

[UNOFFICIAL – RE-TYPED FROM GHANA NEWSPAPERS]

Final Report of the Ghana Investigation Team into the Murder and Disappearance of About Forty-Four (44) Ghanaians in The Gambia in July 2005

CHAPTER ONE

BACKGROUND

In July 2005, the Ghana Embassy in Dakar reported that it had received reports indicating that a group of about fifty six (56) persons, including about forty two (42) Ghanaians, ten (10) Nigerians, Senegalese, Congolese, a Guinean, and some Ivorians who had intended to travel to Europe aboard a ship supposedly waiting on the high seas, were apprehended by Gambian security officials when the group landed at the Banjul port in the morning of July 23, 2005.

In the aftermath of the group's arrival in the Gambia and their subsequent encounter with Gambian Security Personnel, some individuals later identified as Ghanaians were found dead through seemingly unnatural causes in Tanji forest near “Ghana Town” in Banjul.

Corpses of some individuals believed to be members of the group were also washed ashore around the Gambian State House, whilst other bodies were discovered near the Gambia-Senegal border town of Kalinjing, and in Foni Village on the banks of River Santambra.

GOVERNMENT

REACTION TO INITIAL REPORTS

On receipt of the initial reports, H.E. President J.A. Kufuor directed a high-powered Government delegation, led by the then Foreign Minister, Hon. Nana Addo Dankwa Akufo-Addo to embark on a fact-finding mission to the Gambia from 7th-9th August 2005.

The delegation included H.E. Fred Laryea, the Ghana Ambassador to Senegal, also concurrently accredited to the Gambia; Mr. Asante-Apeatu, Director-General of the Ghana Police (CID); Mr. Baah-Duodu, Director, Africa & AU Bureau of the Ministry of Foreign Affairs; Mr. E. Odoi-Anim, Director, Legal and Consular Bureau of the Ministry of Foreign Affairs; Mr. Frank Kwoffie, Director of Interpol Ghana; Mr. George Christenssen, Ghana's Honorary Consul in the Gambia and other officials of the Foreign Ministry.

The delegation met with leaders of the Ghanaian Community in Banjul on the subject of the killings. At the Gambian Foreign Ministry, the Ghana Delegation met with the then Gambian Foreign Minister, Mr. Bala Gaye, in the presence of Mr. Ebou Tall, Permanent Secretary, Gambian Ministry of Foreign Affairs; Mr. Mamburay Njie, Secretary-General at the Presidency; Mr. B. Njie Deputy Inspector-General of Police; and Mr. Daba Marena, Head of the Gambian delegation.

The Ghana delegation made known the purpose of its visit, and the ensuing discussions were frank and direct. The Gambian Foreign Minister suggested that the eight (8) deceased Ghanaians, whose bodies were found near Ghana Town, may have been victims of ritual murder- an assertion rejected outright by the leader of the Ghana delegation.

The Gambian President, H.E. Alhaji Yahya Jammeh, granted audience to the Ghana delegation in his office, where the Gambian Foreign Minister, the Gambian Secretary-General at the Presidency, the Permanent Secretary at the Presidency, and the Head of Gambian National Intelligence were present.

The meeting with the Gambian leader was frank and direct. President Jammeh categorically denied any Gambian Government involvement and stressed the centuries old relationship between Ghana and Gambia. President Jammeh also denied having any Ghanaian in detention at the time of the delegation's visit.

At the insistence of the Ghana delegation, President Jammeh agreed to a joint Ghana-Gambia investigation and directed the Head of the Gambian National Intelligence Agency to ensure compliance with that directive. He also emphasized the need to identify and punish the culprits behind the gruesome murders.

At the conclusion of the meeting, the Ghana Team requested from the Gambia Authorities photographs and post mortem reports on the deceased persons. The delegation was handed a set of photographs of the deceased Ghanaians, with a promise from the Gambian Authorities to forward the autopsy reports through usual diplomatic channels.

1(B) VISIT TO POLICE STATIONS IN BRUFUT AND BUNDUNG

THE Ghana Delegation acting on information received from the Ghanaian Community visited Bundung and Brufut Police Stations where some Ghanaians were alleged to have been detained.

At Bundung Police Station three (3) Ghanaians, Mr. Appiah Kubi, Mr. Fredrick Atta Panyin and Nana Ekow Panyin, who had been incarcerated for ten (10) days without any charge being proffered against them, were released at the instance of Hon. Nana Akufo-Addo, Leader of the Ghana Delegation.

At Brufut Police Station (Ghana Town) two Ghanaians who allegedly escaped their killers and sought refuge in "Ghana Town" could not be traced at that Police Station, though the Commandant of the Station admitted taking custody of the Ghanaians from the Chief Imam of Ghana Town. The commandant in the face of incessant questions admitted that he had interviewed the two Ghanaians, subsequently identified as JOHN AKORFUL and ANTWI.

Records at the Brufut Police Station indicated that two (2) Ghanaians were transferred to the Police Headquarters by escorts on 24th July, 2005, but no entries to that effect were available at the Gambia Police Headquarters- neither were statements taken from the two Ghanaians available.

On further prodding, the Commandant of the Brufut Police indicated that statements taken from the two Ghanaians were in custody of the Head of the Gambian Interpol Unit in Banjul, who at the time of the Delegation's visit was on trek with the Gambian Inspector-General of Police.

The Police Commandant insisted that he had interviewed the two (2) Ghanaians on the day they were brought in, found them innocent and released them. The Ghana Delegation returned to Accra on the 9th of August, 2005, after having tasked the Dakar Mission to identify the victims in the photographs received from the Ghanaians.

1(C) AFTERMATH OF THE VISIT OF THE GHANA FACT-FINDING MISSION

By a letter dated 25th August 2005 (Annex 1) addressed to his Gambian counterpart, the Honorable Minister of Foreign Affairs emphasized the need for an expeditious and transparent handling of the matter involving the murder/disappearance of some Ghanaians in the Gambia.

The Foreign Minister's letter provided a summation of information, which the Ghana delegation had received during the August 7th -9th meeting in the Gambia and its immediate aftermath; and urged the Gambian side to co-operate in finding answers to the murder/disappearance of the Ghanaians.

By another letter No.SCR.PA/EM/3 (Annex 2) dated 29th September, 2005, the Foreign Minister again informed his Gambian counterpart of the meeting between President Kuffour and Jammeh on the margins of the 60th Session of the United Nations at which meeting President Jammeh offered to allow Ghanaian investigators join their Gambian counterparts to investigate the circumstances leading to the deaths and disappearance of some Ghanaians in the Gambia. The Minister's letter of 29th September 2005, offered to communicate to the Gambian authorities subsequently, the composition of Ghana's team of investigators.

By yet another letter dated 23rd November 2005 (Annex 3) the Hon. Minister of Foreign Affairs, consistent with the undertaking to provide information to the Gambians on the composition of the Ghanaian Team, informed Hon. LAMINE KABA BAJO, who had replaced MR. BALA GAYE as new Gambian Foreign Minister, on the composition of the Ghanaian Foreign counterparts, of the urgent need to expeditiously unravel the circumstances leading to the murder/disappearance of some Ghanaians in July 2005.

RESPONSE OF THE GAMBIAN AUTHORITIES

First Gambian official response to the alleged murder/disappearance of the Ghanaians was contained in a letter dated 2nd December 2005(Annex 4) from the Gambia Foreign Minister to his Ghanaian counterpart.

The Gambian Foreign Minister LAMIN KABA BAJO stated amongst others the following:

a) A group of West African Nationals attempted to reach Barra which is located on the North Bank of the River Gambia, and “given the suspicious nature of their entry into Gambia and by their presence at Barra”, the group was detained by the Gambian Security Services.

b) According to the Gambians' response, subsequent investigations by the Gambian authorities revealed the group had fallen victim to “unscrupulous human traffickers”. The group, was according to the Foreign Minister “cautioned and released on humanitarian grounds”.

c) Regarding the account given by Martin Kyere, the Ghanaian who escaped on the night of the alleged killings, the Gambian Foreign Minister had dismissed his claims as “a fabrication of his own imagination to divert attention from the predicament he found himself in as a result of his irregular situation”.

d) On the fate of the larger group, the Foreign Minister indicated the Gambian authorities had no knowledge of its whereabouts, and further stated that the Gambian authorities became aware of the existence of a larger group only during the visit of Ghana's Delegation in August 2005.

e) The Gambian response concluded there had been no foul play on the part of that country's security forces, and urged Ghana and Gambia to pool their resources together to look closer into activities of human traffickers.

Another letter from the Gambian Foreign Minister dated 3rd January 2006 (Annex 5) indicated that the proposed visit of the Ghanaian Investigative Team to the Gambia “had been agreed in principle” and that the Gambia was open to suggestions as to the convenient date for the arrival of the Ghana Team.

The Gambian correspondence of 3rd January 2006 (Annex 5) introduced another element not previously considered by the two sides.

That new element was the Gambian position that the Ghana investigative effort must now commence in Senegal, because of evidence that the ill-fated journey took off from Senegalese territory with the connivance of Ghanaian front men.

It is against this background that the Ghana Investigation Team proceeded to The Gambia in January to meet with its counterparts, to establish a framework within which the investigations would be jointly carried out.

Chapter 2

First visit of the Ghana team to Banjul, Gambia, January 18th-27th 2006.

The Ghana Team arrived in Gambia on the 18th of January, 2006 to meet with its Gambia counterparts. On the occasion, the Team met with the following representatives of the Gambian establishment:

- i) Mr. William John Joof, Permanent Secretary of the Gambian Foreign Ministry:
- ii) Mr. Gibril Secka, Director of Operations of the Gambian National Intelligence Agency (NIA)
- iii) Dr. Henry D.R. Carol, Deputy Solicitor-General and,
- iv) Mr. Abu Njie, Deputy Inspector-General of the Gambia Police Service.

The first meeting was essentially to ensure that the two teams establish a mutually acceptable framework within which to carry out the investigations. The framework was to render conclusions in the course of the investigations, acceptable to both sides.

On the choice of venue to commence the investigations, the Ghana side was comfortable with the choice of either Banjul or Dakar. The two sides subsequently agreed to communicate the mutually acceptable choice of Dakar through usual diplomatic channels to their Ghanaian counterparts. **This was never done.**

With regard to the date for commencement of investigations, the Ghana Team proposed 21st February 2006. In response, the Gambian side indicated that the date, coming soon after its national independence celebrations on the 8th of February 2006 might not be suitable. The Ghana Team subsequently indicated its willingness to accept any date in the first week of March 2006, and urged the Gambian side to act expeditiously on the issue. **The meeting agreed on March 1st, 2006 as the date for the commencement of joint investigations.**

The issue of composition of the team for each country came up for consideration during the first meeting. The Ghana side proposed a figure of seven (7) with the option of co-opting more specialists as and when needed. This was accepted by the Gambian side. With regard to the duration, an initial period of fourteen (14) days with the possibility of an increase or decrease was acceptable to both sides.

Other relevant issues addressed by the team during its first visit

While in the Gambia, the Ghana Team held consultations with members of the Ghanaian Community and the Ghana Honorary Consul in the Gambia. It came to light at this

point in time that two (2) individuals (possibly Ghanaians) who were members of the group that undertook the ill-fated journey were still being held by the Gambian Authorities and were being shuttled from place to place within Gambia. Confronted with this allegation the Gambian Authorities denied holding any Ghanaian captive.

The Ghana team's attempt to meet with high-level Gambian officials whose functions were related to the subject matter of the team's visit became entangled in layers of bureaucracy. The Team did not even have the courtesy of transportation from the Airport to its Hotel, and vice-versa. The reaction of the Gambian Authorities to the team's presence was near-hostility.

Chapter 3

Ghana's decision to commence investigations on its own

At the conclusion of the first visit to the Gambia, it became evidently clear the Gambians were not going to be faithful to their commitment to jointly investigate the subject matter of the disappearance/murder of some Ghanaians in the Gambia.

However, in accordance with the previously agreed date of March 1st 2006, messages were forwarded to the Authorities in Dakar and the Gambia (Annex 7&8) informing them of the approaching date for commencement of the investigation, as previously agreed.

At this stage of preparations, the Ministry received a correspondence through the Ghana Honorary Consul in Banjul to the effect that the Deputy Permanent Secretary to the Gambia Foreign Ministry **MADAM MARIAN NDURE** on the instructions of the Gambia Inspector-General of Police, **MR. SUNKO** (who was not present at the January meeting), indicated that the Gambia had no plans of sending a team to Dakar to meet with its Ghanaian counterparts. According to instructions received from Mr. Sunko, the meeting of January 20th-25th 2006 were inconclusive because there was no argument on the record of those meetings. The message from the Gambian Authorities was to the effect that Ghana commences its investigations in Dakar and **"thereafter proceed to Banjul for further discussions."**

Notwithstanding the sudden turn-about, the Ghana Team proceeded to Dakar, and communicated to the Gambians again the Team's revised schedule (see Annexes 7&8). The Team arrived in Dakar on 10th March 2006.

3(B) The Team's finding in Dakar (March 2006)

The Ghana Team, acting on information from an escapee, **Mr. Martin Kyere**, and other participants in the "enterprise", reconstructed events which showed the arrival of about 55-56 Africans, the majority of them being Ghanaians in the Gambia, on or about the 23rd of July, 2005.

In undertaking this endeavor the Team made contact with Heads of Senegal Criminal Investigations Department and the INTERPOL Division of the Senegalese Police, to assist and provide guidance to the Team on Senegalese terrain.

In Dakar, the Team interviewed and took statements from fifteen (15) individuals including nine (9) Ghanaians. The details are attached as Appendix A.

The Team visited Grand Yoffe in Dakar and received information on leading members of a ring of human-traffickers and “connection-men”.

Mr. Martin Kyere, whose account shed light on the fate that had befallen participants in the endeavor accompanied the Team from Accra, and led the Team and Senegalese security personnel to the Senegalese town of Sally Mbour, and to the house where the “passengers” were camped till their purported departure to Europe.

The owner of the house confirmed the presence of about fifty-five (55) persons in the house during the time frame of about mid-July 2005 to about 23rd of July, 2005. They also confirmed that the group did depart in a canoe on or about the 22nd of July, 2005.

3(c) The Team’s preliminary findings in Dakar (March 2006)

The Team established the following, during its visit to Dakar in March 2006;

- (i) A group of African nationals numbering between fifty-five (55) to fifty seven (57) departed from an identified house in Sally Mbour (Senegal) on the night of 22nd July, 2005 to board a ship on the high seas.
- (ii) The group was predominantly Ghanaian. It included also about ten (10) Nigerians, two (2) Senegalese, an Ivorian, a Congolese and a Guinean national.
- (iii) It is the same group indicated in paragraph (ii) that found itself on the shores of Gambian Territory, after having failed to establish contact with the captain of the ship supposed to transport the group to Europe.
- (iv) It was established that the group never intended to travel to the Gambian Territory, and that their presence in the Gambia had no political or military motives whatsoever.
- (v) The Team’s visit unearthed three other participants who were in the canoe, **NANA EKOW YEBOAH, KOFI APPIAH, KWAKU ATTA PANYIN.**

Their statements to the Team are included in **Appendix A.**

- (vi) Evidence as to the possible location of the owner of the Boat which transported the “passengers” was unearthed during the trip.