

SOCIAL DEMOCRACY AND DEVELOPMENT DIALOGUE FORUM - AFRICA (SDDDF-AFRICA)

February 11, 2021

THE RESIDENT COORDINATOR

UNITED NATIONS [UN] OFFICE

ACCRA – GHANA

Dear Sir,

PETITION ON THE ONGOING GHANA'S SUPREME COURT CASE

I on behalf of Social Democracy and Development Dialogue Forum – Africa [SDDDF-Africa], a CSO which among other things has committed to ensuring the deepening of Ghana's democracy wish to draw your Organization/Mission's attention to some threatening developments about the ongoing Supreme Court [SC] Election petition case in Ghana.

These threatening developments which include conflict of interest issues, in our estimation if not checked could affect the outcome of the ongoing Court case which would leave in its wake dire consequences for our country's overall Democracy.

Our gentle request is purely based on your Mission's enviable role as Ghana's development partner and the utmost interest to make Ghana a beacon of democracy in Africa and globally.

To start with, there is a seven-member Supreme Court panel sitting on the 2020 election petition, of that number, six of the Judges including the Chief Justice were appointed by the sitting President, H.E. Nana Akufo Addo who is a party to this case.

The six Judges on the SC panel appointed by President Akufo Addo are Kwesi Anin-Yeboah [Chief Justice], Samuel K. Marful-Sau JSC, Prof Nii Ashie Kotey JSC, Nene A.O. Amegatcher JSC, Mariama Owusu JSC, Gertrude Torkonoo JSC.

That said, SDDDF-Africa's worry, Law Lecturer Prof Raymond Atuguba through a research in 2018 established that Ghana's Supreme Court Judges are always in political matters likely to give judgements favouring the Governments that appointed them there [Video Attached].

As if that is not alarming enough, former Director of the Ghana Law School, Kwaku Ansa-Asare has also spoken, stating that in political matters before the Courts, Judges are not independent and are always expected to do someone's biddings [Video Attached].

Whereas the conflict of interest examples is unlimited, some of the SC Judges sitting on this current petition are said to have all manner of relationships with the sitting President who as said is a party to the case.

Nene Amegatcher, JSC, was once a personal lawyer for HE Nana Akufo Addo, as his female colleague, JSC Gertrude Torkonoo's husband, Francis Torkonoo is a political appointee of the President, serving as the Acting Director General of the Narcotics Control Commission.

About the current Chief Justice who is presiding over this petition, Venerable Tsatsu Tsikata [ESQ] is on record to have pointed out his, CJ's consistent political bias as a Judge in political matters involving the NDC and its associated persons.

It is also on record that advocacy group, Lawyers In Search Of Democracy [LINSOD] has consistently mentioned that Kwesi Anin-Yeboah JSC has been sounding tribal aside his consistent attack and display of hatred for the NDC, one which LINSOD referenced was at a funeral in Nkawie in the Ashanti Region, all these forming a basis for his recusal.

Former Chief Justice Georgina Theodora Wood and Sophia Akuffo were not part of 2013 Supreme Court Petition panel for very good reasons and that panel was most balanced.

That 7 very critical Applications made at the Supreme Court by the Petitioner's lawyers have all been unanimously dismissed, says a lot, not to mention the guidance and coaching the Court always appear to be providing the lawyers of the Respondents.

"We believe the Petitioner is not being treated fairly by the Supreme Court of Ghana", that was the grave remark of the Petitioner's lawyers, Marietta Brew Appiah Oppong ESQ in an address to the media after a Court session.

A careful observation and analysis of the above issues and others, we at SDDDF-Africa and many other Ghanaians as well as avid watchers of Ghana's Judiciary and democracy around the globe do not appear to have any hope that the petitioner, H.E John Dramani Mahama and his party would see true Justice in this Supreme Court matter.

SDDDF-Africa believes that committed as your Mission/Organization is towards ensuring that Ghana's current political situation does not degenerate, it is our greatest wish that your diplomatic eyes and intervention are directed to this matter for justice.

Our humble appeal again goes to the international community to enquire as to why Chief Justice Anin-Yeboah is so hesitant in ensuring a new Judge is found for the contempt matter involving an NPP Financier, Hon Kennedy Agyapong, who threatens a High Court Judge?

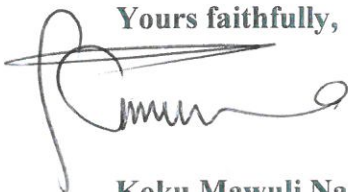
Please find attached a pen-drive containing copies of all relevant documents and video tapes.

Attached also is a copy of the Organizations/foreign Missions written to on this matter.

We will appreciate it if your Mission could make available its email address for electronic correspondence, particularly in this time of COVID-19.

Thank you.

Yours faithfully,



Koku Mawuli Nanegbe

[Director]

Attn: Political Section Chief

United Nations

UN Special Rep for the Secretary General [Dr Ibn Chambas]

European Union

ECOWAS Commission

US Embassy

UK High Commission

Australia High Commission

Canadian High Commission

Netherlands Embassy

Denmark Embassy