

# **EXECUTIVE SUMMARY**

## **INTRODUCTION**

1.1 On the 4<sup>TH</sup> OF JULY 2006, the HONOURABLE MR. ALBERT KAN-DAPAAH, MINISTER OF THE INTERIOR, inaugurated a FIVE MEMBER MINISTERIAL FACT FINDING COMMITTEE to determine a number of questions of fact.

1.2 First, to determine the facts leading to the suspected loss of narcotic drugs brought into the country by the MV BENJAMIN.

1.3 Second, to determine the allegation of bribery leveled against some SENIOR POLICE OFFICERS in respect of the seizure of narcotic drugs from a house at HOUSE PLOT NO. 348, MEMPEASEM, EAST LEGON.

## **METHODOLOGY**

2.1. The Committee relied on public and in-camera testimony of witnesses, a projector slide show, telephone conferencing and memoranda and an on site sea trip to the breakwaters and anchorage areas of the TEMA PORT and FISHING HARBOUR to arrive at its findings and conclusions.

2.2. In all, forty individuals and institutions gave evidence. They include the MINISTER FOR NATIONAL SECURITY, FORMER and SERVING OFFICIALS OF THE NARCOTICS CONTROL BOARD (NACOB), THE GHANA NAVY, THE GHANA AIRFORCE, THE INSPECTOR GENERAL OF POLICE (IGP), HEAD OF THE PATHOLOGY DEPARTMENT, POLICE OFFICERS, CREW MEMBERS WHO WERE ARRESTED ON THE MV BENJAMIN, MS. GRACE ASSIBI ASIBRELE, SUPERINTENDENT TABIRI and ACP PATRICK AMPEWUAH.

2.3 A number of institutions and private individuals also submitted memoranda to assist the Committee to make appropriate recommendations for intensifying the national war against the drug trade.

## **THE MV BENJAMIN**

3.1. On the 21<sup>ST</sup> of APRIL, 2006, the NARCOTICS CONTROL BOARD (NACOB) received intelligence reports from their intelligence counterparts that a vessel by name MV ADEDE 2 which was suspected to be carrying narcotic drugs was moving into WEST AFRICAN WATERS. The International partners subsequently supplied the NACOB with aerial and side photographs of the vessel and continued to monitor it until it was 40 nautical miles within Tema.

3.2. On the 25<sup>TH</sup> of APRIL 2006, the NACOB sought the assistance of the GHANA NAVY and THE GHANA AIR FORCE to assist in tracking the vessel. On the 26<sup>TH</sup> of APRIL 2006, the AIR FORCE carried out air reconnaissance exercises in the hope of locating the vessel, but was unable to sight it. The GHANA NAVY'S use of its vessel GNS ANZONE to search for the BENJAMIN also proved uneventful.

3.3. The vessel was finally located on the 27<sup>TH</sup> of APRIL 2006, at around 0600 hours, at the TEMA HARBOUR ANCHORAGE area, under the name MV BENJAMIN. Only one sack of a substance which on being tested proved to be cocaine was discovered in the hatch of the BENJAMIN.

**The TERMS OF REFERENCE (TOR) were to :**

- 1. “Determine the person or persons who brought the parcels on board the vessel in the first instance;**
- 2. Determine the actual numbers of narcotic drug parcels on the vessel immediately before it was intercepted;**
- 3. Determine whether some of the parcels on board the vessel were removed from the vessel before it was intercepted, and if so to establish when and how this happened and to recommend appropriate punishment;**
- 4. Determine the whereabouts of the parcels of narcotic drugs, if any which were removed from the vessel;**
- 5. Investigate any other issues relating to the loss of the narcotic drugs and make recommendations on how to avoid them in future.”**

## FINDINGS

- 4.1 The Committee finds that in actual fact, SEVENTY-SEVEN SACKS of the COCAINE was brought into the country by the BENJAMIN.
- 4.2 The Committee also discovered that the BENJAMIN arrived in TEMA on the 26<sup>TH</sup> of APRIL 2006, around midnight.
- 4.3 AT between 2.00AM TO 3.00AM, two canoes with armed men, who from the evidence appeared to be fishermen, collected SEVENTY –SIX sacks of the COCAINE from the BENJAMIN and conveyed the consignment to a landing site at KPONE.
- 4.4 The COCAINE was delivered to ASEM DARKEI SHERIFF and KWAK SEONG aka KILLER, a KOREAN, who had them packed into a waiting vehicle and driven away to an unknown destination.
- 4.5. The Committee finds no evidence that security operatives or personnel of the GHANA POLICE SERVICE aided them in the importation or discharge of the COCAINE from the BENJAMIN.
- 4.6. The Committee finds that the COCAINE is owned by the under listed persons, who masterminded its importation and discharge.
- **ASEM DARKEI SHERIFF,**
  - **CAPTAIN HWAK, THE CAPTAIN OF THE ADEDE2/BENJAMIN**
  - **CHIEF ENGINEER LEE OF THE ADEDE2/BENJAMIN**
  - **KWAK SEONG aka KILLER**
- 4.7. The Committee finds that DETECTIVE SERGEANT NO27294 who from his own account had the opportunity of meeting ASEM DARKEI SHERIFF at KPONE almost immediately after the discharge, and who then confided in him that the COCAINE had already been discharged, acted corruptly by accompanying ASEM DARKEI SHERIFF to his house, receiving \$3,000 from him, and allowing him to make good his escape without reporting him to his superiors.

4.8. The Committee therefore concludes that as at now, the whereabouts of SEVENTY- SIX SACKS of the COCAINE is unknown.

4.9. The Committee however finds that those who aided the importers and owners of the COCAINE are:

- **ISAAC ARHIN,2<sup>ND</sup> OFFICER OF THE ADEDE 2/MVBENJAMIN**
- **PHILIP-BRUCE ARHIN, MECHANIC OF THE ADEDE2/MVBENJAMIN**
- **JAMES KINGSLEY-INCOOM, THE COOK OF THE ADEDE 2/ MV BENJAMIN**
- **CUI XING LI, ENGINEER OF THE ADEDE2/ MVBENJAMIN**
- **LUO JIN XING, SAILOR OF THE ADEDE2/MVBENJAMIN**
- **JOSEPH KOJO DAWSON, a DIRECTOR of DASHMENT COMPANY LTD. owners of the MV BENJAMIN**
- **JIL BAE, a KOREAN resident in SPAIN ,and the representative of the seller of the MV BENJAMIN**
- **Some unidentified GHANAIAN FISHERMEN who conveyed the COCAINE from the BENJAMIN to a landing site at KPONE BEACH**
- **NO. 27294 DETECTIVE SERGEANT SAMUEL YAW AMOAH OF THE GHANA POLICE SERVICE, and**
- **HLORDZI KWAKU aka AHEYS, one of the people who carted the drugs from the canoe at KPONE into a VEHICLE brought to the landing site by ASEM DARKEI SHERIFF and KWAK SEONG aka KILLER.**

### **ACP KOFI BOAKYE**

5.1 The Committee finds that another matter arising from the illegal importation of the COCAINE is the meeting between the DIRECTOR-GENERAL OF OPERATIONS OF THE GHANA POLICE SERVICE, ACP KOFI BOAKYE, and some civilians, in his house. From the account of ACP KOFI BOAKYE, the purpose of the meeting was to find out who was spreading rumours that he raided the MV BENJAMIN with his men and stole the COCAINE.

The Committee finds that those who participated in the said meeting were:

- **ACP KOFI BOAKYE**
- **KWABENA AMANING aka TAGOR**
- **ALHAJI ISSAH ABASS**
- **KWABENA ACHEAMPONG**
- **ALHAJI MORO**

5.2 The Committee finds that the said meeting was recorded. The recording reveals that after that particular issue about the rumours had been resolved, the above named persons went into agreement to find and meet with the owners of the narcotic drugs, they had reason to believe were Columbians.

5.3 The Committee finds from the recorded spontaneous conversation of the participants that ACP KOFI BOAKYE'S specific role was to "stay in the background and sort out" the Columbians should they prove naughty.

5.4 The Committee further finds from the recorded discussions other acts of corruption, abuse of office, professional misconduct and unsatisfactory service on the part of ACP KOFI BOAKYE.

5.5 The Committee also finds from the recorded conversation that KWABENA AMANING aka TAGOR and ALHAJI ISSAH ABASS confessed to a number of narcotic drug deals they had engaged in, in the past and the use to which they had put some of the money which accrued from the deals.

## **RECOMMENDATIONS**

6.1 The Committee recommends that the under listed persons be charged with the appropriate offences under the laws of Ghana.

- **ASEM DARKEI SHERIFF**
- **CAPTAIN HWAK, THE CAPTAIN OF THE ADEDE2/BENJAMIN**
- **CHIEF ENGINEER LEE OF THE ADEDE2/BENJAMIN**
- **KWAK SEONG aka KILLER, A KOREAN**
- **ISAAC ARHIN, THE 2<sup>ND</sup> OFFICER OF THE ADEDE 2/MVBENJAMIN**
- **PHILIP-BRUCE ARHIN, THE MECHANIC OF THE ADEDE2/MVBENJAMIN**
- **JAMES KINGSLEY-INCOOM, THE COOK OF THE MV BENJAMIN**
- **CUI XING LI, ENGINEER OF THE ADEDE2/ BENJAMIN**
- **LUO JIN XING, SAILOR OF THE ADEDE2/MVBENJAMIN**
- **JOSEPH KOJO DAWSON, a DIRECTOR of DASHMENT COMPANY LTD. Owners of the MV BENJAMIN**
- **JIL BAE, a KOREAN resident in SPAIN ,and the representative of the seller of the MV BENJAMIN**
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- **HLORDZI KWAKU aka AHEYS, one of the people who carted the drugs from the canoe at KPONE into a VEHICLE brought to the landing site by ASEM DARKEI SHERIFF and KWAK SEONG aka KILLER**
- **ACP KOFI BOAKYE**
- **KWABENA AMANING aka TAGOR**
- **ALHAJI ISSAH ABASS**
- **KWABENA ACHEAMPONG**
- **ALHAJI MORO**

## **THE LAWS**

- 7.1 **THE CRIMINAL CODE 1960 (ACT 29)**  
**THE NARCOTIC DRUGS (CONTROL, ENFORCEMENT AND SANCTIONS) LAW 1990 (PNDCL236)**  
**THE POLICE SERVICE ACT, 1970 (ACT 350)**

## **HOUSE NO PLOT 348 MEMPEASEM, EAST LEGON**

8.1 On the 24<sup>th</sup> of NOVEMBER 2005, acting on a tip off, the RAPID RESPONSE UNIT (RRU) of the CID DIVISION OF THE GHANA POLICE SERVICE led by SUPERINTENDENT EDWARD TABIRI, then DEPUTY SUPERINTENDENT OF POLICE, raided the house NO. PLOT 348 at MEMPEASEM, EAST LEGON and seized 588 kilograms of COCAINE. In the process, two VENEZUELANs who were alleged to be resident in the house were arrested.

8.2 Following these events, MS. GRACE ASSIBI ASIBRELE, girlfriend of VASQUEZ GERARDO DUARTE DAVID, the VENEZUELAN, who is alleged to have brought these two men into the country, made an allegation of BRIBERY against two CID officers:

- **ACP PATRICK AMPEWUAH**
- **SUPERINTENDENT EDWARD TABIRI**

8.3. The allegation was that the two officers had collected an amount of TWO HUNDRED THOUSAND DOLLARS (\$200,000) as bribe from her. The Committee finds from the available evidence that GRACE ASSIBI ASIBRELE was unable to prove the said allegation.

8.4 The Committee finds from the available evidence that in making the allegation against the two police officers, GRACE ASSIBI ASIBRELE was actuated by malice. The Committee would have recommended her prosecution under the laws of Ghana for the offence of DECEIT OF PUBLIC OFFICER, but for the role that she played in exposing the illegal

activities of the VENEZUELANs. The Committee finds that she was one of the informants who gave the tip off that led to the successful raid and it was through her cooperation that the subsequent investigations were successfully carried out.

## **RECOMMENDATIONS**

### **THE NARCOTICS CONTROL BOARD ( NACOB)**

9.1 The Committee recommends that as a matter of urgency, the status of the NACOB be critically examined and enhanced to enable it to meet the growing challenges of the drug trade. The clear evidence is that although it is a multidisciplinary organisation, it is poorly resourced and must therefore be properly resourced if it must play its lead role in the war against the drug trade.

9.2 The Committee finds that NACOB was notified by their intelligence counterparts of the drug importation well before the vessel sailed into Ghanaian waters. Continuing monitoring by the international partners enabled NACOB to obtain the vessel's coordinates and its aerial and side pictures.

9.3 The Committee finds that although the NACOB had a wealth of information in opportune time, they were completely immobilized by lack of logistics and had to fall on other agencies for logistical support.

9.4 Nonetheless the Committee finds that although the NACOB was alerted on the 21<sup>ST</sup> of APRIL, 2006, it was not until 24<sup>TH</sup> APRIL, 2006, by their estimation or 25<sup>TH</sup> of APRIL, 2006 by the NAVY's assertion, that their assistance was sought. The Committee therefore finds that it appears NACOB delayed in informing the NAVY and the AIR FORCE that their assistance would be needed.

9.5. The Committee finds that NACOB had to rely on the resources of other agencies, who were themselves constrained, to undertake the operation. At the time, the NAVY had only one operational vessel lying at SEKONDI. The Committee finds that an operational vessel at TEMA would have changed the course of events.

### **THE EXECUTIVE**

10.1 The Committee finds that the drug trade in Ghana has taken root in GHANA and that sadly, the country is gaining notoriety as a transit point for drug trafficking. This poses a real threat to the stability and security of the State.

10.2 The Committee therefore recommends that the Executive leads the continuing war against the menace.

10.3 The Committee recommends that a high powered NATIONAL TASK FORCE be set up to examine the problem thoroughly and a comprehensive plan worked out for curbing the phenomenon. The Committee recommends the inclusion of the following key institutions on the task force.

### **NATIONAL TASK FORCE**

- **THE EXECUTIVE**
- **THE LEGISLATURE**
- **THE JUDICIARY**
- **THE SECURITY SERVICES-THE GHANA POLICE SERVICE, THE GHANA NAVY, THE GHANA AIR FORCE, THE IMMIGRATION SERVICE, CUSTOMS EXCISE & PREVENTIVE SERVICE**

- **NARCOTICS CONTROL BOARD (NACOB)**
- **GHANA PORTS AND HARBOURS AUTHORITY**
- **THE ATTORNEY-GENERALS DEPARTMENT,& ITS AFFILIATES E.G. SERIOUS FRAUD OFFICE**
- **RELIGIOUS BODIES**
- **THE CHIEFTAINCY INSTITUTION**
- **LOCAL AND INTERNATIONAL EXPERTS**
- **NATIONAL ASSOCIATION OF FISHERMEN**

### **THE GHANA NAVY AND AIR FORCE**

11.1 The Committee finds that though these two institutions were eager and willing to help in the exercise, the operation was principally hampered by severe logistical constraints. The Committee recommends that a reasonably well resourced NAVY, and an equally well resourced AIR FORCE is necessary if the war against the drug trade is to succeed.

11.2 The Committee recommends the examination of other viable options for marine and coastal patrol. An independent well resourced service, dedicated to marine and coastal patrols may prove a better way of ensuring the safety and security of the country's territorial waters.

### **THE GHANA POLICE SERVICE**

12.1 There is no evidence that members of the service were involved in conveying the narcotic drugs from the BENJAMIN to its final destination. But the Committee finds that at least a Sergeant of the service, who had vital information which could have led to the immediate arrest of one of the drug traffickers, let the nation down by failing to pass on the information to his superiors and choosing rather to collect a bribe of \$3000.

### **PUBLIC EDUCATION AND AWARENESS CREATION**

13.1 The Committee finds that all GHANAIANS must be involved in the war against the drug trade. In this regard, the Committee recommends that

the threat the drug trade poses to the governance of the country, to the peace and security of the nation and to the country's richest resource- the youth- must be widely publicised. The MINISTRIES OF EDUCATION, INFORMATION & NATIONAL ORIENTATION must seriously take up the challenge concerning the youth.

13.2 While government makes genuine efforts at improving the economic wellbeing of Ghanaians in general, the critical watchdog role that communities along the well known landing sites must play if the nation must win the war, should be emphasised through public education.

### **THE JUDICIARY**

14.1 The Committee recognises that an incorruptible JUDICIARY, committed to the speedy disposal of cases serves as a great disincentive to drug trafficking.

14.2 The Committee therefore recommends among other things, the setting up of a well resourced Special Court equipped to expeditiously dispose of all drug related cases.

14.3 The Committee recommends a regime of strict enforcement of all drug related laws with minimum delay, including those on the destruction of exhibits and other related matters.

14.4 The Committee recommends that one source of police exhibits which must be strictly monitored and disposed of with minimum delay, are exhibits retrieved at post mortem examinations.

### **SEIZED ASSETS OF CONVICTED PERSONS.**

15.1 To this end, the Committee recommends that seized assets should never be allowed to go to waste, but effectively used to improve the economic and social lives of the communities through whose efforts suspects are arrested, prosecuted and convicted.

### **TRAINING NEEDS OF THE GHANA POLICE SERVICE & OTHER SECURITY AGENCIES**

16.1 The Committee finds that a new crop of police personnel imbued with a high sense of discipline, nationalism and patriotism is urgently needed for the country. The Committee recommends a review of the curricula of the security services which pay scant attention to integrity issues, leadership skills and does not make provision for continuing education. The new curriculum of the CUSTOMS, EXCISE AND PREVENTIVE SERVICE on INTEGRITY AWARENESS may serve as a model for the other agencies.

16.2 Dynamic leadership at all levels, with a clear sense of vision and direction should place emphasis on the proper monitoring and evaluation of the work output of subordinates.

### **REWARDS, NAMING AND SHAMING**

17.1 Finally, the Committee strongly recommends the public recognition of patriotic acts of its citizens. To this end, the Committee recommends the setting up of a fund for adequately rewarding informants, public officials and others through whose genuine efforts the illegal activities of drug dealers are unearthed.

The Committee finally believes that the public condemnation of all acts of drug related wrong doing, as for example the publication of the pictures of convicted persons, would also serve as a deterrent.

### **INTRODUCTION**

On the 4<sup>TH</sup> of July 2006, the HONOURABLE (HON.) MR. ALBERT KAN- DAPAAH, the MINISTER FOR THE INTERIOR, inaugurated a fact finding Committee.

## MEMBERSHIP

2.1 The following persons were appointed to serve on the Committee:

HON. MRS JUSTICE GEORGINA T. WOOD, JUSTICE OF THE SUPREME COURT	-CHAIRPERSON
MR. KWAKU DUA, DEPUTY DIRECTOR, BNI	-MEMBER
MRS JEMIMA MOGRABI, BARRISTER -AT- LAW	-MEMBER
MR. RANSFORD TETTEH, PRESIDENT, GHANA JOURNALISTS ASSOCIATION (GJA)	-MEMBER
HON. YAW BAAH, M.P.FOR KUMAWU.	-MEMBER

2.2 MRS NAA AFARLEY DADSON, a private Legal Practitioner was appointed COUNSEL to the Committee, while MR. RANSFORD TETTEH, a member of the Committee was nominated to serve as SECRETARY.

## THE TERMS OF REFERENCE (TOR)

### THE MV BENJAMIN

3.1 In the case of the MV BENJAMIN, the terms of reference were to :

- **Determine the person or persons who brought the parcels on board the vessel in the first instance;**
- **Determine the actual numbers of narcotic drug parcels on the vessel immediately before it was intercepted;**
- **Determine whether some of the parcels on board the vessel were removed from the vessel before it was intercepted, and if so to establish when and how this happened and to recommend appropriate punishment;**
- **Determine the whereabouts of the parcels of narcotic drugs, if any which were removed from the vessel;**
- **Investigate any other issues relating to the loss of the narcotic drugs and make recommendations on how to avoid them in future.”**

HOUSE NO.PLOT 348,MEMPEASEM, NEAR EAST LEGON

4.1 The term of reference is to:

**“Investigate the various allegations leveled against some police officers with respect to the seizure of a quantity of narcotic drugs and advise on appropriate actions against any person or persons found culpable”**

4.2 The Committee was given two (2) months within which to submit its report. It commenced its work on the 13<sup>th</sup> of JULY, 2006 and relied on the public and in camera testimony of witnesses, a projector slide show, telephone conferencing, memoranda and an on site sea trip to the Anchorage and breakwaters area of the Tema port, the Tema fishing harbour to arrive at the findings of fact and make recommendations.

4.3 The Committee recognised that it is a ministerial fact finding body and not the disciplinary authority of either the NARCOTICS CONTROL BOARD (NACOB) or THE GHANA POLICE SERVICE and is therefore not clothed with any jurisdiction to determine the guilt or otherwise of any of the officials who appeared before it.

4.4 The REPORT is divided into FOUR main parts:

THE MV BENJAMIN OPERATION-PART ONE

(a) THE TOR 1-5;

(b)THE TOR (5).

4.5 THE EAST LEGON OPERATION PART TWO

4.6 RECOMMENDATIONS PART THREE

4.7 ANNEXURES PART FOUR

**PART ONE**

**THE MV BENJAMIN OPERATION**

**FACTS LEADING TO ITS ARREST**

5.1 The MV Benjamin is a Ghanaian registered fishing vessel belonging to Dashment Company Limited. On the 21<sup>ST</sup> of APRIL 2006, NACOB's international intelligence counterparts sighted a fishing trawler they suspected to be a Ghanaian vessel carrying NARCOTIC DRUGS in the ATLANTIC OCEAN, heading towards the WEST AFRICAN COAST. They promptly relayed the information to NACOB, the relevant agency, for decisive action.

5.2 Additionally, they continued to monitor the vessel until it was 40 nautical miles south of TEMA and notified NACOB of the new developments. They provided other such vital information as the aerial and side photographs of the vessel, its name, which at the time was given as ADEDE 2, its size and speed, as well as its coordinates at different locations. As it turned out, its registered name is MV BENJAMIN, with ADEDE 2 being painted thereon, purposely to outwit security operatives.

5.3 It would have been a matter of great national pride had the vessel been arrested immediately it entered GHANAIAN waters. Given the wealth of intelligence that NACOB received from the foreign partners, it is a tragedy that they were unable to do so. By the time the vessel was finally first sighted, it was berthed within the anchorage area of the TEMA HARBOUR.

5.4 A thorough search on it, led to the discovery of a SACK with a CODED PADLOCK and SEAL, containing THIRTY (30) single SLABS of substances, weighing 1KG each, and which on being tested, proved to be COCAINE.

#### **THE ACTUAL NUMBER OF PARCELS ON THE VESSEL BEFORE ITS INTERCEPTION**

5.5 The Committee had little difficulty in concluding that the exact number of parcels on the vessel and which were indeed similar to the one (1) sack retrieved from the BENJAMIN before its interception, was SEVENTY-SEVEN (77), and not SEVENTY- EIGHT(78), and further that the SEVENTY-SEVEN (77) included the one (1) sack recovered from the vessel.

5.6. The very first document received into evidence by the Committee was the NACOB docket on the BENJAMIN. It was tendered on the 19<sup>TH</sup> of JULY 2006 as EXHIBIT A

5.7 On the 24<sup>TH</sup> JULY, 2006, the Committee received the testimony of three of the five member crew, who were arrested on the vessel on the 27<sup>TH</sup> of APRIL, 2006. They were JAMES KINGSLEY INCOOM, ISAAC ARHIN and PHILIP BRUCE ARHIN, who served on the vessel as COOK, 2<sup>ND</sup> OFFICER, and MECHANIC respectively on that mission.

5.8 From their account, on taking off from TAKORADI, they sailed for some fourteen days into the deep waters of the ATLANTIC OCEAN, to a point between CAPE VERDE and VENEZUELA, where the sea was so rough and treacherous they could not cast anchor. It was at this location that two boats approached the BENJAMIN and discharged the parcels onto its open deck.

5.9 ISAAC ARHIN was emphatic about the exact number of parcels. From his account, he did not only count the parcels, but he saw the CAPTAIN write down on paper the exact number of parcels delivered.

5.10. The testimony of BRUCE ARHIN and JAMES INCOOM- who both helped in stashing the parcels in the hatch- that the consignment was delivered by two boats, in an exercise which lasted for about an hour confirms ISAAC ARHIN'S testimony, albeit in the limited but certainly reliable sense though, that the vessel received more than the one sack retrieved from it.

5.11. Evidence given by one of twelve people who helped load several parcels from a canoe at a landing site at KPONE, into a waiting van is further corroboration of these witnesses' testimony as regards the number of parcels brought in by the BENJAMIN.

5.12 HLORDZI KWAKU aka AHEYS, a fisherman who lives in a wooden shack at AWUDUM, TEMA NEW TOWN, testified that he joined some eleven other people to convey many cartons of certain goods from a canoe into a waiting vehicle, at the KPONE BEACH. His testimony that he worked for about an hour with eleven others, clearly confirms the evidence of ISAAC ARHIN, BRUCE ARHIN and PHILIP INCOOM that the

BENJAMIN brought in not only ONE but SEVENTY-SEVEN parcels of the cocaine.

5.13 The MV BENJAMIN is a fishing trawler with a gross tonnage of 290.68 and a 155.54 registered tonnage. It took the crew several days to make the trip. On arrival in Tema, it took two canoes, a big one and a smaller one to cart away the consignment from the vessel. The Committee reasoned that no reasonable person or persons would charter a vessel of this capacity and undertake such an extremely perilous expedition merely to bring in one sack of narcotic drugs.

### **THE PERSON OR PERSONS WHO BROUGHT THE ITEMS ON BOARD THE VESSEL**

6.1 The Committee examined this issue in terms of (1) the person or persons who physically discharged the parcels of cocaine into the BENJAMIN, and (2) the actual owner or owners of the consignment or the person or persons who caused it to be brought into the vessel.

6.2 The Committee found no concrete answers to the real identities of the persons who discharged the cocaine into the BENJAMIN on the high seas. ISAAC ARHIN would only describe those men in the supplier vessel and who discharged the consignment into the BENJAMIN, as WHITE MEN who looked like VENEZUELANs but smallish like KOREANS.

6.3 On the issue of the ownership of the consignment, or the person(s) who caused it to be brought into the BENJAMIN, the Committee finds overwhelming evidence that the cocaine was imported by the following persons:

- **ASEM DARKEI SHERIFF**
- **CAPTAIN HWAK of the ADEDE 2/ MV BENJAMIN and**
- **CHIEF ENGINEER LEE of the ADEDE 2/ BENJAMIN.**
- **KWAK YEO SEONG, aka KILLER, A KOREAN NATIONAL**

The Committee relied principally on ISAAC ARHIN'S testimony that the CAPTAIN and CHIEF ENGINEER of the ADEDE2/MV BENJAMIN expressly told him the consignment belonged to them. It is on record that the pair left the BENJAMIN, on the evening of the 26<sup>th</sup> of APRIL, 2006 and had since not been found.

6.4 From the testimony of JOSEPH KOJO DAWSON, a Director of Dashment Ltd., owners of the vessel, the BENJAMIN was chartered for \$150,000, and fuelled by ASEM DARKEI SHERIFF, ostensibly to use in towing a distressed vessel from GUINEA. The Committee finds from the evidence before it that the BENJAMIN is not a towing vessel and is not capable of being adapted for that purpose. ASEM DARKEI SHERIFF who was accompanied by his LAWYER to execute the charter agreement, paid for the dock charges of \$1200. A search conducted in his private car, and subsequently his house, led to the discovery of cartridges and ammunition. Some cartridges were also found on the BENJAMIN. The Committee deduced from these pieces of evidence that ASEM DARKEI SHERIFF was not a mere errand boy, but himself the owner of the narcotic drugs.

6.5 The Committee however finds that those who assisted them to succeed are the following:

- **ISAAC ARHIN, 2<sup>ND</sup> OFFICER OF THE ADEDE 2/MVBENJAMIN**
- **PHILIP-BRUCE ARHIN, MECHANIC OF THE ADEDE2/MVBENJAMIN**
- **JAMES KINGSLEY-INCOOM, COOK OF THE MV BENJAMIN**
- **CUI XING LI, ENGINEER OF THE ADEDE2/ BENJAMIN**
- **LUO JIN XING, SAILOR OF THE ADEDE2/MVBENJAMIN**
- **JOSEPH KOJO DAWSON, a DIRECTOR of DASHMENT COMPANY LTD. owners of the MV BENJAMIN**
- **JIL BAE, a KOREAN resident in SPAIN ,and the representative of the seller of the MV BENJAMIN**
- **Some unidentified GHANAIAN FISHERMEN who conveyed the COCAINE from the BENJAMIN to a landing site at KPONE.**
- **NO. 27294 DETECTIVE SERGEANT SAMUEL YAW AMOAH OF THE GHANA POLICE SERVICE and**
- **HLORDZI KWAKU aka AHEYS, one of the people who carted the drugs from the canoe at KPONE BEACH into a VEHICLE brought to the landing site by ASEM DARKEI SHERIFF and KWAK SEONG aka KILLER**

6.6 On the 7<sup>th</sup> of SEPTEMBER 2006, evidence was received from, NO. 27294 D/SGT SAMUEL YAW AMOAH of the Tema New Town police station and a fisherman, HLORDZI KWAKU aka AHEYS, who both identified ASEM DARKEI SHERIFF, a physically-challenged person, by the infirmity in one of his legs. Their testimonies clearly supported the critical finding that ASEM DARKEI SHERIFF had proprietary rights in the consignment.

6.7 Admittedly, AHEYS did not expressly state that he knew positively that the goods he and the others conveyed from the canoe into the waiting van, and for which he was paid as much as \$5,000 was indeed the cocaine brought in by the BENJAMIN. The Committee finds however that, from the facts as given by AHEYS, ISAAC ARHIN, BRUCE ARHIN and PHILIP INCOOM, the clear inference is that it was. The evidence of ISAAC ARHIN, BRUCE ARHIN and PHILIP INCOOM established the connection between the goods and ASEM DARKEI SHERIFF.

6.8 The consignment was collected by fishermen barely some three hours after the vessel had made it to TEMA, and delivered to ASEM DARKEI SHERIFF and a KOREAN who had brought a van to cart them away from the landing site at KPONE. AHEYS was positive that the items he helped to remove from the canoe were very heavy, and though they were in cartons they were definitely not fish. AHEYS description of the goods tallies with ISAAC ARHIN's. His testimony is that the items were in "sacks, the tarpaulin type and looked like fish cartons, but bigger and square in shape. They looked heavy and were padlocked."

6.9. NO. 27294D/SGT SAMUEL YAW AMOAH and HLORDZI KWAKU aka AHEYS both met and dealt with ASEM DARKEI SHERIFF at the KPONE BEACH, where the cocaine was landed by canoe, at dawn on the 26<sup>th</sup> of April, 2006. AHEYS as already noted, was one of twelve men who carried the cocaine from the canoe into a van ASEM DARKEI SHERIFF and a KOREAN, who has been identified as KWAK YEO SEONG, had brought. He stated that the two men paid him \$5,000 in \$100 bill notes for the work he did.

6.10 In the case of NO. 27294 D/SGT AMOAH he testified that, acting on a tip off, they arrived at the KPONE landing site in the company of two other policemen and some local boys, but found no unlawful activity going on there. The Committee however finds that this detective, on his own

showing, had the incredible luck of meeting ASEM DARKEI SHERIFF for the first time and interacting with him. His evidence shows clearly that, ASEM DARKEI SHERIFF told him bluntly in the face that the cocaine had already been dispatched. ASEM DARKEI SHERIFF nevertheless told him he would like to cultivate his friendship and so drove him in his own vehicle to his house at Community 5, TEMA and gave him \$3,000.

6.11 The evidence suggests that ASEM DARKEI SHERIFF'S Community 5 house served as the initial storage point for the cocaine. This is borne out by the evidence of NO. 27294 D/SGT SAMUEL YAW AMOAH that ASEM DARKEI SHERIFF'S Community 5 house was guarded by several big wild dogs.

6.12. The Committee's finding was based also on the evidence of DETECTIVE/INSPECTOR JUSTICE KOFI OPPONG, the officer currently in charge of the investigations into the BENJAMIN cocaine case. He joined a team of crime scene officers to break into and search ASEM DARKEI SHERIFF'S completely deserted Community 5 house. He testified that although they did not retrieve any cocaine from the house, the evidence they collected leads to a reasonable conclusion that the premises was being used for some unlawful purpose. One of the crucial pieces of evidence they discovered was a compartment which has been created in the bathroom of the master bed room which could conveniently serve as a storage facility. The search party also discovered face masks, pistol ammunition and pump action and SB shot gun cartridges. It is a well known fact that face masks are used in packaging or repackaging cocaine.

6.13 The Committee finds that on the 26<sup>th</sup> of APRIL 2006, in spite of the first hand direct evidence that D/SGT AMOAH had, that ASEM DARKEI SHERIFF was directly involved in large scale narcotic drug importation, regrettably, the DETECTIVE SERGEANT failed to report him and his nefarious activities to his superiors. The Committee finds it a real tragedy that he rather chose to be corrupted by ASEM DARKEI SHERIFF for merely a few thousand dollars.

## **RECOMMENDATIONS**

7.1 The Committee finds that a dangerous trend appears to be emerging between high level drug dealers and law enforcement officers, particularly, police officers. The impunity, with which ASEM DARKEI SHERIFF could bluntly tell a police officer that the COCAINE delivered to him had already been safely taken away, is clear evidence of the corrupting influence of the drug trade. The Committee found it was bad enough for ASEM DARKEI SHERIFF to have imported a ship load of cocaine into the country. It was equally criminal for the local people to have helped him and his collaborators to convey the narcotic drugs to safety. But to have a law enforcement officer arrive at the scene in circumstances which suggest he was there purposely to collect what he appears to think is his rightful share of money is frightening.

7.2 The Committee finds that it would appear that some police officers are no longer merely content with the pickings from people who have minor brushes with the law, but have graduated into another shameful level whereby they live off the largesse of big time drug dealers. This must be a matter of grave concern to all. The leadership of the police hierarchy must see this as a major threat to the peace and security of this nation and which must be addressed decisively. The war against the drug trade must be fought alongside the war on corruption.

7.3 The Committee recommends that the under listed persons, who were found to have brought the narcotic drugs into the country be arrested and dealt with under the **CRIMINAL CODE 1960(ACT 29) and the NARCOTIC DRUGS (CONTROL, ENFORCEMENT AND SANCTIONS) LAW, 1990, (PNDCL236)**

7.4 **ASEM DARKEI SHERIFF  
CAPTAIN WHAEK  
CHIEF ENGINEER LEE  
KWAK YEO SEONG aka KILLER**

7.5 The Committee recommends to the HONOURABLE MINISTER OF THE INTERIOR that he initiates steps to have the following persons prosecuted under the laws of GHANA.

7.6 **27294 D/ SGT SAMUEL YAW AMOAH and KWAKU HLORDZI aka AHEYS.**

**7.7** The LAWS under reference are **THE CRIMINAL CODE, 1960, (ACT29), NARCOTIC DRUGS (CONTROL, ENFORCEMENT AND SANCTIONS LAW, 1990 (PNDCL 236) and the POLICE SERVICE ACT 1970 (ACT 350)**, which was also violated by **NO 27294 D/SGT SAMUEL YAW AMOAH.**

**WERE SOME OF THE PARCELS REMOVED FROM THE VESSEL BEFORE IT WAS INTERCEPTED ?**

8.1 The Committee finds as a fact that SEVENTY-SIX (76) out of the SEVENTY- SEVEN (77) parcels were removed from the BENJAMIN before the NAVY closed in on her.

8.2 The conclusion that SEVEN –SIX (76) parcels were carted away is deducible from the overwhelming evidence that on arrest, only one parcel was recovered from the BENJAMIN.

**HOW AND WHEN THE PARCELS WERE REMOVED**

9.1 From the evidence, of ISAAC ARHIN, BRUCE ARHIN and JAMES INCOOM, the Committee finds the following facts:

- (1) The BENJAMIN arrived in TEMA on the 25<sup>th</sup> of APRIL 2006 around midnight, and the 76 parcels hurriedly carted away from the vessel on the 26<sup>th</sup> of APRIL 2006, at between 2:00am – 3:00am.
- (2) The parcels were taken away by UNIDENTIFIED MEN who looked like FISHERMEN, and were in SINGLETS and SHORTS and SPOKE GA.
- (3) The MEN arrived in two CANOES, a BIGGER ONE and A SMALLER ONE. Those who were ARMED were in the SMALLER canoe.
- (4) There is no evidence, direct or circumstantial showing that the BENJAMIN was RAIDED. To the contrary the evidence demonstrates that the discharge was a carefully mapped out operation.

9.2 The Committee did not receive any evidence, direct or circumstantial showing that the ARMED MEN were from any of the SECURITY SERVICES OF GHANA.

9.3 From the account of ISAAC ARHIN, BRUCE ARHIN and JAMES INCOOM, the BENJAMIN arrived in Tema on the 25<sup>th</sup> of APRIL 2006, at around midnight. Between 2.00AM and 3.00AM of the 26<sup>th</sup> of APRIL 2006, the PARCELS were discharged from the vessel under circumstances that suggest anything but a raid on the vessel.

9.4 The evidence of ISAAC ARHIN proved clearly that throughout the journey, the CAPTAIN and the CHIEF ENGINEER were in constant touch with ASEM DARKEI SHERIFF the person who had chartered the BENJAMIN, the vessel needed to bring the COCAINE into the country, and KWAK YEO SEONG aka KILLER.

9.5 The Committee therefore finds that the discharge of the consignment from the BENJAMIN was carefully planned and executed by ASEM DARKEI SHERIFF and KILLER. This is clearly evident from the proved facts, namely, that ASEM DARKEI SHERIFF and KILLER were on hand at the KPONE landing site to receive the consignment; some few hours after the BENJAMIN had made it to TEMA, and the parcels brought ashore by canoe.

### **ALLEGATIONS AND COUNTER-ALLEGATIONS**

10.1 The Committee finds that the NACOB operation was a multi-agency operation with the support of international partners. The Committee, being mindful of the fact that in failed multi agency operations, the tendency is for the lead agency in particular, to blame others for the failure, decided to treat allegations and counter allegations against the agencies which participated in the operation with caution.

10.2 The Committee noted furthermore, that as a fact finding body, it relies on proved facts to inform its findings. A number of suspicions no matter how many, cannot amount to proof.

## **NARCOTICS CONTROL BOARD (NACOB)**

11.1 The Committee finds no evidence that officials of the NACOB shared any of the intelligence reports they received with those engaged in the illegal activity, or that they collaborated with them in any manner to outmanoeuvre the security agencies to evade arrest.

11.2 The Committee however thinks that the NACOB appears to have delayed in alerting the GHANA NAVY and the AIR FORCE that their assistance would be needed. NACOB received the first report on the 21<sup>st</sup> of APRIL, 2006. They admit that it was not until the 24<sup>th</sup> of APRIL 2006 that they brought the NAVY into the picture. The NAVY asserts that it was not until the 25<sup>th</sup> of APRIL 2006 that NACOB sought their assistance. Indeed, the evidence shows that by the time the GNS ANZONE set off from SEKONDI and arrived in TEMA on the morning of the 26<sup>th</sup> of APRIL, 2006, the BENJAMIN had already discharged its illicit load.

11.3 The Committee observed that while the NACOB may have good reasons for waiting until the final minute before notifying other agencies of the role they would be expected to play in any planned operation, the reality is that some institutions face real challenges in their day to day operations.

11.4 The Committee recommends that NACOB takes these factors into account when planning operations. This is to ensure that other agencies whose services are needed are given adequate notice of the impending operation and the role they are expected to play.

## **THE GHANA NAVY**

12.1 The Committee finds from the evidence of the GHANA NAVY that it was not until the 25<sup>th</sup> of April 2006 that they were called in to help monitor and arrest the BENJAMIN.

12.2 The Committee finds no evidence to suggest that the NAVY acted willfully, recklessly, or negligently in the course of the operation purposely to aid the perpetrators of the crime.

12.3 The Committee however found that the NAVY was met with genuine operational and logistical difficulties. On the 25<sup>th</sup> of APRIL, 2006, the only

available seaworthy vessel was the GNS ANZONE which, when the new position of the BENJAMIN was given as 40 nautical miles south of TEMA, had to sail from SEKONDI to TEMA- a 12 HOUR journey- for the operation to effectively start.

12.4 It was explained that this state of affairs was due to “technical reasons.” The Committee is of the opinion that the presence of an operational naval ship or boat at TEMA might certainly have changed the fortunes of the operation.

12.5 The Committee also finds as a fact that basic equipment such as night vision goggles e.t.c. for use by the NAVY to conduct effective night searches of vessels would greatly enhance their effectiveness. Not that in this particular marine operation, it would have made any difference, given that the vessel as already found, had been discharged of its load by 2.00 AM- 3.00AM of the 26<sup>th</sup> APRIL 2006. Nonetheless, the Committee would emphasise the importance of providing the necessary logistical resources for the agencies that must support the effective war against the drug trade.

12.6. The Committee finds from the evidence that around the evening/night of the 25<sup>th</sup> of APRIL 2006, the GNS ANZONE , suspended the search on the high seas and returned to base, not to collect ration, but obtain more information and to collect the photograph of the BENJAMIN.

12.7. The Committee finds that from 11.00AM of the 26<sup>th</sup> of APRIL, 2006, to the dawn of the 27<sup>th</sup> of APRIL 2006, when COMMANDER ISSAH YAKUBU took over the GNS ANZONE and was fruitlessly combing the “ACCRA ROADS” and the EASTERN coastline of TEMA in search of ADEDE 2, it was lying isolated in suspicious circumstances from other ships in the anchorage area, and with the name BENJAMIN freshly painted on the hull. The evidence shows that it was the one last sweep of the general area of the anchorage by the ANZONE while on its way to the harbour that led to the BENJAMIN’s discovery.

### **RECOMMENDATIONS**

13.1. The Committee nonetheless finds from the available evidence that while on the high seas, other options for obtaining information exist for use and could indeed have been utilized to obtain the needed information.

13.2. The Committee recommends the strict use of such viable alternatives in order not to jeopardise future NAVAL led operations.

13.3. The Committee finds that the rather disturbing claim by MR. BEN NDEGO that the BENJAMIN had all the frequencies of the GHANA NAVY was not proven. The CAPTAIN of the GNS ANZONE, COMMANDER ISSAH YAKUBU, who actually took part in the search of the BENJAMIN after its arrest, vehemently denied this assertion.

13.4. The evidence before the Committee is that he took pictures of all the major activities the search party carried out on the vessel and by means of a projector, he used the pictures to build the case of the GNS ANZONE. The picture slides included the search conducted on some parts of the vessel, the crew aboard the vessel, the one sack of cocaine discovered aboard the vessel, the examination and weighing of the cocaine, a written statement of one of the crew and a single sheet of paper, retrieved from the vessel, and which was headed ADEDE 2, and detailing the crew's ration for the journey. The Committee finds that indeed, it was this miraculous find, which gave the vital link between ADEDE 2 and the BENJAMIN.

13.5. The Committee reasoned that without the production of some piece of credible evidence by MR. BEN NDEGO, as for example, a written record of the fact asserted; it would be unsafe to rely on only the bare oral assertion of MR. BEN NDEGO to conclude that indeed the BENJAMIN had all the NAVY frequencies.

13.6. In spite of this finding, the Committee is however of the opinion that it would be prudent for the GHANA NAVY to follow the path of modern NAVIES and take the needed steps to secure all NAVAL FREQUENCIES.

13.7 The Committee commends COMMANDER ISSAH YAKUBU for his resourcefulness and for demonstrating zeal and commitment during the period he was in command of the GNS ANZONE. Some of the recommendations made were shaped by the insights he shared with the Committee.

## **THE GHANA AIR FORCE**

14.1. Similarly, the Committee does not have any evidence on the record showing that the AIR FORCE acted in any manner that thwarted the efforts

of the agency in charge of the operation. The Committee finds that matters over which the Air Force had little or no control and which made the operation rather difficult was bad weather and the use of helicopters rather than, as one of their pilots recommended, aircraft suited for marine operations.

14.2. None of the pilots that took part in the operation sighted the BENJAMIN before its interception. Bad weather prevented them from commencing the exercise on the 25<sup>th</sup> of APRIL, 2006, as requested by NACOB.

14.3. However, on the 26<sup>th</sup> of APRIL 2006, two AIR FORCE PILOTS undertook RECONNAISSANCE FLIGHTS; SOUTHWARDS into the SEA, and then EASTWARDS and WESTWARDS of ACCRA. Their mission was to help locate the vessel which was then said to be in Ghanaian territorial waters. It is clear why the mission was uneventful. At the time they were busily searching Ghana's territorial waters for the BENJAMIN, it had already berthed at the anchorage and fully discharged its illicit consignment.

**THE WHEREABOUTS OF THE SEVENTY –SIX PARCELS REMOVED FROM THE MV BENJAMIN BEFORE ITS ARREST.**

15.1 The Committee has not been able to determine this question as no evidence to that effect has been led before it.

15.3. The Committee has already noted that had D/SGT. SAMUEL YAW AMOAH not behaved corruptly, but responsibly, as a well disciplined and patriotic police officer, ASEM DARKEI SHERIFF would have been in the grips of the police by now and the cocaine retrieved.

## **MATTERS ARISING FROM OR RELATED TO THE MV BENJAMIN OPERATION**

16.1 As regards the TERMS OF REFERENCE (5), the Committee finds that the most serious matter arising from the BENJAMIN incident is the meeting held by the DIRECTOR GENERAL OF OPERATIONS OF THE GHANA POLICE SERVICE , ACP KOFI BOAKYE in his residence.

16.2 The Committee finds that, the meeting which lasted for over one hour was convened by the ACP KOFI BOAKYE ostensibly to find out whether it was KWABENA AMANING, aka TAGOR or ALHAJI ISSAH ABASS, who was spreading vicious rumours that it was he and some policemen from his unit who raided the BENJAMIN and stole the cocaine.

16.3 The Committee finds as a fact that the following persons participated in the said meeting:

- **ACP KOFI BOAKYE**
- **KWABENA AMANING aka TAGOR**
- **ALHAJI ISSAH ABASS**
- **ALHAJI MORO**
- **KWABENA ACHEAMPONG**

16.4 The Committee finds that unknown to ACP KOFI BOAKYE in particular; the meeting was clandestinely being recorded. The Committee thought it a real shame that in this technological age, the DIRECTOR GENERAL OF OPERATIONS who swore that he was at the meeting to gather information on such a grave matter took no steps to record the meeting.

16.5 The Committee finds from the transcript of the tape which was made available to it, albeit anonymously, and indeed other evidence before it that, KWADWO ABABIO aka KWADWO NSUMANKWAA was not at the said meeting in ACP KOFI BOAKYE'S house and was not in any way connected with the illegal importation of the BENJAMIN cocaine.

16.6 The Committee finds that the transcript Exhibit 1B, of the recording Exhibit 1A, is a fair and accurate representation of what was said at the meeting.

16.7 The Committee concludes that contrary to ACP KOFI BOAKYE'S claim, the meeting was not held in the spirit of his normal course of duties as a high ranking law enforcement officer, of the status of DIRECTOR GENERAL OF OPERATIONS OF THE GHANA POLICE SERVICE. The Committee finds that he was not at the meeting in good faith carrying on the work of policing, by feigning interest, baiting the other participants and goading them so as to ferret out the secret about the cocaine imported by the BENJAMIN.

16.8 The Committee finds that at the meeting, the issue about the rumours was thrashed out. Both TAGOR and ALHAJI ISSAH ABASS denied being the source of the rumours. They also denied knowing anything about the cocaine brought in by the BENJAMIN.

16.9 The Committee however finds that curiously, the participants continued to hold some further discussions from which the following four key matters have been found by the Committee to have emerged.

16.10 First, the Committee finds that ACP KOFI BOAKYE affirmed that following the meeting in his house, he had good reason to believe that in spite of their protestations, the raid on the BENJAMIN was masterminded by either TAGOR or ALHAJI ISSAH ABASS.

16.11. Second, the Committee finds substantial evidence, showing that instead of protecting the national interest and fighting crime, ACP KOFI BOAKYE and the four others sought to promote their own agenda for financial reward. In pursuance of this common goal, ACP KOFI BOAKYE connived with the four others to find the owners of the cocaine who are alleged to be Colombians, for an unlawful purpose, other than arresting them and handing them over to the law enforcement agencies.

16.12. Third, the Committee further finds that in the presence of ACP KOFI BOAKYE, TAGOR and ALHAJI ISSAH ABASS confessed to past drug related transactions they had engaged in and the unlawful gains they had made out of those deals.

16.13. Four, the Committee also finds that at the same meeting, ACP KOFI BOAKYE confessed to gross abuse of office and or gross unprofessional and unsatisfactory conduct, namely, having let off the hook persons he had arrested or should have arrested for violating the laws of this land, based

upon the mere pleas and petitions, as he himself confessed, of one of the participants at the meeting.

16.14. The Committee finds that ACP KOFI BOAKYE failed to report the details of the meeting to any of his superiors, namely, the INSPECTOR GENERAL OF POLICE (IGP), The MINISTER OF THE INTERIOR, or the NATIONAL SECURITY COORDINATOR NOW MINISTER FOR NATIONAL SECURITY.

16.15. The Committee relied on the oral testimony before it and the Exhibit 1A as per the transcript Exhibit 1B, copies of which were made available to ACP KOFI BOAKYE, to arrive at its findings.

### **THE ISSUE OF THE RELIABILITY OF THE EXHIBITS 1A & 1B AND THE COGENCY OR WEIGHT TO BE ATTACHED TO THEM**

17.1. The Committee thoroughly examined the critical issues of the reliability of the Exhibit 1A & 1B and the weight to be attached to them.

17.2. The Committee finds that failure to determine conclusively the issues stated below, does not detract from the validity of the tape, Exhibit 1A and a fortiori the transcript Exhibit 1B, their contents or the weight to be attached to them. The issues referred to are:

- Source of the tape;
- Whether it is the same as the tape or similar in content to that which was intended for the President; and
- The person (s) who actually did the recording,

17.3. The Committee seriously considered the reservations expressed by ACP KOFI BOAKYE'S legal team in their document Exhibit Q.

17.4. The main concerns were expressed in these terms:

“We wish to comment as follows:

- a. The said tape recording from the Committee represents the essence of the meeting but the duration of the tape is not representative of the actual duration of the said meeting.

b. The sequence of the meeting as captured by the said tape also does not represent the actual sequence of events at the said meeting. The said tape is at best an edited version of the said meeting.

c. The source of the tape still remains a mystery....Determining the source of the recording will help the Committee to unravel the issue of where the missing cocaine is.”

17.5 The Committee finds that, while admitting in the Exhibit Q that the voice identified as V3 is that of ACP KOFI BOAKYE, (except of course where otherwise stated), the legal team objected to certain portions of the transcript Exhibit IB on the grounds that they were inaccurate. The alleged inaccurate portions are particularised in the Exhibit Q. The Committee however noted that apart from the offending portions identified in the Exhibit Q, no further objections were raised. Excerpts of the transcript that have been reproduced in this report are therefore on ACP KOFI BOAKYE’S own showing, fair and accurate.

17.6 From the Committee’s point of view, and impliedly from ACP KOFI BOAKYE’S own admission the tape Exhibit 1A represents the essence of the meeting. In order to ensure justice and fair play and capture accurately what was said by ACP KOFI BOAKYE in particular, the necessary rectifications have been effected.

17.7 The Committee did not find anything sequentially wrong with the conversation as embodied in the Exhibit 1B and finds that the argument that the recording has been edited, if anything at all, inures to the benefit of ACP KOFI BOAKYE and the other participants. The Committee finds that on this matter, it is the Committee, not ACP KOFI BOAKYE who has been deprived of some information.

17.8 In any event, the Committee finds that if there are any omissions arising from the editing, the burden is on ACP KOFI BOAKYE to supply those missing links, given that the matters that he complains of are matters peculiarly and exclusively within his knowledge.

17.9 The Committee finds however, that his unequivocal admission under cross examination that he does not remember any of those matters that have been left out, places the issue beyond any further disputation. The

Committee therefore finds that the Exhibits 1A and 1B are entitled to full weight.

**THE NON PARTICIPATION IN THE FURTHER PROCEEDINGS BY TAGOR, ALHAJI ISSAH ABASS, ALHAJI IMORO, KWABENA ACHEAMPONG, & KWADWO ABABIO**

18.1 On the 2<sup>nd</sup> of AUGUST, 2006, the security forces arrested the following persons:

- **ALHAJI ISSAH ABASS;**
- **KWABENA AMANING aka TAGOR;**
- **KWABENA ACHEAMPONG;**
- **KWADWO ABABIO aka KWADWO NSUMANKWAA.**

18.2 With the exception of ALHAJI MORO, who was arrested some few days later in Kumasi, and was not brought before the Committee and whose express view on the matter was therefore never sought, each of these persons decided not to participate any further in the proceedings of the Committee.

18.3 The Committee finds that their withdrawal from further participation did not impair its work, since at the time they did, each person, led by his counsel, had given evidence on what he knew about the 77 sacks of the missing cocaine, the meeting held in ACP KOFI BOAKYE'S house and the matters which were actually discussed.

18.4 The Committee finds that with the exception of ALHAJI MORO, in their testimonies, each had admitted being at the meeting from beginning to end and hearing the key participants, TAGOR and ALHAJI ISSAH ABASS, deny having defamed ACP KOFI BOAKYE. The Committee therefore found that it was in a good position to identify their voices and their contributions at the meeting, and proceeded to do so. The Committee identified the voices as follows:

**V1-KWABENA ACHEAMPONG**

**V2-ALHAJI ISSAH ABASS**

**V3-ACP KOFI BOAKYE**

**V3-KWABENA AMANING aka TAGOR**

## **V5- ALHAJI MORO**

### **KWADJO ABABIO aka NSUMANKWAA**

19.1 The Committee concluded that KWADJO ABABIO, who was invited to testify on the basis of information volunteered by ACP KOFI BOAKYE, was not at the meeting and further that there is not a shred of evidence linking him to the BENJAMIN narcotic drugs importation.

19.2 In this regard, the Committee found it rather strange that although ACP KOFI BOAKYE, explicitly stated in his written statement that ABABIO should be arrested because he had a lot of information, when ABABIO appeared before the Committee and testified that he had nothing to do with the BENJAMIN or the meeting in ACP KOFI BOAKYE'S house, he failed to elicit from ABABIO one single piece of the said vital information he claimed he had.

19.3 The Committee finds that the principal question it had to resolve is whether the contents of the tape Exhibit 1A, and ACP KOFI BOAKYE'S conduct after the meeting in his house, disclose that he said or did anything that constitutes a crime or amounts to professional misconduct or unsatisfactory service.

19.4 In this regard, the Committee finds that the crucial questions that must be determined is firstly, whether as contended by him, he acted in good faith in order to gather information and secondly, whether he passed on the information to his superiors, particularly, the INSPECTOR GENERAL OF POLICE (IGP).

### **INSPECTOR GENERAL OF POLICE (IGP)**

20.1 The Committee came to the conclusion that on the question of credibility, the IGP proved a more credible witness than ACP KOFI BOAKYE. Unfortunately, the Committee's honest assessment of ACP KOFI BOAKYE is that he was not a candid and credible witness. The Committee based this assessment mainly on his own evidence.

20.2 In his testimony given in the absence of the IGP, ACP KOFI BOAKYE's persistent claim was that he specifically sought the IGP's express consent and approval to hold the meeting with TAGOR and

ALHAJI ISSAH ABASS in his house. He reaffirmed this fact in his Exhibit Q and also during his cross-examination of the IGP.

20.3 The Committee finds that the IGP resolutely stuck to his position that ACP KOFI BOAKYE never informed him about any such meeting and never sought his consent or approval. The Committee finds from the evidence that eventually ACP KOFI BOAKYE retracted his earlier statement and admitted that:

“To be honest with IGP I did not tell him I was going to meet the pair in my house.”

20.4 The Committee further finds that contrary to his assertion, ACP KOFI BOAKYE never reported the outcome of the meeting and the information he had gathered to his superiors or other security bosses and institutions. For a meeting which lasted for over an hour, the Committee thought it strange that he did not remind the IGP of one single critical information he passed on to him.

20.5 In his evidence given in the IGP’S absence, he told the Committee that when he passed on the information to the IGP, he even directed that they monitor TAGOR and ALHAJI ISSAH ABASS and the others further. The Committee finds it odd that he has not supplied the name of a single member of the monitoring team to the Committee. ACP KOFI BOAKYE has not also introduced any one in that capacity to the Committee. Significantly also, apart from his bare assertion which was strenuously denied by the IGP, the Committee has not been furnished with any proof, documentary or otherwise, of any detailed report he made, investigations he initiated or coordinated as a result of the information he gathered and the IGP’s directives.

20.6 The Committee finds as a fact that the only time he brought the IGP and the Minister of State Security (then National Security Coordinator) into the picture, was in June 2006, when the newspapers were threatening to publish the contents of the tape. Even so, the Committee finds that he made no full disclosure of the facts to his superiors; only casual references to a meeting he had had with certain people, with the emphasis being on the threats by the media.

20.7 There was no evidence to show that the IGP had a hand in the loss of the SEVENTY-SIX (76) parcels of cocaine on the MV BENJAMIN.

20.8 The Committee, however, deemed it necessary to invite the IGP to clear the air as to whether or not he authorized the meeting held by ACP KOFI BOAKYE in his house.

20.9 It was also important for the IGP to confirm his relationship with ALHAJI ISSAH ABASS, who had described him as his long time friend. In his evidence in chief, the IGP confirmed knowing ALHAJI ISSA ABASS as far back as 1982 when he was a District Officer at Tema.

20.10 He admits that ALHAJI ISSAH ABASS is a friend, not a close one though and that during Christmas he brings him fish. The IGP also said they do not exchange visits except on one occasion when ALHAJI ISSAH ABASS visited him when he was sick.

20.11 Apart from ALHAJI ISSAH ABASS's name being associated with narcotic drug dealings, during his cross examination of the IGP, ACP KOFI BOAKYE disclosed that on one occasion, ALHAJI ISSAH ABASS was allegedly involved in a 419 scam and that he had occasion to advise the IGP to be wary of him. ACP KOFI BOAKYE's evidence was that he had information that ALHAJI ISSAH ABASS and some others had used the IGP's name to dupe some white men to the tune of \$2,000,000 (TWO MILLION DOLLARS) and that \$100,000 (ONE HUNDRED THOUSAND DOLLARS) was to be given to the IGP.

20.12 In the case of GRACE ASSIBI ASIBRELE, the IGP admitted that GRACE visited him in his residence to complain about the seizure of some of her properties.

## **COMMENTS**

21.1 While the IGP has every right to make friends, the Committee finds that his status requires that he chooses his friends with care in order not to compromise the high office of IGP.

21.2 The IGP cannot claim ignorance of the law that empowers the law enforcement agencies to impound assets suspected to have been acquired from proceeds from the drug trade.

21.3 The Committee finds that to grant audience to GRACE ASSIBI ASIBRELE, whose boyfriend was under investigations for such a serious offence, and direct her on the options open to her, has the tendency of leading to wrong perceptions and bringing the high office of IGP and that of the Ghana Police Service into disrepute.

### **ACP KOFI BOAKYE**

22.1 The Committee finds that from what transpired at the meeting, ACP KOFI BOAKYE, on his own showing, had more than sufficient reason to believe that TAGOR and ALHAJI ISSAH ABASS were prime suspects in the BENJAMIN drug importation case.

22.2 In this regard the Committee relied on the following facts elicited from the ACP KOFI BOAKYE to arrive at its conclusion.

**“Q. What were your deductions after your meeting with the three people in your house?**

**A What I gathered from the meeting was that:**

- 1. Issah and Tagor were privy to information about a ship coming with drugs.**
- 2. That someone from NACOB informed them about the ship and asked them which one it belonged to i.e. the drugs on the ship.**
- 3. That Tagor and Issah then went round town to find out who was the owner.**
- 4. That Tagor and Issah met each other and that Tagor informed Issah that the goods i.e. the drugs were for some Nigerians. They then connived to dupe the Nigerians and hijack the goods.**

5. **That one of them outsmarted the other and that is when all the rumours and allegations started.**
6. **Tagor mentioned Colombians coming to kill him.”**

22.3 The Committee finds that under **S23 of the NARCOTICS DRUGS (CONTROL, ENFORCEMENT AND SANCTIONS) LAW, 1990 (PNDC236)**, it is stated as follows:

**“Power of arrest and detention.**

**22.4 Any police officer may arrest without warrant any person whom he reasonably suspects to have committed or to committing an offence under this Law and shall as soon as possible thereafter put the arrested person before a magistrate or the Public Tribunal.”**

22.5 The Committee finds that in this regard, it does not matter if the policeman makes the arrest and it turns out that no such offence has been committed.

22.6 The Committee therefore finds that ACP KOFI BOAKYE’S deliberate failure to cause the arrest of TAGOR and ALHAJI ISSAH ABASS or report the material facts he has gathered about them to the appropriate authorities for further action, amounts clearly to misconduct and unsatisfactory conduct under the Police Service Act, 1970(ACT350)

22.7 The Committee also found as a fact that at the meeting, ACP KOFI BOAKYE gathered substantial information about the past drug dealings of ALHAJI ISSAH ABASS, and TAGOR. The evidence shows further that in any event, prior to the meeting, ACP KOFI BOAKYE had been fraternising with them. The knowledge that they had been involved in drug related offences is evident from the following exchanges from Exhibit 1B [EXCERPTS FROM EXHIBIT 1B PAGES 23-26]

**“V4 I will not be satisfied if you don’t allow me to explain things to him.**

**V3 KWABENA, I don't really care. Because it's those who have enjoyed who have to pay the consequences.**

**V4 We have had some business dealings with Mama TESS. My driver and I sent the goods.**

**V2 What are you talking about?**

**V4 Alhaji you don't know but its true.**

**V2 You have gone for the goods and sold it for your personal gain and you don't want us to talk about it.**

**V4 Alhaji you know the goods were not for you. Don't accuse me falsely.**

**V2 Yes the goods were not for you, they were for the people. Stop bothering us with the narration.**

**V4 I'm very angry with you.**

**V2 The goods were for the white people and you made them run away. If you are angry are you the one who feeds me? TAGOR, it's enough. Stop misusing my name.**

**V4 I'm not feeding you. Just listen to me**

**V2 I irritates me ....**

**V1 Its okay.....**

**V3 This matter, Alhaji has explained it to me several occasions.**

**V2 Yes I informed you. My worry is that you sold the goods for your personal gain and you sit there to tell lies.**

**V4 What goods have I sold? You may ask Yaw DENTEH. When I do business with them. Find out what I do for them.**

**V2 Were the goods for Yaw DENTEH?**

**V4 Yaw.....**

**V3 Do you know how the goods are cut? You thought they don't know.**

**V4 Wofa, you know Yaw DENTEH.**

**V1....forensic**

**V4 Wofa its not the goods from LONDON. You normally don't get much when you cut the goods in LONDON. It's normally the ones in AMERICA. That one we had twenty and each cost sixty thousand. Is it wrong if I give my driver four?**

**V2 TARGOR, we know what you were doing in LONDON and I'm the one who brought you in. Can you help me? TARGOR(SIC) I made my money before you.**

**V4 Yes I respect that. I know that you brought me in. You are my big brother.**

**V2 You stole someone's goods and you want it to appear as if I did it.**

**V4 Don't say I stole it.**

**V2 It was my prayer that has brought you this far.....**

**V3 Do you want something to drink? You should all stop quarrelling.**

**V5 (inaudible)**

**V3 I thought we had the fact that it was ISSAH and his people who went for the goods but it seems all these are speculations. You are saying that Yaw BILLA has said this, he has said that. But I'm happy that the two of you and KWABENA know that I don't know anything about this. You should tell this to your people. However I know that I can continue to get some tips from you. Whenever you do your business and you think you want to**

**give me say ten thousand, I will take it. You know I don't do any business with you but whenever I decide to make arrests I'm determined to do that. Look you know that it is only one person connected to drugs that I have arrested in the whole country. Even that I arrested the guy because he was bluffing.....I put him in and after he came out I arrested him again because he was still bluffing It was Yaw Billa.....That guy is the only person I had arrested because I know if I make any arrest and then make an attempt to extort any money it will come out. So I don't make any arrests. However if on your own you decide to give something say one thousand I will not hesitate. For instance Issah came here one day. I didn't know anything but he gave me five hundred euros. When he was leaving he made my day. You made my day. Do you remember that day? Barry White and friends were here. It was when you were leaving that you gave it to me.**

**V2 Yes it was Chief who gave it to you.**

**V3 You know my job is different from yours but when I have to listen to what you have to tell me, I always make myself available to hear what you have to say to me."**

Other past drug related activities ALHAJI ISSAH ABASS, ALHAJI MORO and TAGOR confessed to in the presence of ACP KOFI BOAKYE is again reproduced from the Exhibit B:[EXCERPTS FROM EXHIBIT 1B PAGE 16-17,28-29]

**"V2 .....I did some business with you TAGOR and you cheated me but I didn't complain. The big man is here he can judge the two of us. I have linked you with a lot of business partners. A lot of goods came into your custody.**

**V5 .....**

**V2 No let me finish the goods were kept in your warehouse. Three or four days later, you informed me that thieves had broken into the warehouse and stolen the goods. Not knowing you did that job with your driver. But you informed the Colombians that it was I Issah who had stolen the goods. So the Colombians came here to kill me.**

**V3 So are you saying that the Colombians can come here to kill people?**

**V2 Let me continue. I want KOFI to know all this. You told me it was an Ashanti boy who lives opposite you who had stolen the goods and run away. I told the Colombians I was not responsible but that you had informed me that the goods were stolen by a boy. The Colombians themselves went looking for the boy. They later called me with the news that they had a boy in their custody and requested that I should come and confirm his identity. I called you TARGOR that we had seen the boy so come and let us arrest him. But you did not come.**

**V4 Can I say my side?**

**V2 I do business with all of you. When my goods come I help all of you. ....I was expecting that you will give me some money from that deal but up to now you haven't done that.**

**V4 You have narrated your part and I'm explaining my part. Why won't you listen to me? The goods were not for you. .... We bought some goods from you. Initially I didn't know you, it was Yaw Billa who introduced you to me. He explained to me that you are his friend and that you are a strong man. I later called you and asked you to arrange some things for some Colombians. That time they brought so much I monitored them. I monitored them because I didn't know them well so I didn't want to put so much money in it.**

**V1 What did he tell you?**

**V2 When he was arrested and was asked to pay some money it was I who gave him five thousand dollars before he could raise that money to make the payment. I spoke to TAGOR about this vessel because I wanted TAGOR to support it. I didn't inform you Alhaji because I know if I ask you for money you would say don't have. so I wanted to wait for the business to materialize before telling you.....They have all worked under me before. Sometime ago some Nigerians transferred some money to JBK,**

**four hundred and eighty thousand through my accounts at Barclays Bank. I withdrew the money and gave it to JBK . It WAS MORO who brought him to me. He gave MORO a percentage, he gave Yaw a percentage and I gave the balance of one hundred thousand and twenty thousand dollars in my account. Then later then BNI arrested me when I attempted to withdraw money from my account.....I have not benefited from that transaction.**

**V3 Do you remember I called you about that case?**

**V2 Yes you called me.**

**V3 Do you remember I called you as soon as I heard it?**

**V2 I still go to court. MORO, YAW BILLA and others benefited. I still go to court. Tomorrow I am going to court.....”**

22.8 Furthermore, the Committee finds from the Exhibits IA and 1B that ACP KOFI BOAKYE did not and could not have passed on any of the information shared by the participants, to his superiors.

22.9 The facts as found by the Committee are that at that meeting, ACP KOFI BOAKYE and the others, agreed for a common purpose to find the real owners of the cocaine, who were alleged to be COLUMBIANS, and meet with them for an unlawful purpose.

22.10 The Committee finds from the facts that the intention of ACP KOFI BOAKYE and the others certainly was not to apprehend the COLUMBIANS with a view to handing them over to the law enforcement agencies.

22.11 The Committee finds from the Exhibit 1B that the agreement to find, meet the COLUMBIAN drug dealers and deal with them appropriately, took the following form:[ EXCERPTS FROM PAGES 31, 32, 33, 34, 35, 36,&38]

**“V3 I am tired but I don’t have any money. Eh, Kwabena Acheampong. Alhaji thank you that you agreed to come and have honoured my invitation.**

**V2 I believe you now understand the issues. Let us know what is in this matter.**

**V3 Yes I do . The ball is now in the court of you two. Let us know what is in this matter.**

**V2 I have been informed that the Columbians are coming. They know the person they did the business with. That person should know who went for the goods. They are coming. Let them come. We will have a meeting with them. Let us meet the Columbians; at the end of the day our life is in danger. Let's meet them they are likely to call the person they had the business with. If they dealt with they must know him.**

**V3 Why don't you think that the person they dealt with is the same person who recovered the goods?**

**V2 Exactly. And the person they dealt with. We must find out. Where are the Columbians now?**

**V1 They are in Abidjan**

**V2 If they are in Abidjan let us meet them.**

**V3 Let us find out who they did the business with. I know from your explanation that those who bought the goods made only part payment.**

**V4 I will know by this evening.**

**V2 Why have you stopped picking my phone calls.**

**V5 There is nothing that this guy will hear and he will not inform me.**

**V2 Yes I tell everything. There is nothing I don't tell him. We must find solution to this problem.**

**V4 Did you hear Commander say that he had also heard that ALHAJI had been to the vessel. The whole thing is confusing.**

**V2 No I did not go on that boat. We need to unite.**

**V4 I think so . I know that we can find out where the goods are.**

**V2 You give me time let's meet this evening to find a solution to the problem. If we know where the things are we can plan. Now everybody is saying whatever he likes. You know the COLOMBIANS are in ABIDJAN and they are coming. Let's know when they are coming. They should come immediately.**

**V4 The people in my office.**

**V2 In COLOMBIA. You don't know how much we have spent on this . We must be serious. If you know where the source is let us know.**

**V4 We will find out tonight. Yaw BILLA called me. Kwabena ACHEAMPONG was present and I put the phone on the speaker. He told me Alhaji wanted to see him and me.**

**V2 Me? What for?**

**V4 You may ask KWABENA ACHEAMPONG.**

**V5 You two should sort out your differences and work together to find the solution to this problem.**

**V3...**

**V1...**

**V2 Opanyin, what is the end story?**

**V3 The end story?**

**V2 Let us meet to strategise to find where the goods are.**

**V3 You two should meet. Somebody knows where the goods are.**

**V2 That is what I have been saying. Somebody knows where the goods are. But if you know where it is and keep quiet then strangers will find it and enjoy the benefits.**

**V3 That is why I told you that now it is cooperation.**

**V5 You should unite and keep your mouths shut.**

**V3 The goods cannot be lost. It is in town.**

**V2 It can't get lost; it was too much.**

**V3 It can't get lost in town.**

**V5 One man can not have all that.**

**V3 I was informed that it was Tagor who had it and that that he has started giving it out in 10, 20, and 30.**

**V1 Let us leave.**

**V2 When are we meeting?**

**V3 I have left everything to you to sort out.**

**V1 The information that I received is from the Columbians**

**V2 That is why we must sit down and find out.**

**V4 We must get some information by the end of the day.**

**V3 What I can do is that I will be in the background. When the need be that the Columbians want to get naughty I can sort them out.**

**V1 not just sort them out whereby you may get nothing**

**V3 that will depend on you guys that depends on you.**

**V1 Of course.**

**V2 I am ever ready. 7 o'clock let us have the meeting. Let us fight. that is all.**

**V1 Right now we have toned down. The Colombians should tell us who they dealt with. We have toned down on all angles. The main problem is that the Colombians should tell who their partners are.**

**V2 Who they deal with. The cripple, SHERIFF is out. He is out because he fled.**

**V1 Is he not the one who hired the vessel for them.**

**V2 I sense that it will be ADDAH'S group.**

**V4 Who rented the vessel for SHERIFF?**

**V1 That is paramount. If for instance you sent someone for a boat wouldn't you know the name of the person who has sent you? If ADDAH knows something then the Nigerian may also know something about it.**

**V2 No you mean PETER and PAUL. No PAUL does not know anything, it's a different guy altogether.**

**V1 Yesterday when I spoke with the woman she said PAUL knows about it. Let's depart and meet later.**

22.12. The Committee found from the above discussions that ACP KOFI BOAKYE'S specific role in the arrangement-the intended meeting with the COLUMBIANS- was not thrust on him. On the contrary, he expressly, on his own volition, carved out the role for himself.

22.13 The following excerpts from the Exhibit 1B spells out the role he offered to play. The reward that he was expecting from the deal is also captured in these spontaneous exchanges among the participants.

**“V3 That I can do is that I will be in the background. When the need be that the Colombians want to get naughty, I can sort them out.**

**V1 Not just sort them out whereby you may get nothing?**

**V3 That will depend on you guys. That depends on you.**

**V1 Of course.**

**V2 I am ever ready. 7 O’clock let us meet. Let us have the meeting. Let us fight. That is all.”**

22.14 To “sort somebody out” means dealing with that somebody by attacking or punishing that person. Given the context of the discussions, the Committee reasonably concludes that, the clear understanding was that in the process, when the COLUMBIANS get naughty, ACP KOFI BOAKYE was to use the high office of DIRECTOR GENERAL OF POLICE, to make life difficult for them. The Committee reckons that the sorting out could take any form- harassments, intimidations, blackmail, arrests, attacks and the like till the COLUMBIAN drug dealers gave in to the demands of AC KOFI BOAKYE and his group.

22.15 The Committee also found from the Exhibit IB evidence of other acts of gross abuse of office and professional misconduct perpetrated by ACP KOFI BOAKYE in the course of his duties.

22.16 As already noted, as evidenced by the following excerpts from the Exhibit 1B, he openly confessed that he had in the past deliberately let off the hook many people who ought to have been dealt with in accordance with the law, as a result of ALHAJI ISSAH ABASS’S intervention.

22.17 The Committee discovered from his open confession evidence of abuse of office with its attendant corrupt practices. In this instance, arresting someone for the wrong reason, when no lawful justification existed for the arrest, as ACP KOFI BOAKYE himself stated, the demand by him and payment of money to his boys following the ‘release’ of that person who was in any event the victim of an unlawful arrest. Inferentially, ACP KOFI BOAKYE also admitted that he had received favours from ALHAJI ISSAH ABASS, obviously on

a quid pro quo basis. The following excerpts from the Exhibit B, speak for themselves:

22.18“V3 The reason why I called you here is that you are my brother and you know I can never deny you. Alhaji you know I can never deny you anywhere.....I didn’t know you until that day but since then you have been nice to me there are so many cases that I let go because you intervened.....

“ V3 Whenever you do your business and you think you want to give me say, ten thousand, I will I will take it. Look, you know that it is only one person connected to drugs that I’ve arrested in the whole country. Even that I arrested the guy because he was he was bluffing..... It was Yaw BILLA who intervened before I released him. I asked him to find something for the boys.....

V2 When I come to you people think that I come with information.

“V3 Do you remember I quarreled with you over a case? That when you get money don’t give me anything? The two million dollars.”

### RECOMMENDATIONS

23.1 The Committee recommends that having regard to the matters discussed above, the Honourable Minister initiates steps to have the following persons dealt with appropriately under the laws of Ghana:

- **ACP KOFI BOAKYE**
- **KWABENA AMANING aka TAGOR**
- **ALHAJI ISSAH ABASS**
- **KWABENA ACHEAMPONG**
- **ALHAJI MORO**

The laws under reference are:

**THE CRIMINAL CODE 1960(ACT29)  
NARCOTIC DRUGS (CONTROL, ENFORCEMENT AND  
SANCTIONS) LAW1990 (PNDCL236)  
POLICE SERVICE ACT, 1970 (ACT350)**

**NARCOTICS CONTROL BOARD(NACOB)**

24.1 The evidence gathered clearly shows that COLONEL (RTD) ISAAC KWESI AKUOKO and MR. BEN NDEGO, the two most SENIOR OFFICIALS of NACOB had the tape recording of the ACP KOFI BOAKYE meeting with TAGOR and ALHAJI ABASS and some others.

24.2 The Committee finds it totally strange that the officers claim that they listened to only a portion of the tape.

24.3 The Committee finds their explanation that they were busily caught up in their official travel arrangements untenable. The Committee found that the failed operation was a source of great embarrassment to the NACOB organisation and the country as a whole. The Committee therefore concluded that any serious minded senior officer, caught in the throes of losing the trust and confidence of the very people he or she serves, would have strained every nerve to listen to and analyse the contents of the recording, for the simple reason that it might contain some vital information that might lead to the recovery of the seventy –six (76) sacks of cocaine and the arrest of those involved in the importation.

24.5 The Committee finds a clear lack of proper judgment and direction on the part of COLONEL (RTD) ISAAC KWESI AKUOKO and MR BEN NDEGO. The Committee is of the opinion that such conduct, in the circumstances of this case is a clear dereliction of duty which must be condemned in no uncertain terms.

24.6 The Committee recommends that the two senior officials; COLONEL (RTD) ISAAC KWESI AKUOKO and MR. BEN NDEGO be reprimanded for dereliction of duty.

## **PART TWO**

### **THE HOUSE NO PLOT 348 MEMPEASEM ,EAST LEGON OPERATION**

#### **BACKGROUND FACTS**

1.1 On the 24<sup>TH</sup> of NOVEMBER 2005, the RAPID RESPONSE UNIT (RRU) of the CID DIVISION OF THE GHANA POLICE SERVICE, raided a house numbered PLOT 348, MEMPEASEM, EAST LEGON, seized 588 KILOGRAMS of cocaine and arrested two VENEZUELANs who were alleged to be resident in the house. The operation was led by SUPERINTENDENT EDWARD TABIRI, then DEPUTY SUPERINTENDENT OF POLICE and head of the RAPID RESPONSE UNIT (RRU). The operation was under the direct supervision of the DIRECTOR- GENERAL OF CID, MR. DAVID ASANTE APEATU.

1.2 The investigations revealed that the arrested persons were brought into the country by a VENEZUELAN by name VASQUEZ GERARDO DUARTE DAVID aka CHARMO or BUDI and the house rented for them by VASQUEZ.

1.3 Shortly after this operation, one GRACE ASSIBI ASIBRELE, girlfriend of VASQUEZ GERARDO DUARTE DAVID aka CHARMO or BUDI, the VENEZUELAN now on the run, made a serious allegation against the two senior officers directly connected with the operation and the investigations.

1.4 The Committee finds that the allegation was specifically made against only two senior officers of the CID:

- **PATRICK KWABENA AMPEWUAH, ASSISTANT COMMISSIONER OF POLICE and DEPUTY DIRECTOR GENERAL OF THE CID;**
- **EDWARD TABIRI SUPERINTENDENT OF POLICE, CID and COMMANDER OF THE RAPID RESPONSE UNIT, at the time.**

### **THE NATURE OF THE ALLEGATION**

2.1 The allegation leveled against the two officers is that she had paid the sum of TWO HUNDRED THOUSAND DOLLAR (\$200,000) to SUPT. EDWARD TABIRI and ACP PATRICK AMPEWUAH. The Committee finds that from the circumstances as narrated by GRACE herself the \$200000 constitutes a BRIBE.

2.2 The case stated by GRACE is that although she paid the \$200,000 (TWO HUNDRED THOUSAND DOLLARS) to SUPT. TABIRI, she had no doubt that ACP AMPEWUAH became a beneficiary of the bribe of \$200000. She based her case against ACP AMPEWUAH solely on a recording of an alleged conversation between her and ACP AMPEWUAH in which he impliedly admitted that he received part of the money from SUPT. TABIRI.

2.3 Both ACP PATRICK AMPEWUAH and SUPT. EDWARD TABIRI denied having demanded or having received any money from her. In the case of SUPT EDWARD TABIRI, he admitted having requested GRACE to inform VASQUEZ, to return to GHANA with money so that he could assist them to have the case transferred elsewhere and disposed of on the quiet. He was emphatic that the demand, which never materialized, was only a bait to lure VASQUEZ back into the country for him to be arrested.

2.4 The Committee thus finds that the issue of whether or not the bribe of two hundred thousand dollars (\$200,000) was paid to the two officers turns principally on the credibility of the three persons, particularly, GRACE and SUPT. EDWARD TABIRI, in the context of the evidence before the Committee.

2.5 The Committee has thoroughly examined the evidence before it, and has come to the conclusion that GRACE ASSIBI ASIBRELE is a totally untruthful and unreliable witness. The Committee therefore finds her allegation that she paid two hundred thousand dollars (\$200, 000) to the two officers false and unproven.

2.6 The Committee finds that GRACE made the allegation of BRIBERY when SUPT. EDWARD TABIRI refused her request that she be given 50% of the COCAINE seized from the house as her reward for the tip off, and at the same time losing her relationship with VASQUEZ who had come to learn that she was the informant.

2.7 The Committee reckoned that it necessarily had to determine two critical subsidiary issues, namely,

**(a) Was VASQUEZ in the country on the 24<sup>th</sup> of November 2005, on the day of the raid?**

**(b) Was GRACE an informant? Differently stated, was she one of the persons who gave the information to the police about the cocaine being kept in the house?**

2.8 The Committee reasoned that given GRACE'S consistent claim that on the day of the raid, VASQUEZ called her into his office, gave her the money and asked her to go and give it to "HIS FRIEND TABIRI", the issue of whether or not VASQUEZ was in GHANA on the 24<sup>TH</sup> of NOVEMBER 2005 is crucial.

2.9 Additionally, the Committee's thinking is that if the evidence proved conclusively that GRACE was an informant as had indeed been the contention of the police officers, her claim that on the day of the raid she paid this colossal sum of money to the police officers as a bribe cannot be reasonably true. The logic, based on plain common sense is that, she cannot be an informant and pay a bribe at the same time.

### **WAS VASQUEZ IN GHANA ON THE 24<sup>TH</sup> OF NOVEMBER 2005?**

3.1 First, the indisputable evidence is that VASQUEZ left the country for Europe on the 10<sup>th</sup> of November 2005 via the Kotoka International Airport. The Committee also finds that the documentary evidence of the Immigration

Service detailing his travel history does not show that he re-entered the country via the same or other lawful entry point after November 10<sup>th</sup> 2005.

3.2 Second, ROSITA his Secretary testified that on the 10<sup>th</sup> of November 2005, VASQUEZ, who left Ghana for a TWO WEEK business trip, never came back into the country. She was emphatic that after the 24<sup>th</sup> of NOVEMBER, 2005, all the telephone calls she received from him were foreign calls. Her testimony disclosed that additionally, they also communicated via E mail.

3.3 The Committee found no reason to doubt ROSITA'S claims. Her evidence as corroborated by MR. ROJO METTLE- NUNOO is that VASQUEZ does not speak good English and depends on ROSITA, who serves also as her interpreter. The Committee was of the opinion that given this state of affairs, it was most unlikely that VASQUEZ would return to the country without ROSITA knowing that he was back from his trip.

3.4 Third, ROSITA's testimony was substantially confirmed by MR. ROJO METTLE-NUNOO, who was consultant to VASQUEZ. He shed some light on VASQUEZ'S whereabouts on the 24<sup>TH</sup> of NOVEMBER 2005, the day of the raid. Although he was unable to give the specific dates, he was emphatic that since VASQUEZ left Ghana on a two week business trip to Europe, he had never set eyes on him again.

3.5 Equally important, he expressed surprise at GRACE'S testimony that SUPT. EDWARD TABIRI could be described by anybody as VAZQUEZ'S friend. He said he had never seen SUPT TABIRI around VASQUEZ.

3.6 The Immigration officers who appeared before the Committee admitted, albeit reluctantly, that it was possible for a person to enter Ghana through the Kotoka International Airport without going through immigration formalities. The Committee therefore requested GRACE, who had consistently maintained that VASQUEZ returned to the country to furnish it with particulars of the date of re-entry and the entry point, since these were all facts exclusively within her knowledge.

3.7 Her position as expressed through her counsel was that: "they were in no position to tell the Committee his exit and entry points from the 10<sup>th</sup> of November to date."

3.8 The Committee therefore finds that her subsequent testimony that he arrived through Kotoka International Airport and further that he went through immigration formalities is not credible.

### **WAS GRACE AN INFORMANT?**

4.1 The Committee finds that the evidence points conclusively that she was. The Committee's conclusion was informed by the evidence of the following witnesses:

#### **MR. DAVID ASANTE- APEATU, COMMISSIONER CID; ROSITA, VASQUEZ'S SECRETARY**

4.2 MR. DAVID ASANTE-APEATU'S evidence was that the anonymous male caller who gave him the tip off demanded a half share of the cocaine and informed him that a lady was also involved in the deal.

4.3 These facts corroborate SUPT. EDWARD TABIRI'S testimony that GRACE'S appearance in the house shortly after the operation had taken off was not to pay a bribe, but to demand her share as agreed with the police. In this regard the Committee does not think that the mere fact that when the first man who was arrested in the house made a call, the name BUDI registered on the phone, prove conclusively that BUDI whose real name is VASQUEZ was in GHANA. The Committee finds itself unable to come to any such conclusion since there is no evidence that the phone was not being used by another person or even by BUDI himself while outside GHANA.

4.4 The Committee finds that ACP DAVID ASANTE- APEATU, who had initially feigned interest in order to retrieve the drugs, understandably directed SUPT. EDWARD TABIRI not to give in to her demand, but at the same time, 'manage' her well so she could be of assistance to the police.

4.5 When both SUPT. EDWARD TABIRI and ROSITA identified a youngman by name IDDRISU ADAMA, from a set of the pictures retrieved from the East Legon house as GRACE'S brother, she vehemently denied the fact that they are siblings.

4.6 ROSITA did not only express shock and dismay at the denial, but she took steps to invite the cleaner of COMPIMCHEX to testify on the matter.

4.7 The Committee finds the testimony of MAVIS, the humble cleaner of VASQUEZ's company, COMPIMCHEX, most reliable. She readily identified the same youngman as GRACE'S brother from the same set of pictures and tellingly, from an "OVATION" MAGAZINE, Exhibit T. The magazine has a feature on some of the models at the lingerie show organised by GRACE and VASQUEZ and assisted by MR. ROJO METTLE-NUNOO.

4.8 Furthermore, to buttress her evidence, ROSITA produced a recorded telephone of a conversation between her and the young man. The Committee found the contents of the tape rather revealing. The relevant portion of the transcript –RECORDING 4- states:

**“V2 But who want the money? Who want the money, the police people? Eh?**

**V3 What did you say?**

**V2 Who needs the money? Who, who?**

**V3 I don't know. Then I have already traveled. I don't know who needs the money the first one that they took, I don't know. Even my sister is the one going there and I don't know anything. Every time she gives a different story that this thing, this thing, thing.**

**V2 Aah, yeah,yeah, yeah.”**

4.9 In the transcript, VOICE 2(V2) is identified as ROSITA'S, while VOICE 3(V3) is identified as IDDRISU ADAMA'S. The Committee discovered from the said conversation that GRACE'S own brother finds her inconsistent. The Committee therefore concluded that no valid justification therefore exists for preferring her testimony to that of the police officers against whom she has made the allegations.

4.10 Again, the Committee wondered why GRACE, who desperately had to fall on ROSITA to plead with VASQUEZ to send her an additional THREE HUNDRED THOUSAND DOLLARS (\$300,000) to use in bribing

the police, never told ROSITA about the TWO HUNDRED THOUSAND DOLLARS (\$200,000) bribe which she had already paid to them.

4.11 The Committee further reasoned that it is precisely because no such money had changed hands that when ROSITA spoke with VASQUEZ urging him to send the money, he flatly refused to do any such, stating as his reason, the fact that he had not engaged in any drug deals. Significantly, VASQUEZ never complained about a bribe of \$200,000 already paid, and which clearly from GRACE'S own testimony, had not in any case yielded any dividends.

4.12 The Committee had no difficulty in concluding that GRACE is a very outspoken and assertive person. The IGP's evidence shows that just after his return from France, GRACE, accompanied by someone the IGP said he had met before, but whose name he could not remember, called on him in his official residence to complain about the seizure of her assets.

4.13 The Committee finds it rather intriguing that notwithstanding the fact that the IGP gave her audience, and took pains to explain to her the options open to her, she never complained to him, about the raw deal meted out to her by his officers. Even more surprising, she did not report to the IGP that his name was being used by his own men to extort another \$300,000 from her!

4.14 On the question of how the bribe itself came to be paid, the Committee found her story rather incredulous.

4.15 Her account was that on the instructions of SUPT. EDWARD TABIRI, she went and waited with the money at the Tetteh Quarshie circle for well over two hours for him to pick her to the police headquarters to collect the bribe.

4.16 The Committee finds that the most incredible part of her story, certainly, is her claim that on arrival at the Police Headquarters, in spite of the fact that SUPT. EDWARD TABIRI being the leader of the team was bound to be the most sought after officer, he nevertheless abandoned the team and the several boxes of cocaine and, took her into his office to collect the bribe. But what was even more incredulous was her account of how the money changed hands. The story she invited the Committee to accept in preference to the officer's denial of having collected a bribe, is that in spite of the flurry of activities, SUPT. EDWARD TABIRI, locked his office door,

while she nevertheless took pains to count \$170,000. Her further claim is that TABIRI, presumably consumed by greed and avarice, was not just satisfied with taking the money and releasing her to go, but also recounted the entire \$170,000!

4.17 Understandably, the Committee needed to know why she gave SUPT. EDWARD TABIRI only part of the money. The Committee found GRACE's explanation even more bizarre. She explained that SUPT. EDWARD TABIRI was unwilling to give her a receipt for the money she was to give him. The Committee had little difficulty in dismissing her explanation as being absurd. Who sets out to pay a bribe to a police officer in order to obtain a favour and turns round to demand a receipt for the bribe?

### **GRACE'S TAPE ON SUPT EDWARD TABIRI**

5.1 In order to buttress her claim, GRACE produced a recorded conversation between SUPT. EDWARD TABIRI and herself and which relates to an alleged admission by SUPT. EDWARD TABIRI that he had indeed demanded and received the bribe.

5.2 The Committee however found that the supposedly incriminating part consists of only one sentence from GRACE alleging the fact in a rather not so direct and forthright manner.

5.3 The Committee's decision was informed by the sentences which immediately follow GRACE'S. The Committee finds that there was no clear unambiguous admission by SUPT. EDWARD TABIRI that he had collected a bribe from her.

5.4 On listening to the tape, the Committee found that the first few sentences of the dialogue, appears word for word also at the tail end of the conversation. The Committee's reasonable conclusion was that the tape was an amateurish piece of cut and paste work of different conversations between GRACE and SUPT. EDWARD TABIRI. The Committee observed that because GRACE was an informant and was being managed as such by the police, she had unlimited access to SUPT. EDWARD TABIRI, who was virtually in charge of the investigations. The evidence shows they have had a number of discussions over various aspects of the case.

5.5 The Committee finds that indeed, the transcript shows a disjointed dialogue between two persons parts of which does not flow sequentially.

### **GINA AMA BLAY'S TESTIMONY**

6.1 The Committee had opportunity to study GINA AMA BLAY'S transcript tendered as EXHIBIT H. EXHIBIT H is the transcript of a recorded interview between GINA AMA BLAY and GRACE. From GINA AMA BLAY's account, in the course of the interview, GRACE made three calls to someone she did not know at the time. The EXHIBIT H contains three different recorded telephone conversations between GRACE and the receiver.

6.2 GINA AMA BLAY's testimony added to the already existing body of evidence that GRACE lacks credibility. She testified that while interviewing her GRACE rang someone, we believe SUPT EDWARD TABIRI, and tried to push that the person into admitting that he had taken money from her; but that the person would not admit he/she had. The relevant portion of the transcript reads”.

6.3 “GRACE (G) Hello Mr. Tabiri how is it? This is Grace. Now I have gone to buy...and I have seen, and I have called to find out whether you people could not help in the case.

6.4 TABIRI (T) Now I am in a meeting. So please see Mr. Ampewuah at the office on Monday.

6.5 G These days they have been calling me threatening to kill me saying it is not true that I sent the money to you people. They have threatened to kill me.

6.6 T Have you brought money to anybody? Come to the office on Monday.

6.7 G The reason why they are saying that is that I am an informant. As for the money you people have to give me some so that I go and live in a village.

6.8 T If someone he/she will kill you it is murder. They are threatening you. Come to the office and see Mr. Ampewuah.”

**ASSISTANT COMMISSIONER OF POLICE MR. PATRICK AMPEWUAH**

7.1 The Committee concluded the case made against ACP AMPEWUAH ought also to fail, given that the allegation against him is based entirely on the claim that a bribe of TWO HUNDRED THOUSAND DOLLARS (\$200,000) had indeed been paid to SUPT EDWARD TABIRI. Since GRACE’s contention is that SUPT. EDWARD TABIRI gave him part of the \$200,000, the Committee reasoned that a positive finding of fact that no such money had been paid to SUPT. EDWARD TABIRI should dispose of the allegation against ACP AMPEWUAH.

7.2 The Committee nonetheless took the further step of examining in a little more detail, additional evidence GRACE led on the matter. Pertinently, GRACE led no direct evidence that ACP AMPEWUAH demanded and received any bribe from her.

7.3 GRACE linked ACP AMPEWUAH to a tape she claimed contained a recorded conversation between the two of them. The Committee found the tape questionable.

7.4 ACP AMPEWUAH’s resolute denial that the voice was his, prompted the Committee to carefully listen to the tape and try, in the absence of a voice and speech analyser, to see whether it could match his recorded and known voice before the Committee. Indeed, he had then appeared before the Committee and testified made oral statements and answered questions under cross examination. The Committee had little difficulty in observing that the intonation of the speaker in the opening sentences in particular, did not appear to be that of a Twi speaking person.

7.5 To buttress her claim that it was none other but ACP AMPEWUAH who rang her, GRACE produced two cell phone numbers and insisted that they were the numbers that registered on her cell phone when those calls came through to her. Interestingly, when the Committee requested her to produce her own cell phone so the necessary thorough investigations could be carried out, she said she could not remember her number and also that she

had given hers to her sister. Although she was given time to retrieve it, she came back to inform the Committee the sister cannot trace the phone.

7.6 The Committee was compelled by ACP AMPEWUAH'S persistent denial that he was not the subscriber to that number and that he had never used that cell phone to call GRACE, to invite the service providers to furnish us with the particulars of the owners and the itemised bills for the period the call was allegedly made. They were able to supply the bills for the months of JULY and AUGUST 2006, the reason being that they do not keep records of prepaid unregistered subscribers for more than two months. The Committee nonetheless found the bills for JULY and AUGUST 2006 rather startling.

7.7 The service providers proved that both numbers were prepaid unregistered phones, with one of them being out of use. An informant, who had received a call from the active phone gave evidence before the Committee. The witness provided the Committee with the name of the user. His evidence showed that ACP PATRICK AMPEWUAH is not the subscriber of that number.

7.8 The Committee carefully examined the itemised bill and discovered that on some given days, the subscriber could make as many as 53, 54, 43, 41, 46, 48, or 30 CALLS during working hours. The Committee reasoned that if ACP AMPEWUAH the DEPUTY DIRECTOR GENERAL of the CID were the subscriber of that phone, no time would be left for him to do his official work, which was likely to include meetings, if all he did on a given day was to make calls!

7.9 Again, another crucial portion of GINA AMA BLAY'S testimony weakened GRACE'S case against ACP PATRICK AMPEWUAH. She testified that GRACE rang her frantically one night that "the man has rang her again to threaten her." She testified that quite rightly, she demanded to know who that man was. The transcript of the conversation between them, Exhibit H, proves that GRACE did not have a clue as to who rang her, prompting GINA to remark, rightly in the Committee's view, "how come you say you don't know who was calling you". The Committee finds that if soon after the call she could not make up who rang her, how could her testimony on the identity of the caller months after the event be relied upon?

7.10 In the transcript Exhibit H, GINA AMA BLAY is presented as the 'FEMALE'

7.11 “GRACE The man just called me again. he said you told him that I have told you that I have given him \$200,000.

7.12 FEMALE Which man?

7.13 GRACE The man who called. He didn’t mention his name to me.

7.14 FEMALE He said who?

7.15 GRACE He said the woman.

7.16 FEMALE I know what to do in my work. Don’t mess around with me.

7.17 GRACE (inaudible)

7.18 FEMALE How come you say don’t know who is calling you. You should know the person by now?

7.19 GRACE Do you mean I am lying.

7.20 FEMALE I haven’t said you are lying.

7.21 GRACE Madam this is not a fight.”

**ACP PATRICK AMPEWUAH& SUPT. EDWARD TABIRI**

8.1 We find no evidence that ACP PATRICK AMPEWUAH and SUPT. EDWARD TABIRI demanded and received a bribe of \$200,000 from GRACE.

**GRACE ASSIBI ASIBRELE**

9.1 The Committee finds that GRACE ASSIBI ASIBRELE became an informant by ‘default’ and not by choice. The Committee finds that though her motives were not genuine, her role as an informant however did greatly assist the country to win one more victory in the war against the drug trade.

9.2 At the same time, the Committee noted that her deliberate falsehoods have caused much anguish and pain to individuals and their families as well as the top structure of the Ghana Police Service and indeed the nation as a whole. It is in this light that the Committee unreservedly condemns her conduct.

9.3 In this regard, the Committee is of the opinion that it took too long a time, to have GRACE ASSIBI ASIBRELE's allegations against the police officers properly dealt with. The Committee observed that in alleged drug related corruption cases, it is not only the individuals and their immediate families who suffer; national and institutional integrity is also undermined.

9.4 In a memorandum submitted by MR. EDMUND FOLEY, PROJECT COORDINATOR OF THE POLICE ACCOUNTABILITY PROJECT OF THE COMMONWEALTH HUMAN RIGHTS INITIATIVE (CHRI), the Committee discovered that in other jurisdictions like, South Africa and Ireland, independent standing commissions vested with power to investigate complaints against police professional misconduct, have made it possible for serious allegations of corruption to be investigated with minimum delay. The Committee recommends that measures be put in place by the Ghana Police Service for similar results to be achieved.

## **IMMIGRATION SERVICE**

10.1 It came to light that possibly; Immigration officers at the recognized entry points are thwarting the national effort at ensuring that no illegal immigrants, especially from high risk countries known to engage in the drug trade are allowed into the country.

10.2 The Committee was made to understand that the many unapproved routes in the country and the unauthorised use of certain facilities at the international airport contributes to the problem of illegal entry.

10.3 The Committee recommends that continuing education on critical subjects like integrity, the drug trade and its implications for the nation should be taken seriously by the Immigration Service and other security agencies. Public recognition and rewarding of hardworking, faithful and

dedicated security personnel, as obtains in the teaching service, should be promoted in all security agencies.

10.4 The Committee urges, as it believes that it has been done a number of times, that the international airport be monitored properly to ensure access by approved persons only. Effective border patrols of approved and unapproved routes will minimise the problem of illegal immigrants.

### **ADVANCED SPEECH ANALYSIS SYSTEM**

11.1 One immediate challenge the Committee faced was how to determine that a voice on a recorded conversation alleged to be that of the DEPUTY-DIRECTOR GENERAL of CID, ACP MR. PATRICK AMPEWUAH is in fact his. The absence of an ADVANCED SPEECH ANALYSIS SYSTEM, equipment which aids voice identification and speech comparison, in any of the country's forensic laboratories, made the work a little difficult. The Committee recommends the acquisition of this system, which is said to be capable of monitoring regular tapes and CDs and helps to detect the voice during telephone conversations.

## **PART THREE**

### **GENERAL RECOMMENDATIONS**

1.1 The Committee received several MEMORANDA from both private individuals and public institutions. The general theme running through all the recommendations is that in the fight against the drug menace, the EXECUTIVE should take the leadership role, demonstrating its clear and sustained commitment and determination.

1.2 The Committee's understanding of the drug issue is that it is a global problem requiring a national effort and a multi disciplinary approach to its solution.

1.3 Given its potential threat to NATIONAL SECURITY and the destructive effect it can have on the YOUTH of this country, the Committee makes the following RECOMMENDATIONS.

### **NATIONAL TASK FORCE**

2.1 The Committee recommends as a matter of urgency that a high powered NATIONAL TASK FORCE be set up to examine thoroughly the drug trade of which unfortunately GHANA has gained a notoriety as a preferred TRANSIT/DESTINATION POINT and the rather grave implications it has for the country. It is also recommended that the task force work out the most EFFECTIVE MEASURES for curbing the phenomenon, which has the potential of destroying our hard worn DEMOCRACY.

2.2 TECHNICAL COMMITTEES must be tasked to evolve strategies, interventions and mechanisms that will ensure that the country becomes a hostile ground for the drug trade.

2.3 The Committee therefore recommends the inclusion of the following key institutions in the task force.

- **THE EXECUTIVE.**
- **THE LEGISLATURE**
- **THE JUDICIARY**
- **THE SECURITY SERVICES-THE GHANA POLICE SERVICE, THE GHANA NAVY, THE GHANA AIR FORCE, THE IMMIGRATION SERVICE, CUSTOMS EXCISE & PREVENTIVE SERVICE**
- **NARCOTICS CONTROL BOARD (NACOB)**
- **GHANA PORTS AND HARBOURS AUTHORITY**
- **THE ATTORNEY-GENERALS DEPARTMENT, & ITS AFFILIATES E.G. SERIOUS FRAUD OFFICE**
- **DISTRICT SECURITY COMMITTEES**
- **RELIGIOUS BODIES**
- **THE CHIEFTAINCY INSTITUTION**
- **LOCAL AND INTERNATIONAL EXPERTS**

- **NATIONAL ASSOCIATION OF FISHERMEN**

### **NARCOTICS CONTROL BOARD (NACOB)**

3.1 The Committee recommends that the role of the NACOB in its present form be critically reviewed to meet its national and international obligations. It has been suggested that NACOB's STATUS be raised to a properly structured and appropriately empowered independent COMMISSION to enable it fully cope with future challenges. The Committee finds that even in its present form, the BOARD is poorly resourced.

3.2 In the MV BENJAMIN operation, the Committee finds that although the NACOB had a wealth of information in opportune time, they were among other things completely immobilized by lack of logistics and had to fall on other agencies for support.

3.3 The Committee therefore strongly recommends that if NACOB must play its proper role in the war against the drug trade in line with its international obligations, then as a matter of urgency, it has to be properly structured and resourced.

### **THE GHANA NAVY**

4.1 Though both the GHANA NAVY and THE GHANA AIR FORCE were eager and willing to help in the exercise, the operation was hampered by severe logistical constraints.

4.2 Having regard to the sheer size of the ocean, a reasonably well equipped NAVY is needed in any effective marine operation and the war against drug trafficking.

### **MARINE/COASTAL GUARD**

5.1 The Committee examined the possibility of the setting up of an independent well resourced MARINE/COASTAL GUARD to effectively patrol GHANA'S territorial waters to ensure its safety and security.

5.2 The Committee observed that as far back as 1997, the ARCHER PRESIDENTIAL COMMISSION INTO THE GHANA POLICE SERVICE, noted that as part of its statutory functions of protecting life and property and ensuring law and order at our sea ports, the MARINE POLICE UNIT an essential arm of the service was no longer functioning.

5.3 Alternatively, the Committee recommends that the MARINE POLICE UNIT be revived and sufficiently resourced to meet the challenges being posed by the drug trade.

### **GHANA PORTS AND HARBOURS AUTHORITY (GHAPOHA)**

5.5 The Committee gathered in the course of its work that the two main ports , TEMA and TAKORADI HARBOURS are also used by drug dealers to discharge their illicit goods into the country.

5.6 The Committee therefore recommends that GHAPOHA be tasked to evolve comprehensive measures to arrest the situation.

The Committee also recommends the introduction of **SNIFFER DOGS** at our various ports for use by the appropriate agencies in the discharge of their work.

### **THE GHANA AIR FORCE**

6.1 The Committee also recommends that an equally well equipped air force to support the NAVY in such operations is necessary.

### **THE TRAINING NEEDS OF THE GHANA POLICE SERVICE, GIS & CEPS**

7.1 The Committee observed that a new cadre of security personnel imbued with a high sense of integrity, discipline, nationalism and patriotism

is urgently needed for law enforcement in the country. The Committee recommends that adequate attention be paid CONTINUING EDUCATION and to such subjects as LEADERSHIP SKILLS, INTEGRITY AWARENESS, and NATIONALISM AND PATRIOTISM ISSUES.

7.2 The Committee had the opportunity of examining the new curriculum of the Customs and Preventive Services on INTEGRITY AWARENESS, which it believes could serve as a model for other security agencies.

7.3 Dynamic leadership with a clear sense of vision and direction at all levels should place emphasis on the proper monitoring and evaluation of the work output of subordinates.

### **THE JUDICIARY**

8.1 The Committee recognises that an incorruptible JUDICIARY, committed to the speedy disposal of cases serves as a great disincentive to drug trafficking.

8.2 The Committee therefore recommends among other things the setting up of a well resourced Special Court equipped to expeditiously dispose of all drug related cases.

8.3 The Committee recommends a regime of strict enforcement of all drug related laws with minimum delay, including those on the destruction of exhibits and other related matters. The Committee recommends that one source of police exhibits which must be strictly monitored and disposed off with minimum delay, are exhibits retrieved from post mortem examinations.

### **SEIZED ASSETS OF CONVICTED PERSONS**

9.1 The Committee is also of the opinion that seized assets of convicted persons be put to good use for the public good, and not allowed to go to waste.

### **PUBLIC EDUCATION AND AWARENESS CREATION**

10.1 The Committee finds that the war against the drug menace should be fought along national lines and making the people aware that it is Ghana's international obligation to stop the trade. Massive public awareness of the problem, its real potential threat to the peace and security of the nation and the threat it poses to our richest resource, the youth of this country should be emphasised.

10.2 The Committee recommends that religious bodies, traditional rulers, youth groups and the media be encouraged to embark on a vigorous campaign against the drug trade.

### **DISTRICT SECURITY COMMITTEES(DISEC)**

11.1 While Government makes genuine effort at improving the economic wellbeing of Ghanaians in general, the people who live along the coastal areas need to be reminded continually of the critical watchdog role they should play in the fight against the drug trade. In this regard DISEC being in charge of security at the local level must seriously take up this challenge.

### **REWARDS, NAMING AND SHAMING**

12.1 Finally, the Committee strongly recommends the public recognition of patriotic acts. The Committee recommends the setting up of a fund for rewarding informants, public officials and others.

12.2 The Committee finally believes that the public condemnation of all acts of drug related wrong doing, especially drug related crimes as for example the publication of the pictures of convicted persons would also serve as a deterrent.