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December 2017

FOREWORD

The history of Africa is a marvelous case study of the multitude of difficulties that most post-colonial states have faced and continue to face in the process of self-discovery. Arguably, the protracted internal armed conflicts in most African states have been fueled by the quest to create governance and legal regimes that can guarantee everyone equal participation in the economic, social and political activities of their respective nations. The emerging independent African states of the 1960s declared their unflinching dedication to democracy, good governance and respect for human rights. This would have been effortlessly plausible, because most of the independence constitutions of many African countries came with a flowery package of rights for their citizens. This however did not become a lived reality. Shortly after independence, the constitutions of most of the emerging African states were amended in ways that watered down the essence of human rights and democratic governance.

Ghana was the first country in sub-Saharan Africa to gain independence and played a critical role in the political transformation and regional integration in Africa. Over the years, Ghana has transformed from one-party state through military rule to multiparty democracy. Since independence, despite internal challenges, Ghana continues to play critical transformational role on the African continent. On 6 March 2017, Ghana celebrated her 60th anniversary of independence from colonial rule. Current circumstances in Ghana and across Africa reinforce the argument that democracy and the rule of law are maintained by vigilance and involvement of the people. Succeeding in this endeavour requires commitment and active participation at all levels of society and in all its institutions – from the grassroots to political process that is responsive to the needs of all members of society, to the organs of government that protect human rights and prods the political process to live up to its obligations. This must be followed by periodic audits to take stock of the progress made, the challenges that lie ahead and the most effective means of tackling the challenges.

In this regard, this edited volume audits some of the issues relating to the state of human rights standards and compliance, democratic consolidation and development in Ghana, as well as to bring forward how Ghana has contributed to the political, economic, cultural and ideological development in Africa. Through a human rights-based approach to governance and socio-economic development, the book examines the experiences of Ghana, selected experiences of other African countries and the African Union in advancing good governance and human rights over the years, on the journey to attain shared prosperity for all. The book takes stock of major developments in the areas of civil and political as well as economic, social and cultural rights in Africa, the changing nature of democratisation, regional integration and Pan-Africanism, and the ways in which the African Union policies may impact on governance and human rights on the continent.

This book is both apt and a timely addition to the discussion on good governance, democratic consolidation and respect for human rights in Africa. Practitioners, students and scholars of political science, law, human rights, gender studies, and African studies will find this book an important guide to the evolving governance and human rights issues in twenty-first century Africa.

Nana Addo Dankwa Akufo-Addo
President of the Republic of Ghana
December 2017

ABBREVIATIONS AND ACRONYMS

ACDEG	African Charter on Democracy, Elections and Governance
ACHPR	African Charter on Human and Peoples' Rights
ADB	African Development Bank
AEC	African Economic Community
AEDR	alternate electoral dispute resolution
AGA	African Governance Architecture
AHRLR	African Human Rights Law Report
AIDA	accelerated industrial development for Africa
APC	All People's Congress
APRM	African Peer Review Mechanism
APSA	African Peace and Security Architecture
ASI	All Share Index
AUC	African Union Commission
AUEC	African Union Executive Council
AU	African Union
BPFA	Beijing Declaration and Platform for Action
CAADP	Comprehensive Africa Agriculture Development Programme
CC	Constitutional Court (of South Africa)
CDF	Constituency Development Fund
CEDAW	Convention on the Elimination of all forms of Discrimination against Women
CEEC	Citizens Economic Empowerment Commission
CESA	Continental Education Strategy for Africa
CFTA	Continental Free Trade Area
CG	capitation grant
CHRAJ	Commission on Human Rights and Administrative Justice
CIBA	Council for Indigenous Business Associations
COMESA	Common Market for Eastern and Southern Africa
CPP	Convention People's Party
CRC	Constitutional Review Commission
CRC	Convention on the Rights of the Child
CRIC	Constitution Review and Implementation Committee
CRPD	Convention on the Rights of Persons with Disabilities
CSPOG	Civil Society Platform on Oil and Gas
CSSDCA	Conference on Security, Stability, Development and Cooperation in Africa
DFID	Department for International Development
DFP	Democratic Freedom Party
DOVVSU	Domestic Violence and Victims Support Unit
DPP	Democratic People's Party
DRC	Democratic Republic of the Congo
DRRC	District Registration Review Committee
ECHR	European Convention on Human Rights
ECK	Electoral Commission of Kenya
ECOWAS	Economic Community of West African States
EGLE	Every Ghanaian Living Everywhere
EMBs	Electoral Management Bodies
EU	European Union

EU EOM	EU Election Observation Mission
FAGs	foreign aid and grants
FDI	foreign direct investment
FNDP	Fifth National Development Plan
FRA	Food Reserve Agency (Zambia)
FSDP	Financial Sector Development Programme
FSP	Food Security Pack
GAS	Ghana National Accounting Standards
GBC	Ghana Broadcasting Corporation
GCPP	Great Consolidated Popular Party
GDP	gross domestic product
GDRP	Ghana Democratic Republican Party
GFC	Global Financial Crisis
GFP	Ghana Freedom Party
GIMPA	Ghana Institute of Management and Public Administration
GLR	Ghana Law Reports
GNI	gross national income
GNP	Ghana National Party
GPAS	Ghana's Poverty Alleviation Strategy
GPRS	Ghana Growth and Poverty Reduction Strategy
GRP	Ghana Redevelopment Party
GSFP	Ghana School Feeding Programme
GSGDA	Ghana Shared Growth and Development Agenda
HRSA	Human Rights Strategy for Africa
HRC	Human Rights Committee
HSIC	Heads of State and Government Implementation Committee
ICC	International Criminal Court
ICCPR	International Covenant on Civil and Political Rights
ICESCR	International Covenant on Economic, Social and Cultural Rights
IDEA	International Institute for Democracy and Electoral Assistance
IDPs	internally displaced persons
IEBC	Independent Electoral and Boundaries Commission
IIEC	Interim Independent Electoral Commission
IFRS	International Financial Reporting Standards
IGP	Inspector General of Police
ILO	International Labour Organisation
IIAG	Ibrahim Index of African Governance
IMF	International Monetary Fund
IPAC	Inter-Party Advisory Committee
IPP	Independent People's Party
IP	internet protocol
IPU	Inter-Parliamentary Union
IREC	Independent Review Commission
KNDR	Kenya National Dialogue and Reconciliation
LEAP	Livelihood Empowerment Against Poverty
LP	Labour Party
LUSE	Lusaka Stock Exchange
MAP	Millennium African Recovery Programme
MDGs	Millennium Development Goals
MMDAs	metropolitan, municipal and district assemblies
MMM	Mouvement Militant Mauricien

MPA	Marital Property Agreement
MSM	Mouvement Socialiste Mauricien
NCCE	National Commission on Civic Education
NCP	National Convention Party
NCWD	National Council on Women and Development
NDC	National Democratic Congress
NDP	National Democratic Party
NEPAD	New Partnership for Africa's Development
NGO	non-governmental organisation
NHIS	National Health Insurance Scheme
NIP	National Independence Party
NLA	National Lottery Authority
NPP	New Patriotic Party
NPRA	National Pension Regulatory Authority
NRC	National Redemption Council
NRP	National Reform Party
NSPS	National Social Protection Strategy
NVP	New Vision Party
OAU	Organisation of African Unity
ODA	Official Development Assistance
ODI	Overseas Development Institute
OHCHR	Office of the United Nations High Commissioner for Human Rights
OIF	Commonwealth of Nations as well Organisation de la Francophonie
OSCE	Organisation for Security and Co-operation in Europe
PAP	Pan-African Parliament
PAS	Poverty Alleviation Strategy
PCA	Petroleum Commission Act
PCP	People's Convention Party
PEPA	Petroleum Exploration and Production Act
PIAC	Public Interest and Accountability Committee
PIDA	Programme Infrastructure Development for Africa
PMR-NAC	pre-marital relationships not amounting to cohabitation
PMSD	Parti Mauricien Social Democrate
PNC	People's National Convention
PNDC	Peoples National Defense Council
PNDCL	Provisional National Defence Council Law
POTRAZ	Post and Telecommunications Regulatory Authority of Zimbabwe
PPLC	Political Parties Liaison Committee
PPP	Progressive People's Party
PRC	Permanent Representative Committee
PRMA	Petroleum Revenue Management Act
PSC	Peace and Security Council
PSD	Private Sector Development
PSM	Public Sector Management
PWAS	Public Welfare Assistance Scheme
PWD	persons with disabilities
RECs	Regional Economic Communities
RPD	Reformed Patriotic Democrats
RSF	Reporters without Borders

RTI	right to information
SADC	Southern African Development Community
SALR	South African Law Reports
SAP	Structural Adjustment Programme
SCGLR	Supreme Court of Ghana Law Reports
SCTS	Social Cash Transfer Scheme
SSA	sub-Saharan Africa
SSL	social security law
SSNIT	Social Security and National Insurance Trust
SSS	social security scheme
STC	Specialized Technical Committees
TJRC	Truth, Justice and Reconciliation Commission
UAS	Union of African States
UDHR	Universal Declaration of Human Rights
UDSP	United Development System Party
UFP	United Front Party
UGM	United Ghana Movement
UK	United Kingdom
ULP	United Love Party
UN	United Nations
UNECA	United Nations Economic Commission for Africa
UNHCR	United Nations High Commissioner for Refugees
UNICEF	United Nations Children's Fund
UPP	United Progressive Party
URP	United Renaissance Party
USA	United States of America
USAID	United States Agency for International Development
WAJU	Women and Juvenile Units
YPP	Yes People's Party
ZANU PF	Zimbabwe African National Union Patriotic Front

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LIST OF LAWS

United Nation instruments

- 1945 Charter of the United Nations
- 1948 Universal Declaration of Human Rights
- 1951 Convention relating to the Status of Refugees
- 1951 Convention on Consent of Marriage
- 1952 Convention on the Political Rights of Women
- 1957 Convention on the Nationality of Married Women
- 1966 International Covenant on Civil and Political Rights
- 1966 International Covenant on Economic, Social and Cultural Rights
- 1969 Optional Protocol relating to the Status of Refugees
- 1981 Beijing Declaration and Platform for Action
- 1984 Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment
- 1998 Rome Statute of the International Criminal Court
- 1998 UN Economic Commission for Europe Convention on Access to Information, Public Participation in Decision-making and Access to Justice in Environmental Matters

Regional instruments

- 1953 European Convention on Human Rights
- 1963 Charter of the Organisation of African Unity
- 1969 OAU Convention Governing the Specific Aspects of Refugee Problems in Africa
- 1976 Cultural Charter for Africa
- 1977 Convention for the Elimination of Mercenarism in Africa
- 1980 Final Act of Lagos
- 1981 African Charter on Human and Peoples' Rights
- 1990 African Charter for Popular Participation in Development and Transformation
- 1991 Treaty Establishing the African Economic Community
- 2000 Constitutive Act of the African Union
- 2000 Protocol to the African Charter on Human and Peoples' Rights on the Establishment of an African Court on Human and Peoples' Rights; Declaration on Unconstitutional Changes of Government
- 2001 Protocol to the Treaty of the African Economic Community relating to the Pan-African Parliament
- 2001 Economic Community of West African States Protocol on Democracy and Good Governance
- 2002 Protocol relating to the Establishment of the Peace and Security Council of the African Union
- 2003 African Convention on Preventing and Combating Corruption
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