

SPEECH DELIVERED BY THE RT. HON. JUSTICE D.F. ANNAN TO THE
STANDING COMMITTEE OF THE PARLIAMENT OF THE NATIONAL PEOPLE'S
CONGRESS OF THE REPUBLIC OF CHINA ON THE OCCASION OF HIS
OFFICIAL VISIT IN APRIL/MAY, 1996

PARLIAMENT OF GHANA LIBRARY
PARLIAMENT HOUSE
OSU - ACCRA

Honourable President,

Chairman and Members of the Standing Committee of the National People's Congress,

For the very warm welcome accorded me and my entourage a short while ago by you, I wish on behalf of the Parliament of the Republic of Ghana, ^{to} record my most sincere thanks and best wishes. Indeed, this is one visit I have looked forward to, with relish, to undertake for some time now.

2. No doubt, the processes involved in arranging to host visitors from foreign lands need careful planning and consultations. This is the reason why they are generally few and far apart. Finding time for such visits amidst numerous calls on the local scene for ^e immediate and critical nation ^{cal} action requires a deep resolve and determination which, at the end of the day, is a function of the love and esteem the host country has for the august visitor and his country of origin. It is for this reason that I consider my visit to your dear country a rare opportunity for me and my delegation, and what is more, it is a demonstration of your deep and unalloyed affection for His Excellency the President and the peoples of the Republic of Ghana who had ^{the} occasion to visit ^{Ghana} esteemed country not long ago.

Location, Climate, Language, Religion and Capital of Ghana

3. I deem it fit and proper to begin my speech by giving you a brief account of ~~my~~ country, ~~from which I came, to your country.~~ The Republic of Ghana is located in the coastal area of Western Africa and covers an area of 92,098 square miles (238,533) square kilometres. The country faces the Gulf of Guinea of the Atlantic Ocean on the South. It is bordered by the Ivory Coast on the West, Burkina Faso (formerly Upper Volta) on the North West and North

and Togo on the East. The climate is influenced by the hot dry continental air mass that originates in the Sahara desert in the North and by the tropical maritime air mass that moves from the South-West across the Southern Atlantic. Except in the North there are two rainy seasons during April and June and September and October with an average annual range of rainfall between 40 and 50 inches and an annual mean temperature of from 78°F (26°C) to 84°F (29°C) inland. There are about seventy-five different tribes speaking a number of local dialects but the official language adopted is English. The religions of ~~the~~ ^{people} are Christianity, indigenous religion and Islam. About two-thirds of the population live in the rural areas. One-third of the total land area is covered by forests with one-eighth of the land area suitable for agriculture. The capital is Accra. Ghana's population was estimated at the last census at nearly 14.5 million.

The Economy

4. Ghana has a developing mixed economy based on agriculture and mining. Despite economic difficulties it is still one of the most developed countries in tropical Africa. It is among one of the lowest Gross National Product per capita countries in the world, though it is above average for West Africa. Agriculture accounts for nearly 50 percent of the Gross National Product and employs more than half of the work force. Cocoa produces more than 50 percent of foreign exchange earnings. Other economic products are timber, coffee and palm products. Cassave, maize, yams, sorghum are some of the main staples. Main minerals produced for export are gold, diamonds, manganese and bauxite. Manufacturing is dominated by import - substituting industries producing food products, beverages, tobacco, textiles, timber wood products and refined petroleum. Electricity is obtained from the hydro project at the Volta River dam at Akosombo. The country's Balance of Trade fluctuates with world cocoa prices and budget ^{banking and non-banking financial} deficits are financed by institutions. Main imports are petroleum products, machinery, transport equipment and chemicals and main exports include cocoa,

timber, gold, diamonds, manganese and bauxite. Prominent among Ghana's trading partners are the United Kingdom, United States of America, Germany and the Netherlands.

5. Ghana is a Member of the World Bank, International Monetary Fund and the African Development Bank and the World Trade Organisation. Since the early 1980's Ghana has gone through various stages of Structural Adjustment which have given a boost to its economy.

Political Scene

6. On this subject, I wish to recount briefly the chequered experience of Ghana's progress towards democratic rule since its attainment of Independence from British Colonial rule on 6th March, 1957. The search for stable democratic system for Ghana and for many African countries has not been without its painful experiences. Within a period of one generation Ghana has seen three democratically elected governments swept away by military interventions. The uprisings of 1966, 1972 and 1979 and 1981 did create a deep suspicion in the minds of many Ghanaians that the systems of Government that were put in place as democratically elected were not meeting the aspirations of the people.

7. Events in Ghana since the promulgation Constitution of Ghana of the Fourth Republican Constitution in January, 1993 have, however proved the skeptics wrong. Many Ghanaians have endeavoured to see the Fourth Republican Constitution succeed because of their belief that only a stable democratic system of government can end the poverty, the economic decline and the general state of crisis. Suffice it to say that our country is now resolved, ^{the} in light of traumatic experiences gained through the spate of military interventions to stick to the spirit and practice of democratic governance and this, we hope, will enable us to take our rightful place in the community of democratic states of the world.

8. What then have been the structure, functions and achievements of Ghana's Parliament over the past three sessions or years (1993 to 1995)?

Outline Structure, Functions and Achievements of the
Parliament of Ghana - 1993 To 1995

9. The basic structures and mechanisms being used by Parliament to function ~~how they~~ in the First Session of the First Parliament of the 4th Republic are as follows: Parliament is composed of 200 Members of three political parties and 2 Independent with a Speaker and 2 Deputy Speakers, a Majority Leader who is the Cabinet Minister responsible for the Ministry of Parliamentary Affairs, a Minority Leader (representing 8 Members). There are 27 Committees (11 Standing and 16 Select) the areas of responsibilities of most of which correspond to the work of various departments of Government and the public sector. Each Committee has a Chairman and a Vice Chairman. A Parliamentary Service Act, Act 460 of 23rd November, 1993 with its enabling Regulations approved as Cl, 11 of June, 1995 is in force. Under the overall authority of the Speaker, the Administration of Parliament is headed by a Clerk of ^PParliament with a number of Deputies and Assistants, an Editor of Debates and Parliamentary Reporters as well as other administrative and clerical staff. With the passage of the Parliamentary Service Act and the enabling Regulations, Parliament has taken the necessary steps to establish a solid Parliamentary Administration to provide conditions and scheme of service for officials of Parliament which have immensely facilitated the conduct of its operations especially over the past two Sessions.

Functions Of Parliament

10. The Constitution requires Parliament to perform a wide variety of functions many of which have been performed during the past three years. To many, the function that readily comes to mind is the law making function of Parliament. However, the main task of Parliament is not necessarily to make laws or govern, but to secure full discussion and ventilation ^{of laws} on all matters placed before it. In this sense, Parliament ensures that Ministers are always liable to be required to explain and publicly justify their policies and their actions, that Parliament may be said to be the custodian of the liberties of the people.

11. Parliament is also mandated constitutionally to discharge other very important functions in an inter-related network of functions and responsibilities both within the parliamentary system and also with bodies such as the Executive, the Judiciary and the Council of State, as well as political parties, professional trade and business organisations, the Bank of Ghana, various departments of state, the Commission on Human Rights and administrative Justice, the National Media Commission and National Commission for Civic Education, among others. It is clear therefore that even if Parliament's primary and perhaps most visible function is Legislative in character when it approves or makes laws, it does so in the context of a much broader framework of responsibilities and a matrix of actions that affect practically all major areas of national importance and the national interest.

12. Parliament also performs deliberative, investigatory and regulatory functions. In its deliberative, functions Parliament considers a broad range of domestic and foreign policies and actions. In its investigative

functions Parliament has the constitutional authority and duty, through its Standing and Select Committees to investigate and inquire into the activities and administration of Ministries and departments as may be necessary from time to time. The Committee System also enables Parliament to examine and assess legislative proposals in detail. A very critical aspect of Parliament's investigative function is located in the Appointments Committee. It is the duty of this Committee to examine persons nominated by the President for appointment as Ministers of State and their Deputies as well as candidates for appointment as Chief Justice, and Justices of the Supreme Court and the regional representatives of the Council of State. In respect of its regulatory role, Parliament is called upon, by constitutional provision, to make laws to regulate the establishment and functioning of political parties and professional, trade and business organisations. The Leadership of the country have also recognised the overriding necessity for the Executive, Parliament and the Judiciary to work together as the three main branches of the Government inextricably linked by the common bonds of national interest and a shared responsibility to promote national development.. The powers entrusted to each of these branches of Government ~~have~~^{are} seen to operate as complementary processes, independently exercised at the institutional level but consciously directed to produce, in the final analysis, a co-ordinated and harmonious totality that serves the supreme interest of the nation. There has, therefore been a unifying spirit of nationalism exhibited over the past three years of Parliament amid traditional diversity of powers.

Activities, Performance And Achievements Of Parliament

The activities undertaken by Parliament, its performance and achievements over the past Three Sessions have been modest but most encouraging. The

initial thrust of business of Parliament during the First Session was to meet the constitutional deadline of establishing a number of Commissions and other bodies within the first six months after the first sitting of Parliament. Parliament has debated, considered, amended and passed Bills mainly initiated by the Executive. Some of the important Bills were the Parliamentary Service Bill, the Serious Fraud Office Bill, the Local Government Bill and the Criminal Code Amendment Bill, and the Finance and Appropriations Bills.

Financial Measures and Issues

Financial business and consideration of bills take much of the time of our Parliament. Parliament also in the performance of its democratic functions, accepts and debates major policy issues. In the conduct of a democratic Government the Executive state their purposes and objectives to give their opponents the opportunity to challenge and point out what they consider as errors and deficiencies of policy. Parliament has generally served as the principal organ for this kind of policy review. There are also stated occasions in Parliament when the general public policies of Government are declared and debated. The President's speeches at the Opening of Parliament prepared by Ministers serve as general declarations of the aims and intentions of Government and provided opportunities in the ensuing debates on the speeches for Ministers to explain their policies more fully and for their opponents to criticise. The Budget Speeches of the Ministers of Finance constituted other occasions when the general lines of Government policies exposed for comments.

The deliberative function of Parliament which is sometimes called the function of criticism, is exercised in the main by substantive motions which lead to debate.

During the past Three Sessions, Parliament deliberated on motions which included those on major foreign policy and Ministers and Members Questions and Statements which are popular parliamentary mechanisms. Parliamentary Investigative Committees demonstrate their ability to handle details of the policies, activities and administration of the functions of ministries and departments critically by looking closely at sectoral and departmental matters. Heads of Government Agencies are generally placed on the alert in the formulation of their policies and in the preparation and execution of their annual plans, programmes and budgets and also in the administration of their agencies.

Ghana has also been gender-sensitive in the selection and approval of candidates to fill vital positions in the political and public sectors of the economy. This move is the result of the recommendations made at the Beijing Conference which are now being implemented in earnest by all the Agencies in Ghana. Indications are that women Parliamentarians in Ghana would equally benefit from the recommendations made by the Beijing Conference.

Ghana/China Relations

Ghana was among the first African countries to establish diplomatic relations with the People's Republic of China in the early 1960s. The first Chinese Ambassador to Ghana, Mr. Huang Hua, presented his credentials on 5th July 1960, while the first Ghanaian Ambassador to China, Mr. Kobina Kessie assumed duty in Peking on 26th March, 1961.

Under President Nkrumah, Ghana enjoyed close friendly relations and active political co-operation with China which were marked by frequent exchanges of high level visits. Dr. Nkrumah himself paid altogether three visits to China in 1961, 1964 and 1966 and struck a personal friendship with former Chinese leaders, Chairman Mao Zedong and Premier Zhou Enlai. Premier Zhou Enlai himself visited Ghana in 1964 as part of an African tour.

The change of Government in Ghana in February 1966 however, resulted in the suspension of diplomatic relations with China for six years. Vigorous steps were however taken to normalise Ghana's diplomatic relations with China on 29th February, 1972.

Exchange of Visits

Ghana and China have exchanged a number of high-level visits over the years, thus underscoring the close ties of relations and co-operation existing between the two countries.

Dr. Mohamed Ibn Chambas, former PNDC Deputy Secretary for Foreign Affairs, paid a successful six-day visit to China in December 1990, during which he held talks with the Chinese Vice-Foreign Minister, Mr. Yang Fuchang and paid a courtesy call on the Vice-Premier, Mr. Wu Zueqian. Col. E.W. Osei-Wusu (Rtd) Minister of Interior visited China from 18th - 30th October, 1993 at the invitation of the Chinese Ministry of Public Security.

The First Lady, Nana Konadu Agyeman Rawlings led Ghana's delegation to the U.N. Conference on Women held in Beijing in September, 1995.

His Excellency, the President was in China from 7 - 12 December 1995 as part of a 3-nation tour to the Far East. President Rawlings held discussions with senior Chinese Government officials, including President Jiang Zemin and Chairman Qiao Shi of the Standing Committee of the National People's Congress. During the President's visit, a number of agreements were signed between Ghana and China.

On the Chinese side, Mr. Li Peng, the Chinese Premier, then Vice-Premier, paid a goodwill visit to Ghana in October 1986 at the head of a 19-member Chinese delegation. During the visit, wide-ranging discussions were held on political as well as economic co-operation between our two countries.

In May 1989, Mr. Yang Fuchang, Assistant Foreign Minister of China, now Vice-Minister, paid a visit to Ghana. In January, 1992, the Foreign Minister Mr. Qian Qichen also paid a highly successful visit to Ghana and held wide-ranging talks with Ghanaian officials on Ghana/China Co-operation and other international issues of common interest.

A nine-member Chinese trade delegation led by Mr. Lui Shan Zai, Vice Minister for Foreign Trade and Economic Co-operation visited the country to explore avenues for further co-operation and enhanced trade between our two countries in July 1994.

A six-man delegation of the Chinese Parliamentary Committee on Foreign Affairs visited the country in October, 1994. It called on the Speaker of Parliament, Mr. Justice D.F. Annan and held discussions on co-operation between our two Parliaments. The delegation presented a gift of ten million cedis (¢10 million) to Parliament for the procurement of stationery and office equipment.

Cultural Agreement

A cultural agreement with China was signed in December, 1981, under which Chinese cultural troupes visited Ghana in 1981, 1985 and 1990, for song and dance events as well as acrobatic displays. Ghana, in turn, successfully mounted a two-week cultural arts and crafts exhibition in 1985 at the Beijing Art Gallery. The Chinese also held a successful art and crafts exhibition in Accra in November, 1991.

A five-man delegation headed by the Chinese Assistant Minister of Culture also visited the country in July 1993. The visit, which was at the invitation of the Ghana Government, afforded the Chinese side an insight into the cultural development of the country and provided an opportunity for holding preliminary discussions on the renewal of the existing cultural agreement between the two countries. Ghanaian students have also benefitted from Chinese Government scholarships under the agreement.

Economic Co-operation

Economic relations between Ghana and China, like political relations, date back to the early 1960s when the two countries established diplomatic relations. However, in 1966 when President Nkrumah's government was overthrown, fourteen projects, including factories to produce paper, textiles, enamelware, pencils and cassava starch, then under construction with Chinese assistance, were summarily abandoned and the Chinese technical personnel thrown out of the country. From 1972, however, attempts were made to rehabilitate some of the abandoned projects.

Chinese Loans and Projects

Under an agreement on Economic and Technical Co-operation signed between Ghana and China in 1961 and subsequently renewed in 1972 and expanded in 1985, China has so far provided six loans totalling Reminbi Yuan (RMBY) 253,390,000 to Ghana for various projects. A balance of RMBY 93,148,600 out of the total remains unutilised. The projects undertaken include:

- i) Afife Irrigation Project, completed in June 1982
- ii) The Afife Agricultural Co-operation Project also completed in July 1983
- iii) A Pencil Factory in Kumasi
- iv) The Juapong Textile and Knitwear Factory with a subsequent provision of 212 looms and other accessories for the factory
- v) Construction of three Rice Mills at Afife, completed in 1989
- vi) Provision of Biogas Equipment for Biogas Project at Prampram in 1991
- vii) Construction of Nnobewam Irrigation Project which was completed in 1992
- viii) The construction of a National Theatre in Accra also completed and handed over in December 1992
- ix) Reconstruction of the Drama Studio of the University of Ghana completed in November 1994

- x) Construction of grain reception depots at Techiman and Sunyani, completed in October 1995
- xi) Rehabilitation of the State House Complex to House Parliament, the Speaker's Block and offices and the conversion of the Tower Block of State House into Committee Rooms for Parliamentarians.

Other Chinese Assistance to Ghana

In 1991 when Ghana hosted the Non-Aligned Ministerial Conference, China sent a consignment of table ware and carpets as its contribution towards the Government's preparations for the Conference. China also donated a consignment of fireworks to the Government for the celebration of the 10th Anniversary of the 31st December Revolution.

China responded to the appeal by the Ghana Government to help rehabilitate the victims of the July 1995 floods in Accra by donating an amount of US\$20,000 towards the relief efforts of the government.

Under an Educational Co-operation Agreement between Ghana and China signed in January 1994, China is to donate teaching instruments and equipment to the University of Science and Technology, Kumasi to help set up a micro-computer laboratory within the Department of Computer Science.

As part of its contribution towards the rehabilitation of the Korle Bu Teaching Hospital, China recently promised to donate teletherapy and bracytherapy equipment worth US\$207,000.00 for the treatment of cancer as soon as the infrastructure to house the radiotherapy equipment is completed.

Chinese Loans to Ghana

China granted Ghana during the visit of H.E. President Rawlings in December 1995, an interest subsidized preferential loans of Reminbi Yuan 150,000,000 (One hundred and fifty million Reminbi Yuan) about US\$17 million under its new loans policy, which favours the grant of soft loans to private sector enterprises in the recipient country. In this case, the loan advanced

by the Chinese Exim Bank to the Bank of Ghana with a 4% interest and a grace repayment period of ten (10) years, is to be utilised for joint-venture projects, including a mechanical and electrical equipment assembly plant.

Offer of Chinese Grant Aid

Again, China gave Ghana a grant aid in the form of a consignment of goods valued at RMB Y2 million (Two million Reminbi Yuan, about US\$500,000.00).

Ghana/China Trade

Trade between Ghana and China was conducted mainly on barter basis from 1961 to 1989 under a Trade and Payments Agreement. Currently our bilateral trade with China is being conducted in convertible currency under a Trade Protocol previously signed in Beijing in 1989.

The volume of trade between the two countries is not as great as the potentials of the two countries for increased trade indicates. Ghana's exports to China valued US\$5.30 million, while imports from China were worth US\$23.97 million for 1992 and US\$5.41 million exports to China and US\$38.58 million worth of imports from China in 1993. The balance of trade is thus in China's favour. Ghana's main export items are timber logs and cocoa beans, while her imports from China are light industrial products, sports goods, stationery, chemicals, textiles and other assorted goods. To reverse this trend, Ghana has plans to diversify its export items to China to include the non-traditional exports such as fruits and furniture.

It is worth mentioning that the Chinese delegation led by the Deputy Minister of Foreign Trade and Economic Co-operation, Mr. Kin Shan Zai which visited the country in August 1994 indicated that China was willing to encourage Chinese businessmen and investors to enter into joint-ventures with their Ghanaian counterparts. The delegation also visited Ghanaian companies to participate in Chinese Trade Fairs to promote Ghanaian goods. Another Chinese private sector delegation which visited Ghana in July 1995 expressed interest

in joint-ventures for the processing of cocoa, the establishment of an import-export company to distribute Chinese goods in Ghana and to encourage the manufacture of products in Ghana for export to China and other countries.

Co-operation in Traditional and Herbal Medicine

Recognising that China has made great strides in the area of traditional/herbal medicine, the Ministry of Health, the Ghana Export Promotion Council and the Ministry of Environment, Science and Technology have recommended co-operation between Ghana and China in an effort to improve traditional health practices in Ghana, upgrade the status of herbal medicines and preparations for export and train traditional health practitioners. To this end, Ghana may seek Chinese assistance, among others, in the areas of establishment of a Herbal Medical Hospital, exchange programmes in research into herbal medicine and the promotion and integration of traditional medical care into the national health care system.

✱ Your Excellency, the need of our contemporary society to relate the modern democratic practices in our country to the values inherent in the traditions, customs and history of our country has engaged the attention of some budding political analysts and this has become a fertile field for research.

There has been growing interests by political scientists and traditionalists to establish the relevance of our indigenous traditional ideas, customs, values and practices to the modern concept of democracy we are operating in the country.

In the context of true democratic practice can we really afford to dismiss values that are of abiding significance in the lives of the overwhelming majority of our people ? I have always held the view that to make democracy work as a sustainable process we must go back to custom, tradition, culture and history and look for relevant inputs into our modern practice of policies and government.

We should revisit ideas about consultation, co-operation, compromise, consensus, participation and dialogue as necessary determinants of a good cultural framework for our practice of democracy. Indeed the Constitution of our Fourth Republic accepts that social and economic objectives of state policy are much more realistic if implemented within the context of appropriate customary values. Due consideration is therefore given constitutionally to the need for a conscious introduction of cultural dimensions as critical components of national development planning. Article 59 of our 1992 Constitution therefore recognises that appropriate cultural and customary values as adapted/developed from time to time must form integral aspects of the growing needs of society as a whole.

An interesting issue has also been raised about the relative emphasis of civil and political rights of the individual or group on the one hand, and economic, social and cultural rights on the other.

Certainly, there is a lot to be said for the view that in the concept of our developing societies, the most realistic approach is to place both categories of rights on an equal footing since they complement each other. Indeed, democracy is about the development of man in society, and it is important that the true objectives of socio-economic development are not lost sight of or devalued in a policy of misplaced priorities that places more emphasis on the one set of rights to the detriment of the other. Indeed our Constitution in Article 36 (2) recognises in clear terms that the most secure democracy is the one that assures the basic needs of life for its people as a fundamental duty.

Certainly, the institutional framework is vital - namely, the Constitution, political parties, free and fair elections the estates of the Realm and the Council of State. But this framework cannot be an end in itself. It necessarily must be a means to an end. I agree that these institutions must be protected and defended and the Constitution squarely places that responsibility on all of us in Article 3.