

THE OSP IS AGAIN PLAYING GAMES WITH THE GHANAIAN MIND BY THREATENING KEN OFORI-ATTA WITH AN INTERPOL RED NOTICE: BY MARTIN A. B. K. AMIDU

The Office of the Special Prosecutor (OSP) is at its games with the public's mind again through media psychological operations with the threats it issued in the media on 1 June 2025 to the former Minister for Finance, Ken Ofori-Atta, who is on medical treatment in the United States of America to show up at its offices the next day, on 2 June 2025, or risk being declared a wanted person with the commencement of processes to obtain an INTERPOL Red Notice for his arrest and extradition to Ghana.

On the same day, 1 June 2025, Ghana Web again reported that Mr. Ken Ofori-Atta's lawyers had formally informed the Human Rights Court and the OSP of the inability of the former Minister of Finance to report to the OSP as previously planned on 2 June 2025 due to an unanticipated decline in his health in the US. Ken Ofori-Atta's medical team provided medical reports that describe his present state of health and the planned surgeries. The public should be interested in knowing when Ken Ofori-Atta's lawyers formally informed the Human Rights Court and OSP of his state of health and why the OSP thinks it has a duty to inform the public on 1 June 2025 when the records provided to Court became public records for the media to find out for themselves.

The Special Prosecutor, William Kissi Agyebeng, informed Parliament on oath during his vetting for approval for office that he was going to investigate the Agyapa Royalty Transaction Report authored by the OSP on 15 October 2020 before his assumption of office on 9 August 2021. This undertaking on oath to the Parliament and People of Ghana was never carried out by the OSP under the watch of Kissi Agyebeng, the Special Prosecutor, before the government that appointed him and of which Ken Ofori-Atta was the Minister of Finance that made budgetary allocations for the OSP for almost four years was defeated at the 2024 elections.

Secondly, Ken Ofori-Atta was never invited to assist the investigations of all the alleged corruption and corruption-related offences the OSP summoned him to appear before it as a suspect until 24 January 2025 when there had been a change in government on 7 January 2025 and Ken Ofori-Atta could be of little assistance financially for the budgetary allocation of the OSP for its continued wanton dissipation without positive anti-corruption results.

Thirdly, this ruse of inviting Ken Ofori-Atta as a suspect presumed innocent to make statements to the OSP was as usual played out in the media to dehumanize and create in the public mind a prejudicial presumption of guilt on the part of Ken Ofori-Atta even before a decision could be made whether there was sufficient evidence to charge him before a court of law. With, Kissi Agyebeng, the Special Prosecutor's appointing President out of office he was simply leading the OSP to ingratiate itself into the favours of the new government for more budgetary allocations to be dissipated at the taxpayer's expense as usual.

The OSP has become a rogue anti-corruption agency engaged in anti-corruption entrepreneurship dissipating millions of Ghana Cedis budgeted for the agency, threatening

and trying suspects presumed innocent in the court of public opinion using rented media, compromising investigations and prosecutions as a private venture for the past three years without any positive achievement to show the taxpayer in the fight against corruption.

The threats of declaring Ken Ofori-Atta a wanted suspect under an arrest warrant and proceeding to obtain an INTERPOL Red Notice for his arrest as a fugitive from justice are the hall marks of the Special Prosecutor abusing his powers under the 1992 Constitution and blowing hot air in the media to manipulate public opinion to divert the public mind from the fact that the OSP is now an anti-corruption entrepreneurial agency for self enrichment of the agency and not a genuine agency to fight corruption.

The Ghanaian public cannot forget so easily that William Kissi Agyebeng without any legal authority visited four absconded suspects in their places of residence in the United Kingdom for interviewing and closed the case docket when each of them had been charged before the Circuit Court with corruption, arrest warrants issued by the Court for their arrest and INTERPOL Red Notices obtained for their arrest and extradition to Ghana to stand their trial.

Ken Ofori-Atta is a full-blooded Ghanaian who has served his country as a Minister of Finance and Presidential Advisor for eight years before going abroad for medical treatment. The first thing Kissi Agyebeng should have done with all the financial resources allocated to the OSP is to find out whether the medical reports submitted by Ken Ofori-Atta are authentic and speak to his state of health. After all, in the case of former Minister Cecilia Abena Dapaah, Kissi Agyebeng claimed he had developed a collaborative relationship with the Federal Bureau of Investigations (FBI) of the USA which he could easily have used to cross check on Ken Ofori-Atta's medical status.

Secondly, since Kissi Agyebeng has the penchant to personally travel abroad to interview persons charged before a court of law with INTERPOL Red Notice issued for their arrest, why does he need to waste the taxpayers money declaring Ken Ofori-Atta wanted, applying for an INTERPOL Red Notice against him, and extraditing him to Ghana when just as he did for the four other suspects who already had INTERPOL Red Notices against each of them he could just hop to the USA to interview Ken Ofori-Atta and take signed cautioned statements from him.

Thirdly, Ken Ofori-Atta and his lawyers have offered to take part in the OSP's investigations virtually online in accordance with the Electronic Transactions Act, which will enable the OSP to take a statement on caution from him while he continues with his medical treatment abroad. I wonder why the OSP found it necessary to still make publications in the media without informing the public of Ken Ofori-Atta's offer to participate in a virtual interrogation if the object was not to further try him in the court of public opinion. In any case all these matters would have come to light and in the public domain on the next hearing date at the Human Rights Court on 18 June 2025 without the posturing in the media by the OSP.

Ken Ofori-Atta blamed me in anger when I resigned as the Special Prosecutor for refusing to spend Sixty Million Ghana Cedis from the OSP's 2019 budget which was specifically transferred into the OSP's Special Operations Account at the Bank of Ghana in the first

quarter of 2020, after the close of the 2019 budget year. The understanding for which the money was transferred to the OSP was to sole source the original contractor to convert the OSP's ten storey building I had succeeded in obtaining into habitable office accommodation. The OSP under Special Prosecutor Kissi Agyebeng as usual dissipated the Sixty Million Ghana Cedis without anything to show for it in addition to the budget allocations for the 2020, 2021, 2022 and 2023 budget appropriation years when the Ken Ofori-Atta and NPP left office. The OSP made no attempt to investigate the offences it now claims to be investigating all this while just so that they could continue receiving fat budgets and dissipating the taxpayer's money from the NPP Government without any anti-corruption results to show. This was anti-corruption entrepreneurship and not fighting corruption.

Memory lane will remind Ghanaians that the late Victor Selormey was put under needless pressure to return home while he was abroad seeking medical attention for serious cardiac problems only to be arrested at the airport, investigated, tried, convicted, sentenced and to die after President Kufour shamefully pardoned him knowing it was too late for him to survive. I met Victor Selormey when he arrived at the airport on 15 April 2001 by a British Airways flight from London upon instructions from former President Rawlings when the BNI (now NIB) arrested him humiliatingly as a common criminal instead of asking him to report to them the next day. The NDC should not allow Kissi Agyebeng to repeat that callous attitude to any Ghanaian citizen under suspicion of crime who is presumed innocent when the person is seriously ill and is already abroad seeking medical attention to save his life.

The folly of the John Agyekum Kufour government with Nana Akufo-Addo as the then Attorney-General must not be repeated under an NDC government should there be unambiguous evidence that Ken Ofori-Atta has a life-threatening illness for which he needs medical attention abroad. I believe that Ken Ofori-Atta would like to put himself upon the Republic of Ghana for trial for the Republic to prove his guilt beyond reasonable doubt.

The United States government will not extradite Ken Ofori-Atta to Ghana under an INTERPOL Red Notice if there is sufficient evidence that he is really ill, needs life saving medical treatment there and that the whole investigation and prosecutorial process by the OSP has been prejudiced with a prior trial and conviction in the court of public opinion which disables him to have a fair trial in a court of law in Ghana.

Ken Ofori-Atta has a constitutional right to seek the best medical treatment abroad if he can afford it and only return to face his accusers when he has been declared medically fit for investigations and prosecution. Kissi Agyebeng is playing games with the taxpayer's mind to satisfy the OSP's unlawful entrepreneurial agenda and not to fight corruption and corruption-related offences and the US government can see through the ruse. The OSP under Special Prosecutor Kissi Agyebeng is like an inflated balloon which once it bursts reveals the lies and misinformation it conceals for the world to see.

Martin A. B.K. Amidu
2 June 2025

POSTSCRIPTUM - THE 5 PM OSP MEDIA CONFERENCE ON OFORI-ATTA

This postscript has been necessitated by the fact that after completing this article my attention was called to another media conference held by the Special Prosecutor, Kissi Agyebeng, again this evening, 2 June 2025, for the sole purpose of deepening his trial of Ken Ofori Atta in the court of public opinion instead of in a court of law even when an action by Ken Ofori-Atta is pending against the OSP in the Human Rights Court on matters related to the investigations. The introduction in the conference on other investigations deceives only fools and children. Name and shame is not part of the criminal justice administration of this country. That is the hall mark of an incompetent and unprofessional investigator and prosecutor. Indeed, it is the hall mark of anti-corruption entrepreneurs.

The media conference was nothing but a rehash of previous demonization of Ken Ofori-Atta by the Special Prosecutor for once upon a time being a Minister of Finance of Ghana. It was utter nonsense to hear the Special Prosecutor, Kissi Agyebeng, say in respect of Ken Ofori-Atta that: "The principle upon which we proceed is that – no person, regardless of title, status, or medical condition, is beyond the reach of inquiry by the OSP." There is no such general principle clogging the discretion and ethics for professional investigators and prosecutors. Where was Kissi Agyebeng between 9 August 2021 when he assumed office until the NPP lost the elections and 24 January 2025 when he first invited Ken Ofori-Atta while he was already outside Ghana on medical grounds to appear before the OSP. A coward who only goes after former Ministers of State and high government appointees, and not serving ones is an entrepreneur!

The only latest information I heard from the media conference was the disclosure and gloating by Kissi Agyebeng that Ken Ofori-Atta is suspected to have a cancer. But let Kissi Agyebeng be told that former Chief Justice I. K. Abban made light of Mr Justice G. E. K. Aikin's prostrate cancer with disparaging statements of him. Justice Abban in the fullness of time also developed prostrate cancer and died twelve days after being blackmailed to voluntarily retire on 9 April 2001 as Chief Justice at the age of 67 on pain of impeachment on 21 April 2001, more than a decade before Justice Aikins passed on, on 17 April 2013 aged 89. Former Chief Justice George Acquah also took advantage of former Chief Justice E. K. Wiredu's stroke and coma to manoeuvre with the same two other blackmailing collaborators (one of whom is still alive) to succeed him under the ruse of a resignation or voluntary retirement which Chief Justice Wiredu could not have signed while in coma at the Cardiothoracic Unit of Korle Bu Teaching Hospital. Justice Wiredu was flown abroad still in coma only to recover and return to learn to his annoyance that he had voluntarily retired as Chief Justice. But he lived to attend Chief Justice George Acquah's funeral at the State House when he died of brain tumour, a cancer. The video of the funeral showed Mr. Justice E. K. Wiredu stopping by the casket, holding it, and saying something to the corpse.

Power should not, therefore, let Kissi Agyebeng make light of Ken Ofori-Atta's ailment, for his own the future health status is unpredictable. Ken Ofori-Atta is entitled to his privacy and human dignity under the 1992 Constitution. It is unprofessional for an investigator and prosecutor to go after the person of the suspect instead of the crime. Power is ephemeral!

Martin A. B. K. Amidu
(YESTERDAY'S MAN)
2 June 2025