

## Mahama's "Dubious Judgement" Toli is Worthless!

"...Interestingly, the 2012-2021...NACAP cites a 2010 World Bank study, "Africa Development Indicators: Silent and Lethal, How Quiet Corruption Undermines Africa's Development Efforts." The report makes the point that in 2000, "leakages of non-salary cash flows in health care delivery system in Ghana amounted to 80%..." NACAP, the latest Ghana anti-corruption plan in the hands of Mr. Mahama borrows from the World Bank. NACAP notes that "Ghanaian society is also saddled with 'quiet corruption' which takes the form of absenteeism, habitual lateness for work....leakage of funds... informal user fees, petty thievery...diversion of supplies by public officers...//... Question then is, assuming Mr. Mahama is acting on the NACAP report, how do we get from "quite corruption" to machine-error "silent corruption"? Given the serious implications of the subject on the Ghana national economy and human development, this is not a trivial matter..." (Prof Lungu, Ghanaweb, 1 June, 2013).

Today, almost 2 years removed from 1 June 2013, on this 21 May 2015, as Mr. Mahama prepares to deliver the "Honorary Keynote Address" in London at the "Oxford Africa Conference 2015", we can't help but notice a troubling fact. As organizers of the Oxford confab will have us know, this annual meeting on Africa invites "entrepreneurs to pitch their organizations" to Africans in support of "regional political integration". They tell us this is a "...solely student-led initiative that convenes ~500 delegates and ~60 speakers...focusing on Africa as 'A Continent on the Move: People, Politics and Business across borders'..."

But sadly, it appears this "solely student-led initiative" does not truly recognize Africa is a continent in their focus on "regional integration", their title for the conference, notwithstanding. More important for our present purpose, this "solely student-led initiative" conference where "entrepreneurs...pitch their organizations...to Africans...", as far as we can tell, does not have a single global transparency or open government panel, or such organization in its numerous panels, speakers, and sponsors. According to the program of the Oxford Conference 2015, the delegates will have a "Gala Dinner" that will cost £55(GH¢346) for a student, and £80(GH¢504), for non-students. But none of the delegates or the speakers, none of the attendees, will get to hear from:

- International Aid Transparency Initiative (IATI)
- Open Government Partnership (OGP)
- Transparency International (TI)
- Investigative Reporting Project Italy (IRPI)
- National Endowment for Democracy (NED)
- Global Integrity (GI)
- Open Society Foundations(Soros.org)
- Center for Constitutional Rights (CCR)
- European Center for Constitutional and Human Rights (ECCHR)
- Ushahidi (Tools for Changing the World)
- Wiki Leaks
- Etc.

Zilch, like in a Mr. Mahama "Silent Corruption" verse!

Nada, like in a Mr. Mahama "Silent Corruption" Dead Goat Song!

The problem is, Ghana's (Africa's) arrested development quagmire is not significantly a lack of entrepreneurs or businesses, or even lack of capital. In particular, Ghana's development quagmire is primarily due to poor and deceitful performance of government and public institutions, (i.e., clandestine and illegal privatization of public assets and goods, official corruption, lack of transparency, collusion resulting in the plunder of resources by multi-national corporations aided by many officials in the national government, and yes, racially-inspired Western aggression against Pan-Africanists of African origin, among them democratically-elected African leaders.

Then there is the "small" case of "Judgement Debts".

The problem for Mr. Mahama of Ghana is, the "Judgement Debts" that his Mills-Mahama-NDC government has paid since 2009 would be enough to construct and staff 10 Regional Hospitals for 10 years; would be enough to re-construct, pave, and operate the Accra-Kumasi-Bolgatanga "highway" for a decade; would be enough to purchase no less than twenty (20) Russian Kazan Mi-17 36-passenger helicopters, or similar aircraft, for land surveys and mapping, policing, emergency management, forest management, and medical evacuation for Ghana, with enough

funds to spare, to train 50 helicopter mechanics who could in the span of 5 years, even train more than 4 times the number of Ghanaian trainers.

So, in Ghana-centered fashion, it struck us as rather comical to hear President Mahama, when he received the 501-page Justice Appau Sole Commission "Judgment Debt Report", promise Ghanaians that "... government will study the report thoroughly and ensure adequate measures are instituted within the framework of the National Anti-corruption Action Plan to avoid the recurrence of the repayment of such dubious debts as they occurred over the years...". The report, sourced to www.StarFMOnline, also had Mr. Mahama proudly boast that the "...'diligent' work of the Commission will save Ghana a whopping sum which could have ended up in the pockets of "dubious public officials" in the guise of judgement debt..."

"Could have" in the future tense for a non-existent "Judgement Debts" Action Plan?

What a Mahama-propaganda-speak!

What a "Dubious" Judgment Debt-Speak!

If only "diligent work" in the form of dead goat text on a 501-page Sole Commissioner Report had a conscience not to pilfer from the people's bank accounts without their knowledge and approval.

If only dead goat text on a 501-page Sole Commissioner Report could see misery in the eyes of a million pregnant women deprived of neo-natal healthcare facilities for their unborn children and themselves because the public funds somehow found their way into the private pockets and hands of one of Mahama's NDC/P(NDC) leaders and supporters, or other political benefactors from his NDC party, (or into the thirsty pockets of others in the NPP party and government of immediate yester-year).

If only "diligent work" in the form of dead goat text on a 501-page Sole Commissioner Report had agency, and above all had power to self-execute its own findings and recommendation without strong, assertive executive leadership.

Yes, without an assertive leadership by a human being with blood in their veins, human beings who understand and appreciate, perfectly, the developmental conundrum confronting the vast majority of Ghanaians without generators to

power their homes; without good water to drink; without good food to eat; without buildings or structures for their schools and playgrounds; without their own homes in their own communities because a vast swath of the land and the people recognize them as witches and have de-facto imprisoned them in "Witch Village", after Witch Village, in Kwame Nkrumah's Ghana.

Here is our point about the "Judgement Debts". We believe that realistically, to the extent Mr. Mahama has not saved Ghanaians a single pesewa since receiving the Justice Appau Commission Report, it is hopelessly premature for Mr. Mahama to predict that the "'diligent' work of the Commission will save Ghana a whopping sum which could have ended up in the pockets of "dubious public officials...".

## President Mahama speaks without data!

The way we see it, all of Mahama's worthless talk this is fancy-speak for "communicating" to Ghanaians that he, Mr. Mahama, is not going to do anything substantive with that Justice Appau Sole Commission Report.

We predict that Ghanaians will not to see a single pesewa of GH¢58 million Woyome judgment debt refunded, not retroactively, not proactively. Nor, any of the other "Judgement Debts" paid over the years in the P(NDC), NPP, NDC administrations. Not as refunds with interest to boot - to the depleted accounts of resource-rich Ghana.

You see, when the NDC government under President Mills paid Woyome GH¢58 million through false pretence that same NDC government, with Mr. Mahama as the Vice President, they had already paid no less tha GH¢542 million to numerous other parties. In fact, between 2009 and 2012 alone, the Mills-Mahama-NDC government paid over GH¢624 million in judgment debt to private individual and private companies, including foreign nationals, for:

"... tortuous claims resulting from molestations by members of the security agencies...wrongful dismissal of government employees...compensation (for) accidents caused by...public officials....wrongful demolition of private property...(and)...Breach of contracts...", the later constituting "majority of the payment made during the period..." (VibeGhana.com,12 July, 2012).

Mr. Mahama has always known about the scale of these dubious payments!

But, when Mr. Martin Amidu won the judgment debt refund from Spanish company Isofoton SA in 2014, and the Supreme Court ordered that company to return to the Government of Ghana an amount of GH¢325,497, we did not see or hear Mr. Mahama congratulate Mr. Martin Amidu.

When the Supreme Court ruled in favor of Martin Amidu in June, 2012, against Waterville Holdings and Austro Invest, and ordered the companies to refund to Ghana GH¢41million, we did not see or hear Mr. Mahama congratulate Mr. Martin Amidu.

So, if we may, in homage to Martin Amidu and in Ghana-centeredness, we must at this point channel Mr. Amidu himself in his critique of Attorney General Betty Mould Iddrisu: What, precisely, prevented Mr. Mahama from "...taking the position (Mr. Amidu) took, from pursuing "Waterville for a refund of that money in any court...", through the officers who directly report to him, and can be canned for poor performance and "insubordination" by refusal to act, in timely fashion, in the interest of the commonwealth of Ghanaian and its tax payers?

In retrospect, the reader will agree that by any measure, GH¢93,325,497 is a lot of money in "Judgement Debts" illegally/wrongly paid to individuals and private companies, funds that could have been used for any number of the purposes we've enumerated above, as investments in Ghana, for all Ghanaians, in the immediate-to medium-term. And all this time, since 2009, and even prior, this same Mr. Mahama was the head of the Jerry J. Rawlings propaganda apparatus. Mr. Mahama has always been deep in the thick of all those payments, as a propagandist, as Vice President, and now, as the President of Ghana.

Now, Mr. Mahama is telling Ghanaians and the world that the Justice Appau finding "were intriguing"!

And so, nearing another election, the politician in Mr. Mahama thought it would be useful (prudent, even) for him and the NDC to remove the "Judgement Debt" issue as an election problem/palaver, far from his list of election difficulties.

So, Mr. Mahama appointed a solitary individual to quickly crank up a report Mr. Mahama could hold in his hand as the "Mahama Plan" to deal with the country-wreaking "Judgement Debt" disease that Ghanaians have suffered from, and continue to suffer from, since Mr. Mahama has been in government.

But, we are here to expose the Mount Afadjato-sized gully of a hole in Mr. Mahama's Ananse(Spider) "Judgement Debt" plan!

As we've already said, Mr. Mahama has known about the seriousness of the "Judgement Debt" problem for at least 10 years. Mr. Mahama has had enough time and power to do something about it at least 6 years and counting.

But what is a Ghanaian problem is not necessarily a Mahama-NDC problem!

The quandary for Mr. Mahama, though, is this: The framework he proposes using to reign in the "Judgement Debt" palaver, NACAP (National Anti-Corruption Action Plan), has been in existing since 2011. (In fact, we wrote about this same thing nearly 2 years ago, as reproduced in part at the top and referenced under "Sources", in response to another writer).

To the point, NACAP was published by CHRAJ on 20 December, 2011. NACAP begged for adoption and implementation by the Mills-Mahama-NDC government beginning January 2012, to end approximately December 2021. That is why there is "2012-2012" in the title of the CHRAJ document, itself.

But Mr. Mills and Mr. Mahama did precious little all those 4 years.

In other words, just one year from election, Mr. Mahama is 3 years late talking about NACAP, let alone implementing the provisions and recommendation in NACAP.

The other conundrums for Mr. Mahama relate to his awareness and knowledge of NACAP's recommendations and requirements for action and implementation. As we've hinted, NACAP was never a report that was written in the dark by a solitary individual, then suddenly thrown in front of the decision maker with power to implement out of the blue, a bit like the Justice Appau report.

To the point, the Justice Appau Commission began public hearings 28 November, 2012. The Commission completed all hearings 8 October, 2014. Even so, we believe that around January, 2015, approx. 3 months before the final report was presented to Mr. Mahama on TV and Radio a mere two days ago (20 May), Mr. Mahama, his office, the Ministry of Finance, the Attorney General/Ministry of Justice, and other high officials in the NDC government did receive draft versions of the report for their review, comment, and concurrence.

That is how it is always done!

Commissioners, and even auditors, do not issue reports without advance buy-in from those with power, access, and ownership to make changes needed.

We are saying that the Mahama-NDC government has already had enough time to "study" the "Commisioner's Report". Mr. Mahama has had plenty time to figure out how the Justice Appau report fits into the NACAP prescriptions. By 20 May, as Mr. Maham was receiving the report from Justice Appau, Mr. Mahama had already had enough time devise a strong, effective, transparent, Ghana-centered plan to address the Ghana "Judgement Debt."

In conclusion, it is rather very amusing to have heard Mr. Mahama tell Ghanaians just the other day that:

"...Government has taken some key measures to halt these trend and even during the sitting of the commission upon the advice of the Sole Commissioner payment of compensations that were being made by the Ministry of Finance in respect to lands inundated during the construction of the Akosombo Dam were halted..."

To that, we must say that merely telling the people of Ghana that he, Mr. Mahama, has "halted" payments to people whose lands were inundated with Akosombo Dam water, lands appropriated by default by Ghana more than 2 generations ago, does not cut it for us as a useful plan, not even as the beginning of a useful plan. That is not an effective anti-"Judgement Debt" Action Plan by a sitting President considering the nature and scope of the problem, and the length of time Mr. Mahama has known about those problems in Kwame Nkrumah's Ghana.

Even more bizarre, to hear Mr. Mahama tell Ghanaians that his government is going to "study" Commissioner Appau's report, tells us he, Mr. Mahama, has absolutely no plan to compel his Attorney General to more vigorously and professionally retrieve all the funds owned to Ghana through the judgment debts, or even implement the recommendations in the NACAP, with immediate effect, without additional jokes and fanfare. Mr. Mahama may pick on student nurse trainees and abolish their allowances. But the powerful in the NDC, many of them poorly qualified with precious little expansive knowledge, training, and education to control and manage the ministries and departments of government, will continue to loot Kwame Nkrumah's Ghana, with assists from foreign interests and "entrepreneurs."

To boot, we suspect Mr. Mahama does not even have any plan to share the Justice Appau report with Ghanaians now, not immediately. Unless, perhaps, to tell Ghanaians (hint, hint!) that the Justice Appau recommendations, on second look, are too difficult to implement, too complex to work, before "the elections".

But this is a report funded by the People of Ghana that Mr. Mahama has most likely seen and known about fully, more than four (4) months and counting.

So, we ask!

Where is the Action Plan beyond all the dubious lecture and talk, Mr. Mahama?

Where is the Action Plan today, Mr. Mahama?

So it goes, Ghana!

Again, 'nuff respect and our thanks to Cletus D. Kuunifaa!

## Sources:

- 1. Kuunifaa hugs Mahama's silent corruption vs FOIB?, Ghanaweb, 1 June, 2013, Prof Lungu, www.ghanaweb.com/GhanaHomePage/NewsArchive/artikel.php?ID=275661.
- 2. VibeGhana.com, http://vibeghana.com/2012/07/12/more-judgement-debts-to-be-paid-we-are-doomed/.
- 3. National Anti-Corruption Action Plan (NACAP) (2012-2021) December 20, 2011, www.chrajghana.com/wp-content/uploads/2012/08/nacap.pdf.
- 4. StarFMOnline (103.5FM), www.starrfmonline.com/1.3912371.
- 5. Ghanaweb General News of Wednesday, 20 May 2015, 5, www.ghanaweb.com/GhanaHomePage/NewsArchive/artikel.php?ID=358923.
- 6. CitiFMOnline, www.citifmonline.com.
- 7. Gov't Pays GH¢ 600 Million Judgment Debts, Ministry of Finance, Ghana, www.mofep.gov.gh/?q=news/100112 2.

- 8. ExposeGhana, www.exposeghana.com/2013/06/martin-amidu-dismisses-ags-help-claims-in-waterville-case/.
- 9. International Aid Transparency Initiative, www.aidtransparency.net/.
- 10. Open Government Partnership, www.opengovpartnership.org/.
- 11. Transparency International, www.transparency.org/.
- 12. Investigative Reporting Project Italy (IRPI), www.irpi.eu.
- 13. National Endowment for Democracy, www.ned.org/.
- 14. Global Integrity, www.globalintegrity.org/.
- 15. Open Society Foundations, www.soros.org/issues/governance-accountability.
- 16. Center for Constitutional Rights (CCR), www.ccrjustice.org/.
- 17. European Center for Constitutional and Human Rights (ECCHR), www.ecchr.de/.
- 18. Ushahidi (Tools for changing the world), www.ushahidi.com/.

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