

REMARKS

BY

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HON. ATTORNEY-GENERAL & MINISTER FOR JUSTICE
OF THE REPUBLIC OF GHANA

AT

OPENING CEREMONY OF THE COMMONWEALTH REGIONAL
CONFERENCE OF HEADS OF ANTI-CORRUPTION AGENCIES IN
AFRICA

Monday, 6th May, 2024,

9 am.

Kempinski Hotel,

Accra.

HIS EXCELLENCY NANA ADDO DANKWA AKUFO-ADDO,
PRESIDENT OF THE REPUBLIC OF GHANA,

MINISTERS OF STATE,

DEPUTY ATTORNEY-GENERAL, ALFRED TUAH YEBOAH,

THE EXECUTIVE DIRECTOR, ECONOMIC AND ORGANISED
CRIME OFFICE – OUR HOSTESS,

DISITNGUISHED HEADS OF ANTI-CORRUPTION AGENCIES IN
COMMONWEALTH AFRICA HEREIN PRESENT,

MEMBERS OF THE DIPLOMATIC COMMUNITY,

FRIENDS OF THE MEDIA,

LADIES AND GENTLEMEN.

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May I convey my felicitations to the Executive Director of Ghana's Economic and Organised Crime Office (EOCO) for the excellent preparations made for this Conference. EOCO, mandated to by law monitor, prevent, investigate, prosecute and recover proceeds of economic and organized crime, is a key agency of state in the anti-corruption efforts of our country.

Over the course of the week, distinguished guests, I hope you will enjoy your stay in the beautiful city of Accra, capital of Ghana, the Black Star of Africa. Ghana has been the beacon of the quest for democracy, good governance and generally, the rule of law in

Africa. Socio-culturally, Accra has a vibrant and riveting life, which I am sure you will take time to explore in the period of your stay. The EOCO Executive Director has the full brief and run down of all the fascinating places around town and I am sure she will introduce you to same. You can trust in the warm hospitality of the Ghanaian people.

This forum has literally brought under one roof those at the helm of the prevention and reduction of corruption in African countries part of the Commonwealth – those charged with curbing abuse to the financial system, and whose voices and actions matter, in the establishment of values that prevent and mitigate the consequences of economic crime and misconduct. The matters to be discussed, no doubt, are of immense importance to our respective countries.

Distinguished guests, the effects of corruption are felt not only nationally but globally. Resulting in a plunder of national resources, corruption causes injustice in society through the handing of advantage to some, at the expense of others and stunts the development of the nation. It is perpetrated by all - government officials, businesses, civil society, the media, public servants, religious organisations and the so-called ordinary man. The deployment of sophisticated schemes to circumvent procedures and facilitate the commission of crime and other kinds of improper conduct contribute to the perpetuation of corruption in societies.

I find the array of matters that can be captured under the theme chosen for this conference – **Strengthening Institutions in Promoting Transparency: A means of fighting Corruption in Commonwealth Africa** – crucial to the fight against corruption. Transparency, in my respectful view, is the bedrock of integrity and the eradication of corruption. Thus, operating with the clear understanding that the haven for economic crimes is an atmosphere conducive to its concealment, and that, access to information remains a vital tool in the elimination of economic crimes, the Government of President Nana Akufo-Addo in 2019, spearheaded the passage of the **Right to information Act 2019 (Act 989)**. The Act provides for the implementation of the constitutional right to information held by a public institution, to foster a culture of transparency and accountability in public affairs, subject to a few exemptions allowed by the law and which

are necessary and consistent with the protection of the public interest in a democratic environment.

There cannot be any doubt about the cruciality of access to information in the promotion of transparency and public accountability. I have observed an increased utilisation of the **Right to Information Act** by Ghanaian citizens since its enactment, to access information from public officers. The torch of transparency has really been lit to shine the actions of public institutions and officials in Ghana. Accountability is indeed the winner.

The Government of Ghana has boosted the whistleblower regime by promoting an amendment in 2023 to the **Whistleblower Act, 2006 (Act 720)**. This amendment passed in July, 2023, introduces a reward system for whistleblowers by ensuring that thirty percent of all revenue accruing from cases conducted on the strength of a whistleblower's activity is paid into the Fund, and 10% of the income directly generated by the whistleblower's efforts is paid to the whistleblower.

As a person vested with the authority to initiate and conduct prosecutions of criminal offences in the Republic, I have come to understand that any serious endeavour to fight economic crimes must be firmly rooted in the establishment of systems for its deterrence, undertaking of smooth investigations where same occur and a sound vehicle for prosecution and punishment in a fair and efficient manner. I recognise that Ghana's effort to tackle corruption since the inception of President Akufo-Addo's Government in 2017, embraces an understanding of the way corruption works. This is manifested in the establishment of systems for deterrence, a boost of the means of detection, an undertaking of rapid investigations and the establishment of a sound vehicle for prosecution and punishment in a fair and just manner.

In this regard, the Government has pursued arguably, some of the boldest initiatives in the nation's history to reform the public sector and strengthen the capacity of institutions to tackle corruption. An example is the very innovative establishment of the Office of the Special Prosecutor through an Act of Parliament, as a body clothed

with full independence both in law and in fact, to carry out investigations and prosecution of corruption and corruption-related offences in the public sector.

Other pieces of anti-corruption legislation passed in recent times, which are part of the raft of measures instituted to create a strong system for deterrence and elimination of corruption, include:

- i.* **Revenue Administration (Amendment) Act, 2020 (Act 1029),**
- ii.* **Fiscal Responsibility Act, 2018 (Act 982),**
- iii.* **State Interests and Governance Authority Act, 2019 (Act 990),**
- iv.* **Anti-Money Laundering Act, 2020 (Act 1044),**
- v.* **Corporate Restructuring and Insolvency Act, 2020 (Act 1015),**
- vi.* **Companies Act, 2019 (Act 992),**
- vii.* **Narcotics Control Commission Act, 2020 (Act 1019)** and
- viii.* **Real Estate Agency Act, 2020 (Act 1047).**

Corruption sometimes involves existence of situations taken advantage of by persons entrusted with public power to inflict severe financial hardships on the State. In order to curb the inimical tendency on the part of public officers to enter into contracts with high rates of interest especially compound interest which result in huge judgment debt and financial loss to the State, the Office of Attorney-General in July, 2023 successfully sponsored an amendment to the Contracts Act, 1960 (Act 25) to prohibit the payment of compound interest by the State in transactions entered into on her behalf by public officers. The law, the **Contracts (Amendment) Act, 2023 (Act 1114)**, prohibits public officers from entering into a contract on behalf of the State in which the rate of interest is stipulated as compound interest.

Ghana has in recent times, embarked on a deliberate policy of digitalisation of the Ghanaian environment as a vital tool for enhancing transparency and efficiency in the public sector. Policies like a robust National Identification System, Digital Property Address System, Paperless Port Systems, E-Justice

Systems, Pensions and Insurance data and a digitized Land Title Registry have in their focus the attainment of accountability and efficiency in the public space. A digitised environment ultimately helps to eliminate and prevent corruption in various institutions and agencies. Important institutions of state like the Passport Office, Ports and Harbours, Office of the Registrar of Companies, National Health Insurance Service and the Driver Vehicle and Licensing Authority, which hitherto were fertile grounds for corrupt activity, have been remarkably transformed. The introduction of the Ghana.Gov platform, making it possible for services to be accessed and payment made online by card without the conduit of middlemen, has significantly reduced the risk of public sector corruption through embezzlement.

Distinguished guests, the fight against corruption also requires honesty and integrity in the disclosure of results. There must be the avoidance of sensationalism by all involved – investigative bodies, civil society, and the public. It augurs well for the fight if the results of corruption allegations against public officers, particularly senior members of government, which are investigated and refuted or unsubstantiated, are fully put out by investigative bodies. Thus, investigative bodies must be honest and bold enough to disclose to the public the full results of investigations into allegations of corruption against members of government which turn out to be untrue. This is one sure way to boost the confidence of the public in their government and will reduce the suspicions, distrust and cynicism with which the public views office holders. After all, it is a truism that, not every public office holder is corrupt. Investigative authorities must discard the view that the only way to remain relevant is by keeping the flame of allegations of corruptions against public office holders burning, even if same, to their knowledge are unfounded and in fact, baseless.

Distinguished guests, your presence here is a reminder of the value of collaboration amongst us on the international plane. Our survival as a global community depends on the continuous trust reposed in anti-corruption institutions. The development of our economies and the global financial system are at risk from exploiters of weaknesses in the system to perpetrate financially motivated crime. However, through a coordinated effort, based on mutual cooperation between criminal justice partners and the

private sector worldwide, we can conquer wrongdoers and opportunists.

Criminals exploit differences between countries to further their objectives, enrich their organisations, expand their power, and avoid detection or apprehension. The need for states to cooperate in combating the threat of economic crimes is, therefore, more than imperative. When those who have been entrusted with authority to ensure that right procedures are followed derelict on same, the trust and confidence of the people are abused.

We need to punish corruption and other forms of economic crime through a fair, honest and efficient justice system. As I have said before, the efficiency of a nation's justice system is tested particularly by the speed and efficiency with which cases seeking to hold high-profile members of society to account as well as top financial crimes, are conducted.

I wish you a fruitful week as we listen to the rich insight of distinguished and accomplished speakers from around the world gathered here.

Thank you. God bless us all!!!

GODFRED YEBOAH DAME
**ATTORNEY-GENERAL AND
MINISTER FOR JUSTICE**
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