

## Election 2016: Edward Mahama's Claims Fact-Checked – 50% completely False



When the presidential candidate of the PNC, Edward Mahama took the stage at the IEA Evening Encounter, some of his claims were not true. Out of six of the claims that were fact checked, 3 were found to be completely false, 2 were mostly true and one was found to be half true. The claims that were checked and the results are presented below:

**1. Claim:** Over 65% of the unemployed fall within the youth bracket.

**Verdict:** Completely False

**Explanation:** Mahama's claim of 65% youth unemployment is similar to a claim made by Greenstreet that there was 48% unemployment among the population of Ghana aged 15-24. Like Greenstreet's claim which was found to be completely false, Mahama's claim about youth unemployment was also found to be way off the mark. This is because the Ghana Statistical Service, in its most recent report

about Ghana's labour market ([GLSS 6](#)) covering 2013, unemployment rate among the 15-24 age group was pegged at 10.9%. Also, the World Bank in a more recent report also estimated that 14% of this youth group were not in school and yet economically inactive. Further, the report estimates that only 4% of this population are unemployed. See the [fact check of Greenstreet's claim](#) for further details.

These credible evidences indicate that Edward Mahama's claim that there exists 65% youth unemployment is actually false.

**2. Claim:** Ghana is the 7<sup>th</sup> dirtiest country in the World, according to the WHO....

**Verdict:** Half True, Misleading

**Explanation:** The Joint Monitoring Programme(JMP) report, "Progress on Sanitation and Drinking Water: 2015 Update and MDG Assessment," a collaborative effort between the World Health Organisation (WHO) and the United Nations Children's Fund, said that the challenge to access improved sanitation is starker in Ghana, "which has slipped even further amongst the worst performing countries, now ranked 7th worst globally.

JMP does not measure dirt neither does it rank dirty countries. It has established a standard set of drinking-water and sanitation categories that are used for monitoring purposes. Thus an "improved" sanitation facility is one that hygienically separates human excreta from human contact. The categories are explained below.

1. "Improved" sanitation: Flush toilet, Piped sewer system, Septic tank, Flush/pour flush to pit latrine, Ventilated improved pit latrine (VIP), Pit latrine with slab, Composting toilet.
2. "Unimproved" sanitation: Flush/pour flush to elsewhere, Pit latrine without slab, Bucket, Hanging toilet or hanging latrine, Shared sanitation, No facilities or bush or field.

**3. Claim:** There is no commitment at the top to fight corruption

**Verdict:** Half True

**Explanation:** There have been a number of corruption scandals in this government and it appears very limited drastic steps, if any were taken to deal with them especially those that required the action of the presidency or cabinet. Below are some of them.

The GYEEDA Scandal: In February 2013, Joy News investigations broke the story of corruption in the Ghana Youth Employment and Entrepreneurial Development Agency (GYEEDA). The government called for the cancellation of contracts and ordered the retrieval of the money. Government's own committee, which corroborated Joy FM's investigations called for further probe and prosecution of officials involved.

Three years after the scandal, only two persons with relatively milder offences are facing prosecution. The ministers of state who signed the outrageous contracts and paid hundreds of millions of cedis to contractors have not been prosecuted. Besides, it is only the interest-free loans that are being retrieved. The influential businesses and individuals who were involved in a greater percentage of the scandal have not been touched. President John Mahama gave an ultimatum to the Ministry of Finance, the Ministry of Justice and Attorney-General and the Economic and Organised Crime office to retrieve the money by 31<sup>st</sup> December, 2013 but that order was not obeyed.

The SADA Scandal: The Savannah Accelerated Development Authority (SADA) was also uncovered by media reports and later corroborated by the Auditor General's report. The officials involved have not been punished and the businesses involved have only been asked to refund the money they took for no work done.

SUBAH: In 2013, the Subah Scandal brought to light close to GHS 100 million that was paid to Subah Info-solutions Limited but there was no evidence of the work for which they were paid. Again, no one was punished and the money was not retrieved.

The World Cup Scandal: A Commission of Enquiry set up government revealed anomalies and allegations of corruption in Ghana's participation in the 2014 World Cup in Brazil. Again, the persons involved were not punished.

In June 2016, the President was cited in the controversial gift saga. Media reports by Joy FM revealed that the President took a Ford Expedition vehicle as a "gift" from a Burkinabe Contractor who was winning government contracts. The contractor said he was introduced to the President (then Vice President) when he first put in a bid for government contract but failed to win. The President's conduct appeared to have contradicted his own code of conduct which among other things was meant to improve transparency and fight corruption.

In some instances, the ministers involved in the allegations of corruption were rather transferred and not investigated or punished. For this reason, there is a high perception that there is no real commitment to tackling high-level corruption, especially when it involves ministers and high-level government officials.

Since corruption is also primarily a “perception” issue, it is helpful to gauge the Ghanaian public’s view on corruption in general and as pertains to public authorities. In the latest round of Afrobarometer [findings](#) on Ghana’s level of corruption, about 75% of respondents believed corruption had increased. Also, about 82% believed the presidency was in some way involved in corruption.

**4. Claim:** The Government of Ghana has no shares in the 26 mines in the country.

**Verdict:** Completely False

**Explanation:** There is a statutory regulation in Ghana that gives government a 10 percent in all mining operations, according to the [minerals Act of 2006](#). Thus, it is highly unlikely that there is a legally existing operational mine in Ghana that the government would not own shares in.

On October 13, 2015, according to the GNA – Goldfields Ghana Limited presented a cheque for 7 million dollars as interim dividend to government on its 2015 accounts in respect of government’s 10 percent shares in Gold Fields Tarkwa and Damang Mines.

Also, according to the minerals Commission, there are 14 operational mines currently and not 26.

**5. Claim:** Flag bearer of PNC Edward Mahama stating that that Ghana courts are kangaroo courts

**Verdict:** Completely False

**Explanation:** According to Black Law Dictionary, Kangaroo courts is the name that is given to an unauthorised court that is set up without legal power and authority that takes the law into its own hands.

#### **Applying laws retroactively**

Since the outcome of a kangaroo court is a foregone conclusion, one method of ensuring that a person will be found guilty is to create laws and apply them to past behaviour. Ex post facto laws criminalize past conduct that was not illegal when it was performed.

Ex post facto laws are intended to take away a person’s right to know in advance the type of conduct that, if performed, will violate a state or federal criminal law. Removal of this most basic due process right is a characteristic of a kangaroo court.

#### **Lack of impartial judges**

Because the outcome is predetermined before any evidence is presented, kangaroo court proceedings are presided over by a judge or panel of judges that is partial toward the prosecution. Judges during a trial in a kangaroo court usually limit or obstruct efforts by the accused to present evidence or witnesses favourable to the defense while placing almost no restrictions on the evidence prosecutors are allowed to present.

The fact that the judge in a kangaroo court is part of the sham process, the punishment inflicted upon the defendant generally exceeds what might normally be justified based upon the conduct of which the defendant was accused and convicted. Harsh and severe sentences are common in a kangaroo court.

### **Absence of the most basic constitutional rights**

The right against self-incrimination, the right to cross examine witnesses and the presumption of innocence are lacking in a typical kangaroo court. Constitutional safeguards would stand in the way of a kangaroo court reaching its predetermined result. In some instances, limited cross examination of witnesses and other fundamental due process rights might be allowed to the defendant to conceal the true nature of the kangaroo court.

Article 17 section 1 of the 1992 constitution of Ghana states that: All persons shall be equal before the law.

Though ace investigative journalist Anas Aremeyaw Anas judicial expose brought the repute of the country's justice system into question, but, those infractions are not enough to describe the courts as carrying out its duties in a kangaroo manner. It's a fact that a point in Ghana's history (1989) people were tried through extra judicial proceedings, but, since the country was ushered into constitutional democracy in 1992, the justice system is far from that description.

In the current judicial dispensation in Ghana, accused as well as defendants, are given the right to know what their offenses or misconduct are. More so, they are allowed under law to be represented by their counsel and they are presumed innocent until proven guilty. There is also the option to go on appeal if they are not satisfied with the judgment.

**6. Claim:** Ghana imports plantain

**Verdict:** Mostly True

**Explanation:** Edward Mahama, said Ghana now "imports plantain" into the country. He said that to make a point on the decline in the agricultural sector in the country. The Deputy Minister for Food



and Agriculture, Ahmed Alhassan clarified on Citi FM that there was no shortage of plantain in the country. He, however, conceded, “The supply [of plantain] into the market is a regulatory price receiving; that doesn’t mean we are importing into the country.” But to “import” a product means to “bring (goods or services) into a country from abroad for sale.” From the deputy minister’s explanation, whether the supply of plantain into the country is as a result of price or scarcity, the underlying fact is that some plantain is brought into the country from Cote d’Ivoire for sale.

The claims made by Edward Mahama were fact checked by a team of seasoned journalists and researchers put together by MFWA with support from the DW Akademie. The goal of this venture is to promote issue-based campaigning where political parties, their main actors, and other key stakeholders in the electioneering process become circumspect and factual in the claims they make.