshops became settings to examine various policy issues and develop committee strategies for working more effectively in Parliament.

This evolution led committee leaders to propose an ongoing project of support that would utilize the workshops as just one feature of a multifaceted set of mechanisms to build committee capacity and impact. Establishment of this vision of ongoing interaction received financial support from the Canadian International Development Agency (CIDA) in the form of the Ghana Parliamentary Committee Support Project, which ran from 1999-2003. The approval for the Ghana Parliamentary Committee Support Project – Phase II (2004-2008) was obtained in May 2004. The Elmina workshop was its first major activity. The Parliamentary Centre is pleased to continue and build on the work accomplished and results achieved in the many years of fruitful collaboration with the Parliament of Ghana.

## PROGRESS MADE IN THE 3<sup>rd</sup> LEGISLATURE AND SUGGESTED STRATEGIES FOR FUTURE PARLIAMENTARY COMMITTEES

### 1. Oversight of the Executive – Financial and Other

Committees have been active in their financial oversight role during the past legislature. The Finance Committee reviewed over 30 loans and suppliers' credits, while Public Accounts Committee hearing procedures have facilitated the retrieval of funds identified by Auditor General's (AG) reports. However, the tardiness of AG reports, as well as the absence of true partnership between the AG and Parliament is a major obstacle to efficient financial oversight.

Committees have also successfully drawn attention to inadequacies of financial administration and its legal framework through debates in the House. In response, several bills were passed to address these inadequacies, including: Public Procurement Act, 2003 (Act 663); Financial Administration Act, 2003 (Act 654); Internal Audit Agency Act, 2003 (Act 658); etc.

*Insist on getting sufficient time and all the information necessary for the committee to perform its work. Resist pressure from the Executive.*

of non-formal interactions with

In terms of general oversight, all committees have also been active in making observations and providing recommendations to Ministries, Departments and Agencies (MDAs) on relevant issues. In many cases, beyond official channels of communication, the establishment

the MDAs has proved beneficial.

However, the committees are often limited in their oversight role by the non-responsiveness of the Executive. Suggestions for enhancing the monitoring role of the committees of the activities of the MDAs include:

- The Committees should develop "rules of engagement" so as not to be bound by the Executive. This includes establishing clear timelines for responses from MDAs, clarifying issues of access to information, etc.
- For loan approval, the Finance Committee should develop a checklist of issues to address. Loans approved should be further monitored through site inspection and review of work done.
- Likewise, all committees should develop checklists relevant to their area of expertise for review of issues, bills and reports. The expertise and experience of former committee members on such matters could thus be documented for new members.
- The loyalty of the Auditor General to Parliament needs to be strengthened, including improving feedback mechanisms.
- There is a need for pre-audit of financial matters rather than just post-mortem. The PAC could, for example, liaise with the Internal Audit Agency.
- The Finance Committee should take oversight responsibility for the activities of the Bank of Ghana.
- The Committee on Local Government and Rural Development should provide oversight responsibility to the District Assemblies (DAs) in their activities.
- Members of Parliament should become members of anti-corruption organizations such as APNAC, GOPAC, PNoWB. Structures/regulations must be put in place to facilitate the formation of national chapters.

## 2. Capacity Building of Members

Committee members participated in many capacity-building initiatives (workshops, conferences, videoconferences) in Ghana and abroad. Through these initiatives, international linkages were developed with Parliaments and other organizations abroad.

Though strengthening the capacity of Chairpersons is key to improving the performance of the committee, it is important to ensure that capacity-building opportunities reach beyond the Chair and Ranking members. A rotational system would ensure that capacity is built within the committee as a whole and would stand a better chance of being passed on from one legislature to the next.

A Parliamentary Training Institute is on the drawing board, to coordinate and address all training/ capacity building issues. This Institute would aim to cover the capacity building needs of parliaments in the West Africa Sub-Region, as well as eventually regional and pan-African parliaments.

*Capacity always needs to be developed. Institution building has no end, especially when human resources change within the institution.*

Ideas to consider in terms of future capacity building include:

- Using former MPs, especially committee chairpersons, as resource persons to inform and build capacities of incoming MPs and committees and to ensure continuity.
- The need for training in ICTs; MPs need to adapt to the use of new technology.

## 3. Deliberations on Policies – GPRS

Despite being excluded from the initial PRSP process, Parliament has managed to become engaged in the GPRS through the establishment of a Special Committee on the GPRS. The Committee has engaged regularly with the NDPC and has managed to get Ministries to clearly identify budgets earmarked for poverty-reduction. Some Ministries have provided information about spending of funds allocated to them in the budget for poverty reduction efforts which the committee intends to follow-up through investigative field visits. The Committee is however handicapped by the lack of funds for these monitoring initiatives.

*We need to look at poverty in all its dimensions. All MPs should work towards poverty reduction and each committee should be active on the issue.*

Though it started as an ad hoc initiative, the Committee is moving towards a more formal structure in order to better reflect the key importance the GPRS holds as an overarching policy. In order to further empower and strengthen the Committee, it is recommended that:

- Parliament should optimize its involvement in the GPRS process through strategies to make the GPRS responsive to issues of gender, CSO participation, etc. The GPRS Committee and Gender and Children Committee should work in collaboration. Parliament should link with civil society organizations involved in monitoring.
- Parliament must optimize its engagement in policy formulation by developing strategies to address issues of concern in order to make them action oriented.

#### 4. Addressing Issues of Gender

The Gender and Children Committee was established and has been active in field visits for local-level monitoring of gender initiatives, allowing for establishment of two-way communication with constituents. Participation in radio programs and other public debates has raised the profile of the Committee and of Parliament in general among the public.

*We all lose out if we lose the support of women*

The Committee has presented protocol motions in Parliament, contributing to addressing gender equality issues (e.g. protocol on the Convention on the Elimination

of All Forms of Discrimination Against Women (CEDAW)). Ghana has been quite progressive in complying with international legislation on gender issues and has also made positive legislative progress on the domestic front, though the country's domestic violence bill is yet to be presented to parliament. The question of applying the legislation will also need to be tackled.

However, in terms of opportunities for participation in political life, women still face major obstacles. In order to ensure that issues of gender equality are tackled within Parliament and the Committees themselves, one must recognize:

- The need to clearly understand the concept of gender in order to address it properly in policies, representations on committees, institutions, social and economic development, etc. Need to understand:
  - the constraints and obstacles facing women;
  - the benefit of the use of women's resources in the development and growth of the country;
  - how to work with both men and women on gender issues.
- That gender equality applied to political participation must be understood in terms of equality of opportunity.
- That women MPs need support (financial and moral) from women's organizations; women MPs must in turn reach out and engage women's organizations in the political process.
- The need to ensure that gender equality in policy-making becomes a crosscutting issue in Parliamentary discussions and decision-making. Beyond passing laws in benefit of women, a support system must be developed within society to ensure the implementation of these laws.

#### 5. Collaboration with Outside Players

Parliament has been quite active in its relationship with the Executive, through Committees' efforts to engage the relevant Ministries to obtain information and monitor their actions.

Relationships with civil society have by and large been less successful. Though Committees have made efforts on occasion to engage Civil Society Organizations (CSOs), inviting them to committee hearings, etc., CSOs have remained largely unresponsive, for various reasons including the fear of appearing less independent or being co-opted for political gain. Though recognized as beneficial to the work of the Committees, interaction with civil society has become a formalized process occurring only in settings such as workshops organized by the international donors.

*We need to carry the culture of multi-party democracy to the people, in order for them to understand clearly what happens in the House.*



Both sides do however understand the importance of creating linkages. Many members are involved in NGOs and CSOs on a personal level as well, as members of boards or as activists. This is an alternative informal way of linking Parliament and civil society. Suggestions for maximizing the inputs of outside partners into Committee work include:

- More active collaboration with CSOs, research institutions, NGOs, etc. The research institutions need to support the processes and strategies of the committees by providing relevant information and professional insights where appropriate. Parliament should develop a plan for the pro-active engagement of civil society. Committees must make their demands for civil society involvement clear.
- The need to develop strategies to optimize the use of professional services in addressing issues by the committees.
- The role of the press needs to be re-examined critically in order to optimize its impact on the democratic process/governance – transparency, accountability and participation.

*All MPs need to be more pro-active in advocacy and activism, and not just lay back waiting for the Executive.*

## **6. Committee Work and House Procedures**

As is evidenced by the points above, Committees in the third Parliament have accomplished much and have built their capacity to adequately perform their role. However, certain realities of Committee and House work remain obstacles to further increasing Committee efficiency.

There is general agreement that the polarization of Parliament along party lines is a hindrance to the efficiency of the institution. This partisanship is also evident in the work of the Committees. The subservience of Parliament to the Executive is also a frustrating reality for members. The need to ensure the independence of Parliament is obvious.

*Not one single party has enough power to solve Ghana's problems.*

Committees are clearly under-resourced, lacking meeting space, offices and other material resources. This was a recurring point and was stated as a major obstacle to effective work on all the points above. The presence of

Clerks attached to the Committees are obviously a plus, but there is further need for access to professional expertise related to each Committee's mandate, as well as research capability.

The Standing Orders of Parliament were undergoing review by the Standing Orders Committee in order to make modifications that would render Parliament more effective.

The composition of Committees is another recurring issue. The review of the Standing Orders will likely call for smaller Committees, in order to ensure that members are competent in the field of expertise of the Committee, and dedicated to its activities. Committee members who have expertise on issues can accomplish more, as was shown in the case of the Committee on Local Government and Rural Development where Committee members' expertise has helped with the question of the DA common fund formula.

Suggestions by Committee members include:

- In order to reduce partisanship, Parliament should explore the possibility of activating the secret balloting system – the electronic system for casting votes need to be restored.
- Partisanship must be particularly avoided in the deliberations of the Committees.
- Avenues for social and other non-political interactions among Committee members should be developed in order to reduce partisanship.
- Parliament should be adequately resourced in a way that enables it to function effectively while ensuring its independence from the Executive. The possibility of dedicating a percentage of the consolidated fund to Parliament could be explored.
- In order for issues to be adequately addressed, sufficient time must be made available for review at the Committee levels and in Parliament. The House should avoid a last minute rushing in of issues for debate (e.g. loan agreements, bills, etc.)
- Committees need to ensure adequate documentation of issues to facilitate follow up and information dissemination.
- The need to make question time in parliament objective, informative and lively.
- Membership of Committees should be composed of people who are competent, committed, and dedicated to the activities of the Committees. The size of Committees should be limited to about 15 members. MPs should only sit on one or two Committees, and should have the opportunity to choose their Committees according to their expertise and interest.
- The chairpersons and other ranking members of Committees need to consult with members to ensure that practical budgets are prepared and presented for their activities.
- Instruments and strategies need to be developed for accessing research information and professional services. Parliament must build independent research capacity as an important requirement for effective oversight. The Library of Parliament must be developed as a facility.
- Committees need to be equipped with secretariats and meeting space.

*MPs should be acting not only as politicians, looking towards the next elections, but also as statesmen representing the general good of our society.*

## OVERVIEW OF PRESENTATIONS

### Opening Address

**Hon. F.W.A. Blay**, the first Deputy Speaker of Parliament, representing the Speaker of Parliament Rt. Hon. Peter Ala Adjetey, officially opened the workshop. In his address, he described as appropriate the theme for the workshop and emphasized the importance of such a process to improve the quality of Parliament's output in order to achieve good governance in Ghana.

He described Ghana's parliament as being in transition especially because Ghana had been denied or starved of democratic governance before 1992, which had led to the acceptance of lack of democracy as the norm and pointed out the need to tread cautiously towards full democratic stability. He talked about the lack of "institutional memory", weak research capacity, inadequate resources and the perennial problem of not synchronizing the executive calendar with the parliamentary calendar as constraints to the effectiveness and efficiency of Parliament, and hoped for a future when Parliament had access to expert advice. He also commended Parliamentary Centre for its support through funding from CIDA.

In his concluding remarks, he called for the strengthening of governance institutions in the country through the provision of access to the consolidated fund based on a predetermined percentage for each, stating that "governance is not cheap and cannot be taken for granted."

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### **Panel 1: Ghana Parliament Perspectives**

The session brought together Committee chairpersons and the Deputy Clerk of Parliament for an internal reflection on accomplishments in the past legislature and had presentations from five out of the six committees.

The chairperson of the **Public Accounts Committee, Hon. Alban Bagbin**, stated that in performing their primary responsibility of examining the audited accounts of public expenditure of the government the Auditor General's reports served as the main source of information for the Committee. He informed the gathering that these reports to Parliament traditionally fall under seven different audited accounts and in recent times performance audit reports have been included.

He stated that the committee's review of the AG's reports had shown some recurring issues in the utilization of the public purse including:

- Absence of clear procurement procedures and rules
- Misappropriation and misapplication of funds
- Ineffective store procedures and regulations
- Irregularities in the administration of the Pension scheme
- Embezzlement and theft, and
- Payroll fraud

The causes of these he said could be traced to the quality of personnel, inadequate and inefficient financial management rules and regulations and the non-existence of supervision for junior staff. He referred to the committee's call for review of some of the financial rules including the Local Government Service Act of 1961 and also suggested active involvement of Heads of Departments in financial administration of institutions.

He recounted the committee's achievements including:

- Committee reports highlighting the shortcomings in the system;
- The use of subcommittees to look at issues under its jurisdiction;
- Committee hearing procedures leading to the recovery of billions of cedis from officials found to have embezzled, misused or misappropriated funds, following recommendations and follow-up on AG's reports;
- The committee ensuring that MDAs comply with the provision to establish Audit Report Implementation Committees;
- The enactment of a number of Acts including the Financial Administration and Public Procurement Acts.

He highlighted constraints to the work of the committee including the irregularity of the AG's half yearly reports, general weakness of the House, absence of the full complement of support staff for the committee and lack of resources for the committee e.g., no secretariat and no meeting room. The agreement between the committee and the AG's office since 2001 to have a liaison office has not become a reality because of the inability to find a suitable place to house this office.

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The chairperson of the **Committee on Gender and Children, Hon. Angelina Baiden-Amisshah**, recounted the committee's participation in numerous programs, in-country and in the sub-region organized by organizations including CIDA, Women in Law and Development in Africa (WILDAF), Women Initiative for Self Empowerment (WISE) and by Parliament itself. She highlighted some strategies adapted for promoting gender mainstreaming such as the directive by the Ministry of Women and Children's Affairs for the setting up of gender desks in the MDAs.

She added that in pursuing its oversight responsibilities the committee ensured a two-way communication with the communities, through field visits aimed at sensitizing communities on issues relating to gender equalities, and conveying concerns raised by the communities to the appropriate groups. Committee members have also been active in radio programs and debates, raising the profile of parliament and of gender issues.

The committee's achievements included moving motions, such as motions on budgets presented to the house and the motion on the Protocol on the Convention of the Elimination of all forms of Discrimination against Women (CEDAW) in 2003.

Challenges faced by the committee included the pressure of work in the House and outside the House, lateness of MPs to committee meetings, concurrent House and committee sittings, and no budget line for oversight responsibilities. The committee chairperson mentioned the need for a secretariat, and asked for capacity building programs for members and staff in areas such as ICT.

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**Hon. P. C. Appiah-Ofori**, the chairperson of the **Special Committee on the GPRS** described as a problem the deficit in the financing of the GPRS and indicated that the GPRS is unlikely to succeed if adequate funds are not provided.

In describing the work of the committee to date, the chairperson indicated that the committee had made efforts to monitor disbursed funds especially those accruing from the HIPC initiative. He said the committee's specific activities had included regular interactions with National Development Planning Commission (NDPC) especially before the 2004 budget presentation. The committee had written to MDA's requesting them to report on the use of

GPRS money released to them and had received responses from at least 2 ministries, with one ministry giving details of projects etc. The committee's request for quarterly reports from NDPC, however, had not been complied with. In the future, the committee plans follow-up visits and had contacted donor groups and institutions for funding for this exercise.

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Making the presentation on behalf of the committee chairperson, **Hon. S. Johnfiah** said that the **Finance Committee** had reviewed over 30 loan agreements since the inception of the 3<sup>rd</sup> Parliament. Other activities undertaken by the committee included review of transfers of the Bank of Ghana, passing of bills including the Appropriation bills. The schedule of the committee and its activities are determined by the workload of the committee; the committee occasionally sets up subcommittees to carry out detailed examination of various subjects.

He identified the difficulties faced by the committee as the need for office accommodation for members, logistical support such as computers, a good and well-stocked library and the need to improve capacity of members.

In concluding, he acknowledged the support from Parliamentary Centre, in the area of capacity building but asked for further assistance to nurture Ghana's parliament to stand on its own.

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**Hon Ofosu Asamoah**, representing the chairperson, indicated that the **Committee on Local Government and Rural Development** examines matters and issues relating to local government and rural development and is empowered to investigate and enquire into activities and the administration of all MDAs that fall under local government. The committee submitted a number of reports including the report on Local Government Service Amendment bill and is currently reviewing allegations relating to the refusal of District Chief Executives to release MP's share of the District Assemblies Common Fund.

Hon. Ofosu Asamoah also dwelt on the constraints of the committee, revealing that it was inundated with lots of constraints all of which border on inadequate resources like the lack of the full complement of staff and funds to support committee activities. As regards funding, he explained that though the committee budgets for its activities every year, it is never made aware of the allocation made to it for the year.

The committee's strengths include the quality of its membership. The Committee members are experts in local government related issues which enhanced committee work especially the committee's input in reviewing the formula for the District Assemblies common fund; and facilitating the passage of bills including the Local Government Service amendment bill.

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The **Committee on Government Assurances** prepared a paper, however it was not presented during the workshop. The paper outlines that the committee's first report to the House, in the third Parliament, was in June 2003 and the second in February 2004. The committee also wrote to 8 ministers in the first instance and to 15 ministers in the second instance as a follow-up to assurances made by these Ministers on the floor of the House. Three ministers and 14 ministers responded respectively.

The Committee on Government Assurances has 25 members; 14 from the majority side of the house and 11 from the minority with the mandate to pursue all assurances, promises and

undertakings by ministers and to report to the house. The committee's scope is currently restricted to assurances given on the floor of the house by Ministers.

The major challenge to the committee's work was that its mandate was not taken seriously. Again what constituted an assurance was debatable. This resulted in the ministers not attaching importance to the inquiries from the committee. Some ministers perceived the committee's work as "witch hunting". There are also questions as to the right of the committee to cross check facts with institutions in relation to responses given by ministers.

As a way forward, the paper proposes as a first step the need for parliament to clarify what constitutes assurances, promises and undertaking given by ministers. In addition to this the paper calls for linkages with other government assurances committees, a well-resourced secretariat and logistical support for inspection tours.

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The **Deputy Clerk, John Agama**, in his presentation described the Parliamentary Service as a public sector institution, which as part of its duty is in charge of the operations of the parliamentary committees. He indicated that the institution is faced with challenges and difficulties including inadequate resources and the low staff capacity.

He explained that though the institution had received some donor contributions it still required massive injection of resources. On quality of staff, he said that the parliamentary staff required training and retraining to create a well-manned secretariat to support the activities of the committees.

He emphasized that the Committees needed independence; for example, the practice of using MDA's meeting rooms should be stopped.

The deputy clerk then focused on specific committees and made a number of suggestions: (a) PAC – The nature of its interventions is seen as post-mortem; Studies need to be carried out to propose new mechanisms for preventing malfeasance. (b) The composition of the GPRS committee needs to be reviewed carefully to ensure efficiency. (c) There is the need to develop a core staff that would follow-up on government assurances.

He made a strong case for the establishment of a Parliamentary Training Institute similar to the Bureau of Parliamentary Training in India to bring together all training activities and ensure continuity.

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## **Panel 2: Outside Perspectives**

This session had four resource persons drawn from former members of parliament, civil society groups and policy institutions aimed at providing outsider perspective of the achievements of the committees in past years.

### **“Performance of Ghana's Fourth Republican Parliament and Its Committees in Promoting Good Governance”**

Commodore Steve Obimpeh, Former Chairman, Finance Committee

The paper reviewed the performance of the three Parliaments of the fourth Republic in general and of committees in particular in the promotion and development of good governance, taking into consideration the pervading constraints. It drew attention to the

transition of Ghanaian Parliamentarians in the fourth Republic from inexperienced to more mature politicians and described as critical the composition of parliamentary committees to the effectiveness of Parliament.

The paper commended committees of the first parliament for being able to assist the House in passing Bills including those that established the independent governance institutions, despite it being fraught with inherent weaknesses at inception, because of the boycott by Opposition Party leading to the perception by the public of Parliament as nothing but a *rubberstamp* for Executive decisions. It also highlighted a number of good practices adopted including establishing sound relationships both on the local and international levels, opening its doors for studies into the processes of the House and making recommendations.

Focusing on specific committees in the third Parliament the paper identified specific strategies adopted by the Finance Committee including the establishment of procedures and guidelines and working by consensus. The presenter found it regrettable that the Finance Committee has so far failed to monitor the foreign exchange receipts and payments of the Bank of Ghana in and outside Ghana in accordance with Article 184 (1) of the Constitution.

Reviewing the Public Accounts Committee, the paper described the committee's inability to enforce its recommendations as the chief inhibition to its effectiveness. He pointed to efforts to strengthen the committee through provisions in the Audit Service Act, 2000 (Act 584) and the recommendation that the House attaches timeframe to recommendations, and ensure feedback to PAC. The paper suggested choosing leadership of the Committee on Government Assurances from the opposition Party to make it more effective.

Looking at the third Parliament from an outsider's perspective the presenter said that there seem to be more partisanship than there has ever been, in the consideration of issues laid before the House. It added that the Executive is also perceived to be more secretive and economical in how much information it furnishes the House evidenced in the CNTCI and IFC Loan Agreements, which generated so much controversy.

Focusing on issues and concerns the presentation enumerated a few including:

1. Members' inability to critically examine documents laid in the House and therefore could not make informed decisions and suggested that Members educate themselves on matters under consideration.
2. Lack of punctuality and regularity on the part of members to Committee Meetings.
3. Late laying of Papers before the House. He said that this practice must cease and further suggested that a minimum timeframe be specified for such procedures.
4. Allocation of resources to Parliament falls far short of the need clearly stated in the House's Annual Budget Estimates; noting however that this year, Parliament was treated as the Judiciary during the Budgetary Process in the allocation of funds.
5. Appointment of a majority of Ministers and Deputy Ministers from among MPs – this needs to be reviewed if Parliament is to act as a check on the Executive.

The paper concluded by stressing the importance of Parliament becoming as independent as possible to effectively and efficiently perform the roles/functions conferred upon it under the Constitution and through the mandate of the citizenry.

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### **“Parliament in the Fourth Republic: An Outsider's View”**

Dr. J.L.S. Abbey, Executive Director, Centre For Policy Analysis (CEPA)

The presentation emphasized that stronger parliamentary oversight of public budgets is central to democratization adding that improved budget management could help curb

corruption, reduce the gaps between planned and actual budgets, and engender greater efficiency in spending.

The presentation also emphasized building independent research capacity in Parliament as an important requirement for effective oversight in view of the argument that Parliament usually does not have sufficient information or technical capacity.

It raised the concern that an expansion of parliamentary influence on budgets can lead to a deterioration of fiscal discipline unless there is a balance, stating that institutional engineering can help to reconcile legislative activism with fiscal prudence. The paper suggested that monitoring budget implementation be the second priority for parliamentary budget oversight.

Additionally, it raised certain critical issues that have emerged from CEPA's research and analyses of the budgetary processes, budgetary allocations and the oversight role of Parliament especially the committees of Finance and Public Accounts. These included the following:

- i. Arrears- Making references to the Budget (2003) Statement, the presentation pointed to the previous year's arrears e.g. the District Assembly Common Fund (DACF) and the Ghana Educational Trust Fund (GETF), and emphasized that both of these are statutory transfers, the arrears therefore raised serious legal issues about non-compliance of the Executive with the constitutional provisions and laws of the land.
- ii. Unplanned and unbudgeted for expenditures- the presentation referred to unplanned and unbudgeted for expenditures including subsidizing utility companies, large unplanned payments to the Volta River Authority for oil imports and unbudgeted increases in allowances, mostly to health workers.
- iii. Breach of separation of powers (Levies) - referring to the area of petroleum products pricing, the presenter said that while adjustment of prices and a Debt Recovery Levy initiatives were referred to as yet to be implemented, the truth of the matter was that these levies had already been included in the January 17, 2003 price increases, which the Minister called the "first step". Clearly, the doctrine of separation of powers had been breached raising serious and legitimate concerns about the oversight function of Parliament.

Concluding he stated that since the Constitution and laws of the country confer tremendous power and authority over monetary and financial matters on the Bank of Ghana, there might be much to be gained from the tradition and culture of the United States Congress in its relationship with the Federal Reserve Board which like the Bank of Ghana is the central bank. Thus it could prove valuable to have the Governor of the Bank of Ghana appear before Parliament occasionally to inform the elected representatives of the direction of policy on, among others, inflation, the exchange rate, interest rates and the provision of credit to the non-government sector.

Dr. Abbey, in his presentation, made the following suggestions:

- ❖ the need for timely, accurate, useful information especially information on disaggregated draft budgets, budget implementation and auditing;
- ❖ building the capacity of the budget-related parliamentary committees by providing these committees with independent research capacity;
- ❖ Parliament to build its own power by forming a coalition or partnerships with other independent institutions with an oversight mandate including civil society institutions, the media and the Auditor-General.



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## **“Promoting Democratic Governance: Perspectives On Gender Issues”**

Dr. Rose Mensah-Kutin, Regional programme manager for ABANTU for Development

The paper showed the lack of adequate representation of women at the different levels of government, demonstrating how this denies women the chance to be visible and be heard on critical issues on equal basis. It equally emphasised the need to ensure that gender equality in policy-making becomes a crosscutting issue in Parliamentary discussions and decision-making.

Focusing on policy issues such as liberalisation, privatisation and deregulation, the paper outlined how these have negatively impacted on some sectors of the economy, the effect having been felt most on women and children.

Focusing on the Ghana Poverty Reduction Strategy Paper (GPRS), the presentation highlighted the fact that critical issues including gender and the environment were given scanty treatment and were not addressed in any systematic way. The GPRS also made no proposals to promote gender equality and address gender dimensions of poverty.

Another key component of the presentation covered Gender and Land Relations which described how land relations are critical for women’s rights in Ghana and outlined how problems faced by the land tenure and administration system in Ghana undermined constitutional provisions including those that protected women’s land rights. The paper drew attention to the constitutional requirement to enact legislation regulating the property rights of spouses that had not yet been done. It touched on concerns that have been raised that current reform programmes, as designed, are certain to exacerbate the insecurity suffered by women, tenants, pastoralists and young people because they have not fully addressed pertinent issues adversely affecting women’s access to land. The paper therefore called for fundamental transformation in customary tenure systems and land administration practices to change women’s situation.

On Gender and Social Development the presentation showed how women are bearing the brunt of the negative impacts of economic policy stating examples of high maternal mortality, higher HIV/AIDS cases (2/3s of the cases are females) and gender differences in educational levels. The paper further elaborated on lack of access to water and sanitation and the negative consequences for women’s time and health, citing the example of the policy to privatise water in Ghana and the likelihood to limit access further and make water accessible to only those who can afford.

Describing the Promotion of Gender Equality in Ghana, the paper looked at key Gender institutions and their mandate, specifically the Ministry for Women and Children’s Affairs (MOWAC) established in 2001; its implementing agencies namely, the NCWD set up in 1975 and the Ghana National Commission on Children (GNCC) as well as the parliamentary committee on Gender and Children’s Affairs established in 2001 responsible for examining matters relating to gender and children with oversight responsibility over the Ministry of Women and Children’s Affairs.

The paper concluded by suggesting that the committee on Gender and Children ensures that its oversight responsibility is undertaken in ways that strengthen MOWAC’s mandate in a more strategic way, to champion a number of courses that directly arise from its core mandate of generating policy, policy coordination, monitoring and evaluation of gender issues and work in all sectors.

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## **“Parliamentary Committees and Civic Engagement: A Challenge Of The Fourth Parliament”**

Dr. Emmanuel Akwete, Executive Director, IDEG

The presentation provided an outsider's perspective on the work of Ghana's Parliamentary Committees in the past years, focusing on social interaction strategies and structures for ensuring effective participation by citizens. The paper reviewed past performance of parliament, raising critical issues, and proposing how civic engagement between Parliamentary Committees and non-state actors such as civil society organisations could be strengthened during the Fourth Parliament (2005-2009).

The paper described what it called the historic challenge of our time, as the quest for economic, social and political development simultaneously in Ghana. It added that maximizing or optimizing the opportunities for attaining common economic, social and political goals requires that the different players in the three inter-locking domains of the private sector, civil society and the state will collaborate in supporting on-going economic, social and political reforms which they endorse.

Touching on what has been the experience of collaboration between Parliament, the non-state players in the private sector and civil society, the presentation raised a number of critical questions. These ranged from how Parliamentary Committees engaged civil society and private sector actors in the enactment of legislation and in the formulation of public policies, to the value Parliament places on such engagement of non-state actors in playing its role.

In searching for answers to the questions raised the paper specifically reviewed some of the reports of the Parliamentary Special Committee on the Ghana Poverty Reduction Strategy (GPRS).

The review showed that the thrust of the committee's engagement had predominantly been put on government institutions and not on engaging non-state actors such as civil society associations and private sector organisations, as well as officials of international development agencies. The committee had also confined its role to “monitoring” the implementation of the GPRS. The observed shortcoming was that the committee does not appear to have raised pertinent questions about the linkages between the programmes and their expected impact on the reduction of poverty, promotion of private sector-led growth, and the strengthening of democratic governance at all levels of implementation.

In proposing how civic engagement between Parliamentary Committees and non-state actors could be strengthened during the Fourth Parliament (2005-2009) the presentation first looked at several factors contributing to poor responses by CSOs to invitations by Parliamentary Committees.

The paper outlined a number of challenges, namely, the need for state and non-state actors to collaborate, the apparent lack of an institutional framework, how to build confidence among the different players and how to raise awareness about the mutual benefits of pro-active civic engagement to both Parliamentary Committees and CSOs including other non-state organisations.

The paper looked at the benefits and opportunities of such engagements. The benefits suggested included access to alternative or complementary resources to Parliamentary Committees; and for CSOs, the parliamentary committees could provide a viable forum for lobbying and advocacy.

He added that such engagement would build mutual confidence, overcome negative perceptions, enhance knowledge about the different players and challenges, constraints and prospects they must confront and foster purposeful collaboration.

Proposing a way forward the presentation outlined the following steps:

- The need for Parliament to re-articulate its role in the national development process more fully by actively participating in the formulation of the policies and strategies that frame the implementation.
- Parliament to take pro-active engagement of non-state actors, especially independent policy research and advocacy organisations seriously by defining a clear vision and rationale for engaging other actors or organisations.

In concluding, the paper called for a more purposeful approach to engaging civil society, the private sector and other non-state actors may not only provide access to the very resources which Parliament is in dire need of to influence the level, pace and quality of Ghana's economic, social and political development but also confront the challenges of aid-dependency and weak country-ownership development and poverty reduction strategies.

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### **Panel 3: International Perspectives**

This final panel allowed the Parliamentary Centre network coordinators to present an overview of the progress made by other African parliaments and their committees on specific policy issues.

#### **“Parliamentary Committees and Gender Equality”**

Ms. Lillie Chitauru, Program Co-ordinator for Gender Equality, Parliamentary Centre

The presentation focused on the participation of women in parliamentary committees making reference to the parliamentary centre's rapid appraisal of four PRSPs which revealed that contrary to the intention by NEPAD to actively involve women in development activities there was very little involvement of women in the PRSP process. She agrees with some gender analysts who contend that an increased number of women in Parliament will not sufficiently address the question of gender imbalance in Parliament. It is the quality of the women and the capacity in which they are involved.

A partnership between Parliament and civil society is important not only as a cost reduction strategy but as a mechanism for achieving the representational role of parliamentary committees. She cites the example of the South Africa's Women Budget Initiative, which makes significant input into budget reforms from a gender perspective.

The paper also dwelt on parliamentary committees and the budget process. It explained that the enactment of the budget law on its own is insufficient as a strategy for engendering the budget. The benefits of partnership between MPs and research organisations with respect to gender equality can only be maximised by the availability of gender disaggregated statistics.

The paper cites examples of some successful mechanisms for engendering policies from Nordic countries, South Africa, Rwanda and Uganda. It then makes suggestions for engendering policies, namely, gender analysis training for women, and the availability of information.

The paper concludes with a call for the collective effort of all members of the society to reverse negative attitudes that lead to the marginalization of women, and the provision of

gender sensitivity training for all chairs of committees and the entire women's caucus, where possible.

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**“Parliamentary Committees and Poverty Reduction: Perspectives from Other Countries”**

Mr. Rasheed Draman, Program Co-ordinator for Poverty Reduction, Parliamentary Centre

The presentation was based on the studies and analysis drawn from field research, community monitoring of poverty reduction and parliamentary audits. The review of the PRSPs showed the following weaknesses: budgets were not followed, HIPC funds were distorted, monitoring was poor, there were gaps in gender equity.

The paper also focused on poverty policy and Parliament describing Parliament's role as small in the start of PRSPs but emerging as centres of activism, for example, the Parliaments of Tanzania and Malawi.

Focusing on the role of Parliament in monitoring and evaluation of PRSPs, the paper cites examples from Tanzania, Malawi, Senegal, Niger, and Benin, demonstrating how Parliaments are working to be more active. The paper also reveals widespread evidence of the lack of engagement of the poor in the PRSP process, with Parliament not making effort to connect with and engage them.

The paper highlights challenges for parliaments, which are the lack of budget and financial control and the challenge of reaching the poor for serious interaction. It then suggests national and international emphasis to reinforce Parliament and its contributions.

## ACRONYMS

<b>AG</b>	Auditor General
<b>APNAC</b>	African Parliamentarians' Network against Corruption
<b>DAs</b>	District Assemblies
<b>CIDA</b>	Canadian International Development Agency
<b>CSOs</b>	Civil Society Organizations
<b>GOPAC</b>	Global Organization of Parliamentarians against Corruption
<b>GPRS</b>	Ghana Poverty Reduction Strategy
<b>HIPC</b>	Highly Indebted Poor Countries Initiative
<b>ICT</b>	Information Communication Technology
<b>MDAs</b>	Ministries, Departments and Agencies
<b>MPs</b>	Members of Parliament
<b>NDPC</b>	National Development Planning Commission
<b>NEPAD</b>	New Partnership for Africa's Development
<b>NGOs</b>	Non-Governmental Organizations
<b>PAC</b>	Public Accounts Committee
<b>PNoWB</b>	Parliamentary Network on the World Bank
<b>PRSP</b>	Poverty Reduction Strategy Paper