

**STATEMENT BY GHANA DELIVERED BY HON. GODFRED YEBOAH DAME, ATTORNEY-GENERAL AND MINISTER FOR JUSTICE AT THE 10<sup>TH</sup> CONFERENCE OF THE STATES PARTIES TO THE UNITED NATIONS CONVENTION AGAINST CORRUPTION (UNCAC) FROM 11 TO 15 DECEMBER 2023 AT THE WORLD CONGRESS CENTRE, ATLANTA, UNITED STATES OF AMERICA (USA)**

**Mr. President, Excellencies, Distinguished Delegates, Ladies and Gentlemen.**

Ghana would like to convey its gratitude to the Secretariat for the excellent preparations made for this Conference, and to the Government and people of the United States of America for their hospitality.

Sharm El Sheik put in perspective the areas that required strengthening in the fight against corruption and reaffirmed the fact that no one nation, however strong its anti-corruption strategies may be, can win the fight against corruption all by herself. It is in this spirit that Ghana participates in this Conference to share experiences with other nations and realign our strategies to emerging trends in the anti-corruption fight.

Since 2014 when Ghana adopted a National Anti-Corruption Action Plan (NACAP), our anti-corruption effort has been relatively better coordinated and systematic resulting in significant progress. The 10-year Strategic Plan will lapse next year, and I am happy to announce that the Government of Ghana is in the process of developing a new strategic framework for fighting corruption, NACAP 2, which will be in place by the first quarter of 2025. This will be shared with the Conference, when we meet again in two years.

**Prevention**

Mr. President,

Ghana recognises the centrality of access to information in the creation of accountability and integrity in society and ultimately the elimination of

corruption. Thus, underlying the Digitalisation Agenda of the Government, which comprises a robust National Identification System, Digital Property Address System, Paperless Port Systems, E-Justice Systems, Pensions and Insurance data, a digitized Land Registry and Mobile Money Interoperability System, is the overarching objective to enhance transparency, accountability and efficiency in the public sector. A digitised environment ultimately helps to eliminate and prevent corruption in various institutions and agencies. In this regard, it is pertinent to note that institutions like the Passport Office, Ports and Harbours Authority, Registrar-General's Department, National Health Insurance Service, Driver Vehicle and Licensing Authority, which hitherto were fertile grounds for corrupt activity, has been transformed considerably.

We continue to create awareness about the evils of corruption and build the capacity of Regulatory Bodies, Accountable Institutions, Revenue Agencies, the Judiciary, Law Enforcement Agencies, Lawyers, Accountants, Real Estate, Car Dealers, Dealers in Precious Minerals, and other relevant stakeholders to support the fight against Money Laundering, Terrorist Financing, Corruption and other Financial Crimes.

The Electronic Case Distribution System (ECDS) of the Judicial Service has been extended to cover superior and circuit courts. In addition, Ghana has introduced integrated Criminal Justice Case Tracking System (CTS) to enable key actors in the justice delivery system to electronically access and track the various stages of criminal cases from the point of arrest, investigation, prosecution, conviction, rehabilitation and release.

Ghana is in the process of laying down a set of far-reaching and a more fit for purpose set of regulations for the conduct of public officers. A draft **Conduct of Public Officers Law** has undergone multiple stakeholder consultations with a number of public sector organisations, civil society and other interest groups and has been presented to Cabinet by the Attorney-General, as part of

the process for its passage by Parliament. When passed into law, the Conduct of Public Officers Law will address issues like financial portfolios held by public officers before assuming public office, links to family business, improper enrichment, care of public property, professional practices, property, self-dealing, partiality in the performance of duties, sexual harassment, abuse of women and use of public or confidential information to further private interest.

The law will provide a gamut of stringent administrative measures and sanctions to deal with violations of the law, ranging from a bar against holding public office for limited periods (up to for ever), to penal measures.

### **Criminalisation and Law Enforcement**

Mr. President, the control of corruption requires the establishment of a system backed by legislation which not only deters the perpetration of the act but also punishes effectively through an honest, fair and efficient justice system. With this understanding, Ghana has enacted the following legislation to deal with corruption:

- a. Enactment of a new Companies Act, 2019 (Act 992), which introduces a variety of measures to verify information provided by companies to the Registrar of Companies and also ensures that there is a declaration of beneficial ownership by all who are registered as owners of companies. The phenomenon of the creation of shell companies and opaque financial systems, that provide an opportunity for the laundering and concealment of illicit wealth, is being drastically reduced.
- b. Passage of the Witness Protection Act, 2018 (Act 975) to protect persons who assist law enforcement agencies by disclosing information on acts of impropriety.

- c. An amendment of the **Whistleblower Act** a few months ago in July, 2023, which introduces a reward system for whistleblowers by which 10% of the income directly generated by a whistleblower's efforts is paid to the whistleblower.
- d. Establishment of the Office of the Special Prosecutor under the Office of the Special Prosecutor Act, 2017 (Act 959) to investigate and prosecute corruption, bribery and related criminal cases. This was a significant legislative reform to give impetus to the fight against corruption, as it resulted in a delegation of the prosecutorial powers of the Attorney-General in the area of corruption and corruption-related offences to an independent body.
- e. Transparency banishes corruption. Thus, recognizing that the haven for economic crimes is an atmosphere conducive to its concealment, and that, access to information is a vital tool in the elimination of corruption, the Government of Ghana in 2019, ensured the passage of the **Right to information Act 2019 (Act 989)**. The Act fosters a culture of accountability in public affairs as it enables all to be able to access information held by any public institution, subject to a few exemptions necessary and consistent with the protection of the public interest in a democratic society. Accountability is indeed the winner.

Other laws the passage of which have immeasurably boosted the capacity of the State in the fight against corruption are the:

**Revenue Administration (Amendment) Act, 2020 (Act 1029),**

**Fiscal Responsibility Act, 2018 (Act 982),**

**State Interests and Governance Authority Act, 2019 (Act 990),**

**Anti-Money Laundering Act, 2020 (Act 1044),**

**Corporate Restructuring and Insolvency Act, 2020 (Act 1015),**

**Narcotics Control Commission Act, 2020 (Act 1019)**

**The Public Financial Management Act, 2016 (Act 921) and**

**Real Estate Agency Act, 2020 (Act 1047).**

Mr. President, allow me at this point to clarify Ghana's position regarding the vote on NGO participation in the work of COSP. Ghana, in principle, supports the participation of NGOs in the work of intergovernmental organizations, including COSP. However, Ghana's preference has always been for the participation of NGOs in the States Parties -driven process to be determined by consensus and not through voting as voting on the issue of NGO participation in our work is likely to undermine our common and shared responsibility for the implementation of the UNCAC. Ghana's vote should, therefore, not be construed as a position against the participation of NGOs in the work of COSP. It is against the process.

### **International Co-Operation and Technical Assistance**

Mr. President, Ghana continues to enjoy the support of the UNODC on key thematic areas related to the implementation of the UNCAC.

In 2021, the Commission on Human Rights and Administrative Justice (CHRAJ) and the Ghana Statistical Service (GSS) received technical assistance from the UNODC to conduct the first actual corruption survey on people's experiences in Ghana with a sample size of 15000 Respondents from across the entire country. One unique feature of the Survey was the finding that in Ghana women are less susceptible to corruption than their male counterparts and that corruption disproportionately affects women more than men. Even though male public officials are twice more likely to solicit bribes than their female counterpart.

Among others, Ghana has introduced gender-oriented policies that seek to protect women and girls from forms of corruption that disproportionately affect them. One of such policies is the requirement under National Anti-Corruption Action Plan that all public entities develop and enforce sexual harassment policies within the workplace and schools.

Drawing from the lessons learnt from the Corruption Survey, I am happy to announce that Ghana, with the support of the UNODC, is co-sponsoring a resolution on the gender dimensions of corruption. I urge member countries herein present to wholeheartedly support the Resolution when it is brought before the Conference.

Mr. President, our survival as a global community depends on the efficiency of cooperation among us. The integrity of the global effort to root out corruption is at risk from wrongdoers who exploit weaknesses in our systems to perpetrate financially motivated crime. Criminals exploit differences between countries to further their objectives, enrich their organisations, expand their power, and avoid detection or apprehension. They gain influence in government, politics and commerce through corrupt and illegitimate means. The need for states to cooperate in combating the threat of economic crimes is, therefore, more than imperative.

I am grateful for the opportunity.

God bless us all!!!

*11/12/2023*