



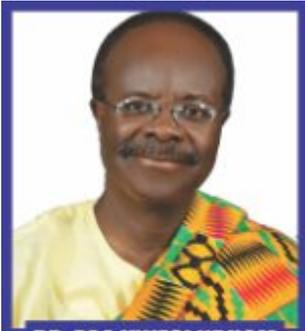
Ghana Integrity Initiative (GII)

Local Chapter of Transparency International

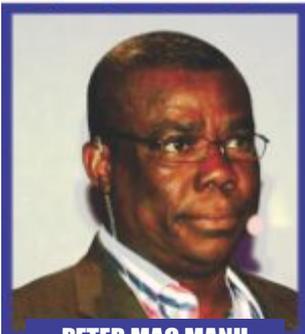
GII Alert

QUARTERLY NEWSLETTER

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DR. PAA KWESI NDUOM



PETER MAC MANU



KADRI ABDUL RAUF

PRESIDENT MAHAMA'S "ACCOUNTING TO THE PEOPLE TOUR"

The unbridled use of state resources placed at the disposal of the President under the 1992 Republican Constitution is mitigated only by the honesty, patriotism and good sense of judgment on the part of the incumbent President, since Parliament which should provide a 'whipping rod' to put the Presidency in check has failed woefully in this direction. Since the onset of the "Fourth Republic", persons occupying the exalted position of the Executive have virtually abused their power of incumbency to raid the state covers to illegally use state resources to prosecute the election campaigns of their presidency and their parties. The result is that immediately after elections, the national coffers are declared depleted.

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EXERCISING EXECUTIVE POWER OR A CASE OF ABUSE OF INCUMBENCY



DEFENCE MINISTER LAUDS GII, OTHERS

STORY ON PAGE 4

REPORT CORRUPTION ON
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UK SUMMIT ON TACKLING CORRUPTION IN LONDON

Ghana's Commitment

The Global Anti-Corruption forum in the UK came to an end on the 12th May, 2016 with the various Head of States who attended the meeting making various country specific commitments. A communique was issued at the end of the forum which commits all the countries who attended the forum to a set of efforts required to fight corruption and make the Sustainable Development Goals a reality. The statements, well intended as they may be, seems too familiar to many of us in Civil Society, who are also fighting corruption and promoting national integrity systems in our respective countries. What we are praying our respective governments do, is to translate the rhetoric into actions. The UK summit though the first of its kind is not necessarily the first multinational commitment towards the reduction or elimination of the incidence of corruption. The list is endless. Mention can be made of the following:

- a. In 2003, the AU signed a Convention on Preventing and Combating Corruption in Maputo.
- b. The United Nation's Convention against Corruption which Ghana ratified in 2007
- c. The Financial Action Task Force (FATF) is an inter-governmental body established in 1989
- d. Inter-Governmental Action Group against Money Laundering in West Africa (GIABA)

The UK summit thus adds to the list of initiatives that has been taken to deal with corruption globally. The UK summit is reenergising the various international efforts and is adding a whole new perspective to the fight against corruption. Amongst the many agreements reached and commitments made by heads of states was the commitment to expose the misuse of companies, other legal entities and legal arrangements, including trusts, to hide the proceeds of corruption and also implement fully the Financial Action Task Force (FATF) Recommendations on Transparency and Beneficial Ownership of Legal Persons and Arrangements.

The President of the Republic of Ghana committed the country to a set of anti-corruption interventions and GII Alert shares them as follows;

1. Appreciation

We express our appreciation to Prime Minister, David Cameron, for inviting Ghana to be part of this Summit, which is very important in moving forward our national anti-corruption agenda as contained in the National Anti-Corruption Action Plan (2015-2024) and the Ghana Shared Growth and Development Agenda (GSGDA II) as well as our commitments under the UN Convention against Corruption (UNCAC) and other international and regional conventions on corruption.

2. Beneficial Ownership

- Ghana is committed to preventing the misuse of companies and legal arrangements to hide the proceeds of corruption and commits to:

- Strengthening further both the Companies Bill and the Petroleum (Exploration and Production) Bill that are currently before Parliament to ensure that we have public beneficial ownership information and central register for all sectors, including oil and gas sector, in line with UNCAC and FATF Recommendations as well as the Extractive Industries Transparency Initiative (EITI) standards that Ghana is implementing;

- Ensuring that accurate and timely company beneficial ownership information, including in the extractives, is available and accessible to the public.

3. Preventing the Facilitation of Corruption

- Ghana is strengthening measures to combat money laundering and countering financing of terrorism, corruption and other predicate offences. Ghana commits to implementing the recommendations contained in the National Risk Assessment Report of Anti-Money Laundering and Countering the Financing of Terrorism (AML/CFT), launched in Accra on 28th April 2016, as soon as the implementation plan is validated.

4. Public Procurement and Fiscal Transparency

- Conduct that could lead to debarment is already a criminal offence under Ghanaian law. Ghana is committed to exploring further options for improving transparency and openness in the area of public contracting and will continue to blacklist and debar service providers and contractors who engage in corrupt and other related misconduct in public procurement.

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EDITORIAL TEAM

Mrs Linda Ofori Kwafo
 Mrs. Mary A. Addah
 Mr. Michael K. Boadi - *Editor*
 Mr. Christopher Tetteh - *Graphics*

The Editorial Team of GII Alert encourages readers to write "Letters to the Editor" on matters they wish to comment on as well as short stories or expert pieces on corruption / good governance. The stories must, however, be relevant to the anti-corruption crusade. Articles should remain brief and straight to the point to increase their chances of being published. The Editor reserves the right to edit such articles to suit the editorial policy of the newsletter and the general mandate of the GII.

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Ghana Integrity Initiative(GII) is the local chapter of Transparency International (TI), the leading non-governmental organisation in the fight against corruption worldwide.

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THE PRESIDENT'S "ACCOUNTING TO THE PEOPLE TOUR" EXERCISING EXECUTIVE POWER OR A CASE OF ABUSE OF INCUMBENCY

CONTD. FROM PAGE 1

The worst situation occurred during the 2012 elections when the economy was left in a state of near collapse and had to resort to the IMF for a bailout.

The election season is here with us again and just as in the past, President Mahama has embarked on what he calls: "Accounting to the People Tour", describing it as a mere official tour of the country to inspect and showcase the many projects undertaken by his government. In his own words, President Mahama states: "I have not started campaigning yet. After the launch of the NDC campaign I will come back and I will be in full political battle dress".

As expected, the opposition thinks otherwise believing that the "tour" amounts to an abuse of incumbency on the part of President Mahama believing that the President is illegally using state resources to campaign. The claim of the opposition parties is supported by the fact that at the functions which have hosted President Mahama, NDC party colours are made to totally take over national colours with podiums on which President Mahama and other dignitaries occupy often taken over by NDC colours virtually crowding out national colours while some state vehicles accompanying President Mahama have been decorated with NDC flags and banners.

Indeed, in the words of Dr. Papa Kwesi Nduom, founder and leader of the PPP, President Mahama's tour is just a campaign trip running on tax payer's money. Peter Mac Manu, the Campaign Manager of the NPP on his part has accused President John Mahama of "abusing incumbency" with his "accounting to the people" tour. Also, the CPP's Kadir Abdul Rauf has described the tour as a funfair and a jamboree aimed at soliciting for votes.

The impression among the citizenry is that this year's election is going to be a make or break one, a mother of all elections surpassing any elections so far held in this country. Tensions are mounting partly fuelled by the uncertainty surrounding the whole electoral calendar and the perceived

intransigent posture of the Electoral Commission by the opposition parties. The unfavourable economic situation has seriously affected funding to state institutions and thereby crippling their operations with rippling effect on other sectors of the economy and the standard of living of the citizens. With high level of unemployment and spiralling cost of living, interest in the coming election among the citizens is unusually high fuelling the tension that is being felt in the country. The unity of the nation is at stake.

GII holds the view that much as an incumbent president has the responsibility to govern the country as per the Directive Principle of State

Policy of the 1992 Republican Constitution, it is incumbent on President Mahama to interpret and implement that Directive to foster national unity and harmony. One critical way of achieving this on the part of the incumbent president is to avoid any act which could be seen as an abuse of the

"President Mahama's tour is just a campaign trip running on tax payer's money."

- DR. PAA KWESI NDUOM

power of incumbency, either perception or real by drawing a clear line between official trips and unofficial trips such as country tours. Periodic trips to the regions of the country by an incumbent president are necessary. However the timing, the organisation and the statements made on such visits should not be carried out to create the perception that they are deliberately planned as campaign visits to canvas for votes or gain unfair advantage over the opposition parties which could be interpreted as an abuse of incumbency.

The use of state resources and properties like cars, planes, employees, etc. at the disposal of an incumbent

president as campaign resources or using state machinery like the security agencies to coerce the opposing parties and individuals or outlawing politically dissenting views or rigging elections through vote buying are all clear cases of abuse of incumbency.

In 2012, GII, Centre for Democratic Development (CDD-Ghana) and Ghana Anti-Corruption Coalition (GACC) developed a manual as well as indicators for measuring what constitutes abuse of incumbency. These indicators include but not limited to abuse of public functions and platforms, access to public facilities, use of state funded projects to solicit for votes etc.

The Ghana Integrity Initiative holds the position that in as far as President Mahama is appealing to his audience to give him a second term in office to continue the projects he is inspecting and inaugurating, so far as the president is campaigning at a state sponsored gathering and so far as his transport to the various regions, the security personnel and accompanying Ministers of State are all state sponsored then the "Accounting to the People" tour is an abuse of incumbency. President John Dramani Mahama has the responsibility to the nation to avoid all acts which can be interpreted as abuse of incumbency, especially, acts which involve the use of state resources for private gain. GII is particularly pleased with the comments of the president calling for a national debate on the issue. We therefore use this platform to encourage all stakeholders in the governance of this great nation of ours to come together to critically assess the issues and come up with clear recommendations to improve fairness and equity in our electoral process.



DEFENCE MINISTER LAUDS GII, OTHERS

Mr Kenneth Adjei, Deputy Minister of Defence addressing the participants at the workshop

Kenneth Gilbert Adjei, Deputy Minister of Defence has praised the Ghana Integrity Initiative (GII), the local chapter of Transparency International for its commitment to democracy and accountability in Ghana.

He has also commended other civil society organizations engaged in the promotion of democracy in the country.

According to him, the Government of Ghana was pleased to see the GII and other civil society groups demonstrating commitment to democracy and accountability.

He said Ghana has a vibrant multi-party democracy, committed to the rule of law with a vibrant civil society, a free press and an active Parliament.

Mr Adjei was speaking at the opening of a day's workshop of Transparency International Leadership on the Defence and Security Sector in Accra on Tuesday.

The workshop brought together former Ministers of Defence and Foreign Affairs, Members of Parliament and the Military and Police High Command.

He said Ghana has had a long and mutually beneficial relationship with GII



TI UK and some members of the Military Command of Ghana Armed Force

in its Defence and Security programmes.

The Deputy Minister recalled that Transparency International's Africa Index was launched recently, in January this year in Accra in recognition of Ghana's commitment to the agenda.

He said among the countries in Africa, Ghana is in the top bracket in-terms of efforts to promote Transparency in the Defence and Security sectors.

Mr Adjei revealed that the government takes the subject very seriously as evidenced by the on-going initiatives to strengthen evaluation and monitoring systems and procedures within the Ghana Armed Forces.

He said the government is pleased that

the workshop will afford an excellent opportunity for the participants to explore further, the ways and means to advance the process and strengthen oversight in the area.

Sir Steward Eldon, Senior Adviser at Transparency International said Ghana's relationship with Transparency International is very valuable and must be strengthened.

He lauded Ghana as one of the countries that does well in the area of transparency and accountability at the highest level, especially in the Defence and Security Sector.

By Melvin Tarlue
Daily Guide - April 28, 2016

UK SUMMIT ON TACKLING CORRUPTION

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In particular, Ghana will:

- Enact a legislative instrument for the effective implementation of the new Public Procurement Act;
- Work towards making government public procurement 'open by default' – beginning with Open Contracting Data Standards for high value contracts and contracts in the oil, gas and mining sector; and,
- Continue to make public, list of blacklisted companies and suppliers.

5. Improving Transparency in Commodity Markets

Ghana, as an oil producing country, welcomes the invitation to partner major trading hubs to explore the scope for a common global reporting framework for oil sales transparency, working in partnership with key producer countries which have suffered from theft of oil revenue through grand corruption. As a first step, Ghana will participate in the inaugural Summit meeting on oil sales

transparency, and the next EITI trading transparency working group meeting.

6. Reporting Corruption

- Ghana is strengthening the necessary legislative and other measures to enhance the capacity of the public/citizens and encourage them to report corruption without fear of victimization, and commits to:
 - Enact the Witness Protection Bill before Parliament;
 - Improve and extend the recently established Citizens complaints Centre in Accra to other regions of the country; and,
 - Enter into agreements for relocation of witnesses and reporting persons as a means of protection of such persons as well as granting asylum to corruption defenders

7. Asset Recovery

- Ghana, as part of the global community, commits to:

- Strengthen further its assets recovery capability, including amending relevant legislation and introducing unexplained wealth orders legislation; and,
- Explore the possibility of expanding the scope of its non-conviction based forfeiture legislation and adopt measures to manage and regulate the administration of frozen, seized or confiscated property.

8. Payment of Compensation to Victim States

- An important aspect of asset recovery is the payment of compensation to victim states as part of court settlement of process. Ghana welcomes the commitment of the Summit to work together to develop common principles governing the payment of compensation to countries affected.

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1,630 GHANAIS MOUNT PRESSURE ON PARLIAMENT

Citizens' groups and individuals organized by the Ghana Integrity Initiative to fight corruption have begun an initiative to get their respective Members of Parliament to commit to ensuring that the Right to Information Bill is passed before the term of the sixth Parliament of the fourth Republic ends. The petitioners are Civil Society Organisations (CSOs) as well as individuals organized and trained by the GII Consortium under the Accountable Democratic Institutions and Systems Strengthening Project. The GII Consortium comprises Ghana Integrity Initiative (GII), Ghana Anti-Corruption Coalition (GACC) and SEND-Ghana.

The petitioners are mounting this pressure through people signing onto a petition to be presented to their respective Members of Parliament, a practice consistent with the incessant calls made by anti-corruption CSOs and the Right to Information (RTI) Coalition over the years. With less than seven months to the general elections, the GII Consortium and Ghanaians are increasingly becoming concerned about the tokenism approach adopted by Parliament with regards to the passage of the RTI Bill into law.

The RTI Bill was first laid before Parliament on February 5, 2010 and public consultation started mid-2011. On December 17, 2014, the Select Committee tabled its report containing the amendments in Parliament. On June 25, 2015, the Attorney General and Minister for Justice, Mrs. Marrieta Brew Appiah-Opong moved the motion for

“.....demanding the passage of the RTI bill”



Hon. Sanja Nanja, Atebubu-Amantin MP receiving the petition from anti-corruption champion

the second reading of the Bill. On June 30, 2015 discussions on the Bill commenced and ended on July 24, 2015 and subsequently the Bill was referred to the consideration stage. On October 27, 2015, Parliament resumed sitting for the last quarter of the year 2015 but unfortunately, the RTI Bill was never considered even though it kept appearing on the agenda of Parliament throughout that session. The March 9, 2016 aborted debate of the Bill is heightening the fears of Ghanaians that the RTI Bill may not be passed before this Parliament elapses as it has

happened over the years.

With the increasing reports of public sector corruption and the shocking revelations contained in the yearly Auditor General's report, citizens can no longer sit aloof waiting for the passage of this important piece of legislation. They have decided to rise and speak out for their representatives in Parliament to listen and act. Therefore with a strong voice backed by the will of the people, the GII Consortium Anti-Corruption Champions working in fifty (50) districts across the ten regions of Ghana, have volunteered to collect signatures to petition their Members of Parliament to consider the Bill and pass it before the November 7 polls.

So far over 1,630 Ghanaians have signed the petition and the number keeps rising daily as the exercise continues until the RTI law is finally passed.

The GII Consortium is confident that the passage of the RTI Bill into law will go a long way to expand the frontiers of the fight against corruption by aiding the effective operationalization of the legal regime for access to public information.



STATE OF THE NATION ADDRESS ON CORRUPTION

A TRADITIONAL TRIBUTE TO A DEAD COURSE OR A GLORIOUS RITUAL TO ATTRACT FLOATING VOTES



President Dramani Mahama in Parliament to present the State of the Nation Address

For the many anti-corruption crusaders in the country, this year's State of the Nation Address which touched on the fight against corruption evoked more questions than the speech provided answer to. The question that many people asked was that, is this not yet another traditional tribute to a dead course or a glorious ritual to win some floating votes?

This SONA has come on the heels of the Transparency International's corruption Perception Index (CPI) which ranked Ghana 56 out of 168 countries with an average score of 47. The 2015 CPI ranking unlike the previous years has been welcomed by the ruling government, especially because the score was an improvement over the 2012/2013 ranking but fell behind 2014 score of 48.

The government's excitement

which was manifested in the Minister of Communication's statement patted themselves at the back and said, it is an indication that government efforts at fighting corruption is yielding fruits. What the Minister of Communication did not realize was that Ghana's position improved not because of government efforts but because individuals like Anas Aremeyaw Anas and Manesseh Awuni and Civil Society groupings worked hard to expose official corruption.

Therefore, when President John Mahama said in the State of the Nation Address that, *"Mr. Speaker, We have tackled corruption with determination and fortitude in an effort to stamp out systemic indiscipline in the fabric of public and social service. We have refused to bury our heads in the sand like the ostrich or to adopt a defensive posture. The indifference of the past has*

given way to a refreshing blast of sunlight, a proven potent and enduring disinfectant for the canker. This firm position and commitment has heightened public hope and confidence that the fight against corruption is winnable", the question rang up again, is the President paying lip service to the nation or is he undertaking a routine exercise which will amount to nothing?

Why it sounded routine was that, the 2016 SONA on the National Anti-Corruption Action Plan (NACAP) was a direct repetition of the 2015 SONA. Both addresses alluded to the adoption of the NACAP by Parliament in July 2014 and the establishment of a High Level Implementation Committee. What the Ghanaian was expecting from the 2016 SONA was how far the state had gone with the implementation of the NACAP?

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A TRADITIONAL TRIBUTE TO A DEAD COURSE OR A GLORIOUS RITUAL TO ATTRACT FLOATING VOTES

A simple statement that “*progress has been made with the implementation of NACAP*” a year down the road is not good enough, indeed if it were the case, then the 116 Metro Mass Transit Buses Branding scandal should not have happened.

The President contended also in the SONA that he has made extraneous effort to expose, investigate and deal with matters of corruption and that his efforts is rather giving an erroneous impression that corruption is more pervasive now than before. What the President did not tell Ghanaians is what he meant by “dealing with matters of corruption”. Is asking persons found to have fraudulently taken state resources as in the case of the Buses Rebranding to refund such monies what the President meant by dealing with corruption or the theatrical handling of the Woyome judgment debt refund?

The President's believe that his efforts at fighting corruption is what has made people to believe that corruption is pervasive now than ever before cannot be right as all the corruption cases that have made the headline in the last 7 years happened under his watch – Woyome and other Judgment debt Scandals, SUBAH Info Solutions, SADA, GYEEDA, License Office,

AMERI, National Service Scheme payroll saga, the Bus Rebranding scandal and the list goes on. So therefore, it is either his effort leaves much to be desired or they are simply selective and far in between what is needed to control corruption in Ghana.

The 2016 SONA also made mention of instituting the National Integrity Awards Programme. Ghana Integrity Initiative (GII) does not share this view. Integrity is a value or a quality innate in people or learned by people. It is not a behavior to be stimulated. The problem with corruption in Ghana has gone beyond appealing to people's conscience.

A people of integrity require leadership of truth and honesty, accountable and transparent. With the right legal framework, economic conditions and the political will to control corruption, Ghana will then progress towards the elimination of corruption. The country's anti-corruption laws must not only be seen to be respected but indeed offenders must be punished to serve as a deterrent to others and not this selective administration of sanctions. Some anti-corruption laws in Ghana are:

1. Section 239 of the Criminal

- Offences Act, 1960 (Act 29)
2. Financial Administration Act, 2003 (Act 654),
3. The Public Procurement Act, 2003 (Act 663)
4. The Internal Audit Agency Act, 2003 (Act 658)
5. The Whistleblowers Act, 2006 (Act 720).

In addition to the above, the Ghana Integrity Initiative is interested in seeing the passage of the various anti-corruption bills the President alluded to in the SONA, (the Conduct of Public Officers Bill, the Right to Information Bill and the Whistleblower (Amendment) Bill). It is not comforting enough when the SONA fell short of given timelines by which Ghanaians will see these important pieces of legislations passed. Also, Ghanaians would have been more grateful if the SONA had told them when the Witness Protection Bill will be sent to Parliament. The Ghana Integrity Initiative is of the view that if the war on corruption is to be won then all governments must show a lot more commitment to the fight against corruption rather than the selective and current phlegmatic attitude to the crusade.

SUMMIT ON TACKLING CORRUPTION IN LONDON 12 MAY 2016

CONTD. FROM PAGE 4

• 9. International Sport

Ghana commits to work with International Sports Bodies and other key stakeholders to build a strong partnership to support the International Sports Bodies' efforts to deliver reform and to underpin the wider fight to eliminate corruption in sport.

10. Tax Transparency

Ghana has signed unto the Addis Tax Initiative as well as the Common Reporting Standard Initiative and commits to strengthen partnerships with other countries to lift bank secrecy, curb tax avoidance by companies registered in offshore tax havens.

11. Promoting Integrity in our Institutions

Integrity is one of the fundamental principles of Ghanaian society and a

cornerstone of our democratic dispensation. As part of efforts to promote integrity in our institutions, Ghana welcomes partnerships that will enable Anti-Corruption Agencies (ACAs) and other institutions in its public sector to learn and exchange information. On that score, Ghana welcomes the establishment of the Commonwealth Africa Anti-Corruption Centre in Botswana.

12. Innovation

• Corruption has the proclivity to mimic scientific innovation. Ghana is committed to enhancing transparency, the ability of citizens to report corruption and the use of innovative means to fight corruption. Ghana will therefore:

- Play an active role in the Anti-Corruption Innovation Hub with a view to improving information management

to combat corruption; and,

- Consider taking part in the People Powered Anti Corruption Programme.

Conclusion

The fight against corruption can succeed if countries cooperate effectively to tackle it, but it is important to bear in mind that no “one size fits all” solution is possible. We reiterate Ghana's commitment to the fight against corruption. Ghana therefore endorses the high level goals of the Summit as they generally align to the country's own strategy to combat corruption.



ABUSE OF INCUMBENCY AND ELECTORAL CORRUPTION PROJECT

The Facts

As part of Ghana Integrity Initiative (GII), Ghana Anti-Corruption Coalition (GACC), Centre for Democratic Development (CDD) and Citizens Movement Against Corruption (CMaC) contribution to ensuring a free, fair, transparent and peaceful election, a project called 'Abuse of Incumbency and Electoral Corruption' has been launched to promote a more level political playing field by tracking and reporting the various abuses of incumbency and electoral corruption during the 2016 election of Ghana. The project is funded by STAR Ghana and will be implemented in some selected constituencies across the country with incumbent MPs contesting the 2016 elections.

In 2012, Ghana Integrity Initiative developed a manual and indicators for measuring what constitutes abuse of incumbency. These indicators include but not limited to abuse of public functions and platforms, access to public facilities, use of state funded projects to solicit for votes etc. It is the aim of the 2016 project to build on the lessons learned. The GII Consortium by this medium wish to share the project details with all their stakeholders:



Partners	Ghana Integrity Initiative (lead organisation) Ghana Anti-Corruption Coalition (GACC), Centre for Democratic Development (CDD) and Citizens Movement Against Corruption (CMaC)
Project Title	Promoting a More Level Political Playing Field: Reducing Abuse of Incumbency and Electoral Corruption in Ghana
Objectives	<ol style="list-style-type: none"> To reduce incidences of abuse of incumbency and electoral corruption and thereby create a level playing field in the 2016 Elections To advocate for the enforcement of laws pertaining to regulating abuse of incumbency and electoral corruption
Strategic Approach	<p>The project will adopt the following strategic approach:</p> <ul style="list-style-type: none"> Promote stakeholder involvement and participation in the monitoring of abuse of incumbency and electoral corruption in the 2016 election Undertake public education on what constitute abuse of incumbency and the indicators for monitoring abuse of incumbency and electoral corruption. Monitor, collect and share information/evidence on abuse of incumbency and electoral corruption to ensure fairness and the integrity of the 2016 election.
Selected Constituencies	The project is been implemented nationwide within 15 selected constituencies where there are sitting MPs who contesting for re-election in the 2016 elections. We also selected the constituencies based on various historical antecedence and then we also purposively selected three constituencies to monitor progress made since the 2012 elections.
Project Targets	<ul style="list-style-type: none"> The President Sitting members of Parliament who are re-contesting (whether in opposition or in the ruling party) Government and Public Officials, Ministers and Deputy Ministers, Metropolitan Municipal District Chief Executives (MMDCEs) who are contesting the parliamentary seat in constituencies within their districts Citizens, media and other stakeholders
Expected results	<ol style="list-style-type: none"> Increased understanding on Abuse of Incumbency and Electoral Corruption A reduction in the number of reported incidents of the Abuse of Incumbency and Electoral Corruption during the 2016 election and subsequent elections in Ghana. Generate recommendations for policy proposals
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Executive Director at the African Centre for Parliamentary Affairs, Dr. Rashid Dramani

RAISING THE ACCOUNTABILITY BAR:

GII CONSORTIUM TRAINS CITIZENS TO FIGHT CORRUPTION

“Corruption is something that we talk about. It is something that we complain about. It is something whose negative impact we recognize. It is something that even the corrupt acknowledge it's a bad thing. But the irony and the tragedy at once is that those who engage in corruption love it. The tragedy at once is that those of us who do not engage in it directly accommodate it. Our level of tolerance for corruption in Africa is amazing. Long time ago, a great Greek philosopher said that it is in the nature of man to hang the small thieves and to elect the great ones into public office” – (Prof. Patrick L.O. Lumumba Kenya, 2015)

The GII Consortium comprising of Ghana Integrity Initiative (GII), Ghana Anti-Corruption Coalition (GACC) and Send-Ghana has organised a 3 day zonal training workshop to strengthen the capacities of CSOs and individuals to engage Parliament, using ICT and social media as a tool. The training workshop took place simultaneously in Kumasi, Cape Coast and Tamale on the 15th to 17th March, 2016. The training covered

using ICT to engage fight Corruption, Effective Parliamentary Lobbying and Advocacy and The role of Parliament in the fight against Corruption.

This training has become necessary this time due to the increasing perception that corruption in Ghana is on the rise. The media these days are flooded with cases of alleged corruption, the Auditor General's yearly reports and reports of the Public Accounts Committee of the Parliament of Ghana is also full of identified incidence of misappropriations of state funds by public officials.

It is true though that since independence, corruption has been a major development challenge for Ghana which has informed the implementation of several measures, aimed at reducing corruption and its effect on our people.

However in this last decade, the cases of alleged corruption seem to be increasing. The USAID funded project *Accountable Democratic Institutions and Systems Strengthening (ADISS)* is an initiative that have been developed to

contribute to the many other Civil Society and national effort aimed at fighting corruption.

At the national level, some of the legislations that have been passed in recent time to fight corruption include the Whistle Blower Act 2006 (Act 720), Financial Administration Act 2003 (Act 654) and the Public Procurement Act 2003, (Act 663). A number of oversight and accountability institutions have also been established. A National Anti-Corruption Action Plan (NACAP) has been drawn and a High Level Implementation Committee commissioned.

While it is tempting to think Ghana has made significant progress towards winning the fight against corruption, especially in the light of the various anti-corruption legislations passed and initiatives taken, however, the adequacy and effectiveness of these anti-corruption laws, key institutions and interventions like the NACAP is still yet to be felt as corrupt practices continue to plague our country.

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The Global Forum for Asset Recovery will bring together governments and law enforcement agencies to discuss returning assets to Nigeria, Ukraine, Sri Lanka and Tunisia.

The meeting will be held in the US next year, co-hosted with the UK, and supported by the UN and the World Bank. David Cameron made the announcement at a global anti-corruption summit in London on Thursday, May 12, 2016

It was being hailed as the first of its kind, bringing together governments, business and other organisations. However, it was overshadowed by controversy after it emerged that Mr Cameron had described Nigeria and Afghanistan as "fantastically corrupt", while meeting the Queen and the Archbishop of Canterbury to brief them of the summit.

Nigeria's President Buhari made no reference to the comments while sitting next to Mr Cameron at the opening of the conference. The Nigerian leader said the international community must come up with ways of getting rid of safe havens and ensuring a better return of assets.

"When it comes to tackling corruption the international community has looked the other way for far too long," he said.

Property crackdown

There have been concerns recently that the UK, particularly London, had become a place where rich foreigners could buy properties but hide their true ownership.

Mr Cameron said that to stop that happening, foreign firms which own property in the UK must declare their assets in a public register.

Downing Street said Mr Cameron's plans would include those who already owned UK property as well as those seeking to buy it.

It said the register would mean "corrupt individuals and countries will no longer be able to move, launder and hide illicit funds through London's property market, and will not benefit from our public funds".

It said foreign companies owned about 100,000 properties in England and Wales and that more than 44,000 of these were in London.

Five other countries including



ANTI-CORRUPTION SUMMIT LAUNCHES GLOBAL PLAN TO RECOVER STOLEN ASSETS

France, Kenya, the Netherlands, Nigeria and Afghanistan have also pledged to launch public registers of true company ownership. Australia, New Zealand, Jordan, Indonesia, Ireland and Georgia announced initial steps towards similar arrangements.

Organisations such as the World Bank, Organisation for Economic Co-operation and Development (OECD) and the International Monetary Fund (IMF) also attended the summit.

But critics say the UK's overseas territories and Crown dependencies also need to be more transparent.

Tax havens

Tax havens with UK links, including Bermuda and the Cayman Islands were represented, but the British Virgin Islands was not at the summit. Neither was FIFA, football's governing body, which is at the centre of a large bribery scandal.

The British Virgin Islands has not yet signed up to the automatic sharing of its register, but the Prime Minister defended Britain's overseas territories saying they had come a long way.

Jersey, the Cayman Islands, Bermuda, Anguilla and the Isle of Man have agreed to join a group of several dozen nations that share their registers with one another.

Alan Bell, the Chief Minister of the Isle of Man, which is a Crown dependency, said progress could not be

made unless the US did more and tackled its own tax havens such as the state of Delaware.

Mr Kerry said this month President Obama's administration had announced a set of financial regulations designed to force companies to disclose more information about their owners.

Analysis: Abdullahi Kaura Abubakar, BBC Africa, Abuja

Rampant and widespread corruption has denied the majority of Nigerians the basic things of life, even though the country is Africa's biggest oil producer.

Many cannot afford three square meals a day, let alone send their children to school. This has put them in such a desperate situation that they are easily lured into violence for the promise of a few dollars.

Many Nigerians suffering from extreme poverty find solace in religion and are at the mercy of religious leaders or teachers who manipulate them for selfish reasons.

In the case of Islamist militant group Boko Haram, their leaders are quite knowledgeable and relatively wealthy but the followers are very poor and at the mercy of such leaders.

Furthermore, the fight against Boko Haram was hampered in recent years when \$15bn meant for the

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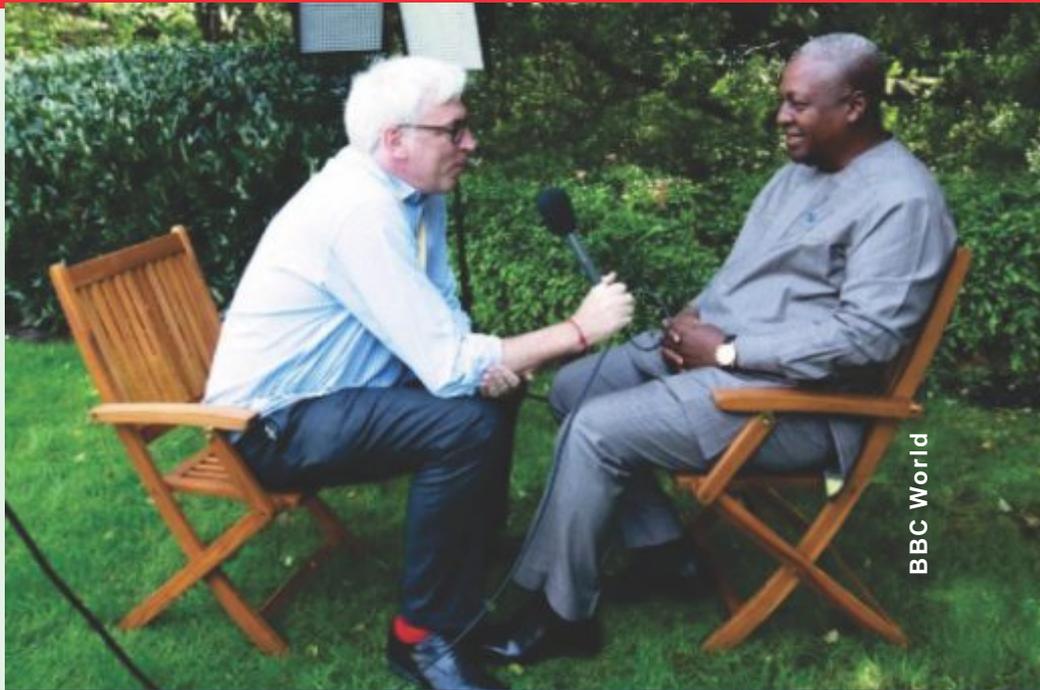
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purchase of arms to fight the insurgents was allegedly stolen by corrupt officials.

There are also plans for a new anti-corruption co-ordination centre in London and a wider corporate offence for executives who fail to prevent fraud or money laundering inside their companies.

Mr Cameron said they were looking for greater transparency and were introducing a code of conduct for professionals such as accountants, solicitors and estate agents who enabled corruption, either knowingly or unknowingly.

He wanted to see how assets could be recovered, with legislation being introduced in 21 additional countries.



BBC World

President Dramani Mahamabeing interviewed at the Anti-Corruption summit in the UK

RAISING THE ACCOUNTABILITY BAR:

GII CONSORTIUM TRAINS CITIZENS TO FIGHT CORRUPTION

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It is obvious therefore that the implementation and enforcement of Ghana's anti-corruption legislations have inherent challenges that are militating against the country achieving the expected outcomes i.e. elimination of corruption. Some identified setbacks include, the capacity deficits along the advocacy chain. There are capacity challenges among Civil Society and Local Development Actors to identify corruption, provide evidence to support the suspected corruption and follow through the various processes required to deliver concrete anti-corruption results.

The fight against corruption therefore requires a renewed, innovative and coordinated effort by all Governments, CSOs and every well-meaning Ghanaian to control corruption in our country.

The **ADISS Project** is therefore one of such renewed efforts aimed at building upon on-going initiatives and also

increasing the capacities of anti-corruption CSOs to engage on policy makers and state institutions.

The ADISS project is a four year (September 2014 – September 2018), USAID funded project which required that CSOs formed a Consortium and so Ghana Integrity Initiative (GII), SEND Ghana and Ghana Anti-Corruption Coalition (GACC) responded and formed the GII Consortium. The project is being implemented within fifty (50) districts across the ten regions of the country. The ADISS project forms part of a wider USAID project, Strengthened Responsive Governance.

As part of the ADISS Project deliverables, the GII Consortium will strengthen the capacity of civil society to engage with Parliament to press home the need to pass the anti-corruption bills before the term of the current Parliament expires. These bills are:

- a. The Right to Information Bill
- b. Whistleblower (Amendment) Bill
- c. The Conduct of Public Officers Bill

The GII Consortium also proposed the amendment of Sections 239-261 of the Criminal Offences Act, 1960 (Act 29) to include a minimum threshold to the punishment regime for hitherto misdemeanour corruption offences to 20 years without an option of a fine plus recovery by up to five times the value of the proceeds of the crime. This proposed stiffer punishment will mean culprits will no longer have to go to jail and come out to enjoy the proceeds of their crime

Also, Section 88 (1-6) of the Constitution needs to be amended to decouple the office of the Attorney General from the Minister of Justice. This amendment is necessary because since the Attorney General (under the current dispensation) is also a Minister of Justice and therefore a member of government, it will be difficult to do his work independent of government interference.

CORRUPTION AND THE COST OF EDUCATION IN GHANA



Plenary session at the Transparency, Accountability for Higher Quality Education Forum

In today's competitive world education has become a basic necessity for man just like food, clothing, and shelter. Education promotes good habits, values and creates awareness of the effects of corruption and other social vices on our daily lives. The relevance of education is even evident from today's technological world. Education is the only fundamental way by which a desired change and development in our society can be realized.

Unfortunately the current penetration of corruption in the Education sector continues to distort access to quality education delivery in Ghana and has the potential of preventing us from reaching the Sustainable Development Goals (SDGs). As part of efforts to help eliminate this canker, the Ghana Integrity initiative (GII) continues to promote awareness on the negative effects of corruption as well as advocate for behavioral change and strong reporting mechanisms in all its

activities. In this regard, GII in collaboration with the Transparency International Secretariat (TI-S) is implementing a project called the Transparency and Accountability for High Quality Education in West Africa in Ghana. This project seeks to build transparency and accountability into the Ghanaian education system.

As part of the activities under the project, GII held a one day workshop on the development of Stakeholder and Political Will Analysis on 4th May, 2016 at Sunlodge Hotel in Accra. The workshop was well attended by representatives of Civil Society organizations, District Education Directorate and PTA/SMC representatives from selected schools of the six project districts, Ghana Education Service (GES), Ministry of Education and the media. The workshop brought together a total of 41 participants comprising 26 males and 15 females.

The workshop was very fruitful and interactive as it adopted a participants centered approach to learning. Group discussions were mainly to keep



A cross section of Participants at the Transparency, Accountability for Higher Education Forum

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Wisdom
is knowing the right path to take...

Integrity
is taking it




Corruption is worse than prostitution. The latter might endanger the morals of an individual, the former invariably endangers the morals of the entire country.

(Karl Kraus)

izquotes.com



CORRUPTION QUOTES

“Choose a leader who will invest in building bridges, not walls. Books, not weapons. Morality, not corruption. Intellectualism and wisdom, not ignorance. Stability, not fear and terror. Peace, not chaos. Love, not hate. Convergence, not segregation. Tolerance, not discrimination. Fairness, not hypocrisy. Substance, not superficiality. Character, not immaturity. Transparency, not secrecy. Justice, not lawlessness. Environmental improvement and preservation, not destruction. Truth, not lies.”

— Suzy Kassem, Rise Up and Salute the Sun: The Writings of Suzy Kassem



Corruption and the cost of Education in Ghana

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participants very much involved and active throughout the workshop. The event was facilitated by Professor Seidu Al-hassan, the Pro-Vice Chancellor of University of Development Studies in Tamale.

At the workshop, participants were taken through the project concept and highlights of corruption risks identified in an initial study conducted. The workshop provided a platform for dialogue, harnessing of relevant information on corruption in Ghanaian education and built synergies with stakeholders and institutions concerned for the successful implementation of the project.

In a welcome address the Executive Director of GII, Mrs. Linda Ofori-Kwafo indicated that corruption posed a negative effect on the quality of

education in the country and stressed on the fact that recent reported cases of corrupt practices in education was a wake-up call to all Ghanaians to take urgent action to nip in the bud incidences of examination malpractices in the country's academic institutions. She lamented the fact that corrupt practices is adding to the cost of education and making education a commodity sold to the highest bidder and not a right to be enjoyed by all. The Executive Director urged all stakeholders to come on board and help make the education sector of Ghana more accountable, transparent and free of corruption.

Among the issues discussed at the workshop were; the cumbersome command hierarchy in education which breed red-tapeism in decision making, Lack of broad base involvement in processes of resource allocation and

utilization, unavailability of teaching and learning materials in schools, poor security for administering examinations, weak accounting and monitoring systems, payment of bribes by parents to gain favors for their wards, illegal charges by school authorities, teacher absenteeism which tends to reduce classroom contact hours unduly, ignorance on the part of community members and local institutions among several others.

There were commitments and pledges from participants to support the project and contribute their quota to a successful implementation of activities of the project. The participants however admitted that the workshop was very fruitful and agreed on the importance of engaging regularly with key stakeholders to achieve needed results for the transparency and accountability in Ghana's education system.

PUT SOME GERMAN ATTITUDE IN YOUR OFFICE

Jacob Tetteh Ahuno-Programmes Officer

When we reflect on history with particular reference to Germany, what easily comes to mind are WWII and Hitler. But what many people don't realize is that Germany is the industrial powerhouse of Europe. We don't hear about the superiority of German engineering and German soccer on our televisions for nothing!

I have been planning on writing this article since I returned from Germany, and I am so glad that I finally have the opportunity to share some of the things I learnt and observed about the Germans and productivity. I was in Germany from 23rd – 27th November, 2015 for the Data Analysis workshop on the Transparency International “Land and Corruption Project”.

In 2012, Germany the economic engine of the European Union (EU), single-handedly saved the Eurozone from collapse. At the same time, German workers enjoy unparalleled worker protections and shorter working hours than most of their global counterparts. So I asked myself, how can a country that works an average of 35 hours per week maintain such a high level of productivity? The answers, I have captured under the following headings:

Working Hours Mean Working Hours
In German business culture, when an employee is at work, they should not be doing anything other than their work. Facebook, office gossip with co-workers, tweeting for hours, and pulling up a fake spread sheet when your boss walks by are socially unacceptable behaviours. Obviously, in Ghana these behaviours are frowned upon by management. But in Germany, there is zero tolerance among peers for such frivolous activities. Whatever an employee does during working hours must have a link to the task given.

Goal-Oriented and Direct Communication Is Valued

German business culture is one of intense

focus and direct communication. While Ghanaians tend to value small talk and maintaining an upbeat atmosphere, Germans rarely beat around the bush. German workers will directly speak to a manager about performance reviews, launch into a business meeting without any 'icebreakers', and use commanding language without softening the directives with polite phrases. For example, whereas a Ghanaian would say, “It would be great if you could get this to me in three (3) hours,” a German would say, “I need this in three (3) hours”. This was very evident during the workshop where the facilitators would give a command like “you have 15 minutes start work”, “you have 3 minutes to stop”. “Stop!!! Participant from Kenya, can you tell us what you have”. This means that when a German is at work, they are focused and diligent, which in turn leads to higher productivity in a shorter period of time.

Germans Have a Life outside Work

Germans work hard and play hard. Since the working day is focused on delivering efficient productivity, the off hours are truly off hours. Because of the focused atmosphere and formal environment of German businesses, employees don't necessarily hang out together after work. Germans generally value a separation between private life and working life.

The German government is currently considering a ban on work-related emails after 6pm, to counter the accessibility that smartphones and constant connectivity give employers to their employees. Can you imagine President Mahama enacting such a policy in Ghana?

To occupy their plentiful leisure, most Germans are involved in Verein (clubs); regularly meeting others with shared interests in their community. Common interests in Germany include Sportvereine (sports clubs), Musikvereine (music clubs), Wandervereine (hiking clubs) and Tierzuchtvereine (animal breeding clubs-generally rabbits/pigeons) just to mention a few. Rather than settling in for a night of TV after work, most Germans socialize with others in their community and cultivate a communal spirit. Most Ghanaians do otherwise. They will rather stay indoors with the family or alone watching TV. This creates the need to socialise at work rather than after work because workers only see and chat with others outside their families at work.

Business as Respect Parenthood
Germany's system of Elternteilzeit
 (“parent time” or parental leave) will be

the stuff of fantasy for most working Ghanaians. The United States does not currently have laws requiring maternity leave, while Germany has some of the most extensive parental protection policies in the developed world. The downside of these maternity leave benefits is that employers may avoid hiring women (with the fear that they will take advantage of the extensive benefits), although the government is working to eradicate this trend. The financial benefits of staying home (from both Elternteilzeit and Elterngeld or parents' money programs) are often too good to pass up for German mothers, and can lead to stagnant or non-existent careers.

Since “at will” employment does not exist in Germany, all employees have contracts with their employer. Parents who have been gainfully employed for the previous 12 months are eligible for Elternteilzeit benefits, which include up to three years of unpaid leave with a “sleeping” contract. The employee is eligible to work part-time up to 30 hours while on leave, and must be offered full-time employment at the conclusion of the parental leave. Parents may also choose to postpone up to one year of their leave until the child's 8th birthday. One of the parents is eligible for parental leave, and many couples make the choice based on financial considerations.

In addition to the preservation of the employee's contract, the state will pay up 67% of the employee's salary (with a cap of 1,800.00 Euros per month) for 14 months. Parents may split the 14 months in any way they choose. These benefits apply equally to same-sex couples.

Put Some German Attitude in Your Office

The German work culture is very different from the Ghanaian office, but there are certainly lessons to be learned from our German counterparts. The diligent focus Germans bring to their working life is to be admired. Separating work from play can help us lead a more balanced life; putting the phone down after working hours gives us a mental break from stressing about work, and we can return to the office refreshed in the morning. When it's time to get something done, closing Facebook and turning off push notifications helps keep our minds quiet and the flow steady. Direct conversation can lead to increased efficiency, and more clarity of communication among team members. Ghanaians often equate longer hours with increased production and superior work ethic, but examining the German model makes one wonder: “When it comes to time at work, may be less time is really more!”

WHY SET UP A SHELL COMPANY IN PANAMA?

By [Robert J. Burrowes](#)

Daylesford, Australia, May 12 2016 (IPS)-

A previously little-known law firm called Mossack Fonseca, based in Panama, has recently been exposed as one of the world's major creators of 'shell companies', that is, corporate structures that can be used to hide the ownership of assets. This can be done legally but shell companies of this nature are widely used for illegal purposes such as tax evasion and money laundering of proceeds from criminal activity.

Despite widespread awareness of offshore tax havens in many countries around the world, governments have never acted in a concerted manner to halt these illicit financial flows.

Why? In essence, because wealthy elites are heavily involved in using these mechanisms to isolate their wealth from the usual scrutiny to which the rest of us are subjected precisely so that they can evade tax. And governments do as these controlling elites instruct them.

There is an important reason why wealthy individuals want to maximise their wealth and evade contributing to any country that gave them the opportunity to make this wealth. You might think that you know this reason too: greed.

However, greed is a simplistic explanation that fails to explain, psychologically, why an individual might be greedy. So let me explain it now.

Individuals who engage in dysfunctional behaviours, ranging from accumulating excess wealth to inflicting violence, do so because they are very frightened that one or more of their vital needs will not be met. In virtually all cases, the needs that the individual fears will not be met are emotional ones, particularly including the needs for listening, understanding and love.

So, bizarre though it might seem, the dysfunctional behaviour is simply a (dysfunctional) attempt to have these needs met.

Unfortunately, the individual who compulsively accumulates wealth and/or hides money in a shell company is never

aware of their deep emotional needs and of the functional ways of having these needs met which, admittedly, is not easy to do given that listening, understanding and love are not readily available from others who have themselves been denied these needs.

Moreover, because the individual is unconscious of their emotional needs, the individual (particularly one who lives in a materialist culture) often projects that the need they want met is, in fact, a material need.

This projection occurs because children who are crying, angry or frightened are often scared into not expressing their feelings and offered material items – such as a toy or food – to distract them instead.

Because their emotional responses to events in their life are not heard and addressed, the distractive items become addictive drugs. This is why most violence and 'business' involving illicit financial flows is overtly directed at gaining control of material, rather than emotional, resources.

The material resource becomes a dysfunctional and quite inadequate replacement for satisfaction of the emotional need.

And, because the material resource cannot 'work' to meet an emotional need, the individual is most likely to keep using direct and/or structural violence to gain control of more material resources in an unconscious and utterly futile attempt to meet unidentified emotional needs.

This is the reason why individuals using the services of Mossack Fonseca seek material wealth and are willing to take advantage of tax evasion structures beyond legal scrutiny.

They are certainly wealthy in the material sense; unfortunately, they are emotional voids and each of them justly deserves the appellation 'poor little rich boy' (or girl).

If they were emotionally healthy, their conscience, their compassion, their empathy, their sympathy and, indeed, their love would compel them to not hide their wealth and, in fact, to disperse it in ways that would alleviate world poverty (which

starves to death 100,000 people in Africa, Asia and Central/South America each day) and nurture restoration of the ancient, just and ecologically sustainable economy.

Of course, it is not just those who use tax havens to evade their social responsibilities or, more generally, those billionaires and millionaires of the corporate elite who have suffered this emotional destruction.

Those intellectuals in universities and think tanks who accept payment to 'justify' the worldwide system of violence and exploitation, those politicians, bureaucrats and ordinary business people who accept payment to manage it, those judges and lawyers who accept payment to act as its legal (but immoral) guardians, those media editors and journalists who accept payment to obscure the truth, as well as the many middle and working class people who perform other roles to defend it (such as those in the military, police and prison systems, as well as many school teachers), are either emotionally void or just too frightened to resist violence and exploitation.

Of course, it takes courage to resist violence and exploitation. But underlying courage is a sense of responsibility towards one's fellows and the future.

As an extension of the above point, governments that use military violence to gain control of material resources are simply governments composed of many individuals with this dysfunctionality, which is very common in industrialized countries that promote materialism.

Thus, cultures that unconsciously allow and encourage this dysfunctional projection (that an emotional need is met by material acquisition) are the most violent both domestically and internationally. This also explains why industrialized (material) countries use military violence to maintain political and economic structures that allow ongoing exploitation of non-industrialized countries in Africa, Asia and Central/South America.



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