

EXTERNAL (for general distribution)

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Please bring this action to the attention of the person responsible for outreach work in your section as it is felt that appeals from lawyers would be particularly useful.

UA 381/92 Fear of ill-treatment/legal concern

3 December 1992

GHANA: Johnny Hansen, lawyer in his 50s, former Secretary of the Interior 1982-3, member of the People's Heritage Party
Belshilsu Damba (female)] wives
Hajia Damba (female)] of
Hajia Ayeshetu Damba (female)] Alhaji Tahiru Bambali Damba
Musah Damba, brother of Alhaji Tahiru Bambali Damba
and about eight soldiers and commandos

Amnesty International is concerned at the detention without charge or trial of opposition leader Johnny Hansen, four relatives of a former detainee and some eight soldiers. They are apparently suspected of involvement in three bomb attacks in Accra and Tema in November 1992 which damaged government buildings. The organization is further concerned that they might be subjected to torture or ill-treatment whilst in detention.

Johnny Hansen was arrested on 24 November 1992 and his house reportedly ransacked by the security forces. The three wives and a brother of a former political detainee, Alhaji Tahiru Bambali Damba, have also been detained, as well as about eight soldiers and members of the Forces Reserve Battalion (commandos); their dates of arrest are not known. According to some reports, Alhaji Damba himself has been arrested. A week earlier the Secretary (government minister) for the Interior said dismissed military personnel and political leaders were plotting to destabilize the government's programme for the transition to constitutional rule. The detainees are believed to be held, incommunicado, at the headquarters of the Bureau of National Investigation (BNI), the security police, in Accra. Johnny Hansen reportedly requires regular medication for a blood pressure problem.

It is not clear under what law they are held. The Preventive Custody Law of 1982, which allowed indefinite administrative detention without charge or trial, was replaced in September 1992 by the Public Order (No. 2) Law, a supplement to the 1972 Law on Maintenance of Public Law and Order. This new law allows the Secretary of the Interior to order 14 days' administrative detention without charge or trial of any person whose actions are likely, among other things, to foment ethnic conflict or violence. After 14 days any continuation of the detention must be approved by a review panel of three Supreme Court judges.

BACKGROUND INFORMATION

At least 34 political detainees held without charge or trial were released in the first half of 1992; a few convicted political prisoners remain in prison. Many of the detainees had been held without charge or trial since the mid-1980s on suspicion of involvement in real or imagined conspiracies against the government; some had been

tortured or severely beaten at the time of their arrest and many were held in harsh conditions.

Johnny Hansen was previously detained without charge or trial in December 1975, apparently on suspicion of involvement in a conspiracy against the government. Alhaji Tahiru Bambali Damba was previously detained in February 1985 following an alleged assassination attempt against the head of state in Kumasi. None of those arrested in connection with the alleged assassination plot in 1985 were ever charged or brought to trial; 10 were released from detention only in 1992.

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In November 1992 Presidential elections returned to power Flight-Lieutenant (Retd) J.J. Rawlings, who first seized power in 1979 and again in 1981 as head of the ruling Provisional National Defence Council (PNDC). The opposition parties, which accused the government of electoral malpractice, are boycotting the forthcoming legislative elections.

RECOMMENDED ACTION: Please send telegrams/telexes/express and airmail letters either in English or in your own language:

- expressing concern at the detention without charge or trial of the detainees named above and ask for information about those detained, their place of detention and the legislation under which they are being held;
- expressing concern at reports that they are being held incommunicado and urge that they are safeguarded from any torture or ill-treatment, and are given immediate access to their families and lawyers and any appropriate medical care;
- saying that Amnesty International believes that some of the detainees may be prisoners of conscience, held because of their criticism of government policies or because of their relationship to a government opponent, and call for their immediate release if they are not to be promptly charged and brought to trial.

APPEALS TO

1) Flight-Lt (Retd) J.J. Rawlings
President of the Republic
Osu Castle
PO Box 1627
Accra, Ghana
Telegrams: Flt-Lt. Rawlings, Accra, Ghana
Telexes: 2001 STAR GH, 2337 NATSEC GH

Salutation: Dear President Rawlings

2) Captain (Retd) Kojo Tsikata
PNDC member responsible for National
Security and Foreign Affairs
Osu Castle
PO Box 1627
Accra, Ghana
Telegrams: Kojo Tsikata, Accra, Ghana
Telexes: 2001 STAR GH, 2337 NATSEC GH

Salutation: Dear Captain Tsikata

COPIES OF YOUR APPEALS TO:

Dr Obed Y. Asamoah
Secretary for Foreign Affairs

3) Colonel (Retd) Emmanuel M. Osei-Owusu
Secretary for the Interior
Ministry of the Interior
PO Box M42
Accra, Ghana
Telegrams: Secretary for the Interior
Osei-Owusu, Accra, Ghana

Salutation: Mr Secretary

4) Nana Kwesi Obuadum
Attorney General and Secretary for Justice
Ministry of Justice
PO Box M60
Accra, Ghana
Telegrams: Attorney General Obuadum,
Accra, Ghana

Salutation: Mr Secretary

Ministry of Foreign Affairs
PO Box M53
Accra, Ghana

and the following newspapers:

The Ghanaian Voice, PO Box 514, Mamprobi, Accra, Ghana
The Ghanaian Chronicle, PO Box 16369, Airport, Accra, Ghana
Catholic Standard, PO Box 765, Accra, Ghana
Evening News, PO Box 7505, Accra, Ghana
The Statesman, PO Box 846, Accra, Ghana
The Echo, PO Box 5288, Accra, Ghana
New Nation, PO Box 6868, Accra-North, Ghana
The Vanguard, PO Box 157, Darkuman, Accra, Ghana
The Pioneer, POB 325, Kumasi, Ghana

and to diplomatic representatives of Ghana accredited to your country.

PLEASE SEND APPEALS IMMEDIATELY. Check with the International Secretariat, or your section office, if sending appeals after 12 January 1993.