

REPORT OF THE COMMITTEE ON DEFENCE AND INTERIOR

ON THE

NATIONAL PEACE COUNCIL BILL

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1. The first part of the document discusses the importance of maintaining accurate records of all transactions and activities. It emphasizes that this is crucial for ensuring transparency and accountability in the organization's operations.

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NATIONAL PEACE COUNCIL BILL

1.0 Introduction

Pursuant to Articles 103 and 106 (4) of the 1992 Constitution and Order 125 and 158 of the Standing Orders of Parliament, the *National Peace Council Bill* was referred to the Committee on Defence and Interior for consideration and report in accordance with Order 126 of the House.

2.0 CONSIDERATION OF THE BILL

The Committee in considering the Bill held a Stakeholders Workshop on Friday, 21st – Monday, 24th January 2011 and deliberated on the proposed Bill, and made Amendments to the Bill.

The Committee is grateful to the technical Staff of the Ministry of Interior, Hon. Albert Kan Dapaah, and the two immediate past Ministers of Interior, Hon. Cletus A. Avorka, and Hon. Marthin Amidu who persistently pursued the agenda of setting up a National Peace Council. The Committee also acknowledges the contribution of Hon. Joseph Yileh Chireh, former Minister of Local Government, the UNDP as well as personnel from the Ministry of Attorney-General's Department and other Stakeholders and individuals for providing the essential inputs and clarifications during the examination of the Bill.

3.0 References

In considering the report, the Committee made reference to the following documents:

- i. The background notes received from the Ministry of Interior
- ii. The Memorandum on National Peace Council
- iii. Presentations and clarifications by the Minister of Interior
- iv. The 1992 Constitution
- v. The Standing Orders of Parliament

4.0 Background Information

Ghana is currently perceived as a stable country but in a very volatile region. To sustain our stability, we must demonstrate that we have learned some important lessons from the experiences of our neighboring countries.

Even though Ghana is stable, there are myriads of conflicts, many of them violent that threaten our democracy. Our response to these conflicts has at best been reactive. Ghana has maintained a peacekeeping presence in the communities affected by violent conflict without being able to resolve the issues at stake.

At the national level, inter and intra groups conflicts have raged at different times without an acceptable mechanism for quick and timely responses to the conflicts. These approaches are not sustainable.

In the light of the above our national vision is to have a country characterized by a dynamic environment where people can engage in their lawful activities confident that the institutions, mechanisms and capacities for mediating differences and grievance are effective and responsive.

The prevailing response spectrum envisages the intervention of the District Security Committee, and if need be, the Regional and finally the National Security Committee. The focus is essentially law and order based.

5.0 The Object of the Bill

The Bill seeks to establish the National Peace Council to promote peace in the country and to provide for related purposes. This has become necessary in view of intermittent ethnic clashes of groups in the country for minor infractions which could have been solved amicably rather than by resort to armed-clashes which bring untold hardships to people, quite apart from the instability to peace in the country

6.0 Divisions of the Bill

The Bill is divided into six main sections namely:

- *Establishment of the National Peace Council*
- *Regional Peace Councils*
- *District Peace Councils*

- *Tenure, Meetings and Allowances*
- *Administration and Financial Provisions*
- *Miscellaneous Matters*

7.0 Highlights of the Clauses of the Bill

The Bill consists of **35 clauses**.

Clause 1 establishes the National Peace Council.

Clause 2 states the object of the Council which is to facilitate and develop mechanisms for conflict prevention, management, resolution and build sustainable peace whiles

clause 3 deals with the functions of the Council among which are that the Council is to harmonise and co-ordinate conflict prevention, management, resolution, and build sustainable peace through networking and co-ordination. The Council is to strengthen capacities in relation to its objects in the country including but not limited to chiefs, women, youth groups and community organizations. This is to facilitate the amicable resolution of conflicts through mediation and other connected processes. It will be the responsibility of the Council to monitor report and offer indigenous perspectives and solutions to conflicts in the country. It is also to promote understanding about values of reconciliation, tolerance, confidence building, mediation and dialogue as responses to conflict among others

Clause 4 provides for the governing body of the Council which is a Board consisting of thirteen (13) eminent persons to be appointed by the President in consultation with the Council of State. Administrative procedural rules are provided for in **clauses 5 and 6**. **Clause 7** deals with disclosure of interest and clause 8 provides for establishment of Committees of the Board.

A Regional Peace Council consisting of thirteen persons is provided for under **clause 9**. The members are to be appointed by the Board in consultation with the Regional Co-ordinating Council.

Clause 11 spells out the functions of the Regional Peace Council which are to offer advice to the Regional Co-ordinating Council and Regional Security Council in peace initiative, mediate in the conflicts within the region which are likely to erupt in violence and intervene after law and order is restored by the Regional Co-ordinating

Council. The Regional Peace Council is to engage in public education, sensitization and awareness of conflict indicators within the region and make recommendations to the Regional Co-ordinating Council and Regional Security Council on how to improve the situation, among others.

Clause 12 and 13 deal with the District Peace Councils and their composition which is similar to the Regional Peace Council.

Clause 14 provides that the District Peace Council is to assist the District Assembly in peace initiative, mediate in inter and intra community conflicts or conflicts among groups within the district except where armed, violence has broken out. The invitation of the District Assembly is required for this. The District Peace Council is to engage in public education and awareness of conflict indicators within the district and make recommendations to the District Assembly on how to improve the situation. The District Peace Council is also to facilitate the organization of activities that build friendship, promote trust, goodwill and reconciliation between communities and prevent the occurrence of conflict. The training and other capacity building programmes for relevant stakeholders in the District are also the responsibility of the District Peace Council.

Clause 15 stipulates the term of office of the members of the Regional Peace Council and the District Peace Council which are the same as that of the governing board of the National Peace Council. The meetings of the Regional Peace Council and the District Peace Council are to be regulated in accordance with the meetings of the governing board of the National Peace Council. **Clause 16.**

Clause 17 provides for the allowances and other remuneration payable to members of the governing board of the National Peace Council, the Regional Peace Council and the District Peace Council. This is to be determined by the Minister for the Interior in consultation with the Minister responsible for Finance.

Clause 18 deals with Executive Secretaries who are to operate in each region and district. The functions of the Executive Secretaries among others are to act as technical advisors to the Regional and District Peace Councils on conflict prevention resolution management and building sustainable peace in the region. They are to be the secretaries of the Regional Peace Councils and District Peace Councils and they are to co-ordinate the activities of the Councils and submit regular reports to the Peace Building Support Unit, the National Peace Council, the Regional Co-ordinating Council and the District Assemblies, **clause 19.**

The Peace Fund is established by *clause 20*. The source of money for the Fund includes contributions from government, contributions from local private or public organizations and international organizations. Contributions from foreign governments and gifts and contributions from other sources are also sources of funding, **clause 21**.

Clause 22 provides the objects of the Fund which among others are provision of assistance to conflict resolution and peace building institutions in the country. The funding is also to facilitate and promote peace and conflict resolution activities and to be used for other purposes related to peace and conflict resolution which the National Peace Council may determine.

Clause 23, charges the expenditure of the Council to the Consolidated Fund.

In **clause 24** an Executive Secretary with experience in conflict resolution and peace building as well as administrative or managerial experience is appointed by the President in accordance with article 195 of the Constitution. The Executive Secretary is the head of the Secretariat of the Peace Council.

The Executive Secretary is responsible for the day to day administration of the affairs of the Council and is answerable to the Board, **clause 25**

The President in accordance with article 195 is to appoint other staff of the Council necessary for the proper and effective performance of its functions. Other public officers may be transferred or seconded to the recommendations of the Board, **clause 26**.

In **clause 27** a Peace Building Support Unit is to be set up by the Minister for the Interior. The purpose of that Unit is to liaise on behalf of the government with the National Peace Council, Regional Peace Councils and District Peace Councils. The Unit is to facilitate support from government institutions for the work of the Councils. It is also to facilitate addressed to the government or its agencies among others.

Under **clause 28** the Governing Board of the National Peace Council is under an obligation to submit to Parliament through the Minister of the Interior, an annual report and other reports of the Council on its activities of the preceding year with recommendations it may consider appropriate. The report is to include the report of the Auditor General and any other report required by the Minister in writing.

Clause 29 deals with the proper keeping of books and accounts of the Council, whilst **Clause 30** provides for the independence of the council. **Clause 31** borders on secrecy provisions, whilst Clause 32 debars Members of the National Peace Council from participating in active politics.

Clause 33 mandates the National, Regional, and District Peace Councils to collaborate with relevant bodies and each other in the performance of their functions. **Clause 34** relates to the making of regulations to give effect to the Act and **clause 35** deals with interpretation.

8.0 Observations

8.1 The Committee observed that the institutionalization of the National peace Council will enable and facilitate the development of mechanisms for cooperation among all the relevant stakeholders in peace building in the Country. This will promote cooperative problem solving to conflicts.

8.2 The Committee further noted that by institutionalizing the National Peace Council, the process of response to conflicts will produce outcomes that lead to conflict transformation, in social, political and religious reconciliation and this will go long way to enhance transformative dialogue

8.3 The Committee was also of the view that if legal backing is given to the National Peace Council, it will harmonize peace building activities in Ghana through networking and coordination as well as facilitate and strengthen capacity of peace building institutions and practitioners.

8.4 The Committee further observed that the passage of this bill into law will enable the National Peace Council to develop a conflict prevention framework for the country, that will monitor, report and offer indigenous perspectives, understanding and solutions to conflicts in Ghana and also develop national and inter- group understanding about the values of reconciliation, tolerance, trust and confidence building, mediation and dialogue as response to conflict.

9.0 Proposed Amendments

The Committee had a Clause-by-Clause examination of the Bill. The amendments being proposed therefore encompass corrections made to the typographical errors, omissions, as well as insertion of new clauses and sub-clauses to give clarity to the provisions. The proposed amendments are as follows:

1. Page 4, clause 3, sub clause (e), line 1, after "understanding" *delete* "about" and *insert* "of"
2. Page 4, clause 4, sub clause (i), *delete* "Catholic Church Conference" and *substitute* "Catholic Bishops Conference"
3. Page 4, clause 4, sub clause (iii) separate Pentecostal from Charismatic and *add* in new sub clause as follows: Charismatic Group. This is intended to give full representation of all Christian groups.
4. Page 4, clause 4, sub clause (v), *delete* "Orthodox Muslims" and *insert* "Al-sunnah Muslims and add new sub clause (VI) as 'Tijaaniya" Muslim group. This explains the fact that Muslim groups extend beyond what is captured in the bill.
5. Page 4, clause 4, sub clause (vi) renumbered as sub clause (vii)
6. Page 5, clause 4, sub clause (b) *delete* "three" and *insert* "two" on the same line after president *delete* "at least two" and *insert* "one of who is woman."
7. Page 5, clause 4, sub clause (c) *delete* "four" and *insert* "two"
8. Page 5, clause 4, *add* new sub clause as follows:

“(d) A Chief nominated by national House of Chiefs.”
9. Page 5, clause 6, sub clause (1), line 1, after at least *delete* "once a month" and *substitute* " at least once every three months (quarterly)"
10. Page 6, clause 6, sub clause (4), after Board is, *delete* " seven *insert* "eight"
11. Page 7, clause 9 sub clause (iii) separate Pentecostal from Charismatic and *add* in new sub clause as follows: Charismatic Group. This is intended to give full representation of all Christian groups
12. Page 7, clause 9 sub clause (v), *delete* "Orthodox Muslims" and *insert* "Al-sunnah Muslims and add new sub clause (VI) as 'Tijaaniya" Muslim group. This explains the fact that Muslim groups extend beyond what is captured in the bill.
13. Page 7 clause 7 sub clause (vi) renumbered as sub clause (vii)
14. Page 8, clause 11 add sub clause (g) as follows: perform any other functions which are ancillary to its object.

15. Page 8, clause 12.” Amend composition of district peace council as in Page 4, as follows: *delete* “Catholic Church Conference” and *substitute* “Catholic Bishops Conference”, separate Pentecostal from Charismatic and *add* in new sub clause as follows: Charismatic Group.

delete “Orthodox Muslims” and *insert* “Al-sunnah Muslims and add new sub clauses as follows. (vii) ‘Tijaaniya” Muslim group.
(viii) “A chief nominated by the traditional council.

16. Page 9, clause 14, sub clause (e), *delete* “Support” *insert* “Initiate”

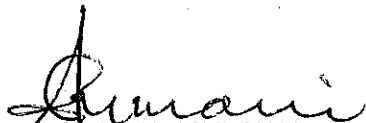
17. Page 10, *delete* sub clause (f)

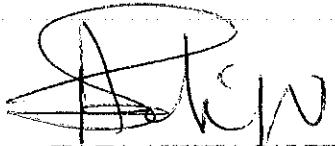
18. Page 12, Replace clause 28 as Clause 29.

9.0 Conclusion and Recommendation

The Committee has carefully examined the provisions in the Bill clause-by-clause and is satisfied that when passed by this august House, the National Peace Council will be empowered to facilitate the development of mechanisms for cooperation among all the relevant stakeholders in peace building in Ghana, by promoting co-operative and by institutionalizing the processes of response to conflicts to produce outcomes that lead to conflict transformation, social, political and religious reconciliation and transformative dialogues.

The Committee therefore recommends to the House to pass the National peace Council Bill subject to the amendments proposed above.


HON. ABUKARI SUMANI
CHAIRMAN
COMMITTEE ON DEFENCE & INTERIOR


HAJIA AYISHA SALIFU
ASST. CLERK
COMMITTEE ON DEFENCE & INTERIOR