

COMMISSION OF INQUIRY (YENDI EVENTS) INSTRUMENTS, 2002

As amended

ARRANGEMENT OF PARAGRAPHS

Paragraph

1. Appointment of Commission.
2. Terms of Reference of Commission.
3. Mode of Operation of Commission.
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6. Privileges and Immunities of Witness and Lawyer.
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WHEREAS the president is satisfied that it is in the public interest that there should be appointed a Commission of Inquiry into the events and the resultant deaths and injuries of persons which occurred in Yendi in the Dagbon Traditional Area of the Northern Region between 25th and 27th March 2002.

NOW THEREFORE, in exercise of the powers conferred on the President of the Republic by clause (1)(a) of article 278 of the Constitution, this Instrument is made this 25th day of April 2002.

Paragraph 1—Appointment of Commission.

There is appointed by this Instrument a Commission of Inquiry composed of

Mr. Justice I. N. K. Wuaku - Chairman

Prof. Kwesi Yankah - Member

Mrs. Florence Brew - Member

Paragraph 2—Terms of Reference of Commission.

The terms of reference of the Commission are

(a) to make a full, faithful and impartial inquiry into the circumstances of and establish the facts leading to the events and the resultant deaths and injuries in Yendi in the Dagbon Traditional Area of the Northern Region between 25th and 27th March 2002;

(b) to identify those responsible for the events and resultant deaths and injuries of persons and to recommend appropriate sanctions or actions against any person found to have caused, been responsible for or been involved in the violence and the resultant deaths and injuries;

(c) To inquire into any matter which the Commission considers incidental or reasonably related to the events and the resultant deaths and injuries;

(d) To submit, not later than the 31st of August 2002, its report to the President giving reasons for its findings and recommendations.[As substituted by Commission of Inquiry (Yendi Events) (Amendment) Instrument, 2002 (CI 37)].

Paragraph 3—Mode of Operation of Commission.

The Commission shall carry out its inquiry in accordance with articles 279, 280 and 281 of the Constitution.

Paragraph 4—Secretary and Counsel to the Commission.

There shall be a Secretary and Counsel to the Commission, who shall be appointed by the President and who shall perform such functions as the Commission may direct.

Paragraph 5—Appearance by Lawyer.

(1) Any person whose conduct is the subject of inquiry by the Commission or who is in any way implicated, concerned in, or has a legitimate interest in a matter under investigation by the Commission shall be entitled to be represented by a lawyer at the inquiry.

(2) Any other person who considers it desirable that he or she should be represented by a lawyer or any other expert may be allowed by the Commission to be so represented.

Paragraph 6—Privileges and Immunities of Witness and Lawyer.

A witness or lawyer appearing before the Commission shall be entitled to the same privileges and immunities as a witness or lawyer appearing before the High Court.

Paragraph 7—Expenses in Relation to Commission.

(1) A witness summoned by the Commission shall be entitled to such allowances as are payable to a witness summoned by the High Court in a criminal trial.

(2) The chairman and other members of the Commission and any person employed in relation to the functions of the Commission may be paid such travelling, sitting and other allowances as the President may approve, on the recommendations of the Minister responsible for Finance.

Paragraph 8—Public Officers to Assist Commission.

The Attorney General shall assign officers to attend upon the Commission, to serve summons on witnesses and to perform such other functions relating to the Commission as the Commission may direct.

JOHN AGYEKUM KUFUOR

President of the Republic

Date of Gazette Notification: 26th April, 2002.

Amended by

COMMISSION OF INQUIRY (YENDI EVENTS) (AMENDMENT) INSTRUMENT, 2002 (CI 37).