

REPORT ON CONSULTATION WITH TRADITIONAL AUTHORITIES

**CONSULTATIVE FORA ON ASSESSING TWO
DECADES OF DECENTRALIZATION AND LOCAL
GOVERNANCE IN GHANA**

**ORGANISED BY: INSTITUTE OF LOCAL GOVERNMENT STUDIES &
NATIONAL HOUSE OF CHIEFS**

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1.0 INTRODUCTION

1.1 Background

The Manifesto for a better Ghana (2008) outlines the vision and direction of the government of the National Democratic Congress (NDC) for Ghana. Amongst other things, it indicates that the government will organize a broad national Stakeholders Conference on Decentralisation which will look at the conceptual issues in Ghana's decentralisation process as well as review the twenty (20) years of implementation and make proposals for the way forward.

The assembly system of local governance was introduced in 1988 with the passage of PNDCL 207. This brought into being local authorities known as metropolitan, municipal and district assemblies (MMDAs). Assemblies were given legislating, executing, budgeting, planning and rating authority. Provisions for representation of the people included elected and appointed memberships of the assemblies.

In the assembly system of local governance, traditional authorities were provided for in the appointed memberships. They were also represented on the Regional Coordinating Councils (RCCs) through representation from the respective Regional Houses of Chiefs. The local government laws also expected that they would be consulted in the selection of appointed members for the assemblies and their sub-structures.

Twenty years of implementation have yielded various results and experiences from the perspective of practitioners as well as the citizenry whose lot the decentralisation process was intended to improve. National and international environments and their socio-economic, political, technical and administrative dimensions have also changed considerably over two decades. These developments have put additional pressures for local authorities to innovate and perform even in relation to their original functions.

Therefore, for the Ghanaian local authorities to respond appropriately and be pro-active in ensuring the well-being of their citizens there is an urgent need to take the changing context into account and adapt efficiently and effectively. It is also important to equip assemblies to build partnerships with key stakeholders and for the assembly leadership to enhance their relationships with critical interest groups such as traditional authorities.

While a national stakeholder conference was indicated as the main instrument for reviewing the decentralisation experience, it is evident a series of activities must precede it, in order to ensure wide ownership of the recommendations and products. The Ministry of Local Government and Rural Development (MLGRD) has proposed that four sets of activities be undertaken to provide inputs for the national stakeholder conference namely: (a) consultation of special interest groups; (b) regional consultations; (c) identification and analysis of existing literature, reports and documentation; (d) ongoing process of generating written memoranda, statements and position papers as inputs for the purpose of reviewing decentralisation.

The entire exercise is intended to generate five main outputs: (i) an issues paper outlining the key issues as is currently known; (ii) a consolidated stakeholder review process report with proposals for the acceleration of decentralisation; (iii) a revised decentralisation policy framework; (iv) a second national decentralisation action plan; (v) inputs on priorities for the envisaged legislative and constitutional review processes.

It is within this context that the consultation meeting with the National House of Chiefs (NHCs) was organised in Kumasi on 15th October, 2009. The meeting was initiated by the Minister of Local Government and Rural Development for traditional authorities under the auspices of the NHCs and with support of the Ministry of Chieftaincy and Culture, GTZ's Support for Decentralisation Reform Programme (SfDR) and the Institute of Local Government Studies (ILGS).

2.0 RATIONALE FOR THE CONSULTATION

It is recognised that traditional authorities have made several submissions on their role in the current local government arrangements as well as proposals to enhance their participation in the assembly system. It is also acknowledged that traditional authorities play a critical role in local level development given their responsibilities in relation to managing natural resources and their functions as custodians of the social, cultural and moral legacies of our people.

In addition to various platforms organised by research institutes, civil society and non-governmental organisations, the MLGRD has engaged with traditional authorities to explore ways of enhancing assembly relationships with them. One such effort was the

development of draft “Guidelines for Assemblies for Managing Relationships with Traditional Authorities” in 2008.

While these have yielded useful proposals, it is important to consult with traditional authorities to deliberate on the experiences of twenty years of the assembly system and elicit their recommendations on how to proceed in a manner that will ensure efficient and sustainable local level development.

2.1 Meeting Objectives

The objectives of the meeting were to provide an opportunity for the revered traditional authorities to contribute to the review process and elicit their rich perspectives both as citizens and as representatives of the people.

The specific objectives were to:

- Reflect on the performance of the assembly system over the past two decades-the achievements, the lessons and the priority areas for reform
- Examine the interpretations of concept of decentralisation, the issues that have arisen in the different sectoral approaches to its operationalisation
- Assess proposed areas for review by the government and from other consultations
- Make recommendations for the way forward, including inputs for managing relationships between traditional and local authorities

The outcome of the meeting is that an assessment of the decentralisation process and the assembly system of local governance would have been undertaken; good practices and lessons would have been generated; and recommendations for enhancing the effectiveness of Ghana’s decentralisation and local governance processes, provided.

2.2 Methodology

The meeting process consisted of addresses by the by the respective Ministers for Local Government and Rural Development as well as that of Chieftaincy and Culture. The main presentation to set the tone for plenary discussions was delivered by the Director of ILGS.

The specific areas for discussions included:

- Performance and achievements of eth assembly system of local governance over the past two decades;
- Conceptualisation and interpretation of decentralisation and local governance;
- Legislative and policy issues;
- Institutional arrangements and relationships particularly between state entities and lower levels of government;
- Relationships between assemblies and identifiable interest/stakeholder groups and non-state actors;
- Resourcing local government and fiscal decentralisation
- Capacity, capacity building and human resource management; and
- The role of traditional authorities in local governance.

The process, though focussed on eliciting inputs for reforming decentralisation in the foreseeable future, also sought to distil issues for proposed legislative and constitutional reform.

This report presents the key findings of the Consultation with the National House of Chiefs on “Twenty Years of Decentralisation and the Assembly System of Local Governance in Ghana”, held at the Conference Hall of the House of Chiefs in Kumasi on Thursday, 15th October, 2009.

3.0 OPENING SESSION

The meeting started at 10.00 am when the President of the National House of Chiefs, Naa Prof. John S. Nabila called the meeting to order and asked the Registrar of the House of Chiefs to lead with an opening prayer. The Deputy Director of the Institute of Local Government Studies (ILGS), Dr. Callistus Mahama introduced the key personalities and invited guests in the House. The list of participants is attached as Appendix 1 of this report.

3.1 Welcome Address by President, National House of Chiefs

Naa Prof. John S. Nabila, Wulugu Naba Pugansoa in his introductory remarks welcomed Nananom to the Emergency General Meeting of the House. The meeting he stated was convened at the instance of the Ministry of Local Government and Rural Development and thereafter welcomed distinguished personalities including the Ministers for Chieftaincy and Culture and that of Local Government and Rural Development as well as the Director of the Institute of Local Government Studies and representatives of GTZ.

The President discussed the purpose of the meeting and explained that the Minister for Local Government and Rural Development has embarked on the consultation process with identifiable stakeholder groups to review twenty years of the decentralisation in Ghana. He said the inputs to be generated from the House as a strategic institution are intended to make decentralisation more effective. He made reference to a quote “the nation cannot move forward without decentralisation. We cannot move forward with decentralisation without the involvement of chiefs”. He then recommended that the 30% government appointments into the Assemblies be reserved for traditional authorities. Furthermore, he proposed that a fraction of the District Assemblies Common Fund (DACF) or Consolidated Fund be allocated to chiefs for development interventions.

He was happy the meeting is taking place and at the right time. In this regard, the President recommended that inputs to be generated from the discussions as well as their submissions on the subject are seriously considered in the review.

3.2 Remarks by Minister for Chieftaincy and Culture

The Minister for Chieftaincy and Culture in his address said he was honoured to be part of the meeting intended to enrich the relationship between traditional rulers and local government authorities. He said the meeting should be able to address concerns about the level of consultation between the local and traditional authorities.

He explained that chieftaincy has been an important institution from the colonial era and today, a whole chapter in the 1992 Constitution has been devoted to the subject of chieftaincy. He indicated that the role of traditional authorities were not clarified in the 30% local government appointees and therefore interpreted vaguely and abused. He said there are immense benefits to be accrued if traditional authorities are included in the

decentralisation programme. He therefore welcomed all present and indicated he was expecting an effective collaboration or partnership between his ministry and that of Local Government and Rural Development.

3.3 Keynote Address by the Minister for Local Government and Rural Development

The Minister for Local Government and Rural Development, Hon. Joseph Yileh Chireh was gratified for Nananom to have graciously consented to assist the Ministry of Local Government and Rural Development in the review of the assembly system of local governance and 20 years of decentralisation in Ghana.

He explained why the consultation process must be considered crucial. Local governance he said was fundamental to the lives of everybody and all citizens must take interest in its conduct. He was therefore encouraged by the response of Nananom as custodians of the physical, social and cultural well-being of the people to participate in the event.

Hon. Yileh Chireh said this consultative process was only one of the series of activities scheduled for the review process. He mentioned among others that the series of regional consultations and opportunities to submit written memoranda as well as other innovative mechanisms are being used to elicit inputs from a wide range of stakeholders.

He stated the objectives for this meeting as providing opportunities for traditional authorities to contribute to the review process and to present their perspectives both in their capacities as citizens and representatives of the people. The outcome would be to generate recommendations for making decentralisation and local governance more effective.

Hon. Yileh Chireh explained that Ghana, since independence has had various arrangements for expected roles and mandates of traditional authorities in the local administration. He said the current arrangement provides that traditional authorities have a role in the appointed memberships of the Assembly. Furthermore, traditional authorities are represented on the Regional Coordinating Councils (RCCs) through the respective Regional House of Chiefs.

He acknowledged that various results and experiences have been generated after twenty years of implementing decentralisation. Traditional authorities at various platforms have also expressed views on improving the practice and arrangements for local governance. He cited the draft guidelines for assemblies towards managing relations between local and traditional authorities at the district level, to which members of the House gave maximum support last year. He therefore assured members that the guidelines will be finalised and applied as part of the decentralisation reforms. Finally, the Minister was grateful to the President of the House, Minister of Chieftaincy and Culture and the German Development Co-operation (GTZ) for making the meeting possible.

3.4 Remarks by the GTZ's Support for Decentralisation Reform (SfDR) Programme

The Programme Manager was overwhelmed to be given the opportunity to speak to custodians of culture, land and values. He said the consultative process is about the future and there is no future without the past. The past to him is about the culture and traditional authorities. He therefore congratulated Ghana for reviewing the decentralisation process with the mind of the past.

He tasked the representatives participating in the meeting to provide the needed inputs and assured them of the GTZ's continuous support in enhancing the decentralisation programme.

4.0 PRESENTATIONS AND DISCUSSIONS

4.1 General Reflection on Performance of the Assembly System of Local Governance

This presentation was intended to assess the current status of local governance and decentralisation in Ghana. It was delivered by the Director of the Institute of Local Government Studies, Dr. Esther Oduraa Ofei-Aboagye.

In her introductory remarks, Dr. Ofei-Aboagye said performance of the Assembly System of Local Governance can be viewed in two ways. First in terms of the objectives and functions of the system and secondly effectiveness of the decentralisation policy as prescribed by the Constitution and laws. In this regard she discussed the extent to which

these objectives have been met and identified some achievements in respect of the following:

- **Promoting more equitable and participatory local development:**
 - Creation of districts opened the country up for better, targeted and responsive support.
 - Considerable socio-economic data collected by assemblies with development partners for planning, monitoring and evaluation purposes (sadly, assemblies do not appear to own or use this).
 - The assembly committee system provides an opportunity for promoting attention to locally specific issues and problems. The five statutory ones are broad and encompassing and the opportunity to create others
 - The composition of assemblies did show prospects for promoting participation. Assembly members drawn from local communities and known by the electorate leading to easy appreciation of decentralized decision-making rather than faceless bureaucrats in Accra
 - Affirmative action has been undertaken for women and under-served groups through the appointed-member system as indicated above. A number of assemblies have formed women and children's sub-committees.
 - The increasing involvement of CSOs in local accountability is encouraging though there is further scope.

- **Transfer of powers, responsibilities and resources has mixed achievements.**
 - Assemblies were given wide-ranging planning, budgeting, executing, legislation and taxing powers (through Act 462 of 1994).
 - Assemblies also assigned 88 statutory functions including preventive and environmental health, water and sanitation, public work, trade and industry, finance, physical planning, food and agriculture, disaster prevention, administration, social welfare and community development. However
 - Not all assemblies have their full complement of staff and there is high turn-over of skilled technical people such as planners.
 - In spite of Local Government Service Law, administrative and technical staff are still managed from outside assemblies; de-coupling still ongoing
 - Limited control of assemblies over their technical and administrative staff. Control of health, forestry, agriculture and education professionals lies outside the district.
 - Reluctance of some government agencies/other bodies to entrust assemblies with more control over resources and programmes. There are different interpretations of decentralization by sectoral services (health, education

decentralized through regional offices). NHIS, NYEP selective involvement of district assemblies

- Tendency of some development programmes to ignore assemblies and undertake direct implementation in the localities, thus robbing local authorities of opportunities to build local capacity and develop a sense of ownership.
- Key, technical structures have not operated effectively. The regional and district planning coordinating units (RPCUs and DPCUs) suffer from insufficient staffing, lack of clarity about roles and performance requirements and harmonizing their work with that of the assembly.
- Lack of uniformity in regional coordination arrangements aggravated by delayed integration of decentralized departments at the regional level.
- RCCs given coordination, monitoring, information provision, harmonization, back-stopping and evaluation roles; however, their location and oversight roles confer responsibilities that do not have corresponding assignment of revenues. These include:
 - Extensive protocol functions (as state visitors come at short notice); celebration of national social events, including farmers' day;
 - Regional security responsibilities, including chieftaincy and land disputes; and
 - Supporting intra-district cause that transcend district's boundaries such as environment concerns.
- Practice of allocating 5% of the Common Fund to the regions for their monitoring and coordinating functions is not enshrined in any administrative or legal instrument, engendering the sustainability of regional resources.

The Director also discussed the provisions envisaged in the Guidelines on managing relationships between assemblies and traditional authorities and thereafter shared insights on emerging issues in the following specific areas:

- **Emerging Legal and Policy Framework Issues**

- Divergence between constitutional intentions for decentralization and the actual practices in the country buttressed by contradictory laws and sectoral practice. Need for explicit policy or strategy to tackle the fundamental issues - political, legal and financial, associated with the assignment of functions between the Central Government and the Local Government.
- While planning laws confer a strong jurisdiction to MMDAs, budgeting arrangements, funding flows and functional assignments continue to limit the authority and autonomy of the MMDAs.

- Sector priorities, including programmes and projects are defined substantially by the MDAs at the centre, with implementation targets set and resources allocated to meet these targets by the Headquarters. Stronger vertical reporting and accountability for results than horizontal links still persist.
- **Emerging Issues in Political and Administrative Decentralisation**
 - Currently the lines of accountability are confused at MMDA level. The Presiding Member, the District Chief Executive and the Members of Parliament are all political representatives BUT draw authority and legitimacy from different sources. Competition for resources and claims to representation have resulted in many instances in conflicts
 - The democratic representation is challenged and compromised by a mixed model of representation at the district-level i.e. the appointment of 30% of members of the Assemblies by central government.
 - The central appointment of the DCE who effectively guides the MMDAs – not as a civil servant, but as a political appointee ultimately establishes the local government as an arm of the central government rather than a semi-autonomous layer of local government within a unitary state.
 - The sub-district local government structures are not viable; there are too many, they are too small, too many members, not fully elected; functions of sub-district structures are unclear and they have virtually no personnel or financial resources to perform.
 - Historical legacy of local governments operating on a non-partisan basis within a multi-party democratic national environment. Overwhelming presence of centre including prerogatives of appointments. Partisanship considerations are becoming more paramount than the claim of stakeholder participation and gender balance.
 - Traditional authorities are widely recognized as playing a legitimate and useful role on management of local affairs. Yet there is at present no clear framework for the involvement in MMDAs.
 - Regions are in various legislations and policies indicated to be part of the local government system. However, it does not have an elected council and since its role foremost appear to be one of coordination, oversight and support to MMDAs on behalf of central government, it appears that it may be useful to clarify its role as one of a deconcentrated layers of central government rather than proper local government.
 - Central government oversight and support to local government is currently weak.
 - At local level NGOs and CSOs have worked more in local service delivery and less in rights advocacy and oversight of MMDAs for local accountability.

- **Emerging Issues in Local Government Finance**

- Various reform initiatives in fiscal decentralization that are not fully linked nor adequately coordinated; no operational fiscal decentralization strategy linked to overall decentralization policy
- Legal framework and guidelines have been elaborated somewhat but outstanding areas include budgeting procedures, internally generated funds (rating and fee fixing), borrowing regulations and accounting procedures (need for MMDA Accounting and Internal Audit Manuals); reform of MMDA funding arrangements have not kept pace with restructuring of the MMDA organization and new functional assignments.
- Hard to get consolidated, reliable and comprehensive overview of developments in MMDA expenditure and revenues e.g. data bases are not up-to-date; quality assured and consolidated; grant figures varies.
- Continued lack of integration of sector departments under the MMDA structure and the LG Act results in unclear expenditure assignment and blurred accountability.
- Fragmented funding flows and grant modalities. In some cases, multiple streams of funds to cover costs of similar investments, particularly for capital development. Thus impeding monitoring of financial management procedures and ensuring strong accountability;
- There are delays and unpredictability in the grant allocation to MMDAs, hampering local planning and creating inefficiency in spending;
- DACF needs to be improved in the allocation criteria; directives on expenditure abolished; timelier flow of funds and transfers and strengthening of budgeting procedures and reporting systems;
- Weak incentives for MMDAs to improve local financial management and revenue mobilization; weak monitoring of revenue collectors and contractors
- Regulations on IGF rate and fee fixing are outdated: Basic Rate is 10Gp. Fee fixing practices vary from place to place.
- Cede revenues ceased within the Act.684 on Internal Revenues, 2005.
- Problems with the legal framework, low revenue collection capacity, lack of interaction with citizens and citizen awareness, insufficient support from the central government, and weak MMDA incentives to improve the IGF;
- Weak capacities at the local level for valuation of properties; borrowing (legal) framework not conducive for MMDA investments.
- Inadequate linkages between existing MMDA budget cycle and central government budget process. Preparation of the recurrent and development budget processes is also inadequately linked.
- There are weak linkages between planning, budgeting and funding;

- The involvement of the MMDA political actors in budgeting and priority setting processes varies across the MMDAs
 - Fragmentation of the budgeting process hampered by central approval processes;
 - Weak participation of the citizenry in the planning, budgeting coordination and technical factors.
 - New procurement guidelines need review to ensure adequate representation of citizens' interests.
 - Weak computerization of budgeting and accounting systems, making it difficult to predict introduction of downscaled systems (eg. BEPEMS)
 - The new treasury (accounting and transfer flow) reforms are critical for fiscal decentralization;
 - MMDA and the MDA charts of accounts differ in practice and cannot be easily consolidated, thus impeding composite budgeting.
 - Two systems at the local level: the MMDA's line-based budgeting and accounting system and the MDA activity and output based MTEF system thereby creating difficulties in reconciling expenditure and revenue information.
 - Weak capacity at the MMDA level in financial management and procurement
 - Inadequate internal audit capacity in spite of recent efforts at secondment;
 - Lack of follow up on the results from the external audit;
 - Present capacity building support to MMDAs in planning, budgeting and financial management uncoordinated and not linked to any MMDA incentives.
 - There is a weak institutional coordination of fiscal decentralization initiatives and absence of a framework (body of coordination) and regularly contacts between the main stakeholders and reform components.
- **Emerging Issues in Local Government Human Resources**
 - Local governments have limited autonomy in managing their human resources. Furthermore data on local staff management, staff deployment and qualifications are in fragmented form at local levels limiting in-depth analysis in to HR Issues
 - Most departments scheduled for decentralization are centrally managed and report through regions and lack effective coordination by the Chief Executive and DCD.
 - The small group of staff within the "Central Administration Department are largely centrally recruited, promoted, disciplined and transferred. Only small fraction is completely under MDAA control as they are paid from internally generated revenue. Often junior and little systematic

information is collected on their numbers, practical HRM procedures and the relative effectiveness

- Civil servants in the Services (Education and Health etc) have separate systems.
- Recruitment and appointment procedures are administratively very slow; delays in confirmation of appointments and registration on payroll
- Since there is little consultation of assemblies by central ministries of transfers, there is often frustration since assemblies may have invested in such personnel.
- Attraction and retaining of staff is problematic in districts considered “remote” or otherwise disadvantaged.
- Lack of coordination between OHCS, which approves recruitment requests, and MFEP, which gives financial clearance for MMDAs to engage staff.
- Little incentive for staff retrenchments nor the potential to tailor staff structures to local priorities
- Weak procedures for staff discipline; district based heads of departments can often only recommend for transfers not dismiss.
- Promotions are largely automatic based on years of service rather than performance
- Little incentive to enhance staff performance in line with local needs
- Capacity building in LGs is fragmented, duplicative and uncoordinated.
- LGs have limited autonomy to plan and manage their own capacity building
- DDF seeks to systematically assess MMDAs capacities through annual assessment exercise (FOAT) that also determines key capacity building needs of individual LGs,
- However, DDF system assumes MMDAs can be accountable for their institutional performance, debatable under the present situation
- ILGS and LGS currently underfunded compared to their mandates.

The Director in her concluding remarks said in spite of these achievements and challenges, there appears to be general support for continuing the assembly system but with improvements. She therefore called on the revered traditional authorities to make recommendations for addressing the indicated concerns in order to accelerate decentralization.

Prior to the plenary discussions, which followed the presentation; the President of the National House of Chiefs expressed his satisfaction with the presentation and said indeed,

the Director has not disappointed them at all. He said the presentation sets the tone for discussions, observations and suggestions. The key findings are presented in Section 3.

4.2 Plenary Discussions

During the plenary, participants had the opportunity to ask questions and seek clarification on some of the emerging issues. These questions were mainly addressed to the Minister for Local Government and Rural Development. The issues are summarised in Box 1 below.

Box 1: Responses to Clarify Key Issues

- The role of traditional authorities is important and the submissions of Nananom suggest that they have taken keen interest in MMDA business
- The President of the Republic indeed campaigned on the promise of transparency and accountability. Therefore, the traditional authorities' concern about not being informed on utilization of the DACF is legitimate. When traditional authorities are involved, technocrats and members of the assembly are made more accountable
- The suggestions of traditional authorities for representation are good and will be considered
- The deductions at source and central procurement will not be accepted under this present dispensation unless there is a resolution to this effect duly signed by the members of assembly
- The issue of making regions perform enhanced roles in the decentralisation process raised a question about whether or not the position of a Minister for Local Government and Rural Development is required when we have clarified roles for Regional Ministers. The observation was good and will be considered. The decentralisation policy does not envisage a Ministry of Local Government but a secretariat reporting to the President. Local governance at the regional level will be strengthened after twenty years of decentralisation.
- The proposal for traditional authorities to nominate all the 30% appointed representatives will be explored throughout the consultative process

- The relationships that exist between traditional and local authorities are not the best. The case where the traditional council for a particular district had no idea about who the current Chief Executive for that area was cited. Secondly it was established that the traditional council had no knowledge about who the representative of the traditional council is in the Assembly. These developments participants explained hamper development. All MMDCEs shall with immediate effect be directed to introduce themselves to traditional authorities in the respective districts.

5.0 RECOMMENDATIONS

The meeting agreed on a number of policy issues and strategies that requires attention by policy makers at the various levels of government.

5.1 Legislative and Policy Issues

The recommendations made are presented in the table one below.

Table 1: Legislative and Policy Issues

Issues	Proposed Strategies
A constitutional review for effective decentralisation is required.	Amendments to the Constitution, Article 242 and the LGA that are in conflict with decentralisation must be realigned
Ghana is just paying lip service to decentralisation and cannot be said to be implementing it. The health, education and others sectors are being paid by their respective central agencies and therefore not accountable to local governments	These contradictions must be reviewed and streamlined to ensure that technocrats working in MMDAs are paid by respective MMDAs through composite budgeting. This will then give true meaning to decentralisation.
The issue about a non-partisan Assembly system and the President's appointed Chief Executive stifles decentralisation and does not facilitate accountability, checks and balances	The Regional Ministers and Chief Executives must be elected by the people. A partisan DCE cannot work with a non-partisan Assembly members

5.2 Stakeholder Participation

Table 2: Stakeholder Participation

Issues	Proposed Strategies
<p>There is evidence to suggest that the District Assembly does not engage stakeholders in planning and design of projects. For instance, a Police Station was sited at the centre of town and this was culturally unacceptable in the said community. Any arrest made by the police for criminal offences was interpreted as an attack on the family of the victim. This sparked off unrest until the Police Station was resituated at the outskirts of the community. This situation may not have emerged if due consultations were made with traditional authorities.</p>	<p>Extensive stakeholder consultations must be instituted for all assembly projects, programmes and plans.</p>
<p>There was an observation that the new Pension Scheme has not been decentralised. In the old system, a pensioner in the Upper West Region would have to report in Accra before pensions can be paid</p>	<p>The Pension scheme must be comprehensively decentralised</p>

5.3 Institutional Arrangements

Table 3: Institutional Arrangements

Issues	Proposed Strategies
<p>Majority of staff at post in MMDAs would have to consult superiors at the regional and national levels for projects and programme implementation. Civil servants are not to be blamed because if they complained they would lose their jobs</p>	<p>It was suggested that the establishment of the Local Government Service and the transfer of civil servants into local government service will address concerns of allegiance.</p>
<p>Sub-district structures are to be</p>	<p>Arrangements must be made to ensure that sub-district</p>

remunerated from internally generated funds of MMDAs. From experience IGFs had not been enough to defray such expenses. There is the challenge of getting the sub-districts contribute and work effectively since they are poorly motivated or paid stipends	staff are well motivated
There is enormous evidence to suggest that we do not want to implement decentralisation. Though there are institutional arrangements to get the grassroots responsible for managing their own affairs, the top still remain in charge. What is the role of the region? What working relationships exist between the Minister of Local Government and Rural Development and the respective Regional Ministers?	<ul style="list-style-type: none"> • Countries that have excelled with decentralisation are those that ensured that their states/ regions performed critical roles in the implementation of the programme. It was recommended that the regions must be assigned critical roles for managing decentralisation. • The roles of Regional Ministers must be clarified

5.4 Resourcing Local Government and Fiscal Decentralisation

Table 4: Resourcing Local Governments and Fiscal Decentralisation

Issues	Proposed Strategies
The fundamental problems of release of funds. In practice national budgets and allocations do not get to MMDAs. Reference was made to Page 15 of the Monday 5 th October, 2009 edition of the Daily Graphic	Funds allocated to MMDAs especially the DACF must be transferred in whole to them without any deductions at source
Planning and budgeting do not exist in practice	Resources budgeted for in the District Medium Term Plans must be allocated and utilised for that purpose. Guidelines to regulate misappropriation and misapplications must be enforced.
Resources transferred to MMDAs are not known by stakeholders	All funds transferred to MMDAs and projects must be published as appropriate

5.5 Capacity Building and Human Resource Management

Table 5: Capacity Building and Human Resource Management

Issues	Proposed Strategies
Staff of traditional councils/ institutions must be equipped and resourced	On-site and zonal training programmes must be organised to build capacities of traditional authorities and staff of secretariats.

5.6 Environment and natural Resource Management

Table 6: Environment and Natural Resource Management

Issues	Proposed Strategies
The Constitution stipulates that 55% of royalties from land resources must be allocated to MMDAs. The MMDAs do not implement these development plans but are always ready to misapply these funds.	The Royalties must be paid to traditional authorities The formula for disbursement of royalties must be reviewed. As they stand currently they are illegal and must be reasonably shared
It was also mentioned that in the Upper West Region, there are no stool lands	In this situation, innovative strategies are required to compensate chiefs from these areas
The delays in the disbursement of Royalties to Nananom must be stopped	Arrears must be settled with immediate effect

5.7 Role of Traditional Authorities in Local Governance

Table 7: Role of Traditional Authorities in Local Governance

Issues	Proposed Strategies
The Constitution makes definite provisions that the President must appoint in consultation with... However, in practice the composition of the 30% appointed members are mostly party fanatics.	The 30% appointed members must be provided by traditional authorities. The provision is not entrenched in the constitution and the National House of Chiefs must submit a memorandum to the

	President to this effect.
<p>Under chapter 20 of the 1992 Constitution, chieftaincy is guaranteed and roles stipulated. Though the chieftaincy roles have been assigned, there is no corresponding funding arrangement for traditional authorities.</p> <p>It was mentioned that in South Africa, the National House of Chiefs receives annual budget allocations from central government.</p>	<p>A portion of the District Assemblies' Common Fund (DCAF), wherever managed, must be allocated to traditional authorities.</p> <p>It is expected that the Government Constitutional Review Committee must address this concern as well.</p> <p>Provision may also be made from the Consolidated Fund or any other source</p>
<p>A case to illustrate why the 30% appointed membership of the Assembly should be assigned traditional authorities was made. Two cases were cited. First, about an award of contract for the construction of road for which the Chief Executive of the area had no idea about who the contractor was. Rightly so, the contract had been awarded in Accra. Second was the allocation of DACF for the construction of a school building which was however, diverted for other projects because there was no parcel of land in the area to host the school.</p>	<p>It was proposed that if the 30% appointed membership are reserved for traditional authorities, some of these challenges would not have even arisen.</p>
<p>The relationships that exist between traditional and local authorities are not the best. The case where the traditional council for a particular district had no idea about who the current Chief Executive for that area was cited. Secondly it was established that the traditional council had no knowledge about who the representative of the traditional council is in the Assembly. These developments participants explained hamper development.</p>	<p>The traditional authorities must be responsible for opening and closing of the District Assembly sittings just as the President of the Republic does for the national Parliament.</p>

6.0 CLOSING SESSION

6.1 Concluding Remarks by the Director of ILGS

The Director of the Institute of Local Government Studies, Dr. Esther Ofei-Aboagye in her concluding remarks said the consultation has succeeded beyond her wildest dreams. The specific meeting objectives were to:

- Reflect on the performance of the assembly system over the past two decades-the achievements, the lessons and the priority areas for reform
- Examine the interpretations of concept of decentralisation, the issues that have arisen in the different sectoral approaches to its operationalisation
- Assess proposed areas for review by the government and from other consultations
- Make recommendations for the way forward, including inputs for managing relationships between traditional and local authorities

These objectives have been attained and the issues anticipated have been validated. Issues among others about funding arrangements, accountability and credibility have been clarified. He assured the house that the Minister of Local Government and Rural Development shall endeavour to lead the review process in order to ensure that the outcomes live the test of time. She thanked Nananom for making time and their considerable inputs and submissions.

6.2 Closing Remarks by the President of the National House of Chiefs

Naa Prof. Nabila in his concluding remarks thanked the Minister for Local Government and Rural Development and that of Chieftaincy and Culture, Director of ILGS as well as the representatives of GTZ. He advised that the submissions made by Nananom are seriously considered in the review. He thereafter called on the Kumbun Na Yiri to offer the vote of thanks to bring the session to a close.

LIST OF PARTICIPANTS

No	NAME	REGION - STATION
1.	Naa Prof. John S. Nabila - President	Wulugu
2.	Awule Attibrukusu III – Vice President	Lower Axim
Ashanti Region		
3.	Daasebre Osei Bonsu II	Mampong
4.	Barima Offe Akwasi Okogyasuo II	Kokofu
5.	Nana Susubibri Krobea Asante	Asokore
6.	Nana Akuoko Sarpong	Agogo
7.	Nana Frimpong Anokye Ababio	Agona
Brong Ahafo Region		
8.	Osahene Kwaku Aterkyi II	Kukuom
9.	Pemampem Yaw Kagbrese IV	Yeji
10.	Nana Bofo Bene IV	Dwenem
11.	Agyewodin (Pro.) Adu Gyamfi Ampem	Acherensua
12.	Nana Bosoma Aso Nkwawiri II	Sunyani
Northern Region		
13.	Kumbun Na Yiri II	Kumbun
14.	Na Hamidu Shani II	Sunson
15.	Nana Kwaku Dapaah II	Bamboi
16.	Yiram Alhaji Ibrahim Haruna Kibasibi	Kpembe
Upper East Region		
17.	Pe Charles Awia Awampaga II	Paga
18.	Naba Sigri Bewong	Sekoti
19.	Pe Oscar Batabi Tiyiamu II	Kayoro
20.	Naba Baba Salifu Atanale Lemyaarum	Bo
21.	Pe Joseph Babapeh Afagachie II	Nakong
Upper West Region		
22.	Naa Sohimini nye Danah Gore II	Dorimon
23.	Naa Puoure Puobe Chir VI	Nandom
24.	Kuoro Doctawe Ninia IV	Zini
25.	Kuoro Kyige Mumuni Dimbie II	Welembelle
26.	Kuoro Kuri Buktie Limann IV	Gwollu

Central Region		
27.	Daasebre Kwebu Ewusi VII	Abeadze
28.	Okatakyi (Dr.) Amenfi VII	Asebu
29.	Nana Appiah Nuamah II	Twifo
30.	Osabarima Kwesi Atta II	Oguaa
31.	Barima Kwame Nkyi XII	Assin Apimanim
Eastern Region		
32.	Daasebre (Prof.) Oti Boateng	New Juaben
33.	Osagyefuo Amoatia Ofori Panin	Okyenhene
34.	Nana Osei Nyarko III	Boso-Gua
35.	Okotwasuo Kantamanti Oworae Agyekum III	Akyem Bosome
Greater Accra Region		
36.	Nene Abram Kabu Akuaku III	Ada
37.	Nii Adote Obuor II	Sempe
38.	Nii Tetteh Out II	Kpone
39.	Nene Tetteh Djan III	Prampram
40.	Nene Klagbodjor Animle V	Osudoku
Volta Region		
41.	Togbe Afede XIV	Asogli
42.	Otekle Soglo Alloh IV	Likpe
43.	Nana Mpra Besemuna III	Krachi
44.	Togbe Delume VII	Ve
45.	Togbega Addai Kwasi Sekpe XII	Awudome
Western Region		
46.	Osagyefo Kwamina Enimil VI	Wassa Fiase
47.	Odeneho Gyapong Ababio II	Sefwi Bekwai
48.	Osabarima Kwaw Entsie II	Mpohor
49.	Okogyeman Kwaku Gyamprah III	Sefwi Chirano

APPENDIX 2

DRAFT PROGRAMME (TRADITIONAL AUTHORITIES)

TIME	ACTIVITY	RESPONSIBILITY
9.30am-10.00am	Arrival and registration	National House of Chiefs/ MCC/MLGRD/ILGS
10.00am-10.45am	Opening Ceremony <ul style="list-style-type: none"> • Chairman's Remarks • Remarks by Minister for Chieftaincy and Culture • Address by Minister for Local Government and Rural Development 	Chairman Minister for Chieftaincy and Culture Minister for Local Government and Rural Development
10.45am-11.00am	General reflection on the Performance of the Assembly System of Local Governance: Presentation	Esther Ofei-Aboagye
11.00am-11.30am	Plenary Discussion on Presentation and Assessment of the Assembly System	Chairman/Facilitator
11.30am-12.00noon	BREAK	
12.00 noon-1.00pm	Reflections on the Role of Traditional Authorities in Local Governance: The Way Forward	Chairman/Facilitator
1.00pm-1.20pm	Formulation of Recommendations: Small Group/Committee submissions on various aspects of decentralization: <ul style="list-style-type: none"> • Legislative and Policy Issues • Institutional Arrangements and Relationships • Relationships between Assemblies and Identifiable Non-State Actors • Resourcing Local Authorities and Fiscal Decentralization • Human Capacity and Human Resource Management • Environmental and Natural Resource Management 	Facilitator
1.20pm-2.00pm	Feedback from Group Sessions and Plenary Discussion	Chairman/Facilitator
2.00pm-2.15pm	WRAP-UP AND CLOSING	Chairman

