



OFFICE OF PARLIAMENT

Hon. Francis-Xavier Kojo Sosu (Esq)
MP, Madina Constituency



Office of Parliament
Parliament House
Room No. F2T 02E 019
Osu, Accra, Ghana

Your Ref.....

My Ref.....

2ND APRIL, 2024

THE DIRECTOR GENERAL
CRIMINAL INVESTIGATION DEPARTMENT
GHANA POLICE SERVICE
HEADQUARTERS, ACCRA

Dear Sir/Madam,

PETITION FOR THE ARREST, INVESTIGATION AND PROSECUTION OF GBORBU WULOMO, NUUMO BORKETEY LAWEH XXXIII

The Humble petition of **FRANCIS-XAVIER KOJO SOSU, Esq**, the Member of Parliament in the Republic of Ghana for the Madina Constituency:

1. I am a Ghanaian, Human rights lawyer and activist and a member of Parliament for the Madina Constituency.
2. That, on the 1st of April, 2024, I read on several news portals to my disappointment, the marriage of **Nuumo Borketey Laweh XXXIII (Hereinafter called The Wulomo)** to Miss Naa Okromo, a twelve (12) years old child (**Hereinafter called the child**).
3. That, in particular reference to a news item on myjoyonline.com, dated 1st of April, 2024, the said marriage ceremony took place on Saturday, March 30, 2024, in Nungua.
4. That, in my respectful view, the conduct of the Wulomo constitute a breach of both local and international laws on Child care and protection and the said conduct is criminal.

5. That, Ghana is signatory to several international conventions that abhors Child betrothals and marriages. In particular, Petitioner request that you avert your mind to **ARTICLE 16(2) OF THE UNIVERSAL DECLARATION OF HUMAN RIGHTS**, which states that "Marriage shall be entered into only with the free and full consent of the intending spouses."
6. Further, **ARTICLE 16 OF THE CONVENTION ON THE ELIMINATION OF ALL FORMS OF DISCRIMINATION AGAINST WOMEN (CEDAW)** states that women should have the same right as men to "freely choose a spouse and to enter into marriage only with their free and full consent", and that the "betrothal and marriage of a child shall have no legal effect and all necessary action, including legislation, shall be taken to specify a minimum age for marriage.
7. In addition to the above, I wish to respectfully state that, beyond the realm of International Law, Ghana has taken further steps to criminalise Child Marriages and Betrothals in all its ramifications. In Particular, **ARTICLE 28 OF GHANA'S 1992 CONSTITUTION** defines a child as a person below the age of eighteen years. In the spirit of Article 28 every child must and young persons must "receive special protection against exposure to physical and moral hazards"
8. That the said marriage is illegal, null and void because by law a child under 18 does not have capacity to enter marriage.
9. That notwithstanding the fact that traditional religious arguments are being made in support of the said illegality, the Constitution is clear in Article 26 with respect to the limitations of traditions and customs. For the purposes of clarity Article 26 (1) provides as follows "Every person is entitled to enjoy, practise, profess, maintain and promote any culture, language, tradition or religion subject to the provisions of this Constitution" It provides further in Article 26(2) that "All customary practices which dehumanise or are injurious to the physical and mental well-being of a person are prohibited" It is my respectful view that the customary practice being referred to are unconstitutional and not backed by the laws of Ghana.
10. Petitioner states again that, **SECTION 14 OF GHANA'S CHILDREN'S ACT, 1998 (ACT 560)** sets the legal age limit for marriages in Ghana at eighteen (18) years and expressly prohibits child marriage in Ghana, Section 14 (1) provides "No person shall force a child (a) to be betrothed (b) to be subject of a dowry transaction, or (c) to be married.
11. Again, **SECTION 15 OF GHANA'S CHILDREN'S ACT, 1998 (ACT 560)** provides for penalties for violation of the laws to include fine, imprisonment or both.
12. I wish to states that, in furtherance of the above, **SECTION 109 OF THE CRIMINAL OFFENCES ACT (ACT 29)** criminalizes compulsion of marriages. It states that "whoever by duress causes a person to marry against his/her will, shall

be guilty of a misdemeanor, and the punishment is a fine or imprisonment of up to three years". It goes without saying that a child has no legal capacity to grant consent in such instances.

13. In the circumstance therefore, it appears that a clear act of illegality and a careless abuse of the right of an innocent Ghanaian child has been perpetuated in the full glare of the Public.
14. It is in light of the foregoing that, I respectfully crave your indulgence and pray that you exercise your powers of arrest, investigations including potential defilement and prosecution in the defence and protection of this innocent child.
15. I look forward to a swift and expediated action on this matter for the sake of safety of Ghanaian children across the country.

Respectfully Submitted,



Hon. Francis-Xavier Sosu, Esq
Human Rights Lawyer & Activist
Member of Parliament, Madina Constituency

Cc: Inspector General of Police
Accra.

Head of DOVVSU
Accra.

The Minister
Ministry of Gender, Children and Social Protection
Accra.

The Chairman
Gender Committee of Parliament of Ghana
Accra.