

**COMMISSION OF INQUIRY (AYAWASO WEST
WUOGON BY-ELECTION EVENTS)
INSTRUMENT, 2019**

WHEREAS, the President is satisfied that it is in the public interest that there should be appointed a Commission of Inquiry into the events and associated violence that occurred during the Ayawaso West Wuogon by-election held on the 31st day of January 2019;

NOW, THEREFORE, in exercise of the power conferred on the President by paragraph (a) of clause (1) of article 278 of the Constitution, this Instrument is made this 6th day of February, 2019.

Appointment of Commission

1. There is appointed by this Instrument a Commission of Inquiry.

Membership of Commission

2. The membership of the Commission is composed of

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|---------------------------------------|---|-------------|
| (a) Mr. Justice Emile Short | - | Chairperson |
| (b) Prof. Mrs. Henrietta Mensah Bonsu | - | Member |
| (c) Mr. Patrick K. Acheampong | - | Member |

Terms of reference of Commission

3. The terms of reference of the Commission are to

- (a) make a full, faithful and impartial inquiry into the circumstances of, and establish the facts leading to, the events and associated violence that occurred during the Ayawaso West Wuogon by-election held on the 31st day of January 2019;
- (b) identify any person responsible for or who has been involved in the events, associated violence and injuries;
- (c) inquire into any matter, which the Commission considers incidental or reasonably related to the cause of the events and the associated violence and injuries; and
- (d) submit within one month of its inauguration, its report to the President giving reasons for its findings and recommendations, including appropriate sanctions, if any.

*Commission of Inquiry (Ayawaso West Wuogon By-Election
Events) Instrument, 2019*

Mode of operation of the Commission

3. The Commission shall carry out its inquiry in accordance with articles 279, 280 and 281 of the Constitution, the Commissions of Inquiry (Practice and Procedure) Rules, 2010 (C.I. 65) and this Instrument.

Secretary to the Commission

4. (1) There is appointed by this Instrument a Secretary to the Commission, Ernest Kofi Abotsi, former Dean of the Faculty of Law of the Ghana Institute of Management and Public Administration (GIMPA) and a private legal practitioner.

(2) The Secretary to the Commission shall perform the functions that the Commission may direct.

Counsel to the Commission

5. The Attorney-General shall furnish the Commission with Counsel.

Appearance by lawyer

6. (1) A person whose conduct is the subject of inquiry by the Commission or who is implicated in, concerned with, or has a legitimate interest in a matter under investigation by the Commission is entitled to be represented by a lawyer at the inquiry.

(2) The Commission may allow any other person to be represented by a lawyer or any other expert if that person considers it desirable to do so.

Privileges and immunities of witness and lawyer

7. A witness or lawyer appearing before the Commission is entitled to the same privileges and immunities as a witness or lawyer appearing before the High Court.

Expenses in relation to the Commission

8. (1) A witness summoned by the Commission is entitled to allowances that are payable to a witness summoned by the High Court in a criminal trial.

(2) The chairperson and the other members of the Commission and a person employed in relation to the functions of the Commission may be paid travelling, sitting and any other allowances approved by the President on the recommendations of the Minister responsible for Finance.

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Public officers to assist the Commission

9. The Attorney-General shall assign officers to attend on the Commission, to serve summons on witnesses and to perform any other functions related to the work of the Commission and as directed by the Commission.

By Command of the President of the Republic.



DR. MAHAMUDU BAWUMIA
Vice-President of the Republic of Ghana

Date of *Gazette* notification: 6th February, 2019.