



PRESS RELEASE

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Gane4Ghana Response to Final Ruling on Disqualification Decision by Electoral Commission

Gane4Ghana team, its representatives home and abroad and myself, are deeply disappointed to bring to the attention of our numerous supporters, well-wishers and the Ghanaian people, that the Accra High Court, General Jurisdiction, presided over by Her Ladyship Justice Elfreda Amy Dankyi, has given judgement, that the Electoral Commission (EC) of Ghana is right in disqualifying my candidacy (the candidacy of Marriske Kofi Gane) as Independent Presidential Candidate for the 2020 Presidential Elections, in her ruling earlier today.

The ruling today among other things, is largely that granting us the reliefs being sought will jeopardize a constitutional election timetable. To us, it means:

- (1) administrative bodies in this country can condemn citizens without giving them a fair hearing just by levelling allegations, whether or not proven; and**
- (2) We have elevated constitutional timetables high above the rights of citizens under the same constitution.**

It is an extraordinary decision, with far-reaching consequences for the rule of law and specifically electoral processes, as the principle of natural justice has now in our view been made flexibly redundant as and when it suits the powers that be.

The court had two questions to decide on. First, to determine whether the principle of natural justice applied: was it reasonable for the Electoral Commission to condemn a candidate without a hearing, by disqualifying him on the basis of mere suspicion of fraud and not proof of same? The EC failed to inform our team of any irregularities with our nomination even though other candidates were afforded that opportunity, albeit we deny all the allegations it levelled. The EC lied to the public at its press conference that it had contacted us before arriving at its decision and consistently even after its announcement and after our many correspondences and personal visits, it failed to engage us to resolve the matter. Several weeks later after delays in the filing process and the EC filing its own statement of case in court on the morning of our hearing, it had still not provided proof of allegations and yet, we are told it is us the Gane4Ghana campaign who delayed our case as though we are the owners of the High Court Registrar. It is obvious that political desperados in power have chosen to decide the choices of you the citizens.

The High Court decided the EC had no limits to its powers or discretions and could unilaterally disqualify candidates without giving them a hearing - all it needs, is a suspicion and if it does give a hearing, it can do so selectively – and it is acceptable.





Secondly, the court had to decide whether this particular disqualification infringed on our fundamental rights in the election process. The EC was, by its own requirements supposed to furnish all aspirants with certified and particularized copies of the nomination documents and which it claims forms the basis of its suspicions, all of which we have denied. The EC prayed the court not to give judgement in our favour because the court was not privy to these certified nomination forms. It is instructive to note, that aside its own rules, aside our several correspondences, aside our many personal visits, aside correspondences from our lawyers and up to the time of the judgement on this case, we still have not been given these certified forms, as required by its own guidelines. As far as we can see, and against a fundamental principle of Law (*Ex turpi causa non oritur actio*) - the EC, has sadly been allowed to profit from its own wrongdoing.

In as much as we, the Gane4Ghana Agenda, respect the ruling of the court, we vehemently disagree with this ruling as it offers no protection to parliamentary and presidential aspirants against EC, should it go beyond the excesses of its powers or discretion. This is not about me or the Gane4Ghana agenda - it could be you tomorrow. It is based on this flagrant disregard for the rule of natural justice and fundamental procedural rights that we believe this ruling is a slap in the face of Ghana's democratic credentials and would have dire consequences in future electoral processes as the EC is being erroneously clothed with powers and discretions beyond its needs.

This, my brothers and sisters, is sad, very sad - we are breeding monsters against our own democracy and my greatest regret in all of this, is that many who could and should have spoken against these evils, will continue to stay silent.

We continue to stand for one thing and one thing only - to Always Put Ghana First. We thus entreat all our supporters who have believed in this agenda to continue to remain patriotic - you are the true champions of this fight and posterity will judge you right. I am deeply proud of you all.

As we forge into the next few days of elections, you have a duty to God and country, to go out there and vote. I ask you all to go out there and Vote with your conscience but let that conscience be guided by these three things:

- (1) Who has shown accountability enough to put Ghana first?**
- (2) Whose values does your conscience trust?**
- (3) Whose vision gives you assurance Ghana will work for all of us, not a few?**

If you see any of these on the ballot, vote for them. We will be announcing subsequently the way forward as an agenda.

God bless you all and God bless our Homeland Ghana.

*****End of Release*****

