



# NATIONAL DEMOCRATIC CONGRESS

## NATIONAL SECRETARIAT

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### **PRESS STATEMENT**

**For Immediate Release**

### **NDC REACTS TO PALPABLE JUDICIAL BIAS IN THE SCHEDULING OF POLITICAL CASES IN THE SUPREME COURT OF GHANA**

The National Democratic Congress (NDC) has become aware of the decision by the Chief Justice of Ghana to list the case of Rockson-Nelson Etse K. Dafeamekpor v. the Speaker of Parliament and Attorney-General (SUIT NO: J1/12/2024) for hearing on Wednesday, 27th March, 2024.

The NDC is intrigued by the listing of the Dafeamekpor case for hearing, ahead of the case of Richard Dela Sky v. the Parliament of Ghana and the Attorney-General.

It is interesting to note, that Richard Dela Sky filed his writ of summons in the Supreme Court challenging the constitutionality of the Sexual Rights and Family Values Bill, 2024, on the 5th of March 2024. This was almost two (2) clear weeks before Hon. Rockson Dafeamekpor filed his writ of summons on 18th March, 2024 challenging the constitutionality of the latest ministerial nominations by the President.

Given the recent political deadlock that these two legal suits have created between the Executive arm and the Legislative arm of government, one would have expected that the date of filing of the cases would have informed the timing of their hearing by the apex Court.

Yet, for some strange reasons, the case of Hon. Rockson Dafeamekpor which was last in time to be filed, has been hurriedly listed for hearing tomorrow, while that of Richard Dela Sky which predated the Dafeamekpor case by two weeks, has not been listed for hearing at all. This is in spite of the fact that, no application for abridgment of time, has been filed by any of the parties in the Dafeamekpor case.

It's quite apparent, that this is a ploy by the Chief Justice to fast-track the determination of the suit filed by Hon. Rockson Dafeamekpor, while the determination of the Richard Dela Sky suit is deliberately and unduly delayed, to enable the President shelve the crucial Sexual Rights and Family Values Bill that has been passed by Parliament.

Even more bizarre is the fact that, the case filed by some NDC Members of Parliament, challenging the constitutionality of the passage of the Electronic Transfer Levy (E-Levy) Bill, as far back as 2022, has not been listed for hearing by the Supreme Court till date.

The arbitrary exercise of administrative discretion by the Chief Justice, particularly in the scheduling of cases in the Supreme Court, goes to fortify the high perception of bias on the part of the judiciary.

Such judicial manipulations go to confirm the growing public perception that the current Chief Justice, is a pliant accomplice and abettor of the misrule of the despotic Akufo-Addo/Bawumia/NPP government.

While the Constitution of Ghana vests discretionary powers in the Chief Justice in the discharge of her administrative duties over the judiciary, it is important that such discretionary powers are not exercised arbitrarily, capriciously and whimsically.

Judicial independence must mean exactly that. At no point should the Judiciary act in a manner that lends itself to the grounded belief that it is willing to aid an overbearing executive in a standoff with the legislature.

The Chief Justice must appreciate that justice emanates from the people and that the judiciary exists to serve the overall interest of the state and not the interest of any particular political party or government. As such, fairness and balance must at all times shine through their work.

The listing of this particular case filed much later than the Sky case does not reflect these vital prerequisites.

We have come too far in our constitutional journey to allow such glaring manipulation to pass without protest. Such behavior as constantly exhibited by the Chief Justice against entities opposed to the NPP has gone on for too long.

This does not only undermine public confidence in the judiciary but it also makes mockery of our democratic arrangements.

There can be no earthly justification for listing the Defeamekpor case ahead of the Richard Sky case and we demand an immediate rectification of this travesty.

As the political tradition that birthed the fourth republican democracy and constitution, we are extremely concerned about this biased handling of cases by the Chief Justice, which appears to be fueling the ever-festering perception of judicial bias in the country.

These acts of judicial arbitrariness tilted in favour of the ruling Akufo-Addo/Bawumia/NPP government, do not engender public confidence and trust in our justice delivery system. And this should give every well-meaning Ghanaian legitimate cause for concern.

Signed



Fifi Fiavi Kwetey  
General Secretary

National Democratic Congress (NDC)