

REPORT ON CONSULTATION WITH WOMEN'S RIGHTS COALITION

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

ORGANISED BY: INSTITUTE OF LOCAL GOVERNMENT STUDIES

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1.0 OVERVIEW OF CONSULTATION

1.1 Background

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. Assemblies were given legislating, executing, budgeting, planning and rating authority. Provisions for representation of the people included elected and appointed memberships of assemblies.

These provisions were intended to benefit all sections of the population. In particular, women could have benefited from the appointed memberships, use of local languages in the business of the assembly, the establishment of the sub-structures and the opportunity for assemblies to establish special interest sub-committees. However, twenty years of implementation has not resulted in equal levels of participation of all sections of the population, particularly women. There are also indications that local government programmes should be more responsive to the needs of the vulnerable, whom majority are women.

Twenty years of implementation have yielded various results and experiences from the perspective of practitioners as well as the citizenry whose lot the decentralization 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 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. .

The government intends to conduct a national stakeholder conference to review and recommend measures for accelerating Ghana's decentralization effort. However, a series of activities are being undertaken to precede the conference, in order to facilitate wider ownership of the recommendations and products.

Specifically, the Ministry of Local Government and Rural Development (MLGRD) has identified four sets of activities to be undertaken to provide inputs for the national stakeholder conference. Namely:

- a) consultation of special interest groups;
- b) regional consultations (which are presently ongoing)
- c) identification and analysis of existing literature, reports and documentation and

- d) an ongoing process of generating written memoranda, statements and position papers as inputs for the purpose of reviewing decentralization.

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 decentralization
- (iii) a revised decentralization policy framework
- (iv) a second national decentralization action plan
- (v) inputs on priorities for the envisaged legislative and constitutional review processes.

It is within this context that a day's consultation with Women's Rights Coalition was organized at the Institute of Local Government Studies to discuss the decentralization process and build consensus on key areas where there is the urgent need for reform.

1.2 Rationale

Under the auspices of ABANTU for Women, the Women's Rights Coalition initiated a process of developing a Women's Manifesto which has the potential of enhancing women's efforts at strengthening the nature of women's participation in decision making processes. In spite of these efforts and the recognition of that greater participation in public decision-making is one prerequisites for enhancing women's position and status in society, Ghanaian women continue to be largely absent from mainstream decision making processes.

It is in light of the recognition of the role of women that as one of the consultations with Special Interest Groups, the Ministry for Local Government and Rural Development in collaboration with the Institute of Local Government Studies organized a day's meeting with Women's rights Coalition with support from the GTZ on 20th of November, 2009 at the Institute of Local Government Studies, Accra.

The essence of the meeting was thus to provide the platform for a gender reflection on the Assembly System Local Governance especially assessing women's participation and issues of gender equity.

1.3 Objectives of the Meeting

The objective of the meeting was to provide an opportunity for participants to contribute to the review process. Specifically, the meeting:

- Reflected on the performance of the assembly system over the past two decades especially in relation to women's participation and gender equity, the achievements, the lessons and the priority areas for reform.
- Examined the interpretations of the concept of decentralization, the issues/challenges that have arisen in the different sectoral approaches to its operationalization
- Make recommendations for the way forward.

The intended outcome of the meeting was an assessment of the decentralization process and the assembly system of local governance; good practices and lessons was generated; and recommendations for enhancing the effectiveness of Ghana's decentralization and local governance processes was provided.

1.4 Methodology

The one-day meeting consisted of submissions and presentations by the moderators and representatives of the Women's Rights Coalition and Association of female Photo Journalists. The emerging areas of concern will constitute areas for further, thematic discussion to generate solutions and proposals for the way forward.

Though the focus was on reforming decentralization in the foreseeable future, efforts was made to distill issues for proposed legislative and constitutional reform. The outputs of the meeting were a list of concerns and recommendation provided by participants.

1.5 Participants

The meeting brought together fifty eight (58) participants from various Women's Rights Groups. The list of participants is attached in *Appendix 1*

1.6 Venue

The venue of the workshop was the Institute of Local Government Studies (ILGS) Accra

1.7 Moderation

The meeting was co-facilitated and moderated by Dr. Esther Ofei-Aboagye, Mrs Evelyn Arthur and representatives of the Minister of Local Government and Rural Development. A programme adopted for the meeting is attached in *Appendix 2*.

2.0 OPENING SESSION

The opening session started with an opening prayer led by Mrs. Sethina Annang Danquah, of the Institute of Local Government Studies. This was followed by self introduction of participants at the meeting.

The key personalities the meeting were introduced by Director of the Institute of Local Government Studies, Dr. Esther Ofei-Aboagye. They included:

- i. Mr. Robert Korwonu, Director of Policy at the Ministry of Local Government and Rural Development, who was representing the Minister.
- ii. Hajia Hajara Ali, Member of the Council of State
- iii. Mrs. Hamida Harrison, Convener of the Women's Rights Coalition.
- iv. Mrs. Evelyn Arthur, Chairperson of the function and the Chief of Party of the CLUSA Ghana.

2.1 Chairperson's Remarks

The Chairperson, Mrs Evelyn Arthur noted that Decentralization as adopted by the Government of Ghana for the administration of the country has provided the medium for the effective participation of the citizens in the governance process. She was of the view that the review o the process after 20 years of its practice is a commendable decision to enable us access where w are and envision the trend for the future. She also commended the process for the consultation process that offered opportunity for all interested in the process to share their views on the subject to promote ownership by the citizenry.

Mrs Arthur thanked the Director and staff of the Institute of Local Government Studies and GTZ for the opportunity offered the Women's Rights Coalition to share their views on the subject. She entreated participants to give off their best to share the views of women on the process to ensure that the interest of women is taken on board the review process. She thanked the organizers for the honour done her to chair the function and called for the cooperation of participants to enable her steer the affairs to a successful end.

2.2 Welcome Address by the Director of the Institute of Local Government Studies

In her welcome address the Director of the Institute of Local Government studies, Dr. Esther Ofei-Aboagye, expressed her appreciation to participants and especially the institutions represented at the forum for responding to the request to attend the forum. She noted that the consultation processes on the decentralization has the vision of taking on board the views and opinions of all citizens, interest groups and institutions that have stake in the process to guide the review of the process to enhance the acceleration of local governance and decentralization in Ghana.

In her view the process will not be complete if women who constitute about 51% of the population of Ghana do not have their voices heard in the process. The forum is to offer the opportunity to the Women's Rights Coalition to discuss and have their views collated and presented to the Minister of Local Government and Rural Development for consideration and possible inclusion in the review process. She asked participants as representatives of their organizations to endeavor to give off their best to best represent the position of the generality of women in the country in the consultation process.

2.3 Keynote Address

The representative of the Minister of Local Government and Rural Development, Mr. Robert Korwonu, Director for Policy, noted that the process for the consultation included Regional fora, consultation of interest groups and a National forum.

He noted that it was important that any review process involving an issue that touched on the day-to-day lives of Ghanaians and presented a direct channel for their participation had their input. This was to keep with the original philosophy of participation underlying the decentralization effort.

He further stated that the process was to provide as widely as possible opportunities for various sections of the population, irrespective of education, gender, geographical location, political affiliation, age or religion feels about to contribute and that their issues have been taken into account. The 10 regional fora had been completed with that of the Eastern Region being held at the same time in Koforidua. The interest groups consultations he stated were in progress and there was invitation and receipt of written submissions and position papers from think tanks, networks and coalitions and bodies that have the capacity and interest to do so are generally

welcomed. In the process an ongoing expert review of relevant reports and documents generated over the two decades is in progress. In general clearly identifiable outputs and outcomes from the stakeholder review exercise would include:

- An issues/paper/master document collating all key issues as is currently known to be used as a starting point for the regional consultation process
- A consolidated stakeholder review process report with proposals for the acceleration of decentralization
- A revised decentralization policy framework
- A 2nd National Decentralization Action Plan and
- Inputs on priorities for the envisioned legislative and constitutional review process.

The representative of the Minister rendered an apology of the Minister for not being able to make it to the forum to interact and hear the women personally. He expressed the desire of the Minister to pass through the meeting on his return from the Eastern Region. He assured the women that whatever views were expressed by the team will reach the Minister and his team for consideration.

2.4 Remarks by Convener of the Women's Rights Coalition

The convener of the Women's Manifesto Coalition, Mrs. Hamida Harrison, was appreciative of the representatives of the Women's Rights Coalition endeavoring to participate in the deliberations of the Forum. He was of the view that a lot has been said about the role of women in the decentralization process in the past and was of the view that the consultation process offers the opportunity for them to articulate the concerns of women. She expressed the optimism that the decisions of the group will reach the Minister for consideration, she appealed to participants to come up with ideas that will help progress the course of decentralization in Ghana and that the concerns of women are addressed in the system.

3.0 PRESENTATIONS AND DISCUSSIONS

There were three presentations at the Forum. They were:

1. A presentation by Dr. Esther Ofei-Aboagye on the “General Reflection on Twenty Years of Decentralization and the Assembly System of Local Governance in Ghana: Issues arising
2. A presentation by Mrs. Hamida Harrison on Reviewing 20 Years of Decentralization and the Assembly System of Local Governance: Gender reflection on the Assembly System of Local Governance: Gender equity and women’s participation”.
3. A presentation by Female Photo-Journalists

3.1 General Reflections on the Assembly System of Local Governance

The first presentation by Dr. Esther Ofei-Aboagye on General Reflection on Twenty Years of Decentralization and the Assembly System of Local Governance in Ghana: Issues arising: was considered from two perspectives. First, the performance of Assemblies given their establishment as Executive, legislative, budgeting, planning and taxing authorities. Second, the extent to which local authorities were empowered to perform these functions, in the light of constitutional requirements as contained in Chapter 20 of the 1992 Republican Constitution of Ghana.

In the light of the first, she stated that the functions of the Assembly system were as follows:

- Formulation and execution of programmes
- Developing strategies for effective resource mobilization
- Levying, collection of taxes, rates, duties and fees
- Remove obstacles to initiative and development
- Initiate programmes for basic infrastructure
- Provide municipal works and services
- Facilitators of popular participation in governance

She noted that the emerging areas of emphasis within these functions include:

- Local Economic development including public private partnerships
- Poverty reduction and pro-poor development approaches
- Environmental sanitation/waste management
- Information management

- A social agenda including addressing gender, disability, PLWHIV/AIDS issues
- Managing institutional relationships with central government MDAs and sector agencies, regional entities, projects, traditional authorities, civil society organizations, international and national non-governmental organizations, membership associations, faith-based and community based organizations.

Dr Ofei-Aboagye observed under the second issue that the Constitution in Chapter 20 requires

- The transfer of functions, powers, responsibilities and resources from the centre to local governments
- Measures to build the capacity of local authorities to plan, initiate, co-ordinate, manage and execute policies;
- Establishment of a sound financial base with adequate and reliable sources of revenue;
- Control of persons in the service of local governments by local authorities, as far as possible; and
- Creation of opportunities for people to participate effectively in governance to ensure the accountability of local authorities.

She entreated participants in their assessment of the system to consider the extent to which the above has been achieved. They were also to examine the issue whether the decentralization process has been completed and to what extent the objectives have been met. She enumerated some achievements of decentralization and some challenges encountered under:

- a. Transfer of powers, responsibilities and resources
- b. Legal and policy framework of decentralization
- c. Political and administrative framework issues
- d. Local Government finance issues
- e. MMDA revenues
- f. MMDA Planning and Budgeting
- g. Financial Management
- h. Coordination and capacity building
- i. Local Government human resources issues

The details of the presentation are attached as “Appendix 3.

3.2 Presentation by the Convener of the Women's Rights Coalition

The second presentation on “Reviewing 20 Years of Decentralization and the Assembly system of Local Governance; General Reflections on the Assembly System of Local Governance Gender Equity and Women’s Participation was delivered by Mrs. Hamida Harrison, the convener of the Women’s Rights Coalition.

In her presentation she noted that decentralized systems were set up with the key objective of facilitating equitable popular participation at grassroots level in political, development and decision-making as well as empowering poor people through implementation of decentralization policies.

She observed that in Ghana, as the debate on gender equity gained momentum, the issue of women’s participation in politics and policy gained primacy in the struggle for equity and social justice. As Ghana strives to foster political pluralism, strengthen participatory democracy and bring good governance, the principle of integrating women as participants and as beneficiaries in the processes of sustainable development becomes much more imperative.

She argued that the constitutional provisions provide for equity in the governance process women in Ghana are still confronted by limited options and formidable social, economic and cultural barriers that have affected inclusiveness in decision-making and in national development processes. The high poverty rate of women and low educational attainment are the most critical factors that limit their involvement in the governance processes.

The Assembly System, she argued hold the potential for increasing women’s participation for equal participation in governance at the local level. The peculiar advantages include:

- The Assemblies derive their legitimacy from the communities, advantageous to women who stay closer to the communities.
- Administrative Directives to appoint 30%-50% women out of governments 30%
- The Assembly system offers more space – more than 5000 seats as compared to the 230 in the national Parliament
- Proximity to homes and families
- More accountability of members to the electorate
- Enhancement of political organizational skills and knowledge within grassroots communities
- Usage of local languages in Assembly deliberations.

On women's participation in Local Governance, Mrs Harrison noted that although women's participation had increased from 547 in 1998 to 1772 in 2006, yet it was no where near the 30% level advocated by the Affirmative Action Plan.

She identified the following as the challenges and lessons learnt:

- a. Ghana is a signatory to the Platform for Action, a relevant rallying point for working to enhance women's political participation. To what extent can we use this tool to address the Ghanaian situation?
- b. To what extent can Ghana learn from experiences from other African countries?
- c. The revision of the legal orders that directly address the gender equation in political participation will be critical in this review process.

3.3 Position Paper by the Foundation of Female Photo-Journalist

The third presentation was done by Foundation of Female Photo-Journalist. It was a position paper to be considered by the consultation committee on decentralization.

The paper basically is advocates for increased participation of women in the governance process of Ghana. It also advocates for the payment of duty allowance for Assembly Members to enable them deliver on their mandates. The paper advocates also for a formal legislative provision on women's participation in Local government, at least 50% seats of the 30% appointed members of Assemblies allocated to women.

The PAPER is attached as appendix 'C'.

3.4 Group Discussions

Four groups were constituted to discuss thematic areas that concern women in decentralization, identify the factors accounting for the problems and make recommendations as to how to address them. The areas include:

- a) Making Sub District Structures Functional and remuneration of Assembly Members
- b) Barriers to Women's Participation at the District Level
- c) The District Assemblies should be partisan or Non-partisan
- d) Main streaming Gender in District Assemblies

3.4.1 Functional Substructures and Remuneration

Group One which discussed the theme: Making Sub District Structures Functional and remuneration of Assembly Members noted that women do not participate in local governance because of the following challenges:

- a. It is out of ignorance. When we talk of ignorance we refer to the situation where someone has no idea or very little idea about something.
- b. This may be due to
 - Lack of education
 - Women not being courageous
 - Fear of being defeated in polls
 - Fear of humiliation by men.
 - Religious and cultural constraints

The group made the following recommendations:

- a) Proper educational campaign should be mounted for women. Even the few women who are elected and those appointed need serious capacity enhancement to enable them live up to expectation so that they will serve as role models for other women to emulate.
- b) Proper sensitization activities to be organized for women to build up their courage to contest elections.
- c) Special arrangements to be put in place to ensure that women are nominated to the sub district structures.
- d) Assembly Members and Councilors of the Sub District Structures should be given duty allowances that will motivate, encourage, and enhance the sacrificial work they are doing in the local government system.
- e) Religious institutions, traditional authorities and other social organizations should be encouraged to encourage their members to support the campaign towards encouraging women to participate in governance.

3.4.2 Barriers to Women's Participation

Group two in discussing the barriers to women's participation at the district level identified the following factors:

- a) Lack of education
- b) Poor means of communication
- c) Cultural and Religious beliefs
- d) Financial Constraints/Poverty

- e) Politicization of the District Assembly concept.

The group made the following recommendations:

- a) Special funds to be set up to support aspiring women contestants in order to reduce the financial burden on poor women.
- b) Mentoring or grooming potential women at an earlier stage to equip them with the requisite understanding of the Local Government system and enhance their capacity to campaign.
- c) Using both the formal and informal education systems to educate women on issues relating to decentralization and local government to foster the interest of women in the system.
- d) Encourage the use of both the English language and local languages for District Assembly deliberations
- e) Sensitization and awareness creation to educate communities or the society on the need for women to participate in decision making at the Assembly level.
- f) Politicization of the Assembly concept could be minimized by doing away with the appointment of some Assembly Members by the President.

3.4.3 Partisan or Non Partisan Local Government

Debating on whether the district assembly system should be partisan or non partisan, Group three noted that the Assembly system should remain non partisan to:

- a. To encourage participation of all the citizens.
- b. Ensure that the citizenry will elect a representative who is best suited for the work but not on party political affiliation.
- c. Ensure the participation of women. If it is partisan political parties will provide strong support for the election of their candidates who would in effect not provide the needed development leadership for the communities. Mostly women who would not want to engage in party political activities will be left out of the decision making process that influence development initiatives.

The group made the following recommendations:

- a) A special non-formal education programme to sensitize women to enhance their capacity in local governance.
- b) Girls in formal education must be encouraged to take up responsible/leadership positions from the basic education level.

- c) To help solve the issue of financial constraints women face during electioneering, Government should allocate a certain percentage of the national budget for local government election with focus on supporting women to participate.
- d) Stringent measures should be put in place to ensure that political parties stay out completely of Local Government Elections.

3.4.4 Mainstreaming Gender in the District Assembly

Group four discussed mainstreaming gender in the district assembly processes such as in planning, budgeting and formulation of policies. The following recommendations were made by the group:

- a) There should be gender budgeting in the District Assemblies. Each assembly should vote a certain percentage of its resources for gender issues. This should be based on the identified areas by researchers.
- b) There should be a fair representation of women at the sub-committees level. There should be at least 30% of women at all levels.
- c) There should be gender capacity building for both technical personnel and Assembly Members of each assembly.
- d) Affirmative Action Act should be reviewed. At least 30% of Assembly Members should be women to conform to the United Nations threshold for women representation.
- e) Gender Desk Officers should be made an integral part the District Administration structure. They should be at par with other officers of the Assembly such as Planning Officers, Budget Officers, etc so that they can effectively influence decisions.
- f) Infrastructural needs of the District Assemblies should be made gender sensitive and take into consideration the needs of the vulnerable in society.
- g) A criterion should be set to ensure the effective representation of women at the Unit Committee level and other sub district structures.
- h) Recruiting of staff of District Assemblies should be made gender sensitive.

4.0 CLOSING SESSION

4.1 Closing Remarks

In her closing remarks, the chairperson thanked participants for their time and contribution for the success of the consultation. She entreated participants to further discuss and consult with their organizations on the subject and must feel free to communicate any further suggestions to the organizers for inclusion in the report.

Mrs. Magdalene Kanna on behalf of the Director of the Institute of Local Government Studies, expressed her gratefulness to participants for making the consultation successful.

Appendix 1

PARTICIPANTS LIST FOR WOMEN'S COALITION

NO.	NAME	ORGANISATION
1	Joyce A. Adugu	GIRD
2	Doris Botchway	GIRD
3	Selina Quartey	GIRD
4	S. Adu-Amankwah	Convention People's Party
5	Ruth Aba Grant	Netright
6	Agnes Larteh	GIRD
7	Elisabeth Akpatsah	GIRD
8	Charity S. Arms	GIRD
9	Bashiru Kamal	WOMECE/NUGS
10	Aisha. S. Fula	C.P.P. Regional Women's Organiser
11	Gifted Gati	Coalition of Women's Good Governance(COWIG)
12	Prof. Kate Adzo Aduku	PAD Associates
13	Susanna Keelson-Aikins	Agona Swedru
14	Evelyn Arthur	CLUSA GHANA
15	Rita Usher	Agona Swedru
16	Gifted Kpatsa	COWIC
17	Gertrude Domfeh	ABANTU
18	Rita Tetteh	ILGS
19	Elizabeth Akpalu	Advocate for Gender Equity
20	Evelyn Ambila	CPP
21	Victoria Essinam	AMA
22	Thelma Lamptey	CPP Pokuase
23	Irene Atsu	Legon Electoral
24	Mercy Agbenu	Legon Electoral
25	Cecilia Nyarko	University of Ghana
26	Comfort Awinya	AMA(Assembly Woman)
27	Jane Oku	AMA
28	Mavis Dontoh	WISE
29	Hon. Hajia Hajara Ali	Council of State/P. N. C
30	Stella Yakubu	AWOPEDEC
31	Edwina Okuy	AWOPEDEC
32	Bridget Mensah	Ho
33	Benedicta Benson	Accra
34	Beauty Dagadu	Accra
35	Betha Agnes Amanivo	Accra
36	Rebecca S. Agyei	Accra
37	Alberta	Awopedec
38	Agnes Quarshie	REV/GTVC Box TU 13, Accra
39	Elizabeth Amenu	NUS/GTUC Accra
40	Doris Osei Frimpong	A.M.A

41	Harriet M. Okai	AWOPEDEC
42	Horatio Marbell	Fataale R. Foundation
43	Kokoti Godsway	NEWIG, Volta
44	Vorsah Celestine	NEWIG, Volta
45	Obeyan Ampofo Addo	WISE
46	Fazie O.T Adams	Fataale R. Foundation
47	Beatrice	Fataale R. Foundation
48	Emmanuel A. Badu	Fataale R. Foundation
49	Kokoti Comfort	NEWIG Volta
50	Magdalene Kannae	ILGS
51	Faustina Essandoh	ILGS
52	Sethina Annang Danquah	ILGS
53	Richard Abankwa	ILGS
54	Eunice Adjetey	AWOPEDEC
55	Praise Atikpui	NEWIG Volta Region
56	Kpormor Hoggar	NEWIG Volta Region
57	Mawusi Nudekor Awitey	NEWIG Volta Region
58	Cynthia Addoquaye Tagoe	ISSER, University of Ghana

Programme Time Table

TIME	ACTIVITY	RESPONSIBILITY
9.30am-10.00am	Arrival and Registration	MLGRD/ILGS
10.00 am-10.45am	Opening Ceremony <ul style="list-style-type: none"> • Introduction of Participants • Chairperson's Remarks • Moderator's Welcome Remarks • Remarks by Convener of Women's Rights Coalition • Keynote Address by Minister for Local Government and Rural Development or His Representative 	
10.45am-11.00am	Presentations: <ul style="list-style-type: none"> • General Reflection on the Assembly System of Local Governance • Reviewing 20 Years of Decentralization and the Assembly System of Local Governance: Gender reflection on the Assembly System of Local Governance: Gender equity and women's participation". • Position Paper by Foundation of Photo-Journalists 	ILGS
11.00am-11.15am	BREAK	
11.15am- 1.30pm	Plenary Discussions and Submissions	Participants
1.30pm-2.00pm	Closing Session	Moderator/Facilitator
2.00 – 3.00p.m	LUNCH BREAK	

GENERAL REFLECTION ON TWENTY YEARS OF DECENTRALIZATION AND THE ASSEMBLY SYSTEM OF LOCAL GOVERNANCE IN GHANA: ISSUES ARISING
ESTHER ODURAA OFEI-ABOAGYE, ILGS
NOVEMBER 20, 2009

THE DECENTRALIZATION PROCESS

- Decentralization: transfer of authority away from a central source. Complex, multi-faceted and contextual; often ambiguous because refers to both a system and a process
- Interpretations of "decentralization" depend on the political and historical context and disciplinary perspective (economics, political science or public administration)

Decentralization embarked upon for various reasons increasing to achieve

- increased democratization of political, economic and social structures
- delivering development more effectively and efficiently
- reducing the resource burden on the central government
- promoting good governance through popular participation
- facilitate pro-poor development (delivery of basic social services, participatory decision-making and more equitable resource allocation)
- collaboration of local governments with civil society to ensure better accountability to the citizenry

We may consider the nature of assembly involvement in social change:

- assemblies themselves as owners/initiators of programmes, given their powers and roles;
- assemblies as hosts of initiatives of services by other government agencies;
- assemblies as agents of central government to whom resources must be provided; and
- assemblies as partners of donor, non-governmental/ civil society and private sector organizations.

STRUCTURE OF GHANA'S ASSEMBLY SYSTEM

- Regional Coordinating Councils (10)
- 170 Assemblies: Metropolitan (6), Municipal (40) and District (124) Assemblies
- Sub-Metropolitan District Councils
- Urban/Town/Area/Zonal Councils
- Unit Committees

Section 36 Clause 6d of Constitution requiring the state to make democracy a reality by decentralizing the administrative and financial machinery of government to the regions and districts to afford all possible opportunities to the people to participate in decision-making at every level in national life.

LG Act 462 Section 10:

- Exercise political, administrative authority, provide guidance and supervision to other administrative authorities
- Ensure the preparation and submission of development plans and budgets to NDPC and MOFEP through RCCs
- Promote and support productive activity, social development and remove obstacles to initiative and development
- Initiate programmes for development of basic infrastructure, provide municipal works and services
- Responsible for development, improvement & management of human settlements and environment
- Cooperate with appropriate national and local security agencies to maintain security and public safety
- Ensure ready access to courts in the district for promotion of justice
- Initiate, sponsor and carry out such studies as may be necessary
- Requires assemblies to execute approved development plans, encourage participation of other parties in these and monitor activities of other parties, evaluate their impacts and integrate, harmonize and coordinate the activities of ministries, departments, agencies, corps, NGOs etc with district plans and within the district.

QUESTION: FROM THESE FUNCTIONS INDICATED IN ACT 462, WHAT OPPORTUNITIES DO WE IDENTIFY?**Functions of the assembly system:**

- As executive legislative, budgeting, planning and taxing authorities
- Formulation and execution of plans, programmes, strategies for effective resource mobilization for overall development
- Levying, collection of taxes, rates, duties and fees
- and remove obstacles to initiative and development
- Initiate programmes for development of basic infrastructure, provide municipal works and services
- Facilitate popular participation in governance.
- Emerging areas of emphasis over the twenty years within these functions include:
- Local economic development including public-private partnerships
- Poverty reduction and pro-poor development approaches
- Environmental sanitation/waste management
- Information management
- A social agenda including addressing gender, disability, HIV/AIDS issues

WHO ARE IN THE LG SYSTEM?**Regional Coordinating Council:**

- Regional Minister (Chairperson)
- Deputy Regional Minister(s)

- Metro/Municipal/District Chief Executives (DCEs) in the region
- Presiding Members (PMs) in the region.
- Two Chiefs from the Regional House of Chiefs.
- Heads of MDAs as non voting members.
- Regional Coordinating Director as Secretary

Metropolitan/Municipal/District Assemblies

- Metro/Municipal/District Chief Executives (DCEs) nominated by the President; confirmed by assembly members, present and voting; and appointed by the President
- 70% elected members from electoral areas.
- 30% of all members appointed by the President in consultation with Traditional Authorities (TAs) and other interest groups in the district.
- Members of Parliament within the district – non voting members.
- A Presiding Member who is elected from among its members by 2/3 of all the members of the Assembly.
- The District Coordinating Director as the secretary to the Assembly; who is also the Head of the District Administration
- Staff: administrators, staff of decentralized departments, executive and clerical, technical and professional staff

ORGANIZATION OF THE ASSEMBLY

- Executive Committee identifying and performing the executive functions at the behest of the general assembly. It consists of the DCE as chairperson and at most 1/3 of the members of the Assembly.
- The Executive Committee has five statutory subcommittees which are: Finance and Administration, Development Planning, Social Services, Works, Justice and Security. Assembly members must belong to at least one of these
- The Assembly can have other sub committees as and when it deems necessary (some have women and children, environment etc).
- Other Committees: Public Relations and Complaints Committee and other committees indicated under other laws eg. DISEC, DEOC, DHMC
- The MMDAs are supported by a bureaucracy paid by the Central Government
- The MMDAs can on their own employ additional staff to augment the administrative functions – these are staff of lower grades.

Sub Metro Councils (25 – 30 Members)

- All Elected Assembly Members (AMs) in the Sub Metro Councils
- Other persons appointed by the President.

Urban Councils (25 – 30 Members)

- Not more than 8 elected AMs
- Not more than 12 Unit Committee Members
- Not more than 10 persons appointed by the President.

Zonal Councils (15 – 20 Members)

- 5 elected AMs
- 10 reps of Unit Committee (UC) Members
- 5 persons appointed by the President.

Town Councils (15 – 20 Members)

- 5 elected AMs
- 10 reps of UCs
- 5 persons appointed by the President.

FINANCING THE LOCAL GOVERNMENT SYSTEM

Central Government Transfers

- 7.5% of National Revenue set aside by the Constitution for distribution to the MMDAs for Development based on an approved formula by Parliament known as the district assemblies common fund(DACF)
- Recurrent Expenditure Transfers for salaries, operations, maintenance etc
- Specialized Transfers (from the sectors) i.e. Stool Land Royalties, Timber Royalties, Minerals Development Fund
- Periodic poverty reduction resources eg HIPC Fund.
- The Districts Development Facility (DDF)

Locally Generated Revenues

- MMDA given the authority to levy and collect revenue
- rates,
- fees,
- licenses, etc
- Commercial activities including trading services

THE BASIC MANDATE

- Under the assembly system, local authorities have considerable potential for LED. Acts 462 and 480 designate the assembly as the local development planning authority. Section 10 (sub-sections 3 and 4) of Act 462 identify the economic functions of the assembly including
- the overall development of the district,
- approval of the district's development plans and budgets and mobilization of resources.
- support productive activity, develop basic infrastructure and works and provide services.
- Section 10 (3) (h) to initiate, sponsor and undertake relevant studies to underpin their activities.
- Section 10 (6 b) to act in cooperation with public corps. statutory bodies and NGOs in these activities
- District medium-term development plans (DMTDPs) indicated in Act 480 are primary instruments for local development. The DMTDP represent the district's development

agenda to which potential partners are expected to refer and annual plans are drawn and budgets based upon.

- The plans are required to identify all development efforts in the districts including those sponsored by assemblies, MDAs, DPs and NGOs.
- Plan preparation processes are expected to be participatory. Act 480 requires that public hearings and bottom-up planning are used as consultative tools.
- The plan preparation process also involves the use of committees with representation from economic, social and faith-based groups as well as assembly members

WISH LIST

- Assemblies could engage local and community-based enterprises more meaningfully in sanitation, revenue collection, catering and infrastructural development services.
- Conscious investment of proportion of IGRs into facilities for local small operators (street lighting, waste collection etc)
- Assemblies need to conduct capability assessments of artisans; situation analyses for local economic development to complement the district development plans;
- Build capacity of local economic actors to solicit assembly contracts
- Better use of SBAs for needs assessment, information-sharing, consensus-building and resource allocation.

“GENERAL REFLECTION ON THE ASSEMBLY SYSTEM OF LOCAL GOVERNANCE: GENDER EQUITY AND WOMEN’S PARTICIPATION”

NOVEMBER 20, 2009

ILGS, ACCRA

HAMIDA HARRISON

1.0 Introduction

Globally it is accepted that decentralized systems are set up with the key objective of facilitating equitable popular participation at grassroots level in political, development and, decision-making as well as empowering poor people through implementation of decentralization policies.

In Ghana, as the debate on gender equality gained momentum, gender and development practitioners have placed the prime issue of women’s participation in politics and policy-making as a core concern in the struggle for equity and social justice. In the last three decades participation as an approach has become central to most development initiatives and has been expected to result in the inclusion in political power-sharing and control of resources to the marginalized, especially women. As Ghana strives to foster political pluralism, strengthen participatory democracy and bring good governance, the principle of integrating women as participants and as beneficiaries in the processes of sustainable development becomes much more imperative.

However, women in Ghana are still confronted by limited options and formidable social, economic and cultural barriers that have affected inclusiveness in decision-making and in national development processes. Power and influence in the management of political and economic processes for development has continued to be exercised around them while women have less access to these opportunities creating imbalance in the relation between the sexes and has become the basis of dominance in power structures. Their access to policy making systems both local and national is further limited by their conditions of poverty and low educational attainment. Moreover, many women are inhibited by the prevailing practice of power, authority and leadership. Women's low rank on economic and social indicators is mirrored in the extent of their participation in such governance structures as the Assembly Systems.

2.0 Equity within the Decentralized System

Governments in Ghana have wrestled with the question of local government and decentralization since gaining independence. In 1987, the Provisional National Defense Council (PNDC) launched its proposal for local government reforms, a process that culminated in 1988, in the District Assemblies (DAs) Law (PNDC Law 207). Ghana’s decentralization programme, was intended primarily to ensure the removal of inequalities especially those that work to exclude some citizens from equitable participation in national affairs and deny them the right to access national resources equally. The system was created to provide voice and space for all people in governance. One of the key features of the system is the intention: “*To achieve accountability at*

the local government level, people in the respective areas should be afforded the opportunity to participate in their government.”

In addition, The District Assembly (DA) structure, functions and visions were incorporated in the 1992 Republican Constitution that ushered the country into a liberal democratic arrangement and contains significant affirmations as well as enforceable provisions on good governance and citizens' participation. The Fourth Republican Constitution of 1992 states in Chapter Six, Section 35, Clause 6d that the state shall take appropriate measures to “*make democracy a reality by decentralization of the administrative and financial machinery of government to the regions and districts and by affording all possible opportunities to the people to participate in decision-making at every level in national life and in government*”.

There are also other Constitutional provisions found in Chapter 5, Article 17 that guarantee no discrimination on the bases of gender, race, ethnicity, status and others. Also, Chapter 6 of the Constitution on Direct Principles of State Policy enjoins the Government to ensure regional and gender balance in all governance structures. That must include District Assemblies.

Therefore, it is very evident that both these legal national instruments underscore the importance of equity and equality in participation as critical factors in democracy and sustainable development. However, we have likened our democracy to the system that permits the free expression and satisfaction of individual preferences irrespective. That citizens freely express their political demands by casting their vote for their preferred political platform or candidate and can themselves, without hindrance stand to be voted for. This myopic view assumes that democracy's own laws will guarantee free and equal opportunity to all competitors. However, when women's relative position in this competition is carefully analyzed and measured, it becomes evident that the social prerequisites for equal competition do not exist. Only those who have access to the financial, educational, organisational and informational resources necessary can aspire successfully, thus restricting the conditions of perfect competition implied in democratic theory. Democracy requires that men and women have unrestricted level grounds to ascend to positions of power where they can realize their value and where their individual demands and preferences can be manifested, argued and satisfied.

Many held the opinion that the decentralized process held the potential for increasing women's opportunities for equal participation in governance at the local level. Intrinsically it presents particular advantages:

The Assemblies derive their legitimacy from the communities, advantageous to women who stay closer to communities

The Administrative Directive to appoint 30%-50% women out of government's 30%

The Assembly system offers more space – more than 5000 seats as compared to the 230 in the national Parliament Proximity to homes and families

More accountability of members to the electorate

Enhancement of political organizational skills and knowledge within grassroots communities

Usage of local languages

3.0 Women's Participation

Women's participation and representation in the Assembly System is yet to benefit from the Constitutional provisions that provide the basis for the democratic dispensation. Neither have the mechanisms for promoting women's participation helped in drastically changing women's pattern of participation. A review of available statistics indicate that while women's representation in Assemblies has been growing, it will take half a century if not more to attain parity. This becomes obvious if we review our levels of representation over the period:

Trends in Local Government Elections (1994, 1998, 2002 and 2006)						
	CONTESTANTS			ELECTED		
Year	Female	Male	Total	Female %	Male %	Total
2006	1772	13,084	14,856	778	4,254	5032
2002	965	12,625	13,590	341 (7.4)	4241 (92.6)	4,582
1998	547	14,696	15,243	196 (4.1)	4,624 (95.9)	4,820
1994	NA	NA	NA	122 (2.9)	4,082 (97.1)	4,204

Source: Electoral Commission, 1998, 2002, 2006

While we concede that participation of women in Assemblies is still far from the 30 per cent threshold recommended by the Beijing Platform for Action, we need to recognize the tremendous effort of the women who are convinced to stand and thus contribute to the increase, both in numbers of contestant's and those elected. The unlegislated Administrative Directive has helped put women in some Assemblies where otherwise there would have been none. We can mention the example of the three women who are currently participating in the Cape Coast Municipal Assembly. There has also been the example of the 6 Assemblies cited by the National Association of Local Authorities of Ghana (NALAG) who stand as the only Assemblies which were able to achieve the 50% mark in line with the government's Administrative Directive concerning women appointees. This feat is yet to be matched. In cases where entrenched attitudes prevail in order to consolidate male privilege and power and perpetuate women's subordination, the excuse has been "*Women do not want to be leaders*". The most effective strategy for any group attempting to retain power over another group is to make the man-made disparity to be accepted as the natural order of things.

While the 70% elected membership of the Assemblies owes its allegiance to the electorate which they serve, and their membership can be terminated only by that electorate, the 30% appointed membership rely on the goodwill of the central government. This does not augur well for the independence and security of tenure of members. Their primary loyalty is to the central government especially the President, who can decide to recall them if displeased as happened twice in the recent past, both during the term of the previous government and during the current government. This has implications for women's participation. The wholesale removal of appointed membership could result in further eroding the gains made by women since there is a possibility that women removed may not be replaced by other women with the same excuse of *"Where are the women?"*

Another critical issue relates to the nature of elections into district assemblies. Chapter 20 Article 248 Clauses 1&2 of the Constitution states that "a candidate seeking election to a district assembly or any lower local government unit shall present himself to the electorate as an individual and shall not use any symbol associated with any political party" while clause (2) states that political parties shall not endorse, sponsor or offer a platform to or in anyway campaign for or against a candidate seeking election to a district assembly or a lower local government unit.

There are allegations that these provisions are sometimes flouted. Again there are debates about whether or not district assembly elections should be conducted along partisans' lines or not. As women, we know the many barriers that confront us in political party structures and during political party elections. Again, though our experiences non-partisan spaces have strengthen our common initiatives and deepened our understanding of our differences and diversities. It is therefore very important for us to have a clear position on this matter and to agree and advocate for frameworks that will continue to enhance our active participation and effectiveness.

Another issue that should be of interest to us as women is the use of the District Assembly Common Fund (DACF). Article 252 of the 1992 constitution required the setting up of the DACF to enable central government transfer resources to the local authorities. Thus 5% now 7% of all tax revenue is paid into the fund. This is then disbursed according to a system that has parliamentary approval. Successive governments have however failed to disburse this fund provided by a Constitution mandate. There are also concerns about how this fund is used as there are many inequities inherent in the sharing structure and processes as well as in the use of the resources. According to a study conducted by a number of civil society groups and led by ISODEC to track the use of the Common Fund, in some districts there are problems relating to amounts disbursed during the period as against amount allocated; delays in disbursement, political interference, types of projects and their relevance for communities and MPs share of the Common Fund. In all of these, women are the ones who are most likely to suffer given our limited presence in all the political and administrative structures and processes.

As stated earlier, the under representation of women in politics in adequate numbers calls into question the truly democratic nature of the decision-making systems in the country. Without women in prominent positions in local government and national legislatures, it is unlikely that the full scale of gender issues will be addressed. In addition, the range of gender concerns from erosion of livelihoods, to maternal mortality, to HIV/AIDS and illiteracy, confers on the elected

representatives a special responsibility; because the majority of women in the region are poor, they must be effectively represented by those who understand and sympathize.

4.0 Role Civil Society Groups

We live in cultural environments that have their own specific norms, traditions and beliefs. These norms imbue in people, gender ideologies and various perceptions that fashion ones behaviour, attitude and chart our life choices. Even though women have contributed immensely to the independence and liberation struggles, they found themselves working under post colonial inherited political ideologies and structures designed to consolidate male privilege and power, and women's subordination.

Civil Society groups have worked individually and collectively directing their work towards interrogating these manifestations that continue to keep women out of influence in the management of political and economic processes for development. The development of the Women's Manifesto for Ghana document is a clear manifestation of civil society's desire to see democracy assume true and dynamic significance. They have done so with the conviction that the realization of equal partnership between women and men in public life would lead to a quantum shift in gender relations which would be less about trying to dominate and more about co-operating for national development.

Civil Society have undertaken training programmes among women with commitment to serve in the local governance level to dispel widely peddled comments by those who monopolize power that women are not capable, not ready and are not sufficient in numbers.

Challenges and Lessons Learnt

Ghana is a signatory to The Platform for Action an important tool and relevant rallying point for working to enhance women's political participation. Women in many of the countries in Africa have used the document as reference material for mobilizing action and initiating policy reforms in favour of Affirmative Action and quotas. Can this help address Ghana's situation? Will it hurt exploring since we have been implementing an informal model through the Administrative Directive?

There are lessons from other countries that Ghana can avail itself.

The establishment of a legal platform based on an optimal method for addressing national priorities constitutes a fundamental structural foundation for change. This requires, a close revision of the legal orders that directly or indirectly address gender issues. However, measures that accelerate women's increased participation in the political arena must be introduced. In this context, the question of affirmative action has become extremely relevant as a strategy for compensatory justice.

**POSITION PAPER PRESENTED TO THE DECENTRALIZATION CONSULTATION
COMMITTEE BY THE FOUNDATION OF FEMALE PHOTO-JOURNALISTS (FFP)
20TH NOVEMBER 2009**

INTRODUCTION

The Foundation for Female Photojournalists (FFP), a Civil Society Organization has taken on an advocacy initiative on the country's local governance system. In the course of this advocacy FFP noticed with disappointment that women's involvement in local governance is terribly compromised, particularly in their participation in Metropolitan, Municipal and District Assembly (MMDAs) Elections and membership. Since the decentralization system began in 1988, women have constituted less than 10% of Assembly membership nationwide. According to the Electoral Commission, in 1998 the number of elected women in the various MMDAs was 196 and in 2002 the number was 341 whilst in the 2006 District Assembly election 778 women were elected out of over 5000 Assembly members.

POSITION OF THE FOUNDATION OF FEMALE PHOTO-JOURNALISTS

To augment the under representation of women at the local government level, the state by an entrenched legislation, should allocate 50% of the 30% Assembly members' appointee to women.

- Resources, Operational Duty Allowance (ODA) should be provided for Assembly members to deliver their mandate as enshrined in the Act 462 section 16a, b, c, d and e.
- The state should allocate significant resources for the district offices of NCCE to embark on a
- sensitization programme in the communities on the need for women's participation in the Assembly.
- To specifically ensure implementation of Ghana's Local Governance System, the FFP is proposing a week at all district courts to specifically address Local Government Cases which shall seek to address legal issues regarding the implementation of the system as well as hear specific issues on local governance.
- To guarantee the participation of women in local governance, recognizing the fact that the critical mass of women's participation in governance has not changed significantly since independence, the state should ensure 50% representation of women on all the governing boards of the decentralized offices of Ministries, Department and Agencies.
- The review should repeal the Act 462 Section 20, 7, which is under article 71 of the constitution. The District Chief Executive emoluments should be charged on the Internally Generated Fund (IGF) of the assembly. This will harmonize the resource

mobilization interests of the Assembly Members and the District Chief Executive to generate more revenue for the assemblies. The implementation of the MMDAs programs and projects largely depends on funds they generate locally. The state should therefore invest in electronic systems of revenue mobilization and regular revaluation of their sources of income to enable them to meet their yearly targets to function effectively. By this arrangement the MMDAs would save the 30 percent they are charged by revenue collectors when they sublet such jobs.

- The state should review Act 462 section 88 to enable MMDAs to borrow from the capital markets; either directly or through intermediaries so that they can invest in specific projects of local interest. This provision should have a mechanism that would hold the respective MMDAs responsible should they default in payment and to personally hold liable the deciding assembly members at the time of accessing the loans.
- The review should guarantee an independent body of assembly members, called the National Association of Assembly Members (NAAM), whose sole purpose shall be to hold themselves accountable of the delivery of assembly members' work. Such a body shall compliment the NALAG to do its work effectively.
- To maintain the integrity of the local government system and to foster peace and unity to enable the development of the MMDAs, the local government system should remain non partisan as indicated in the Act 462 section 7. The state should then be seen as making serious efforts to seek the implementation of this section as well.
- The language used in the Act 462 should reflect the entire population of Ghana and not a group of persons as indicated in the Act 462 section 7(1). The use of himself should read himself/herself. We asked that this point should not be trivialized.
- The review should consider tangible ways by which the assembly system can attract more qualified human resource to ensure efficacy of the Assemblies. In this regard, the current working conditions of Assembly Members should be critically assessed. In conclusion the FFP postulates that the drive towards a bottom-up approach in planning and decision making with regards to issues affecting the lives of the citizenry is of concern to all. The essence of Ghana's democracy will elude us if the state does not standup to its responsibility to ensure the full participation of the neglected majority, women.
- The rhetoric of where are the women to be appointed into decision making positions? It is to be answered by the state and the government of the day. The citizens of Ghana including women have surrendered their individual sovereignty to a country called Ghana and the sovereign in return has a responsibility to make its citizens realize their full potential, should there be any challenges in the delivery of the 1992 constitution, it should not be to the grave neglect of the majority (women) of that sovereign.

The continuous under representation of women at all the levels of governance in this country, nullifies the legitimacy of Ghana's democracy, which is forming a national security concern. In

an answer to the questions asked by many ; how do we mainstream gender, the President of Ghana, the Cabinet, the Ministry of Local Government and Rural Development and the Review Committee on the Act 462 should make good the local government system by considering FFP's position as enumerated above