

By Anas Aremeyaw Anas

Badiako Asare (not his real name) is one of many rice importers in Ghana with an unwavering drive toward success — by means fair or foul. Opportunity knocked five years ago when he met with officials of the Ghana Customs Excise and Preventive Service (CEPS) to concoct a scheme that involved duping the state.

The scheme was simple: he would pay off the CEPS officials stationed at Kofibadukrom, a border town in western Ghana. The officials would permit him to smuggle in rice from neighboring Cote d'Ivoire. He would evade taxes, thereby increasing his profit margin.

"I wish there was a level playing field for all importers, but if I don't smuggle, somebody else would do it anyway. So tell me: Why I should miss the opportunity to get more money when even state institutions themselves aid us in making these corrupt deals?" he said, as he sipped a cup of tea in his office.

Asare had arrived at midnight the night before we spoke with a bus full of smuggled rice. "I came in the company of over 13 smugglers last night from Abidjan through the Anyamaah barrier to our secret routes that lead us to Kofibadukrom. Overall, over 10,000 bags of rice entered into Ghana illegally just last night alone." This crime, he added, is perpetrated against the state every day.

According to Asare, the first and most crucial step in the smuggling process is paying an agent to introduce the importer to the CEPS boss. Once the agent clears the way, the two set up an appointment to negotiate the bribe. "Also, before we meet, there's a good old tradition of giving the CEPS boss one sack of rice to appease him and help soften his negotiating stand."

Asare himself negotiated with the CEPS boss over the amount of rice they would allow him to bring in and what the price would be. At the conclusion, Asare paid the CEPS boss 50 cedis (US\$40). The CEPS accountant collected the money, but did not issue any receipt as is usually done with legitimate imports.

"He just told me to go with my truckload of rice," Asare said with a broad smile, "No paying of duties, not even Value Added Tax (VAT)! I smiled, thanked him and shook his hand for a job well done. That 50 cedis (US\$40) was not even close to the usual price for a bag of rice."

Once the deal was done, they offloaded the rice from the Ivorian trucks that brought them to the border into waiting Ghanaian trucks and headed toward the city. Before reaching his destination, Berekum, a nearby town in the region, Asare had to cross three more border posts that were manned by CEPS officials. Each of these took an additional 15 cedis (US\$15) from him. In addition, three police barriers also took another 10 cedis (US\$10) each.

Had he taken the legal route through the Tema or Takoradi main harbors, Asare could have paid up to 2,500 cedis (US\$2,016). By taking the smuggling route, he came out way ahead. When he reached his destination, customers were already waiting, knowing that Asare's smuggled rice would be cheaper than the rice available on the ordinary legal market.

I spoke with one of the many young boys who live in groups in Kofibadukrom, eking out a living by carting smuggled goods from Ivorian trucks into Ghanaian trucks. He confirmed that many trucks loaded with smuggled rice arrive every day from Cote d'Ivoire.

"We get 10 to 15 trucks each day in this border town. Each one carries over 700 bags of rice. The duties are usually not paid here and, when paid at all, they are under-declared. If you are not a known agent, the CEPS officials will not deal with you at all," Kwame Ohum said at the Kofibadukrom lorry station.

Meanwhile, main importers who use the legal routes and pay the appropriate duties, including the government-approved VAT, are suffering a decline in sales because of the activities of Asare and several others who are able to sell their smuggled rice cheaper on the market. Despite numerous complaints to CEPS management and pleas for stronger border security, officials often deny that anything is wrong and say that there is no evidence of such corrupt activities. They often challenge the complainants to bring evidence.

And there is evidence. Some reports allege that investigative journalists have captured smuggling activities with hidden cameras.

"This activity has been happening for years now, but because the CEPS has often denied its existence, we have used hidden cameras to capture some of these corrupt CEPS officials in the act of taking bribes," said Mary Fianko Akuffo, a reporter for The Crusading GUIDE, an Accra-based independent newspaper, who showed me

portions of the video: “Naming and shaming is the only way to fight corrupt officials in this country,” she told me.

Pervasive Corruption

But smuggling may be only a part of the widespread corruption that bedevils Ghana and its 22 million people. Consider the following incident:

One day in January 2008, a bus driver was taking passengers on his route to a suburb of Accra. He pulled over into what he thought was a designated parking zone, marked by a barely readable sign hanging from a dusty, corrugated sheet. Many years of rain, fog and scorching sun had worn the lettering away.

Unfortunately, the sign said “No Parking Zone.” A police constable was secretly (and conveniently) watching from behind some trees, 50 meters away. Seconds after the bus drifted into this trap, the constable enthusiastically jumped out with a huge smile, shouting, “You are under arrest!”

The bus driver was ordered back to police headquarters. There, the constable threatened the driver with court action unless he paid a bribe of 20 cedis (US\$16) for the return of his bus keys. The driver knew that if he didn’t pay up, the constable would take him to court resulting in an even higher fine. The driver made a counteroffer of 15 cedis (US\$12). Although the constable initially refused, the driver was persistent and after more haggling, the constable accepted the poor driver’s money and released him.

The media report that, since the government encouraged the motor court system to impose higher fines and stiffer punishments on bad drivers, officers within the Motor Traffic and Transport Unit (MTTU) of the Ghana police have made, and are still making, a lot of illegal money by forcing drivers — guilty and innocent — to pay bribes.

This happens despite Ghana’s many laws against corruption. Kojo Asante, of the Center for Democratic Development (CDD), said, in spite of the successful passing of anti-corruption laws, there is still a dearth of strong political will to fight corruption. He reiterated that public officials must declare their assets publicly, but added that there must also be strict conflict-of-interest compliance rules in place so that officials’ public and private interests can be kept separate.

The Political Scene

About 12 million Ghanaians are expected to vote in another historic election on Sunday, December 7, 2008, to elect a president from a field of eight contestants. In addition, they will elect 230 lawmakers out of a field of 1,060 parliamentary candidates in about 22,000 polling stations across the country.

The December 2000 elections ushered in the first democratic presidential change of power in Ghana's history when John A. Kufuor of the New Patriotic Party (NPP) defeated National Democratic Congress (NDC) candidate John Atta Mills. The 2008 election was only the second time in Ghana's 51-year history that a democratically elected president peacefully handed over power to a successor.

In 2008, major political parties held primaries. There were accusations and counter-accusations of bribery and corruption from both the incumbent and opposition parties. Amin Damba said he was given a t-shirt, 20 cedis (US\$16) and a small sack of rice by a parliamentarian from the incumbent government who was campaigning for his party's primaries. Media reports have also mentioned similar incidents of bribery, which were blamed on the opposition party.

Mr. Vitus Azeem, executive secretary of the Ghana Integrity Initiative (GII), the local chapter of Transparency International, alleged that during voter registration, some political parties were bussing in potential voters from neighboring countries and even enticing minors to register to vote as adults. "In many cases, these minors were allegedly allowed to register with impunity while other genuine citizens with names that looked unfamiliar in certain areas were prevented from registering," he said.

Possible Answers

Civil society groups in Ghana have condemned such practices, saying that they are not good for the health of Ghana's fledging democracy. Quoting a parliamentary transcript from January 2000, Suyini Damba, a youth activist, said that past NDC governments had given up on the fight against corruption. He pointed out that the president at that time told Parliament that "the government on its part has extended an invitation to the World Bank to conduct a diagnostic study on corruption in Ghana and how it can be mitigated if not eradicated." Damba added that, following the repeal of the Criminal Libel Law, the present NPP has promoted transparency and the freedom to write about official actions.

In addition, the enhancement of the Procurement Act to check abuse in public procurement has helped. He added that the Financial Administration Act and Internal Audit Act have also helped in the promotion of probity and the end of payroll abuse. Anti-corruption agencies like the Commission for Human Rights and Administrative Justice (CHRAJ), the police, and the Serious Fraud Office (SFO) have received considerable support from the incumbent government.