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Enhancing Accountability and Transparency in Ghana's Defence Sector

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SUMMARY

Defence and security sectors of both old and new democracies tend to have high risk of corruption due to excessive secrecy associated with their mode of operations. These challenges have wider implications and weakens the institutional capacity of their armed forces. The Ghanaian armed forces has transitioned from a praetorian military, to a more professional force, with impressive records of international peacekeeping. Since 2006, Ghana recorded relative increases in defence expenditure due to the changing regional security environment and domestic economic imperatives. This brief examines how Ghana could improve transparency and accountability in her defence sector through effective parliamentary oversight. It argues that the oversight role of the Ghanaian parliament in security and defence sectors in shaping national security policy and democratic oversight of the defence sector begs improvement.

Introduction

African countries are faced with challenges in ensuring effective democratic oversight of their defence and security sectors. These difficulties have contributed to lack of transparency and accountability in Africa's defence with high

armed forces.² This policy brief seeks to examine how Ghana could improve transparency and accountability in her defence sector. The Ghanaian armed forces has transitioned from a praetorian military, to a more professional force, with

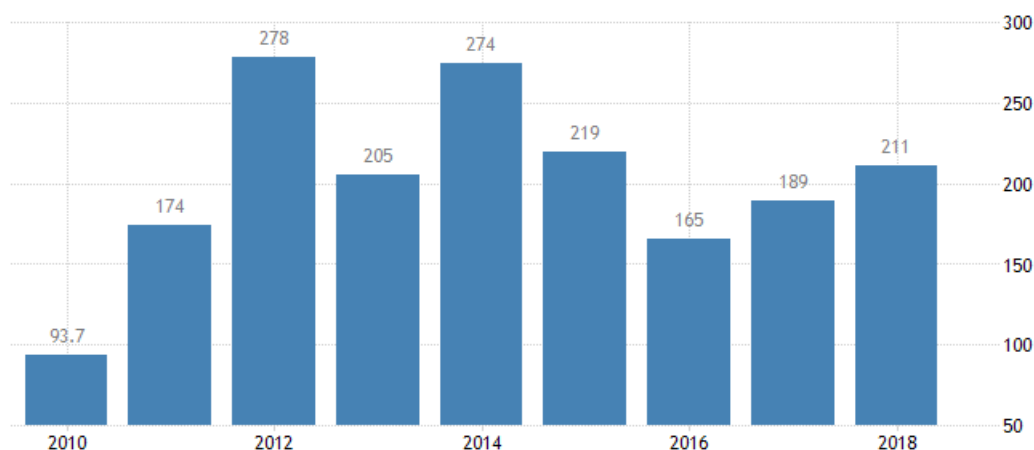


Figure 1. Ghana's Military Expenditure from 2010-2018

SOURCE: TRADINGECONOMICS.COM | SIPRI

risk of corrupt practices.¹ Defense corruption has devastating implications and weakens the institutional capacity of the

impressive records of international peacekeeping. Since the 1990s to early 2000s, Ghana's defence spending hovered

1 Dorrie, P. (2016). Africa's Defense Industry Is the Most Corrupt in the World. Available at <https://warisboring.com> (Accessed on November 12, 2018).

2 Anderson, E. Matthew, P. (Eds). (2017). Weaponising Transparency. Transparency International. Available at <http://ti-defence.org/wp-content/uploads/2017/05>. (Accessed on November 19, 2018).

around 0.6-1% of GDP. From 2006, the country saw an increase in expenditure partly attributed to the discovery of oil in Ghana in 2007 and subsequent production from December 2010. As shown in figure 1 military Expenditure in Ghana increased to \$ 185.80 Million in 2017 from \$161.75Million in 2016.³ There was an increase to 211 USD Million in 2018.

Ghana's defence spending is expected to rise by 2.56% annually from the \$177 million allocated in 2016 to hit \$213.8 million by 2021. This has been spurred by a need to equip the armed forces to counter regional terrorist threats, peacekeeping operations and the fight against maritime piracy.⁴ The issue of accountability and transparency in the defence sector has not attracted extensive attention. It is argued that effective parliamentary oversight is essential to ensuring democratic oversight of defence. This could help improve transparency and accountability in the defence sector.

Defence Corruption

Transparency International defines corruption generally as the abuse of entrusted power for private gain. Within the defence sector, which is broadly defined as the civil-military structures and personnel that are responsible for the protection of the sovereignty of the country, some of the common corrupt practices within this sector include nepotism and favouritism in recruitment and promotions; bribery and extortion; embezzlement of public funds and resources; and ghost soldiers names on military pay rolls.⁵ Ghana's ranking on the corruption perception index has been discouraging. Like most African states, Ghana's overall ranking on the government defence anti-corruption index places her in the category of high corruption risk in the defence and security sector.⁶ The common avenues for corruption include: public procurement of weapons and equipment, contractors of logistical supplies, processes relating to recruitment and promotions and selection of personnel for international peacekeeping missions.⁷

3 Strategic Defence Intelligence (SDI). (2017). Future of the Ghanaian Defense Industry – Market Attractiveness, Competitive Landscape and Forecasts to 2021. Available at <http://www.defencweb.co.za> (Accessed on November 14, 2018).

4 Ibid.

5 Goodman, C. & Arabia, C. (2018). Corruption in the Defense Sector: Identifying Key Risks to U.S. Counterterrorism Aid. September, Center for International Policy.

6 Transparency International (2015). *Government Defence Anti-Corruption Index*. London: Transparency International.

7 Ibid.

The Role of Parliament

The oversight role of Ghanaian parliament in security and defence sectors to shape national security policy and democratic oversight of the military begs improvement. In practice, parliamentary oversight of the armed forces is done through committees like the Public Accounts Committee (PAC), Appointment Committee, Finance Committee and the Parliamentary Select Committee on Defence and Interior (PSCD&I).⁸ A parliamentary committee is made up of a number of parliamentarians appointed to carry out certain tasks. Such committees may offer a setting which facilitates detailed scrutiny of draft legislation, vetting of government appointees, oversight of government activities and interactions with the public and external actors.⁹

The role of the PAC includes conducting examinations of the audited accounts of all public institutions submitted by the Auditor-General. This activity provides the Committee with some measure of oversight over the expenses of the military and related agencies. The committee is empowered to question the rationale behind the usage of public funds. The chairperson of the PAC is by convention chosen from the largest minority group in parliament. This practice allows the chairman to discharge his functions without fear or favour of the executive.¹⁰ The Finance Committee deals with general issues of finance and the economy, including loans and international business transactions. It is supposed to monitor the purchase of military hardware from international suppliers.¹¹ The Appointment Committee, does vetting of nominated ministers and deputies before they are approved by parliament and appointed by the president.

The PSCD&I in particular, has jurisdiction inter alia over policy, oversight, budget issues, procurement of defence equipment, and the deployment of the military in a state of emergency.¹² The committee does not however have a direct role with issues of promotions in the armed forces even though the executive is involved in some senior officer ranks promotions. The overall responsibility of the committee is to examine all questions relating to defence and internal affairs in Ghana.¹³ The Committee has two key powers: (i) investigations and (ii) inquiries into the activities and administration of ministries, departments, agencies, public organizations, and corporations as parliament may determine. They may investigate and inquire into proposals for legislation.¹⁴

8 Standing Orders Parliament. Accra: Parliament of Ghana.

9 Hironori, Y. (2007). *Tools for Parliamentary Oversight: A Comparative Study of 88 National Parliaments*. Geneva: Inter-parliamentary Union, pp. 15-16.

10 Acquaye, A. (2017). Work of Public Accounts Committee. February 8. Available at <http://www.gbcghana.com> (Accessed on September 20, 2017)

11 Standing Orders of Parliament, p.165-168.

12 Kotia, E. (2011). The Principle and Reality of Legislative Oversight in Defence Matters in Liberal Democracies: An Empirical Case. *Journal of Alternative Perspectives in the Social Sciences*. 3(1):57-71.

13 Standing Orders of Parliament, Order 158 under 'Functions and Powers of Committees, November 2000.

14 See Constitution of Ghana, Article 103 (3), 1992; and Standing Orders of Parliament, 190, November 2000.

Challenges of Parliamentary Oversight

Ghana does not have a comprehensive national security strategy to define its defence policy. This makes it difficult to determine the roles of the various security agencies and that of parliament. There are some inherent parliamentary powers if effectively exercised could contribute to transparency and accountability in defence spending. The PSD&I has the powers of a High Court for the purpose of enforcing the attendance of witnesses, compelling the production of documents and the issuing of commissions for the examination of witnesses abroad.¹⁵ However, it has been observed that the committee seldom exercises such powers due to reasons discussed below.

Ghanaian Members of Parliament (MPs) do not play an independent role in overseeing the armed forces because of several limitations on their ability to act. These include excessive politicization, apprehension about the military, inexperience of parliamentarians which conspire to make it difficult for lawmakers to work effectively. Besides, MPs' dual roles as parliamentarians and ministers make it difficult for some MPs to perform their functions as they give precedence to allegiance to the executive president or party interests.¹⁶

In addition, the highly complex nature and environment of the security and defence sectors presents a particularly difficult challenge for effective exercise of oversight. This is partly because some of the issues involved in performing oversight functions of this sector are often too technical for members or politicians who do not have the technical experience or any training in security and defence issues.¹⁷ Security services have peculiar organizational cultures, rules, and practices and are governed by secrecy laws, all of which can potentially pose problems if an oversight committee is not conversant with these institutional norms.¹⁸ The detailed operations, rules of combat, and weapons procurement are often beyond the professional capacity of the average members of parliament.¹⁹

Discussions on military spending are shrouded in secrecy due to national security concerns. Generals are rarely challenged

when they make demands. Military budgets are often only provided as aggregated numbers and auditors do not delve deep into books.²⁰ It is common in Ghana's parliament for a speaker to caution parliamentarians who dared to question issues concerning the military spending. It is interesting that routine activities as contractors providing food and medical equipment are often treated as having national security implications. This aura of national security is given as reason for self-censorship. Civil society and media until the late 1990s shied away from engaging in defence related discourses. In the past, the political sensitivities of governments and their fondness for securitizing issues devoid of publicly scrutiny restricted civil society engagement. There was also a dearth of civilian expertise on matters of security.²¹ In recent times, there has been a resurgence of civil society and media who are determined to preserve freedom to ensure good governance.

Conclusion

Parliament is vested with important functions like law-making, budget scrutiny, oversight on government appointments and representation. Parliaments therefore play a central role in ensuring good security and defence sector governance. This role comprises not just the debating and passing of defence-related bills. They are expected to take an active part in all aspects of the armed forces' fiscal affairs: scrutinizing the defence budgeting process as well as the disbursement of defence expenditures. Before 1999, there have been periods where the military had an upper hand in the defence budgeting process, with little or no oversight.²² There has been some modest changes to where institutions like the Ministry of Defence and parliament are asserting their role in defence management and oversight respectively. However, Ghanaian parliament is generally seen as being minimally involved in defence policy and the ability of committees to undertake oversight is limited by a lack of transparency.²³ Parliamentary oversight of the defence sector need to be taken to notch higher in the governance process.

¹⁵ Constitution of Ghana, Article 103 (6), 1992; and Standing Orders of Parliament, 155, November 2000

¹⁶ Inter-parliamentary Union (IPU) and United Nations Development Programme (UNDP). (2017). Global Parliamentary Report: Parliamentary oversight: parliament's power to hold government to account. Geneva: IPU and UNDP

¹⁷ Kan-Dapaah, A. (2015). Parliament's Role in the Fight against Corruption. Accra: Institute for Economic Affairs.

¹⁸ Aning, K. & Lartey, E. (2009), Parliamentary Oversight of the Security Sector: Lessons from Ghana. New York: The Center on International Cooperation.

¹⁹ Ministry of Defence, (2003), "Update on the Supply of Helicopters – to the Ghana Armed Forces by Wellfind Ltd" p. 1 quoted in Aning, E.K. (2004). Military Imports and Sustainable Development: Case Study Analysis – Ghana. 10.

²⁰ Dorrie, (2017), op. cit.

²¹ Aning & Lartey, (2009), op. cit.

²² Hutchful, E. (2006). Ghana. In: Omitoogun, W. and Hutchful, E. (Eds). *Budgeting for the Military Sector in Africa: The Process and Mechanisms of Control*. Pp. 72-80, Oxford: SIPRI.

²³ Transparency International (2013). Government Defence anti-corruption Index. London: Transparency International.

Recommendations

1. Ghana needs to develop a national security strategy to outline its defence policy.
2. Defence and security issues should be demystified to avoid secrecy and self-censorship in parliamentary deliberations.
3. Members of parliament and parliamentary staff should be provided with practical knowledge, skills, archival resources and techniques needed for effective parliamentary oversight of the security and defence sector.
4. Parliament should consider establishing defence and security liaison office to be attached to PSCD & I. This office could provide parliamentarians and parliamentary staff with research and technical advice to the committee on defence/security issues.
5. MPs must eschew partisanship and conduct due diligence in their oversight functions.
6. Epistemic communities and the media focusing on defence and security issues can play a constructive role in advising and educating elected officials and the public on defence issues.

About the Author

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About the Centre

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