

BRIEF STATEMENT ON STATE OF CORRUPTION IN GHANA BY MS. LAURETTA VIVIAN LAMPTEY, COMMISSIONER, COMMISSION ON HUMAN RIGHTS AND ADMINISTRATIVE JUSTICE (CHRAJ) ON THE OCCASION OF THE 8TH ANNIVERSARY CELEBRATIONS OF THE INTERNATIONAL ANTI-CORRUPTION DAY, AT THE OLD PARLIAMENT HOUSE, HIGH STREET, ACCRA, ON FRIDAY, 9TH DECEMBER 2011

Members of the Diplomatic Corps

Ministers of State

Honourable Members of Parliament

Colleague Heads of Anti-Corruption Agencies

Members of the Ghana Anti-Corruption Coalition

Network of NGOs

Directors and staff of the Commission

Distinguished Invited Guests

Distinguished Media Personnel

Ladies and Gentlemen

INTRODUCTORY REMARKS

By UN Resolution No. 58/4, dated October 31, 2003, the 9th of December was declared an International Anti-Corruption Day, to be observed by the international community each year to create awareness about the evils of corruption and to enlist public support in combating corruption.

It is my pleasure, once again, to present to you a brief statement on the state of corruption in Ghana in 2011 on the occasion of the 8th Anniversary Celebrations of the International Anti-Corruption Day, which is under the theme: *“ACT – Against Corruption Today”*.

This year’s celebration seeks to encourage the active participation of all sections of the society in addressing the root causes of corruption as well as strengthening the capability of state institutions to combat corruption.

Distinguished Ladies and Gentlemen, I do not intend to bore you with statistics about level or extent of corruption in the country in 2011. Exactly a year ago, the Commission drew to the following:

1. That a Send Foundation Report on the National Health Insurance Scheme had revealed a number of abuses of the Scheme including cheating in various ways, over-invoicing by some service providers, fraud, irrational prescriptions by health professionals, and impersonation.
2. A World Bank Report also indicated that absenteeism of lecturers/teachers in public educational institutions and schools, absenteeism of doctors in public health facilities, diversion of medicaments/drugs from public facilities for sale in private pharmacies/stores, dilution of subsidized fertilizer before it reaches farmers, posed a challenge in the development of the country
3. How huge leakage of resources in the provision health care in Ghana was undermining health care delivery

4. A Revenue Watch Index –Transparency study disclosed weak transparency in our extractive industries placing us in the category of countries with “*Scant Revenue Transparency*”, alongside Tanzania, Algeria, Democratic Republic of Congo, Equatorial Guinea, Saudi Arabia, Kuwait and Turkmenistan.

This year, the Auditor-General’s report on the Public Accounts for the year ended December 31, 2010, revealed that a total of GH¢173,174,541 went down the drain as a result of financial irregularities in the country’s public accounting system.

At the beginning of 2011, we read or heard of the report of Anas Aremeyaw Anas, whose covert investigations revealed serious corrupt practices at the Tema Harbour, which led to the loss of huge sums of money to the state.

Last week Transparency International released its Corruption Perception Index (CPI). Ghana scored 3.9. points to occupy 69 out of 183 countries worldwide, which is below the mark of 4.1 point that the country scored in 2010. This score sends us back to the scores of 2009 and 2008.

Just this morning, the Ghana Integrity Initiative released a corruption perception study it conducted in the country. The evidence of corruption in the country is there, despite that some of them are “perceptions”. Nothing has changed much since 2010. Therefore, unlike last year, the Commission’s statement on the state of corruption in Ghana in 2011 focuses more on the measures we undertook in the year to combat corruption.

WHAT MEASURES WERE UNDERTAKEN?

The country responded to the various forms of corruption in diverse ways, including enhancing the legal framework, development of an Anti-Corruption Action Plan, building integrity as well as undertaking preventive, educational and enforcement measures to combat corruption.

Anti-Corruption Legal Framework

In the year a few legislative instruments were laid before Parliament. These include:

- The Anti-Money Laundering Regulations, 2011 (L.I.1987);
- Fees and Charges (Amendment) Instrument, 2011 (L.I. 1986);
- Internal Audit Regulations, 2010 (L.I. 1966), and
- Audit Service Regulations, 2011 (C.I. 70)

Yet to be laid are the Public Officers (Code of Conduct) Bill, the Whistleblower (Amendment) Bill and Freedom of Information Bill.

Development of a National Anti-Corruption Plan:

The development of the National Anti-Corruption Action Plan (NACAP), which begun in 2010 was concluded and preparations are being made for its presentation to Parliament for adoption.

I shall return to NACAP later in my Statement but suffice it to state that the NACAP offers a framework for effectively mobilizing broad public support and resources for anti-corruption activities in a focused and sustained fashioned.

Second National Conference on Integrity

As part of measures to promote integrity the Second National Conference on Integrity (the Conference) was held in October 2011. It was under the theme: “building a robust ethics infrastructure to promote integrity in Ghana.”

The conference attracted about 200 participants drawn from key accountability institutions in Ghana, office of the president, parliament of Ghana, ministries, departments and agencies, private sector, and delegation from Malaysia Anti-Corruption Commission, Sierra Leone Anti-Corruption Commission and the Directorate on corruption and Economic Crime, Botswana.

The conference, among others, sought to increase understanding of the role of integrity in good governance, develop practical strategies to consolidate measures and initiatives during the last conference in 1998 and to build a stronger national integrity system.

The conference also provided the forum that stimulated ideas, fostered collaboration between the pillars of integrity in Ghana and international partners and anti-corruption agencies. Finally the conference validated the national Anti -corruption action plan.

A communiqué issued at the end of the conference drew Government’s attention to the following:

1. that government adequately resource CHRAJ as the independent anti-corruption institution to effectively discharge its anticorruption mandate;

2. that the Attorney-General and Minister for Justice sees to the enactment of the Public Officers (Code of Conduct) Bill, the Whistleblower (Amendment) Bill and the preparation of legislation on witness protection;
3. that Attorney-General and Minister for Justice should consider amending the Criminal Offences Act, 1960 (Act 29) to widen the definition of corruption in conformity with the United Nations Convention Against Corruption and the Africa Union Convention on Preventing and Combating Corruption and Related Offences
4. that the assets declaration regime for public officers be made more robust and that the declarations be verifiable and be subject to public scrutiny;
5. that children and the youth be introduced to ethics and integrity education and training to imbibe the culture of integrity before their moral values are corrupted, and
6. take steps to ensure the de-politicisation of corruption and crime.

Dissemination of the Code of Conduct for Public Officers

The dissemination of the Code of Conduct for Public Officers continued throughout the country including workshops, seminars, community outreach programmes and multi-media programmes in the Districts.

The Commission acknowledges the initiatives of the Statistical Service of Ghana and the Gomoa West District Assembly in providing training on the Code of Conduct for Public officers to their staff.

Engagement with the Youth and Students

To inculcate integrity in the younger generation, a number of anti-corruption activities were organised for the youth and students by either the Commission or its partners, members of the GACC. The activities included:

1. A Human Rights and Integrity Camp for selected secondary students, where they were taught human rights, corruption and integrity.
2. Several Human Rights and Integrity Clubs were organised across the country.
3. Patrons of Human Rights and Integrity Clubs underwent some training in Ho in the Volta Region.
4. The GACC organised training for youth groups in the country to create awareness about the need for credible and corruption free elections.

The Commission and the Advocacy & Legal Advice Centre (ALAC) of the Ghana Integrity Initiative (GII) continued to organise community outreach programmes on corruption for a number of communities in the regions. The activities sought to raise the awareness of the communities about corruption and to empower the citizenry to report corruption to the appropriate agencies.

The media also continued to report on corruption allegations throughout the year, thus putting corruption issues in the public domain. Of particular significance is the work of Anas Arimeyaw Anas of the New Crusading Guide, whose investigations revealed serious corrupt practices at the Tema Harbour.

Other measures

Other measures were undertaken including strengthening the Economic and Organised Crime Office (EOCO)¹, reforming in the Revenue and security agencies² as well as signing unto and extending the Extractive Industries Initiative (EITI) to the oil and Gas sector.

The EITI process, a voluntary initiative, supports improved governance through the verification and full publication of company payments and government revenues from oil, gas, and mining.

MAJOR ISSUES FOR ATTENTION

Despite measures implemented over the period, corruption remains one of the most serious crimes in the country. The effectiveness of the measures were hampered by the following factors:

- over-politicisation of corruption and crime;
- Weak coordination and collaboration among anti-corruption agencies;
- High tolerance for corruption and Public cynicism and apathy toward the fight against corruption;

¹ "Corruption: Government Disappointed" In: The Ghanaian Times, Tuesday, December 6, 2011

² *ibid*

- Under-resourced anti-corruption agencies and independent governance institutions;
- Abuse of incumbency;
- Excessive bureaucracy;
- Weak enforcement of legislation;
- Weak assets declaration regime;
- Ethical Leadership

Inadequate Resources

In terms of resources, the Commission notes that the 2012 budget allocated to Anti-Corruption Agencies has been enhanced generally. The Commission`s allocation increased by 49% points, the allocation to the Ministry of Interior increased by 53% points, Attorney General`s Department increased by 41% points, Audit Service increased by 29% points and Parliament`s allocation was increased by 65% points.

CONCLUSION AND RECOMMENDATIONS

Legatum Prosperity Index

Distinguished Guests, Ladies and Gentlemen, before I conclude I would like to inform you that despite the state of affairs Ghanaians are said to be happy and prosperous people.

According to the Legatum Prosperity Index, which defines prosperity as wealth and wellbeing, finds that most prosperous nations in the world are not necessarily those that have a high GDP, but also those that have happy, healthy and free citizens.

The 2011 Index which assessed 110 countries based on 89 different variables, each of which has a demonstrated effect on economic growth and personal wellbeing, revealed that of the 110 countries, Ghana ranked 78 worldwide and 3rd in Sub-Saharan Africa as a country which performed creditably well in governance and personal freedoms and the 20th worldwide with respect to public confidence in national government despite high perception of corruption.

What this Index tells us is that if we had put more efforts in the fight against corruption, we would witness more economic growth and prosperity and wellbeing.

Distinguished Ladies and Gentlemen, I have tried to present to you an overview of corruption in the year 2011 and how the country responded to it. Corruption has found a niche in public life and in the lives of many Ghanaians to the extent that it can be described as a way of life rather than a fact of life. Such a situation is unacceptable. Ghana deserves better. We are encouraged that Government is “disappointed” about the country’s score of 39 on the CPI, but it should end there. We expect Government to lead the way as envisaged under the National Anti-Corruption Action Plan to take the fight to corruption and win.

WAY FORWARD

Implementation of NACAP

The nature and extent of corruption in the country requires an approach that combines prevention, education and with deterrent measures. It must involve all, government, public, state institutions and all other stakeholders.

In other words, we need to tackle corruption holistically. That is why NACAP is very significant.

The NACAP is a key strategic response to the lack of holistic approach to combating corruption in Ghana, issue of poor coordination and institutional weaknesses.

The development of the NACAP has taken account of the challenges, limitations and shortcomings that characterized previous measures. It integrates anti-corruption measures into the programs and activities of all public sector organizations, particularly MDAs and MMDAs, and key actors in the private sector. It targets the private sector and embraces the activities of state and non-state actors

NACAP has the aim of contextualising and mobilising efforts and resources of stakeholders, including Government, individuals, civil society, private sector and the media, to prevent and fight corruption through the promotion of high ethics and integrity and the vigorous enforcement of applicable laws.

Political Will

NACAP will achieve its objectives if all of us do not only condemn or denounce corruption but demonstrate a credible intent to fighting it. This can be manifested in several ways, including the following:

1. The state makes substantial investment in the implementation of anti-corruption measures;

2. Politicians, public servants, ordinary members of the public, should resolve to engage in concrete acts of resistance to the menace of corruption;
3. We ensure that state institutions and the private sector have credible internal policies to deal with corruption, such as establishing internal mechanisms for reporting corruption and related misconduct, conducting corruption risks assessments and sealing corruption opportunities in the organisations, and acting expeditiously on allegations of corruption in the organisations.

We have turned blind eye too often to corruption. We have encouraged corrupt practices to gain political advantage with impunity. We have paid lip service for far too long. It is time to act decisively. *“ACT – Against Corruption Today”*.

Thank you all for coming and wish you Merry Christmas and Happy New year in advance.