



# **Does Good Governance Matter During Pandemic in Fragile Settings?**

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## **Author's contribution**

*The sole author designed, analysed, interpreted and prepared the manuscript.*

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## **ABSTRACT**

This paper examines the efforts of the National Committee for COVID19 (NCC19) in Somaliland to promote public accountability and fiscal transparency during the course of COVID19. Using both quantitative and qualitative primary and secondary data, it was noted that the majority of NCC19's members were politicians who would rather not be transparent and cannot be brought to account, in practice. Due to the ineffectiveness of integrity institutions including Auditor General, Public Accounts Committee of the Representative's House, NCC19 had unprecedented leeway in making fiscal decisions. As a consequence, a million dollars intended for COVID19 response operations and funds from passengers' tests have vanished without a trace. Since its establishment in 2020's early months, NCC19 has never undergone an audit, and its financial reports have always been unprofessional. In times of crises, creation of an ad hoc Ministerial Committee has become tradition. But in fact, this Committee has no legal personality, and its members are saddled with enormous responsibilities. Alternatively, strengthening NADFORS leadership and capabilities might provide a lasting answer to the problem. Creation of Parliamentary Committee for Emergency Operations, effective engagement of civil society organizations and the media during crises increases transparency and public accountability. As part of the International Financial Management Information System (IFMIS), it is also suggested that an emergency procurement law and automated financial management system be implemented to ensure transparent use of emergency funds.

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## 1. INTRODUCTION

At the outset of COVID19, there was widespread fear among international organizations that corruption in the face of public emergency would jeopardize good governance. The WHO chief has issued a stern warning against misusing COVID 19 funds and called any such corruption "criminal" and "murder" (WHO, 2020). In a letter to the IMF's managing director dated on May 2020, 97 nongovernmental groups from across the globe urged the agency to take more anti-corruption precautions with the COVID19 emergency funds it had set aside (HRC, 2020). Another real concern has been the transparency of the use of COVID19 funding. In an evaluation done by INTOSAI [1], approximately 94% of 117 governments did not achieve the fundamental level of budget openness and accountability. They apparently did not show true fiscal transparency, as they failed to publish how they spent COVID19 funds. Seventy percent of 117 governments lacked the capability to ensure that public institutions spent COVID19 funds effectively and efficiently [2,3]. As a result, Transparency International has labeled the situation with COVID19 since a "corruption crisis," as the need to expedite delivery of assistance aimed at containing the disease's spread has taken precedence over strict adherence to financial regulations [4,5].

Nearly USD 800 million in losses due to corruption were recorded in the first year of the COVID19 pandemic in Africa (Transparency International, 2020). Investigation of the USD 26 billion set aside to combat COVID19 also started in South Africa (Guy, 2020). In Kenya, six million facemasks that were meant for frontline health workers wound up on the shelves of local stores. Furthermore, the misuse of donor funding and a lack of safety equipment prompted doctors to go to the streets [6,7,8]. The Ugandan ambassador to Denmark was scrutinized after a zoom recording allegedly showing him misusing donor funds went viral. The Auditor General launched a fresh probe on the use of COVID19 pandemic resources not far from Somalia [9]. In Somaliland, Medical and Laboratories professionals have said their association has been excluded from COVID19 response efforts [10,11].

Further, they said that health care providers are unable to protect themselves against COVID19

due to a lack of personal protective equipment, proper training, and medical supplies [12].

Furthermore, awareness raising activities fall during the cold season, when the spread of COVID19 was alarming. The NCC19 Secretary General disputed the public's ability to hold them to account in an interview with a local television station (Ibid). The Secretary went on to say that the people never entrusted them with financial resource, thus the public have no right to question the Committee. Waddani, the main opposition party, demanded NCC19's resignation in early 2020 on the grounds that it had misappropriated funds and failed to provide a credible accounting of how those funds had been used [13].

Therefore, the purpose of this paper is to examine the public accountability and fiscal transparency, being key principles of good governance, during COVID19 pandemic in the case of Somaliland.

## 2. MATERIALS AND METHODS

This article employed a descriptive case study approach since it looked at one institution (the NCC19) and drew conclusions and made inferences based on that one case study. The article relied on both qualitative and quantitative methods to achieve its goals. A combination of primary and secondary sources was used for the research. People from a wide range of institutions, including those with direct and indirect roles to the COVID19 response activities, were surveyed through questionnaires and in-depth structured interviews. Structured interviews were utilized to acquire in-depth information and keep interviewers within the focus of the article, while questionnaires were employed to offer respondents ample time to provide replies carefully and enhance their independence in providing comments.

NCC19, Office of the Auditor General (OAG), Accountant General (AG), National Tender Board (NTB), Good Governance Commission (GGC), House of Representatives (HoR), Somaliland Journalist Association (SOLJA), National Health Professionals Commission (NHPC) and Somaliland Non-state Actors Forum (SONSAF) were all represented in this work. Purposive sampling was used to choose 81 individuals to reflect the sample population and provide

valuable data to the article. All of the targeted institutions are represented rather well in this sample. Secondary data pertaining to NCC19's activities, relevant legislation, etc., were acquired and used throughout the article. Transparency International, the International Monetary Fund, the World Bank, the United Nations Office for the Coordination of Humanitarian Affairs, the World Health Organization, and many published publications are among them. The article also retrieved and analyzed previously recorded interviews with NCC19 members. The interview data was also reviewed carefully, edited, sorted, and summarized to prepare for analysis. Descriptive analysis and narrative analysis were used to examine the gathered data.

### 3. LITERATURE REVIEW

#### 3.1 Corruption in the Health Sector: Before COVID19

The health care industry has a history of corruption, even before the outbreak of COVID19. It had a devastating effect on international health initiatives and impeded the fight to save the lives of countless people all over the globe (WHO, 2018). The World Bank [14] estimates that about USD 500 billion is wasted annually in the healthcare industry, with procurement being the function most at risk. Corruption in the health sector has not been given the attention it deserves throughout the years, and this has helped perpetuate the problem, which is having an adverse effect on international efforts to combat pandemics [15].

There are several forms through which corruption may manifest itself in the healthcare sector. Healthcare providers in certain nations have been caught stealing or embezzling medical supplies. Collusion with private health facilities, misappropriation, selling of medical products in public marketplaces, and abuse of current expenditures meant to operate public health facilities are the various ways in which corruption prevails in public health institutions (Ibid).

Corruption is especially pervasive in procurement. More than a quarter of all healthcare corruption cases take place during the procurement process. It is projected that in Africa, for every USD 100 in donated anti-malaria drugs, 30% will be stolen before it reaches the intended recipients, the patients. Corruption prevents individuals from getting the medications they need, forces them to use substandard

medications, leads to intentional delays of life-saving medications and supplies, which affects patient survival rates negatively. Altogether hinders efforts towards global health objectives (Ibid).

Over USD 1 Billion has been contributed to the nations hit hardest by the Ebola crisis, but corruption sustained mainly due to lack of financial transparency and inefficient procurement methods. Collusion between IFRC employees and a bank in Sierra Leone results in the theft of over 2.13 million Swiss francs [16]. In Sierra Leone, about 30 percent of Ebola relief funds are stolen. Humanitarian goods in Liberia were sold at inflated prices, and funds meant for employees and volunteers totaling USD 2.3 million were stolen by corrupt authorities. There has been theft of approximately USD 1 million worth of anti-malaria medications given by Global Fund in Togo. Corruption, in its many manifestations, was found to be more prevalent in government hospitals than in private or faith-based ones in Rwanda, according to research by Serneels and Lievens [17]. They understood that there is a lack of consequences for poor performance on the part of health professionals in charge of overseeing these facilities. Substantial progress is made in rural regions when community health committees are formed and given authority to supervise and hold health authorities responsible. Monitoring health care employees and administrators deters some from stealing from the system.

#### 3.2 Corruption in Public Institutions During COVID19

The chairperson of Transparency International said *"COVID19 is not just a health and economic crises. It is a corruption crisis. And one that we are currently failing to manage"* [18]. Public institutions were the frontline in the fight against COVID19. For the most part, public institutions led the campaign against COVID19. Reports revealed that in the name of emergency relief, public accountability and budgetary transparency were placed not prioritized adequately. As everyone is struggling to avoid from contracting COVID19, scrutiny on the sound use of fiscal resources and putting officials on account is understated across the globe.

In Latin America, corruption with the spread of the COVID19 pandemic has led to the arrest of the health minister of Bolivia. A large number of procurement contracts in Brazil have been

referred for inquiry because public employees ignored the regulations in order to misappropriate public funds. Twenty-four governors and mayors, among other high-ranking governmental officials, are being investigated in Colombia. Contracts granted to aid COVID19 containment have been linked to charges of fraud (Michael, 2020).

Europe and the United States had not been immune to the corruption that plagues less developed nations. In Italy, public institutions are being investigated for spending 32 million euros on contracts for the manufacturing of face masks. and in the United States, collusion between politicians and company owners caused delays in delivery. Following independent investigations in USA, the Blue Flame Medical Company that received multi-million-dollar contract is learnt to be connected to senior politicians (Ibid). President Trump has been publicly slandered by federal watchdogs for allegedly attempting to politicize the distribution of protective equipments to the states [19]. In the United States, the Corruption Perception Index (CPI) has dropped to its lowest point since 2012. According to Transparency International's 2020 annual report, this is connected in part to the corruption scandal surrounding the USD 1 trillion COVID19 relief in 2020. (Transparency International, 2020). The Ukrainian government has temporarily halted the country's national medical procurement company's activities due to allegations of corruption and nepotism in the way the company handled COVID19 emergency procurement.

Corruption dominates the fight against the spread of COVID19 throughout Africa, particularly in South Africa, of the continent's hotspot. Inflated costs, improper procurement, fraud, and double-dipping all contributed to the theft of the USD \$2.6 billion COVID19 rescue package. A dozen high-ranking government officials and the organizations they represent are being investigated extensively. There have been allegations of extensive participation by the governing ANC and the government, and opposition parties have called for resignations to allow MPs to launch independent inquiries. Kenya received nearly USD 2 billion as donors for its partners, but doctors went on strike and protested owing to delayed wages, shortage of PPEs, and medical supplies not delivered to many hospitals throughout the country. It has also been reported that the Ministry of Health and other agencies have lost millions of dollars, and President Kenyatta has ordered an inquiry

into this matter to be expedited and provide conclusions within 21 days (Andrew, 2020).

Meanwhile, the trending topic of #MoneyHeist in Kenya revealed real concerns about the accountability and transparency of the 1.3 Billion Kenyan Shilling contributed by the World Bank for COVID19. Many people questioned the Ministry of Health's estimated costs for renting ambulances, communicating, and providing refreshments, when media outlets and telecommunications providers had previously given complimentary arrangements as part of their corporate social responsibility. Top personnel in the high-ranking personnel in the Ugandan Prime Minister's Office were detained. They were alleged of inflating the price of relief goods during COVID19 (Blair, 2020). High-ranking Somali health ministry employees have been arrested and imprisoned on charges of massive corruption involving up to USD 6 million in donor funding. Even if the Ministry's lack of transparency with regard to COVID19 funding was not directly involved in the case, the inquiry into the matter was spurred by such charges. The capital of Somalia, Mogadishu, has been hit by a second wave of the COVID19 pandemic. Furthermore, the Auditor General has said that a comprehensive inquiry into the Ministry of Health is now underway. Use of COVID19 money is the main focus of the current investigations (Auditor General, 2020).

COVID19 and its many complications had affected every nation. A coordinated response to COVID19 required the mobilization of local and international relief resources. The World Justice Project found that many countries' apparent justification for simplifying or overlooking prevailing regulatory requirements was the urgency to deliver aid to curb COVID19. This was despite the countries' good faith in wanting to save more lives and contain the spread of the diseases (2020).

Procurement standards, supplier screening procedures, whistleblower systems, and even anti-money laundering procedures are loosened as a result of this relaxation of oversight. Such a state of emergency has also revealed that many countries have failed to fully implement the fundamental safeguards to prevent the misuse of public funds, maintain transparency and prevent corruption. This was fundamental concerns by both domestic and international donors. The need for accountability and openness is more than ever since reducing current protections leaves organizations vulnerable to corruption.

For many different causes, there has been a rise in calls for more public accountability and financial transparency.

Donations to combat COVID19 were substantial, sometimes exceeding what many African countries could afford to spend on healthcare. COVID19's global and national containment measures make it difficult or impossible to effectively monitor and trace financial transactions. COVID19, in violation of the norms of good governance, undermined existing accountability and transparency measures under the caveat of emergency. This created a serious vulnerability for the abuse of COVID19 funding. According to Marios and Maria (2020), governments should encourage openness in their endeavors and guarantee that public institutions participating in COVID19s are available to public inspection in order to fight misuse of public authority throughout this COVID19 time. Tendencies to impede public scrutiny may be seen as an attempt to misappropriate COVID19 funds. To prevent corruption from taking over the acquisition of essential medical goods and to prevent the violation of procurement regulations for personal benefit, public accountability is essential.

Since low-income countries have received substantial COVID19 subsidies, it is imperative that they regularly provide comprehensive financial reports. Publicly available copies of government-approved budgets are a common way for governments to demonstrate their commitment to fiscal openness. Non-governmental organizations (NGOs) and others with an interest in government spending use approved budgets as a starting point for their investigations, as stated by the International Budget Partnership (2016). As a general rule, this does not qualify as open budgeting. To properly evaluate whether or not the government is in conformity with international fiscal transparency standards, the public must have access to audit reports that detail the government's actual revenues and expenditures. In addition, there was a huge gap between the degree of detail expected by CSOs and the level of detail that governments gave when it came to their budgets.

### **3.3 Critical Institutions in the Context of COVID19**

COVID19 presented unprecedented threats to governments, economies, and the general public. There is a great deal of importance placed on

entities from different levels of government when issues of accountability and transparency are at stake. Parliaments, NGOs, auditing bodies, and the media all fall within this category.

### **3.4 Somaliland National Committee for COVID19 and Its Response Package**

In order to deal with COVID19 in Somaliland, the NCC19 established four relief funds. The government has set aside a total of USD 4.5 million to contain the spread of COVID19. For health-related efforts to reduce the impact of COVID19, USD 1.5 million was allocated (NCC19,2020b). Prevention and Mitigation Document was prepared by the NCC19 to enhance accountability and transparency in managing COVID19 funds during the response operations.

### **3.5 Theoretical Framework**

Two important frameworks were employed in this work. The Sendia Framework for Disaster Risk Governance, which prioritizes disaster response and good governance [20]. According to this view, the government and its institutions are put in critical positions during emergencies, because their actions and behaviors have a direct impact on the number of lives saved. To achieve this, they must plan ahead for potential disasters and, if necessary, create new laws and regulations with the ultimate purpose of lessening the severity of potential outcomes and limiting the magnitude of potential damages. To put this theory into practice, governments must ensure that transparency of emergency funding is promoted, which in turn help recover from and bounce back from crises more quickly.

In addition, the article employed principal-agent relationships [21]. According to this view, the principal and the agent are the two key players in any kind of governing system. Principal (i.e. citizens), who have the ultimate lawful authority, choose or elect individuals to positions of power and trust them to protect their interests, while agents (i.e. the bureaucracy) are those entrusted with carrying out those duties. An important tenet of this theory is that agents have to show greater transparency with how they spend their principals' money and must report any instances of unethical behavior.

Consequently, this article makes use of both theoretical frameworks. A central tenet of the first theory is incorporating established principles of

good governance into emergency planning and response in a fundamental priority. It also emphasizes the need of maintaining good governance principles even in times of crisis, including accountability and transparency. The second theory affirms that citizens or the general public are entitled to keep their officials handling COVID19 response operations accountable and at the same time, receive credible, clear and relevant financial report to ensure that their funds are managed transparently.

#### 4. RESULTS AND DISCUSSION

The article focuses on three essential aspects: the NCC19's governance structure, the public accountability mechanisms put in place and the levels of transparency during COVID19. These shall be the thrust of the next sections

##### A. Governance Structure of the National Committee for COVID19 (NCC19)

**Establishment of the NCC19 and creation of its Secretariat:** On March 14, 2020, President Bihi issued Presidential Decree No. JSL/XM/G/083 488/032020, officially establishing the NCC19. Ministers of Education and Science, Minister of Religion and Endowment, Minister of Health Development, and Minister of the Interior are all members of the Committee. It is entrusted with leading COVID19 preparation and preventive efforts and is given authority for setting overarching policy, planning, procedures, budgets, and monitoring of COVID19 activities. Concerning its leadership, the President's Decree specifies that the Minister of Health Development should serve as the chair. Over time, the NCC19 grew to include the Minister of Finance Development and the Vice President and despite the fact that no public announcement was made, the NCC19 was later chaired by the Vice President. Since NCC19 is an ad hoc, it is neither a constitutional body nor has an establishment act, hence it lacks legal personality.

Operational matters are handled by NCC19 National Secretariat and Coordination Center (NSCC). The Ministry of Water Resources is home to the NSCC, which is made up of a secretary general and six department heads. The administrative and financial departments are made up of other departments such as administration and finance office, supervision and evaluation office, awareness office, patient care office, resource mobilization office and

regions office. The NCC19 also has two technical teams to back it up. Among them are an economic committee and health advisors. The economic committee includes Minister of Planning and Coordination, the Minister of Foreign Affairs and International Cooperation, and the Minister of Finance and Development. They formed a technical committee consisting mostly of officials from their respective Ministries, added two officers selected from Ministries of Commerce, Industries and Tourism and Ministry of Employment, Social Affairs and Families. Regarding health advisors, NCC19 set five doctors at the Ministry of Health Development to advice, support awareness raising, provide technical support and coordination. This technical committee's responsibilities include data collection, research, a weekly report on the impact on the socio-economic conditions, the provision of advice and recommendations, networking and resource mobilization and working closely with the secretariat.

##### Health Fund Management: What costs were actually incurred?

In order to respond to COVID19 pandemic, NCC19 established four relief funds. Workers, families, and farmers who have been affected by the COVID19 pandemic have access to three separate funds totaling USD 3 million to help them recover financially. The NCC19 was also given control of an additional USD USD 1.5 million set aside for health-related expenses related to COVID19. As of the drafting of this article, only one health fund had been activated and was being used to combat COVID19. Other funds are waiting for the formulation of clear-cut criteria by the appropriate authorities [22].

The health fund is meant to cover things like awareness raising, operations costs, equipment, drugs, rehabilitation and transport costs. There is an attempt made to monitor the use of this fund to determine whether or not the expenditures were truly spent. For unknown reasons, neither the NCC19 Secretariat nor the Ministry of Health Development made the material available to their respective staff. All we have now is secondary data, and that's all we can trust. To do this, the article consulted with recorded interviews by the NCC19 members in their bid to explain the major costs and funding sources involved with this fund.

1. **Awareness raising** – The Ministry of Information, Culture, and Guidance played a critical part in the awareness raising part.

The public radio and the National Television had been in operation. Although private media participated in the awareness raising, it is unclear if the NCC19 were funding this or not. NCC19 provided funding. The telecommunications companies including Telesom and SOMTEL also included rendered free awareness messages embedded into their services. Short messaging service (SMS) texts and prerecorded audios were among these methods.

2. **Equipment** – This is the medical and auxiliary supplies bought to respond to the COVID19 pandemic. The following Table 1 presents equipments donated to NCC19.

Even though the majority of health fund are supposed to go toward oxygen plants, Somaliland's Minister of Health Development revealed that the country's public hospitals have instead relied on donations from local businesses and NGOs to fund the purchase and installation of their oxygen systems. The Minister also mentioned the President of Somaliland paid the first oxygen plant during the COVID19 pandemic, in an interview with MMTV [24]. You can see who donated what and where in the following table.

3. **Transport cost** – In an interview with MMTV, the Minister of Health Development confirmed that government cars had been mobilized and used for COVID19 response operations. Note that the fuel, maintenance, spare parts, and drivers for these vehicles are already accounted for in the Ministry of Health Development's annual budget, therefore these expenses cannot be deducted from the COVID19 health fund under any circumstances, unless it is doubly reported.

4. **Operations cost** – The Ministry of Health Development levied USD 45 COVID19 test charges for travelers departing from Somaliland. These charges are collected by the Ministry of Health Development and not included in the national budget or supplemental budget. Note that all COVID19 laboratory facilities are situated in regional public hospitals, hence all utilities are already in the regional hospitals' budgets. These facilities also employed mostly public workers transferred from Hospital laboratory labs. WHO and UNICEF contribute laboratory reagents and medical equipment [26]. Since these facts have been exposed, the fees earned through COVID19 test charges has become one of the most controversial levies, with many believing that it is being misused and corrupted. The Secretary of Social Affairs of WADDANI, Somaliland's major opposition party, said that the COVID19 laboratory facility at Hargeisa Group Hospital alone tests 200–300 people every day, at a cost of USD 45 per test. The lab was dubbed "Dry port" by the secretary, who also implied that there is a suspect of corruption in the Hospital [26].

Based on the above, it should be clear that the health fund does not pay for any of these expenses directly. COVID19 test fees also provide the Ministry of Health Development with an unreported source of income. No information about the whereabouts of these enormous funds is ever disclosed back to the public or to government integrity institutions like the Auditor General or the Accountant General. What this means is that there is substantial doubt about how the NCC19 handled the health fund, and that the Committee's governance and financial management were inadequate.

**Table 1. Equipment and facilities donated to NCC19**

No	Donor	Type of Donation	Resources
1	Telesom	A. 20,000 rapid tests B. 13 ventilators (Portable and fixed) C. 2000 Personal protective equipments D. 500 thermometers E. 5000 masks	USD 640,000
2	Dahabshill	A. 2 Oxygen plants B. Rapid tests C. 3 ventilators	USD 600,000
3	WHO	A. PCR machine for Hargeisa Group Hospital	Not disclosed

Source: Universal TV [23] and HCTV [24]

**Table 2. Oxygen plants donated to public hospitals**

No	Public hospitals	Quantity	Donor
1	Hargeisa (Hargeisa Group Hospital)	3	1 piece was already at HGH, though it had compressor related problem 1 piece by President of Somaliland 1 piece by World Health Organization (WHO)
2	Berbera Hospital	1	Dubai Ports World
3	Burao Hospital	1	Genel Energy
4	Erigavo Hospital	1	Dahabshiil
5	Las-anod Hospital	1	Through joint contribution by the government and local people
6	Borama Hospital	1	Dahabshiil

Source: MMTV [25]

**B. Public accountability mechanisms in place**

To provide a favorable atmosphere for NCC19's activities, NCC19 released a detailed Prevention and Mitigation Document. As stated in the document, the NCC19 would adhere to all applicable rules and regulations in its financial operations and procurement activities. Members of the NCC19 are Ministers, and several of those interviewed remarked that they were already struggling to fulfill the enormous responsibilities of their portfolios. This demonstrates that how little the NCC19 cares about accountability. Under such situations, one should ever anticipate Ministries or else members of the NCC19 to bother themselves in having their faces visible before the public. Not only this, should they ever create a system where public may inquiry them in discharging public obligation under emergency circumstances where accountability is put at the center of any response operations.

**Controlling institutions and their role in promoting accountability during COVID19 pandemic:** An examination of pertinent secondary data was also conducted to investigate how much attention the most important institutions paid to COVID19. What follows is a presentation and analysis of the results gathered.

**Public Accounts Committee (PAC) -** Some respondents described the Public Accounts Committee (PAC) as "weary," a sentiment shared by many others, since the PAC and its Parliament stayed in power longer than they were elected. They were elected for a mandate of 5 years, but they served for 16 years in total. When the Economic, Finance, and Commerce Committee (EFCC) wanted to know more about the Ministry of Finance Development's COVID19 response activities, they requested a

comprehensive budget. Neither the House nor the Ministry of Finance Development have provided any updates on the COVID19 budget since then.

**Somaliland Journalism Association (SOLJA)** – SOLJA's efforts were focused on raising awareness of the COVID19 rather than monitoring response activities for flaws in governance. One possible explanation for SOLJA's failure to serve as a watchdog is the substantial financial backing it receives from the government. In 2020 and 2021, the government allocated 400,000,000 and 500,000,000 Somaliland Shilling to SOLJA, respectively, as shown in the yearly budget [27]. Its current chair is a government employee who works for the Ministry of Information, Culture, and Guidance.

**Office of the Auditor General (OAG) –** No auditing actions against NCC19 have been taken by this institution. The interview also received that the Auditor General placed a higher priority on focusing on saving lives than on dealing with bureaucratic details.

**Somaliland Non-State Actors Forum (SONSAF) -** By reallocating a portion of its core budget to COVID19 coordination meetings, SONSAF has lobbied for the participation of civil society organizations in the response to the virus. Yet, SONSAF did not seem to be pushing for open and accountable COVID19 response operations.

**Good Governance Commission (GGC) –**The GCC once conferred with the Ministry of Health Development in order to evaluation the Ministry's handling of COVID19 health fund. However, no documentation proving that the Health Ministry's fiscal practices are in line with the PFM statute

was provided from COVID19 inception to the time of writing this article.

**Public hearing and debates:** According to Law No. 75/2016 on Accountability in Public Financial Management in Somaliland, a "public official" is any individual holding a position in the public sector. The interview data confirms that NACC19 has been keeping itself secret for no apparent reasons. The local media once hosted a forum during which NCC19 was expected to provide details about its goals, accomplishments, and financial management. Horn Cable Television (HCTV)'s idea to hold a public hearing session on June 1, 2020, is a good example [28]. The Secretary General addressed the media on the day the event was supposed to take place to express his regret that it would not be going on as planned. The Secretary said that the NCC19 is now occupied with emergency operations and promised that the event will take place at a later date that would be announced formally to the public.

As of the drafting this article, the event did not happen. The NCC19's tendency to avoid responding to the public under the caveat of emergency is symbolic of the little attention it paid to public accountability and may be cited as proof of the hidden trust deficit many people attribute to the Committee.

### C. Fiscal transparency

This article drew heavily on the requirements of the Public Financial Management Act, which mandates that all government institutions and committees account for every penny they spend. What follows is a detailed explanation.

**Budget of the NCC19:** To help in the COVID19 reaction effort, the government has reportedly contributed USD 4.5 Million from the national budget. Only USD1.5 million was deposited to the health fund. NCC19 claims that they only have USD 1.5 Million available for health-related actions associated to COVID19, while the article noted that the actual amount is far higher. Health fund implementation is overseen by the Ministry of Health Development, which gets funding in addition to the government's allotted amount. Both are monetary contributions from businesspeople and the USD 45 COVID19 test fee. Telesom, Dahabshiil, and businessman Abdirahman Bore gave NCC19 an extra USD 500,000 in cash [29].

While the exact amount of money made from the COVID19 test has not been revealed as of yet, the Ministry of Health has managed at least USD 2 Million specifically for health-related interventions. The Ministries of Health and Finance did not submit a supplemental budget to the House of Representatives detailing the additional costs they anticipated incurring, as required by article 19 of the Public Financial Management Act. There has been no budgeted use of this money, hence it is in violation of the PFM Act's core requirements. Things are really heating up around here. Transparency in NCC19 activities has officially begun to decline. When the funds received and expenditure plan are not murky, there are not sufficient safeguards from embezzlement and misappropriation to happen.

**Control of public finance and accounting systems:** NCC19 did not implement the new finance and accounting system that was developed for the COVID19 response operation. It is crucial to remember that all officials and organizations responsible for public finances must comply with the government accounting system. The Ministry of Finance Development is responsible for providing training and orientating to any entities that are granted the authority to manage public funds.

This is the crux of PFM Article 20 (4b) and Article 17 (1). The Office of the Accountant General additionally verified that NCC19 does not make use of the current government accounting and financial system. They use their own accounting system, unrelated to the government's and not subject to oversight by the Office of the Accountant General. This is an intentional conduct that imperils the importance of diligence. This proves that both the accountant general's pre-audit duties and the auditor general's auditing duties have been severely damaged. Because of this, there has been no protection against the misuse of COVID19 funds, and NCC19 has an unlawful power to administer public funds.

**Procurement function:** There is no ambiguity in the National Procurement Act. Unless otherwise specified, the National Tender Board of Somaliland is responsible for any procurement project costing more than 50,000,000 Somaliland Shilling (NTB). All of the authorities who were questioned about the NCC19's procurement, rehabilitation, and service contracts said that these transactions occurred outside of the

procedures laid out by the National Procurement Act.

According to the financial report of NCC19, roughly USD 470,000 given by businesspeople was allocated to buy food items for the affected communities. The NCC19 was alone responsible for this, and the standard national bidding procedure was not followed for such a massive purchase. The President of Somaliland paid for the first oxygen plant, which cost USD 120,000, and the current building of the emergency health response at Hargeisa Group Hospital, which cost USD 175,000, were both bids that were not offered to the NTB [30].

If relevant laws are ignored, neither accountability nor transparency can be preserved. Improperly handled national bids lead to corruption, cronyism, low quality, and nepotism.

**Financial report:** Every government institution and accounting officers of these institutions are obliged to properly account for public funds. These officials are in charge of accounting for government funds must submit comprehensive annual financial reports to the Accountant General and the Auditor General. The NCC19 financial report was made public on May 30, 2020.

The article contacted several controlling institutions, such as the Auditor General and the Accountant General, to see whether NCC19 had filed any financial reports to them since its inception, and they confirmed that no such reports have been presented publicly. This article used these notes to conduct an in-depth examination of the NCC19 financial report, taking into account all of the information needed by the PFM acts as well as the information garnered through interviews with members of the NCC19 and other relevant authorities. These findings are uncovered:

1. **World Remit** – As part of their donation, World Remit sent masks, gloves, and hand sanitizers. The Director General of the Ministry of Health Development announced the sale of facemasks at a reduced price after receiving the third shipment. The Director General said that the retail price of facemasks will be cut by 10 times, bringing them down to a maximum of 2,000 Somaliland Shilling. The selling of facemasks

generated an undisclosed sum of cash that the NCC19 did not reveal in its annual financial report.

2. **External Contributions** – Funding from outside sources was disclosed in the NCC19's financial report. These include countries, INGO and UN, flight agencies, LINGO and one individual citizen. However, the nature of their contributions, with the exception of the citizen who donated 1,500 facemasks, is not specified in the report. Has everyone else chipped up monetarily or otherwise? This goes against the IPSAS that Somaliland's government has embraced for public sector accounting. All assets received by a public institution must be recorded in the books according to IPSAS, with the appropriate asset classification reflected in the cash accounts (International Accounting Standard, 2006). Including donors' names without specifying whether their contribution was monetary or in-kind is completely deceptive and goes against the very foundations of financial reporting. Also, it raises questions about the NCC19's activities' transparency and generates mistrust and a temptation to hide the truth about the funds obtained.

3. **Cash received from the businesspeople** – According to the NCC19 report, a total of USD 500,000 was donated by local businesspeople. Amount mentioned in same report is more than this figure. There is also USD 70,000 in cash received from a businessman.

4. **Frequency of reporting** – Since the NCC19 was established in March 2020, they have only issued one report, which was published on May 30th, 2020. This report is not officially shared with the Accountant General or the Auditor General either. Under Article 41 (1) of the PFM legislation, the Accountant General is responsible for compiling annual financial reports on behalf of government institutions and submitting them to the House of Representatives for review. However, NCC19's tardiness in submitting its report to the Accountant General violates not just the PFM act, but also one of the IPSAS's most important attributes: timeliness. There is a propensity for late financial reports to hinder users' ability to be informed promptly and to conduct external examination.

To sum up, the NCC19's financial report had no other purpose than to pacify the public and divert attention away from the institutions' lack of transparency and accountability. Further, it shows a lack of true political commitment on the part of the elected Vice President and cabinet members to provide evidence of transparency utilizations of the COVID19 funds.

**Auditing and auditing report:** There has never been an audit of NCC19, and the findings of the interviews made clear that the Office of the Auditor General would not dare conduct such an audit. Some respondents to our survey held the opinion that

1. The Vice President is in charge of the NCC19; thus, the Auditor General has no business auditing a duly elected official in that position.
2. NCC19 has no legal personality, therefore, it is impossible to conduct an audit of its financial transactions
3. Most of the COVID19 funds under NCC19's authority are maintained in an off-budget private bank. Therefore, it is beyond the scope of Auditor General and
4. Since no action has been taken in response to earlier Auditor General's findings in other public institutions, it seems that the Auditor General's Office has abandoned its auditing efforts on this Committee.

Despite that NCC19 has accounts in private banks, the funds in these accounts are treated as "public money" in pursuant with the National Audit Act 76/2016. The act defines public money as "includes all money that comes into the possession of or is distributed by a public body, and money raised by a private body where it is doing so under statutory". Thus, public money includes (1) All money received by a public body, from whatever source (2) All money received from a public body by a non-public body; and (3) Revenues and any trust or other money held, temporarily or otherwise, by an officer in his/her official capacity, either alone or jointly with any other person, whether an officer or not. The act reserves the Office of Auditor General the mandate to undertake financial, performance and compliance audit in all public accounts. These includes all institutions where public money is deposited, and the State has a controlling interest. These functions are elaborated in article 44 of the National Audit Act.

When these legal provisions are read with the findings outlined above, the Office of the Auditor General overlooked its role in holding NCC19 accountable of its financial operations. And knowing that corruption often prevail when transparency is disregarded, this result can be interpreted as strong evidence of lack of audit mechanism that can prevent NCC19 from embezzlement and misappropriation and other multifaceted forms of corruption.

## 5. CONCLUSIONS AND RECOMMENDATION

Somaliland's COVID19 response operations is led by an ad hoc cabinet members headed by the Vice President whose accountability is challenging within the context of Somaliland. They are not committed to demonstrate sense of accountability and transparency.

COVID19 fund for health operations was another disaster. No evidence of the accountable use of USD 1.6 Million allocated for the health fund is obtained. Both the collection and the management of the fees collected from COVID19 test charges are handled in an illegal and a manner absent from transparency. NCC19 entertained undue discretionary powers due to lack of strong institutions that can control the excessive powers of this committee. These institutions are passive, like PAC, or silenced by the government as it funds SOLJA and most worrisome, the impotent Audit General who abstained to audit NCC19.

NCC19 concealed the truth of the amount of cash received and in-kind support obtained in their response to COVID19. Likewise, in-kind assistance received by the NCC19 are unclear. Tendency to obstruct both pre and audit functions and thereby, COVID19 funds are mismanaged has been evident. Their financial report was very vague, misleading, and lacks good faith. Its lack of details also limits external scrutiny. The responsible institution – the Auditor General – had taken no single audit operation against NCC19 and this is partly one of the reasons the NCC19 COVID19 response operation is still suspicious.

In a nutshell, NCC19 unveiled failure of government-led emergency response operations and suspicions around transparent and accountable use of meager COVID19 funds exacerbates the thin layer of trust and confidence over the government at times of crises.

## 5.1 Recommendations

**Towards legitimate, adequately financed, effective and sustainable approach to respond to emergencies, the paper recommends:**

- ☞ Reshaping and building the capacity of National Disaster Preparedness and Food Reserve Authority (NADFOR) than nominating Ad hoc Emergency Committees. Ad-hoc political and centralized committees for emergencies is no longer effective.
- ☞ Selection of competent leadership for the NADFOR and the selection should be clearly stipulated in an act of Parliament. Among others, they should be credible, trustworthy, non-political figures selected from subject matter specialists, academia, professional associations, and civil society organizations.
- ☞ **To make emergency response operations accountable, the paper recommends**
- ☞ Establish Parliamentary Committee for Emergency Operations. The House of Representatives need to establish this Committee and task to oversee emergency response and post-emergency operations with particular focus on adherence to the PFM act, transparent use of resources and accountability of the public institutions.
- ☞ **Engage CSO and Media.** Through appropriate law, CSO must be allowed to report corrupt practices to the Police and investigative bodies for their action. SOLJA, on its end, need to be financially independent from government. In-house resource mobilization and external financial assistance can offer alternate solutions.
- ☞ **Reliability, relevance and transparency of fiscal affairs in the context of emergencies can be strengthened through**
- ☞ **Legalization of Government Contributions during Emergencies:** At the onset of emergencies, a detailed budget breakdown along with an agreed unallocated percentage to off-set variations, expenditure tracking system

(often online), narrative report including monitoring and evaluation plan with comprehensive performance indicators, risk matrix and mitigation strategies must be put in place. The same shall be presented to the Parliament for review and approval.

- ☞ **Establishment of an Ad hoc Technical Committee from government controlling institutions in the Executive Branch:** Technical officers from GGC, NTB, Office of Auditor General, Office of Accountant General, Budget Office of the Ministry of Finance Development and Central Bank of Somaliland can provide dedicated work in times of emergencies. If response operation is funded through outside government budget, such contributors, other than INGO or UN organizations, need representation. Among other tasks, this committee oversees the response operations in terms of compliance with the PFM systems and legislations, provides technical advice to promote transparent use of resources and facilitates the work of NADFOR towards speedy, but accountable disbursement of funds.
- ☞ **Creation of Emergency Procurement Regulation:** The regulation provides detailed account of how procurement is handled during emergencies, procedures for filling justifications of one procurement method over the other and create e-procurement procedures and platforms, among others. In particular, the regulation obligates online publication of the details of the awarded contracts. These include bidding process, prices, bid evaluation reports, delivery, and payment status etc.
- ☞ **Mainstreaming Emergency Fund Disbursement into the Integrated Financial Management Information System (IFMIS):** To avoid long-standing tendencies to bypass processes and procedures laid by PFM under the caveat of emergency, it is recommended to create special window in IFMIS to make rapid and accountable disbursement of emergency funds.

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## COMPETING INTERESTS

Author has declared that no competing interests exist.

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