



NATIONAL DEMOCRATIC CONGRESS

NATIONAL SECRETARIAT

Our Ref: *XDC/HQ/00/02/10*

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17th April, 2023

THE CHAIRPERSON
COUNCIL OF STATE
ACCRA.

Dear Sir,

RE: APPOINTMENT OF DR. PETER APPIAHENE AND HAJIA SALIMA AHMED TIJANI AS MEMBERS OF THE ELECTORAL COMMISSION BY THE PRESIDENT UNDER ARTICLE 70 (2) OF THE 1992 CONSTITUTION.

We bring warm greetings from the National Democratic Congress (NDC) to you and the highly-esteemed members of the Council of State. We trust that this letter finds you well.

We write to you in connection with a recent event that has left many Ghanaian citizens concerned about the gatekeeping role of the Council of State as mandated by the 1992 Constitution relative to the appointment of persons to the constitutionally independent Electoral Commission by the President of the Republic.

We make reference and regrettably so, to news of the swearing-in of one Dr. Peter Appiahene and one Hajia Salima Ahmed Tijani as newly-appointed members of the Electoral Commission by His Excellency President Nana Addo Dankwa Akufo-Addo on 20th March, 2023.

We have observed and followed the clamour of rejection and condemnation that the appointment of Dr. Appiahene and Hajia Salima Ahmed Tijani to the Electoral Commission has received from multiple stakeholders of our democracy.

Article 70(2) of the 1992 Constitution requires that in appointing persons to the Electoral Commission, the President shall do so acting on the advice of the Council of State. The Article provides as follows:

“The President shall, acting on the advice of the Council of State, appoint the Chairman, Deputy Chairmen, and other members of the Electoral Commission.”

In the specific case of Dr. Appiahene, some Political Parties, Civil Society Organizations, Faith-Based Organizations, political watchers and other concerned neutrals have criticised what they consider to be the appointment of a publicly-known hardliner and irredeemably partisan New Patriotic Party activist to fill one of the vacancies that has become available at the Electoral Commission following the recent retirement of three members of the Commission.

The National Democratic Congress is as equally alarmed and concerned by these recent appointments as the vast majority of the Ghanaian people who stand united in one chorus over its potential to compromise the neutrality and impartiality of the Electoral Commission, and invariably, taint the credibility of the electoral management body.

Deeply bothered by these concerns, and on the assumption that the President sought and obtained the advice of the Council of State as required by the Constitution before making these appointments, we wish to draw the attention of the Council to the following facts as we know them:

Dr. Peter Appiahene is not only a card-bearing member of the ruling New Patriotic Party but a recognized leading figure within the ranks of the Party. He has been a patron of the tertiary wing of the New Patriotic Party, TESCON, at the University of Energy and Natural Resources in Sunyani since 2017. He is a known communicator of the New Patriotic Party in the Bono Region on both radio and television. In support of these averments, we have attached on a pen drive, evidence of Dr. Appiahene's advocacy for the NPP in the public domain as captured on audio-visuals to back up our complaint.

Prior to his appointment to the Electoral Commission, Dr. Appiahene had played various leading roles for the New Patriotic Party in the Bono Region. Indeed, he touts himself in his political profile and personal credentials as "a strong NPP man with a lot of experience in election issues in Ghana". Among his political positions in the New Patriotic Party Elections management are the following:

- Member of the 2022 Bono Regional Election Committee of the NPP;
- Bono Regional IT Director for Election 2020 for the NPP;
- Bono Regional D-Day Coordinator for Election 2020 for the NPP;
- Member of the National Research and Data Analysis Team for Election 2020 for the NPP;
- Regional Collation Officer for NPP Internal Collation for Election 2020;
- Member of the Bono Regional Communication Team of the NPP.

It is our considered view that the appointment of a personality with such overwhelmingly partisan credentials into the Electoral Commission will hamper public confidence in the constitutionally independent body and undermine the conduct of free, fair and transparent elections in Ghana.

On the appointment of Hajia Salima Ahmed Tijani, our background search reveals that she has well-known New Patriotic Party leanings. Aside the fact that Hajia Salima is herself an activist of the ruling New Patriotic Party, she is married to one Sheikh T.B Damba, a former Second National Vice Chairman of the NPP, and Ghana's immediate-past ambassador to Saudi Arabia, from 2017 to 2021.

Indeed, her immediate family is well-rooted in the NPP tradition – her mother, one Hajia Samata Gifty Bukari was the first female Vice Chairperson of the New Patriotic Party in the Northern Region. Her sister, one Hajia Abibata Shani Mahama Zakariah, currently serves in President Akufo-Addo's government as the Chief Executive Officer of the Microfinance and Loans Center (MASLOC), and is a former contestant in the New Patriotic Party 2020 Parliamentary primaries in the Yendi Constituency.

It certainly goes without saying, that Hajia Salima evidently and perceptibly bears partisan colouration which clearly vitiates any hope of neutrality and impartiality required of a member of the Electoral Commission.

For any election to be accepted as credible, free, fair and transparent, every process must be accepted by key stakeholders, not least political parties such as ours, as credible and transparent. To achieve this, principal actors, including members of the electoral management body, must not only be but must be perceived to be neutral and impartial to be able to carry all parties along.

We agree entirely with CODEO and the other Civil Society Organizations who have already commented publicly on this matter that to engender trust and confidence in the Electoral Commission, its composition and membership matter a great deal. Unfortunately, it is demonstrably clear that the positions and roles of these appointees within the NPP compromise their capacity to act with any form of neutrality.

These concerns are undergirded by the current negative public perception of the Electoral Commission whose public ratings have plummeted to an all-time low. The recent round of the Afrobarometer Survey by CDD-Ghana puts public trust in the Electoral Commission at a lowly 10%. We hold the view that the EC's dented trust and credibility will be further eroded by these partisan appointments. This is a great worry to us as key stakeholders in the electoral process.

We are aware that once Dr. Appiahene and Hajia Salima have been sworn-in as members of the Commission, the Council of State has become *functus officio* in the process of their appointments. We are nevertheless of the view that against the background of the evidence that we have presented, it is possible for the Council to re-consider its advice to the President in order to erase any perception that the Council has been complicit in the appointment of these patently

partisan individuals to the Electoral Commission and to safeguard the integrity of the Council as far as its role in the structure of our governance architecture is concerned.

Please accept, Excellency Chairperson of the Council of State, the assurances of our highest consideration.



Johnson Asiedu Nketiah
National Chairman

CC:

1. H.E Nana Addo Dankwa Akuffo Addo
President of the Republic Of Ghana
2. The Chairman
National Peace Council
Accra
3. The Chairperson
Electoral Commission
Accra.
4. The European Union Observer Team
Accra.
5. The African Union Observer Team
Accra
6. The President
Catholic Bishops Council
Accra.
7. The Chairman
Christian Council
Accra
8. H.E The American Ambassador
Embassy of the U.S.A,
Accra.

9. H.E The British High Commissioner
British High Commission
Accra
10. H.E The German Ambassador
German Embassy
Accra
11. H.E Ambassador of the Netherlands,
Embassy of the Netherlands,
Accra.