

OUR REF: CHRAJ/2704/2025/108

12TH FEBRUARY, 2026



COMMISSION ON
HUMAN RIGHTS AND
ADMINISTRATIVE JUSTICE
(CHRAJ)

DR. RANSFORD ANERTEY ABBEY
CHIEF EXECUTIVE OFFICER
GHANA COCOA BOARD
COCOA HOUSE
41 KWAME NKRUMAH AVENUE
ACCRA

Dear Sir,

WILBERFORCE ASARE AND DR. RANSFORD ANERTEY ABBEY

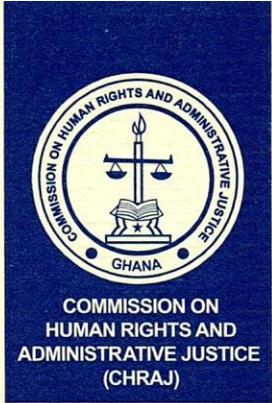
Please find enclosed the Decision of the Commission in the above-titled complaint.

Yours Sincerely,

DANIEL ANANG AFETSI

PRINCIPAL REGISTRAR

For: Commissioner



IN THE MATTER OF THE COMMISSION ON HUMAN RIGHTS AND ADMINISTRATIVE JUSTICE ACT, 1993 (ACT 456)

AND IN THE MATTER OF CHAPTER 24 OF THE 1992 CONSTITUTION
(CASE NO: CHRAJ/HQ/2704/2025)

BETWEEN:

WILBERFORCE ASARE

COMPLAINANT

AND

DR. RANSFORD ANERTEY ABBEY

RESPONDENT

DECISION

1.0 INTRODUCTION

Article 286 of the Constitution provides as follows:

- (1) A person who holds a public office mentioned in clause (5) of this Article shall submit to the Auditor-General a written declaration of all property or assets owned by, or liabilities owed by, him directly or indirectly-**
- (a) within three months after the coming into force of this Constitution or before taking office, as the case may be;**
 - (a) at the end of every four years; and**
 - (b) at the end of his term of office.**

(2) Failure to declare or knowingly making a false declaration shall be a contravention of this Constitution and shall be dealt with in accordance with article 287 of this Constitution.

(5) The public offices to which the provisions of this article apply are those of-

- (a) the President of the Republic;**
- (b) the Vice-President of the Republic;**
- (c) the Speaker, Deputy Speaker and a Member of Parliament;**
- (d) Minister of State or Deputy Minister;**
- (e) Chief Justice, Justice of the Supreme Court of Judicature, Chairman of a Regional Tribunal, the Commissioner for Human Rights and Administrative Justice and his Deputies and all judicial officers;”**
- (f) Ambassador or High Commissioner;**
- (g) Secretary to the Cabinet;**
- (h) Head of Ministry or government department or equivalent office in the Civil service**
- (i) Chairman, managing director, general manager and departmental head of public corporation or company in which the State has a controlling interest; and**
- (j) Such officers in the public service and any other public institution as Parliament may prescribe.**

Article 287, subtitled “**Complaints of Contravention**”, provides that:

(1) An allegation that a public officer has contravened or has not complied with a provision of this Chapter shall be made to the Commissioner for Human Rights and Administrative Justice and, in the case of the Commissioner of Human Rights and Administrative Justice to the Chief Justice who shall, unless the person concerned makes a written admission of the contravention or non-compliance, cause the matter to be investigated.

(2) The Commissioner for Human Rights and Administrative Justice or the Chief Justice as the case may be, may take such action as he considers appropriate in respect of the results of the investigation or admission.

The long title to the **Public Office Holders (Declaration of Assets and Disqualification Act, 1998 (Act 550)** describes it as an Act to provide for the declaration

of assets and liabilities by public office holders in conformity with Chapter 24 of the Constitution.

Section 1 of Act 550 provides as follows:

- (1) A person who holds a public office mentioned in section 3 of this Act shall submit to the Auditor-General a written declaration of-**
 - (a) All properties or assets owned by him; and**
 - (b) All liabilities owed by him; whether directly or indirectly.**
- (2) The declaration shall be made on the form provided in Schedule II to this Act**
- (3) It shall be the responsibility of the officers required to make the declaration under this Act to obtain the forms from the office of the Auditor-General.**
- (4) The declaration shall be made by the public officer-**
 - (a) before taking office;**
 - (b) at the end of every four years; and**
 - (c) at the end of the term of his office and shall in any event be submitted not later than 6 months of the occurrence of any of the events specified in this subsection.**

Section 7 of Act 550 provides that:

An officer required to declare his assets and liabilities under this Act who-

- (a) without reasonable excuse fails to declare; or**
- (d) knowingly makes a false declaration**

contravenes this Part and shall be dealt with in accordance with section 8 of this Act.

Section 8, on Complaints in Respect of Contravention, also provides that:

- (1) An allegation that a public officer has contravened or has not complied with a provision of Part 1 of this Act shall be made to the Commissioner for Human Rights and Administrative Justice and in the case of the Commissioner for Human Rights and Administrative Justice, to the Chief Justice who shall unless the person concerned makes a written admission of the contravention or noncompliance, cause the matter to be investigated.**

(2) The Commissioner for Human Rights and Administrative Justice or the Chief Justice may take such action as he considers appropriate in respect of the investigation or the admission.

Section 7(1) (e) of the Commission on Human Rights and Administrative Justice Act, 1993 (Act 456) also provides that:

The functions of the Commission are

(e) to investigate allegations that a public officer has contravened or has not complied with a provision of Chapter Twenty-four (Code of Conduct for Public Officers) of the Constitution.

2.0 THE ALLEGATION

In his complaint filed on 20/11/2025 the Complainant alleged as follows:

SUBMISSION OF FORMAL COMPLAINT PURSUANT TO SECTION 12 OF ACT 456 AND ARTICLE 287 OF THE CONSTITUTION

I respectfully submit herewith a formal complaint filed under Article 287 of the 1992 Constitution, section 12 of the Commission on Human Rights and Administrative Justice Act, (Act 456). And Regulation 2 of the Commission on Human Rights and Administrative Justice (Investigations Procedure) Regulation, 2010 (C.I 67)

*The complaint concerns serious constitutional and statutory violations arising from the failure or refusal of certain public office holders, comprising board chairpersons and chief executives of several state-owned enterprises, to comply with their mandatory obligations to declare their assets and liabilities under Article 286 of the Constitution and section 1 and 3 of the **Public Office Holders (Declaration of Assets and Disqualification) Act, 1998 (Act 550)**.*

As detailed in the accompanying complaint, these breaches were revealed through a response issued by the Auditor-General to my Right to Information request dated 20 October 2025. Copies of the Auditor-General's correspondence and supporting documentation are also attached for the Commission's ease of reference.

Given the constitutional importance of the asset declaration regime as a safeguard against corruption, abuse of office, and conflict of interest, I respectfully urge the Commission to exercise its mandate under Article 287(1) and (2) to investigate these matters and take appropriate action consistent with law, precedent, and the principles of transparency and accountability that underpin public service in Ghana.

Kindly acknowledge receipt of this complaint. I remain available to provide any additional information or clarification that the Commission may require.

Yours faithfully,

Wilberforce Asare
Complainant

The Complainant attached a list of twelve (12) and two (2) public officials occupying positions as Board Chairpersons and Chief Executive Officers respectively of State Institutions against whom the allegations of non- declaration of assets and liabilities as Public Officers have been specifically made. Among the listed Chief Executive Officers alleged to have breached Article 286 (1) and (2) of the 1992 Constitution and section (1) and (4) of Act 550 is the Respondent herein. Complainant further alleged that a Search conducted at the office of the Auditor-General indicates that the Respondent declared his assets and liabilities in his position as a Policy Advisor to the Vice President but not in his current capacity as the Chief Executive Officer of the Ghana Cocoa Board.

Complainant accordingly invoked the mandate of the Commission under Articles 286 and 287 of the Constitution to:

1. investigate the breaches of Article 286 of the **Constitution and Act 550** by the above-listed public office holders;
2. make a determination on the extent of non-compliance; and
3. apply sanctions in line with Article 287(2) and in particular, apply the Commission's own precedent in **Ghana Integrity Initiative v. Adjenim Boateng Adjei & 9 Others (CHRAJ/297/2019)**, where the Commission disqualified Prof. Douglas Boateng from appointment as Chair or member of any public Board, Council or Commission for a period not less than 2 years, for failing to declare his assets.

3.0 MANDATE OF THE COMMISSION

It is not in doubt that Article 287 supra, on **Complaint of Contravention**, as well as section 8 of Act 550, give the mandate to investigate allegations of non-compliance or contravention of the provisions of Chapter 24 of the Constitution to the Commissioner for Human Rights and Administrative Justice except of course when the Commissioner is to be investigated to the Chief Justice.

The Commission's mandate in respect of allegations of contravention of Chapter 24 of the Constitution has received judicial endorsement by the Supreme Court in *Okudzeto Ablakwa (No.2) & Another v. Attorney-General & Obetsebi-Lamprey (No.2) [2012] 2 SCGLR 845.* The Court, per Brobbey JSC, held as follows:

“Article 287 mandates that complaints under Chapter 24 of the 1992 Constitution are to be investigated exclusively by the Commission for Human Rights and Administrative Justice...”

In addition, the Supreme Court has held in the case of the **Republic vrs High Court (Fast Track Division) Accra, Exparte CHRAJ (Richard Anane, Interested Party) [2007/2008] 1 SCGLR 213**, that complaints made to the Commission under Chapter 24 ought to be made by an identifiable person, who need not be a victim or interested party.

The instant complaint was made by an identifiable Complainant. Also, the office held by the Respondent has been captured under Article 286(5)(i) of the Constitution. Accordingly, the Commission is satisfied that its mandate has been properly invoked by the Complainant.

4.0 RESPONDENT'S COMMENTS ON THE ALLEGATION

As noted above, Article 287, constrains the Commission to investigate allegations under Chapter 24 only after the Respondent has denied the allegations made against him/her. We reproduce Article 287(1) below:

(1) An allegation that a public officer has contravened or has not complied with a provision of this Chapter shall be made to the Commissioner for Human Rights and Administrative Justice and, in the case of the Commissioner of Human Rights and Administrative Justice to the Chief Justice who shall, unless the person concerned makes a written admission of the contravention or non-compliance, cause the matter to be investigated.

It follows therefrom that for the Commission to determine whether the person concerned will admit or deny the allegation against him/her, the Commission has to give the affected person the opportunity to either admit or deny the allegation before proceeding to conduct its investigations, if any. Accordingly, the Commission invited the Respondent to indicate whether he admits or denies the allegations made against him.

In his Comments dated 28 January 2026, the Respondent denied the allegation contained in the complaint. He stated in his comments to the Commission as follows:

“RE: ALLEGATION OF NON-DECLARATION OF ASSETS AND LIABILITIES UNDER ARTICLE 286 OF THE 1992 CONSTITUTION: REQUEST FOR COMMENTS PURSUANT TO ARTICLE 287”

Your letter dated 26th November 2025 on the subject matter above was received on 22nd January 2026.

I have duly declared my assets and liabilities as the Chief Executive of Ghana Cocoa Board. The official Receipt from the Ghana Audit Service confirming same is attached for your perusal.

You can count on my co-operation.

Signed.

DR. RANSFORD A. ABBEY
CHIEF EXECUTIVE

The Respondent attached a photocopy of an Official Receipt No.750020197 from the Ghana Audit Service on the declaration of his assets and liabilities dated 24 March 2025. We have marked this Receipt as **Exhibit RA**.

5.0 ISSUE FOR DETERMINATION

The sole issue for determination is whether the Respondent failed to comply with or contravened Article 286 of the Constitution and section 1 of Act 550 as alleged?

To help us determine the issue, we will answer the following questions:

1. What constitutes noncompliance or contravention of Article 286; and
2. What cases of noncompliance should attract action under Article 287(2) or Section 7 of Act 550

What constitutes noncompliance or contravention of Article 286?

In the Case of **Mensah Thompson v Justice Anin Yeboah**, a case determined by the Commission in 2020, the Commission answered the above question which is pertinent to this case. We find it necessary to highlight the position of the law as applied by the Commission in the above case below.

The main issue for consideration in this case is whether or not the Respondent failed to comply with Article 286 of the Constitution as alleged.

Both Article 286 and Section 7 of Act 550 supra provide us with answers. Article 286 provides that:

(1) A person who holds a public office mentioned in clause (5) of this article shall submit to the Auditor-General a written declaration of all property or assets owned by, or liabilities owed by, him whether directly or indirectly

*(a) within three months after the coming into force of this Constitution or **before taking office**, as the case may be,*

*(b) at **the end of every four years**; and*

(c) at the end of his term of office.

*(2) **Failure to declare or knowingly making false declaration** shall be a contravention of this Constitution and shall be dealt with in accordance with article 287 of this Constitution.*

Section 7 of Act 550 also provides that:

An officer required to declare his assets and liabilities under this Act who—

*(a) **without reasonable excuse** fails to declare; or*

(b) knowingly makes a false declaration contravenes this Part and shall be dealt with in accordance with section 8 of this Act.

The cases of noncompliance will generally fall into two categories:

a) those targeted toward ensuring compliance with the requirement to declare in a timely fashion; and

b) those designed to ensure the authenticity of declarations.

Category (a) cases would include:

- *Late declaration/submission under Section 1(4)(c) i.e. submission made after the grace period of 6 months of the occurrence of any of the events necessitating a submission; and*
- *Outright failure to make declaration or non-submission.*

Any of the above instances may occasion noncompliance or contravention.

What cases of noncompliance should attract action under Article 287(2) or Section 7 of Act 550?

Again, Section 7 of Act 550 provides the answer as follows:

- An officer required to declare his assets and liabilities under this Act who—*
- (a) **without reasonable excuse** fails to declare; or*
 - (b) **knowingly** makes a false declaration contravenes this Part and shall be dealt with in accordance with section 8 of this Act.*

It is obvious from Section 7 that the law anticipated that there may arise situations where a person required to declare his or her assets may fail to do so with reasonable excuse or may make an incomplete or false declaration unknowingly. From the tenor of Section 7 of Act 550 therefore, failure to declare simpliciter may not be enough. For it to contravene the law, the failure must be without reasonable excuse where it relates to failure to declare, and knowingly made in the case of false declaration. Where the failure is not deliberate or outright refusal to comply with the requirement of the law, the Commissioner or the Chief Justice as the case may be may take into consideration the circumstances of that particular case in arriving at the action that would be appropriate in the circumstances.

In the instant case, the Complainant alleges that the Respondent has declared his assets and liabilities but he did so as a Policy Advisor to the Vice President but not in his current capacity as the Chief Executive of the Ghana Cocoa Board. In other words, Respondent has failed to declare his assets and liabilities in his current capacity as the Chief Executive of Ghana Cocoa Board. The allegation in the instant case will thus fall within cases under category (a) above.

6.0 INVESTIGATIONS, EVIDENCE OBTAINED AND ANALYSIS

Following receipt of the complaint, the Commission per letter Ref. No. CHRAJ/2704/2025/343 of 25 November 2025 requested from the Office of the Auditor General Certified True copies of completed Assets and Liabilities Declaration Forms of the Respondent among thirteen (13) others.

In response, the Auditor-General per letter Ref. No. AS/LU/08/25 of 01 December 2025 signed by the Director/Legal forwarded to the Commission a photocopies of Completed Assets and Liabilities Declaration Form of six (6) persons including the Respondent herein. We have marked the letter as Exhibit A and the attachments as Exhibit A1, Exhibit A2, Exhibit A3, Exhibit A4, Exhibit A5 and Exhibit A6 respectively. That of the Respondent is marked as Exhibit A7.

Exhibit A1 is entitled **STATUS OF ASSETS AND LIABILITIES DECLARATIONS BY SOME BOARD CHAIRPERSONS AND CHIEF EXECUTIVE OFFICERS OF STATE INSTITUTIONS AS AT DECEMBER 2, 2025**. It contains information divided into columns with headings as the “**Name, Public Office, Position, Declared, Date, Receipt Number, Relevant Info**”. of all fourteen (14) Respondents. In respect of the Respondent herein, his “Public office” is indicated as Ghana Cocoa Board, the “position” is “CEO/MD”, “Yes” is indicated under the column titled “Declared”, the date of “Declaration is “24/3/25” with receipt “No.750020197”. In terms of relevant information, it is provided as follows: “**Declared as Policy Advisor to the Vice President (Political Affairs)**”. Prima facie, this corroborates the claim by the Complainant that the Respondent declared his assets and liabilities in his position as a Policy Advisor to the Vice President but not in his current capacity as the Chief Executive Officer of the Ghana Cocoa Board.

Exhibit A7 is marked as SECRET and is headed: **DECLARATION OF ASSETS AND LIABILITIES**. Dr. Ransford Anertey Abbey, the Respondent herein, is stated as the Declarant. His present appointment is indicated as Chief Executive, Ghana Cocoa Board. Wahab Abdul Sulemani, a public servant, is stated as the witness to the Declaration. On this Form is the Stamp of the Legal Department of the Audit Service. Under a part subtitled: **FOR OFFICIAL USE**, Josephine A. W Anaab is indicated as the recipient and the date of receipt is **24 March 2025**. This corroborates **Exhibit RA** as to the date of the declaration.

There is therefore a conflict between Exhibit A7 and Exhibit RA on the one hand and that of Exhibit A1 on the other hand as to the capacity in which the Respondent declared his assets and liabilities. We have upon scrutinising these documents in a bid to resolve this conflict realised that Exhibit RA is the receipt issued by the Audit Service itself. Here the position of the Respondent is stated as **Acting Chief Executive**. In Exhibit A7, completed by the Respondent himself, he indicated his position as **Chief Executive Ghana Cocoa Board**. Exhibit A1 which describes the Respondent as “Policy Advisor to the Vice-President” is a form generated by the Audit Service not the Respondent. Clearly, therefore, the benefit of the doubt as to the proper description of the Respondent should operate in favour of the Respondent.

In his letter forwarding Exhibit RA to the Commission Ref. No. CE/280/A/G/V.3/20 dated 28 January 2026, the Respondent indicated “**I have duly declared my assets and liabilities as the Chief Executive of the Ghana Cocoa Board. The official receipt from the Ghana Audit Service confirming same is attached for your perusal**”. In a telephone conversation with the Commission on the 11 March 2026, the Respondent denied emphatically ever being appointed as “**policy advisor to the Vice-President of the Republic of Ghana**”. A cursory search on appointments at the office of the Vice-President, Her Excellency Prof Nana Jane Opoku Agyemang, show that there is no position as policy advisor to the Vice-President.

It is quite obvious from the preponderance of the probabilities that the Respondent declared his assets and liabilities in his position as Chief Executive Officer and not as Policy Advisor to the Vice President. The Commission is of the considered view that the description by the Audit Service of the Respondent as “Policy Advisor to the Vice-President” instead of the position declared by Respondent himself on the Declaration Form and the subsequent reliance on same by the Complainant, as erroneous, misconceived and should be deprecated.

Our investigations further show, per Exhibit A7, that the Respondent was appointed into office as Acting Chief Executive Officer of the Ghana Cocoa Board on **21 January 2025**. That being the case, the declaration by him of his assets and liabilities on the **24 March 2025** was very timely and within the statutory period allowed for declarations under Section 1(4) of Act 550.

7.0 SUMMARY OF KEY FINDINGS

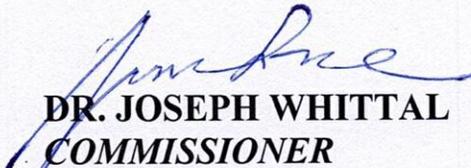
1. The Respondent was appointed into Public Office as Acting Chief Executive Officer of the Ghana Cocoa Board on 21 January 2025.
2. The Respondent was never appointed as Policy Advisor to the Vice-President of the Republic of Ghana.
3. The Respondent declared his Assets and Liabilities with the Office of the Auditor-General on 24 March 2025 as Chief Executive officer of the Ghana Cocoa Board and he did so within three (3) months of his appointment.
4. The Respondent did not breach or violate any constitutional or statutory provision relating to the Asset Declaration Regime.
5. The Respondent has complied with Article 286 of the 1992 Constitution and Act 550 by submitting a completed written declaration of his Assets and Liabilities to the Office of the Auditor-General on 24 March 2025.

8. DECISION

Having found that the Respondent has complied with the Assets Declaration Regime under both Article 286 of the Constitution and Section 7 of Act 550 which require a public office holder mentioned in clause (5) of the Constitution to submit to the Auditor-General a written declaration of all property or assets owned by, or liabilities owed by him whether directly or indirectly, the Commission is of the considered view that the allegation brought against the Respondent wholly lacks merit and same is accordingly dismissed.

The Commission commends the Respondent for the timely submission of his Completed Assets Declaration Form to the Auditor-General and thus complying with the constitutional and statutory obligations on the specified Public Officers.

DATED THIS 12TH DAY OF MARCH 2026 AT COMMISSION ON HUMAN RIGHTS AND ADMINISTRATIVE JUSTICE (CHRAJ), OLD PARLIAMENT HOUSE, JOHN EVANS ATTA MILLS HIGH STREET, ACCRA.


DR. JOSEPH WHITTAL
COMMISSIONER