



NATIONAL DEMOCRATIC CONGRESS

NATIONAL SECRETARIAT

Our Ref: NDC/HQ/100/02/19

Your Ref:.....

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Date: 11/12/2019

**HIS EXCELLENCY NANA ADDO DANKWA AKUFO-ADDO
PRESIDENT OF THE REPUBLIC OF GHANA
OFFICE OF THE PRESIDENT
ACCRA**

Excellency Mr. President,

**FORMULATING A BROAD NATIONAL CONSENSUS ON THE
AMENDMENT TO ARTICLE 55.(3) OF THE CONSTITUTION**

1. We make reference to your broadcast to the nation on Sunday December 1, 2019.
2. In that broadcast, you gave the assurance that your government would continue to work for a broad, national consensus on the issue of the amendment to Article 55 (3) of the Constitution. You also stated as follows:

“Should such a consensus be attained for a repeal of Article 55 (3) of the Constitution and an agreement reached for political parties to participate in and sponsor candidates for election to District Assemblies at any time during my tenure of office as President of the Republic, the matter will be brought back to the front burner of public discourse for the necessary action”.

3. We wish to draw Your Excellency’s attention to the following extract from the Press Statement read by our National Chairman at the NDC’s Press Conference on Tuesday November 12, 2019:

“The Constitution (Amendment) Bill, 2018, has many ramifications for the smooth, effective and harmonious administration of the Metropolitan, Municipal and District Assemblies. It has to be thought through very well. Unfortunately, the Bill as it is now is fatally flawed and cannot form the basis for the referendum to amend Article 55 (3). It must be withdrawn. But if the government insists on making the Assemblies partisan, then a new Bill must be drafted, re-gazetted and subjected to serious scrutiny by Ghanaians, unlike the surreptitious manner it has gone about the current Bill. It will also mean that the 6-month period required by the Constitution for the Bill to be gazetted will begin to run anew.

As part of the process for presenting the referendum question afresh, Government must produce a blueprint on how the pitfalls arising from the amendment proposal that we have raised are to be resolved. We insist there must be broader consultation with all the relevant stakeholders”.

4. To help in the process of building the needed “broad national consensus” alluded to in your broadcast, the NDC has constituted a team to engage with your government on the subject at your earliest convenience.
5. Among the matters we would like to be discussed are the following:
 - (i) The text of the amendment to Article 55 (3).
 - (ii) Consequential constitutional amendments to be enacted pursuant to the amendment to Article 55 (3) such as Article 248.
 - (iii) Consequential constitutional amendments to be enacted but on which a consensus is required such as Article 242 (d).
 - (iv) Legislative amendments to be enacted pursuant to the enactment of the constitutional amendments such as the Local Governance Act, 2016, Act 936 and the District Assembly Elections Act, 1994, Act 473, as amended by the District Assembly Elections (Amendment) Act, 2010, Act 801.
 - (v) Consequential matters that will arise following the constitutional and legislative amendments including the following:
 - The fate of the 30% Assembly members currently appointed by the President under Article 242 (d) of the Constitution.
 - In particular, we would like us to consider ceding that power of appointment to our chiefs and traditional authorities as was the case under the 1969 Second Republican and 1979 Third Republican Constitutions. This is something our chiefs and

traditional authorities have been demanding since we entered the Fourth Republic. If that is agreed, we will have to discuss with the National House of Chiefs how and by which chiefs and traditional authorities those appointments are to be made.

- The fate of the maximum 5 members of the Sub-Metropolitan District Councils (SMDCs) of the Metropolitan Assemblies currently appointed by the Regional Minister under Regulation 2 (1) (d) of the Local Government (Sub-Metropolitan District Councils of Metropolitan Assemblies) (Establishment, Composition and Functions) Instrument, 2015, L. I. 2223;
- Who will bear the cost of the elections to the partisan Assemblies and Unit Committees? Should it continue to be the state as is currently the case under the non-partisan system or should the cost be transferred to the political parties if the system is made partisan?
- Who should bear the cost of the party primaries to select party candidate for the Assembly and Unit Committee elections if the system is made partisan?
- How will we ensure that Assemblies which will be considered “hostile” to the Central Government (in the sense that the majority of the Assembly members do not belong to the party in power at the central government level) are not discriminated against when it comes to the allocation of resources, the provision of services and the siting of projects?
- What safeguards ought to be provided to ensure that the Regional Minister who is appointed by the President can run the affairs of the region which may be dominated by “hostile” Assemblies?

6. It is also critical for us to seek a consensus on how we can prevent the extreme partisan polarization of our politics at the national level from seeping into our local government system once we introduce partisanship into our politics at the local government level.

7. We are sure that your Government will also have some concerns which will be tabled when the discussions begin. We are of the firm conviction that deliberations at the proposed broad stakeholders consultations will leave Your Excellency in no doubt that introducing partisan politics, the type we are witnessing in Ghana today, will not inure to our common benefit.

8. Mr. President, we have taken the initiative to put forward these suggestions regardless of your unfortunate characterization of the NDC’s position as a u turn when the government’s own decision to abort the referendum in favor of broader consultations amounts to same. What is important to us however, is that the national interest which found expression in the decision of the NDC alongside other opposition parties, civil society

organizations, stakeholders and well-meaning Ghanaians to campaign for a NO vote has prevailed.

9. Whilst we await Your Excellency's reaction to our initiative with anticipation, we extend to you the assurances of our highest esteem as well as goodwill greetings of Christmas and the New Year.

Sincerely Yours,



**SAMUEL OFOSU-AMPOFO
(NATIONAL CHAIRMAN)**

**CC THE CHAIRMAN
COUNCIL OF STATE
ACCRA**

**THE RIGHT HONOURABLE SPEAKER
PARLIAMENT OF GHANA
PARLIAMENT HOUSE
ACCRA**

**THE CHAIRMAN
ELECTORAL COMMISSION
ACCRA**