

GHANA

REPUBLIC OF GHANA

Head of state and government: J.J. Rawlings

Capital: Accra

Population: 20.2 million

Official language: English

Death penalty: retentionist

2000 treaty ratifications/signatures: International Covenant on Civil and Political Rights; Optional Protocol to the International Covenant on Civil and Political Rights; International Covenant on Economic, Social and Cultural Rights; UN Convention against Torture; Optional Protocol to the UN Women's Convention

Journalists and others were briefly detained or imprisoned for criticizing government officials or protesting at human rights violations. A number of detainees were reportedly assaulted in military custody. There was no progress in the trial, re-trial or appeal in three continuing treason cases. At least one death sentence was passed; no executions were carried out.

Background

The winner of presidential elections in December was John Kufuor, leader of the opposition New Patriotic Party (NPP). President J.J. Rawlings, head of state and government since coming to power in a coup in 1981, served his second and final term of office as an elected President since the return to civilian rule in 1993.

The NPP won a majority of seats in the National Assembly in general elections in December. Seven people were killed in clashes between party supporters over the conduct of the elections in the town of Bawku, northern Ghana. The armed forces briefly closed down a regional radio station after an NPP candidate allegedly incited violence; charges were subsequently brought against him. Both government and opposition made repeated calls for the elections to be peaceful.

Prisoners of conscience and freedom of expression

Freedom of expression continued to be inhibited in Ghana by the imprisonment of journalists under the laws on defamation and contempt of court. Individuals were subjected to lengthy interrogation, brief detention and in some cases assault for publicly raising concerns about human rights violations, offending members of the government or being associated with the opposition.

☞ In January Stephen Owusu, editor of the *Free Press* newspaper, was fined and sentenced to one day's imprisonment by the High Court in Accra. He was found to be in contempt of court for publishing an article commenting on a civil suit before the Court.

☞ In May John Kufuor, leader of the NPP, and three visiting Italian politicians from the *Forza Italia* party were detained overnight at police headquarters. The authorities said that they were suspected of breaching immigration regulations. The victims said they were arrested as they were leaving the country, held for 15 hours without food or drink, and questioned in detail about their activities in Ghana. The NPP said that the government was seeking to deter its legitimate contacts with foreign political leaders and businessmen.

☞ In November the security police detained two journalists for questioning before releasing them on bail. Felix Odartey-Wellington, a television presenter, was charged with insulting behaviour for making critical remarks about the President on television. Kofi Coomson, editor-in-chief of the *Ghanaian Chronicle* newspaper, was charged with receiving stolen goods after publishing allegations that the then ruling National Democratic Congress party was proposing election fraud.

Treason trials

By the end of 2000 the Supreme Court, which has appellate jurisdiction in treason cases, had not yet heard the appeal of four men sentenced to death in February 1999 following a long-running treason trial. Sylvester Addai-Dwomoh, Kwame Alexander Ofei, Kwame Ofori-Appiah and John Kwadwo Owusu-Boakye had been imprisoned since their arrest in September 1994 and convicted of plotting to overthrow the government. The special High Court trying the case had ruled admissible statements allegedly made under duress despite evidence that the defendants and some soldiers who later testified for the prosecution had been beaten following their arrest.

The trial did not commence of alleged co-conspirator James William Owu who was detained in Sierra Leone in early 1999, taken to Ghana by the Ghanaian armed forces without formal extradition proceedings, and charged with treason.

The retrial on treason charges of Karim Salifu Adam, an NPP member imprisoned since May 1994, did not proceed.

Releases of political prisoners

Two long-standing political prisoners were among more than 1,000 prisoners released under a presidential amnesty in April: former Captain Adjei Edward Ampofo, sentenced to death in 1983 after being convicted *in absentia* of involvement in an attempted coup in 1983; and former Sergeant Oduro Frimpong, who was sentenced to death in 1985 after a trial *in camera* for involvement in an alleged coup plot in 1984. In 1997 their death sentences had been commuted under a previous clemency measure.

Detentions and alleged assaults by the military

Arrests and detentions were reported to have been carried out by the military. Some detainees were assaulted; others were unlawfully detained without access to lawyers or recourse to the courts in places such as the Castle, Osu — the presidential office and residence in Accra — and at Military Headquarters, Burma Camp in Accra. In some cases, the

reason for the arrest was political — criticism of the military or offence to the President or his family.

☞ In January Kabral Blay Amihere, publisher of the *Independent* newspaper, was arrested at gunpoint by military police late at night in his car and detained overnight for questioning after his newspaper published an article deemed critical of the military.

☞ In January Selassie O'Sullivan-Djentuh, aged 23, and two employees of his mother — William Katey and James Narh — were seized by armed men. Because of previous threats by members of the presidential guard, his parents sought information at the Castle which was refused. His father was detained overnight for questioning by the military after appealing on national radio for information about their son. The three men were released from detention after three days at the Castle, where they were reportedly assaulted and threatened and held in a dark and overcrowded cell in which there was no room to lie down. After further threats, attacks in the state-controlled news media against the family, and the demolition by armed police of family property, Selassie O'Sullivan-Djentuh left the country in fear of his life. His parents were charged with, and in August convicted of, assaulting a member of the presidential guard and offensive conduct. A Circuit Tribunal in Accra ordered their imprisonment for two weeks to await sentencing. After widespread protests, the court bound them to keep the peace or risk reimprisonment.

☞ In July Paul Poku, a US citizen of Ghanaian origin, was detained for two weeks at Military Headquarters, Burma Camp in Accra, after being arrested at night by armed soldiers. He was reportedly severely beaten and ill-treated, apparently in an attempt to force him to pay money in connection with a civil lawsuit.

☞ In September military police arrested for questioning Sedi Bansah, a journalist on the *Crusading Guide* newspaper, at the instigation of a government minister, after the journalist telephoned the minister to check a report of the minister's involvement in a shooting incident. Shortly afterwards, unidentified assailants smeared the newspaper's offices with human excrement, a form of harassment previously used against other privately owned newspapers which criticized the government.

☞ In October armed officers from the Second Infantry Brigade in Kumasi were alleged to have taken five girls, all hairdressing apprentices, to an army barracks where they were assaulted and then to a police station where two were held overnight. The soldiers reportedly stripped and beat the girls' employer, Gifty Brown Davis, at her hairdressing salon and drove her, naked, to the military barracks where she was reportedly again beaten before a senior officer. The soldiers were said to have been acting at the request of the landlady, who had already been served with a court order restraining her from harassment.

Impunity

The government continued not to respond to calls for investigations into human rights violations committed before and after the return to civilian rule in 1993. The military continued to act with impunity and were not held accountable for instances in which they reportedly detained or assaulted people. In August the police denied knowledge of an unofficial "police station" at Military Headquarters, Burma Camp, where soldiers reportedly detained and assaulted a number of civilians.

During the election campaign, John Kufuor promised an investigation into human rights violations if he was elected.

Death penalty

In July the High Court sentenced to death Ebenezer Quaynor, an armed forces officer, following his conviction for murder. No executions were carried out.

In August AI's Ghanaian Section and other local human rights groups launched an action in Accra as part of a worldwide campaign seeking a moratorium on the use of the death penalty as the first step towards its abolition in countries where executions had not been carried out for several years.

AI country report

- Ghana: Briefing on the death penalty (AI Index: AFR 28/001/2000)