



Australian Government
Refugee Review Tribunal

Country Advice

Ghana

Ghana – GHA36384 – National Democratic Congress – New Patriotic Party – Political violence – Bureau of National Investigation – State protection

18 May 2010

1. Please provide information on the National Democratic Congress, its structure and its policies.

The National Democratic Congress (NDC) is currently the ruling party in Ghana. Presidential and legislative elections were held on 7 December 2008. Of the 8 candidates contesting the elections for President, none achieved 50 per cent of the vote. When a run-off was conducted on 28 December 2008, the NDC candidate John Atta Mills emerged as the winner with a slim margin of votes. The new NDC administration was sworn into office on 7 January 2009.¹ On 29 September 2009, the NDC consolidated its majority by one seat following a by-election in the Northern Region. The National Democratic Congress (NDC) now has 116 out of 230 seats in the legislature.²

According to the *Political Handbook of the World* the NDC was formed on 10 June 1992. Its current leadership is composed of the following officials: Flt. Lt. (Ret.) Jerry John Rawlings (Former President of the Republic), Kwabena Adjei (Chair), John Evans Atta Mills (current Head of State of Ghana), Johnson Asiedu Nketia (General Secretary).³

Jerry John Rawlings had overthrown the government in 1981, suspended the constitution and set up the Provisional National Defense Council (PNDC). A ban on party politics was lifted in 1992 and was followed by multi-party elections and Rawlings was elected under the banner of the newly formed National Democratic Congress (NDC). A new constitution entered into force on 7 January 1993 which established the Fourth Republic and John Rawlings was inaugurated as President. He

¹ US Department of State 2010, *Background Note: Ghana*, March

<http://www.state.gov/r/pa/ei/bgn/2860.htm> - Accessed 29 March 2010, p. 13 – Attachment 1

² Ampofo, N.A. 2009 'Ghanaian Ruling Party Wins Slim Parliamentary Majority in By-Election, *IHS Global Insight Daily Analysis*, 2 October – Attachment 2

³ Banks, A.S., Muller, T.C., Overstreet, W.R & Isacoff, J.F. (eds) 2009, *Political Handbook of the World Online Edition: Ghana*; CQ Press, Washington

http://library.cqpress.com/phw/document.php?id=phw2009_Ghana&type=hitlist&num=0 - Accessed 29 March 2010, pp. 507-508 – Attachment 3

was re-elected in the 1996 elections and effectively ruled continuously from 1981 to December 2000.⁴

The National Democratic Congress Party manifesto describes the party as a social democratic party which believes in the creation of a social, economic and political order in which all Ghanaians will receive equal treatment, fair access to resources and social justice. It states that it will aim to improve the quality of education and place the youth at the core of policy initiatives and govern in a manner committed to building a multi-party democracy.⁵

Main issues campaigned during the last elections.

The European Union carried out an evaluation of the Presidential and Parliamentary Elections of 2008 and found that both the National Democratic Congress (NDC) and the New Patriotic Party (NPP) claim to have divergent political views although their manifestos for these elections were fundamentally similar with little to differentiate them in terms of policy directions.⁶

Post-election situation

The government-owned *Ghanaian Times* states that there is no indication that President Atta Mills is being dictated to by ex-President Rawlings.⁷

The NPP Communications Director has blamed the NDC government for its failure to improve the lives of Ghanaians and for the increase prices of basic commodities such as bread, crude oil and other items as well as for fuel shortages and power cuts.⁸

In January 2010 an article reporting on the first 365 days of President Mills' incumbency contended that his new government was noted for the perceived harassment of political opponents, alleged human rights abuse perpetrated by security agencies, and some administrative lapses.⁹

2. Please provide information on the NPP, its structure and its policies.

⁴ US Department of State 2010, *Background Note: Ghana*, March <http://www.state.gov/r/pa/ei/bgn/2860.htm> - Accessed 29 March 2010, p.10 – Attachment 1

⁵ Manifesto for the 'National Democratic Congress' (NDC) undated, <http://www.modernghana.com/GhanaHome/ghanavotes/content/NDC%20Manifesto.pdf> (Preamble) Accessed 26 March 2010 – Attachment 4

⁶ European Union Election Observation Mission 2009, *Ghana Final Report Presidential and Parliamentary Elections 2008 February 2009*, European Union Election Observation Mission website, p. 8 http://www.euomghana.org/EN/PDF/Final_report/EU_EOM_Final_Report_Ghana.pdf – Accessed 2 April 2009 – Attachment 5

⁷ 'Is Rawlings dictating to Atta Mills?' 2009, *The Ghanaian Times*, 15 April – Attachment 6

⁸ Freiku, S. 2010, 'Ghana: NPP cautions NDC - Stop lying, deal with hardships', *All Africa* [source: Ghanaian Chronicle], 13 April, <http://allafrica.com/stories/201004140910.html> - Accessed 18 May 2010 – Attachment 7

⁹ Alhassan, I. 2010, 'President Mills' first year in retrospect' *All Africa*, 8 January - Attachment 8

The New Patriotic Party (NPP) had held power from December 2000 to December 2008 when it was replaced by the National Democratic Congress (NDC).¹⁰

The *Political Handbook of the World Online Edition* of 2009 describes the New Patriotic Party (NPP) as a centre-right party which was launched in 1992.¹¹ In its report, the European Union Election Observation Mission 2009 stated that the NPP perceives itself to be a centre-right party; however, the political views it espouses are fundamentally similar to the NDC in terms of policy directions.¹² Among its founders were members of the old Progress Party which had governed Ghana from 1969 to 1972. Its party platform advocates the protection of human rights, the strengthening of democratic principles, and the holding of “free and fair elections.” This party is seen to be devoted to the interests of the business class.¹³

The NPP stated that it was committed to continuing the reforms that it had introduced during its last two terms in office including the development of the economy, improving the public sector, and policies based on a liberal economic model of governance.¹⁴ Its leaders are: John Agyekum Kufuor (who was President of the Republic from 2000-2008), Peter Mac Manu (Chair), Stephen Ntim (Vice Chair), Nana Ohene Ntow (Secretary General).¹⁵ Its manifesto for the December 2008 polls outlined its goals of creating employment in the private sector; and bridging the gap between the north and south, rural and urban Ghana. It also aimed to: ensure better city planning; improve school buildings; modernise agriculture; embrace new technologies; improve the health system and practice democratic accountability.¹⁶

The Situation Report of the Institute for Security Studies found that that the NPP may have lost important votes in the 2008 elections because it had failed to adequately

¹⁰ US Department of State 2010, *Background Note: Ghana*, March
<http://www.state.gov/r/pa/ei/bgn/2860.htm> - Accessed 29 March 2010 – Attachment 1

¹¹ Banks, A.S., Muller, T.C., Overstreet, W.R & Isacoff, J.F. (eds) 2009, *Political Handbook of the World Online Edition: Ghana*; CQ Press, Washington, p. 6
http://library.cqpress.com/phw/document.php?id=phw2009_Ghana&type=hitlist&num=0 - Accessed 29 March 2010 – Attachment 3

¹² European Union Election Observation Mission 2009, *Ghana Final Report Presidential and Parliamentary Elections 2008 February 2009*, European Union Election Observation Mission website, p. 8
http://www.euomghana.org/EN/PDF/Final_report/EU_EOM_Final_Report_Ghana.pdf – Accessed 2 April 2009 – Attachment 5

¹³ Banks, A.S., Muller, T.C., Overstreet, W.R & Isacoff, J.F. (eds) 2009, *Political Handbook of the World Online Edition: Ghana*; CQ Press, Washington
http://library.cqpress.com/phw/document.php?id=phw2009_Ghana&type=hitlist&num=0 - Accessed 29 March 2010 – Attachment 3

¹⁴ European Union Election Observation Mission 2009, *Ghana Final Report Presidential and Parliamentary Elections 2008 February 2009*, European Union Election Observation Mission website, p. 8
http://www.euomghana.org/EN/PDF/Final_report/EU_EOM_Final_Report_Ghana.pdf – Accessed 2 April 2009 – Attachment 5

¹⁵ Banks, A.S., Muller, T.C., Overstreet, W.R & Isacoff, J.F. (eds) 2009, *Political Handbook of the World Online Edition: Ghana*; CQ Press, (pp507- 508) Washington
http://library.cqpress.com/phw/document.php?id=phw2009_Ghana&type=hitlist&num=0 - Accessed 29 March 2010 – Attachment 3

¹⁶ Manifesto of the ‘New Patriotic Party’ undated,
<http://www.modernghana.com/GhanaHome/ghanavotes/content/NPP%20Manifesto.pdf>
Accessed 26 March 2010 - Attachment 9

address the problem of corruption.¹⁷ In the 2008 elections the Ashanti region, Brong Ahafo and the Eastern region all supported the NPP.¹⁸

3. Are there any reports of NPP members/activists being targeted by NDC members/activists?

The NDC had made allegations that there was vote-rigging in the 2008 voter-registration rolls but had pledged that it would not use violence in the December 2008 polls.

In an article of 16 May 2009, the Economist Intelligence Unit noted that “there is considerable animosity between the two main parties” and stated that there were expectations that high-profile members belonging to the Patriotic Party (NPP) may now be the target of adverse attention from the ruling National Democratic Congress (NDC) because of alleged corrupt practices:

the NDC may look to investigate and arrest prominent NPP members on charges of corruption, much as the NPP did to the opposition during its period in power. Perceived corruption within the NPP was an important election issue, and it is likely that many Ghanaians will support the prosecution of NPP members suspected of illicit dealings.¹⁹

On Monday 15 March 2010, young members of the NPP and NDC clashed in a political incident:

Supporters of the New Patriotic Party (NPP) and the National Democratic Congress (NDC) clashed outside the premises of the Cocoa Affairs Court in Accra on Monday, resulting in casualties to both sides of the standoff.

The two groups engaged in the pelting of stones at each other, after they had gone to the court in connection with the trial of the embattled NPP radio panelist, Nana Darkwah Baafi, who made an inflammatory statement against former President Jerry John Rawlings on Accra-based Top FM radio station...²⁰

¹⁷ Institute for Security Studies 2009, Situation Report. ‘Ghana’s 2008 election: towards a consolidated democracy?’ 27 July, p. 10

<http://www.iss.co.za/uploads/GHANA%20NEW%2027-07-09.PDF> – Accessed 29 April 2010 – Attachment 10

¹⁸ Institute for Security Studies 2009, Situation Report. ‘Ghana’s 2008 election: towards a consolidated democracy?’ 27 July, p. 9

<http://www.iss.co.za/uploads/GHANA%20NEW%2027-07-09.PDF> – Accessed 29 April 2010 – Attachment 10

¹⁹ Country Watchlist: Ghana’ 2009, *Economist Intelligence Unit* - Business Africa, 16 May – Attachment 11

²⁰ ‘Ghana: This is irresponsible behaviour’ 2010, *Ghanaian Chronicle*, All Africa website, 18 May. <http://allafrica.com/stories/printable/201003230937.html> - Accessed 26 March 2010 - Attachment 12

In the recent past five journalists were attacked by a group of NDC supporters on 12 December 2009.²¹ On 15 May 2009 a NPP organizer in Techiman (central Ghana) was allegedly beaten to death by the son of the NDC chairman in that area.²² On the 18 June 2009 a press report stated that since NDC won the elections in December 2008, their supporters were taking “the law into their hands, visiting an orgy of harassment on their counterparts in the NPP”.²³ On 11 April 2009 a journalist in the Upper East region of Ghana claimed to have been assaulted by NDC supporters while he was photographing an attack on a man wearing a NPP shirt.²⁴ On 22 February 2009 seven houses and three vehicles were burnt in clashes between NDC and NPP supporters in Tamale (north central Ghana).²⁵ On 8 January 2009, in the aftermath of the December 2008 polls some supporters of the NPP took shelter at the NPP campaign office after having been threatened by the supporters of the newly elected NDC in Accra (the capital city located on the coast in south Ghana).²⁶

4. Are there any reports of people in Ghana being harmed for switching from one party to another?

A search of available resources has failed to confirm or deny that a person who switches from one party to another would be harmed.

Question 3 addresses the issue of animosity and the incidence of violence between some supporters of the opposing parties in various areas of Ghana.

5. Are there any reports of members of the NPP being targeted and harmed by agents of the state in Ghana such as the BNI?

In itself, membership of the NPP is unlikely to make someone the subject of harm.

The Bureau of National Investigations (BNI) has been criticised for being partisan and for harassing those it investigates. This is borne out by the following news reports. The BNI has been criticised by the Accra High Court for the manner it conducted an investigation, in this context the journalist made the following comment:

Throughout its existence the BNI has come under fire for leading partisan witch hunts and at times exceeding the law, and President John Atta Mills'

²¹ Ruling party supporters assault journalists in central Ghana' 2009, *BBC Monitoring Service*, source: Daily Graphic, 14 December – Attachment 13

²² NPP organizer beaten to death' 2009, *Daily Guide*, 3 June – Attachment 14

²³ 'NPP plans big demo: to protest NDC intimidation', *The Statesman* (Ghana), 22 May – Attachment 15

²⁴ 'Journalist William Jalulah assaulted by ruling party supporters', *Media Foundation for West Africa*, 16 April – Attachment 16.

²⁵ 'Seven houses burnt in renewed violence in Tamale', *Ghana News Agency*, 23 February – Attachment 17

²⁶ 'Ex-ruling NPP supporters allegedly flee attack by NDC supporters' 2009, *BBC Monitoring Africa*, 8 January – Attachment 18

newly elected National Democratic Congress (NDC) is no different in that regard.²⁷

A High Court lawyer commented that the BNI needed to “grow above what he describes as outmoded methods of interrogating people”.²⁸ A columnist for the *Ghanaian Chronicle* alleges that the BNI is implicated in a campaign of harassment:

...one begins to wonder whether the BNI is merely blundering, whether some BNI operatives want vengeance for past wrongs, whether some operatives sympathetic to the NDC want to make the Government unpopular, or whether someone or someone people in Government and the NPP have launched an unannounced campaign of harassment.²⁹

A prominent representative of the ruling NDC implied that it was acceptable that the BNI was now involved in investigating members of the NPP because the NDC had been subjected to close scrutiny when the NPP ruled. He made the following comments to justify such measures “I am extremely surprised, as though they have forgotten what they did to the members of the previous NDC administration...”³⁰

A press report of 10 December 2009 indicates that an MP of the ruling NDC was also targeted for questioning because of allegations regarding his involvement in the distribution of relief supplies to flood victims. He had been involved in the ‘hijacking of the relief items’ and had ‘kept the items to himself’³¹

6. To what extent is state protection available to people in Ghana who are targeted for political violence?

Several instances of election-related violence occurred during and after the 2008 elections; however, these did not hinder the provision of state protection. Demonstrations which took place at the Electoral Commission when the results of some of the individual polls could not be announced did not seem to reflect a situation where one group was targetting another, but as much simply frustration at the lack of a clear result and suspicion that results in undecided constituencies could be manipulated.^{32 33} Eventually, the result in the Tain Constituency determined the Presidential election outcome.

²⁷ Ampofo, N. A. 2009, ‘Court censures Ghanaian Internal Intelligence Agency’, *IHS Global Insight Daily Analysis*, 12 August – Attachment 19

²⁸ Hanson, E. ‘BNI must grow up, Human Rights lawyer advises’ *All Africa*, 6 June – Attachment 20

²⁹ Gyasi, I. K. 2009, ‘Are the Security Agencies running amok?’ *All Africa*, 23 June. Attachment 21

³⁰ Takyi-Boadu, C. 2009, ‘NDC Chairman calls NPP’s bluff’ *All Africa*, 6 June – Attachment 22

³¹ Akwetey, I. 2009, ‘BNI chases NDC MP’, *All Africa*, 10 December – Attachment 23

³² see Ayelazuno, Jasper, 2009, ‘The African Ghanaian Elections: A Model that Unraveled’, *African Renaissance*, Vol. 6, No. 1 2009, p. 15 – Attachment 24

³³ Lartey, E. A. and Aning, K. 2009, ‘Presidential Transitions in Ghana’s Politics: Lessons from the 2008 Elections’, *African Renaissance*, Vol 6, No. 1, pp. 7-12 - Attachment 25

The state depends on the Police Force to ensure the security and safety of its citizens; however, the Ghana Police Service is hampered by a high level of corruption which prevents it from working effectively. Attached is a recent and relevant Research Response of 4 November 2009 on the extent of police corruption.³⁴ This Response refers to the following advice from the Canadian Immigration and Refugee Board on 2 October 2006:

According to an article in *Accra Daily Mail*, "[c]orruption in Ghana [is] so bad that one may think it has been institutionalized in the public sector" and "[m]ost police and prison officers are ranked the highest bribe takers" (2 June 2005). Similarly, Agence France-Presse (AFP) reports that police officers in Ghana, among other countries, are perceived as being "especially corrupt" (9 Dec. 2004; see also US 8 Mar. 2006). In a survey conducted by Ghana Integrity Initiative (GII), Transparency International's local branch (GII n.d.), 76.8 percent of respondents indicated that the Police Service was considered one of the top ten most corrupt institutions in Ghana (July 2005, 7).³⁵

According to a survey of Ghanaians, it is evident that corruption is a serious problem which exists in several spheres of government and the Police Force was found to be at the top of the scale of the most corrupt institutions in Ghana:

Majority of Ghanaians believe that the incidence of corruption in key public institutions in the country is on the rise, a worrying phenomenon, which they think warrants decisive action to curb it.

A survey of 1,200 respondents by the Ghana Centre for Democratic Development (CDD-Ghana), which came out with the revelation, named the institutions as follows: Police 86%, Tax officials 79%, the Judiciary 79%, Government agencies 77%.³⁶

The problem of the Police being inadequate to their task is outlined in the latest US Department of State of 11 March 2010:

Role of the Police and Security Apparatus...

The police service was criticized repeatedly for incidents of police brutality, corruption, and negligence. Impunity remained a problem. Delays in prosecuting suspects, rumors of police collaboration with criminals, and a widespread perception of police ineptitude contributed to an increase in vigilante violence during the year. There were also credible reports that police extorted money by acting as private debt collectors, by setting up illegal

³⁴ RRT Country Advice Service 2009, *Research Response GHA35634*, 10 September - Attachment 26

³⁵ Immigration and Refugee Board of Canada 2006, *GHA101614.E - Ghana: Reports of corruption and bribery inside the police force; procedure followed to file a complaint and recourse available; the state's attitude toward police corruption and how police handle personal feuds*, 2 October - Attachment 27

³⁶ 'Ghana: Corruption still rife in country – survey' 2008, *All Africa* [source: Public Agenda (Accra)], 27 June, <http://allafrica.com/stories/200806271096.html> - Accessed 28 October 2009 – Attachment 28

checkpoints, and by arresting citizens in exchange for bribes from the arrested persons' disgruntled business associates.³⁷

Attachments

1. US Department of State 2010, *Background Note: Ghana*, March <http://www.state.gov/r/pa/ei/bgn/2860.htm> - Accessed 29 March 2010.
2. Ampofo, N. A. 2009, 'Ghanaian Ruling Party Wins Slim Parliamentary Majority in By-Election', *IHS Global Insight Daily Analysis*, 2 October. (FACTIVA)
3. Banks, A.S., Muller, T.C., Overstreet, W.R & Isacoff, J.F. (eds) 2009, *Political Handbook of the World Online Edition: Ghana*; CQ Press, Washington http://library.cqpress.com/phw/document.php?id=phw2009_Ghana&type=hitlist&num=0 - Accessed 29 March 2010.
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10. Institute for Security Studies 2009, Situation Report. '*Ghana's 2008 election: towards a consolidated democracy?*' 27 July,

³⁷ US Department of State 2010, *Country Reports on Human Rights Practices for 2009* - Ghana, March - Section 1d Arbitrary Arrest or Detention – Attachment 29

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11. ‘Country Watchlist: Ghana’ 2009, *Economist Intelligence Unit* - Business Africa, 16 May. (FACTIVA)
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 13. ‘Ruling party supporters assault journalists in central Ghana’ 2009, *BBC Monitoring Service*, [source: Daily Graphic], 14 December. (CISNET GHANA CX237845)
 14. ‘NPP organizer beaten to death’ 2009, *Daily Guide*, 3 June. (CISNET GHANA CX227518)
 15. ‘NPP plans big demo: to protest NDC intimidation’, *The Statesman* (Ghana), 22 May. (CISNET GHANA CX228165)
 16. ‘Journalist William Jalulah assaulted by ruling party supporters’ 2009, Media Foundation for West Africa, 16 April. (CISNET Ghana – CX224498)
 17. ‘Seven houses burnt in renewed violence in Tamale’, *Ghana News Agency*, 23 February. (CISNET GHANA CX 221285)
 18. ‘Ex-ruling NPP supporters allegedly flee attack by NDC supporters’ 2009, *BBC Monitoring Africa*, 8 January. (FACTIVA)
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 21. Gyasi, I. K. 2009, ‘Are the Security Agencies running amok?’ *All Africa*, 23 June. (FACTIVA)
 22. Takyi-Boadu, C. 2009, ‘NDC Chairman calls NPP’s bluff’ *All Africa*, 6 June. (FACTIVA)
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 25. Lartey, E. A. and Aning, K. 2009, ‘Presidential Transitions in Ghana’s Politics: Lessons from the 2008 Elections’, *African Renaissance*, Vol 6, No. 1, pp. 7-12.

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29. US Department of State 2010, *Country Reports on Human Rights Practices for 2009 - Ghana*, March - Section 1d Arbitrary Arrest or Detention.