

VOLUME 2 CHAPTER 8**CHAPTER 8****REVIEW OF PETITIONS****G. 31ST DECEMBER, 1981 – 6TH JANUARY, 1993****8.1 MURDER OF ODIYIFO ASARE**

8.1.1 The late Odiyifo or Prophet Asare was the founder of The Lord Is My Shepherd Church based in Kumasi. On Sunday 7th February, 1982 while a Church service was in progress, a Major Joe Darko of the Ghana Army Medical Corps, stationed at 4Bn Kumasi entered the Church brandishing a pistol. He ordered the Odiyifo and members of the congregation to go out and fill potholes in the street. The Odiyifo remonstrated with him and asked to be allowed to complete the service after which the congregation would go out to undertake the task the officer demanded of them. Maj Darko agreed and left the Church premises along with his military driver.

8.1.2 After the Maj Darko had left, the Odiyifo sent a delegation to the Military Barracks to lodge a complaint about the conduct of the officer. The officer with whom complaint was lodged questioned the Major about the incident. Maj Darko got angry and went back to the Church still brandishing a loaded gun. In a confrontation with the Church members, the gun went off and seriously wounded a Policewoman Joana Essien who was attending the Church service. The Church members thereupon disarmed the Major and in the process, inflicted wounds on him resulting in his death at the Church premises. The driver of the officer fled and narrated what had transpired to the soldiers at the barracks.

8.1.3 Soldiers fanned out into the town to look for the Odiyifo and the Church members. Meanwhile an announcement was made on the state-owned radio that the Odiyifo and all members of the Church should surrender to the Police or to the Military authorities.

8.1.4 The soldiers went to the Church and burnt it down. They fired their guns indiscriminately killing or wounding passers-by, including football fans, who were leaving the nearby Kumasi Sports Stadium. They searched for, killed and subjected several persons to torture and ill-treatment. They also attacked other spiritual churches in Kumasi.

8.1.5 Among those who died or were seriously injured were:

8.1.5.1 **Odiyifo Asare** was arrested, shot dead and the body burnt at Kejetia.

8.1.5.2 **Ex-Sgt Nyamekye** a member of the Church was arrested, shot and killed at the Military Barracks.

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8.1.5.3 Policewoman **Joana Essien** who had been admitted to the Komfo Anokye Hospital following her earlier gun-shot wound at the Church, was shot dead in her hospital bed.

8.1.5.4 **Kwadwo Boadi** of the Farmers' Co-operative at Mprakyire in Adansi who had arrived at Kejetia to transact business was hit on the back of the head with the butt of a gun when he failed to respond to an order to raise his hands. He died.

8.1.5.5 **Alfred Avorgah**, who was leaving the football stadium after watching a match between Kotoko and Hearts of Oak football club, was shot dead.

8.1.5.6 **Kofi Antwi** a taxi driver who dropped a passenger at the football stadium was given a chase by soldiers in a military vehicle until he crashed the vehicle at Kokwado. He was injured and is now confined to a wheel chair.

8.1.6 The following persons were arrested, detained at the barracks and tortured:

8.1.6.1 **Michael Henry Frimpong** a teacher at Technology Secondary School, Kumasi and an Elder of the Church, was arrested and taken to the barracks. His hair was shaved with a broken bottle, and flogged with a piece of wire. He was hit with the butt of a gun and slapped several times, causing him to bleed from the ears.

8.1.6.2 **Francis Weremfo Adjei** a member of the Church, was arrested at the Tafo Police barrier the day after the incident and taken to the barracks. He was beaten up and deep cuts were inflicted on his body with a razor blade leaving him with scars which are still visible.

8.1.6.3 **Hayford Ansere Afriyie** was identified as a member of the Church at the Asuoyeboah barrier as he tried to leave Kumasi for Bechem, Brong Ahafo. He was arrested and taken to the barracks. He received several cuts on his body from a razor blade, his toe-nail came off when he was hit on the foot several times with a heavy object, and he was hit several times with the butt of a gun.

8.1.6.4 **Kwaku Manu** was identified as a member of the Church and arrested at the Tafo barrier while on his way to Mampongten. He was made to join other members of the Church who had been arrested. He was hit on the head with rifle butts. At the barracks Manu and six other members of the Church were made to slap each other. Some of them bled as a result. A soldier ordered them to remove their shirts after which he proceeded to cut them on the chest and on their backs with a razor blade, leaving permanent scars.

8.1.6.5 **Robert Owusu Adu** was arrested at the Asuoyeboah barrier while on his way to Nwamahiniso, Brong Ahafo. He was taken to the barracks along with other members of the Church. He was beaten with belts, slapped and cut with a razor blade. His toe nail was pulled off. He lost some teeth and the sight in his right eye.

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8.1.6.6 **Kwaku Oti** was arrested in the evening at his home in Kumasi. He was taken to the barracks where he was severely beaten. His condition was such that he was taken to the Komfo Anokye Hospital for treatment. He fled the hospital after soldiers went there to kill Policewoman Joana Essien.

8.1.6.7 **Richard Boateng** was identified as a member of the Church at the Asuoyeboah barrier as he tried to leave Kumasi for Bechem, Brong Ahafo. He was beaten up, his toe nail came off when he was hit on the foot several times with an iron object. He was hit with the butt of a gun and cuts were made on his body with a razor blade.

8.1.7 Other Church members who were attacked were:

8.1.7.1 **Yaa Nyarko** was on her way to Manso Adubia, near Bekwai when she was arrested at a military barrier at Kotwi. She was slapped and made to join other members of the Church who had already been arrested. They were brought to the Kwadaso barracks where they suffered further ill-treatment. Yaa was hit on the head with a piece of iron rod and kicked in the hip. She sustained a cut on the head and a fracture of the hip.

8.1.7.2 **Yaa Opokuuaa** was arrested at a barrier at Anyinam, near Bekwai when members of the Church who had been arrested pointed her out as a fellow Church member. She was beaten and later sent to the barracks where she was subjected to further brutalities. She sustained a fracture of the rib.

8.1.7.3 **Kwaku Nyame**, a carpenter, was accosted by soldiers in the evening in the street near the Sports Stadium. They beat him up, hit him on the head with a hammer and tried to kill him by tying him to a vehicle and dragging him along the road, but he was saved when the rope snapped.

8.1.7.4 **Kwadwo Ohemeng** an Elder of the Church was in the delegation of three sent by the Odiyifo to lodge a complaint at the barracks over the conduct of Maj Darko. He was arrested at the Asuoyeboah barrier as he tried to leave Kumasi. He was taken to the barracks and brutally assaulted. He was slapped and hit on the foot with a piece of iron. He received several cuts on his body.

8.1.7.5 **Akua Boatemaa** fled to a friend's house, but was caught and taken to the Military Barracks. She was booted down and beaten with belts. She was admitted to the hospital. While there she heard of the shooting of Joana Essien and found it prudent to flee for her life.

8.1.8 The following had their properties stolen, seized, destroyed or burnt:

8.1.8.1 **The Lord Is My Shepherd Church**

The Church building

A set of band instruments

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A set of 50 choir robes
 Five cars
 Over 500 chairs

8.1.8.2 **Silas Ampaw** escaped arrest by fleeing to Anyinam, Eastern Region but when he returned to Kumasi three days later he found that the house in which he lived had been burnt

down and his personal effects, including furniture and electronic equipment had been destroyed. A taxicab owned by him had also been burnt.

8.1.8.3 **Akua Afriyie** escaped arrest by going into hiding in Kumasi. The next day she went home to find that soldiers had ransacked and burnt everything in her room. She thus lost all her personal effects and the effects of her sisters and children who lived with her.

8.1.8.4 **Augustina Dankwaa**, a member of the Church, lived in the same house as Akua Afriyie. She too returned home the next day to find that her personal effects had been burnt.

8.1.8.5 **Afia Brago's** private car and all her personal effects were burnt. Her four-year-old daughter who was sleeping at the time narrowly escaped being burnt to death.

8.1.8.6 **Kwaku Nyame** A boys' quarters in which he lived was burnt down with all his personal effects.

8.1.8.7 **Adwoa Nyarko's** daughter, Bernice Owusu, was married to Odiyifo Asare. She was also his landlady. During their search for Odiyifo, the soldiers came to the house and burnt down the Boys' quarters in which Odiyifo lived with his wives and the ground floor of the main building. Some personal effects were carted away by soldiers and the rest set ablaze.

8.1.8.8 **Kwabena Osei**, a brother-in-law of Odiyifo Asare had his personal effects destroyed when his mother, Adwoa Nyarko's house, in which Asare lived was burnt down.

8.1.8.9 **Henry Lomotey**, a banker and football fan, had parked his car in the home of Adwoa Nyarko near the Stadium to watch a Kotoko-Hearts-of-Oak-match. After the match he came to find that soldiers had burnt down all the six cars parked there, including his own.

8.1.8.10 **Matthew Kwadwo Poku** Like Lomotey, Poku was an employee of Barclays Bank. He, too, parked his car in the house of Adwoa Nyarko and went to watch the Kotoko-Hearts-of-Oak Match. Poku's car was burnt when the building was set on fire by the soldiers.

8.1.8.11 **Janet Osei** and her husband, **Kwaku Duah** were members of the Church. The house in which they lived near the Stadium was burnt down.

8.1.8.12 **Yaa Opoku** All her personal effects in her room at Asafo, Kumasi were burnt.

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8.1.8.13 Kwadwo Ohemeng When he was arrested at the Asuoeyboah barrier, his Peugeot 504 car No. GY 6486 was seized and taken away.

8.1.8.14 Peter Antwi's niece, **Akua Mansah** now deceased, had before the incident rented out her house No. 11 Block 23 New Amakom, Kumasi to one Christie who was related to Odiyifo Asare. Asare had conducted church services at the premises until he put up his own building. Mansah's house was burnt down.

8.1.8.15 Charles Yeboah While Yeboah was driving his car No. AK 3784 at Kejetia, Kumasi soldiers standing by the charred remains of Odiyifo Asare ordered Yeboah to raise his hand in solidarity with them. When he refused he was dragged out of the car which was then taken to the military barracks. All efforts made by him to retrieve the vehicle failed.

8.1.8.16 Rev. Joseph Kwabena Gyimah He is the founder and leader of the True Light of Christ Church at Abrepo-Kuma, Kumasi about 8 kilometres away from The Lord Is My Shepherd Church. The Church premises and its contents were burnt down by soldiers in the wake of the killing of Major Darko. The properties which were destroyed included the Church building itself, chairs and benches and musical instruments.

8.1.8.17 Odiyifo Maneh was founder and leader of Christ Battalion Power Church at Maakro, near Breman – Kumasi about 16 kilometres away from The Lord Is My Shepherd Church. After unsuccessfully trying to kill Maneh, the soldiers hit the hand of his wife, **Ama Dufie**, with the butt of a rifle, injuring and permanently disfiguring the middle finger of her left hand. They then set ablaze and destroyed the Church building and Maneh's home.

8.1.9 Following these unfortunate incidents, a committee was set up at 4BN Uaddara Barracks, Kumasi to carry out an investigation. Some of the victims appeared before the committee. There were no prosecutions and no compensation was paid to anyone.

8.2 BURNING OF TAMALE CENTRAL MARKET

8.2.1 On 8th February, 1982, fire broke out at the Tamale Central Market resulting in the complete burning down of all the stalls and stores in the market. The Regional Administration appointed a Committee to investigate the cause of the fire. The Committee submitted its report on 22nd April, 1982.

8.2.2 Giving the background to the fire outbreak, the Committee wrote:

With the overthrow of the People's National Party Government on 31st December, 1981, and the consequent declaration of the 'Holy War' to transform the society from its past shortcomings into one that can accommodate the common people, several revolutionary activities have been experienced in this country. Most of these activities were associated in one way or the other with "*Kalabule*" – an economic malaise that had pervaded the whole economic scene of Ghana.

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As a means of extirpating *Kalabule*, the Provisional National Defence Council (PNDC) first of all called on all Ghanaians to reduce the prices of all goods so that everybody in Ghana, irrespective of his income group, would be able to buy his basic needs. This earnest but simple call by Government was however not heeded to, and most market women continued to sell their goods at cut-throat prices and out of reach of the ordinary man. Matters came to a head when these goods, which were in abundance before 31st December, 1981, mysteriously disappeared from the markets. In genuine protest, therefore, the common people organized themselves against these anti-revolutionary tendencies and burnt tables and chairs in certain markets in the country. Subsequently, markets in Kumasi, Koforidua, Takoradi and so on, were affected.

However, in Tamale, no organized groups burnt tables and chairs. Rather, on the 8th of February, 1982, the people of Tamale were astounded to see the central market ablaze (Appendix 'A'). In the final analysis the whole market was burnt down resulting in considerable damage to property and rendering over 1,000 people unemployed.

8.2.3 As to the cause of the fire, the Committee eliminated several possibilities including (a) electrical fault, (b) accident caused by mad men who were said to be living within the vicinity of the market and were prone to lighting fires, (c) burning of tables and chairs by supporters of the government, (d) lightning, (e) hoarded petrol or other inflammable chemicals, (f) use of hurricane lanterns. Having eliminated these as possible causes of the disaster, they came to the "safe" conclusion that the fire outbreak was probably the work of the opponents of the government. They said:

After examining the above factors, we failed to arrive at a definite conclusion in terms of the causes of the fire that destroyed the market. We therefore examined the feasibility of saboteur who could arrange to burn the Market in order to make the Revolution unpopular. The possible collaboration of disenchanted politicians to burn down a whole market was found feasible. We observed that, though the curfew was in force, thieves were still being arrested by security officers within the curfew period. In the light of this therefore, we felt that possible sabotage was not impossible. This factor was therefore left open as a possible cause of the burning of the market.

8.2.4 The market was burnt down on 8th February, 1982 barely five weeks after the overthrow of the Limann Administration. Indiscipline was rife in the military establishments, soldiers roamed the streets harassing civilians, especially traders who were accused of profiteering. The situation in Tamale was no different from that in other parts of the country. After emptying shops and selling the goods at ridiculously low prices, soldiers would turn round to accuse shop-owners of hoarding.

8.2.5 There was evidence before the Commission that on Friday 5th February, 1982 a public announcement had been made on an Information Services van warning all traders at the Tamale market not to go to the market before Monday 8th February. The excuse was that soldiers were going to supervise the sale of goods. However, in the early hours of Monday morning fire broke out at the market while soldiers looked on and prevented the traders from entering the market to retrieve their wares.

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8.2.6 The presence of the soldiers at the scene of the fire was confirmed by the report of the Committee which found that they were there long before 8 am when the Acting Commander of the 6th Battalion claimed he instructed that soldiers be sent to the market to prevent looting. For his part the Assistant Commissioner of Police stated that he went to the scene of the fire outbreak at 6.30 a.m. and found that armed soldiers had surrounded the market. What is more, the Fire Service was not called in until about 8.30 a.m. These facts suggested that the burning of the market was the deliberate act of soldiers who were pursuing the aims of the government.

8.2.6 Those who petitioned for lost goods and other property were:

Haruna Baba had in stock women's and children's dresses and men's trouser materials.

Alhassan Mahmoud had in stock bicycle spare parts, buckets, women's dresses, lanterns and mosquito coils.

Mumuni Yakubu had in stock bicycle spare parts worth ₦979,176 and ₦45,000 cash in his safe.

John Iddi Nindow a shoemaker, had industrial machines, tools and materials worth ₦30,698 and 400 pairs of footwear. He brought to the Commission some of the burnt-out machines.

Musa Mumuni a tailor, had sewing machines and fabrics.

Aliyatu Abdul Rahman had in stock children's wear and mother-care products.

Talhatu Mohammed had in stock buckets, lanterns and soap.

Hajia Lamnatu Abdulai had in stock flour, sugar and key soap.

Barichisu Yakubu had in stock cloths, towels and toilet rolls.

Gado Dagomba per **Sa'Adatu Yakubu** had in stock milk, sugar, flour, bowls and baskets.

Hajia Saratu Yakubu had in stock cloths, tie and dye materials, soap, matches and toilet rolls.

Sawdatu Yakubu had in stock bowls, roofing sheets, plywood, matches, headgears, maggi cubes and fish.

Abdulai Imoro had in stock fishing nets and other fishing equipment.

Muniratu Sulemana had in stock textiles and sewing machines worth ₦385,250.

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Asia Salifu had in stock furnishing fabrics, clothing materials, traveling bags and mats worth ₦39,093.

Martha Ibrahim had in stock palm oil and ground-nut oil and paste.

Salmata Yakubu had in stock cloths, headgears, cooking utensils, flour, sugar and other provisions.

Ayishetu Adam had in stock bowls, crockery, sugar, yeast, Wellington boots and washbasins worth ₦573,400.

Sulemana Alhassan had in stock sewing machines, shirts, towels, underwear, and rubber sandals worth ₦27,680.

Alima Yakubu per Naidatu Abdulai had in stock shea butter.

Zoona Mahamadu Mumuni, a tailor and trader had in stock bicycle spare parts and smocks worth ₦95,622.

Mahama Idi had in stock women's and men's wear.

Aburuwa Mahama had in stock aluminium buckets and bowls, washbasins and shea butter worth ₦5,828.

Salifu Ibrahim had in stock women's dresses, sandals, earrings and trouser materials.

Tani Alhassan had in stock aluminium buckets and bowls, washbasins and shea butter worth ₦5,333.

Yahaya Abdulai had in stock bicycle spare parts.

Adama Salifu per Zenabu Munkaila had in stock saltpetre and a variety of soaps.

Abiba Mahama had in stock quantities of saltpetre.

Alidu Abubakari a tailor and trader lost fishing nets as well as a grinding machine for sharpening knives.

Abubakari Yakubu had in stock five bags of cola nuts.

Samata Adam had in stock ten bags of beans.

Hajia Damatu Yamusah had in stock cigarettes, sugar, soap and saltpetre.

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Abdul-Mumumi Abu had in stock shirting, khaki and trouser material, cloths, towels and rubber sandals.

Salamatu Issah had in stock mats, blankets, bathroom sandals and lanterns.

Issaku Mahama, a tailor, had his two sewing machines and other equipment destroyed.

Adisa Abdulai had in stock saltpetre, soap, sugar, milk, crockery, ginger and a sewing machine.

Iddrisu Sandow had in stock 12 bags of kola nuts.

Ibrahim Mahama had in stock 16 bags of kola nuts.

Alhaji Bawa Abdulai a druggist lost all the drugs in his shop.

Fati Sumani had kola nuts.

Alidu Moro had in stock shirts, bicycle, tyres and underwear.

Barichisu Mashood a seamstress, lost her sewing equipment and materials as well as cash of ₦40,000.

Aisha Abdulmananan, a tailor had three sewing machines, other equipment and materials destroyed.

Alhaji Yakubu Fuseini had in stock bicycle spare parts.

Amadu Bawa Seidu had in stock clothing, mosquito nets, cutlasses and five sewing machines.

Grumpaa Abdul-Rahman, a seamstress, had her two sewing machines, other equipment and materials destroyed.

Zaliatu Zakaria had in stock shirting and dress materials, footwear and perfume.

Zeenatu Mizima had in stock shirting and dress materials, footwear and perfume.

Hajia Salamatu Issifu had in stock provisions.

Abukari Adam, Imoro Alhassan, Mohammed Zakaria three tailors sharing a common store in the market from which they plied their trade, lost sewing machines and other tailoring equipment and materials.

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Rufai Yakubu a tailor who shared a store in the market with his father, Yakubu Maisuna, had his sewing machines, equipment and materials burnt.

Amidu Adam a trader in general goods had his stock burnt.

Adama Salifu had in stock men's and ladies' wear, shoes and other goods.

Abdul-Rahman Abdulai a tailor and trader had in his shop sewing machines and bicycle spare parts.

Alhassan Wulana dealt mainly in plastic goods which he bought from an Accra firm, Metaloplastica Limited.

Nindoo Sanatu had in stock 300 bags of salt and 400 bowls.

Zuwera Issahaku a wholesaler had supplied enamelware to her customers at the market when it was burnt.

Malam Salifu Ibrahim had in stock bicycle spare parts.

Hajia Hawawu Mamudu held pass books from GNTC, UAC and Lever Brothers and dealt in textiles and general goods.

Dauda Abubakari had in stock bicycle spare parts.

Ahmed Zakari Abdulai was a druggist and had in stock drugs which got burnt.

Imoru Abukari had in stock bicycle parts, door locks and hinges, cutlasses and lanterns.

Salamatu Mahama petitioned on behalf of **Sanatu Sulemana**. Sanatu and her daughter Salamatu bought shea butter in Tamale sold it in Kumasi and bought cooking utensils for sale in Tamale. They had in stock shea butter and cooking utensils.

Fulera Iddrisu had in stock flour, sugar, rice, wax prints and milk.

Mariama Sayibu had in stock soap, sugar, canned fish and bowls.

Mahamadu Kaleem had in stock 60 bags flour, 80 bags sugar, 100 cartons milk and 100 tins yeast all of which were destroyed.

Mohammed Yakubu sold canvass shoes and rubber slippers.

Ayishata Osmanu traded in rice, flour, sugar and saltpetre.

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Mahamadu Kaleem sold flour, sugar, milk and yeast.

Mohammed Issifu had in stock bicycle spares.

Alabira Zakari sold bicycles and bicycle spares.

Mallam Abukari Adam had in stock fabrics of different kinds and some tools of trade.

Mallam Salifu Ibrahim had in stock sets of mudguards, lights, packets of locks and other items.

Alhassan Sulemana a tailor and trader had in stock sewing machines, door locks and cloths.

Samata Adam had in stock bags of beans

Amishetu Adam had in stock bags of beans.

Hajia Damata Yamusah had in stock sugar, cigarette, soap and salt.

Hajia Salamatu Issifu had in stock provisions.

Imoru Abukari had in stock bicycles and spare parts.

Aburuwa Mahaman had in stock cooking utensils, buckets and other household items.

Alhassan Tani had in stock cooking utensils, buckets and other household items.

Abubakari Dauda is unable to ascertain what he had in stock.

Abdulai Ahmed Zakari had in stock drugs for sale.

Maamah Idi had in stock male and female clothing.

Hajia Hawawu Nawumba Mamudu, had in stock cigarette and cement.

Ayishetu Adam had in stock 50 sets of Wellington boots, washing basins and buckets.

Adamu Salifu had in stock shoes, towels and school bags.

Abdul-Rahman had in stock bicycle parts.

Mahamadu Zoonu Mumuni had in stock bicycle parts.

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Alhassan Wulana had in stock some plastic wear.

Mohammed Alidu petitioned on behalf of his father who was a trader. He was unable to indicate what was in stock at the time of the fire.

Adisah Dagomba Inusah had in stock, sugar, buckets and soap.

Sofa Mahama had in stock fabrics.

Salifu Adam had in stock towels, lanterns, T-shirts, mats, buckets and money.

Ayi Haruna had in stock edible oils, bowls and groundnut paste.

Hajia Adisah Musah had in stock wax prints, cigarettes, sewing machines etc.

Hajia Abeba Musah had in stock cigarettes, wax prints, buckets, and sewing machines etc.

Azara Abdulai petitioned on behalf of her daughter, who had in stock sewing machines, wax prints and other fabrics.

Yussif Fato'am petitioned on behalf of his parents. They had in stock sewing machines, fabrics, sugar, bread flour, soap and batteries.

Azaratu Issahakku de Liman had in stock soap and some beverages.

Samata Mutaru trader had in stock bags of maize, cassava, buckets and okro.

Amina Grunshi Yakubu petitioned on behalf of her mother, who had in stock flour and bowls.

Memunatu Adam had in stock milk, sugar, yeast and soap.

Ayishetu Alhassan had in stock onions.

Wakaso Salifu owner of two stores, had in stock drugs, a fridge, pomade, sandals and a tape recorder.

Abdul-Fataw Salifu makes petitioned on behalf of his father and brother. Both of them tailors, they had in stock fabrics and sewing machines.

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Alhaji Siedu Musah petitioned on behalf of his father who had in stock wax prints, cigarettes, toffees, fabrics and mats.

Hajia Memunatu Abu had in stock cloths, veils and scarves and some money.

Mallam Zuberu Alhassan had in stock sewing machines, fabrics, pressing irons, tables and stools.

Mariama Haruna petitioned on behalf of late mother had in stock, sewing machines and some consumables.

Hajia Ayishetu Muhammed seamstress had in stock fabrics, sewing machines, tables, chairs and pomade.

Mahamadu Abdulai had in stock, sewing machines, smocks and some clothes.

Nafisah Fuseini petitioned on behalf of her late mother, she had in stock sheabutter and some other goods.

Amina Yakubu petitioned on behalf of her mother, who had in stock, bowls and bread flour.

Musah Ali had in stock bags of sulphater and sulphur and some packet of beads.

Rahinatu Issah had in stock calabashes of shea butter.

Mary Alhassan petitioned on behalf of late mother. Had in stock sheanuts, groundnuts, beans and maize.

Fati Abudulai had in stock okro, groundnuts, maize, bowls and sacks.

Adamu Yakubu petitioned on behalf of his late sister and on her own behalf they had in stock cloths, bowls, pomades, scarves and veils.

Adisah Alhassan had in stock, rice, bread flour, sugar, milk and soap.

Seidu Salifu petitioned on behalf of his late father, who had in stock chairs, and bicycle spare parts.

Sukena Abdulai petitioned on behalf of her late grand mother and on her own behalf. They had in stock, bowls and utensils.

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Adama Musah had in stock bowls.

Kassim Laminu petitioned on behalf of his late father who had in stock fabrics and thread.

Mariama Braimah had in stock tubers of yam.

Sanatu Braimah had in stock tubers of yam and empty sacks.

Fatimah Braimah had in stock tubers of yam and empty sacks.

Abibata Adam had in stock tubers of yam and empty sacks.

Issah Huseini had in stock spare parts of bicycles

Seidu Abubakari had in stock bags of kola nuts.

Alhaji Yakubu Sulemanu had in stock bags of kola nuts.

Sayibu Alhassan had in stock bags of kola nuts.

Alhassan Nindow had in stock bathroom sandals, pad locks and dresses.

Alhaji Toyibu Mohammed-Saani had in stock towels, singlets and wrist watches.

Alhassan Imoro had in stock fishing net and nylon threads.

Ibrahim Salifu had in stock dresses, footwear, earrings and fabrics.

Haruna Abdulai Hamidu had in stock building materials.

Ibrahim Abukari petitioned on behalf of his late parents who had separate stores. His father had in stock bicycle spare parts and his mother had in stock footwear.

Hawa Zakari petitioned on behalf of her late sister. She had in stock shea butter.

Mallam Ibrahim Muhamed tailor, had in stock sewing machines, yarns of thread, smocks and tables.

Hajia Afisha Adam trader and seamstress, had in stock cloths, dresses and sewing machines.

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Seidu Yussif petitioned on behalf of his father and uncle. They had separate stores. His father had in stock smocks, hats and cloths. His uncle had in stock sewing machines and dresses.

Issah Mahamadu had in stock cloths.

Rufai Yakubu tailor, and his father had in stock sewing machines.

Huseini Hamidu had in stock pomade, singlets, and batteries.

Mumuni Yaubu had in stock salt, sacks and bicycle parts.

Martha Ibrahim had in stock groundnut paste.

Musah Alhassan had in stock bicycle parts.

Abukari Amadu had in stock kola nuts.

Asia Salifu had in stock fabrics, mats, bags and cloths.

Talhatu Mohammed had in stock mats, buckets, soap and lanterns.

Hajia Lamnatu Abdulai had in stock, flour, sugar and soap.

Muniratu Sulemana had in stock fabrics and sewing machines.

Barichisu Yakubu had in stock soap, fabrics, towels and toilet rolls.

8.3 MURDER OF THE FETISH PRIESTS

8.3.1 Evidence before the Commission indicates that there was a murder squad that usually killed and burnt the bodies of their victims as narrated below.

8.3.2 Torgbui Akakpo Ahiaku On 24th February, 1982, the squad left Accra for the Volta Region. Among them were Sgt Agoha, L/Cpl. Amedeka and Bombardier Mathias Cudjoe. Their mission was to kidnap and murder Torgbui Akakpo Ahiaku, a fetish priest and transport owner popularly called Yeye Boy, of Atidzive in the Akatsi District. He was suspected of plotting with others to use *juju* or fetish to kill the Chairman of the PNDC. The squad arrived at Atidzive where they were received by the unsuspecting Ahiaku who, at their request, followed them to Ho for a meeting with Dr. Fiagbe, the PNDC Regional Secretary. At the Residency, Ahiaku was detained till about 10.00 pm when his captors informed him that he was being taken to Accra to

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meet the Chairman. It was in this manner that he was abducted. The squad drove out in a military vehicle. On the outskirts of Sokode Gbogame, the vehicle stopped. Ahiaku was taken out and shot dead. The body was burnt, leaving only charred remains which were later taken by the police to Korle Bu Hospital mortuary, Accra. Ahiaku's son, Samuel Agbeko Ahiaku, was able to identify the remains as those of his father by four rings and an iron armlet he wore.

8.3.2.1 The murder of Ahiaku was followed by the harassment of his relatives and the looting of his properties. Ahiaku's Peugeot car in which he was driven to Ho was seized from his driver. A police officer at Anyirawase seized another Peugeot vehicle in which his son, Agbeko, and others travelled to the station to enquire of the body deposited at Korle Bu Hospital. Police at Abor also impounded a Universal tractor owned by Ahiaku.

8.3.2.2 On 15 March, 1982, seven of Ahiaku's Elders were arrested and detained for 19 days at the Ho Medium Mortar Regiment. They were later taken to Atidzive where they were made to destroy Ahiaku's shrine. The soldiers also broke into safes and made away with money belonging to Ahiaku's company Yeye Boy Transport Services.

8.3.3 **TORGBUI KPE, FETISH PRIEST OF TSIAME** was murdered on 24th February, 1982 by the same murder squad after he had been abducted. His body was burnt. The *modus operandi* was the same.

8.3.4 Sampson Daniel Quao, also known as Togbe Kwawu Akpe, was arrested on 26th February, 1982 by the same squad and taken to the Residency, Ho, ostensibly to meet Dr. Fiagbey, the PNDC Regional Secretary. He went in the company of one Sappor. At the Residency they were told that Quao was being taken to Accra. Sappor left and Quao was taken

away. The squad took Quao to an isolated spot near Adaklu and shot him dead. They then set fire to the body and left. The remains were recovered by the CID, Ho who conveyed them to the mortuary. Like Ahiaku and Kpe, Quao was a fetish priest and founder of the National Association of Priests of African Religion.

8.3.5 Although he was not a fetish priest, **Harrison Boniface Ankrah** became another victim of a murder which bore the hallmarks of those who murdered Ahiaku, Kpe and Quao. On 16th May, 1982, Ankrah, a businessman, was arrested by soldiers at his home at Agotime Afegame in the Volta Region. His rooms were searched and moneys belonging to him and his wife, Comfort Agbozo, seized. The soldiers took him away. His arrest turned out to be an abduction. The next day his charred remains were found near a village called Takla. He was identified by the sandals he wore.

8.3.6 Ex-Bombardier Cudjoe, a member of the murder squad, gave evidence before the Commission. In his evidence, he stated:

Sometime in February or so 82, I was invited by Brigadier Wallace Gbedemah. He was then a Major. ... He was the Chief Operations Officer at Gondar Barracks. ... I met a

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woman and L/Cpl Avudzivi. ... it was the woman who was talking when I got there. She was talking she said some people were performing some rituals to kill ex-President Rawlings. After her narration Brigadier Wallace Gbedemah, said he wanted me...he would get a team, he would like me to go with them you know, to Ho, meet the then PNDC Secretary, arrest the people and then for interrogation. ... it was then Dr. Yaw Fiagbe ... Let me place on record that anytime one was to go on any assignment, a permit was given out by the Chief Operations Officer, but on that occasion we were to take a letter to the Volta Regional PNDC Secretary, Dr. Yaw Fiagbe. I then told them that I will take the lead, I could [not] wait for the letter because I would like to see my daughter in Ho. So, I took the lead. And then when I got to Ho, I went straight to the PNDC Secretary and informed him that we were to come to him to assist us in an operation but then the leader will be bringing the letter, so I went to town to do my private thing and when I came back the other people who were supposed to join me had already come. ... So, in the evening when those people arrived, the PNDC Secretary invited us into a meeting and then I saw the late Togbui Adedza, Awomefia of Anlo and you know they started questioning him. ... At that meeting or at the so-called interrogation or so, they started beating the late Togbui Adedza, and he was brutally assaulted. The Field Engineer soldier was using an SMG weapon to hit his head and I could see from the face of the PNDC Secretary that he was very very sad and at one time he had to plead on his behalf. And I think it was at that place or so they said there were some other people, one was at Keta, and the PNDC Secretary said he would send a message and they said there was one too known as Akakpovi (Yeye Boy) and another one, they said he was a *juju* man at Tsiamé or so near Abor. And the PNDC Secretary promised to invite Togbui and the other man from Keta but the other two people, Akakpovi and the other *juju* man from Tsiamé, we were to go and then bring them. ... So, the PNDC Secretary later on released his Peugeot to us to go and bring other people... When we first went to Yeye Boy's town and then Amedeka told him he was wanted by the Regional Secretary for a meeting he said they were all wanted – some special *juju* men were wanted for some important meeting and the man Yeye Boy offered to come in his own car. So, I remember we all drove together. ... that the Engineer

Regiment soldier was supposed to have hailed from Tsiamé where we were going and he was giving the direction ... And when we got there he led us to the *juju* man's place. We entered the house and we went in greeted the man, I remember he shook us with his left hand and once again he was also told of a supposed meeting. He prepared and then he joined us. ... On our way back, I was occupying the front seat with the driver and then the three of them: Amedeka was on one side; the Engineer Regiment soldier on one side and then the man was in the middle and then I was sitting on the front seat with the driver. ... then somewhere along the road, Amedeka ordered that the car should stop, it stopped and then he ordered the man get down. Then when he got down they were behind us. When they got down, I was in the front seat by the driver of the car and by then it had gotten dark – it was dark, so all that we heard was firing. They fired and I think after firing there was silence and then they set fire to the man and then they came back and sat and ordered drive on, drive on and then we drove back to Ho. ... From there we drove back to Ho ... it was late, so I went to take my rest. Then whilst I was sleeping they came back to call me. .. Amedeka came to call me that the other man too from Keta had come and said he had come, how did he come, he said he had come. Before I came out, they were already on the Pinzgauer I was using. So, that night, I was driving myself. They said we should drive towards Adaklu, ... They were then sitting in the Pinzgauer I

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was using, so, I got on the steer and they said we should go towards Adaklu. So, we were going then they asked me stop, I stopped. They were behind, jumped down, opened the tail board, then they shouted on the man “come down”. When he got down, I overheard because all was going on behind me - the Pinzgauer, the door was behind, when they opened and the man got down, they said come down and the man got down then I heard him saying, this I always remember, “*so are you going to kill me because of hear say?*” then I heard “come on move!” and then firing and then he was killed. ... They burnt the body. ... As far as I am concerned, I left before them and we weren’t asked to go and kill anybody, that was not the instruction given to us but then I always had spare petrol on my car, on my Pinzeguer, because it was difficult at that time to get fuel, so I always had spare fuel on my car. So, after they have shot him, one of them brought the spare petrol out, pour it on him and then I saw fire. And then they asked me to turn, from there they asked me to turn and then we came back to Ho. ... When we came back from Adaklu Road, somebody said Yeye Boy has been killed. So, may be I was only in the dark or something, ... From what I heard later, ... he was killed somewhere in Sokode. ..They said his body was burnt.

8.3.6.1 The first port of call of the gang of killers on each occasion was the residence of Dr. Fiagbe, the Regional Secretary and representative of the PNDC in the Volta Region. Indeed, Dr. Fiagbe admitted that he met them. The gang showed Dr Fiagbe little respect. They told him their mission. Powerless, he telephoned Flt Lt Rawlings to find out if the band of killers had his authority. Rawlings told him not to interfere. Dr. Fiagbe then left them to carry on with their murder assignment. From the evidence adduced before the Commission, the Commission is satisfied that these murders were committed on the orders of the Chairman of the PNDC.

8.3.6.2 The only person Dr Fiagbe was able to save was his uncle, Togbe Adladza, Paramount Chief of Anlo who had also been abducted and brought to Dr. Fiagbe’s official residence. He was accused of being in league with the fetish priests to kill the Chairman of the PNDC by the use of *juju*. But for the pleas of Dr. Fiagbe the gang would have dealt with him in the same short, sharp and cruel manner. Instead, they gave him a severe beating.

8.3.6.3 It is sad and shocking that a Paramount Chief should be subjected to such humiliation by these young men. Even more so, that three of the perpetrators – Sgt Agoha, Cpl Amedeka and Bombardier Mathias Cudjoe – like the Chief are ethnic Ewes. Filled with ‘revolutionary’ fervour these young men had lost all sense of respect and shame. Dr. Fiagbe told the Commission that he went later to apologise to his uncle. The Commission is of the view that given the circumstances, he should have resigned.

8.4 MURDER OF THE JUDGES AND RETIRED ARMY OFFICER

8.4.1 The murder of the fetish priests was a dress rehearsal for what was to happen on 30th June, 1982, when armed men led by L/Cpl Amedeka, abducted three High Court Judges and a retired Army Officer. These were Justices Fred Poku Sarkodee, Kwadwo Agyei Agyapong and Mrs. Cecilia Koranteng-Addow (nee Gaisie) and Maj Sam Acquah (Rtd.), Director of Personnel of the Ghana Industrial Holding Corporation (GIHOC). They were abducted at night when a curfew was in force. The abducted persons were murdered in cold blood and the bodies set

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ablaze. On 3rd July, 1982, the charred remains were found at the Bundase Military Range about 50 kilometres from Accra.

8.4.2 What the Judges had in common was that they had adjudicated on some of the cases in which, during the period of AFRC rule, certain persons had been sentenced to long terms of imprisonment, and ordered their release. Mrs. Koranteng-Addow and Maj Acquah also had this in common: Maj Sam Acquah as Director of Personnel had signed the dismissal letters of workers of GIHOC, where Joachim Amartey Kwei worked. The workers subsequently brought an action which was dismissed by Mrs. Koranteng Addow.

8.4.3 On 15th July, 1982 the PNDC set up a Special Investigation Board (SIB) to investigate the abduction and killing. The Chairman of the Board was Mr. Justice Samuel Azu Crabbe, a retired Chief Justice. The Board was assisted by a Police Investigation Team.

8.4.4 No sooner had the members of the Board commenced their work than it became apparent that the authorities were determined to frustrate them in their efforts to unearth the truth behind the killings and bring the culprits to justice. For example the venue for the Board's sitting was changed because it was discovered that it had been bugged. The setting up of the Board was mere window-dressing designed to deflect public criticism and suspicions of officials in high positions for supposed complicity in the murders. When it became apparent that persons at the centre of the highest levels of power might be implicated in the murders, the faint-hearted backed off, leaving a handful of determined police officers to unearth the truth. But this was to be at a high price for some of them.

8.4.5 By the time the members of the Board completed their work, the Police Investigation Team had been decimated by various acts of intimidation leading to the flight or the arrest and imprisonment of a number of officers. Sgt Selby escaped arrest and left the country; so did DSP

Oheneasah; ASP William Oduro of the BNI, who had disobeyed instructions to spy on his colleagues, was forced to flee into exile. He was condemned as a foreign agent, tried in absentia and sentenced to ten years imprisonment.

8.4.6 CSP Jacob Jabuni Yidana was arrested. Yidana, the leader of the team, was put before a Public Tribunal and convicted of harbouring an alleged coup plotter at a time when he himself was not sleeping at home and was therefore unaware of the presence of the alleged coup-plotter in his house. He was sentenced to 8 years imprisonment. So vengeful were the powers that be, and so fearful were they of him, that after he had served the full term as a prisoner he was kept in detention without charge or trial for a further 4 years. His release came only after the 1992 Constitution had come into force. COP CID Daniel Nzeh who set up the Team and selected its personnel was forced into exile. He died as a refugee in the United Kingdom in 1993.

8.4.7 In its report, the Board recommended that the following persons be charged with complicity in the abduction and killing of the Judges and the retired Army Officer:

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Joachim Amartey Kwei, member of the PNDC
L/Cpl Samuel Amedeka
L/Cpl Samuel Michael Senyah
Johnny Dzandu, ex-soldier
Tony Tekpor, ex soldier
L/Cpl Gordon Kwowu
L/Cpl Mama Nsurowuo
L/Cpl Victor Gomeleshio
Sgt Alolga Akata-Pore, member of the PNDC
Capt Kojo Tsikata (Rtd.), Security Advisor to the PNDC

8.4.8 On receipt of the Report, George Aikins, the Attorney-General, took the view that the evidence against L/Cpl Kwowu, L/Cpl Nsurowuo, L/Cpl Gomeleshio, Sgt Alolga Akata-Pore and Capt Kojo Tsikata (Rtd) were insufficient. He decided not to prosecute them.

8.4.9 The decision not to prosecute these persons surprised many who thought that the only sure way for the PNDC to erase the suspicion that it had a hand in the murders was to accept the recommendations of the Board. Further doubt was raised in the public mind when Aikins went back on his declared intention to put the accused persons on trial before the High Court. He rather put them before the Public Tribunal. The Public Tribunal commanded little respect among the populace in general and the Ghana Bar Association in particular for its erratic approach to the administration of justice. It was feared that with the Bar boycotting proceedings at the Public Tribunal, it would be easier for the PNDC to exercise control over the trial.

8.4.10 On 19th June, 1983, while the trial of Amartey Kwei, L/Cpl Amedeka, L/Cpl Senya, Dzandu and Tekpor was in progress, there was a jail break at the prisons and L/Cpl Amedeka, Dzandu and Tekpor escaped. L/Cpl Amedeka managed to flee from the country, but Dzandu and Tekpor were re-captured.

8.4.11 Meanwhile the trial continued at the Public Tribunal. Amartey Kwei, L/Cpl Amedeka, L/Cpl Senyah, Dzandu and Tekpor were found guilty and sentenced to death. L/Cpl Amedeka was tried, convicted and sentenced to death in his absence.

8.4.12 Tekpor was executed some days before the Tribunal found him guilty and sentenced him to death. According to George Agyekum, Chairman of the Public Tribunal which tried him, another Public Tribunal had tried, convicted and sentenced Tekpor to death for acts committed in connection with the 19th June jail break and that it was in execution of this sentence that he was shot before the second trial had been concluded. The absurdity of condemning a dead man to death appears to have escaped the minds of the prosecutors and the Tribunal. Or, was it a case of silencing him before he had done more damage to persons in authority? Speaking on his own behalf on 9th August, 1983, he had said:

My full name is Evans Hekle Tekpor alias Tony. Mr. Chairman and members of the panel, I would like you to know that I, Tony Tekpor never knew these judges nor the retired Major in my

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life. I have never had any grudge with any of them. Therefore I want you the panel, Ghanaians and the whole world to know that I Tony Tekpor I am never a murderer but there should be a brain behind. I knew very well that I was taking part in a national assignment which was authorized by the PNDC Government for the arrest of these three High Court Judges and the retired Major which later turned to be the mysterious end of their lives or death. Now I know that I have been used wrongly against these people. I therefore send my sympathy to their families and may their souls rest in perfect peace.

Now to the Attorney General, I would ask him if he really feels sympathy for his own colleagues who were murdered in the cold blood. If yes, then I would like to know why he has managed to deny us of our rights and justice. I would like to remind him that there is no smoke without fire. Therefore there is a brain behind the killing of these people. If he the Attorney-General tried to hide facts behind this case then I don't know how his end will be. Because I have been denied all my rights and justice I am therefore not prepared to open my defence in this Tribunal. But rather prefer to sacrifice myself and die at the Teshie Range on my truth. Before then I once again call on the 30th Operational Commander, L/Cpl. Amedeka, Mr. Amartey Kwei, Sgt Alolga Akata Pore, the Chairman of the PNDC who I know very well and I trusted before as J.J. Rawlings, Capt Kojo Tsikata, Special Advisor to the Council and by then Members of the PNDC to come out and tell Ghanaians and the whole world the truth behind the killing of these 3 High Court Judges and the retired Major. I therefore emphasise on it again that I would like to die on my mother and fatherland on my truth than to be a slave in someone's land.

8.4.13 The dead Tekpor was sentenced to death on 15 August, 1983. His execution two days earlier when the trial was still in progress constituted a gross violation of his right to a fair trial.

8.4.14 What, then, was the truth? The truth was that the murderers knew that they were on an assignment which had the blessing of the PNDC. Of course, there is no evidence to suggest that the PNDC held a formal meeting at which it was decided to abduct and, perhaps, murder the judges and the retired Army Officer. For a decision of such moment, Rawlings looked to a coterie of advisors which included Capt Kojo Tsikata and Tsatsu Tsikata.

8.4.15 A few days before Amartey Kwei's execution, a prayer meeting was held for him at Nsawam Prisons. According to Squadron Leader George Tagoe, in the course of the meeting, Kwei made a statement about his role in the whole sordid affair. Speaking in the Ga language, Kwei said:

“Mifee esha, Mifee esha, Civilian ji mi. Flt Lt. Jerry John Rawlings ke Kojo Tsikata ke mi fatahe ni wō plan,..... wō plan ake wō baamōmō kojoloi le (Judges) ni eteshi ewowō revolution le.

Captain Kojo Tsikata le ji mōni fee nō feenō, le ji wō master.

Le ji mōni feemi PNDC member, le Flt Lt. Jerry John Rawlings ke Kojo Tsikata amēji mei ni feemi PNDC member, nohewō nōfianō ni amēkēōmi le esani mafee.

“Mifee esha, Mifee esha, mifata he”

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Amekεε akε mikwε nitsumō le no shi gbekεbii le hiε yε lan lan. Amekεε mikwε koni amε ka kpata niibi ahie. Amεkε mikwε nōfeenō pεpεεpε.

“Mifεε esha, Mifεε esha”

“Mi, niji Civilian le mihala Retired Army Officer le, ni Flt Lt. Jerry John Rawlings kε Kojo Tsikata hala judjifoι etε le. Mifεε esha! Mifεε esha!”

Kaa kεmi kεεmō Yehowa Obōlō le!

“ekεε Captain Kojo Tsikata ji moni fee nōfeenō. Ejaakε lejionuka nikwεō National Chief Security nō, nohewōle nōfeenō ni afeōle, le ekwεō nō.

“Mifεε esha, Mifεε esha”

“Mifεε esha, Yehowa miikpabo fai esaa ni mafεε nakai. Nōni akεε miyafεε le ehii shi mifεε. Mifεε esha, miikpafai, mifεε esha, “ni wōgbe jεmεnaa ni wō la.

Translated into English, it reads:

I have done a wrongful act. I have done a wrongful act.
I am a civilian; Flt Lt. Jerry John Rawlings and Kojo Tsikata and I planned the operation,
We planned to arrest the Judges who had opposed the revolution.
Captain Kojo Tsikata was the master mind for the operation. Kojo Tsikata and Flt Lt. Jerry John Rawlings appointed me as a member of the Provisional National Defence Council government; as a result whatever instructions they gave me I am compelled to obey.
I have done a wrongful act. I have done a wrongful act
They instructed me to supervise the operation because the boys were aggressive and indisciplined.
They instructed me to ensure that everything went on smoothly according to plan.
I have done a wrongful act. I have done a wrongful act

I a civilian selected the retired Army Officer and Flt Lt. Jerry John Rawlings and Kojo Tsikata selected the three (3) Judges.
I have done a wrongful act. I have done a wrongful act.
Captain Kojo Tsikata organised the entire operation. He was the National Security Advisor. He was in charge of national security.
I have done a wrongful act. I have done a wrongful act.
God forgive me, I should not have done what I did. What I was ordered to do was wrongful, yet I carried out the instructions.
I have sinned, I beg for forgiveness, I have sinned.

8.4.16 Amartey Kwei was right. Without official backing, he had neither the capacity nor the means to commit such a heinous crime. The observed behaviour of Amedeka at the Prisons also confirmed that he knew that the ‘operation’ was authorised by those who wielded power at the time.

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8.4.17 When after the deed had been done, it blew up in their faces, the band of conspirators did what they could to rescue their victims. At a hastily summoned meeting at Gondar Barracks, at which Capt Tsikata and Tsatsu Tsikata were present, Rawlings sent for Amartey Kwei whom they all knew had carried out the abduction. According to the then Attorney-General, George Aikins, Amartey Kwei was sent for. When he came and was told to go and release the captives he responded that they had ‘finished’ them, meaning, they had killed them.

8.4.18 If Flt Lt Rawlings did not have foreknowledge of the murder, he certainly had foreknowledge of the abduction.

8.4.19 When the Commission confronted Flt Lt Rawlings with Justice Aikin’s statement on the meeting at Gondar Barracks he turned to his mentor, Tsatsu Tsikata, to get him out. In a written response to the Commission he said:

“What is being described by Justice G.E.K. Aikins, as contained in your letter, seems natural enough to me as what may have happened. I would however suggest you cross-check with Mr. Tsatsu Tsikata for confirmation. What I find rather puzzling is the mention of the name of the late Amartey Kwei by me, seemingly out of the blue. I would suggest that another invitation is extended to Mr. Aikins and any other persons who may have been around then, whether or not the late Amartey Kwei’s name did not emerge as part of the rumours making the rounds”.

8.4.20 After the deed was done and it became public, Flt Lt Rawlings and Capt Tsikata went to great lengths to distance themselves from the murders. Capt. Tsikata approached the Attorney-General and asked for his help. He set about hounding the investigation team of the SIB. Rawlings tried to get Amartey Kwei to make a statement clearing them of responsibility for the act. He used Cdr Assassie Gyimah, the Security Co-ordinator, who worked under Capt Tsikata, for this purpose. He dispatched him and Rev. Fr. Damuah, a renegade Catholic priest and former member of the PNDC, to Ussher Fort Prisons where Amartey-Kwei was taken on his way to the execution ground. According to Cdr Assassie Gyimah, the tape recorder Rawlings gave him to use in recording any statement Amartey Kwei might make failed.

8.4.21 More likely, Amartey Kwei either refused to make a statement at all, or made one which did not meet the expectations of Rawlings.

8.4.22 On being informed of the failure of Cdr Assassie Gyimah’s mission, Flt Lt Rawlings picked up a tape recorder and rushed to the Police Firing Range at Ofankor, Accra where the execution party had gathered. He brought proceedings to a temporary halt, walked over to Amartey Kwei and tried to get him to talk. Flt Lt Rawlings played back to some of those present what Amartey Kwei was supposed to have said. It was later flaunted about that Flt Lt Rawlings later played the tape to some journalists, among them, Kojo Yankah Editor of the *Daily Graphic* who reported in his paper that Amartey Kwei had cleared Capt Tsikata, against whom the SIB had made adverse findings, of complicity in the murders. For publishing what Amartey Kwei was supposed to have said, the editor of the *Daily Graphic* was dismissed from his post.

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8.4.23 To assist the Commission in arriving at the truth of the matter Flt Lt Rawlings was invited to produce the tape. His answer was that he could not find it. From evidence given by a witness who was present at the execution site and heard the tape as played by Flt Lt Rawlings immediately after he had spoken to Amartey Kwei, the Commission is satisfied that Amartey-Kwei did not make any statement clearing Capt Tsikata of complicity in the murders. What this witness heard Amartey-Kwei say in the recording was that he had a wife and child who needed to be looked after and requested that they be provided with an estate house.

8.4.24 The longer version which was played to the journalists must have been a doctored copy of the original. It seems the object in playing that tape was to influence the minds and conduct of the journalists themselves and not to provide information which might be put to the test.

8.4.25 The SIB found Capt Tsikata to be a co-conspirator in the abduction and cold-blooded murder of the Judges and the retired Army Officer. But, like Amartey Kwei, Capt Tsikata could not by himself have carried out the deed because he was not even a member of the PNDC. It needed the authority of someone higher up, and that person was Flt Lt Rawlings who, according to evidence before the Commission, had months before he succeeded in overthrowing the Limann Administration, threatened to punish the Judges who had freed so-called AFRC convicts. Without his express orders, or tacit approval, the operational pass would not have been issued to Amedeka and his gang.

8.4.26 It was the public reaction to the abduction that led the cabal to beat a retreat and try to undo what had already been done. The search for a scape-goat, began and the misguided Amartey Kwei was found to fill the role. Like the man who rode on the back of the tiger, he did not know how to get off and ended up in its mouth.

8.5 THE TARKWA MURDERS

8.5.1 Peter Boafo was a storekeeper at Tarkwa where he lived with his wife and children. In 1982 soldiers went to his home early one morning and arrested him claiming that he had engaged in profiteering. They took him and another person, said to be his brother or nephew, away. Neither Boafo nor the other person has been seen since. At the request of his children, Peter Kelvin Boafo and Regina Etroo, who were no more than five and twelve years old at the time, the Commission undertook the task of finding out if Boafo was alive or dead.

8.5.2 It all began when the PNDC sent soldiers to Tarkwa and Prestea ostensibly to provide security at the mines. The mining companies were informed and told to offer the soldiers such assistance as they might need. At Tarkwa arrangements were made to provide them with transportation and three drivers of the mining company were detailed to drive them. The drivers

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were James Cudjoe, popularly call Abotokura, Kweku Sey and Osumanu Sulemanu. Thanks to these drivers, the story of the rapes and murders committed by these thugs in uniform has now come to light.

8.5.3 In a statement to the Commission, Cudjoe said:

I know of the killing of one Bohor who was posing as a soldier. Bohor was arrested and detained at Tarkwa Police Station for about two weeks. Later, I quite remember the Commander called Edusei, Appoula and some other soldiers on the Land Rover No. 33 with me at the wheels drove to the Police Station one night about 11:30pm and collected Bohor. As we were driving towards Aboso direction and on reaching a portion of the road Bohor sensed danger and jumped out of the vehicle into the bush. I was ordered to stop. The soldiers jumped out in search of Bohor. Unfortunately I realised that Bohor jumped and broke his neck but when the soldier found him, he sprayed him with bullets and left him in the bush. On the following day some of the soldiers accompanied me to collect the body and deposited it at the hospital mortuary. On another occasion somebody reported theft of a sheep by one Issahaku and one Kuntu from Cyanide. Sometime later, we had information that Kuntu had been arrested and killed by soldiers at Asaman Kakraba. Then sometime later somebody informed the soldiers at camp that Issahaku had returned home. Based on this information the soldiers arrested him on one Saturday about 11am. Issahaku was put on my vehicle and with Appoula and Osumanu [a soldier] I was ordered to drive to the Fanti Mines. On reaching the Fanti Mines pit, Appoula alighted and asked Osumanu to take Issahaku to the entrance of the pit. Osumanu ordered Issahaku to alight but he bluntly refused resulting in exchange of blows between the two of them (Issahaku and Osumanu). For some time, Appoula was not coming and so Osumanu called him for assistance. When Appoula came to the scene, he attempted to shoot Issahaku but he was too close in combat with Osumanu as such he could not fire. What he did was that he held the muzzle of the rifle and hit Issahaku hard on the forehead causing a deep cut at the top of his right eye. The boy became unconscious. Appoula and Osumanu carried this boy and threw him into the pit and asked me to drive them back to camp.

8.5.4 Sey stated:

A lot of atrocities and killings went on at Tarkwa which I became an eye-witness. I and one driver by name Abotokura were assigned by the Management of SGMC to drive the soldiers

wherever they wanted to go. We were running shift- day and night. I know as a fact that the soldiers particularly Peter Appoula and Alormani played prominent roles in killing of people at Aboso Fanti Mines. A particular case that I witnessed was that of the murder of one Mr Boafo and his nephew. What actually happened was that I was on duty one day and was to close but my relief did not come and so I had to continue that night. At about 5:30pm, Alormani asked me to drive him with Mr Boafo and his nephew aged about 12yrs to Aboso. By then these people were already at the Operation Headquarters at the bungalow. My information was that they were collected from the Tarkwa Police Station. As I drove towards Aboso and on reaching Fanti Mines he Alormani ordered me to drive to the Mines Shaft at the Fanti Mines. We reached an abandoned pit where he asked me to stop. He ordered the man, Mr. Boafo, to alight from the vehicle and ordered him to walk towards the pit. The man pleaded with Alormani to spare his life. Alormani did not heed to the plea and callously shot him from behind. Surprisingly, Mr. Boafo turned suddenly, threw his body onto the Land Rover and fell into the bucket of the vehicle and died. Alormani ordered I and the boy to pull Mr. Boafo from the vehicle and pushed him into the pit.

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Thereafter, he ordered the boy to also walk to the pit. He shot him as well and he fell into the pit. After that I drove him back to base and slept till the next day when my relief Mr. Abotokurah came to change me. May I however say that the name Alormani should read Appoula “Tarkwa Killer”. I now recollect vividly that it was Appoula and not Alormani. ... I wish to say for certain that it was Appoula who killed the man and his nephew.

8.5.5 The statement of Sulemanu is no less chilling. He said:

I remember one day I was on duty with Cpl Appoula in town. It was curfew time at about 10pm. On reaching the Tarkwa Railway Station, we saw a certain woman come out to urinate. As soon as Cpl Appoula saw the woman he asked me to stop, Appoula ordered the woman to come from the stairs that she was standing on. One of the soldiers called Pte Owusu asked her to board the vehicle. I was ordered to drive to the camp. The two soldiers, Cpl Appoula and Pte Owusu, raped the woman until she became unconscious. They carried the woman onto the vehicle and sent her to Tarkwa Police Station where we met the officer in-charge, Insp. Aboah. Cpl Appoula spoke with Insp. Aboah for some time, I was asked to drive to the mortuary where we dumped the woman who was by then dead. When we were returning to the camp and on reaching Goil Filling Station, I was asked to stop. The two soldiers went into consultation for about ten minutes and when they came back I was again asked to drive back to the mortuary and collected the body and sent it to the Fanti Mines. This woman’s body was thrown into the pit by Cpl Appoula and Pte Owusu. ... On another occasion, information came from the Police Station to the effect that there was a certain boy attempting to steal from a house at Tarkwa Layout and that they needed Military attention. Cpl Appoula asked me to drive to the Police Station and picked one Policeman whose name I do not remember. He directed us to the house. On reaching the house, the alleged thief was called by his name and he responded once and failed to talk again. Cpl Appoula forced the door open. We saw that this boy whose name I don’t remember has pushed a knife into his anus and an electrified heater on his chest obviously in a suicide attempt. We picked this boy aged between sixteen and eighteen years onto our Land Rover and sent him to the pit where Cpl Appoula dumped him into the pit at Fanti Mines. Yet another case was that, soldiers brought a suspect from Prestea and detained him at Aboso Police Station. Later, Appoula and Pte Owusu collected the suspect from Aboso Police Station to the camp and asked me to drive them to the pit with the suspect whose name I don’t know but he would be older than I was at the time. At the pit, Cpl Appoula shot this man from behind into the pit.

8.5.6 The Commission was unable to trace Alormani. However, Apoera was found to be still in the Army and based at 2BN Takoradi as a Sergeant. In his statement to the Commission he said:

I was among the troops as a private soldier. There were two (2) platoons based at Tarkwa and one platoon at Prestea. In the course of our duties, there were numerous complaints concerning one Issahaku who was known to be a hardened criminal in the Tarkwa Township and its environs. ... On one fateful day, an alarm was raised that Issahaku has been arrested for stealing many sheep and goats. A decision was then taken by the troops that with immediate effect, Issahaku should be shot dead since he wasn’t just a mere thief but a hardened criminal. So, I was ordered by an officer whose name I do not remember to kill him. A group of soldiers including me took Issahaku on an allocated vehicle to Fanti Mines and I complied with the orders of the officer and

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shot Issahaku at the entrance of a pit at the Fanti Mines and he fell into it. ... Also, I have been accused of killing a man and his nephew. To this, I also deny.

8.5.7 The bodies of the victims lay in the shaft at Fanti Mines until residents nearby complained that their drinking water was becoming polluted. The mining companies organised a party to remove the remains from the shaft and bury them at the public cemetery. In all they found the remains of five persons – one woman, two men and a boy of about 12 years.

8.5.6 The effect of these atrocities on the people of Tarkwa must have been both tragic and traumatic. A few weeks after the disappearance of Boafo, his wife and children left Tarkwa to live at Inchan, near Sekondi. The mother died six months later and the children scattered. Two returned to live at Tarkwa, two died and the whereabouts of another is unknown. The remaining two are Peter and his sister Regina.

8.6 TREASON TRIAL OF 1986

8.6.1 In the early hours of 30th October, 1985, a team of police officers led by Chief Superintendent Victor Agbenatoo went to the home of Evelyn Djan at Tema. They conducted a search and found under a bed a sack which they said contained guns and ammunition. They arrested Evelyn, her nephew Atta Boakye, her brother Kyereme Djan and his friend Mawuli Dra Goka. On 5th March, 1986 Mawuli Dra Goka, Kyereme Djan and thirteen others were charged with conspiring to overthrow the government of Ghana. They pleaded “Not Guilty” to the charges.

8.6.2 At the trial the prosecution sought to tender in evidence confession statements alleged to have been made by the accused persons. When the defence objected to the statements going in, George Agyekum, Chairman of the Public Tribunal decided to admit them. At the end of the trial, he convicted all but one of the accused persons. He sentenced **Mawuli Dra Goka, Kyereme Djan, Yaw Brefo Berko, Samuel Boamah Panyin, Ahmed Braimah Kankani, W O II Samuel Charles Aforo and Private Charles Koomson** to death. The sentences were carried out on 21st June, 1986 and the bodies buried in two unmarked graves.

8.6.3 The confession statements were taken by Detective Inspector James Kofi Atopley. When he produced the confession statements, objection was raised to their admission on the ground that they were not voluntary, but were extracted under a series of tortures administered to them over a long period between their arrest and the making of the statements. The procedure to be followed when such objections are taken is for the adjudicating body to rule on the admissibility of each document there and then and to exclude it if it is found to be inadmissible: Evidence Decree, 1975 (NRCD 323) section 6(1) (2)¹. Instead of complying with this legal requirement,

¹ 6(1) In every action, and at every stage thereof, any objection to the admissibility of evidence by a party affected thereby shall be made at the time the evidence is offered.

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Agyekum stated that he would allow the documents in and rule on their admissibility later. He said:

The Public Tribunal's Law enjoins us to look at rules of law in deciding whether the statement will be admitted or be rejected. In our opinion, even though prima facie the statement is alleged to be voluntary in the course of trial both the prosecution and defence could lead evidence to support their contention as to the voluntariness of the statement. The tribunal then in our evaluation of the case will take into consideration the sort of weight to be attached to such evidence. On our hearing the statement, hearing the accused version and circumstances under which it was taken together with the entire evidence before us we shall then be in a position to evaluate it in the consideration of the final judgment. This ruling will apply to all the other statements and we shall continue to record any such objections raised.

The objection is therefore overruled.

8.6.4 This was most irregular and prejudicial to the accused as, if the documents were inadmissible, they ought not to have been taken into account at the end of the case for the prosecution when considering whether the accused persons should be called upon to put up their defence. In the proper administration of justice, Agyekum ought to have taken evidence on the admissibility of each confession statement before admitting it in evidence. It was to turn the procedure upside down to admit the statement and then take evidence as to its admissibility at a later stage in the proceedings.

8.6.5 At the close of the case for the prosecution, and with the confession statements in, the Tribunal had no difficulty in finding that a case had been made against the accused persons. They were called upon to open their defence. They gave evidence of the tortures and ill-treatment they had undergone and how they had made the statements under all kinds of crude, cruel and inhuman tortures and pressures.

8.6.6 In his evidence Goka said:

...we were whisked off to the police headquarters and handed over to some policemen on duty. There, I was handcuffed and my legs were chained and was left behind the counter...After about fifteen minutes...Jack Beble...came near the counter...He then said how could an Ewe like me be plotting with an Akan by name Boakye Djan to overthrow an Ewe government.

He beat me...At about 8 – 9 p.m. the same evening, Jack Beble returned with about eight men dressed in military uniform. I was called from my cell when the chains on my legs were removed and I was sent into a waiting Land Rover from there they drove to the other side of the building and brought back Kyereme Djan, 3rd accused...

...He drove further on the dirt road. We were ordered to go down from the Land Rover. Kyereme and I complied. There the handcuffs were removed and we were both handcuffed behind our backs. We were then blindfolded and we were told to run into the bush at this point. Kyereme Djan told MAWULI these chaps are out to kill us. I asked him if he could do anything about it. He said no, then I said let us give it to God. We started running. We were told to stop. We were then dragged and transferred to what seems to be the back of a vehicle. From this point,

(2)Every objection to the admissibility of evidence shall be recorded and ruled upon by a court as a matter of Course.

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we couldn't see anything, since we had been blindfolded earlier on...after a while the vehicle came to stop. We heard some exchanges. Someone got down from the vehicle. Later came and banged the door and we continued the journey. We went on for about 40/50 kilometers.

...we eventually got to a destination where we were told to get down from the truck. Kyereme and I were separated, I was told to stand after being sent somewhere then shots were fired all around me...I was sent into a room where I was instructed to sit on the floor and they started beating me with what appeared like a barb wire because I could feel it pricking me. The beating went on for about an hour then I felt Kyereme had been brought into the room because I heard his voice. I was told to remove my shirt so my handcuffs were opened. I removed my shirt and I sat down.

Later, I was told to open my mouth and something that tasted like meat, raw meat was put in my mouth. Prior to this Kyereme was shouting that his back was being cut.

...After that, I was given something to drink and it tasted like and smelt like urine. I was kicked into abdomen. My private part was burnt in the process. I lost control of myself and urinated. Kyereme and I were told to lick the urine which we did...

My private part was taken and tip of it was slashed to make it longer. Then a series of questions were asked me. e.g. Are you not planning with Major Boakye Djan to overthrow the government of Ghana?...whenever I gave them the answer which was no, I was subjected to further beating. I was told until I agree to these things, they will not stop beating me... a couple of hours later, I was sent into a waiting van and I reckon it was dawn because I could hear the cocks crowing. We were then driven to another unknown destination where I was forced to drink a glass of local gin, Akpeteshie and that they were preparing me for my death...We were dragged from the truck and sent into a hole then we were told to say our last prayers and I recited Psalm 23 aloud...We were then fired above our heads...

We were... later given some food to eat but we were unable to do so because we realized the gari given to us had been mixed with sand... I was given certain guidelines. I was told I will be meeting their bosses in the evening. I didn't see them. I was still blindfolded...

Certain names were given to us some of the names are KOOMSON, AFORO, one DANJUMA, one ANABA, ALANKO, ADONTEN and other names ... is ATA-PANYIN so Kyereme and I was told to incorporate in our story a brief account of our backgrounds and how series of meetings were held with some of the names, monies given out, monies promised...

...I was then separated from Kyereme Djan and put in what appeared to be a tank with water in it. I was taken out later and I was given about three injections and I was dragged to another destination...There, I met about nine men seated. In the middle was the Deputy Director of BNI [Peter Nanfuri]... I was told to start my story and then I asked the Panel Members I would like to know why I have been brought before them. I was warned by the Deputy Director that if I wasted their time, I will go back to where I came from so I retold the story the way I was told

when I was being tortured...I was escorted to a very dark cell. There, I sat on the floor because I could not lie down either on my back nor on my front.

...I lost track of the days. I complained I wanted to see a Doctor since I was in so much pain and my private part was stuck to my shorts...A couple of days later, whilst in the cell, I was called out and just as I stepped out of the cell, I heard footsteps from the side. They turned me to face the wall, I was handcuffed behind my back. I was blindfolded and sent away to an unknown destination. There, my left shoulder was burnt with what seemed to be a hot and hard substance and I was told I had not performed well during interrogation. I was brought into company with a

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man whom they called KOOMSON. There, I was instructed to say I had a meeting with him in Lome. I was subjected to further beating and sent back to BNI.

Some days later, I was called and sent upstairs where I met the 4th accused ATTA-PANYIN. I was told to take him to my cells and advise him what will happen to him if he failed to cooperate...At the entrance I took off my shorts and showed my private part to him and my back and he told me MAWULI why should I say something I have never done or known in my life?

I made it clear to him that he could not withstand what I had been through so I told him the story I had recounted to the panel earlier and I was locked back in my cell...I was picked up again and sent to an unknown destination. I had been blindfolded and handcuffed behind my back. There at the unknown destination, I was told to say my last prayers again. I was stripped naked and subjected to yet the series of torture. I was told to get ready with my story because soon, I will be called upon to put down what I had said and the torture into writing before an investigator. I was sent back to the BNI. There I cannot recollect the date but I was called and sent to one of the offices downstairs, where I met two gentlemen one was the investigator. He introduced himself to me. He said he was ATOPLEY...I asked him who the independent witness was. He introduced him to me...

...I asked Mr. Atopley if it would be possible to get me among other things, a Counsel of my choice and an independent witness of my liking. He told me I was aware of the consequences that would follow if he was to report this dialogue to his superiors. Knowing the implication of this since I had been subjected to series of torture I said he should allow me to have a man of God, Rev. Minister to be my witness...After arguing with him for quite a length of time about the unsuitability of the private witness, I gave up.

8.6.7 Kyereme Djan said:

... When I was arrested, I was taken to Police Headquarters on the Ring Road in Accra. I was kept in cells at the Police Headquarters. I was called to the counter around 8:00 pm or thereabout and one Jack Gbeble asked the counter man to release me to him and four other soldiers all holding guns...I was practically dragged into a waiting Police jeep where I saw Mawuli Goka in the jeep...We were driven off from the yard and somewhere around the Star Hotel, we stopped and two military vehicles joined us. We drove till we came around Tetteh Quarshie Round About just after the head rail line they branched right into an untarred route, few meters later they stopped. Our handcuffs were released and Mawuli ordered to come down first. He blind folded and later I was asked to come down too. I was then asked to come down too. My glasses (optical lenses) were removed by Jack Gbeble and crushed. I was then blind folded and handcuffed behind me as was done to Mawuli Goka before. We were told to run for our lives...Then somebody held me...and dragged me into what seems to be the floor of the vehicle...They took off...when the car finally stopped, I was beaten up with what felt like a barbed wire, something like iron rod and the butt of a gun from all angles. Then when this had ceased after fifteen or so minutes, or so somebody said this is the beginning of what is in store for you if you don't admit the following:-

That the Gokas have been plotting or financing a coup plot and also we had come to town (myself and Mawuli) to purchase arms and ammunitions for this purpose...the beating that followed was unimaginable and at one stage I felt like a block hit my left forehead and that was the last thing I saw, I lost consciousness...

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When I recovered, I heard Mawuli crying from beatings. Somebody else said I had been very difficult and almost immediately I felt my back being cut and I shouted, oh God, my back being cut and it was put into mouth with the orders I should chew my own flesh. I spat it off...

After a while, we were left on the floor. After asking me to lick something from the floor, something that tasted like urine, I was sent back into the vehicle together with Mawuli. All this time, I was naked. Then were sent to yet another destination. Then we were pulled into a pit and asked to say our last prayers. I heard Mawuli recite Psalm 23 whilst I said in my heart that Lord if it be your will, let this cup pass by and as if by a miracle the shootings that had been going round above our heads stopped.

We were taken back into the waiting vehicle and sent to another unknown destination...Later, I was given some gari mixed with sand to eat. I felt a second hand in the pan and that was where I realized it might be Mawuli...Then somewhere along the line somebody came to me and told me to co-operate with him...he said some guns have been found in my house...he said...I was to admit knowledge of those guns and he further gave me a list of names...Names like ANABA, ATA KULULU, AFORO and others I cannot remember. I was told to tell them that the Gokas had been plotting and in fact he gave me guidelines as to what to tell the bosses.

Then I lost track because I had been blindfolded but I think in the evening or so, Mawuli was brought to meet me...We were asked to say our stories according to the guidelines we had been given before...we were separated again. I was kept under a water tank...During all these times, my urine was the only water I had. For about a week people came for me...and asked me to rehearse a story. When I was finally perfect by their standard, I was grabbed into a vehicle and sent to the

BNI headquarters...

At the BNI headquarters it was there my blindfold was removed for the first time and taken upstairs to meet a panel of investigators. There, I was asked to say my story. When I asked what story, somebody whom I later realized to be Mr. Tinga Naba [Peter Nanfuri] said I shouldn't waste his time and that I knew the story I was to tell them. If I didn't want to go back to where I had come from, so I said there as I had been told to do...

...one day I was called from my cell and the 2nd accused Mr. Berko was brought in. We were asked to show our backs to him and without uttering any words. He was sent back...

...I was called to an office where I met Detective Inspector Atopley and one other gentleman. The Detective Inspector who I was seeing for the first time told me the other gentleman was to be a witness to my statement. I objected and asked for a Reverend Minister to be my witness...

...I started to write the statement after the Rev. Minister has been refused me...Mr. Atopley said...he was working for the government and so I had no option but to write the story I had been schooled to write. I therefore wrote it.

8.6.8 The other accused persons, too, came under physical and mental pressure to confess to a role in a plot to overthrow the PNDC, and to implicate others. In his evidence, W O I Samuel Aforo said:

The circumstances leading to this statement, was after I had given my narration to the panel, one member of the panel told me that I was joking... I was escorted by a vehicle and taken to a place where I later got to know was the BNI Accra Region. I spent the night there and in the afternoon of the following day, I was called out to the counter by the man on duty. When I was walking to the area of the counter and just as I got to the counter, I could see movement on the right side through the corner of my eye.... All of a sudden someone thrashed me about thrice from behind right in my face and another person grabbed me and at the same time a blindfold was put in my eye. In the same instance, strong arms grabbed my two hands behind me and I felt something

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metallic like handcuffs... I was thrown head long into the vehicle my head hit something like metallic then I shouted in pain. Then I heard what looked like the butt of a gun strike the back of my head... I was asked to come down from the vehicle then I was helped up to a stairs because I was blindfolded any my hands handcuffed behind me. I was then taken into what appeared to be a room and I was asked to tell my story so I told my story as I told the panel back at the BNI headquarters and I was told by someone who I could not see that with effect from that particular time that story had ceased to exist. I was to forget about it the handcuffs were then opened and I was asked to strip naked and I complied the handcuffs were then back on my hands all of a sudden somebody booted me from behind and I fell down whilst on the floor I heard somebody give the order that this boy (man) is a strong man so work on him hard. I heard some people respond 'Yes Sir' all of a sudden, I head the word charge and at this juncture, I was physically assaulted. I was beaten from all angles with objects that felt like barbed wire, iron rods, sticks. The butt of the weapons knocks (blows) and butts fixed I didn't want to shout out even though I was feeling the pains but I realized that any apparent show of bravely had infuriated my torturers the more so the intensity of the assault increased. At this juncture, I started shouting and was crying out for mercy from my torturers. I quite remember I shouted God, God help me... The beating had gone on for about twenty minutes and at one time I pissed on the floor somebody held my neck from behind and pushed my face into the urine, stamped on my head and asked me to lick my urine, I did. And after that, I was told by somebody I could not see that this was only the beginning and that the proper show was yet to follow.... An order was then given and I was physically assaulted again, I felt objects like barbed wire, sticks, butt of a gun, rods being used on me. At this time, I was bleeding profusely from my nose and from several cuts on my back this continued for about thirty minutes and all this time I was actually screaming. They told me I was disturbing and that I should keep quiet... I was dumped in the vehicle which drove off for some few minutes... The vehicle stopped and I was asked to come down when I came down I was asked to ran away for my life... all of a sudden I heard shots being fired around me and in between my legs... I did not need anybody to tell me to turn and run... All this time, the bullets were flying around me... A certain object which someone was holding out to me, from my military experience, I realized it was an AK 47 rifle. Who ever was holding this out to me asked me to put my finger along the barrel and feel it. I did this after they have opened my handcuff, my finger got to the four side blade of this rifle and just and I was reaching the barrel, I mean the muscle, a single round was released from the weapon and this grazed my left forefinger... I started bleeding profusely from the wound, the handcuffs with the finger still bleeding were being fired around me at random... I was pushed down and physically assaulted. Again, I felt the same objects used earlier on previously mentioned all over my body. And this time, I was stamped repeatedly in my groin and abdomen. I became dizzy at this stage and just after that I lost consciousness. When I came through, I realized that I was lying on a cemented floor in a pool of what appeared to be water. Someone then came to me and said he wanted me to co-operate with him. He said he was going to ask me some questions. I told him I will do everything under the sun for him... My handcuffs were opened... I told him I was hungry. I heard him tell someone to get me something to eat. Some food was brought but when I had put the first handcuff of what

looked like gari and soup mixed into my mouth, I realized the gari had been mixed with sand. I told him I could not eat that so I requested for some water. This was brought and I just took a sip because I realized that instead of water it was urine. The man who had brought this to me presumably had not left me so when I said I could not drink the urine and that I was OK, he said, and I quote: "you will eat and drink." He told me if I did not want to go back to where I had come from where I had cuts on my back then I had better had the food and what he termed to be water. I forced a few handfuls of the mixture of sand and gari into my mouth and gulped it down

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with the urine... a few minutes later, someone came to me and asked me if I was ready with my story. I told him I will try because at that time I was feeling slightly dizzy so I narrated the story and he told me it was not a bad beginning and I had more room for improvement and he made me aware that he will come back in the not too distant future to hear me again... I was then jostled into a standing position and taken on board a vehicle... The vehicle drove off to an unknown destination... I was forced down and taken a certain distance, my handcuffs were opened and I was asked to strip of my clothing again. They were then put back and I was led to sit on what seemed like a block and there I was made to repeat my story over and over. The story was the one the man who asked for my cooperation had told me to say. I told the story to the best of my knowledge and after that he told me that this time, I had not done well at all... shots were then fired all round me in that sitting position and after that I was subjected to physical assault again. I felt the same implements, iron rods, what felt like barbed wire, sticks and what felt like the butts of a rifle were used on me from all angles. All this time, I was still blindfolded and handcuffed. I was then dragged from my sitting position and dumped into what appeared to be like a pit. Standing in the pit, I realized the hole was as deep as to my chest level. I was left in that position for a very long time and I dozed off. The pit was so small I could only stand. I couldn't turn nor lie down. I was awakened by cock crows and I realized my torturers were also around. After sometime, somebody came to me and told me whether I was ready with the story and I said I was ready because the long stay has sort of revived me a bit and this time I was told my story was better. At this juncture too, I realized I was foaming from the mouth and I was also very weak. An order was given for me to be taken out of the pit... once a while, somebody will come to give me a blow or even slap me... I was made to rest for about four hours and my clothes were brought back to me. The handcuffs were put back and I was put on board a vehicle. After driving for about seven minutes, I heard a gate opened the vehicle, entered and I got down my handcuffs removed and there of the vehicle drove off. My blindfold was then taken off me... A vehicle was brought and I was placed in it back to the BNI Accra Region and back to my cell. I went and met new faces around and when I asked what date it was, I was told it was 12th November and from my reckoning I had been away for 9 days...

8.6.9 Koomson also said:

I was asleep when the guard called me to come there. I met a WO II and two other soldiers. He asked me to join the vehicle... immediately we passed Congo Junction, he parked the car, took a duster and blind folded me... When the engine was started with my experience in the Army, I got to know it was a military pinzgauer... We went for a long time on both rough and smooth surface road. Later on we got to some point and the Pinzgauer stopped... They opened the gate and pulled me out of the vehicle and they asked somebody to go for the keys. Later on the person came, they opened the door and somebody escorted me into the room... All of a sudden, I was slapped and I fell on the floor... From there others came into the room... When the others came, they came and joined the first man and started beating me up. After beating me up for say fifteen minutes, they stopped and told me that that was phase one. They asked me to be thinking and that they were going to come back again. Later on they came back and started mentioning some

names to me and they asked me whether I knew them I said I don't even know them that was the first time I was hearing such names. They jumped on me and stated beating me again... I was asked to strip naked and I did then later they handcuffed my hand at my back. They jumped on me and started beating and said I should admit the names they have mentioned... I heard one tell the other to go and put the bayonet on fire... From there they started beating me again and they told me now they are coming out with some guidelines so that we make a story out of the

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guidelines... Later on they sent someone to go and bring the bayonet from the fire. Then I felt a sharp pain so I shouted, the pain was at my back and it was something like a burn that I heard someone saying we should do more. Then they ordered the one burning me to send the bayonet back to the fire. From there they came out with a story and they asked me to say the same thing but I made some mistakes and they jumped on me again. From there they started caning my penis. I told them I beg them they should stop. I will do whatever they want me to do... All of a sudden I heard shots around me and I told them that they should stop it. I will do whatever they want me to do... I heard one of them asking the other to bring the bayonet out of the fire again. When the bayonet was brought they started burning me. My buttocks and foot... Then they said I should say my last prayers they are going to finish me off. All of a sudden, I heard shots around me and I told them to stop and anything they asked me to do I will do it... I urinated and I was lying in the urine... They stopped and told me to lick the urine on the floor...

8.6.10 Yaw Brefo Berko said:

Whilst at the BNI, I saw the 1st and 3rd accused persons and I was told to see what had been done to them. At the time I was being told the 1st accused was in a dark cell then he was brought from his cell to a bathroom... I had to sign the statement because of the circumstances under which I was kept and the atrocities that had been meted to some of the junior boys who were in the cells with me...

8.6.11 Samuel Boamah Panyin said:

They started hitting me with things like iron, sticks and barbed wire on my joints and this was done for about thirty minutes... I was beaten with an object like a barbed and some hot metal plate being used on my body and something like a knife being used in cutting my chest. My nails were removed both fingers and toes. My penis was lashed and I shouted for a while and I heard something being pushed down my throat... I felt something like a lighter to burn the penis and I felt the tip being slashed then I felt something like a needle being pushed into it. I urinated and eased...

8.6.12 Braimah Kankani said:

I felt my blindfold being removed and I saw two gentlemen standing naked with their hands in their backs in handcuffs bleeding seriously from their backs. Of them I could recognize Mawuli Goka and beside him was a fair coloured gentleman. I started crying... After the backs of the two Goka and Kyereme were shown to me after two days I was taken to BNI ACCRA REGION...

8.6.13 If he had kept his promise to consider the issue of admissibility after all the evidence was in, Agyekum would have had no choice but to reject the statements first, because the prosecution led no evidence in rebuttal and, secondly, the harrowing experiences the accused persons, in

particular, Mawuli Goka and Kyereme Djan went through pushed them to the limits of human endurance. It was enough not only to make them confess to whatever crimes their tormentors laid at their doors, but to persuade others to do the same. Man's inhumanity to man was displayed here at its worst.

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8.6.14 Two respected journalists, Kweku Baako Jnr and Ben Ephson, testified before the Commission that during the trial they had the opportunity of examining some of the accused persons as to the nature and extent of their injuries. Kweku Baako Jnr said:

Mawuli Goka, who was the first accused on the charge sheet, had had the tip of penis split open slightly; he said by a certain object. So, it was bigger than normal and we are all men, so we know how it is. But obviously, it was bigger. His penis appeared to have been torched, that is, burnt. He suggested, he told me, that there was something like cotton, like a candle, it looked that way; and it never really extinguishes, I mean it doesn't burn out. That was what was used in torching his penis. The tip also was opened by a certain object that he wasn't sure what it was.....With regard to Atta Kululu – Boama Panyin, he also had had a similar experience. The tip of his penis had also been split open slightly bigger than all of us had there. He hadn't had his torched but it kept on leaking off and on. So most times he was in cloth instead of wearing pants. According to him any time he wore pants and the object touched the pants he felt some pains....Kyeremeh Djan had had his back cut. I saw it with my own eyes. According to him his back was cut and the flesh was given to him to chew. He refused. He shouted: "my back is being cut, my back is being cut." He said he wouldn't eat it. The flesh then was given to Mawuli Goka to chew; he also said he refused.....Warrant Officer Aforo, his back had been cut. I just couldn't believe it. Some tribal marks had been made at his back – so many of them. I just didn't understand the rationale.

8.6.15 Ben Ephson also said:

Kyeremeh Gyan showed me his back, the left shoulder blade. There was a palm size cut and he told me that they used hot metal to cut the flesh and they asked Mawuli to chew. I asked Mawuli and he confirmed it. Mawuli also undressed to show me his male organ, which had been slit and he said they had tried to pull it out....W.O. Aforo also showed me the hand, which he said they had tied at a table and had used as target practice. ...Then Atta Panin who was always in cloth at the tribunal, opened and showed me what was left of his genital. It looked like the male organ and the testicles had been lumped together like, pardon my want of better use of the word, 'grilled' because there was always pus coming out.

8.6.16 In his book, *The Treason Trial of 1986*, Agyekum accepts the fact that prisoners could be taken away from the custody of the security agencies to be tortured. He writes at page 11:

I agree with Amnesty International that those responsible should be punished but it was also true that those to hand out the investigation and punishment were the same persons responsible for those actions. Why say so? The BNI Director [Kofi Bentum Quantson] was a Police Commissioner the most senior of those who took the suspects away [Jack Beblie] was an RSM, if an RSM could enter a well fortified institution as the BNI and the Police Information room and take away suspects, not only once or twice, but on several occasions with impunity, any reasonable man should know the source of where the culprits drew their power from. Did they

expect the people to cut their nose to spite their face? To be frank Peter Nanfuri [Deputy Director, BNI] after the trial had bitterly complained to me about the activities of the commandos and how they were powerless to restrain them.

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8.6.17 In the face of this analysis made by Agyekum it is remarkable that he made light of the evidence of extreme torture that was presented before him.

8.6.18 By turning a blind eye on the tortures that went on under their very noses, not only Quantson and Nanfuri, but also Dr Koranteng who treated them of their injuries and made no protest, and Agyekum, who tried and convicted them, became accessories to the human rights abuses committed by the PNDC regime.

8.6.19 Agyekum, himself an ex-detainee, rationalises his own role thus at page 23:

The treatment and experience that I went through gave me the inspiration to work to stabilize the legal order. I had realized that without dealing with any one without fear or favour and especially dealing with military atrocities against civilians, the safety of the populace was at risk. In all modesty and humility Ghana will not be what it is today if some of us had not taken the actions and decisions that we took in the early days, anarchy and disorder in the PNDC era would have been worse than Idi Amin era. Indiscriminate killings and atrocities unprecedented in our history would have characterized the era. For the majority of soldiers closer to the PNDC, their understanding of revolution was to terrorise, intimidate and maim the civilian population and disregard authority.

8.6.20 The question arises whether, apart from the confession statements, there was sufficient evidence of the guilt of the accused persons. The salient points made in the evidence of the prosecution witnesses were as follows:

- (a) Evidence of Francis Asante Mensah that at Boamah's request he kept suitcases containing guns for him and that Kankani and Goka came to inspect them on different dates.
 - (b) Evidence of John Anaba Chrimsah that Alanko who was being tried *in absentia* sought his assistance in procuring a single-barrelled gun.
 - (c) Evidence of S/Sgt. Samuel Yaw Bediako that Kankani sought his assistance in procuring ammunition.
 - (d) Evidence of Cpl Kwabena Owusu that Alanko, Kankani and one Adamu called on him and asked him to procure ammunition in furtherance of the plot to overthrow the PNDC.
 - (e) Evidence of Cpl Owusu Kwabena that Alanko and Djan went to see him that Djan was holding a polythene bag which Alanko said contained ₵50,000 and that the bag was given to him.
 - (f) Evidence of Evelyn Osei Owiredu that on a visit to her husband, Edusei, in Lome she found that he was living in the same house as the Goka brothers – Christian, Frank, Eric and Mawuli.
 - (g) Evidence of Captain Robert Ofei Sackey that during a search of the residence of W O II Aforo an amount of CFA 30,000 was recovered from his wife.
- (d) Evidence of Victor Agbenatoo that during a search of the house of Evelyn Djan, sister of Kyereme Djan, a sack containing guns was found under her bed.

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8.6.21 Evelyn Djan was called as a witness for the prosecution. She disclaimed all knowledge of the sack and said that when the police showed her the sack as having been found under her bed they did not show her its contents. Aforo was not present when his rooms were searched. Apart from the CFA 30,000 which the BNI operatives collected from his wife nothing incriminating was found. Boamah denied asking Mensah to keep any guns for him. If that evidence is true then he could not have shown any such guns to Kankani and Goka. Cpl Owusu's evidence called for an explanation from Alanko but not from Goka as it amounted only to a suspicion that Goka knew the purpose for which the money was handed over to him. For the rest, neither the alleged visit by Boamah to a diviner, nor the fact that the Goka brothers lived under the same roof with Edusei was proof of a conspiracy of any kind.

8.6.22 Even if Goka, Kyereme Djan and their co-accused were engaged in a plot to overthrow the PNDC, their actions were lawful since the PNDC had usurped the authority of the State and constituted itself into a government. Article 1 Clause 3 of the Constitution of Ghana, 1979 stated:

- 1(3) All citizens of Ghana shall have the right to resist any person or persons seeking to abolish the constitutional order as established by this Constitution should no other remedy be possible.

8.6.23 This call on citizens to resist all those who would want to ride rough-shod over their rights and liberties has been couched in even stronger language in Article 3 clauses 4 – 7 of the Constitution of Ghana, 1992. They provide as follows:

- 3(4) All citizens of Ghana shall have the right and duty at all times –
- (a) to defend this Constitution, and in particular, to resist any person or group of persons seeking to commit any of the acts referred to in clause (3) of this article; and
 - (b) to do all in their power to restore this Constitution after it has been suspended, overthrown, or abrogated as referred to in clause (3) of this article.
- (5) Any person or group of persons who suppresses or resists the suspension, overthrow or abrogation of this Constitution as referred to in clause (3) of this article, commits no offence,
- (6) Where a person referred to in clause (5) of this article is punished for any act done under that clause, the punishment shall, on the restoration of this Constitution, be taken to be void from the time it was imposed and he shall, from that time, be taken to be absolved from all liabilities arising out of the punishment.
- (7) The Supreme Court shall, on application by or on behalf of a person who has suffered any punishment or loss to which clause (6) of this article relates, award him adequate compensation, which shall be charged on the Consolidated Fund, in respect of any suffering or loss incurred as a result of the punishment.

8.6.24 If the execution of these young men was intended to deter others from seeking to overthrow dictatorial and unconstitutional governments, as indeed it was, it is equally incumbent

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on us to encourage others to follow their worthy example by acknowledging the supreme sacrifice they made in the cause of liberty.

8.7 MAYHEM AT AGOTIME – AFEGAME

8.7.1 In 1987, the District Organising Assistant of the CDO at Ho opened a militia station at Afegame to check smuggling across the border into Togo. On 24th September, 1988 there was a confrontation between militiamen and a citizen of the town over a pot of palm wine which had been brought to Afegame from Kpadzao across the border. Although in Togo, Kpordzahor is part of the Agotime Traditional Area. The confrontation was followed by another incident in which a citizen of Afegame was alleged to have stolen some items from the militia post. The District Administrative Officer, WO II Tornyeviadzi, who was on his way to a funeral in his mourning cloth went to investigate the incident. In the course of arresting the alleged culprit his cloth was stolen.

8.7.2 While the matter was being dealt with by the District Security Council, Tornyeviadzi sought permission from the CDO Headquarters in Accra to mount an operation in the town. Without waiting for clearance, he decided to lead the operation. In the early hours of 4th October, 1988 the militiamen led by Tornyeviadzi entered the town, beat up the citizens and destroyed property worth over ₵9 million. A Committee of Enquiry appointed by the Regional Administration to enquire into the disturbances laid the blame fully and squarely on Tornyeviadzi.

8.7.3 The Commission received petitions from the following:

8.7.3.1 **Prosper Larweh** was beaten with sticks on the shoulders, back and chest and slashed with a knife.

8.7.3.2 **Isaac Ahogbagbo** was hit on the head and arms with truncheon. He fell down and when he got up the militiaman hit him with the butt of his rifle. His hands were tied behind his back, kerosene was poured on him and he was threatened with being set alight.

8.7.3.3 **Soge Ganu** was slapped and hit in the ribs with a club.

8.7.3.4 **Tee Anim** was hit on the head and right thigh with the butt of a rifle and cut on the eyebrow with a knife.

8.7.3.5 **Samuel Tete Adimeh** managed to escape when militiamen forced his door open at 3a.m. He went to Kpadzaxo in Togo. On his return he found that his 22 bags maize and 2 bags beans had been destroyed.

8.7.3.6 **Mathias Narh-Zikpi** was attacked with belts and truncheons. He escaped to Kpadzaxo. On his return he found that his Peugeot saloon car No. AK 342 had been damaged beyond repairs. His sideboard doors and windows were damaged. His father's double-barelled gun was taken away.

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8.7.3.7 **Dede Christiana Ahunkpo** was woken up by militiamen who asked of the whereabouts of her husband. She told them he had travelled to the Buem area. The militiamen set upon her and two others Kodzo and Kwaku Afla, and beat them up. They fled to Kpadzaxo.

8.7.3.8 **Georgina Agboku** and her grandmother, **Homewa**, were driven out of their house. When the militiamen left and they returned they found that some of their personal effects including kente and textile cloths, had been taken away.

8.7.3.9 **Grace Fiawoyife** was woken up by the militiamen who asked of the whereabouts of her husband. They beat her and her nephew **Yao Ahliza** with sticks and hit her back and thigh with the butt of a rifle.

8.7.3.10 **Togbui Mankrado Dzan V** When his house was raided, his father, Garbah Kwasi Osabu, and his aunt, Afiyo Garbah, were attacked and beaten up. Tobgui managed to escape to Kpadzaxo. His father died a week later.

8.7.3.11 **Yohanna Adzo Osabu** the militiamen forced their way into her room and destroyed a hurricane lamp and her husband's tape recorder. When she cried out for help, a militiaman swung a rifle at her. He missed her but instead hit the head of her three-year-old daughter. The militiamen destroyed a box containing personal effects and took away kente cloths, beads and a bottle of schnapps.

8.7.3.12 **Korkor Akpo** was stripped naked by a militiaman and beaten. She was then dragged out of her house to the market place. Her father, **Yao Akakpo** was also beaten. He died two weeks after the incident.

8.7.3.13 **Paulina Gbadago** The militiamen entered her room and attacked her and her three children, **Korkor Fanse**, **Godwin Fanse** and **Celestine Ankrah**. When one of the daughters tried to escape a militiaman hit her with the butt of a rifle and when she fell down he kicked her in the abdomen.

8.7.3.14 **Mama Ankrah's** door was forced open by a militiaman who asked of the whereabouts of her husband. He damaged the lantern in the room and carried away five crates of beer and two kegs of "akpeteshie". He also took Mama's earrings and necklaces.

8.7.3.15 **Millicent Abla Fiawoyife** was away at Ho when the militiamen attacked her townfolk. She went back home to discover that her door had been forced open and her personal effects stolen or destroyed.

8.7.3.16 **Charity Ahorla** was nursing a two-month old baby when the militiamen came. Five of them broke into her room and asked of her husband. They destroyed four packets of roofing sheets belonging to her brother **Michael Agbodza**.

8.7.3.17 Olivia Ziipe's sister **Beatrice** who was four months pregnant was hit in the stomach with the butt of a gun. As a result, she had a miscarriage.

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8.7.3.18 **Tei Atifa** was at Kete Krachi when the militiamen invaded the town. Two weeks later he came home and found that the door to his house had been forced open and his personal effects, among them six bottles of schnapps, golden sandals and golden rings.

8.7.3.19 **Emmanuel Kwablah Azumah** was at Assin Fosu when the militiamen attacked the town. On hearing of the incident he went to Afegame where he found that his house had been broken into, his wall-clock and 3 standing fans destroyed. He discovered that the following items were missing: 12 bottles schnapps, 4 bottles whisky, a deep freezer, a radio and an amount of ₵1.2 million.

8.7.3.20 **Cate Taho** Two militiamen forced the door of her room open and ordered her out. When she hesitated she was slapped. She came out with her year-old twins and fled to Kpadzaxo. Later in the day, she returned to her home to find that her utensils had been destroyed and her dressing mirror broken. The militiamen had also taken away 8 cartons beer, 2 cartons guinness, 2 crates Coca Cola and 3 kegs of “akpeteshie”

8.7.3.21 **Badzo Akey** Three armed militiamen entered her home and started beating her daughter Comfort Teho. They slashed the back of her brother Felu Akey with a cutlass and damaged doors, plates and motor bicycle. Four locally-made pistols in the house were taken away.

8.7.3.22 **Mamle Edze** was nursing a three-month-old baby at the time of the attack. When the militiamen asked of the whereabouts of her husband she responded that he was out of town. The militiamen beat her with their belts until she ran away. She went to her father, Dordzo Ahorti’s house only to find that he too had been attacked and had sustained a fracture of the leg. Again she was set upon and beaten. She ran into the bush where she stayed till 5 p.m. On her return to her home she found some of her properties were missing and others destroyed.

8.7.3.23 **Maxwell Yao Gidi – Narh** woke up when he heard a loud noise at the back of his window. When he opened the window he found that the windscreen of his Peugeot car number ARA 3149 had been smashed and that militiamen were outside. The militiamen forced the door open and began to hit him, his wife and daughter with butt of their rifles. Narh managed to escape, swam across river Tordzie and with his brother David Gidi went to Kpetoe to make a report to the police. On returning home he found that his shot gun, tape recorder, 8 bottles schnapps had been taken away. His wife’s sewing machine and kente cloth were also missing.

8.7.3.24 **Janet Maku Kpeglo** remonstrated with the militiamen who forced her door open. Both she and her twelve year-old daughter, Joyce Tetteh, were slapped. A militiaman cut her on the arm and leg with a knife. Janet fled to Galakofe in Togo, leaving her children behind. On returning home she found that various items including plates, dressing mirror and pots had been destroyed.

8.7.3.25 **Peace Abla Baka** was at home with her mother-in-law when the militiamen forced her door open. She was hit on the forehead with a torchlight and ordered out. As they left

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both she and her mother-in-law were hit with sticks and the butts of rifles. On returning home she found that her glasses, plates, cooking utensils, pots and a kente cloth were missing.

8.7.3.26 Togo Sonohwe and his father were beaten and kicked. Their rooms were ransacked and various items including two baskets of tomatoes, a bag of pepper, two gallons kerosene and a gallon of palm oil had been destroyed or taken away.

8.7.3.27 Awusi Tika and her two sons were attacked after their door was broken down. The militiamen entered her room, opened her trunks and suitcases and carried away kente cloths, necklaces and earrings. One of her sons was slashed with a cutlass on his back.

8.7.3.28 Elizabeth Habada was in her room with her two-month old baby when the militiamen came. Without asking her any question they destroyed her dressing mirror, three big bowls and two buckets.

8.7.3.29 Mabel Ahiafor was several months pregnant. The militiamen entered her room and carried away cloths, bucket, bowl, pomade and powder for the expected baby.

8.7.3.30 Victoria Abew's husband was away when the militiamen arrived. They took his single-barrelled and double-barrelled guns as well as a locally-manufactured gun. A quantity of "akpeteshie" stored in the house was also taken away.

8.7.3.31 Kwaku Dotsoo fell down after being slapped. While on the ground a militiaman hit him on the leg with an iron bar resulting in dislocation. He was also hit in the waist.

8.7.3.32 Anna Gidi's door was forced open by militiamen among whom she recognized Todze, Klu and Friday. As they were dragging Anna out of the room her mother Adzoyo Atipeh screamed that Anna was pregnant. The militiamen let go of Anna but struck Adzoyo on the knee with the butt of a rifle. Anna's sister Felicia Obiri and her daughter Patience Gidi were also attacked. The militiamen carried away 6 cartons beer and two kegs of "akpeteshie".

8.7.3.33 Regina Ahadzi The militiamen forced Regina's door open, damaged her dressing mirror and broke her plates and bowls. When she queried them about their actions she was slapped. She fell down.

8.7.3.34 Peace Mensah was with her late husband when six militiamen who were armed with cutlasses, sticks and an axe forced their door open. They slashed Peace's hand with a cutlass and hit her head, knees and arms with a stick. They damaged her cooking utensils, set fire to some of her personal effects and carried away a basketful of smoked fish.

8.7.3.35 Daniel Kwaku Gbemu The militiamen who forced his door open ordered him to come out of the room. When he did they beat him and stabbed him on the left cheek.

8.7.3.36 Francis Adjakey an ex S/Sgt of the Ghana Army lived with his wife Theresa Mwekpoe at Agotime-Afegame. Assisted by a Togolese soldier whose wife lived in the town, he

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remonstrated with WO II Tornyeviadzi about the behaviour of his men. Some of Adjakey's wife's belongings which were with her sister were destroyed.

8.7.3.37 Comfort Agyeman Three militiamen forced their way into Comfort's room and ordered her to go out. Her aunt and mother were attacked. Out of fear Comfort fled with her two children to Kpadzaxo.

8.7.3.38 Kate Larweh heard gun shots and then the voice of a man calling her brother Ebenezer Ekpe to come to his aid. When Ekpe went out militiamen who were beating the man turn on him and started to attack him. The militiamen forced their way into the house and attacked Kate's 25 year-old son Prosper Larweh as well as Kate herself. The militiamen fired shots at two vehicles parked in the yard and broke three kegs of 'akpeteshie' in Kate's room.

8.7.3.39 Margaret Azerevi was at home when she heard some banging on her window. She came out and found militiamen beating one Joe Aglienya. When she tried to intervene she was hit with a stone and slapped. She fled to Kpadzaxo.

8.7.3.40 Kofi Mati The militiamen forced Mati's door open and began to beat him up. They hit his head with a truncheon resulting in a deep cut.

8.7.3.41 Helen Awo Baley heard gun shots. Just then a militiaman forced her door open and attacked her and her two children. She had a cut on the right eyebrow. Helen swam across the Tordzi river and fled to Kpadzaxo. She returned after two months to find that her clothing and cooking utensils had been taken away.

8.7.3.42 Teki Agboro lived with her father, Joseph Mensah, a driver now deceased. They were woken up at 2 a.m. when the militiamen forced their way into their house. Mensah was attacked and his ears cut off with a pair of scissors. He was cut on the forehead with a knife. The militiaman then turned on Mensah's Urvan vehicle, smashing the windscreen. They shot at the tyres and deflated them. Various items, including a wireless set were destroyed and some property taken away.

8.7.3.43 Boniface Salla and his wife came out of their room when they heard the sound of a gun shot. Someone shouted that he was dying. A militiaman forced them back into their room and hit Salla on the head with a hard object. This opened up a wound on his forehead. The militiamen ransacked the house destroying a chainsaw machine, a bicycle, tape recorder, a double barrelled gun and smashing plates, glasses and bottles of schnapps and whisky.

8.7.3.44 Martha Agbozo was the wife of Boniface Salla. After her husband had been attacked and taken away, she, too, was attacked by a militiaman who hit her in the back with a club. She managed to escape to Kpadzaxo.

8.7.3.45 Janet Awo Azumah-Apam had her door forced open at 3a.m. She and her children were ordered to go out of the house. As they were leaving, a militiaman hit her daughter Akwele with a piece of iron. They stayed in the bush for the rest of the night. On

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returning home in the morning she found that her cooking utensils had been damaged and her corn dough mixed with water.

8.7.3.46 Tete Gbetei was woken up at 2 a.m. when his door was forced open. Two militiamen entered the room pointing a gun at him. They ordered his wife to leave the room and hit Gbetei on the head with a hard object. He received a cut and began to bleed. The militiamen set upon him and beat him up.

8.7.3.47 Comfort Awo Agbodo a sister of Joseph Mensah was in the house with him and Teki Agboro when the militiamen attacked them. The militiamen attacked Comfort and her son Avevor. They fled into the bush. When they came back home she found that her plates had been smashed and raw meat which she sold had been taken away.

8.7.3.48 Prosper Tetteh Fansey heard shouts outside his home at 2:30 a.m. Minutes later, the door was forced open by militiamen who set upon his sisters Peace Akpese, Gladys Amekudzi and Sarah Fansey and brutally assaulted them. The militiamen destroyed a Toyota minibus number TRA 7311, television, typewriter and dressing mirror. Two guns belonging to his grandfather were taken away.

8.7.3.48 Leticia Ankrah The militiamen did not touch Leticia. However, they destroyed her properties. These included a sewing machine, two dressing mirrors, two trunks, two cupboards and six silver bowls.

8.7.3.48 Grace Hobbayo and her two brothers Okale Angenu Matsetse and Narteh Azah were in their house when at 3:00 a.m. the militiamen forced their way in. They attacked the two men and destroyed a motor bicycle. They also took away a gun and a bottle of schnapps.

8.7.3.49 Peace Anisi Addim heard her mother shouting. When she went to her mother's room, she saw four militiamen there. One of them pushed her onto the floor. They destroyed a cupboard and cooking utensils and took away two bottles of schnapps.

8.7.3.50 Bebi Yaa Atigah Four militiamen forced their way into Bebi's room and pushed her to the ground. One destroyed her hurricane lamp. They made away with a keg of "akpeteshie", kente and other clothing. For complaining about their conduct, the militiamen slapped Bebi and hit her on the head with the butt of a gun.

8.7.3.51 Afi Adisi and her children **Dede** and **Korkor Djivorte** were attacked in their home. The militiamen took away four kegs of "akpeteshie"

8.7.3.52 John Teye Agah who lived in Ho went to the town a few days after the incident. On arrival he discovered that the doors of his family home had been forced open and his mother's sewing machine, beads, earrings, necklaces and two kente cloths taken away.

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8.7.3.53 **Christopher Tettey Kpene** who lived in Accra went to the town three days after the incident. He found that the doors of his family home had been forced open and the rooms ransacked. His sister Renartey Ablayo had fled to Kpadzaxo.

8.7.3.54 **Edith Abla Amuzu** and her aunts Ama Dapaah and Wisigo Kpele were attacked. Edith was slapped and her corn dough tipped over. Her cooking utensils were destroyed and a militiaman hit her on the leg with the butt of a gun. She fled to Kpadzaxo.

8.7.3.55 **Ruth Yoewie Kari** Three militiamen entered Ruth's house, pushed her father who was blind to the ground and snatched his double-barrelled gun. They also took away five bottles of schnapps.

8.7.3.56 **Malwine Ama Addim** who lived at Kajebi was on a visit to the town when the incident occurred. The door to her room was forced open and she and her daughters Teki and Esi were severely beaten. The militiamen broke a pot for storing water and a hurricane lamp.

8.7.3.57 **Freeman Ateh Atidogla** heard a knock on his door at about 2:30 a.m. When he opened it he saw seven armed militiamen. He ran to his father's house only to find that militiamen had surrounded the house and were beating his younger brothers. He therefore decided to go to Kpadzaxo. On his return, he discovered that the militiamen had destroyed five bags of paddy rice and taken his cutlass away.

8.7.3.58 Many of the petitioners complained about losing money, in one case as much as ₵1 million. Even though the amounts stated are approximations and therefore liable to be exaggerated there is no doubt that the militiamen helped themselves to whatever sums of money they could lay their hands on. After attacking the people of the town the militiamen tied the hands of those they had captured behind their backs and led them to the Junior Secondary School. There they poured kerosene on them and threatened to burn them to death. Eventually the District Secretary and police arrived at the scene to calm matters. It was only then that the people were released.