



KYIDOM CHAMBERS

(NTIM BOATENG, YANKEY & ASSOCIATES)

LEGAL PRACTITIONERS AND INTELLECTUAL PROPERTY ATTORNEYS

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THE AG. NATIONAL PRESIDENT
MUSICIANS' UNION OF GHANA
ACCRA

1st April, 2021

Dear Sir,

MUSIGA ELECTIONS AND RELATED CONSTITUTIONAL ISSUES

I act as the Solicitor for Ras Caleb Appiah-Levi and upon his instructions.

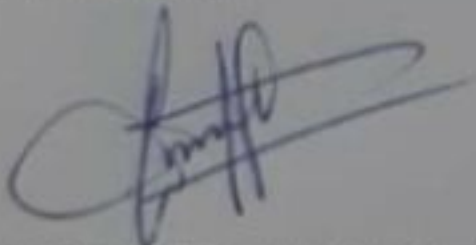
1. My client instructs me that he is a member of the Musicians' Union of Ghana (MUSIGA), the Greater Accra Regional Chairman and a National Presidential aspirant of MUSIGA.
2. My client further instructs me that in 2019 and in 2020, he instituted legal proceedings to address some MUSIGA constitutional matters among others. A legal objection to the capacity in which he instituted the 2020 proceedings was raised, and that objection was upheld by the Honourable Court by a ruling dated 16th March 2021.
3. My client, upon legal counsel, has rectified the capacity in which he sued, in order to seek further adversarial justice, all towards the forward movement of the Union. My client however deems it only fair to give the National leadership of the Union a chance to address the key constitutional concerns raised in the court cases which stand unattended to, failure of which he will advise himself as to the other options open to him including proceeding to court.
4. The key constitutional concerns are as follows:
 - a. The legality of the National Elections Committee as presently constituted. Contrary to the requirement of Article 11 of the 2018 revised constitution of MUSIGA that the National Elections Committee be composed of a representative from each Region and three NEC members, the National Election Committee, as presently constituted, falls short of this requirement. Being a constitutional injunction, we wish to draw your attention to same for it to be rectified and the National Elections Committee properly constituted.
 - b. That the National and Regional elections be held on the same day. One of the novel provisions of the 2018 revised constitution was to open up the right to vote in the National elections to all paid-up card bearing members, and to hold both the National and Regional elections on the same day. This arrangement was put in place along the thinking behind Presidential and Parliamentary elections held in the Republic of Ghana, for the term of office of the National officers to run concurrently with the term of office of the Regional officers, whiles saving money for the Union by reducing the cost of running the elections. Without recourse to a change in the constitution occasioned by a constitutional amendment or review, the processes leading to the holding of the election for National Executives only,

without a concurrent election for Regional Executives as stipulated by Article 11 of the MUSIGA constitution, can at best be described as a constitutional infraction. The election of National and Regional Executives must be held concurrently in accordance with the provisions of the MUSIGA constitution.

- c. That the National Executive Council (NEC) reviews the mandate given to the Acting National Executives. NEC gave the Acting National Executives a specific mandate to take steps to resolve the court case instituted in 2019 and to organize elections the same year, and definitely before the biennial national conference which was scheduled for October 2020. It is the understanding of my client that the said mandate has lapsed, as neither the settlement, election nor the 2020 conference took place. It is, thus, necessary for NEC to review the mandate of the Acting Executives, since the Acting Executives have failed to fulfil their specific mandate.
 - d. Having missed the October 2020 biennial national conference, which is the highest decision making body of the Union, my client as a member of the Union hereby gives a notice of intention to requisition the holding of a National Conference this year 2021 unless NEC in its wisdom plans to hold one. This will give the Union, at the highest forum, an opportunity to ratify or otherwise all decisions taken by the NEC on behalf of the Union in between the meetings of the National conference, and also to deal with some nagging issues or fall outs from the 2018 reviewed constitution. There is no doubt that the Acting National Executives are constrained particularly as far as election related issues in the revised constitution are concerned, and any way around the conundrum other than a decision of national conference will be an affront to the wishes and aspirations of members of this great Union as enshrined in the constitution.
5. It is the hope of my client that the above issues would be dispassionately discussed and addressed in order to return the Union back to its tracks and move it forward. My client wishes to reiterate that all that he has done and continues to do is to get things done in accordance with the provisions of the revised constitution. It has never been and it will never be his intention to disrupt the forward movement of the Union. There is no point in breaking a Union that my client wishes to serve in the high office as National President, and as a National Presidential aspirant, it is his utmost interest that the Union comes out of these struggles stronger.
 6. I should be pleased to receive your reaction to this letter **within fourteen (14) days** of receipt of same, the response to reach me by any of the means of communication indicated on this letter

Thank you.

Yours sincerely,



RICHARD DUA-ANSAH, ESQ.
Solicitor for Ras Caleb Appiah-Levi

CC: The Ag. General Secretary, MUSIGA

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