

Filed on 24-09-2024
at 3:00
JUDGE COURT
ACCRA

IN THE SUPERIOR COURT OF JUDICATURE
IN THE HIGH COURT OF JUSTICE
(GENERAL JURISDICTION)
ACCRA - A.D. 2024

Suit No.:

ET/1068/2024

IN THE MATTER OF AN APPLICATION UNDER ORDER 55 OF THE HIGH COURT (CIVIL
PROCEDURE) RULES, 2004 (C.I. 47)

BETWEEN

THE REPUBLIC

VRS

THE ELECTORAL COMMISSION
5th Jomo Kenyatta Road
Ridge
Accra

1ST RESPONDENT

THE RETURNING OFFICER FOR
THE 2024 PUBLIC PRESIDENTIAL ELECTIONS
5th Jomo Kenyatta Road
Ridge
Accra

2ND RESPONDENT

EX PARTE:

BERNARD ANBATAAYELA MORNAH
House No. 113, Palm Street
Tantra Hill
Accra

1ST APPLICANT

PEOPLES' NATIONAL CONVENTION
H/No. C45/12
Abavana Junction
Kotobabi
Accra

2ND APPLICANT

**MOTION ON NOTICE FOR JUDICIAL REVIEW IN THE NATURE OF CERTIORARI,
MANDAMUS AND PROHIBITION**

ORDER 55 OF THE HIGH COURT (CIVIL PROCEDURE) RULES, 2004 (C.I. 47)

TAKE NOTICE that this Honourable Court shall be moved by **PROF. RAYMOND A. ATUGUBA** of **ATUGUBA & ASSOCIATES**, Counsel for and on behalf of the Applicants herein, praying this Honourable Court for:

- a. A declaration that the decision of the 1st and 2nd Respondents contained in their letter dated September 20, 2024, disqualifying the 1st Applicant from contesting the 2024 Public Presidential Elections, without indicating any specific ground for his disqualification, and without offering the Applicants the opportunity to be heard, constitutes a blatant breach of the 1st Applicant's fundamental right to a hearing.
- b. A declaration that the disqualification of the 1st Applicant from contesting the 2024 Public Presidential Elections is illegal as same contravenes Articles 12(1) and (2), 21(3), 23, 34(1), 35(4), 37(2)(b), 37(4), 40(c) and (d), and 41(b) and (d), and 55(3) and (10) of the 1992 Constitution, and Regulation 9 of the Public Elections Regulations, 2020 (C.I.127).
- c. A declaration that the Respondents failed to comply with due process requirements imposed on them by law when they disqualified the 1st Applicant from contesting the December 7, 2024 Public Presidential Elections without furnishing the 1st Applicant with the exact and particular reasons for his disqualification and without offering him the opportunity to remedy same.
- d. A declaration that the 1st and 2nd Respondents, as an administrative body and an administrative official respectively, together acted unreasonably, unfairly, capriciously, arbitrarily and in patent breach of their duties imposed on them by articles 23 and 296 of the 1992 Constitution in disqualifying the 1st Applicant from contesting the 2024 Public Presidential Elections.
- e. An order to bring to this Court the decision of the Respondents dated September 20, 2024 which decision disqualified the 1st Applicant as a Presidential Candidate for the 2024 Public Presidential Elections, for the purpose of having same quashed.

- f. An order of mandamus compelling the 2nd Respondent to declare the 1st Applicant as duly nominated to contest the 2024 Public Presidential Elections.
- g. An order restraining the 1st and 2nd Respondents from printing the Presidential Ballot Papers or carrying on with the December 7, 2024 Public Presidential Elections until the 1st Applicant is declared as the duly nominated candidate of the 2nd Applicant, and allowed to contest the said elections.

And for such other orders and directions as this Honourable Court may deem meet and fit.

AND FURTHER TAKE NOTICE THAT the grounds for the application are as follows:

- a. Breach of the rules of natural justice (Audi alteram partem)
- b. Illegality
- c. Procedural impropriety
- d. "Wednesbury unreasonableness" or irrationality

~~Court~~ to be moved on MON the 7th day of Oct, 2024,
at 9 O'clock in the forenoon or so soon thereafter as Counsel for the Applicants may be heard.

DATED AT THE LAW FIRM OF ATUGUBA & ASSOCIATES, ACCRA, THIS 24TH DAY OF
SEPTEMBER, 2024.

ATUGUBA & ASSOCIATES
P.O. BOX 103, OTINSHIE - ADJIRINGANOR
NEAR REX PLAZA, ACCRA - GHANA
P. O. BOX 1.G 203, LEGON - ACCRA

.....
PROF. RAYMOND A. ATUGUBA
(Solicitor's License No.: 03285/24)
ADDRESS FOR SERVICES:
ATUGUBA & ASSOCIATES
Lawyers & Notaries
No. 3 Father Odai Kobina Street
Adjiringanor- East Legon
Chamber's License No.: ePP08928/24
Solicitor for the Applicants

THE REGISTRAR
HIGH COURT
(GENERAL JURISDICTION DIVISION)
ACCRA

AND FOR SERVICE ON THE 1ST AND 2ND RESPONDENTS, WHOSE ADDRESS FOR
SERVICE IS: 5TH JOMO KENYATTA ROAD, RIDGE, ACCRA.

IN THE SUPERIOR COURT OF JUDICATURE
IN THE HIGH COURT OF JUSTICE
(GENERAL JURISDICTION)
ACCRA – A.D. 2024

Filed on 24-09-2024
at 3:00 pm
Registrar
HIGH COURT
ACCRA

Suit No.:

IN THE MATTER OF AN APPLICATION UNDER ORDER 55 OF THE HIGH COURT (CIVIL
PROCEDURE) RULES, 2004 (C.I. 47)

BETWEEN

THE REPUBLIC

VRS

THE ELECTORAL COMMISSION

5th Jomo Kenyatta Road
Ridge
Accra

1ST RESPONDENT

THE RETURNING OFFICER FOR
THE 2024 PUBLIC PRESIDENTIAL ELECTIONS

5th Jomo Kenyatta Road
Ridge
Accra

2ND RESPONDENT

EX PARTE:

BERNARD ANBATAAYELA MORNAH

House No. 113, Palm Street
Tantra Hill
Accra

1ST APPLICANT

PEOPLES' NATIONAL CONVENTION

H/No. C45/12
Abavana Junction
Kotobabi
Accra

2ND APPLICANT

AFFIDAVIT IN SUPPORT OF MOTION

I, **BERNARD ANBATAAYELA MORNAH**, of House No. 113, Palm Street, Tantra Hill, Accra, in the Greater Accra Region, do hereby make oath and say as follows:

1. That I am the 1st Applicant herein, the Presidential Candidate of the 2nd Applicant and Deponent hereto.
2. That I have the consent and authority of the 2nd Applicant to depose to this affidavit on our joint behalf.
3. That the facts deposed to in this affidavit are matters within my personal knowledge, information, and belief, which came to me by virtue of my membership of the party of the 2nd Applicant, and my position as its duly elected Presidential Candidate for the upcoming 2024 Public Presidential Elections.
4. That at the hearing of this application, Counsel for and on behalf of the Applicants shall seek leave of this Honourable Court to refer to all processes filed as if same were set out *in extenso* herein and sworn to on oath.
5. That on September 7, 2024, I was duly elected the Presidential Candidate of the 2nd Applicant in line with its constitution.
6. That the 2nd Applicant is a political party registered under the Political Parties Act, 2000 (Act 574), a member of the Inter-Party Advisory Committee (IPAC), and has since 1992 contested in all Presidential and Parliamentary Elections in the country.
7. That by a Press Release dated August 1, 2024, signed by the Deputy Chairman (Operations) of the 1st Respondent, the 1st Respondent informed the general public that it had opened nominations for political parties and all persons interested in contesting the Public Presidential Elections scheduled for December 7, 2024, and further admonished interested candidates to download the nomination forms from the 1st Respondent's website from Friday, 2nd August, 2024. Attached and marked "Exhibit BAM 1" is a copy of the said Press Release.

8. That in the said Press Release, the 1st Respondent stated that it would receive nominations for the Public Presidential and Parliamentary Elections from Monday, September 9, 2024, to Friday, September 13, 2024.
9. That I duly printed the nomination forms online and proceeded to process and complete the many pages of documentation necessary to complete the forms.
10. That on Friday, September 13, 2024, at about 11:00 hours GMT, and within the “stipulated nomination period” and the “stipulated submission period”, I duly filed my completed nomination forms on the ticket of the 2nd Applicant, which was received by an officer of the 1st Respondent on behalf of the 1st Respondent.
11. That by a letter dated September 13, 2024, and signed by one Mr. Benjamin Bano-Bio of the 1st Respondent’s office, the 1st Respondent informed me that the Nomination Committee of the 1st Respondent had detected certain anomalies in my nomination forms, and requested that I correct those anomalies and resubmit my nomination forms.
12. That the said letter dated September 13, 2024, identified the anomalies as: “Incomplete Particulars of Supporters found at pages 9,10,37,39,42,46, and 50 of my nomination forms”. Attached herewith and marked as “EXHIBIT BAM 2” is a copy of the said letter.
13. That the Applicants promptly addressed and corrected the said anomalies brought to their attention by the 1st Respondent, and duly resubmitted the corrected forms to the 1st Respondent on September 13, 2024. On the same day, one Mr. Samuel Kwaah of the 1st Respondent’s office contacted me to confirm receipt of the corrected nomination forms.
14. That the said officer confirmed that the errors identified by the 1st Respondent in my nomination forms had been duly corrected, and further indicated that he would forward the same to the Nomination Committee for their further action.
15. That after resubmitting the corrected nomination forms to the 1st Respondent, the 1st Respondent did not update the Applicants on the status of the nomination forms again.
16. That, surprisingly, on September 20, 2024, the Applicants’ attention was drawn to the fact that the 1st Respondent had invited other Presidential Candidates except the 1st Applicant, for “balloting for position”, which was scheduled to

take place on the same day, Friday, 20th September, 2024, at the Corporate Head Office of the 1st Respondent.

17. That despite the fact that I promptly corrected and resubmitted the corrected nomination forms to the 1st Respondent, the 1st Respondent neither provided any feedback on the status of my nomination nor invited me to participate in the "balloting for position" process.
18. That alarmed by the turn of events, I caused my Solicitors to write to the 1st Respondent on the same day, September 20, 2024, requesting it to rectify its error by inviting me to participate in the balloting process. Attached herewith and marked as "EXHIBIT BAM 3" is a copy of the said letter from my Solicitors.
19. That it was after submitting this letter to the 1st Respondent that the 2nd Respondent wrote a letter dated September 20, 2024, on behalf of the 1st Respondent, informing me that I had been disqualified from contesting as the Presidential Candidate on the ticket of the 2nd Applicant in the 2024 Presidential Elections. Attached herewith and marked as "EXHIBIT BAM 4" is a copy of the said letter from the 1st Respondent.
20. That, strangely, in the said letter referenced in paragraph 19 herein, the 2nd Respondent, acting on behalf of the 1st Respondent, indicated that the reason for my disqualification was because "the Team identified several errors and omissions in my forms".
21. That the said letter, purporting to disqualify me from contesting the 2024 Presidential Elections, failed to give particulars of the alleged errors and omissions in my forms.
22. That I am advised by Counsel and hold same to be true that the 1st and 2nd Respondents have a legal and constitutional obligation to inform me of the specific ground(s) for my disqualification, and offer me an opportunity to remedy same, before taking any decision on my qualification to contest the Public Presidential Elections.
23. That I am advised by counsel and hold same to be true that the decision of the 1st and 2nd Respondents contained in their letter dated September 20, 2024, disqualifying me from contesting the 2024 Public Presidential Elections, without indicating any specific ground for my disqualification, and without offering me the opportunity to be heard, constitutes a blatant breach of my fundamental right to a hearing.

take place on the same day, Friday, 20th September, 2024, at the Corporate Head Office of the 1st Respondent.

17. That despite the fact that I promptly corrected and resubmitted the corrected nomination forms to the 1st Respondent, the 1st Respondent neither provided any feedback on the status of my nomination nor invited me to participate in the "balloting for position" process.
18. That alarmed by the turn of events, I caused my Solicitors to write to the 1st Respondent on the same day, September 20, 2024, requesting it to rectify its error by inviting me to participate in the balloting process. Attached herewith and marked as "EXHIBIT BAM 3" is a copy of the said letter from my Solicitors.
19. That it was after submitting this letter to the 1st Respondent that the 2nd Respondent wrote a letter dated September 20, 2024, on behalf of the 1st Respondent, informing me that I had been disqualified from contesting as the Presidential Candidate on the ticket of the 2nd Applicant in the 2024 Presidential Elections. Attached herewith and marked as "EXHIBIT BAM 4" is a copy of the said letter from the 1st Respondent.
20. That, strangely, in the said letter referenced in paragraph 19 herein, the 2nd Respondent, acting on behalf of the 1st Respondent, indicated that the reason for my disqualification was because "the Team identified several errors and omissions in my forms".
21. That the said letter, purporting to disqualify me from contesting the 2024 Presidential Elections, failed to give particulars of the alleged errors and omissions in my forms.
22. That I am advised by Counsel and hold same to be true that the 1st and 2nd Respondents have a legal and constitutional obligation to inform me of the specific ground(s) for my disqualification, and offer me an opportunity to remedy same, before taking any decision on my qualification to contest the Public Presidential Elections.
23. That I am advised by counsel and hold same to be true that the decision of the 1st and 2nd Respondents contained in their letter dated September 20, 2024, disqualifying me from contesting the 2024 Public Presidential Elections, without indicating any specific ground for my disqualification, and without offering me the opportunity to be heard, constitutes a blatant breach of my fundamental right to a hearing.

24. That I am advised by Counsel and hold same to be true that, by wrongfully disqualifying me, the Respondents acted illegally by violating Articles 12(1) (2), 21 (3), 23, 34(1), 35(4), 37(2)(b), 37(4), 40(c) and (d), and 41 (b) and (d), and 55 (1) (2) (3) of the 1992 Constitution, which ensure my right to the protection of the law by enjoining all Executive, Legislative and Judicial organs of state and their officials, and all natural and legal persons in Ghana, including the Respondents, to respect and uphold the rights protected by Article 12(2), and Chapters 5 and 6 of the 1992 Constitution.
25. That I am advised by Counsel and hold same to be true that the decision of the 1st Respondent to disqualify me without directly furnishing me with the particular reasons for my disqualification, an opportunity to be heard, and an opportunity to correct any supposed error is procedurally improper.
26. That I am advised by Counsel and hold same to be true that the 1st and 2nd Respondents breached their constitutional duty to act fairly and reasonably towards me when they failed to disclose, in their letter to me dated September 20, 2024, the particular and exact reasons why they disqualified me from contesting the 2024 Public Presidential Elections.
27. That I am advised by Counsel and hold same to be true that the decision of the 1st Respondent to disqualify me without directly furnishing me with the exact reasons for my disqualification, an opportunity to be heard, and an opportunity to correct any supposed new error constitutes a breach of the Applicants' right to administrative justice.
28. That the Respondents failed/refused and or neglected to provide very basic administrative guidelines to me and my fellow Presidential nominees as to how to successfully complete the Presidential Nomination Forms.
29. That it has always been the practice since 1992, for the 2nd Respondent, as Returning Officer for the Presidential Elections, to go through the completed forms with the candidates and afford them the opportunity to have same rectified prior to any possible disqualification.
30. That it is a well-known fact that during the Public Presidential Elections in 2012, the then Chair of the 1st Respondent, Dr. Afari Gyan, went through the completed Presidential Nomination Forms with the National Executive and the then-Presidential Candidate of the 2nd Applicant, and duly pointed out errors to them, affording them the opportunity to have same rectified.

31. That I am advised by Counsel and hold same to be true that the unwarranted abrogation of this practice and convention, that finds further grounding in legislation, is illegal and completely unacceptable in a democratic dispensation such as ours.
32. That human error is inevitable but editable as exemplified in many errors committed by officials of the 1st Respondent in the 2012 elections when returning officers failed to sign many forms (pink sheets) as mandated by law and also on receipts wrongly written by officials of the 1st Respondent.
33. That the deposition in paragraph 32 herein is further exemplified by the fact that there are clear errors on pages 139 and 140 (on Candidate Personal Record) of the Presidential Nomination Form prepared by the 1st Respondent, where the form reads "SIX", instead of "SEX".
34. That the deposition in paragraph 32 herein is, again, exemplified in many errors committed by the 2nd Respondent in the 2020 Public Presidential Elections when the 2nd Respondent announced wrong figures of the total votes cast and the votes recorded by the candidates.
35. That I am further advised by Counsel and hold same to be true that, our rights enshrined under Article 23 of the 1992 Constitution, to have Administrative Bodies and Administrative Officials, such as the Respondents, act "fairly and reasonably" towards us, and "comply with the requirements imposed on them by law" have been grievously injured in their various unlawful and wrongful actions I have deposed to in this Affidavit.
36. That I am finally advised by Counsel and hold same to be true that the Respondents have by their conduct not only eroded the Constitutional Rights, Human Rights, Political Rights, Legal Rights, and Right to Administrative Due Process of the Applicants, but also, the Respondents have compromised Ghana's multi-party democratic dispensation by my purported disqualification.
37. That I am finally advised and hold same to be true that this is a good case in which this Honourable Court ought to exercise its jurisdiction and grant us the following reliefs:
 - a. A declaration that the decision of the 1st and 2nd Respondents contained in their letter dated September 20, 2024, disqualifying the 1st Applicant from contesting the 2024 Public Presidential Elections, without indicating any

specific ground for his disqualification, and without offering the Applicants the opportunity to be heard, constitutes a blatant breach of the 1st Applicant's fundamental right to a hearing.

- b. A declaration that the purported disqualification of the 1st Applicant from contesting the 2024 Public Presidential Elections is illegal as same contravenes Articles 12(1) and (2), 21(3), 23, 34(1), 35(4), 37(2)(b), 37(4), 40(c) and (d), 41(b) and (d), and 55(3) and (10) of the 1992 Constitution, and Regulation 9 of the Public Elections Regulations, 2020 (C.I.127).
- c. A declaration that the Respondents failed to comply with due process requirements imposed on them by law when they disqualified the 1st Applicant from contesting the December 7, 2024 Public Presidential Elections without furnishing the 1st Applicant with the exact and particular reasons for his disqualification and without offering him the opportunity to remedy same.
- d. A declaration that the 1st and 2nd Respondents, as an administrative body and an administrative official respectively, acted unreasonably, unfairly, capriciously, arbitrarily and in patent breach of their duties imposed on them by Articles 23 and 296 of the 1992 Constitution in disqualifying the 1st Applicant from contesting the 2024 Public Presidential Elections.
- e. An order to bring to this Court the decision of the Respondents dated September 20, 2024 which decision disqualified the 1st Applicant as a Presidential Candidate for the 2024 Public Presidential Elections, for the purpose of having same quashed.
- f. A consequential order compelling the Respondents to conduct another balloting for positions of Presidential Candidates which includes the 1st Applicant herein.
- g. An order restraining the 1st and 2nd Respondents from printing the Presidential Ballot Papers or carrying on with the December 7, 2024 Public Presidential Elections until the 1st Applicant is declared as the duly nominated candidate of the 2nd Applicant, and allowed to contest the said elections.

WHEREFORE I swear to this affidavit in support of the motion

SWORN AT ACCRA

}



THIS 24th DAY OF Sept

2024 }

DEPONENT

BEFORE ME



COMMISSIONER FOR OATHS

CERTIFICATE OF EXHIBITS

JUSTINA CLOTTEY

I, _____ Commissioner for Oaths of Accra hereby certify that the documents listed below have been exhibited to the Applicants Affidavit in Support of the Motion sworn before me.

1. EXHIBIT "BAM 1" - A copy of the Press Release of the 1st Respondent opening nomination for the 2024 Public Presidential and Parliamentary Elections.
2. EXHIBIT "BAM 2" - A letter from the 1st Respondent dated 13th September, 2024 informing the 1st Applicant of the errors in his nomination form.
3. EXHIBIT "BAM 3" - A copy of the letter from the Applicants' Solicitors requesting the 1st Respondent to correct its errors and invite the 1st Applicant to partake in the presidential balloting process.
4. EXHIBIT "BAM 4" - A copy of the letter from the 1st Respondent disqualifying the 1st Applicant from contesting the 2024 Public Presidential Elections.

BEFORE ME



COMMISSIONER FOR OATHS

EXHIBIT "BAM 4"

TRANSPARENCY FAIRNESS INTEGRITY



PRESS RELEASE

1st August, 2024

RECEIPT OF NOMINATIONS FOR THE 7TH DECEMBER, 2024 GENERAL ELECTIONS

The Electoral Commission wishes to announce for the information of the General Public that pursuant to Regulations 6, 7, and 8 of the Public Elections Regulations, 2020 (C.I. 127), the Commission will receive Nominations for the Elections of President and Members of Parliament from Monday, 9th September, to Friday, 13th September, 2024.

- 1) Interested Candidates are required to download the Nomination Forms from the Commission's website (<https://ec.gov.gh/forms/>) from Friday, 2nd August, 2024.
- 2) A Candidate for Election as President shall be nominated on the official Nomination Forms of the Commission.
- 3) Completed Presidential Nomination Forms for each candidate for President shall be signed by:
 - a) The Candidate.
 - b) Not less than two persons who are registered voters of each District Assembly.
- 4) The completed Nomination Forms shall designate the person to serve as Vice President.
- 5) The Nomination Forms shall be in quadruplicate and shall be delivered personally by the Presidential Candidate or any two of the registered voters who signed the Nomination Forms for the Candidate.
- 6) In addition to the completed Nomination Forms, the Candidate shall submit four (4) copies of a **recent post-card (bust sized) photograph against a red background showing the full face and ears** of the Candidate to the Returning Officer.
- 7) Completed Presidential Nomination Forms shall be delivered at the Head Office of the Commission between the hours of 9:00am to 12:00pm and 2:00pm to 5:00pm each day.
- 8) Candidates vying for the position of President will be required to make a payment of One Hundred Thousand Ghana Cedis (GH¢ 100,000.00) at the time of submitting their Nomination Forms. Payment shall be by Banker's draft and addressed to the Chairperson of the Electoral Commission. Female Candidates and Persons with Disabilities are required to pay Seventy-Five Thousand Ghana Cedis (GH¢ 75,000).
- 9) A Candidate for Election to Parliament shall be nominated on the official Nomination Forms of the Commission.

... the instrument to which
- exhibit ...
to the affidavit ...
sworn before me this ...
day of ...
COMMISSIONER FOR OFFICIALS

B. A. M. Mornah
24th



ELECTORAL COMMISSION
GHANA

EXHIBIT "BAM2"

13TH SEPTEMBER, 2024

MR. BERNARD ANBATAAYELA MORNAH
PEOPLE'S NATIONAL CONVENTION (PNC)
ACCRA

PRESIDENTIAL NOMINATION VETTING COMMITTEE'S REPORT

I bring you greetings from the Presidential Nomination Committee and trust that this letter finds you well.

The Nomination Committee has detected the underlisted anomalies with your nomination forms:

1. Incomplete Particulars of Supporters (pages: 9, 10, 37, 39, 42, 46, 50.)

Meanwhile the Commission is contacting your Supporters to verify the authenticity of their consent to your nomination.

You are required to come for your nomination forms today, Friday, 13th September, 2024 and effect the needed corrections and resubmit by 2:00 pm on Saturday, 14th September, 2024.

We wish you well.

BENJAMIN BANO-BIOH
DIRECTOR, ELECTORAL SERVICES

CC: CHAIRPERSON
DEPUTY CHAIRMAN, OPERATIONS
DEPUTY CHAIRMAN, CORPORATE SERVICES

... is the instrument by which
 exhibit- ...
 to the affidavit
 sworn before me this
 day of ...
 COMMISSIONER

BAM2 Mornah
[Handwritten signature]

EXHIBIT "BAM 3"



ATLEGUWA & ASSOCIATES



[Handwritten signature]



CONFIDENTIAL AND LEGALLY PRIVILEGED

The information contained in this letter is intended only for the personal and confidential use of the individual or entity to which it is addressed. This information may be an attorney client communication and as such is privileged and confidential. If the reader of this message is not the intended recipient or an agent responsible for delivering it to the intended recipient, you are hereby notified that any review, dissemination, distribution, or copying of this communication is strictly prohibited. If you have received this communication in error, please notify us immediately.

20th September 2024

The Chairperson
Electoral Commission of Ghana
Accra

Dear Madam Chairperson,

Re: Filing of Nominations—Qualification to Contest as Presidential Candidate in the 2024 Presidential Elections

[Handwritten notes in red ink: "BAM 3", "Mornah", "Sep 19 2024", "Electoral Commission"]

We act as solicitors for the People's National Convention (PNC) and its 2024 presidential candidate, Mr. Bernard Anbataayela Mornah (hereinafter referred to as "our clients").

We are informed by our clients that on Friday, the 13th of September 2024, Mr. Bernard Anbataayela Mornah successfully filed his nomination with the Electoral Commission to contest the 2024 presidential elections on the ticket of the PNC.

Subsequently, by letter dated the 13th of September 2024, and signed by Mr. Benjamin Bano-Bio of your office, our clients were informed of certain queries related to the said nomination form.

The said queries were promptly addressed, and the corrected form duly resubmitted to the Commission on the 13th of September 2024.

Following this, and on the same day, Mr. Samuel Kwaah of your office contacted our clients to confirm receipt of the corrected nomination form.

However, since the communication immediately above, our clients have not received any further updates from the Commission.

Meanwhile, it has come to our clients' attention that the Commission has by letter dated the 19th of September 2024, invited other presidential candidates for "balloting for position", which is scheduled to take place on Friday, the 20th of September 2024, at the Commission's Corporate Head Office.

Despite our clients' prompt response to the queries from the Commission, they have not received any feedback on the status of his nomination, nor have they been invited to participate in the balloting process.



a&a

ATUGUBA & ASSOCIATES

ATTORNEYS AT LAW

A member of
msi Global Alliance
Independent legal & accounting firms

We are by this letter calling on you to address this anomaly forthwith.

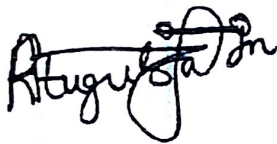
We trust that this matter will be treated with the utmost urgency given all the circumstances narrated above.

Given the urgency of this matter, we are transmitting this letter to the official email address of the Commission, to the WhatsApp handles of various officers of the Commission and additionally, hand delivering the letter to the headquarters of the Commission.

Should you have any questions or require further clarification, please do not hesitate to contact us directly at the telephone numbers provided below.

Thank you for your prompt attention to this urgent matter.

Yours in the Service of Mother Ghana,



Professor Raymond Akongburo Atuguba

0244354572

0244955813



ATUGUBA & ASSOCIATES

ATTORNEYS AT LAW

EXHIBIT "BAM4"



20TH SEPTEMBER, 2024

MR. BERNARD ANRATAVYELAMORNAH
PEOPLE'S NATIONAL CONVENTION
ACCRA

Dear Sir,

**FILING OF NOMINATIONS - DISQUALIFICATION FROM THE 2024
PRESIDENTIAL ELECTION**

I bring you greetings from the Electoral Commission, and trust this letter finds you well.

On behalf of the Commission, I regret to inform you that following the review of your Nomination Forms by the Technical and IT Teams established for this purpose, you unfortunately failed to qualify to contest as a Presidential Candidate in the 2024 Presidential Election

The Teams identified several errors and omissions in your Forms even though you were provided with an opportunity to correct same.

We wish you better luck next time.

Thank you.

Yours faithfully,


MRS JEAN MENSA
CHAIRPERSON

Bernard Anratakva Moriah
B. Anratakva Moriah
