



GHANA CENTER FOR DEMOCRATIC DEVELOPMENT

P. O. Box LG 404, Legon, Accra. | Tel: +233 24 435 0266 | Fax: +233 302 763028/9

Website: www.cddgh.org | Facebook: @CDDGhana | Twitter: @CDDGha

Press Release

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CDD-GHANA CALLS FOR RESTRAINT AND PEACE FOLLOWING THE SUPREME COURT'S DIRECTIONS ON THE VACATION OF MPS' SEATS, AND AHEAD OF TOMORROW'S SITTING OF THE PARLIAMENT OF GHANA

The Ghana Center for Democratic Development (CDD-Ghana) has closely monitored recent developments in Parliament since October 15, 2024, when the Minority Leader, Hon. Dr. Cassiel Ato Forson, invoked Article 97(1)(g) of the 1992 Constitution to raise concerns about the presumed vacation of four (4) parliamentary seats. The Center equally followed the Speaker of Parliament's subsequent declaration on October 17, 2024, that vacancies had indeed occurred concerning the seats of those four (4) MPs—two (2) from the NPP, one from the NDC, and one independent.

The Center has also followed, with keen interest, Majority Leader, Hon. Alexander Afenyo-Markin's application to the Supreme Court challenging the Speaker's authority to declare the vacancies and the Court's subsequent intervention on October 18, 2024, staying the Speaker's ruling and directing Parliament to allow the affected MPs to continue with the performance of their duties until the case is fully determined. We have taken due notice of instruction given to the Speaker and the Attorney General to file their statements of case within seven (7) days of service, followed by a joint memorandum of issues for hearing.

CDD-Ghana acknowledges the diversity of views in the public discourse surrounding this issue, particularly the legal opinions regarding both the Speaker's actions and the Supreme Court's intervention. Without a doubt, this situation presents a novel challenge to Ghana's constitutional practice. It requires careful and sensitive handling to prevent the onset of constitutional and political turmoil, particularly as the country approaches the 2024 general elections.

The Center strongly urges all Members of Parliament, political parties, the Executive, and the media to act with maximum restraint, a sense of responsibility, and respect for the letter and spirit of the constitutional principles and processes that underpin Ghana's democracy. It implores all stakeholders to prioritize the preservation of the nation's peace and stability and work diligently to avoid a recurrence of the regrettable scenes witnessed during the Speaker's election on January 7, 2021.

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To deescalate the current tension and uphold the rule of law, CDD-Ghana encourages the Speaker and Parliament to fully comply with the Supreme Court's directions, notwithstanding disagreements with the ruling. The timely filing of the required legal documents will ensure the case proceeds swiftly, and help provide clarity and resolution. The Speaker and Parliament also retain the option to seek a review of the Court's decision, should it find it necessary.

Looking ahead, CDD-Ghana calls for a deep reflection on the relevant constitutional provisions governing parliamentary seats, especially during election years. It is vital to ensure that remedies are available for affected individuals and parties without plunging the nation into legal or political uncertainty. Additionally, CDD-Ghana believes that all outstanding cases seeking to disqualify any candidate from the upcoming elections should be resolved expeditiously. This will ensure that no candidate is unfairly deprived of their rights or opportunity to contest, maintaining fairness in the electoral process.

In the spirit of national unity, we urge all Ghanaians to remain calm, respect the judicial process, and continue to uphold peace as we collectively safeguard Ghana's democracy.

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About CDD-Ghana

Established in 1998, Ghana Center for Democratic Development (CDD-Ghana) is an independent not-for-profit think-and-do-tank that works through research, policy engagement, thought leadership, and civic dialogue and partnerships to promote and strengthen democracy, good governance, and inclusive development in Ghana and the rest of Africa. A founding Core Partner (and Ghana National Partner) of Afrobarometer, CDD-Ghana is also the convener and secretariat for the Coalition of Domestic Election Observers (CODEO), West Africa Election Observers Network (WAEON), and West Africa Democracy Solidarity Network (WADEMOS).

For more information, please contact:

Nana Ama Nartey

Communications Specialist and Knowledge Management Coordinator

Telephone: +233 59 691 3690