

IN THE FIRST SESSION OF THE EIGHTH PARLIAMENT OF THE
FOURTH REPUBLIC OF GHANA



R E P O R T

of the

COMMITTEE ON DEFENCE AND INTERIOR

on the

**PERFORMANCE SALES AND PURCHASE AGREEMENT
BETWEEN THE GOVERNMENTS OF THE REPUBLIC OF
GHANA (REPRESENTED BY THE MINISTRY OF DEFENCE)
AERO VODOCHODY AIROSPACE A.S. OF THE CZECH
REPUBLIC FOR AN AMOUNT OF ONE HUNDRED AND
ELEVEN MILLION, THREE HUNDRED AND NINETY-
THREE THOUSAND, FOUR HUNDRED EUROS
(€111,393,400.00) FOR THE SUPPLY OF SIX (6) L-39 NEXT
GENERATION (L-39NG) AIRCRAFTS AND THE PROVISION
OF SUPPORT IN TERMS OF PRODUCTS, SERVICES AND
GROUND BASED TRAINING SYSTEM ASSOCIATED WITH
THE AIRCRAFT OPERATION FOR THE GHANA ARMED
FORCE**

DECEMBER, 2021

1.0 INTRODUCTION

The request for the approval of the Performance Sales and Purchase Agreement between the Governments of the Republic of Ghana (represented by the Ministry of Defence) AERO Vodochody AIROSPACE a.s. of the Czech Republic for an amount of One Hundred and Eleven Million, Three Hundred and Ninety-Three Thousand, Four Hundred Euros (€111,393,400.00) for the supply of six (6) L-39 Next Generation (L-39NG) Aircrafts and the provision of support in terms of Products, Services and Ground Based Training System associated with the Aircraft operation for the Ghana Armed Forces was presented to the House on Tuesday, 14th December, 2021 by the Hon. Minister of Defence, Mr. Dominic Bingab Aduna Nitiwul.

Rt. Hon. Speaker in accordance with Article 103 of the 1992 Constitution and Orders 158 of the Standing Orders of the House, referred the Agreement to the Committee on Defence and Interior for consideration and report.

Subsequently, the Committee on Defence and Interior met and was assisted in its deliberations on the Agreement by the Hon. Dominic Bingab Aduna Nitiwul, Minister for Defence, Hon. Kofi Amankwa-Manu, Deputy Minister for Defence, Dr. Evans A. Dzikum, the Chief Director of the Ministry of Defence and other officials from the Ministry of Defence and the Ghana Armed Forces were also in attendance during the Committee's deliberations.

The Committee is grateful to the Hon. Minister, his Deputy, Chief Director and the officials for attending upon the Committee to assist in its deliberations.

2.0 REFERENCE DOCUMENTS

The Committee referred to and was guided by the following documents *inter alia* during its deliberations on the Agreement:

- i. The 1992 Constitution
- ii. The Standing Orders

Performance Sales and Purchase Agreement between the Governments of the Republic of Ghana (represented by the Ministry of Defence) AERO Vodochody AEROSPACE a.s. of the Czech Republic for an amount of One Hundred and Eleven Million, Three Hundred and Ninety-Three Thousand, Four Hundred Euros (€111,393,400.00) for the supply of six (6) L-39 Next Generation (L-39NG) Aircrafts and the provision of support in terms of Products, Services and Ground Based Training System associated with the Aircraft operation for the Ghana Armed Forces

iii. The Public Financial Management Act, 2016 (Act 921)

3.0 BACKGROUND

Article 210 of the 1992 Constitution of the Republic of Ghana mandates that the Ghana Armed Forces is combat ready at all times, in terms of its personnel and also its equipment. These factors are important and determine the readiness and effectiveness of Ghana's Military both in peace times and times of combat. It is therefore necessary that the State adequately equips the Ghana Armed Forces from time to time, with modern and sophisticated equipment to make it fit for its internal and external responsibilities.

Upon much deliberation and strategic consideration, the GAF has decided to re-equip its fleet with six (6) L-39NG aircraft manufactured by the Aero Vodochody Aerospace A.S., a company incorporated in the Czech Republic with a proposal to supply six (6) L-39NG Military Aircrafts to the Ghana Armed Forces alongside with Support products (Ground Support Equipment, set of Spare Parts, Aircraft Life Support Equipment and Technical Publications), Services (Pilots training, ground personnel training, field service engineers, program management office, Service Life Consumption and Bulletin Service Upgrade) and Ground Based Training System which will to some extent meet the current needs of the Ghana Air Force (GHF)

The aircraft and technical assistance package in operating them, when acquired for the GAF, will equip GAF to enhance its operations, particularly the operations of the Air Force.

4.0 PURPOSE OF THE CONTRACT

The purpose of the contract is to seek approval from Parliament for the processing of the Agreement, which is aimed at strengthening, equipping and improving the capability of the GAF to ensure that it is combat ready to protect the territorial integrity of Ghana from any emerging threats.

5.0 SCOPE OF THE CONTRACT

The Committee was informed that under the agreement, the scope of works covers the following:

- a. Sales and purchase of aircraft according to time schedule and technical specifications;
- b. Sales and purchase of products – buyer undertakes to take over the products and pay for them – the purchase price of the product as agreed for each individual product;
- c. The seller undertakes to provide the buyer with the following training and support services at agreed dates; and
 - i. Pilot training
 - ii. Maintenance personnel training
 - iii. Field Service Engineers
 - iv. Corporate social responsibility
- d. Project Management Plan

The project shall be phased over an anticipated period of thirty (36) months including:-

- a. Logistics support and deliverables for more than twelve (12) years; and
- b. The technical and operational training will commence as soon as the contract is signed.

6.0 OBSERVATIONS

6.1 Justification for the Contract

The Committee observed the need for a capable Ghana Armed Forces to deal with imminent threats cannot be over-emphasized. The Ghana Air force has presently become limited in its internal and external operations. The emerging threats of terrorism, piracy, illegal fishing and drug trafficking in the sub-region are real and need to be monitored. Also the expanding roles of the GHF at the

strategic level also requires strategic lift capability that adequately supports high level government business.

6.2 Value for Money and Transparency of Purchase

The Committee was further informed that value for money audit assessment was carried out by the Ministry of Finance and the assessment formed the basis on which the government is contracting the loan for the purchase of logistics in furtherance of the interest of the State.

The Committee noted that given the sensitive nature of the security concerns of the State to both government and the citizenry, the management and administrative matters including materials and equipment are handled with caution.

6.3 Replacement of Equipment and Enhancement of GHF

The Committee was informed that the Ministry selected the L-39NG because it is a familiar aircraft. The MoD stated that the Ghana Air Forces used both the L-29 and L-39 aircrafts in the past and as a result, they are familiar with its usage and the cheapest among its class type of aircrafts that were considered. The low purchase cost and operational cost as compared to the powerful training aircrafts of the M-364 or Jak-130 categories and its design which allow it to perform combat, patrol and reconnaissance tasks accounts for its selection. The L-39NG has also been selected because it is the most reliable and cost-effective solution for basic and advanced flight and combat training, close air support operations, Intelligence, Surveillance, and Reconnaissance (ISR), armed over-watch, counterinsurgency and irregular warfare scenarios.

6.5 Training of Officers

The Committee was further informed that contemporary threats require modern logistics with highly trained personnel (pilots and maintenance personnel). In pursuit of this, officers from the SAF will be trained to handle and maintain the support spares of the facility locally as well as train officers of GAF to periodically maintain the facility which will ultimately prolong the life span of the facility.

7.0 RECOMMENDATIONS AND CONCLUSION

The Committee recommends that the Ministry should ensure that the testing of the aircrafts be conducted in two phases. The first phase of the testing which is the initial stage should be conducted in the Seller's Plant in Czech Republic and the final stage should be conducted after a test flight in Ghana.

The Committee further recommends that the risk factor should be shifted to the government of Ghana only after the Ghana Air Force has performed the functional tests of the Aircraft systems, visual inspection of the Aircraft's airframe with the opening of technologies access, Aircraft's engine and visual check, GSE check and the Final Acceptance Documentation check and are satisfied with the Aircraft's performance.

In conclusion, the Committee is of the considered view that the request will undoubtedly improve the operations of the military towards defending the country therefore recommends to the House to adopt its report and to approve the Performance Sales and Purchase Agreement between the Governments of the Republic of Ghana (represented by the Ministry of Defence) AERO Vodochody AEROSPACE a.s. of the Czech Republic for an amount ***of One Hundred and Eleven Million, Three Hundred and Ninety-Three Thousand, Four Hundred Euros (€111,393,400.00)*** for the supply of six (6) L-39 Next Generation (L-39NG) Aircrafts and the provision of support in terms of Products, Services and Ground Based Training System associated with the Aircraft operation for the Ghana Armed Forces

Respectfully submitted.



**HON. KEN OHENE AGYAPONG
(CHAIRMAN OF THE COMMITTEE)**



**MS. JANE FRIMPONG
(CLERK TO THE COMMITTEE)**