

PRESS RELEASE

Ouagadougou, April 04, 2023: The Norbert Zongo Cell for Investigative Journalism in West Africa (CENOZO) is shocked and concerned by the High Court of Ghana's ruling in the CIVIL SUIT NO: GT/892/2018, which impugns investigative journalist Anas Aremeyew Anas and opens him up for attack by enemies of the media and free speech.

The suit bordering on defamation was filed by Mr. Anas against a Member of Parliament from Assin Central, Hon. Kennedy Agyapong.

When taken in its entirety, the ruling not only targets investigative journalist Anas Aremeyew Anas, but also undercuts the foundation, principles, and practice of investigative journalism in Ghana and Africa.

While we respect the right of the courts and the judiciary to carry out their constitutional duties based on the rule of law, the procedure adopted by presiding judge, Justice Eric Baah in reaching his decision was iniquitous, largely self-serving and steeped in apparent vengeance.

In our capacity as a sub-regional network of investigative journalists committed to the promotion of the highest ideals of journalism, CENOZO is obligated to make the following declarations:

- Anas Aremeyaw Anas is a member of our organisation who is well-known for conducting daring investigations that have exposed the underbelly of corruption and malfeasance in Ghana and globally, thereby attracting legions of enemies and detractors, some of whom have been caught with their hands in the public pie and thoroughly disgraced, with many sentenced to prison;
- We are aware that Hon. Agyapong, a sitting parliamentarian representing Assin Central and a Ghanaian government appointee, is among those who have criticised Mr. Anas and his Tiger Eye team for the multiple exposés they have conducted over the years;
- It is worth noting that Hon. Agyapong has a history of human rights violations and has incited violence against journalists and activists, including Luv FM journalist Erastus Donkor during a live interview on Net 2 TV and Ahmed Hussein-Suale, Anas' team member who helped make a documentary about Ghanaian football corruption;

- As he got the photographs of Hussein-Suale displayed on a live television screen, Hon Agyapong had [said](#): “This is Ahmed, you all know he lives in Madina. When you see him, beat him.” A few weeks later, Hussein-Suale was not beaten but [fatally shot](#) on January 16, 2019. The police have not [found](#) those responsible for killing Hussein-Suale, and Hon. Agyapong has denied responsibility for the murder even when he had publicly incited violence against the deceased journalist;
- More than that, we find it very strange that Justice Eric Baah chose to attack Mr. Anas' character and reputation rather than focusing on the merits or demerits of the defamation case that was brought before the court, branding him a "corrupt blackmailer, terrorist, extortionist, and evil," without a shred of evidence;
- We believe it is extremely unprofessional and ungodly for the judge to have descended so low and made judicial pronouncements bordering on criminality on a journalist who has never been charged with any of the offences in question;
- We also don't understand why Justice Baah would find a journalist's work and person so repulsive that he would address him in such abusive and slanderous terms;

We, therefore, invite Justice Baah to note the following:

- The United States Supreme Court ruling of 1971 in the case of *The New York Times v. Sullivan*, wherein the court held that the First Amendment protects newspapers even when they print false statements, as long as they did not act with “actual malice”;
- The landmark ruling of the United States Supreme Court in a case of *New York Times v. United States*, wherein the justices of the apex court held that the government cannot constitutionally prohibit the publication of classified information unless it can demonstrate that the publication or distribution of that information will cause a clear and present danger of grave harm to the national security;
- Besides the above, Ghana has earned global respect by implementing the United Nations Plan of Action on Journalist Safety and Impunity, and it was honoured to

host UNESCO's 2018 [World Press Freedom Day](#) Celebration, which helped put the country on the map for freedom of expression;

- It is also on record that Ghana established a Committee in 2019 to oversee the mechanism on Journalist Safety, and these gains could be lost due to the actions of state actors such as Justice Baah and MP Agyapong;
- We know that Anas AaremeYaw Anas and his Tiger Eye team have not broken any known laws in Ghana or elsewhere in the course of their investigative reporting and should be protected from any form of attack by state and non-state actors;
- We, therefore, invite the Ghana Journalists Association, as well as journalism associations throughout Africa and the world, to condemn Justice Eric Baah's actions, which have severely harmed Ghana's free press record and demonstrated the difficult terrain in which African journalists, particularly investigative journalists, operate;
- We also request the Chief Justice of Ghana and the Ghana Legal Council (GLC) which have consistently demonstrated a high level of integrity, transparency and fairness in the dispensation of justice to investigate the conduct of Justice Baah, and if found guilty, sanction him to serve as a deterrent against future acts of rascality on the part of judges; and
- More importantly, we urge His Excellency Nana Akufo-Addo, President and Commander-in-Chief of the Republic of Ghana, to not only uphold citizens' fundamental rights as enshrined in the Constitution, but also to take serious steps to end acts of impunity against journalists in his country.

We are pleased that Mr. Anas is appealing Justice Eric Baar's decision and hope that the Court of Appeal will consider the evidence and facts of the case on their merits.

CENOZO reaffirms its commitment to the fundamental principles of press freedom, both in Ghana and globally.

**For CENOZO
The Board**