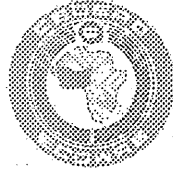


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**ECOWAS OBSERVER MISSION TO THE
REPUBLIC OF GHANA
In connection with the
December 7, 2008 General Elections**

PRELIMINARY DECLARATION

INTRODUCTION

In pursuance of the provisions of the ECOWAS Supplementary Protocol on Democracy and Good Governance (2001) relating to electoral assistance, ECOWAS deployed a two hundred-member Observer Mission to the December 7, 2008 presidential and parliamentary elections in the Republic of Ghana. The Mission is composed of delegations from ECOWAS Member-States, representatives of the ECOWAS Parliament and ECOWAS Ambassadors accredited to Nigeria. The others are members of the ECOWAS Council of the Wise and experts drawn from electoral management bodies and civil society across the ECOWAS region. The Mission is led by H.E. General Dr. Yakubu Gowon, GCFR, Former Head of State of the Federal Republic of Nigeria, and coordinated by a technical team from the ECOWAS Commission.

Since January 2007, ECOWAS has collaborated with the Ghanaian authorities and relevant stakeholders involved in the electoral process, and has monitored progress in the preparations towards the 2008 elections. Within the same context and in its determination to assist in the delivery of peaceful and credible elections, the President of the ECOWAS Commission, H.E. Dr. Mohamed Ibn Chambas, dispatched a fact-finding Mission led by Professor Amos Sawyer, former President of the Interim Government in Liberia, to Ghana from October 20-30 2008. While in the country, the Mission held extensive consultations with key stakeholders, including Government

officials, leaders of the main political parties, the Electoral Commission of Ghana, security agencies, civil society organizations, the Independent Media Commission and the media, and development partners.

Members of the ECOWAS Observer Mission began arriving in the country from November 28, 2008. Upon their arrival, they continued with extensive discussions with the authorities, development partners and other observer missions. The Mission was briefed by the Chairman of the Electoral Commission (EC), Dr. Kwadwo Afari-Gyan and his team on their level of readiness. This was followed by briefings by the Ghana National Peace Council led by His Eminence Cardinal Peter Appiah Turkson; Hon. Dr. Kwame Addo-Kuffuor, the Minister of Interior, the Ghana Journalists Association and Ghanaian democracy think tanks. The Mission also held coordination meetings with other observer missions, including the Observers from European Union Parliament, the Pan African Parliament and the Carter Center.

On December 5, General Yakubu Gowon addressed a press conference to announce the arrival and work programme of the ECOWAS Mission. On the same day, the President of the ECOWAS Commission, Dr. Mohamed Ibn Chambas issued a declaration to the Government and people of Ghana in which he congratulated them on the successful preparations towards a record fifth successive general elections, and reminded the key stakeholders of their responsibility towards ensuring the conduct of credible and peaceful elections.

After further briefings, the ECOWAS technical team equipped and deployed the observers throughout the country from the coordination headquarters in Accra and two sub-centres in Kumasi and Tamale. The observers were deployed to the majority of the 230 Districts throughout the ten Administrative Regions: Greater Accra, Central, Eastern, Western, Volta, Ashanti, Brong Ahafo, Northern, Upper East and Upper West.

OBSERVATIONS ON PRE-ELECTION ACTIVITIES AND ENVIRONMENT

Within the context of its pre-election monitoring, the Mission would like to make the following observations with regard to the processes leading to the elections:

1. The Electoral Commission of Ghana was able to register an estimated 91 percent of the electorate, and also made provision for the transfer of registration within the country. In the period preceding the elections, the EC's handling of complaints by the political parties was even-handed and business-like. This enhanced the reputation of the Commission as an impartial arbiter in the electoral process.
2. Since the return to constitutional rule in 1992, Ghana has made great efforts to encourage more women to contest elective political positions. Nonetheless, while the participation of women in decision making has vastly improved at the district level, women remain grossly under-represented at the national level. In the 2008 elections, there was no female presidential candidate. Only one party, the Convention People's Party (CPP), presented a female running mate. At the parliamentary level, only 101 candidates out of a total of 1060 candidates in the 230 constituencies were women.
3. The presidential primaries, the nomination of parliamentary candidates and the campaigns took place in a generally peaceful and convivial atmosphere, even if there were minor incidents of violence and intimidation. However, in some few cases, they were associated with the open flaunting of wealth and financial inducements, which once more revives the debate about campaign financing.
4. Some of the rules governing campaigning were not scrupulously observed. Even though electioneering campaigns officially ended on December 5, 2008, a presidential candidate held a rally on December 6 while a political party ran a paid campaign documentary on the same day. On Election Day, the arrival of a presidential candidate and another party leader to cast their ballot created an appearance of partisan campaign atmosphere at the two polling centres. In the main, however, all parties campaigned within the rules.
5. Civil society organizations and the media (with the exception of those controlled by party stalwarts) demonstrated a rich diversity of opinion and were very vibrant, critical and informative on all aspects of the processes leading up to the elections. This included awareness programmes, organizing

debates among candidates, capacity building workshops for electoral officers, monitors and observers. They also made critical comments and analyses of the registration exercise and other EC activities, the party primaries and the conduct and utterances of party officials and their followers.

6. A review of the media coverage of pre-election activities revealed that the principle of fair access of political parties to the public media was essentially upheld, even though the incumbent party and the main opposition party had better coverage from the public media due principally to their financial clout and visibility.
7. The voter education work of the National Commission on Civic Education contributed immensely to voter awareness. In the same vein, the Inter-Party Advisory Committee and the National Peace Council played important roles as consensus builders and trouble shooters in the electoral process. The replication of similar structures and best practices in other ECOWAS Member States is highly recommended.
8. The Mission took positive note of the provisions in the Ghana electoral law with regard to early voting and proxy voting, a practice which could be replicated in the ECOWAS region. The Mission observed that certain sections of the electorate could exercise their right to vote before Election Day through early voting or proxy voting as a way of ensuring that they were not disenfranchised by the nature of their duty on Election Day or other unavoidable exigencies. The Electoral Commission of Ghana had accordingly arranged for Security agencies, Armed Forces and media personnel to vote on December 2, 2008, while citizens who were away on Hajj to Saudi Arabia were also allowed to vote by proxy. Other categories in future could include drivers and service providers on Election Day.

OBSERVATIONS ON ELECTION DAY

The ECOWAS Observer Mission will produce a comprehensive report of its findings on the elections soon. Meanwhile, after the initial de-briefing of its observers from the

Districts, the ECOWAS Observer Mission to the December 7, 2008 presidential and parliamentary elections wishes to make the following preliminary observations:

1. The Electorate and their Attitude

- a. The Mission observed a very high turnout across the country with people queuing from as early as 4:00 a.m. Voter turnout was impressive and the ECOWAS preliminary projections put voter turnout at about 70 percent.
- b. The composition of the electorate was diverse and included a remarkable turnout of women and the youth; the aged and the physically challenged. The voting population was predominantly youthful, with a high number of first-time voters.
- c. There was high expectation and enthusiasm among the electorate and a determination to cast their ballot. This was demonstrated by the patience with which they waited for several hours on the queue to cast their ballot. Also, transferred voters waited extra hours for the delivery of transferred voter lists to enable them cast their vote.

2. Opening of Polling Stations

- a. Most polling centres opened within thirty (30) minutes of the stipulated time of 7 a.m. However, the late delivery of materials to some polling centres, and at times long preparatory times by electoral officials affected the prompt commencement of voting in a few polling centres across the country. As a consequence, delays were recorded at these centres.
- b. The polling centres were well established in public places, making identification easier and allowing for orderliness in the voting process.
- c. At most of the polling centres observed, electoral officials and materials arrived on time.

3. Electoral Officials and Materials

- a.** Each polling station was manned by a team of electoral officials composed of the presiding officer and at least four polling assistants.
- b.** There was a fair gender balance in the selection of the electoral officials.
- c.** Each polling station was equipped with one pair of polling booths and ballot boxes – one for the presidential ballot and the other for the parliamentary. The polling booths assured near-perfect secrecy of the ballot.
- d.** The ballot boxes were transparent and secured with serialized seals, making them less susceptible to manipulation. Furthermore, unique to the Ghana elections, party agents were allowed to add their party security seals to those provided by the EC.
- e.** In almost all the polling stations, the essential election materials arrived early in adequate quantities and were well secured.
- f.** In most polling centres, it was observed that the electoral officials and security agents were checked on from their base offices with refreshment provided thus ensuring their maximum efficiency and concentration.

4. Security

- a.** Within the polling centres, adequate but unobtrusive security was provided by the Ghana Police Service and supplemented by unarmed officers of the Fire, Prison, Immigration and Customs Services. The security officials were friendly and professional.
- b.** In areas of recent tension and violence, including Bawku, Tamale and other northern cities, riot police and military personnel in armoured

vehicles were placed at discreet vantage points to serve as a deterrent and to facilitate rapid response to possible acts of violence.

- c. The Rapid Response detachments of the Ghana Police Service were observed to be swift in handling isolated incidents of violence and rowdiness.

5. The Voting Process

- a. On the average, three to four political party agents were present at most of polling stations. Agents of the New Patriotic Party (NPP) and the National Democratic Congress (NDC) were present at all the polling stations visited by the ECOWAS observers.
- b. Foreign and local observers, as well as representatives of some diplomatic missions were seen at the polling centres. At all the centres visited by the ECOWAS Observers, there was at least one domestic observer in the polling stations.
- c. The electoral officials were courteous and discharged their duties with admirable level of patriotism, competence and fairness.
- d. The transferred voters' lists were not compiled in alphabetical order and were delivered relatively late at some polling stations. This added to delays in the voting process and tested the patience of some voters.
- e. In most polling centres, adequate measures were taken to give preference to the aged, the physically challenged, expectant mothers and voters with infants. Provision was made for the blind to vote, either assisted by a trusted person or independently using a tactile ballot holder.
- f. The queues were long during the opening hours but shortened considerably in the course of the day. In many places, the queues had disappeared by 3:00 pm, two hours to the official closing time.

- g. ECOWAS observers did not record any incident of organized fraud, such as attempted multiple or under-aged voting and impersonation. In the few individual cases of attempted impersonation or fraud that the Mission heard about, the culprits were quickly apprehended.
- h. Monitoring of voting time by ECOWAS indicated that it took an average of four minutes per person to cast a ballot from the time of verification of true identity. On the average, a voter spent two hours on the queue.
- i. The vast majority of voters with valid voter ID cards who were at the assigned polling stations were able to cast their votes freely and in secrecy.

6. Closing, Reconciliation, Counting, Collation, Announcement and Endorsement of Results at Polling Stations

- a. At most polling centres, all voters had cast their votes by the stipulated closing time of 5 p.m.; the very few who were still in the queues after the stipulated closing time of 5 p.m. were allowed to cast their votes.
- b. On the whole, the reconciliation, counting, collation, announcement, and endorsement of results at the polling stations were carried out in a transparent, competent and thorough manner.
- c. Few voided ballots were recorded, indicating a combination of a high level of voter education and well-designed and clear ballot papers.
- d. Foreign and domestic observers witnessed the reconciliation, counting, collation, announcement and endorsement of results at the polling stations.
- e. In those instances where voting closed late at polling stations not supplied with electricity, the battery-powered torch-lights and candles

did not provide enough lighting, thus slowing down the counting process.

- f. At the end of the counting of votes, and declaration of results at each polling station, the ballot boxes with the ballots cast inside them were secured with serialized seals and party agents were allowed to write the numbers on the seals. This is another best practice.

PRELIMINARY VERDICT

The Mission wishes to emphasize that its observation at this point captures only the election processes up to the endorsement of results at the polling centres. To this end, the ECOWAS Observer Mission would like to make the following observations on the processes on Election Day, December 7, 2008:

- a. The vast majority of voters had **ample opportunity to exercise their franchise** in a transparent, tranquil and orderly manner.
- b. The voting process, including the identification of voters, the secrecy of the ballot, reconciliation, counting, announcement and endorsement of results at the polling stations **was free, peaceful, transparent and credible**.
- c. The Electoral Commission has **so far** discharged its duties with **commendable competence, fairness and firmness**. Indeed, the ECOWAS Observer Mission is of the view that the EC has, **up to the time of compiling this report**, lived up to its motto of **'Transparency, Fairness and Integrity'**.
- d. As is the case with all contests, the ECOWAS Mission is not under any illusion to discount the possibility of disputes and legal challenges with regard to the outcome of the polls. In such eventuality, however, the Mission urges all aggrieved parties to employ exclusively peaceful and constitutional means to seek redress.

- e. To this end, ECOWAS will closely observe the concluding phases of the process, particularly the collation and declaration of results of the December 7, 2008 elections, as well as the handling of disputes emanating thereof by all concerned, and would make further declarations, should the need arise.
- f. There was an atmosphere of camaraderie among the political party agents as the slogan was "Ghana First" which helped defuse tension among voters.
- g. Finally, while ECOWAS appreciates the efforts of the Ghana Government to take all appropriate measures to safeguard the territorial integrity and security of the State in delicate times, the Mission regrets the closure of the country's borders from 10 am local time on December 6, 2008 without prior warning to the public, thus restricting human and vehicular movement across the country's common borders with neighboring States.

PRELIMINARY RECOMMENDATIONS

With regard to the challenges observed in the course of the electoral process, the Mission wishes to put forward the following recommendations:

1. The Government and political parties should encourage the participation of women and the youths at all levels of the political process, particularly, in seeking elective posts.
2. As part of the measures to reduce long queues and delays on Election Day, particularly in the capital and other urban centres, the EC should consider doubling the number of polling booths and ballot boxes, with a corresponding increase in polling staff at polling stations with enough space.

3. The EC should, as a matter of urgency, improve the process of “voter list transfers” by compiling them in serialized or alphabetical order, and ensuring their early delivery to their designated new polling stations.
4. The EC is strongly urged to initiate the process of enactment of legislation on campaign financing to check the perceived monetization of the electoral process.
5. The EC should make adequate provisions for dependable electricity and back-up lighting at polling centers, particularly in areas without electricity.
6. The EC, Commission on Civic Education and other relevant NGOs should organize more capacity building workshops for polling officials, party agents and observers in order to further improve the voting and monitoring processes.

CONCLUSION

ECOWAS field reports suggest that the elections were keenly contested in all the 230 constituencies. The Mission wishes to commend the Government, the Electoral Commission, political parties and the people of Ghana for their determination and commitment to the electoral process as a basis for consolidating democracy, peace and security in the country and in the region as a whole. The Mission encourages the EC to successfully conclude the process by maintaining its impartiality and adherence to the Constitution in the execution of its responsibilities.

The ECOWAS Observer Mission is hopeful that the electoral process will continue in the same peaceful and transparent manner to its conclusion, enabling the Republic of Ghana to set yet another example in the art of electoral administration and maturity required of the political class and the electorate in building an enduring democracy. Ghanaians are proving that electoral processes can become routine process of exercise of civic responsibility rather than tense and violent periods in a country's history. The December 7, 2008 elections in Ghana have the potential to redeem the image of democracy and the rule of law in the continent.

The Mission salutes the Ghanaian electorate for the patience, courage, tolerance and determination that they have exhibited in the course of the elections. The Mission cautions all political leaders to desist from making premature pronouncements on the outcome of the elections until the results have been officially announced by the EC. Further, the Mission urges all political parties to employ exclusively peaceful and constitutional means in seeking redress to any disputes that may arise from the elections.

General Dr. Yakubu Gowon, GCFR

Head of Mission

On behalf of the ECOWAS Observer Mission

Accra, December 7 2008