

Executive Summary of the Wuaku Commission Report

The following is the Executive Summary of the Wuaku Commission Report presented to President John Agyekum Kufuor.

EXECUTIVE SUMMARY

On 25th April, 2002, His Excellency President John Agyekum Kufuor, by Constitutional Instrument, 2002 (C.I.36), appointed this Commission of Inquiry, chaired by Justice I.N.K. Wuaku, to investigate the Yendi disturbances of 25th to 27th March, 2002, identify the perpetrators and make appropriate recommendations to the President.

The Commission relied on public testimonies of witnesses, memoranda, on site visits to the scene of events at Yendi and the burial grounds, briefings (in camera) by the Security Agencies (i.e. the BNI and the Police) as well as evidence in camera, to inform its work and arrive at the findings and recommendations contained in this Report.

2. Evidence was also taken from relevant personnel of the Military, the Police, the Volta River Authority (VRA) and Ghana Telecom in Yendi and Tamale, who were on duty at the time of the conflict.
3. Towards the period for the celebration of the Bugum Festival at Yendi between the 24th-26th of March 2002, the Yendi District Security Council (DISEC) received reports that arms were being clandestinely smuggled to Yendi, and that some people had planned to cause mischief (by attacking others) during the festival.
4. In order to avert this, and by so doing preserve the peace in the area, the DISEC decided that a curfew should be imposed on Yendi, and the celebration of the Bugum Festival banned altogether.
5. This decision was communicated to the Northern Regional Security Council (REGSEC) at Tamale for the necessary action to be taken thereon. The REGSEC acted on the recommendations of the DISEC by informing the then Minister for the Interior, Alhaji Yakubu Malik Alhassan of the decision. The said Minister quickly acted on the recommendations by imposing a curfew on Yendi, and banning the celebration of the year's Bugum Festival at Yendi. These decisions were backed by an Executive Instrument issued on Saturday, the 23rd of March 2002. The curfew and the ban, however, were hastily revoked by the then Northern Regional Minister, Prince Imoru Andani in the evening of Sunday, 24th March 2002 upon assurances of peace by the late Ya-Na Yakubu Andani II.
6. In the morning of Monday, the 25th of March, 2002 the late Ya-Na Yakubu Andani II and his elders gathered at the Gbewaa Palace to commence the celebration of the festival; but before the ceremony could begin one Ziblim, a servant of Ya-Na (who had earlier on been sent by the Ya-Na's Mbadugu to go and call an elder to the Palace), came back to the Palace to inform the Ya-Na, that he had been assaulted by some youth of the Abudu Family, who had also destroyed his bicycle in the process. Not long after this, gunshots were heard in the Palace area (i.e. Nayilifon).

The immediate cause of the disturbances, therefore, was the attack on Ziblim and the subsequent destruction of his bicycle by the Abudu Youth in the morning of Monday, the 25th of March 2002.

The shootings or exchange of gunfire between the factions (i.e. the Abudus and the Andanis), unfortunately continued for three days without the intervention of the Security Forces (for various

reasons), resulting in the deaths of thirty (30) people including the Ya-Na, injuries on many others, the burning of thirty-six (36) houses and the destruction of the Gbewaa Palace.

7. The injured who were treated and discharged at the Yendi and Tamale Hospitals numbered thirty-two (32), excluding those who applied self-medication. Autoses performed on the bodies by a Pathologist from the 37 Military Hospital, Accra, revealed that all the deaths resulted from gunshot wounds.

8. The Commission finds that the disturbances that took place at Yendi between the 25th-27th of March 2002 were caused by: (a) The longstanding chieftaincy dispute between the Andani and Abudu Gates/Families.

(b) The unfettered acquisition of local and sophisticated arms or weapons over a long period of time by both the Andani and Abudu Families and/or their agents and the inability of the Security Agencies to prevent/retrieve same.

(c) The insistence of the Abudu Family to celebrate certain festivals previously held solely under the auspices of the Ya-Na (thereby challenging the authority of the Ya-Na as the Overlord of Dagbon).

(d) The hasty lifting of the curfew and ban imposed on the celebration of the Bugum Festival by the then Regional Minister, Prince Imoru Andani; and

(e) The assault on Ziblim by some Abudu youths in the morning of Monday, the 25th of March 2002.

9. Based on Findings made, the Commission makes the following recommendations:

RECOMMENDATIONS

PART 1

PERPETRATORS

Individuals who committed the various crimes should be charged with the following offences under the Criminal code;

1. Murder
2. Conspiracy to Murder
3. Attempted Murder
4. Causing Unlawful Damage
5. Assault
6. Arson
7. Illegal Possession of Firearms
8. Unlawful Military Training.

MURDER

Yidana Sugri
Iddrisu Gyamfo

CONSPIRACY TO MURDER

Iddrisu Iddi "Mbadugu" Ex- Zalankola-Na
Mahamadu Abdulai " Samansama
Shani Moro.

ATTEMPTED MURDER

Sulemana Baba " Baba Kroga
Abdulai Karim "Cheke
Alhassan Alhassan " Baku
Kwame Alhassan "Achiri

ARSON

Iddrisu Gyamfo " Pachie"
Issifu Baba

ASSAULT

Okros
Imoro Champong
Fuseini Alhassan " Ayoma"

ILLEGAL POSSESSION OF WEAPONS

Mohammed Achiana Abdul Salam
Fuseini Yamusah
Issifu Baba
Mohammed Sayibu
Ibrahim Adam
Sononu Bakomi
Bashiru Shinashi
S.S. Amin
Maama Mole
Zakari Zakplasi
Irwanu Bingo
Shirasu
Ibrahim Yashina
Bashiru Gyima
Iddrisu Ziblim "Sayendo'
Mahamadu Ziblim " Pashena"
Fuseini Alhassah " Ayoma"

CAUSING UNLAWFUL DAMAGE

Iddrisu Halidu

UNLAWFUL MILITARY TRAINING

Ibrahim Adam
Sonunu Bakomi
Bashiru Shinashi
S.S. Amin
Maama Mole
Bashiru Gyima
Irwanu Bingo
Ibrahim Yashina
Shirasu

LAWYER IBRAHIM MAHAMA

The Commission recommends that for suborning witness, the above-named should be referred to the General Legal Council for necessary action.

Prince Imoru Andani,
Former Minister, Northern Region - He should be charged with criminal negligence.

Mohammed Habib Tijani,
District Chief Executive, Yendi

While the Commission commends the District Chief Executive, however, it recommends his re-assignment to another position or office outside Yendi, due to the mistrust of his role in the conflict, however well intended, has engendered among certain groups of people under his jurisdiction.

Alhaji Malik Alhassan Yakubu
Member of Parliament, Yendi
Former Minister for the Interior
The Commission makes no adverse findings against him.

Francis Laryea Okang,
Area Manager, Ghana Telecom
The Commission recommends that he should be reduced in rank.

The Military
The Commission recommends that those in command positions in Yendi at the time of the crisis should be reprimanded.

OTHER RECOMMENDATIONS

*The military detachment in Yendi should be upgraded into a Garrison, to ensure stability in the area.

*The Yendi Police Station should be adequately resourced with men and logistics to enable it deal speedily with exigencies.

PART 11

The following recommendations are considered incidental and reasonably related to the Yendi events.

*The Government should, as a matter of urgency, vigorously implement regulations governing the importation, use and manufacture of firearms in the country.

*The Government should embark on a thorough, sustained, and impartial exercise towards the retrieval of unlicensed arms in the Dagbon area. The proliferation of arms in the Dagbon area has implications for national security, and should be considered a priority by Government.

*The Government should clamp down on, and disband all private armies, operating outside the auspices of the Ghana Armed Forces.

*There should be no parallel traditional office holders, apart from those appointed by the Ya-Na, according to custom.

*The celebration of the Bugum Festival in Yendi should be banned/suspended until a Ya-Na is enskinned.

*When restored, the Bugum Festival in Yendi should be observed under the auspices of one supreme traditional authority: The Ya-Na.

*On the other hand, the Eid-ul-Adha (Salah) is observed by Moslems throughout the world, and

need not be celebrated under one supreme traditional authority. The security agencies (REGSEC, DISEC) must, however, ensure that the Public Order Act is strictly complied with in the conduct of all such public events.

*The celebration of Bugum in Yendi, when restored, should undergo reforms respecting the time of day for the festival's procession, approved routes, the nature of torches permissible, the use of firearms, and other objects that can be misapplied for criminal acts.

*Serious steps should be taken to revive the Dagbon Traditional Council, made up of all its accredited and recognised members.

*The Dagbon Traditional Council should, as a matter of urgency, ensure that the funeral of Mahamadu Abdulai IV, former Ya-Na, who died in 1988, is performed in accordance with Dagbon custom.

*The body of the late Ya-Na Yakubu Andani 11, currently at the Yendi Government Hospital, should be properly preserved until it is buried according to custom.

*The Government should make conscious efforts to reconcile the two royal gates of Dagbon.