

DO NOT BE LIKE THOMAS WHOSE EYES COULD NOT SEE – AKUFO-ADDO’S SPUTNIK-V, AGYAPA & OTHER AFFAIRS: BY MARTIN A. B. K. AMIDU

INTRODUCTION

From my experience working with President Akufo-Addo I can bet my last pesewa that the report of the adhoc parliamentary committee on the Sputnik V – Covid-19 vaccine procurement was just a smokescreen behind which to exonerate and whitewash all the suspected unconstitutionality and illegalities committed by the Government in the procurement contract and payment for the vaccines. Ghanaians must be hallucinating to think that the Minister of Health, whom I have known since our Commonwealth Hall days in the 1970s, would have had the temerity to have executed the Sputnik Covid-19 procurement contract without executive approval by the Mother of the Government.

The President’s Bono Region pronouncements on 10th August 2021 constitutes evidence of his interference with the investigatory and adjudicatory processes pending before a supposedly independent and coordinate arm of government – the Legislature – before which the suspected Sputnik V corruption affair is currently pending for a decision on the findings and recommendations of the adhoc parliamentary committee.

When I stated the President’s interference with the independent performance of the functions of the Special Prosecutor in investigations and prosecution of suspected corruption and corruption-related matters affecting the government and its appointees as the main reason for my resignation, doubting Thomases as usual had no eyes to see nor hear and questioned my judgment. After my resignation, the whole world witnessed how the anti-corruption Auditor-General, Mr. Daniel Domelevo, was hounded out of office on flimsy grounds for daring to endorse and approve audit findings made by his staff against members of The Family. In the President Akufo-Addo Government’s desperation for vengeance, the EOCO hauled in the Auditor-General for alleged procurement malpractices involving the absence of public procurement authority approval in a case in which the Auditor-General was clearly not involved in the procurement process or of any breaches thereof. The revenge exacted by the President on Mr. Daniel Domelevo, as an Auditor General exercising the independent constitutional functions assigned to his office under the Constitution as the Auditor General was a clear interference in the performance of the functions of the Auditor-General by the President for making audit findings against members of The Family and yet the doubting Thomases could not again see nor hear.

What makes Daniel Domelevo’s government manufactured procurement suspected breaches warranting EOCO harassment different from the Government’s own breaches of the Public Procurement Act and article 181(5) of the Constitution in the Sputnik V Covid-19 procurement contract as an international business or economic transaction? When did a thief or an armed robber who steals or robs another cease to be a thief or an armed robber simply by returning part of the stolen or robbed property to the owner? Does the alleged refund of the sum of US\$2, 470,000 out of the initial unlawful part payment by cousin co-President and Minister of Finance, of a sum of US\$2,850,000 render constitutional and legal the initial payment including the 20,000 doses of the Sputnik V Covid-19 vaccines delivered by Sheikh Ahmed al Maktoum, representing US\$380,000 of the unconstitutional international business and economic procurement transaction?

RESOLUTION OF THE SPUTNIK V COVID-19 AL-MAKTOUM VOID CONTRACT

I have since January 2021 followed the genesis of the Russian Sputnik V- Covid-19 vaccine arrangement between the Russian Direct Investment Fund (RDIF) and Aurugulf Health Investments, an Abu Dhabi-based company established late last year with close connections to Sheikh Ahmed Dalmook al-Maktoum, a low-ranking Dubai royal, acting as the chief dealmaker leading to the suspicious deal with the Government of Ghana in the purported procurement of Sputnik -V Covid-19 vaccines at inflated prices from the Ghanaian public purse that culminated in the constitution by Parliament of a nine-member adhoc bipartisan committee of Parliament to investigate the matter.

Sheikh Ahmed Dalmook al-Maktoum of Ameri Group LLC fame under the National Democratic Congress (NDC) and the New Patriotic Party (NPP) Governments and the controversies surrounding the short-changing of the Ghanaian public purse by public officers for private gain in the power generation sector is well documented to need reminders. (See for instance a summation in – “Timeline: How Mahama’s Ameri deal claimed an Akufo-Addo Minister”, MyJoyonline.com, 7 August 2018.)

The Parliamentary bipartisan adhoc committee

But Sheikh Ahmed al-Maktoum’s involvement again in the Sputnik V- Covid 19 international business or economic transactions procurement contract after the Ameri Group energy debacles that smeared both the NDC and the NPP Governments creates a context for appreciating the true nature of the alleged parliamentary engineered bipartisan resolution of the suspected Sputnik corruption and corruption-related affairs by a Parliament dominated by the same political parties of known greedy financial affinity with the Sheikh.

And it came to pass, that the resolution on the findings and recommendations on the alleged parliamentary bipartisan adhoc committee report, as I expected, was adjourned sine die with the earliest time it could ever be re-tabled for a plenary decision being October 2021. Any person who has carefully studied how systems of western style parliaments and so-called democracies take “We the People” for rabble until election time would understand the underpinnings of the parliamentary action apparently purposively reserved for the last day of its session on Friday, 6th August 2021. Postpone the day of reckoning with the appearance of disagreement from the two sides in parliament who were previously associated with the scandalous Ameri Group power transactions, and the rabble will forget the momentum and seriousness of the constitutional infractions involved in the Sputnik V Covid-19 vaccines constitutionally void procurement contracts.

The content of the adhoc parliamentary committee report which I have carefully perused has, expectedly, turned into a partisan political point scoring contest between the NPP Government, and the dominant opposition NDC both on the floor of Parliament and in the media since Parliament went on recess. Just yesterday, 11th August 2021, I read on Ghana Web a report attributed to the Chairperson of the adhoc parliamentary committee, Hon. Afenyo-Markin, stating that the call for, the Minister of Health, Hon. Agyeman-Manu’s resignation were far-fetched. The Chairperson’s position was made in the teeth of the authoritative Balkan Energy, and Isofoton SA, cases decided by the Supreme Court in relation to international business or economic transactions procurement contracts and Article 181(5) of the 1992 Constitution.

Interventions by the co-President and Minister for Finance

Even before Parliament could receive and deliberate on the adhoc bipartisan committee's report the de facto co-President who is also Minister of Finance of Ghana announced, what from my experience constituted the Government's de jure position on the matter, suspected criminality notwithstanding. The Minister of Finance called on We the People, whom the Government conceives as rabble, in an interview on Wednesday, 4th August 2021 on Asaase Radio, his family's radio station, to empathize with the Minister of Health for contravening the Public Procurement Act and Article 181(5) of the 1992 Constitution in the unlawful contract executed for the procurement of the Sputnik V Covid 19 vaccines. But it is this same de facto co-President and Minister of Finance who takes responsibility for the order for the payment upon the unconstitutional and illegal Sputnik V Covid-19 procurement contract for this international business or economic transaction without Parliamentary approval. Paradoxically, this was the same co-President and Minister of Finance who had himself gotten away with the aborted parliamentary approved Agyapa Transaction upon the exercise of executive veto by his co and de jure President that resulted in the resignation of the Special Prosecutor in November 2020.

In an earlier interview the de facto co-President and Minister of Finance gave to a Norwegian journalist in June 2021 his language in response to the interrogatories from the Norwegian journalist was couched in terms of "the royal we" – meaning he was speaking on behalf of the Akufo-Addo Government. Part of that interview is republished in audio on JoyNews and AdomNews under the heading – "Sputnik contract: Norwegian investigative journalist's interview with Ken Ofori-Atta." The reader may wish to affirm the facts and the authoritative pronouncements made by the co-President and Minister of Finance on behalf of the Ministry of Health, the Minister of Finance, and the Government as a collective. Any rational and patriotic Ghanaian who did not, therefore, reasonably foresee the President's position on this matter after the pronouncements of the co-President and Minister of Finance at the two interviews has not analytically followed the policy and decision-making history of this Government.

The final interfering endorsement by President Akufo-Addo of the Sputnik affairs

It came as no surprise to me when President Nana Akufo-Addo as Mother of his Government finally endorsed on Tuesday, 10th August 2021, his de facto co-President and Minister of Finance's pronouncements and announcements when during engagements in the Bono Region, the President said his government acknowledged and appreciated the exceptional commitment and support of Mr. Ignatius Baffour-Awuah, the Minister of Employment and Labour Relations and Mr. Kwaku Agyemang-Manu, the Minister for Health. The President is reported by the Ghana News Agency (GNA) to have "said his government would forever be grateful to the two Ministers and the chiefs and people of the region as a whole and assured he would accordingly ensure the region equally benefited from the sharing of the national cake."

President Nana Akufo-Addo is also reported by the GNA to have said that "he was aware Mr. Agyemang-Manu was going through serious public criticism in the midst of the Coronavirus Disease (COVID-19) pandemic, but his general contribution in managing the disease in the country was exceptional and laudable." Never be fooled that this was intended as a joke.

Within the scheme of the 1992 Constitution's separation of powers doctrine, the executive branch was unfortunately given control over the public purse for the operations of the two other coordinate and supposedly independent arms of government – the legislature and the judiciary. The representative electoral democratic system enshrined in the constitution has made any legislature dominated by the ruling government an appendage of the executive

chariot because of the executive's power to dispense patronages of ministerial and other appointments to Members of Parliament and the political party structures evolved by the two dominant political parties, the NPP and the NDC, over the years of their existence.

The executive branch's controlling powers over the allocations from the public purse to the judicial branch, its appointment, and promotion of justices, judicial officers and quasi-judicial officers at all levels of the judicial and law enforcement structures puts the executive branch in the position of an invisible ever-present sword of Damocles operating, and hanging over, and possibly influencing the inarticulate major premise for decision-making of those charged with investigating and dispensing justice.

In such a constitutional dispensation, any pronouncement by the President of the Republic adulating any of his appointees who is under investigation for the possible commission of suspected crime, particularly corruption-related crimes, constitute a signal in the nature of a directive first to the President's appointees and Members of Parliament from the governing party and secondly, subconsciously to any other government institution to obey the presidential whip contained in the President Akufo-Addo Bono directives to avoid incurring the displeasure and vengeance of the all-powerful executive branch of government, headed by the President.

CONCLUSIONS

The fight against corruption and greed generally has become an empty and instrumental clarion call for the two major political parties in Ghana for conning We the People to exhibit our genuine dislike and disdain for corruption and corrupt politicians by voting at the next polls to change the incumbent government to enable any of the two rivals in opposition for the time being, to also have a bite at the corruption cheer as Government. It happened at the 2000 elections; it happened at the 2008 elections; it happened again at the 2016 elections; and they look forward to conning "We the People" again at the 2024 elections. This is, therefore, the time for all patriotic Ghanaians to wake up and with open eyes, cease to be like Thomas whose eyes could not see at this crucial moment of our dear nation's history that requires each of us to sacrifice to defend the 1992 Constitution and put Ghana First.

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