

**STATEMENT BY HON. EKOW KWANSAH HAYFORD, MEMBER OF PARLIAMENT**  
**FOR MFANTSEMAN CONSTITUENCY ON**  
**WORKING TOWARDS A SMOOTH IMPLEMENTATION OF THE**  
**REPRESENTATION OF THE PEOPLE (AMENDMENT) ACT 2006 ACT 699**  
**(ROPAA) IN THE 2020 ELECTIONS.**

Thank you Right Honourable Speaker, for the opportunity to make this statement on working towards a smooth implementation of the Representation of the People (Amendment) Act 2006 (ROPAA) in the 2020 Elections.

Mr Speaker, the right to vote to determine one's representation remains one of the fundamental human rights afforded persons of age in any democratic dispensation. Article 42 of the 1992 Constitution safeguards this right to vote. It states thus, "Every citizen of Ghana of 18years of age or above and of sound mind has the right to vote and is entitled to be registered as a voter for the purpose of public elections and referenda". Ghana, as a beacon of democracy in Africa, is no exception to this phenomenon. Indeed, with our enviable track-record of peaceful elections for well over two decades, we are put in a special position on the Continent as pacesetters in democracy.

For this reason, it is hard to fathom that up to this day, there exists no framework to operationalize the ROPAA which was enacted by this honourable house as far back as 2006, and which consequently, has denied so many Ghanaians in the diaspora their fundamental right to partake in the election process by voting from where they are. This effectively means that those Ghanaians living abroad who are unable to return in time for elections every four years are disenfranchised by the system. This is grossly unconstitutional.

It is critical, for the sake of ensuring a full participation in the election process, that these challenges are addressed. A concerted effort is needed to ensure the operationalization of the ROPAA and to further entrench our enviable position as pacesetters of democracy especially in the Sub-region, and the continent as a whole.

Mr Speaker, the number of Ghanaians living in the diaspora has grown over the years that Ghanaians are represented in almost all countries in the world. Their contributions to the Ghanaian economy has witnessed exponential growth each year, and these contributions now form a large part of our economy.

Mr Speaker, Article 45 of the 1992 Constitution and the Electoral Commission Act 1993, Act 451 set out clearly the functions of the Electoral Commission which broad terms include implementing the ROPAA. The Electoral Commission must be well resourced and encouraged to implement the ROPAA. The High Court (Human Rights Div.) presided over by His Lordship Justice Anthony K. Yeboah, in December last year, ordered the Electoral Commission to take steps to implement the ROPAA 2006 within twelve months. The Electoral Commission must be seen to be working towards executing this very important court ruling that borders on the fundamental human right to vote of our diasporan brothers and sisters.

Mr Speaker, currently, it is only Ghanaians studying abroad, and staff of Ghana's Missions/Embassies who are allowed to be registered and vote in elections. This is worrisome to say the least. The effect of this situation is that so many eligible Ghanaians are disenfranchised. These persons are effectively rendered spectators, not citizens in the affairs of their country.

Mr Speaker, Act 699 was supposed to usher us into a new era in terms of ensuring that no eligible Ghanaian is disenfranchised by the electoral system in place. For this reason, so much effort was expended towards amending the then Representation of the People Law, 1992 PNDCL 284 which made it impossible for eligible Ghanaian abroad to be registered to vote in elections and referenda.

### CHALLENGES TOWARD OPERATIONALIZING THE ROPAA, ACT 699

Mr Speaker, there are myriad obstacles impeding the smooth and efficient operationalization of Act 699. The most basic challenge, <sup>it is</sup> ~~it appears,~~ <sup>is</sup> adequate funding for the EC to implement this law.

Mr Speaker, as I have already stated, there is no roadmap to outline the modalities of implementation of the law. The Electoral Commission is yet to come up with clearly defined guidelines for stakeholders, including political parties, to work with. This has created unwarranted delays towards implementation.

Mr Speaker, a unique challenge which may arise from implementing Act 699 is the issue of monitoring of the voting process by the political parties. The current practice sees polling station agents being deployed by the respective political parties to monitor and protect a party's interest. Taking into consideration the numerous challenges these parties face in resourcing polling station agents, it is not without merit to wonder how political parties are going to equip their personnel to track the electoral process. This, Mr Speaker, represents a novel challenge which must be addressed in the face of the reluctance or plain inability of the Electoral Commission to resource and support political parties and other relevant stakeholders in putting measures in place to ensure a successful implementation of the ROPAA.

In light of the above mentioned challenges, Mr Speaker, I conclude with the following recommendations:

1. The Electoral Commission must be adequately resourced to implement the ROPAA. The EC can also solicit for funds from donor agencies to supplement their budget for the project.
2. The Implementation Committee which was recently constituted by the Electoral Commission and charged with coming up with a roadmap spelling out the modalities of implementing the law must solicit for the views of all relevant stakeholders, including civil society and political parties, to come up with suggestions to ensure that all potential red flags are handled efficiently.
3. Again, as a new initiative, its operationalization and subsequent implementation may not be so smooth. For this reason, all personnel involved in its implementation must be well-trained and adequately remunerated to handle the implementation process.
4. Lastly, I urge this house, through its Special Budget Committee, to take a keen interest in ensuring that the ROPAA is implemented as soon as is practicable so that no eligible Ghanaian voter, whether in the country or abroad, is left behind in our quest to further develop and entrench our democracy. Mr Speaker, I humbly request a direction from you in this regard.

Thank you once again Rt. Hon. Speaker for this opportunity.

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