

Opinions of

VICTIMS

of past human rights abuse in Ghana after the National Reconciliation Commission's public hearings



[A CDD-Ghana survey]

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Table of Contents

	<i>Page</i>
Acknowledgment	iv
Abstract	vii
Summary of Main Findings	1
Background to the Study	2
Objective of the Study	2
Methodology	3
Introduction	5
Findings	9
Part I: Victims' Accounts of the NRC and Human Rights Abuses	9
Part II: Victims' Interactions with the NRC and the Psychological Dimensions	15
Part III: The Media and the NRC Process	19
Part IV: Victims' Assessment and Recommendations for the NRC	21
Part V: Demographics	26

List of Figures

	<i>Page</i>
Fig. 1 Awareness of the NRC	9
Fig. 2: support for and confidence in the NRC	9
Fig. 3: Respondents' Knowledge of the Goal of the NRC	11
Fig. 4: Respondent's Expectation of the NRC	12
Fig. 5: Extent of Involvement with the NRC	15
Fig. 6^A: Percentages of Respondents Not Seeking Psychological Support	16
Fig. 6^B: Percentages of Respondents who Sought Psychological Support	17
Fig. 7: Emotional State of Respondents During and After Their	18
Fig. 8: Source of Information on NRC	19
Fig. 9: Quality of Information	19
Fig 10: Respondents' Assessment of NRC Officials	21

List of Tables

Table 1: Ghana's Post-Independence Regimes	6
Table 2: Respondents' Agreement or Otherwise Concerning whether NRS will be able to	13
Table 3: Most Reported Human Rights Abuses	14
Table 4: Abuses Suffered by Year	14
Table 5: What should be done differently should NRC be set-up again	33
Table 6: Social Characteristics of Respondents	27

Acknowledgment

The survey of opinions of victims of past human rights abuse in Ghana [Victims Survey II] one year after the public hearings of the National Reconciliation Commission is a CDD-Ghana project. It was directed by Prof. E. Gyimah-Boadi and coordinated by Abdul Wahab Musah; Daniel Armah-Attoh, Kristen Connor and Katrina Neubauer analyzed the survey data and Edem Selormey processed the manuscript for publication.

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Abstract

Ghana's National Reconciliation Commission (NRC), which President John Kufuor established in 2001 to investigate human rights abuses that occurred between March 6, 1957, and January 6, 1993, is a milestone on Ghana's path toward democratic consolidation. The NRC's goal, as an institution of transitional justice, was to promote reconciliation by exposing past crimes and providing emotional and financial redress for victims. However, it is critical to examine victims' perceptions of the NRC; the process of democratic consolidation, of which transitional justice is an integral part, is reciprocal. To achieve reconciliation, victims must feel that the NRC has fulfilled its mandate and delivered them a sense of justice.

In 2005, the Ghana Center for Democratic Development (CDD-Ghana) undertook a preliminary survey of victims who provided testimony to the NRC. This present survey is the second attempt to gauge victims' perceptions of the national reconciliation process, including the public hearings of the National Reconciliation Commission (NRC). Its six-fold purpose is to determine victims' awareness of and support for the NRC; to ascertain victims' expectations for the NRC; to document the abuses victims presented to the NRC; to understand the psychological dimensions of victims' engagement with the NRC; to examine the role of the media in the NRC process; and to relay victims' assessments of and recommendations for the NRC.

Victims' experiences with the NRC were largely positive, and the majority expressed their beliefs that the NRC had helped to reconcile the country and to facilitate healing on an individual level. However, the victims' responses capture several shortcomings of the NRC process, which include governmental inaction on responding to the NRC's report, insufficient and/or untimely compensation for past abuses, and inadequate punitive measures against perpetrators of abuses. This survey, however, sheds important light on where attentions and efforts should be directed both currently and in the future if another NRC is established; such knowledge can enable the NRC to reach its full potential as a true agent of reconciliation and justice.

SUMMARY OF MAIN FINDINGS

- ☛ **Most respondents were aware and supportive of the National Reconciliation Commission (NRC) prior to its commencement; many respondents were confident that the Commission would be able to deliver on its mandate.**
- ☛ **Most respondents perceive that the NRC's goal is to seek peace and justice for victims thereby ensuring national reconciliation.**
- ☛ **The majority of respondents expected compensation or reparation at the end of the process. However, many respondents do not know the size of funds set aside by government for reparation or the minimum and maximum reparation per victim.**
- ☛ **Though many called for fast-tracking of reparation disbursement, they were also quick to add that the government should put in place structures for effective disbursement, even if this means delays in the process.**
- ☛ **Respondents were positive in their assessment of the NRC as an institution as well as the performance of the officials and commissioners.**
- ☛ **Contrary to the nature of the Ghanaian reconciliation process, a sizeable majority recommended that any future reconciliation process should be granted powers to prosecute perpetrators of human right abuses. This brings to the fore the question of whether there can be justice in the absence of punishment for crimes.**

BACKGROUND TO THE STUDY

In April 2005, Ghana Center for Democratic Development (CDD-Ghana) conducted the first National Reconciliation Commission (NRC) victims' survey. Ninety-eight (98) respondents from three regions - Greater Accra, Volta and Western Regions - were interviewed over a four-month period. The objectives of this first survey were four-fold: to investigate the demographic background of the victims, to determine the respondents' knowledge of and expectations for the NRC before the proceedings as well as their evaluations of the proceedings, and finally to examine the respondents' understandings of the key terms involved in the NRC, including truth, justice, reconciliation, and reparations.

This survey is the second in a series to gauge NRC victims' opinions and assessments of the reconciliation process.

OBJECTIVE OF THE STUDY

The broad objective of this study, like the first, is to document respondents' assessments of the NRC's activities. Specifically, the survey seeks to investigate the following issues:

1. Victims' awareness of and support for the NRC;
2. Knowledge and expectations of the NRC;
3. Human rights abuses presented at the NRC;
4. Psychosocial dimensions of victims' interactions with the NRC;
5. The media and the NRC process; and
6. Victims' assessments of and recommendations for the NRC.

METHODOLOGY

Learning from the experiences of the first survey, CDD first undertook a scoping activity aimed at identifying and locating victims in the Northern, Ashanti, Greater Accra, Central and Western regions. This method enabled the four teams of trained field assistants to easily locate respondents at the fieldwork stage.

Secondly, CDD revised the first survey instrument. The revisions included changing the format of some questions, deleting some questions, and adding new sets of questions. The new instrument had 32 questions in total.

Choice of Regions

The second survey was a continuation of the first one. Just as for the previous survey the Victims Survey II drew respondents by zoning the country. While the earlier survey respondents represented five zones, in the second survey all the regions were grouped into three zones: the northern, the middle and the southern zones. Upper East, Upper West and Northern regions constituted the northern zone while Brong Ahafo, Ashanti and Western regions were considered as the middle zone. All the remaining regions in the south and south east were taken together as the southern zone. The advance teams that went ahead to identify victim respondents went randomly to as many towns and villages as were easily accessible within the individual zones. Thus, samples were drawn from some regions and towns in the zones and not necessarily from all. The broad zoning formula did not put particular emphasis on region-specific samples.

Though the survey was conducted in the Greater Accra, Ashanti, Western and Northern regions, these regions merely represented the zones they belonged to.

Types of Victims interviewed

In order to poll the post-NRC opinion of all victims of Human Rights violations, the survey planned to interview three types of victim respondents. These were (a). Victims who submitted statements, and who appeared before the Commission, (b) Victims who submitted

statements only but did not appear before the Commission, and (c) Victims qualified under the NRC criteria to appear for hearing or submit statement to the Commission but made neither effort. Unfortunately, the field assistants could interview only the first two categories of victims because the initial scoping activity of the advance team made it less cumbersome locating these types of victims. In all, 102 victims were interviewed over a period of ten (10) days in March 2006. Forty-one percent were from the Northern Region, 20 percent from Ashanti, 19 percent from Greater Accra, 16 percent from Western and 4 percent from Central

Caveat

Given the non-random sampling approach (i.e. purposive sampling) used in selecting respondents and the limited sample size relative to the total number of NRC victims, we do not intend to generalize the findings. Rather, we present them as indicative opinions of victims who had interactions with the NRC.

The Commission was mandated to deal with human rights violations and abuses between 6th March 1957 (the date of independence) and 6th January 1993 (when Ghana returned to constitutional rule under the 4th Republic).

INTRODUCTION

TRANSITIONAL JUSTICE—AN OVERVIEW: The phrase “transitional justice” refers to “a range of approaches that societies undertake to reckon with legacies of widespread or systematic human rights abuses as they move from a period of violent conflict or oppression toward peace, democracy, the rule of law, and respect for individual and collective rights.”¹ As Sikkink and Booth-Walling observe, over the past several decades, democratizing states have increasingly used multiple transitional justice mechanisms to address past abuses, including trials and truth commissions, indicating the existence of a “justice cascade” in world politics.²

Truth commissions are temporary bodies officially authorized by the state to investigate a pattern of past human rights violations and issue a report.³ In fact, since 1974, at least 25 official truth commissions have been established world wide, including Argentina, Chile, East Timor, Ecuador, Haiti, Sierra Leone, South Africa, and Uganda.⁴ Since 2004, efforts have also been made to establish a Truth and Reconciliation Commission in Liberia.⁵

Truth commissions have potentially far reaching effects; they may help to establish a historical record of the past, to promote accountability for perpetrators of abuses, to provide a public platform for victims, to recommend reparations for victims, and to help consolidate a democratic transition.⁶ Fundamentally, truth commissions can help to promote reconciliation, which could be understood as an “over-arching process which includes the search for truth, justice, forgiveness and healing...at its simplest, it means finding a way to live alongside former enemies.”⁷ Since the democratic process requires a minimum basis of trust among social actors to function, reconciliation can help to foster a basis of cooperation and reciprocity.⁸ Thus, “reconciliation underpins democracy by developing the working relationships necessary for its successful implementation.”⁹

GHANA—RECENT POLITICAL HISTORY: Between independence in 1957 and the establishment of the Fourth Republic in 1992, Ghana was ruled by eight different regimes, only three of which were elected civilian

governments. These elected governments spanned a period of 14 years; the remaining 34 years were military rule. Below is a table showing Ghana's regime history.

Table 1: Ghana's Post-Independence Regimes

Regime	Leader	Period Covered
Convention People's Party	Dr. Kwame Nkrumah	1957-1966
National Liberation Council	Lt General J. A. Ankrah	1966-1969
Progress Party	Dr. K. A. Busia	1969-1972
National Redemption Council/ Supreme Military Council I	General I. K. Acheampong	1972-1978
Supreme Military Council II	General F. K. Akuffo	1978-1979
Armed Forces Revolutionary Council	Ft. Lt. J. J. Rawlings	June-Sept. 1979
People's National Party	Dr. Hilla Liman	1979-1981
Provisional National Defence Council	Ft. Lt. J. J. Rawlings	1981-1992
National Democratic Congress	Ft. Lt. J. J. Rawlings	1992-2000 ⁽ⁱ⁾
New Patriotic Party	Mr. J. A. Kuffour	2001- ⁽ⁱⁱ⁾

- i. *The National Democratic Congress served two terms of four years each.*
- ii. *The New Patriotic Party won elections for its second term of office, which expires in 2008.*

Ghana's post-independence political history is replete with instances of human rights violations, which began under the Nkrumah regime, illustrated by the use of the Preventive Detention Act that led to the detention of over 300 people without trial by the time of the 1966 military coup. Subsequent regimes also dealt harshly with opposition groups, such as the National Liberation Council's practice of "protective custody" and ban of political party activity, the Busia administration's crack-down on organized labour and Nkrumah-CPP supporters, and the Acheampong regime's reputation for military and police abuses against civilians. Under Rawlings' two regimes, there were also reports of torture, the confiscation of assets, and extra-judicial detentions and killings, which includes public execution of former leaders of military regimes.¹⁰

Yet, the Provisional National Defence Council (PNDC) led Ghana into the Fourth Republic, even though many Ghanaians at the time wanted justice for the abuses by the functionaries of the previous regimes. In 2001, after eight years of rule by the National Democratic Congress (NDC), the New Patriotic Party (NPP) took power. This transition promised to encourage and promote democracy in Ghana. The idea to unite the Ghanaian people through a reconciliatory process arose as an initiative of the NPP. After discussions, the government adopted a "victim-centric approach" with a focus on reparations and giving voice to the victims of human rights abuses.

THE ESTABLISHMENT OF THE NRC: In 2000, President John Agyekum Kufuor, the newly elected leader of Ghana, was faced with demands for the government to address past human rights abuses. Initial discussions centred on whether these efforts should encompass human rights abuses that took place under civilian (constitutional rule) or military regimes (unconstitutional rule) or both. It was also considered whether the process should be focused on truth, justice or reconciliation.

The 1992 Constitution, however, indemnified all military personnel from judicial scrutiny, discounting legal redress. Kufuor's government therefore decided against including "justice" as a component of the commission. In addition, although Ghana's NRC used the South African Truth and Reconciliation Commission (TRC) as its model, it had no power to grant amnesty in exchange for full disclosure of crimes.

In December 2001, the Ghanaian Parliament passed the National Reconciliation Commission Act of 2002 (Act 611), which established the NRC to investigate allegations of human rights violations between March 1957 and 6th January 1993; it entered into force on January 11, 2002. The President, in consultation with the Council of State, appointed a committee of nine members chaired by Justice K. E. Amua-Sekyi, a retired Supreme Court Judge. In addition, the NRC has remained separate from the national court system.

THE NRC'S MANDATE: The NRC was given a mandate to seek and promote national reconciliation among Ghanaians by establishing an accurate and complete historical record of human rights abuses between March 6, 1957, and January 6, 1993. The Commission was also charged with making recommendations for the redress of victims of abuses and for institutional reforms to prevent such occurrences in the future.

Specifically, the objectives of the process were to seek and promote national reconciliation among the people of Ghana, taking into cognizance the periods of unconstitutional governments, particularly:

1. February 24, 1966 – August 21, 1969;
2. January 13, 1972 – September 23, 1979; and
3. December 31, 1981 – January 6, 1993.

To fulfill its mandate, the Commission took statements from members

of the public, and also conducted investigations and hearings. In all, the Commission received 4,240 petitions across the country, and from persons resident abroad, regarding human rights violations and abuses such as killings, disappearances, torture, sexual abuse, detentions, seizure of properties, hostage-taking, interference with the right to work, and abuse of the judicial process. The Commission heard 1,866 witnesses between 14th January 2003 and 14th July 2004. Through its investigations, the Commission sought to identify the victims, perpetrators, and various human rights violations and abuses within its target period, as well as the factors and conditions that underpinned, enabled, and accounted for those violations and abuses. The Commission presented a final report to the government in October 2004.¹¹

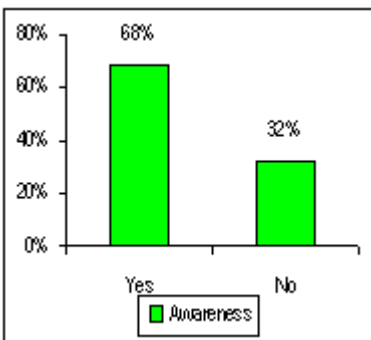
FINDINGS

PART I: VICTIMS' ACCOUNTS OF THE NRC AND HUMAN RIGHTS ABUSES

AWARENESS OF AND SUPPORT FOR THE NRC: In terms of the respondents' awareness of and support for the NRC, there are many similarities between the first and second surveys. In the first survey, all but one of the respondents indicated that they supported the introduction of the NRC; nearly two-thirds of the respondents (64%) felt that they had enough information at the time to make such a decision. In addition, of those surveyed in the first study, 77 percent supported the NRC because it would provide a forum to inform the international community. Similarly, 51 percent thought that the Commission would facilitate compensation for damages both emotional and material; while 46 percent felt that the NRC would help to bring out the truth of human rights abuses.

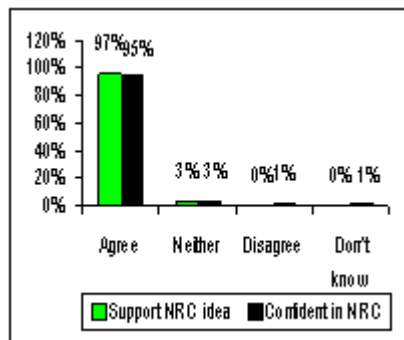
In the second survey, awareness of, support for, and confidence in the NRC amongst victims who appeared before it is very encouraging. More than two-thirds (68 percent) of victims interviewed indicated that they were aware of the Commission before it started its hearings. Strikingly, 97 percent of the respondents either "agreed" or "strongly agreed" with the statement "you were in support of the NRC idea because it was good." Another 95 percent "agreed or strongly agreed" that they were "confident the NRC would deliver when it was set up" (see Figs. 1 and 2 below).

Fig. 1 Awareness of the NRC



NB: Sample size (n) = 102

Fig. 2: support for and confidence in the NRC



NB: Sample size (n) = 102

KNOWLEDGE OF THE NRC: The NRC Act (Act 611), which was gazetted on 11th January 2002, explicitly stated the goal of the Commission as follows:

To seek and promote national reconciliation among the people of this country by recommending appropriate redress for persons who have suffered any injury, hurt, damage, grievance or who have in any other manner been adversely affected by violations and abuses of their human rights arising from activities or inactivities of public institutions and persons holding public office.

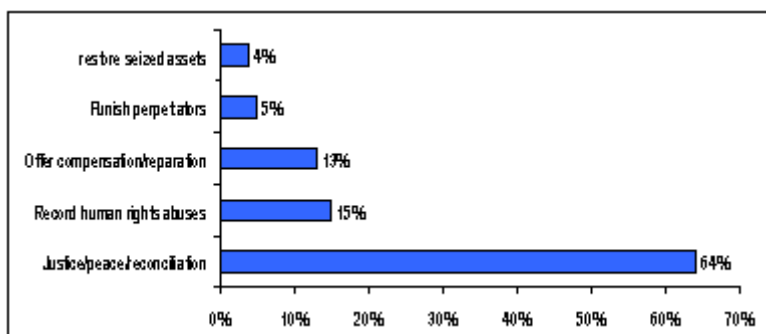
For the first survey, respondents' perceptions of the NRC's goals included the delivery of compensation, prosecution, truth-seeking, unification, and consolation. It is also important to note that although no concluding information was available to the respondents at the time of the first survey, they were optimistic that the government was considering proposals made to it through the NRC.

For the second survey, each respondent was asked to provide a maximum of three goals for the establishment of the NRC. Analysis of the multiple responses shows that ensuring justice, consoling and helping victims to overcome their painful experiences, and bringing about peace and reconciliation represented nearly two-thirds (64 percent) of the total responses. For example, among the respondents who were concerned with issues of justice and healing for the victims, some expressed that their goals for the NRC were to "bring justice to victims," to "heal wounds of victims," and to "bring about justice." Among those respondents who were concerned about the NRC's potential to reconcile the country, some expressed that their goals for the NRC were to "bring peace in the country," to "bring unity in the country," and to "reconcile the nation."

Less than a fifth of the responses (15 percent and 13 percent respectively) focused on documenting human rights deficits to help forestall similar occurrences and offering victims of human rights abuses some form of compensation/reparation or help. For instance, among the respondents who viewed the NRC as a means to document the past and thus act as

a deterrent, some remarked that their goals for the institution were “to find the truth about human rights abuses,” “to know the extent of abuse against victims,” and “to prevent re-occurrence of brutalities.” Among those who viewed the goals of the NRC as a means of providing compensation, some expressed that the institution would be able “to determine compensation packages for victims,” to “support victims financially,” and “to restore lost properties.” It should be noted, however, that among the respondents’ three goals for the NRC, 5 percent of the responses concerned the punishment of perpetrators. These respondents stated that the NRC’s goal should be “to punish perpetrators” and to “deter others by punishing perpetrators” (see Fig. 3 below for the goals expressed for the NRC).

Fig. 3: Respondents’ Knowledge of the Goal of the NRC



NB: Multiple response question: Total valid responses = 240; sample size (n) = 101

EXPECTATIONS OF THE NRC: In addition to questioning respondents’ knowledge of the NRC and its goals, the surveys asked respondents what results they would like to see from the NRC process. For the first survey, all of the respondents revealed that they expected material compensation. In addition, some respondents thought that the NRC would enable them to tell their stories and would bring about reconciliation, whereas others thought that the culpable would be punished.

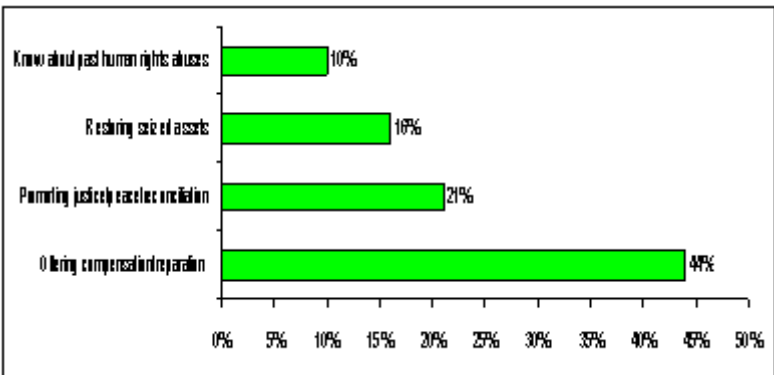
For the second survey, each respondent had to provide a maximum of three expectations they would want to see the NRC achieve at the end of its operation. As with the first survey, the expectation of compensation (reparation) was prominent. It constituted 44 percent of the total responses. For example, some respondents expected that the NRC would “compensate victims with cash;” others expected that the NRC

would provide “compensation in the form of accommodation” or that “victims’ families will be taken care of.”

In addition, a fair proportion of the responses reflected an expectation for the NRC to promote justice, national peace, and reconciliation. Less than a fifth of the responses expressed an expectation for the NRC to restore confiscated assets and reinstate victims into positions from which they had been wrongly dismissed. Example of some of these responses are NRC to “return lost properties to victims,” “to immediately give us our lost properties,” to provide “reinstatement in the army,” and “recommend my reinstatement into former work.” Others expected the NRC to provide information on the past human rights abuses that citizens suffered. For instance, these respondents expected the NRC “to tell my story” and “to tell the truth of what happened.”

Finally, a respondent expected the NRC “to caution incoming governments,” presumably by setting the precedent that current and future governments will not be immune from responsibility or criticism in the event of human rights abuses (see Fig. 4 below).

Fig. 4: Respondent’s Expectation of the NRC



NB: Multiple response question: Total valid responses =195; sample size (n) = 102

In addition to recounting their own expectations, respondents were presented with 12 specific fundamental objectives for establishing the NRC and asked to indicate whether they believe the NRC would be able to achieve these fundamental objectives. Respondents’ opinions are captured in Table 2.

Table 2: Respondents' Agreement or Otherwise Concerning Whether NRC Will Be Able to...

	Agree	Disagree
	%	%
Document past human rights abuses	100	-
Promote peace	99	1
Promote national reconciliation	98	2
Bring about healing	96	2
Help victims overcome long held pain	91	5
Help correct mistakes of previous governments	89	5
Reconcile victims and perpetrators	87	7
Recommend compensation for victims	86	7
Exhibit fairness to both victims and perpetrators	81	14
Give justice to victims	80	15
Obtain truthful confession to crime	74	16
Punish perpetrators through public confession	60	30

NB: Sample size (n) = 102

Respondents were unanimous in their opinion that the NRC would be able to accurately record past human rights abuses, promote peace, promote national reconciliation, bring emotional healing to victims, and make it easier for victims to overcome long held pain (see Table 2 above). However, the proportions who believed the NRC would be able to elicit truthful confessions to crimes and punish perpetrators through public hearings were by far lower than for the other objectives. Nearly a third disagree that the NRC will effectively punish perpetrators. This finding indicates a latent desire held by some victims who would want to see perpetrators punished for their past misdeeds. With regard to the punishment of perpetrators, respondents' views are quite similar to the first survey, in which 60 percent of the respondents did not expect the work of the NRC to lead to prosecutions; these respondents mainly understood the purpose of the commission as reconciliatory rather than as an agent of polarisation.

FORMS OF HUMAN RIGHTS ABUSES SUFFERED: The abuses recalled by the respondents for the first and second surveys were very similar. For the first survey, the abuses recalled included abduction and disappearance, killing, assault and/or torture, unlawful arrest and detention, the seizure and/or destruction of property, wrongful dismissal from employment, and forced exile. For the second survey, respondents were presented with 21 specific forms of human rights violations and asked to indicate the types of abuses they suffered and the years in which they occurred. The majority of people suffered at least two different types of abuse, with a smaller number reporting three or more.

Table 3: Most Reported Human Rights Abuses

	%
Personal and/or family member property seized/destroyed	35
Respondent and/or family member badly harmed physically	18
Respondent and/or family member wrongfully detained/arrested	18
Respondent and/or family member tortured physically/psychologically	11
Respondent and/or family member life threatened	11
Family member killed/disappeared	5

NB: Multiple response question: Total valid responses = 218; sample size (n) = 100.

Over a third of the reported abuses concerned a respondent's or their family member's personal properties being either seized or destroyed. Other abuses mentioned included a respondent or their family relations suffering physical harm and/or wrongful detention/arrest or physical/psychological torture (see Table 3 above).

People suffered abuses from before independence (i.e. 1956) to 1992 (see Table 4 below). However, the majority of the abuses are clustered around 1982 – 1991, the period of Provisional National Defence Council (PNDC). The year 1979 recorded the next highest proportion of human rights abuses; a year in which three different political authorities: Supreme Military Council (SMC II); from January to May, Air Force Revolutionary Council (AFRC) from June to September, and People's National Party (PNP) from October to December ruled the country.

Table 4: Year in which abuse was suffered

	Regime	%
Before 1957	Pre-Independence	1
1957 – 1966	Convention People's Party	4
1973 – 1978	National Redemption Council/Supreme Military Council I	2
1979	SMC II, Air Force Revolutionary Council, PNP	15
1980 – 1981	People's National Party	10
1982 – 1991	Provisional National Defence Council	68

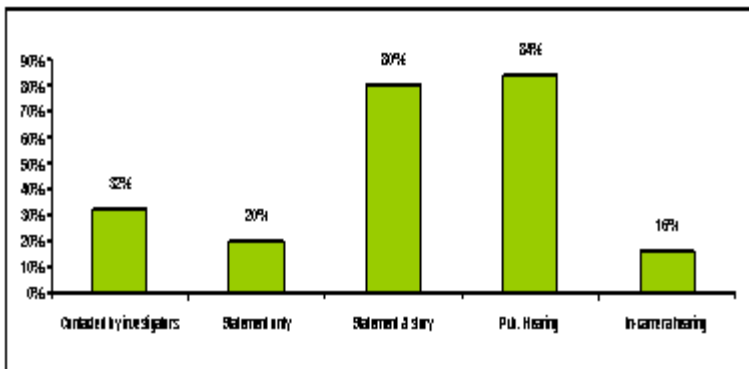
NB: Multiple response question: Total valid responses = 231; sample size (n) = 101

PART II: VICTIMS' INTERACTIONS WITH THE NRC AND THE PSYCHOLOGICAL DIMENSIONS

INTERACTIONS WITH THE NRC: There were also many similarities in the respondents' views of their interactions with the NRC between the first and the second surveys. In the first survey, only one respondent indicated that he or she had been discouraged from giving a statement; a majority of the respondents (81 percent) stated that they did not know of any victim who did not testify before the NRC. Results from the second survey suggest that 79 percent participated in the NRC process on their own volition whilst the remaining 21 percent did so as a result of encouragement they received from others.

There are, however, some differences between the first and second surveys in terms of respondent's interactions with the NRC. For instance, In the first survey, 68 percent (including 2 percent in camera) indicated that they testified in public. In the second survey, a much higher proportion (i.e. 80 percent) submitted statements and also told their stories. The rest only submitted statements. Of the proportion who told their stories, 84 percent did so in a public hearing while the rest did so in-camera. Yet, a constant theme between the first and second surveys is that only small proportions of the respondents (21 percent and 32 percent) said they had been contacted by NRC's investigator(s) at the investigations stage (see Fig. 5 below).

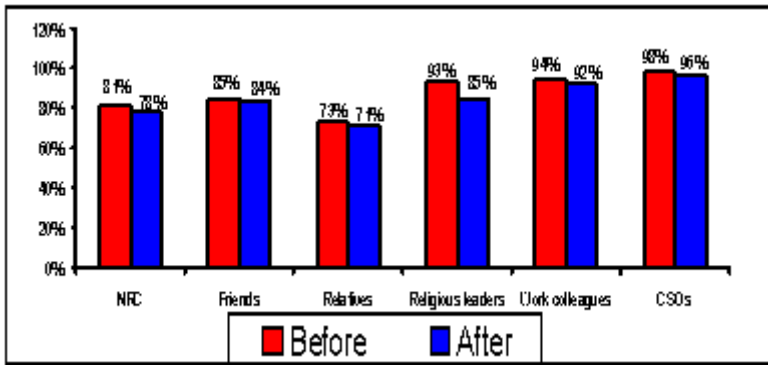
Fig. 5: Extent of Involvement with the NRC



NB: with the exception of the public and in-camera hearing where sample size (n) = 82, n =102 for all variables

PSYCHOLOGICAL DIMENSIONS: Once again confirming respondents' determination to be part of the national reconciliation process, most of the respondents said they never sought psychosocial support from the NRC before and after giving their statement and/or telling their story (see Fig. 6^A below). This was also a theme revealed in the first survey, in which a majority of respondents did not feel that they needed to use the psychiatric counselling services provided by the NRC. Indeed, the individuals who did seek such support were widows from the 1981 military coup; these women felt that the NRC's services helped them a great deal and continued to be of assistance after the hearings.

Fig. 6^A: Percentages of Respondents who did not Seek Psychological Support



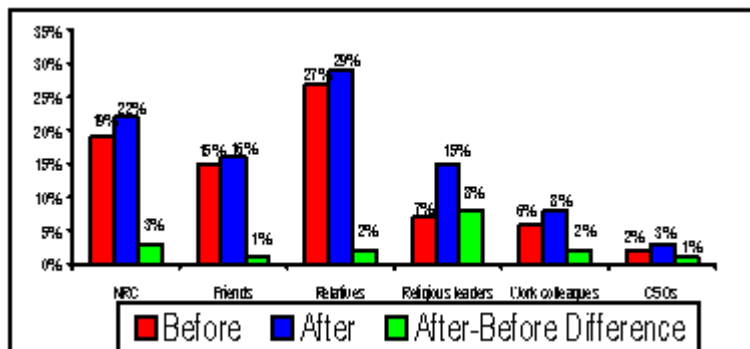
NB: Sample size (n) = 102

Similar sizeable majorities did not seek support from friends relatives religious leaders, work colleagues and civil society organizations (see Fig. 6^A). A possible explanation for why more victims did not seek psychological support from the variety of possible sources is that NRC counsellors were present during victims' testimonies. In fact, over half of the respondents (56 percent and 53 percent) indicated that NRC counsellors supported them when they gave their statements and told their stories. Due to the support from the counsellors, it is possible that victims did not feel the need to seek additional support during the NRC process.

Nonetheless, of those surveyed who sought psychological support either before or after providing testimony, the most frequently used sources of support were (in order of frequency): family, the NRC, and friends. In addition, the respondents also reported that they were slightly more likely to seek psychological support after providing their testimonies as opposed to before. This is not surprising; the NRC—like any transitional justice institution—re-opened old wounds and caused emotional distress

to the victims who recounted their ordeals. The experience of providing testimony was emotionally taxing and could have compelled a few more respondents to seek support to deal with these emotions afterward (see Fig. 6^B). Indeed, for every ten respondents, eight “strongly agreed” or “agreed” that the NRC made them re-live the horrors that the abusers had visited upon them.

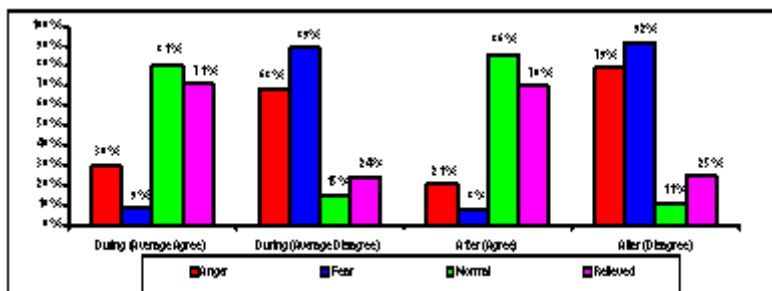
Fig. 6^B: Percentages of Respondents who Sought Psychological Support



NB: Sample size (n) = 102

Majority of the respondents also revealed that they felt “normal” or “relieved” during and after the very poignant experiences of presenting testimonies to the NRC (see Fig. 7). Similar majorities said they did not harbour any fear during and after the processes or feel angry during and after making their statements and/or telling their stories at the NRC. In fact there were marginal improvements in the proportions that expressed positive emotions after their engagement with the NRC—an indication of contentment despite the emotional stress as a result of reliving their pain. Illustrative of this positive view of the NRC is the finding that 88 percent of the respondents “agreed” or “agreed strongly” that the “NRC offered [a] platform for victims to overcome long held pain.”

Fig. 7: Emotional State of Respondents During and after their Interaction with the NRC



NB: Sample size (n) = 102

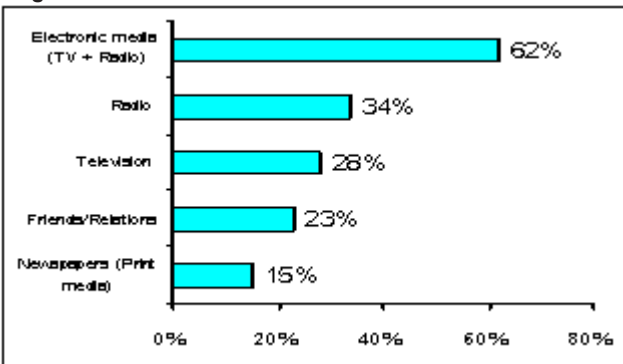
These findings from the second survey correspond greatly to the findings of the first survey. In the first survey, 75 percent expressed feelings of relief after giving their statement. In particular, these respondents indicated that they felt purged of the experiences that they had harboured for years. Other reasons for their relief included: “I had solace in the process,” “It was a renewed hope for justice,” and “Perpetrators were going to be exposed.

PART III: THE MEDIA AND THE NRC PROCESS

VICTIMS AND THE MEDIA: The media's potential role in victims' experiences with transitional justice is quite significant. Experiences world-wide have shown that the media has been a reliable collaborator by providing safe spaces in the form of newspaper supplements with public interest stories geared towards raising awareness of and increasing commitment to national reconciliation. The media has often been instrumental in capturing and strengthening voices that hitherto may have been marginalized. Thus, an absence of media coverage or media coverage that is perceived as biased could hinder the capacity of transitional justice mechanisms to actually provide a sense of justice and reconciliation to victims.

Fortunately, in the case of the NRC, the respondents largely portrayed the media and their interactions with the media in a positive light in both the first and second surveys. In the first survey, a majority of respondents revealed that television was the primary source of information during the NRC process, and the print media was also thought to be informative. For the second survey, respondents were presented with a list and asked to indicate their sources of information on NRC proceedings. From the multiple responses, the electronic media (television and radio) was the main source of information. Public and private radio stations topped the list, followed by both public and private television networks, and friends/relations. The print media (public and private newspapers) was not an important source of information (see Fig. 8).

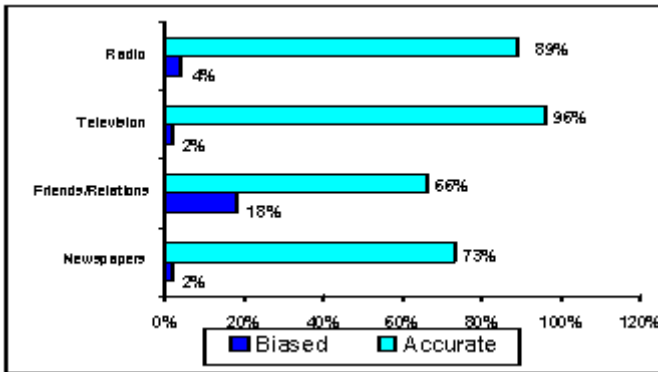
Fig. 8: Source of Information on NRC



NB: Multiple response question: Total valid responses = 232; Sample size (n) = 93

All the sources of information received significant positive rating in terms of the quality of information disseminated to the public. In the first survey, nearly all of the respondents (96 percent) were satisfied with the way the media reported the NRC process and commented that the reporting was accurate. Half of the respondents were individually contacted by reporters. In the second survey, however, responses reveal that the electronic media had comparatively high information quality ratings. Large majorities of the respondents said information obtained from both private and public television networks and radio stations was accurate. This is not surprising because the NRC proceedings were telecasted and aired live by most of the television and radio stations on daily basis with the public television station replaying recorded versions later in the evening . Quality ratings for newspapers and second-hand information from friends/relations, were not as high as those recorded by the electronic media (see Fig. 9).

Fig. 9: Quality of Information



NB: Sample size (n) = 102

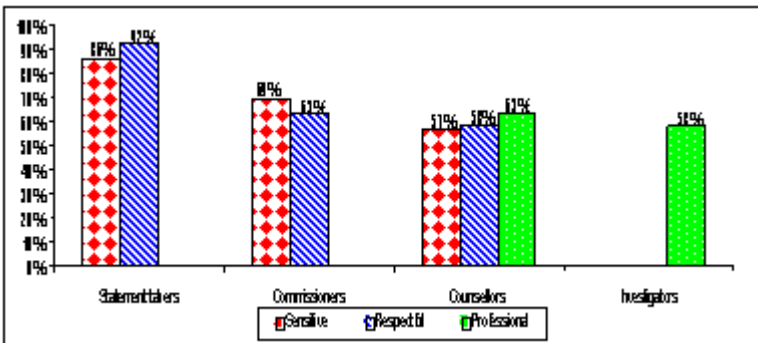
Quite importantly, the majority of the respondents found the media to be sensitive to and respectful of the victims. For instance, 60 percent of the respondents felt that the media were “somewhat” or “a lot” sensitive to victims who told their stories, and 56 percent felt that the media were “somewhat” or “a lot” respectful to the victims who told their stories. Notwithstanding this, over 40 percent of the respondents stated “cannot tell” with regards to the questions on sensitivity and respectfulness as opposed to offering a negative assessment. These findings on the media, however, are slightly less positive than those captured by the first survey, in which eight out of every ten respondents indicated that the media was sensitive to the victims at the NRC.

PART IV: VICTIMS' ASSESSMENT OF THE NRC AND RECOMMENDATIONS

ASSESSMENT OF NRC OFFICIALS' PERFORMANCE: Undoubtedly, the attitudes and performance of the NRC officials are quite critical in shaping victims' overall perceptions of the Commission. Negative experiences on the part of the victims with the NRC officials, such as perceptions of a bias toward the perpetrators, a lack of sympathy, and attitudes of non-professionalism, could undermined the capacity of the NRC to provide victims with a sense of justice and reconciliation.

Quite refreshingly, the NRC officials were viewed positively by the respondents in both the first and second surveys. For example, in the first survey, 98 percent believed that the statement takers were sensitive and respectful about the subject matter. Equally large proportions (95 percent each) held similar opinion about the commissioners, and counsellors. In the second survey, over half of respondents said the investigators and counsellors were very professional in the execution of their responsibilities. Significant proportions also said the statement-takers, commissioners and counsellors showed "a lot" of sensitivity and respect in the discharge of their mandate (see Fig. 10 below).

Fig. 10: Respondents' Assessment of NRC Officials



NB: Sample size (n) = 102

The majority of respondents believed the officials of the Commission were impartial in the discharge of their responsibilities. Sixty percent "strongly disagreed" or "disagreed" that high profile victims were "treated differently" by the Commission and its staff." Another 56 percent "strongly disagreed" or "disagreed" that high profile perpetrators were treated differently while 69 percent also "strongly disagreed" or "disagreed" that the victims' gender "influenced how they were treated by the Commission and its staff."

ASSESSMENT OF NRC AS AN INSTITUTION: Overall, respondents' assessments of the NRC as an institution were highly positive. Over three-quarters of the respondents "agreed" or "strongly agreed" with the statement that the "NRC reconciled the country." Eight in every ten respondents "agreed" or "strongly agreed" with the statement that the NRC "promoted peace in the country" and also "provided accurate historical records."

Furthermore, contrary to the notion held by some politicians that the reconciliation process had a political agenda, nearly two-thirds of the respondents "strongly disagreed" or "disagreed" with the claim that "politics influenced the NRC's work." Similar proportion also "strongly disagreed" or "disagreed" with the claim that the "NRC has been a deception aimed at shielding perpetrators rather than giving justice to victims."

Respondents' assessments of the personal utility that they derived from the NRC were also positive. Over half of respondents "strongly disagreed" or "disagreed" with the notion that the "NRC helped to strengthen the dominant power of perpetrators over victims." Conversely, nearly eight in every ten respondents "agreed" or "strongly agreed" that the "NRC rather empowered victims as they spoke about how they coped during and after the abuse." Regarding the role of the NRC as a means of offering reconciliation and a sense of justice, 61 percent of respondents "agreed" or "strongly agreed" that the "NRC gave justice to victims even though it did not recommend prosecution of abuser(s)." Six respondents in every ten also "agreed" or "strongly agreed" that the "NRC reconciled them with their abuser(s)," while 60 percent believed the "NRC obtained truthful confessions from abusers under the indemnity clause."

Certainly, these positive views help to understand why 62 percent of the respondents claimed that the "report on the NRC's work justifies its establishment." Indeed, this claim resonates with that of the first survey, in which 60 percent felt that justice had been served.

Notwithstanding these encouraging assessments, respondents certainly indicated that there were some inadequacy to the process. There are, however, substantial differences in the reported shortcomings between the first and second surveys. In the first survey, the lack of understanding about the NRC's purpose and confusion about terms such as truth,

justice, and reconciliation were major shortfalls reported by respondents. Others included concerns about logistical aspects of the NRC proceedings, such as the exclusive use of male statement-takers and time constraints during testimonies. For the second survey, the concerns largely had to do with the lack of sufficient and/or timely compensation for past abuses, the punishment of perpetrators, and the government's failure to implement the NRC's recommendations. In fact, nearly half of the respondents "strongly disagreed" or "disagreed" with the claim that the "government has acted decisively enough in responding to the NRC's report." Surprisingly, only 4 percent know of the total seed money proposed by the government as reparation fund. Likewise, only 5 percent and 6 percent could correctly state the minimum and maximum levels of compensation proposed by the government.

When informed about the quantum of the seed money (₱13.5 billion) and the minimum and maximum compensation (₱2 million - ₱30 million), half of respondents said the seed money is adequate. Thirty-four percent however disagree. Respondents were nearly equally divided on the minimum and maximum compensation package. While 48 percent think it is inadequate, 43 percent disagree. Indeed, of the 45 respondents who provided information regarding non-monetary compensations, 80 percent would want to receive residential apartment, 16 percent motor vehicle and 4 percent the replacement of lost property. These findings bring into sharp focus the potential disappointment awaiting victims when the government starts doling out compensation.

Government must quickly address this potential problem by educating and sensitising victims and the general public regarding reparation/compensation. In fact, 71 percent of the respondents would want government to ensure that appropriate structures for disbursement are in place before the process starts, even if this means delays in the disbursement of compensation. It is recommended that government initiate the processes for disbursement and during this period, undertake serious education/sensitisation activities.

VICTIMS' RECOMMENDATIONS: Although respondents, in general, gave positive marks to the NRC, when asked to provide three things they think should be done differently in case the NRC was to be

established again, fast-tracking compensation/reparation payments constituted 32 percent of the multiple responses gathered. For instance, among the respondents concerned with the speed of payments, some expressed their hopes that the NRC would “compensate the victims quickly” and that the institution should “work quickly to compensate victims.” Some of these respondents even believed that “compensation should be immediate.” Another 18 percent also called for similar fast-tracking, this time with respect to the release of wrongly confiscated assets. The respondents concerned with the return of lost assets believed that “confiscated properties should be returned to victims,” and that there should be an “immediate restoration of properties.”

In contrast to the responses gathered in the first survey, respondents in the second survey placed a greater emphasis on the punishment of perpetrators; a fifth of their recommendations called for empowering NRC to punish perpetrators. For example, among the respondents concerned with the treatment of perpetrators, some expressed the hope that any future NRC should be able to “arrest and punish perpetrators” and that the “NRC be given [the] power to recommend punishment.” This brings to focus the question of whether there can be justice without punishment for crimes.

After the issues of compensation and punishment, respondents recommended that future NRC should be devoid of politics. This recommendation is very important since politicization of any truth and reconciliation institution has the tendency of jeopardizing the capacity of such commission to deliver reconciliation and a sense of justice.

Other recommendations concerned the timeframe of the NRC and the ability of all victims to have access to future commission. Among those respondents concerned with the timeframe of the NRC, most expressed the desire to see the duration of future NRC extended so that its coverage would be more comprehensive. Tied to the issue of extended duration is the recommendation that “all victims must be given the chance to submit statements and tell their stories,” In fact, a respondent suggested “victims should be given a second hearing in case they forget something.” Respondents further recommended that there should be more public awareness before the commencement of any future NRC. To bring the

statement taking and public hearing processes closer to the grassroots, respondents recommended that future NRC should have offices in all regional capitals (see Table 5 below).

Table 5: What Should be Done Differently should NRC be Set-up Again

	%
Fast-track compensation/reparation payment	32
NRC must be vested with powers to punish perpetrators	20
Fast-track release of confiscated properties	18
Ensure that the process is completely devoid of politics	12
Extend duration for the reconciliation process	6
Every victim should be given the chance to tell his/her story	5
More public awareness before commencement of NRC	4
Decentralize NRC set-up	4

NB: Multiple response question: Total valid responses = 113; sample size (n) = 66

PART V: DEMOGRAPHICS

SOCIAL CHARACTERISTICS OF RESPONDENTS: Table 5 below captures the social characteristics (i.e. age, gender, level of education, region, religion and interest in public affairs) of respondents to the second survey. The demographic composition of the respondents between the first and second surveys was largely similar. For example, in the first survey, three-fourths of the respondents were between the ages of 50 and 79, and the majority were male (71 percent). In addition, in the first survey, nearly a third of the respondents (30 percent) had no formal education, a similar portion (31 percent) had completed middle school, and even smaller portions had attended secondary school or university (17 percent and 14 percent, respectively).

Table 6: Social Characteristics Of Respondents

Age of respondents			
31 – 40	3%	Mean age	61
41 – 50	19%	Median age	60
51 – 60	28%	Modal age	60
61 – 70	29%	Minimum age	32
71 and above	19%	Maximum age	90
Gender of respondents			
Male	63%		
Female	37%		
Respondents' level of education			
No formal education	34%	Informal (including Koranic school)	9%
Primary (completed/incomplete)	33%	Post secondary (not university)	4%
Secondary (completed/incomplete)	17%	University	4%
Region of respondents			
Northern	41%	Western	16%
Ashanti	21%	Central	4%
Greater Accra	19%		
Religion of respondents			
Christian	53%		
Muslim	44%		
Traditional	3%		
Respondents' interest in politics			
Not interested	16%		
Interested	73%		
Don't know	1%		

NB: Sample size (n) = 102

End Notes

¹ International Center for Transitional Justice (ICTJ), “What is Transitional Justice?” ICTJ, <http://www.ictj.org/eng/tj/> (accessed July 10, 2006).

² Kathryn Sikkink and Carrie Booth-Walling, “Errors about Trials: The Emergence and Impact of the Justice Cascade,” Paper Presented at the Princeton International Relations Faculty Colloquium, Princeton, New Jersey, March 27, 2006, pp. 1-2, <http://www.princeton.edu/~piirs/calendars/Sikkink%20paper.pdf> (accessed July 10, 2006).

³ Sikkink and Booth-Walling, p. 7

⁴ Mark Freeman and Priscilla B. Hayner, “Truth-Telling,” in *Reconciliation after Violent Conflict: A Handbook*, ed. David Bloomfield, Teresa Barnes, and Luc Huyse (Stockholm, Sweden: International Institute for Democracy and Electoral Assistance (IDEA)), 2003, p.125.

⁵ ICTJ, “ICTJ Activity in Liberia,” ICTJ, <http://ictj.com/africa/liberia.asp> (accessed July 10, 2006).

⁶ Freeman and Hayner, p. 125.

⁷ David Bloomfield, “Reconciliation: An Introduction,” in *Reconciliation after Violent Conflict: A Handbook*, ed. David Bloomfield, Teresa Barnes, and Luc Huyse (Stockholm, Sweden: International Institute for Democracy and Electoral Assistance (IDEA)), 2003, p. 12.

⁸ Bloomfield, p. 11.

⁹ Bloomfield, p. 11.

¹⁰ E. Gyimah-Boadi, “Ghana’s Transitional Justice Experience,” paper presented at the conference on Transitional Justice and Human Security organized by the International Center for Transitional Justice, Cape Town, South Africa, March 28 to April 1, 2005, pp. 2-5.

¹¹ Gyimah-Boadi, p. 8.

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[A CDD-Ghana survey]

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