

PRESS STATEMENT

For Immediate Release

A WRIT TO UPHOLD THE PROVISIONS OF GHANA'S 1992 CONSTITUTION

1. **5th March 2024 — Oxford** — In my capacity as a citizen of the Republic of Ghana, deeply committed to the principles of democracy and the rule of law as enshrined in our revered 1992 Constitution, I have initiated legal action in the Supreme Court of Ghana. This action is not a declaration of my personal stance on LGBTQI+ individuals per se, but a conscientious effort to ensure the strict adherence to and protection of the constitutional framework that governs our society.
2. On February 28, 2024, following the purported passage of "The Human Sexual Rights and Family Values Bill 2024," I instructed a team of lawyers to file a writ at the Supreme Court of Ghana, challenging the constitutionality of the proposed legislation. This bill, in its essence and provisions, raises profound concerns regarding the potential infringement of the fundamental human rights and freedoms guaranteed to every Ghanaian by the Constitution.
3. The reliefs and orders sought in this legal action are as follows:
 - i. A declaration that upon the true and proper interpretation of **Article 33(5) of the Constitution of 1992**, in light of **Articles 12(1) and (2), 15(1), 17(1) and (2), 18(2), and 21(1) (a) (b) (d) and (e)** of the Constitution, the passage of "**The Human Sexual Rights and Family Values Bill, 2024**" by Parliament on 28th February 2024 contravened the Constitution and is to that extent null, void, and of no effect.
 - ii. A declaration that the Speaker of Parliament contravened **Article 108(a)(ii) of the Constitution**, in light of **Article 296(a)(b) and (c)**, by admitting and allowing Parliament to proceed upon and pass "**The Human Sexual Rights and Family Values Bill, 2024**" into law as the same imposes a charge upon the Consolidated Fund or other public funds of Ghana.
 - iii. A declaration that Parliament exceeded its authority under **Articles 106(2) and 108(a)(ii)** in passing "**The Human Sexual Rights and Family Values Bill, 2024**," as the same imposes a charge upon the Consolidated Fund or other public funds of Ghana.

- iv. A declaration that, upon the true and proper interpretation of **Articles 102 and 104(1)** of the Constitution, Parliament lacked the requisite quorum to pass "**The Human Sexual Rights and Family Values Bill, 2024.**"
 - v. An order restraining the Speaker of Parliament and the Clerk to Parliament from presenting "**The Human and Sexual Values Bill, 2024**" to the President of the Republic for his assent.
 - vi. An order restraining the President of the Republic from assenting to "**The Human and Sexual Values Bill, 2024,**" as such action will directly contravene the Constitutional safeguards of liberties and rights of Ghanaians.
 - vii. An injunction barring any attempts to enforce the provisions of "**The Human Sexual Rights and Family Values Bill 2024,**" particularly those criminalising same-sex relationships and related advocacy efforts.
 - viii. Such further orders or directions as to this Honourable Court may seem meet.
4. This legal challenge is grounded in the belief that every legislative process and the laws emanating therefrom must align with the constitutional mandates that guide our nation. It is imperative that we scrutinise and challenge any legislative action that appears to contravene the Constitution, to safeguard our democracy and the rights it guarantees to every citizen, regardless of their stance on any particular issue.
 5. In my unwavering pursuit to combat breaches of the Constitution, promote human rights, and deepen the tenets of rule of law, accountability, and responsible citizenship, I co-founded the **Article II Initiative (a2i)**. This emerging think tank is, among other things, dedicated to protecting and defending the Constitution of Ghana and the rights enshrined therein. We aim to foster a robust constitutional culture in Ghana, empowering every citizen to uphold and defend the principles that safeguard our collective freedoms and dignity.
 6. I call upon all Ghanaians to view this legal action in the light of a patriotic endeavour to preserve the integrity of our Constitution and the democratic values we hold dear. It is a testament to our collective determination to ensure that Ghana remains a beacon of democracy and rule of law in Africa and around the world.

SIGNED

Richard Sky

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