

DRAFT REPORT

**MEETING WITH THE
NATIONAL COMMUNICATIONS AUTHORITY (NCA)**

JUNE 8th, 2023
NCA TOWER, AIRPORT CITY, ACCRA

www.ideg.org

1.0 Introduction

IDEG is implementing the SIIE-IR 2023-2025 project, designed by the EU in response to gaps identified by the EU Election Observer Mission during the 2020 general elections in Ghana. Five of the 18 electoral reform recommendations have been prioritized, including the transfer of licensing and sanctioning powers from the NCA to the NMC, creating a single independent media regulatory authority. This recommendation aims at sanitizing the airwaves, particularly during election periods to safeguard the integrity of elections in the country as well as national cohesion. This is priority five of the recommendations.

Having met with a plethora of stakeholders, the project team decided to meet with the NCA since they are a major stakeholder in this recommendation. As such, on 8th June 2023, the leadership of the National Communication Authority (NCA) was consulted to determine their organization's perspective on the feasibility and desirability of the EU's recommendation and any alternative approaches to implementing it.

In attendance from NCA were; Prof. Ezer Osei Yeboah-Boateng (Deputy Director), Olivia Quartey, Nana Dufie Badu, Joseph Mireku, Isaac Boateng, Evelyn Bediakoh-Adu, Sarah Lamptey, Naa Aorkor Asihene, Gloria Boateng and Kwame Gyan. IDEG was also represented by Dr. Emmanuel Akwetey (Executive Director), Kwesi Jonah, Patricia Konadu Kwakye, and Maame Afua Asantewaa Adusei.

2.0 Discussion

2.1 How Desirable is the recommendation of transferring the licensing and sanctioning powers to the National Media Commission (NMC)?

The NCA was displeased with the recommendation and categorically stated that this recommendation was neither feasible nor desirable. The NCA gave three reasons to buttress their stance on the unfeasibility of the recommendation; (1) It is a legal issue as the Constitution mandates the NCA to carry out its duties, (2) It is technical and only the NCA is equipped to undertake the mandate of issuing authorizations and, (3) It is the core mandate and principal source of revenue for the NCA and its staff. The NCA acknowledged the similarity between this recommendation and the old draft of the Broadcasting Bill (BB) which also sought to diminish the authority of the NCA with no regard to technical issues such as frequency administration, also known as spectrum management.

2.2 Are there alternative approaches for implementing this recommendation?

Since the NCA was vehemently opposed to the implementation of priority 5, they provided an alternative for sanitizing the media space to cooperate and converge the duties of the two institutions¹. The NCA also looks forward to collaborating with the NMC ahead of the 2024 general elections. Currently, the NCA has the Broadcasting Monitoring Center (BMC) which monitors 100 TV stations and 75 FM stations across Ghana. The

¹<https://nca.org.gh/2021/06/15/nca-and-nmc-cooperate-to-regulate-media-content/>.

NCA records and reviews the contents of these media spaces and assists the NMC with information in cases of misconduct.

Other members of the discussion proposed a self-regulatory system in lieu of any cogent regulation at the moment. However, it was subsequently established that a self-regulatory regime could never be a long-term solution to sanitize the media space and that the right structures must be put in place to ensure the enforcement of the laws.

2.3. How can we fast-track the Implementation of the BB?

The NCA revealed that there is a new draft of the BB prepared by the Ministry of Information which is an improvement on the current draft and seeks to properly harness the interconnectedness of mandates between the two institutions. The NCA indicated that the 2024 draft of the BB could not pass because of the removal of the NCA's mandate. Instead of creating a rift between the NCA and the NMC, the new draft prepared by the MoI seeks to explore collaboration between the two institutions and that can get the bill passed quicker.

3.0 Closing Remarks and Way Forward

The 2024 general elections have the possibility of being fiercer than past elections. To mitigate any risks and threats that may ensue, the NCA entreats all stakeholders to act accordingly. The NCA hopes to collaborate with the NMC to ensure peaceful elections devoid of inflammatory comments from party 'faithfuls' and politicians alike. NCA sees radio as a tool to educate the public and be made available, plurality of information and public ownership, to cut across all sectors of life that is why there are a lot of radio stations in Ghana. However, the NCA would do whatever it could to aid the NMC to enforce the laws. The NCA proposes that more attention should be given to the social media space as well since it is even more difficult to regulate. The NCA entreated IDEG to engage the media houses and urge them to perform their civic duties by self-regulating. The NCA is prepared to attend a roundtable where all stakeholders convene and discuss strategies to sanitize the media space ahead of the 2024 general elections.