

**NATIONAL CENTRE FOR THE COORDINATION OF EARLY  
WARNING AND RESPONSE MECHANISM BILL, 2021**

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SCHEDULE

*Oath of Secrecy*

*National Centre for the Coordination of Early  
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A  
**BILL**  
ENTITLED

**NATIONAL CENTRE FOR THE COORDINATION OF EARLY  
WARNING AND RESPONSE MECHANISM ACT, 2021**

**AN ACT** to establish the National Centre for the Coordination of Early Warning and Response Mechanism to assist the ECOWAS Commission in the timely identification of emerging crisis in the West African sub-region and the implementation of an improved crisis response mechanism and to provide for related matters.

**PASSED** by Parliament and assented to by the President:

*The National Centre for the Coordination of Early Warning and Response  
Mechanism*

**Establishment of the National Centre for the Coordination of Early  
Warning and Response Mechanism**

1. (1) There is established by this Act, the National Centre for the Coordination of Early Warning and Response Mechanism within the Office of the President.

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- (2) The Centre shall operate as
- (a) a national agency for strategic research; and
  - (b) a non-profit organisation with a public interest mandate.

**Objects of the Centre**

2. The objects of the Centre are to assist the ECOWAS Commission in
- (a) the timely identification of emerging crisis in the West Africa sub-region; and
  - (b) the implementation of an improved crisis response mechanism.

**Functions of the Centre**

3. To achieve the objects of the Centre, the Centre shall
- (a) collect, centralise, and analyse data or information provided by
    - (i) State parastatals;
    - (ii) local authorities;
    - (iii) civil society organisations;
    - (iv) the ECOWAS Regional Early Warning and Response Centre; or
    - (v) any other relevant person;
  - (b) propose response options following an in-depth analysis of challenges or threats related to human security; and
  - (c) collaborate with relevant public institutions in matters related to human security.

**Headquarters of the Centre**

4. The headquarters of the Centre shall be located in Accra.

*Governance of the Centre*

**Governing body of the Centre**

5. (1) The governing body of the Centre is a Board consisting of
- (a) a chairperson nominated by the President;
  - (b) the Ministers responsible for
    - (i) National Security;
    - (ii) Defence;
    - (iii) the Interior;

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- (iv) Foreign Affairs and Regional Integration;
- (v) Finance;
- (vi) Health; and
- (vii) Environment, Science, Technology and Innovation;
- (c) the Attorney-General;
- (a) the Minister assigned responsibility for an emerging crisis;  
and
- (e) the Director of the Centre.

(2) The President shall appoint the chairperson and other members of the Board in accordance with article 70 of the Constitution.

**Functions of the Board**

6. The Board shall

- (a) oversee the activities of the Centre;
- (b) approve the work plan and budget of the Centre; and
- (c) perform any other function that is necessary for the attainment of the objects of the Centre.

**Tenure of office of members of the Board**

7. (1) A member of the Board shall hold office for the period specified in the letter of appointment.

(2) A member of the Board may, at any time, resign from office in writing addressed to the President through the chairperson.

(3) A member of the Board, other than the Director of the Centre, who is absent from three consecutive meetings of the Board without sufficient cause ceases to be a member of the Board.

(4) The President may, by a letter addressed to a member of the Board, revoke the appointment of that member.

(5) Where a member of the Board is, for sufficient reasons, unable to act as a member, the chairperson shall determine whether the inability would result in the declaration of a vacancy.

(6) For purposes of subsection (5), “sufficient reasons” include

- (a) stated misbehaviour or incompetence;
- (b) inability to perform the functions of office by reason of infirmity of body or mind; and
- (c) wilful violation of the oath of secrecy.

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- (7) Where there is a vacancy
  - (a) under subsection (2), (3) or (4) or subsection (2) of section 9;
  - (b) as a result of a declaration under subsection (5); or
  - (c) by reason of the death of a member,

the chairperson shall notify the President of the vacancy and the President shall appoint another person for the unexpired term in accordance with this Act.

**Meetings of the Board**

8. (1) The Board shall meet at least once every month for the conduct of business at a time and place determined by the chairperson.

(2) Where the exigencies of the circumstances require, the chairperson shall convene an extraordinary meeting of the Board at a time and place determined by the chairperson.

(3) The chairperson shall preside at meetings of the Board and in the absence of the chairperson, a member of the Board nominated by the President shall preside.

(4) The quorum at a meeting of the Board is seven members of the Board.

(5) Matters before the Board shall be decided by the majority of the members present and voting and in the event of an equality of votes, the person presiding shall have a casting vote.

(6) The Board may co-opt a person with the relevant expertise on a matter before the Board to attend a meeting of the Board but that person shall not vote on a matter for decision at the meeting.

(7) The proceedings of the Board shall not be invalidated by reason of a vacancy among the members or a defect in the appointment or qualification of a member.

(8) Subject to this section, the Board may determine the procedure for the meetings of the Board.

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**Disclosure of interest**

9. (1) A member of the Board who has an interest in a matter for consideration

- (a) shall disclose in writing the nature of that interest and the disclosure shall form part of the record of the consideration of the matter, and
- (b) is disqualified from being present at or participating in the deliberation or determination of the Board in respect of that matter.

(2) A member ceases to be a member of the Board, if that member has an interest in a matter before the Board and

- (a) fails to disclose that interest, and
- (b) is present at or participates in the deliberations of the Board in respect of that matter.

**Non-payment of allowances**

10. Members of the Board shall not be paid allowances.

**Presidential directives**

11. The President may issue directives for the efficient and effective implementation of the objects of the Centre.

*Administrative Provisions*

**Director of the Centre**

12. (1) The President shall, in accordance with article 195 of the Constitution, appoint a Director for the Centre.

(2) The Director shall be a person of proven integrity and shall have the requisite

- (a) qualification in Social Science, Law, Arts or Public Administration; and
- (b) professional experience in international, regional and sub-regional organisations and in the Public Services of Ghana.

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(3) The Director shall hold office on the terms and conditions specified in the letter of appointment.

(4) The Director shall be removed from office for incapacity, malfeasance, incompetence or for other stated reasons.

**Functions of the Director**

13. (1) The Director

(a) is responsible for the day-to-day administration and management of the Centre; and

(b) shall monitor the operational activities of the Centre in response to an early warning received.

(2) The Director may delegate a function to an officer of the Centre but shall not be relieved of the ultimate responsibility for the performance of the delegated function.

(3) The Director is answerable to the Board in the performance of functions under subsection (1).

**Submission of reports**

14. (1) The Director shall submit a monthly report to the Board not later than the second day of each month that immediately follows the month in question.

(2) The Board shall, not later than five days after the receipt of the report referred to in subsection (1), consider and approve the report.

(3) The Board shall direct the Centre to submit the approved report to the Early Warning Directorate of the ECOWAS Commission with a copy of the approved report to the Vice President of the ECOWAS Commission not later than the seventh day of the month that immediately follows the month in question.

(4) The Centre shall submit other timely and relevant reports to the Early Warning Directorate of the ECOWAS Commission.

**Appointment of other staff**

15. The President shall, in accordance with article 195 of the Constitution, appoint staff of the Centre that are necessary for the efficient and effective performance of the functions of the Centre.



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**Secretariat of the Centre**

16. The Centre shall have a secretariat headed by the Director.

*Financial Provisions*

**Budget of the Centre**

17. (1) The Government of Ghana shall provide the budget of the Centre.

(2) The budget of the Centre is part of the budget of the Office of the President.

**Other funds of the Centre**

18. The other funds of the Centre include

- (a) donations, and
- (b) contributions

received from donors and international organisations in accordance with existing enactments.

*Miscellaneous Provisions*

**Co-operation**

19. A public institution or a public institution of a member State of ECOWAS shall cooperate with the Centre.

**Confidentiality**

20. (1) The members of the Board and the staff of the Centre shall take the Oath of Secrecy specified in the Schedule before assuming office.

(2) A person referred to in subsection (1) shall not disclose any information obtained by the Centre.

(3) Despite subsection (2), a person referred to in subsection (1) may disclose information obtained by the Centre to enable the Centre carry out the functions of the Centre.

**Interpretation**

21. In this Act, unless the context otherwise requires,

“Centre” means the National Centre for the Coordination of Early Warning Response Mechanism established in section 1;

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- “civil society organisation” means a non-State organisation, a non-profit organisation or a voluntary organisation that is distinct from the State including a community-based organisation and a non-governmental organisation;
- “Director” means the person appointed under section 12;
- “ECOWAS” means the Economic Community of West African States;
- “emerging crisis” means an early stage or manifestation of an anticipated phase of a conflict, a threat or a disruption in the economic, political or social stability of the West Africa sub-region;
- “local authority” means a group of persons responsible for the governance of a particular area, town or city; and
- “State parastatal” means a company or an agency that is owned or controlled wholly or partially by the State.

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**SCHEDULE**

*(section 20 (1,))*

**OATH OF SECRECY**

I.....  
holding the office of.....  
do (in the name of the Almighty God swear) (solemnly affirm) that I will  
not directly or indirectly communicate or reveal to any person any matter  
which shall be brought under my consideration or shall come to my  
knowledge in the discharge of my official duties except as may be required  
for the discharge of my official duties or as may be specifically permitted  
by law. (So help me God).

*(To be sworn before the President, the Chief Justice or any other person as the  
President may designate.)*

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Date of *Gazette* notification:

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**MEMORANDUM**

The object of the Bill is to establish the National Centre for the Coordination of Early Warning and Response Mechanism to assist the Economic Community of West African States (ECOWAS) Commission in the timely identification of emerging crisis in the West Africa sub-region and the implementation of an improved crisis response mechanism.

The Republic of Ghana ratified the Treaty establishing the Economic Community of West African States (ECOWAS), signed on 28<sup>th</sup> May, 1975 in Lagos and revised on 24<sup>th</sup> July, 1993 in Cotonou. Article 58 (f) of the Revised ECOWAS Treaty (1993) provides for the establishment of a regional peace and security observation system and peacekeeping forces where appropriate.

Chapter IV of the 1999 Protocol (Mechanism for Conflict Prevention, Management, Resolution, Peacekeeping and Security) lays down the framework for the establishment of a sub-regional peace and security system. The Supplementary Act adopting the Strategic Framework for the establishment of National Early Warning and Response Mechanism was signed by the Heads of State and Government in a communique at their 45<sup>th</sup> Ordinary Session held in Accra on 14<sup>th</sup> July, 2014 (Article 51).

A delegation from the ECOWAS Commission conducted an advocacy mission to Ghana from the 11<sup>th</sup> to the 13<sup>th</sup> of March, 2020 on the modalities for the implementation of the National Centre for the Coordination of Early Warning and Response Mechanism in Ghana. The Bill therefore seeks to establish the National Centre for the Coordination of Early Warning and Response Mechanism.

*Clauses 1 to 5* of the Bill deal with matters relating to the establishment of the National Centre for the Coordination of Early Warning and Response Mechanism. *Clause 1* establishes the Centre within the Office of the President. The objects of the Centre are provided for in *clause 2*.

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These are to assist the ECOWAS Commission in the timely identification of emerging crisis in the West Africa sub-region and the implementation of an improved crisis response mechanism.

The functions of the Centre are stated in *clause 3*. To achieve the objects of the Centre, the Centre is required to collect, centralise, and analyse data or information provided by State parastatals, local authorities, civil society organisations, the ECOWAS Regional Early Warning and Response Centre or any other source of information, propose response options following an in-depth analysis of challenges or threats related to human security and collaborate with relevant public institutions in matters related to human security.

*Clause 4* provides for the headquarters of the Centre to be in Accra.

Governance of the Centre is provided for in *clauses 5 to 11*. The governing body of the Centre is provided in *clause 5*. *Clause 6* deals with the functions of the Board which are to oversee the activities of the Centre, approve the work plan and budget of the Centre and perform any other function that is necessary for the attainment of the objects of the Centre.

The standard provisions on the tenure of office of members of the Board, meetings of the Board and disclosure of interest are provided for in *clauses 7, 8 and 9* respectively. *Clause 10* provides that members of the Board are not to be paid allowances. *Clause 11* empowers the President to issue directives for the efficient and effective implementation of the objects of the Centre.

Administrative matters of the Centre are dealt with in *clauses 12 to 16*. *Clause 12* provides for the President to, in accordance with article 195 of the Constitution, appoint a Director for the Centre. The Director is responsible for the day-to-day administration and management of the Centre and is required to monitor the operational activities of the Centre in response to an early warning received, *clause 13*.

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The submission of reports is dealt with in *clause 14*. *Clause 15* provides for the President to, in accordance with article 195 of the Constitution, appoint staff of the Centre that are necessary for the efficient and effective performance of the functions of the Centre. *Clause 16* provides for the secretariat of the Centre to be headed by the Director of the Centre.

*Clauses 17 and 18* deal with financial matters of the Centre. The Government of Ghana is to provide the budget of the Centre which is part of the budget of the Office of the President, *clause 17*. *Clause 18* provides for other funds of the Centre which include donations and contributions received from donors and international organisations in accordance with existing enactments.

*Clauses 19 to 21* deal with miscellaneous provisions. *Clause 19* mandates a public institution or a public institution of a member State of ECOWAS to cooperate with the Centre. *Clause 20* deals with confidentiality. A member of the Board and the staff of the Centre are not to disclose any information obtained by the Centre except to enable the Centre carry out the functions of the Centre. Finally, *clause 21* deals with the interpretation of words and phrases used in the Bill.

**Hon. Shirley Ayorkor Botchwey**  
*Minister responsible for Foreign Affairs  
and Regional Integration*

**Hon. Albert Kan-Dapaah**  
*Minister responsible for National  
Security*

Date: 19th March, 2021.

Date: 25th March, 2021.