



9 October 2023

Godfred Dame, Esq
Hon Attorney-General & Minister of Justice
Office of the Attorney General & Ministry of Justice
Accra

Osei Kyei Mensah Bonsu, MP
Hon Majority Leader
Parliament House
Accra

Dr Cassiel Ato Forson, MP
Hon Minority Leader
Parliament House
Accra

Gentlemen:

EXTENDING THE CURRENT LAWS ON ELECTION OFFENCES TO COVER PARTY PRIMARIES AND INTRA-PARTY ELECTIONS

We write to invite you to co-sponsor and introduce a bill in Parliament that will specifically extend the current laws that provide and punish for public election offences, to cover party primaries and intra-party elections. We believe that this will be the first step to stemming the now rampant vote-buying, intimidation, violence etc that have become associated with such elections.

OccupyGhana has been very concerned about the phenomena where persons use money and gifts to bribe voters and/or use intimidation, violence, personation, insults, tribalism, falsehoods, etc, against opponents in all elections. These have grown to shockingly brazen levels, especially in party primaries to elect presidential and parliamentary candidates and intra-party elections to elect party officials.

Both the Criminal Offences Act, 1960 (Act 29) and the Representation of the People Act, 1992 (PNDCL 284) contain elaborate provisions that criminalise all of these acts. Persons convicted of such offences are liable to a range of fines, terms of imprisonment, and even disqualification from voting.

However, apart from the fact that these provisions are hardly seen to be enforced, these statutes refer only to 'public elections,' which, as seen under article 49 of the

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P O Box AN 6668, Accra, Ghana Tel: +233 54 876 2706

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Constitution, may not cover party primaries and intra-party elections. This might explain why we see no prosecutions when these happen.

We therefore invite you, as the Attorney-General and as the parliamentary leadership of the parties with representation in the current Parliament, to co-sponsor and introduce a bill in Parliament that specifically extends the application of these existing offences to party primaries and intra-party elections. The proposed amendment should also remove the requirement for the Attorney-General's fiat before prosecutions may be commenced.

These, we believe, will indicate to Ghanaians that the government and the two leading parties want to banish this phenomenon from all of our elections, whether public or not, and to every extent possible and permitted by law. When passed, strict enforcement should breathe new anti-corruption life into our body-politic.

Gentlemen, your refusal, failure, or neglect to take this step will finally provide basis for the suspicion that the government and the two leading parties actively support, or are complicit in perpetrating, this wrongful conduct.

Yours in the service of God and Country,

OccupyGhana

OccupyGhana

cc Rt Hon Alban Bagbin
Speaker
Parliament
Accra

Joseph Osei-Owusu, MP
Hon First Deputy Speaker
Parliament
Accra

Andrew Asiamah Amoako, MP
Hon Second Deputy Speaker
Parliament
Accra

Alfred Tuah-Yeboah, MP
Hon Deputy Attorney-General
Accra 6

Diana Asonaba Dapaah
Hon Deputy Attorney-General
Accra

Alexander Afenyo-Markin, MP
Hon Deputy Majority Leader
Parliament
Accra

Emmanuel Armah-Kofi Buah, MP
Hon Deputy Minority Leader
Parliament
Accra

Frank Annoh-Dompreh, MP
Hon Majority Chief Whip
Parliament
Accra

Lydia Seyram Alhassan, MP
Hon First Deputy Majority Whip
Parliament
Accra

Habib Iddrisu, MP
Hon Second Deputy Majority Whip
Parliament
Accra

Kwame Agbodza, MP
Hon Minority Chief Whip
Parliament
Accra

Ahmed Ibrahim, MP
Hon First Deputy Minority Whip
Parliament
Accra

Comfort Doyoe Cudjoe, MP
Hon Second Deputy Minority Whip
Parliament
Accra

Mrs Jean Mensah
Chairperson
Electoral Commission
Accra