

**PAN-AFRICAN
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9 DECEMBER 2008

**PAP ELECTIONS OBSERVER MISSION TO THE PRESIDENTIAL AND
PARLIAMENTARY ELECTIONS IN GHANA 07 DECEMBER 2008**

INTERIM STATEMENT

In pursuance to its mandate and in response to an invitation extended by the Government of Ghana, the Pan African Parliament (PAP) deployed an Observer Mission composed of 21 members of the Pan African Parliament. . The membership of the mission was drawn from the (5) sub-regions of the African continent and specifically from the following countries: Burkina Faso, Burundi, Cameroon, Chad, Central African Republic, Ethiopia, Egypt, Gabon, The Gambia, Kenya, Lesotho, Liberia, Malawi, Senegal, Sierra Leone, Tanzania, Togo, Uganda, Zambia and Zimbabwe. The Mission was led by Hon. Saidi Minshehe Janguo, Member of Parliament of Tanzania as well as Member of the Pan African Parliament.

The Mission was undertaken in line with the African Union (AU) Protocol establishing the Pan African Parliament whose objectives are, among others:

- to promote the principles of human rights and democracy in Africa
- to encourage good governance, transparency and accountability in Member States; and
- to promote peace, security and stability

The Mission's preliminary findings and recommendations are presented in this interim statement. PAP will produce a more comprehensive and final report on the entire electoral process at the end of the mission.

Observation Process

In order to ensure a systematic and comprehensive observation of the electoral process, the PAP Mission adopted the following methodology:

From the 2nd – 3rd December 2008 the mission had a two-day briefing session. The purpose of the briefing session was two-fold. Firstly the session gave an opportunity to PAP Election Observers to discuss in detail the theory and practices of election observation based on the AU Principles for Democratic Elections which PAP uses as an election assessment tool and to share experiences from elections in their own countries. Secondly, the session provided an opportunity for the Mission to engage with Ghanaian election stakeholders. These included representatives of the Ghana Electoral Commission , political parties, civil society organisations, academics, media, and members of the diplomatic corps.. The briefings also provided an opportunity for the members to familiarize themselves with the constitutional and electoral legal framework, the overall context in which the elections took place, the level of preparedness of election stakeholders as well as the main concerns raised by the different stakeholders.

Thereafter, on the 4th December 2008, the mission was re-organized into various teams of which were deployed throughout the ten (10) regions of Ghana, namely, Ashanti, Brong Ahafo, Central, Eastern, Greater Accra, Northern, Volta, Upper East, Upper West and Western .

In the regions, the teams held meetings with local stakeholders, attended political rallies including those addressed by contesting presidential candidates and parliamentary candidates and ahead of polling day mapped out polling stations in their areas of deployment. On Election Day, PAP teams visited over a 200 polling stations in various constituencies and observed counting of ballot papers at polling stations..

Preliminary observations and findings of the Mission

In accordance with the AU Declaration on Principles Governing Democratic Elections and conduct of credible elections in Africa, the PAP Mission has made the following preliminary observations and findings:

The constitutional and legal framework for the elections

The constitutional and electoral legal framework in place for these elections was in line with international standards for the conduct of credible elections. This framework provides for the people of Ghana to freely express their will.

According to the Constitution of Ghana, the President and the Parliamentarians are to be elected by direct universal suffrage and by secret ballot. Ghana uses a simple majority electoral system for the election of the members of parliament while for the President the candidate has to receive 50%+1 in order to be successfully elected.

Election Administration

The conduct of elections in Ghana falls under the responsibility of the Electoral Commission in accordance with chapter seven (7) of the Ghanaian Constitution. The Electoral Commission was established under Article 43 of the Constitution. It is tasked with the conduct of voter registration and the review of the voters' roll, the delimitation of boundaries for electoral districts, voting operations, vote counting and the announcement of ward and constituency and national results.

The teams from PAP observed that in most cases the Electoral Commission had made adequate preparations for the elections.

In all the areas the teams went there was no shortage of materials throughout the voting processes and the staff seemed to have been well trained except in isolated cases.

Voter registration and voter's roll

Although the Mission was not in Ghana for the voter registration process, concerns were raised by stakeholders about the bloated register which included the issue of under-age voters, management of transfer of names, the late presentation of the voters roll to political parties, shortage of materials and equipment among others. The EC admitted that they deleted over 5000 ineligible voters.

Identification of voters on the voters roll was slow because of the manner in which the voters roll was arranged.

However, during polling day, there were no observed cases of minors attempting to vote.

Voter education and information

The teams observed that in some regions, voter education was successful and this could be attributed to the involvement of all the stakeholders particularly political parties and the media while in other regions, there was need for voter education to be improved.

Media access and coverage

Free and fair access to the media is an important feature of elections. However, the teams, in their interactions with the electoral stakeholders, were informed that both public and private media displayed varying degrees of partisanship in their coverage of the electoral process particularly during the campaign process. The opposition political parties

complained that there was a tendency by the state media to be pro-ruling party while in other regions, the private media reporting allegedly tended to support the opposition parties.

Overall the Mission commends the media for the good work they have done with regard to the dissemination of information particularly in promoting the message of peaceful elections.

Accreditation of observers

The AU Declaration on Principles Governing Democratic Elections in Africa emphasizes the importance of election monitoring and observation. The Mission noted, with satisfaction, that there was a high level of participation by various local and international observer missions with a view to enhancing the transparency, credibility and integrity of the process.

The accreditation of international observers was conducted by the Electoral Commission and centralized in Accra. With the exception of the Accra team, the observers were provided the list of polling stations and other relevant useful information. In Accra, the Electoral Commission referred the observers to download the list of polling stations from the Commission's website.

The team also observed that there were representatives of domestic observer groups in most of the polling stations visited.

The Campaign process

The election campaign has been carried out in a calm and orderly manner with a significant degree of tolerance from presidential and parliamentary candidates despite the reported isolated incidents of violence. The election campaign took the forms of posters, advertisements on big billboards, political rallies, television appearances by candidates and debates involving representatives of various presidential candidates, and other types of media outreach through newspapers and radio stations.

The teams observed that although the campaign process was peaceful, there was a tendency in some regions for the police to interfere with the process, exactly where. The observers were informed that even though political parties requested permission to hold rallies, the response from the police took time and in some cases the response came on the day of the rally. The political parties maintained that this was the case when police dealt with opposition parties.

Use of state resources

The observers were informed that in some regions where candidates were members of the government, there was abuse of state resources. An example given was where the regional ministers were candidates and they continued to use government vehicles for campaigning. In some cases the regional ministers were chairpersons of the regional security structures set up to ensure the security of the electoral processes but compromised the fairness and impartiality of the electoral process.

The Security of the process

The teams observed that security was enhanced and was provided in all the voting stations. The members of the security were from Ghana police services, prisons, immigration and fire services. The presence of unarmed police at polling stations ensured that voters did not feel intimidated.

Polling stations

Electoral Commission established polling stations throughout Ghana. In total 22 000 polling stations were established and for a voting population of 12, 4 million voters. The number of polling stations was adequate and accessible enough to ensure that as many eligible voters as possible cast their votes. It was also noted that most polling stations were located in neutral places such as schools and church centres and were further secured by unarmed police officers. The polling station layout most teams observed that was done in such way that it allowed for free flow of voters.

Voting process

Most polling stations opened and closed at the legislated times although a few opened late due to logistical problems such as the late arrival of election materials. Polling materials were available in adequate numbers and voting proceeded smoothly throughout the process. On arrival the voter's name, registration number and the page where a voter's details and pictures could be found on the voters' roll were marked off by the polling official and the of the last finger of a voter was inked before he or she could be issued with ballot papers. This verification of the voter's identity, the quality of the voter's roll and the use of indelible ink to avoid multiple votes contributed to enhance the transparency of the voting process.

In some voting stations ballot boxes provided were not sufficient for the ballots.

Voter Turnout

The mission noted that the voter turnout in this election was high and this was a testimony that the voters of Ghana fully participated in the voting process

Counting and tabulation of results

Counting of ballots which took place at polling stations immediately after the end of voting was conducted in a transparent manner. Counting was done in the presence of party agents, candidates' representatives, monitors, observers and in some cases with all the voters present. Due to poor lighting, it was not in all instances that all those present had a clear view of the counting table. After announcement of results, signed copies of those results were given to the party agents.

Recommendations

- In future the Electoral Commission should ensure that the voter registration exercise is conducted in such a manner that it is perceived to be transparent and fair to all key political stakeholders
- The Electoral Commission needs to put in place an easy mechanism for the process of transfer of voters
- The type of lighting provided during counting at some voting stations should be improved
- The electoral commission should determine the maximum number of voters in a polling station which should assist in determining the number of ballot boxes to be provided.
- The arrangement of the names of the voters roll should be improved, preferably to be in alphabetical order.
- For Parliamentary elections, mechanism should be put in place to allow for Presiding officers and electoral staff to vote where they are manning the stations or be provided with a special vote.

Conclusion

The Mission commends the smooth running of the electoral process by the Electoral Commission, the good interaction between Electoral Commission and competing parties, and the responsible way in which the voters cast their votes

Based on our observations thus far it is the view of the PAP mission that the elections were conducted in a transparent manner and in a way that allowed the people of Ghana to freely and fairly express their will. It is the expectation of the Mission that the management and announcement of results will be handled in the same spirit. We commend the people of Ghana for their peaceful conduct during these elections.