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GHANA

@The first executions since 1990

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Twelve men were executed by firing squad in Ghana on 17 July 1993. These were the first executions known to have taken place in Ghana since February 1990.

In April 1991 the then Secretary (Minister) for Justice in the Ghanaian government told Amnesty International representatives that the absence of executions since February 1990 was the result of deliberate government policy. On 1 January 1992 the government announced that all those who had been on death row for more than 10 years would have their sentences commuted to life imprisonment. Amnesty International is therefore concerned that these executions may represent a change of policy by the Ghanaian government, and fears that further death sentences may be carried out.

The 12 executed men had been convicted of involvement in armed robberies and murders in and around the capital, Accra. Godfrey Nyavie and Mustapha Bruce were convicted of murder and sentenced to death on 17 April 1989 by the Greater Accra Regional Public Tribunal. A woman convicted and sentenced to death with them was not executed. Mohammed Yao Midoagbodzi was sentenced to death for armed robbery by the Eastern Region Public Tribunal in 1988. Atta Bruce, Vincent Kodwo Ayivor, Kwadzo Ackon and Eric Nii Addo were convicted of murder and armed robbery; Benjamin Mireku was convicted of murder and Kwepey Yartey, Kwame Nkansah, Issaka Agege and Zakaria Salifu were convicted of armed robbery. Their dates and places of conviction were not reported.

Death sentences have continued to be passed. Three men, Imoro Issaka, Ibrahim Abubakar and Kwame Donkor, were sentenced to death by the National Public Tribunal in February 1993 following conviction for armed robbery. Amnesty International is concerned that these sentences could be carried out.

Since 1981, when Flight-Lieutenant J.J. Rawlings came to power, over 270 death sentences have been passed of which about 100 are known to have been carried out. The majority of these sentences have been handed down by Public Tribunals for murder and armed robbery. Under the new 1992 Constitution, Parliament passed the Courts Act, No. 459 of 1993, which effectively abolished the National Public Tribunal in July 1993. This was the highest in a system of special courts created in 1982 which were not independent of the executive and whose procedures did not guarantee a fair trial. The new Act allowed appeals from lower Public Tribunals to be made to the higher courts in the ordinary court system. It required chairpersons of Public Tribunals to have the same qualifications as High Court judges and the judiciary was given the main responsibility for their appointment.

Amnesty International is concerned that those already on death row who were sentenced to death by Public Tribunals before July 1993 may not have received trials which conformed to international standards of fairness, in particular that members of the tribunals were not sufficiently independent of the government. In several cases before Public Tribunals, the government interfered in the judicial process. In early 1993 the press, which has recently become more independent of the government, voiced public protests at the renewed government employment of Warrant Officer Salifu Amankwah, convicted of murder and sentenced to death in 1987 but amnestied in 1988 by Flight-Lieutenant Rawlings before his appeal had been heard. It has been widely alleged that his release so soon after conviction was due to his close relationship with the government. He was in charge of a task force dealing with traffic which was notorious for arresting illegally and beating suspects, and was himself convicted of beating and killing a retired accountant. Returned to his former post, the task force apparently revived its brutal methods. The family of the murdered man has not received any compensation from the government.

Amnesty International is unconditionally opposed to the use of the death penalty, which it considers to be a violation of the right to life and to constitute an extreme form of cruel, inhuman and degrading punishment. Amnesty International is urging that the head of state, now civilian President J.J. Rawlings, exercise his executive clemency towards all those still under sentence of death and that no further executions be carried out.

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