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GHANA: DETENTION AND ABDUCTION WITH IMPUNITY

A middle-aged couple are today in prison in Ghana for protesting publicly about the abduction of their son by members of the presidential guard. Amnesty international is concerned that the Ghanaian authorities have prosecuted and detained them, and have not investigated allegations of serious human rights violations against them and their son by the security forces.

On 16 August 2000 Anthony Kofi Mensah Djentuh, aged 58, a former senior civil servant, and his wife Maria O'Sullivan-Djentuh, aged 49, a businesswoman, were convicted by a Circuit Tribunal in Accra, the capital, of assaulting a public officer and offensive conduct. They were acquitted on a charge of deceiving a public officer. Remanded in custody for two weeks to await sentencing and possible prison sentences, they are being held at James Fort Prison in Accra where conditions are harsh.

The charges are in connection with their attempts to find out what had happened to their 23-year-old son, Selassie O'Sullivan-Djentuh, after he was reportedly abducted and assaulted on 15 January 2000 by members of the presidential guard. This body is made up of commandos from the Forces Reserve Unit, an élite commando corps, and is responsible for the security of President J.J. Rawlings and his office and residence at the Castle, in Osu, Accra. There have been reports over many years of unlawful abductions, detentions and assaults by members of this force.

Amnesty International is concerned that the Djentuhs are probably prisoners of conscience imprisoned because they spoke out publicly in defence of their son's human rights. It is widely believed that a series of attacks on the family, both physical and in the government-controlled news media, are connected to a former relationship between Selassie and a daughter of President Rawlings.

On 5 November 1999 Selassie was knocked off his motorcycle by a truck and required hospital treatment for serious injuries. His mother's attempts to find out the identity of the truck driver from the police, and warnings she received not to pursue the inquiry, raised fears that the accident had been a deliberate attempt on Selassie's life. In early January 2000 two members of the presidential guard known to the family reportedly threatened Mrs O'Sullivan-Djentuh that she and her son would "disappear"; she reported the incident to police but no action was taken. On 15 January 2000 Selassie and two of his mother's employees -- William Katey, a foreman engineer, and James Narh, a security guard -- were abducted by armed men and taken to the Castle. There they reportedly had their heads shaved with rusty razor blades and broken glass, were interrogated, beaten and threatened, witnessed the assault of other detainees, and were held in a dark and overcrowded cell with insufficient space even to lie down on the floor to sleep. Selassie was questioned about his relationship with the President's daughter. The three men were released uncharged on 17 January.

On 15 January 2000, when Selassie's parents heard of his abduction, they went to the Castle to seek information. According to reports, one of the two officers who had previously threatened Mrs O'Sullivan-Djentuh told her that she would never see her son again, and when another officer lifted his hand to her, Mr Djentuh warded off the slap with his arm. After learning nothing of his whereabouts at the Castle, they reported the abduction to the police who authorized them to broadcast a radio appeal. On 16 January, Mr Djentuh was detained by police and taken to the Castle on 17 January where he was interrogated by members of the presidential guard, including about his wife's business, and warned against saying that his son had been abducted. He was released late that night. Shortly afterwards he and his wife were charged.

Since then, the Djentuh family and people associated with the case have reported receiving further threats. On 5 March 2000 Selassie was prosecuted on charges in connection with the road accident, convicted and fined by a Circuit Court in Tema, near Accra. Also in March, properties belonging to Mrs O'Sullivan-Djentuh's business were bulldozed and demolished by armed police who, when challenged, produced a court order allowing the demolition of properties -- but on a different piece of land. In recent weeks, Selassie and another of the Djentuh's sons have fled the country in fear of their lives.

At the trial of the Djentuh parents, no evidence was produced that they had deceived a public officer by reporting the abduction of their son. According to reports, the court accepted as true the testimony of presidential guards that Mr Djentuh had assaulted one of them and that Mrs O'Sullivan-Djentuh had insulted them, and ruled that evidence about the alleged abduction of Selassie was not relevant to the case and that it was their own misconduct which resulted in their not being properly treated at the Castle. In its judgement, the court was reported to have said that the defendants' presence at the Castle was evidence of "total disrespect and contempt of what the Castle stood for and those working there." The judge refused their release to await sentence on the grounds that they were now convicts. Concerns have been expressed about the impartiality of the judiciary in this case, as in other political cases in recent years where it appears to have been subjected to improper pressures by the government.

President -- formerly Flight-Lieutenant -- J.J. Rawlings first came to power briefly following a military coup in 1979 and again in a coup in 1981, before being elected President in 1992. Ghana returned to civilian rule in 1993 and President Rawlings was re-elected in 1996 to serve a final term of office. During the 1980s hundreds of prisoners of conscience were detained, sometimes for lengthy periods, and the present government has come under pressure to investigate suspected extrajudicial executions and other human rights violations committed under military rule. However, the 1992 Constitution contains immunity provisions prohibiting legal action against officials of previous military governments, and there continues to be little accountability for human rights violations by the security forces.

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