

**FAIR-TRADE OIL SHARE GHANA CAMPAIGN**  
**RECORD OF APPEALS, PLEADINGS, & OUTREACH TO PUBLIC OFFICIALS:**  
**THE JOURNEY TO THE SUPREME COURT OF GHANA**

**FELLOW GHANAISANS & GHANA SUPPORTERS,**

Since Ghana prides herself as the Star of Africa and Gateway to West Africa, she must set the pace for others to follow, but the reverse is happening. The first is becoming the last. That is why we are filing a lawsuit in the Supreme Court of Ghana to claim Ghana's stolen oil wealth for Ghanaians and sorely need your support.

Why should Angola, South Sudan, Chad, Benin, Togo, Sierra Leone and others have better Petroleum Exploration and Production Laws than Ghana? Could it be the political leaderships of those countries are more progressive, educated and intelligent than their counterparts of the Star of Africa?

During the past NDC/Mahama administration, out of our private resources supported by friends and family at home and abroad and under the banner of Ghana Institute of Governance and Security (GIGS), we have published a multitude of articles, organized workshops and press conferences against the predatory and exploitative nature of the so-called Ghana Hybrid System now the basis for oil contracts in Ghana. We have now registered an independent NGO, Centre for Natural Resources and Environmental Management (CNREM) to champion the campaign for a fair share of our natural resources and their environmentally safe exploitation.

Over the years, we have brought these information to the attention of the following: The Ministry of Finance, The Ministry of Petroleum, the Petroleum Commission, The Council of State, The National House of Chiefs, the Trade Union Congress, The Christian Council, The Catholic Bishops Conference, The Ghana Journalists Association, The Ghana United Nations Association (GUNA), Ex-Presidents Rawlings, Kufour and late President Mills, Ex-President Mahama, the Speaker of Parliament, Mr. Doe Adzaho, and Members of the House of Parliament all to no avail.

We have always argued and demonstrated that the world standard Production Sharing Agreement (PSA) which formed the basis of PNDC Laws 64 and 84, the current norm and standard practice worldwide, will in fact accrue more revenue to Ghanaians, as sovereign owners of the Oil and Gas resources.

Instead of honest evaluation of facts, we met with deceit, stalling, falsehoods, and pretensions of ignorance by officials too numerous to fully enumerate here; among them the Ministry of Mines and Energy, the Petroleum Commission, ACEP, IEA, etc. They claimed to a person that PNDC Law 84 was outdated and an impediment to investments, that the Hybrid System they concocted is the best option for attracting more investments and taxes to Ghana. However, none of them have ever offered empirical evidence to prove their claim.

Meanwhile, it is public knowledge many of these same people and their agencies have actually been compromised by the oil lobbies and their agents through financial grants. They have been dubiously selling a false hope of increasing oil wealth to the public without any proof, even as Ghana oil is extracted in ever greater and greater quantities.

The recent statement by an official of by the IEA that PNDC Law 84 was outdated appeared on Page 60 of the Daily Graphic of 6<sup>th</sup> December, 2017, a government owned media that in the past has refused to publish, just as for suspect reasons the mainstream media in Ghana, any of the FTOS-GH/PSA public interest papers without payment of outrageous fees.

We have persistently disagreed with their assertions and have proven to the whole world that by December, 2015, Ghana had earned merely 19% of total production revenues (US\$ 3.111 Billion) under the Royalty System used for the Jubilee Field, compared to US \$9.608 Billion (60.10%) of total production revenue at little cost to Ghana, if the PSA, the basis of PNDC Law 84, had been adopted by the Kufuor regime. As a result, Ghana lost US\$ 6.496 Billion in Oil revenue in the first five years of operation at the Jubilee Field. However, during the same period, the Oil Companies took in US \$12,868,622,165, over 300% of their initial investment of US \$4.2 Billion, and still claimed to Ghanaian officials, among them the Auditor General, that they were operating at a loss

and would not only pay current taxes, but would continue to withhold taxes into future years against their claimed losses!

On 4<sup>th</sup> August 2016, Parliament hurriedly passed Act 919 under Certificate of Urgency to consolidate this abysmal situation despite protestations from many Ghanaians. And then the NDC lost the December 2016 election to the NPP, bringing a glimmer of hope.

On 14<sup>th</sup> February 2017, we petitioned President Nana Akufo-Addo and copied Vice President Bawumia, The Speaker of Parliament, the Ministers of Mines and Energy and Finance, the National House of Chiefs, and The President of the Council of State. We drew their attention to the abysmal situation Ghana has been plunged into by previous governments with their neglect to adopt the PSA for Ghana. Shortly, on 9<sup>th</sup> March 2017, we again petitioned the entire Council of State and copied the Vice President Dr. Bawumia, as well as the Speaker of Parliament and several media organizations. (Copies of the petition to President Akufo-Addo were made available to Members of Parliament). Only the Council of State responded.

At the time of writing this message, there is media silence from all quarters. In fact, before the Vetting Committee of Parliament, Dr. Mohammed Amin (Anta) Adam, former head of ACEP, while being interviewed for the post of Deputy Minister of Mines and Energy, claimed that the so-called Ghana Hybrid system was a convergence between the Royalty System and the PSA. Dr. Amin claimed, wrongly, that the system concocted by politicians and some bureaucrats is superior to the PSA because the fiscal terms cut across each other. Dr. Amin did not provide any empirical evidence to support his claim, and Parliament and Ghanaians were no wiser. (The attached FTOS-Gh/PSA Campaign flyer proves otherwise\*). We are of the opinion that the Hybrid System is even worse than a pure Royalty System, and certainly far worse than a simple PSA.

Meanwhile, Ghana has lost US \$7.7 billion as at 30<sup>th</sup> September 2017 by neglecting to adopt PSA per PNDC Law 84. The data disproves assertions by Mr. Amin Adam, ACEP, IEA, ISODEC, IMANI, etc., that Act 919, the Mahama oil contract law introducing the Ghana Hybrid System will be better for Ghana. It is instructive that it was not even used for the recent contract with Exxon which is drawing protests from unlikely sources. We have moved beyond protests which the powers that be do not heed.

Judge for yourselves, Ghanaians, and support the lawsuit!

Join the FTOS-GH/PSA Campaign: Make a donation to our Legal Fund Today.

Remit your donation through:

TIGO CNREM Tigo Cash Mobile Money Transfer No: 057-734-5193, or

CNREM, GCB Account No: 1071130001246, Tema Main.

Please transmit your details to [nremafrica@gmail.com](mailto:nremafrica@gmail.com) so that we can send you acknowledgement of receipt and a "Thank You" note.

For the sake of accountability, we will publish the names of donors on the CNREM website. However, if a donor wishes to stay anonymous, donor should inform us. In that case, the donation will appear as "Anonymous", with Date and Amount.

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Yours in the service of Ghana,



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