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TEL: 0542425066 DATE: 03-07-2024

OUR REF: J.E.T.GEN/123/24 YOUR REF:

The General Secretary, National Democratic Congress, National Secretariat. Accra.

Dear Sir,

RE: SUSPENSION OF ASSIN CENTRAL CONSTITUENCY SECRETARY FROM HIS POSITION AS NDC CONSTITUENCY SECRETARY

We write on the instructions of Sadique Broni Yeboah (our client) of Assin Fosu in the Assin Central Constituency in the Central Region of the Republic of Ghana. Your letter referenced NDC/HQ/69/02/29 and dated 2nd July, 2024 has been brought to our notice and it is hereby referred.

Your said letter communicates the decision of the Functional Executive Committee (FEC) seeking to suspend our client on grounds that the purported withdrawal of the Assin Central PC was predicated on his deliberate misrepresentations and criminal conduct calculated to sabotage the PC and by extension the party.

Our client is a member of the National Democratic Congress (NDC) hereinafter referred to as "the party" and until your letter referred supra, he was serving as the Assin Central Constituency Secretary. Our client has at all material times been a true Comrade, loyal and dedicated to the principles of the party and has utmost respect for the structures and procedures contained in the Constitution of the party. In the light of this, he instructs us to serve you this letter in order to exhaust the internal complaint/redress mechanisms pursuant to Articles 48 and 49 of the NDC Constitution.

With the greatest respect, our client is scandalized by the decision of FEC to suspend him on findings impugning criminality to his conduct without first giving him a hearing. This is a clear contravention of due process envisaged under Articles 48 and 49 of the party's Constitution and same infringes on the principles of natural justice to wit: audi alteram partem (hear both sides). To this extent, your decision is a complete nullity and void ab initio.

As you are aware, the jurisdiction to take a disciplinary action against our client who is a Constituency Officer lies in the Region which is the appropriate forum (level) of the party to sit on any complaint against our client if there is any. The only exception to this is where NEC has referred a matter to the National Disciplinary Committee pursuant to Article 48(6) of the party's Constitution. Our client informs us and as same is evidenced in your letter referenced supra that it is FEC and not NEC that has taken the decision to suspend him and refer the matter to the National Disciplinary Committee in clear contravention of the party's Constitution.

Needless to say this, that our client says that his love for the NDC is unquestionable and it is because of this that despite what happened to him at the hands of the PC in 2020/2021, he has kept it a secret. He has not in any way misrepresented any facts. Our client says that despite his cordial and progressive working relationship with the PC, he keeps threatening our client to throw him into jail when he wins the parliamentary seat and it is on this score that our client reported same to the Central Regional Chairman.

Our client strenuously contends that his powers ended as soon as he reported the matter of *THREAT* to the region and as to whether or not the region took any decision to suspend the PC, that was not within his preserve. Despite the glare twisting of facts and spewing of some palpable falsehoods in the media, our client has restrained himself from speaking to the media because of his respect for party structures as well as irreparable damage it might cause certain individuals and the party.

We have the instructions of our client to demand from you the withdrawal of his suspension forthwith within 3 days and give him a fair hearing if you find it meet so to do. Be informed that we have received strict and unqualified instructions from our client to take legal action against you in the event that you default in that regard.

We hope our request would be given the necessary attention. Thank you.

Yours faithfully

JOSEPH ESUA TEKYLESQUIRE

SOLICITOR FOR SADIQUE BRONI YEBOAH

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SOLICITOR'S PRACT. LICENSE NO eCEN05190/24

CHAMBER'S REGISTRATION NO: ePP00568/23

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