



PRELIMINARY REPORT ON MONITORING THE RIGHT TO VOTE AND OBSERVING THE 2012 PRESIDENTIAL AND PARLIAMENTARY ELECTIONS IN GHANA

I. INTRODUCTION

As part of its mandate to promote and protect fundamental human rights and freedoms in Ghana, the Commission, this year, monitored the right to vote and observed the 2012 general elections which took place on Friday 7 and Saturday 8 December, 2012.

In this regard, the Commission joined other organizations including the Coalition of Domestic Election Observers (CODEO), Media Foundation for West Africa and other Observer groups from the Commonwealth, the African Union and the Economic Community for West Africa States (ECOWAS) in a broad effort to enhance the credibility of the elections and maintain peace and stability in the country.

II. DEPLOYMENT OF MONITORS AND OBSERVERS

Prior to the polling day, the Commission trained its staff to monitor campaign activities of political parties and candidates in all regions and districts in the country. The Commission also monitored the media, especially its reportage of campaigns and other political party activities.

The Commission, with the assistance of the Electoral Commission (EC) also trained and deployed three hundred and thirty five (335) Observers on the polling day, December 7, led by its Commissioner, Ms Laretta Vivian Lamptey.

The Commission observed about 2,000 polling stations including polling stations located in some prisons. The Observers applied a standard checklist designed for the exercise.

On the Election Day, the Commission's observers arrived at their respective polling stations by 6:30 a.m. to witness the opening of polls. The observers made contact with other observers from CODEO, the Commonwealth, Canadian International Observer Mission, African Union and ECOWAS, as well as other local observers who were encountered at various polling stations covered in the exercise.

The observers maintained contact with their team leaders and the Commission's situation room to report any findings and/or relevant information.

III. PRELIMINARY OBSERVATIONS

From analysis of reports from our observers across the country, the Commission is in the position to issue this Preliminary Report on the right to vote in Ghana. The final report will be issued later.

1. Campaigns, Media Performance and Polling

- 1) Apart from few incidents associated with campaigning in the regions some resulting in various degrees of injuries and other isolated casualties, campaign programmes were largely successful and were devoid of incidents. Generally, campaign

messages centred on developmental issues and less of abusive language. Campaigners generally conducted themselves with decorum.

- 2) The political parties observed the rule that campaigns should end 24 hours prior to Election Day.

Polling

- 3) There were significant reports that polls did not start at the statutory time; i.e. 7.00 a.m. in a number of polling stations due to late arrival of EC officials and materials for voting. At some polling stations EC officials attributed the late arrival of materials to lack of transportation.
- 4) Turnout of voters was generally very high. Voters reported to certain polling stations as early as 1.00 a.m., they formed long queues and patiently waited for long hours in order to vote.
- 5) Personnel from the security agencies were very professional in performing their duties as they came under intense pressure from some irate voters who had formed long queues to exercise their franchise, and amidst numerous reports of glitches of the verification machines.
- 6) Officials of the EC were generally professional and courteous in dealing with voters, especially those who were frustrated and irate because the biometric verification of voters had become very difficult at some polling stations.
- 7) Voting was generally peaceful and orderly at most polling stations in the country. Most Ghanaians were patient and determined to exercise their right to vote.
- 8) Persons with disabilities and the aged were assisted to vote. The sick and nursing mothers were given the opportunity to vote out of turn.
- 9) Polls closed late in many polling centres, some as late as 3:00 a.m. on 8th December.

10) Voting was suspended in a number of polling stations due to the malfunctioning of the verification machines.

11) Sorting and counting of votes in polling stations were done professionally and in a transparent manner in the full glare of party agents, the media and the general public.

CHALLENGES TO THE ENJOYMENT OF THE RIGHT TO VOTE OBSERVED

The Commission noted some challenges that had the potential to undermine the enjoyment of the right to vote before and during polls, among them:

- 1) Some parties used children in their campaign activities. For instance, the NDC and the NPP used children in their campaign activities (rallies), where the children made presentations on the pros and cons of free SHS education. For example, at Buadum D/C JHS, Asankragwa in the Wassa Amenfi West District of the Western Region, in the case of the NDC, and Amasaman in the Greater Accra Region, in the case of the NPP.
- 2) Some Public officials/civil servants were seen openly campaigning for candidates or parties in the regions, contrary to the Code of Conduct for Public Officers. For instance, during a campaign programme held at the District Council Hall at Kpando in the Volta Region, a teacher was heard at a party event openly speaking against the Free SHS proposed by the NPP. Also, a staff of Adentan Municipal Assembly openly canvassed for votes for the NDC Presidential candidate.
- 3) Some chiefs were also seen flouting the constitutional injunction not to engage in active partisan political activity. For example, a chief was observed campaigning at a rally held by the NDC at the Kulikuli School in the Northern Region.

- 4) There were also instances of abuse of incumbency observed involving State officials in the use of State resources for partisan political interests. Some Ministers, District Chief Executives (DCEs), and Municipal Chief Executives (MCEs) were seen using official vehicles to transport campaign equipment to the rally grounds. For instance, at the Juaso Senior High Technical School Park in Asante Akim South in the Ashanti Region where the National Democratic Congress organized a rally, three District Assembly vehicles with registration numbers GE 3167 Y, AS 8727 W and GN 2397-11 were used to convey furniture and people to the rally grounds.
- 5) Few instances of the use of insulting language were recorded. Speakers referred to members of other political parties as liars and thieves. The Commission noted that the loud public outcry against those who were prone to using insulting language somewhat held politicians and party activists in check.
- 6) There were reports of instances of treating and voter influence by political parties. For example, at a meeting with persons with disability by the NPP in Gushegu in the Northern Region, a party official was seen giving GH¢100.00 to participants as a waterq Also at a rally organized by the NPP at the Takoradi Jubilee Park, party officials were seen giving money to potential voters.
- 7) Some media houses clearly showed, through their broadcast, the political party they supported. Some media houses, especially FM Stations, allowed some political party activists to use their media to make verbal attacks on members of other political parties without restraint.
- 8) Failure of verification machines occurred in many parts of the country. The situation was more serious in Greater Accra, Northern and Upper East regions, where the Commission's observers directly encountered eleven (11) of such polling stations.

- 9) Late arrival of election materials and problems with the verification machines almost disenfranchised many eager voters. This compelled the EC to extend the period of voting by another day in the affected areas.
- 10) Prospective Voters Disenfranchised: A few days before the elections, the EC complied with a court order to register prospective voters in four electoral areas in the Kassana-Nankana East District in the Upper East Region. Unfortunately for voters in the affected districts, who had earlier declined to register in a dispute over the change of name in the electoral area in their district, they could not exercise their franchise because of the requirement of a subsidiary legislation (CI 75), which prohibits the EC from including in the voters register the names of persons who qualify as voters to do so sixty days or more before election.
- 11) The suspension of voting and the problems of verification obviously created some anxiety and made affected voters frustrated. For instance, at the Inti-Suariya Primary School polling station in the Tamale Central Constituency where voting ended at 3:00 a.m. on December 8, 2012, more than 10 voters could not cast their votes because the machine could not capture their finger prints after they had tried for more than 5 times.
- 12) Indeed, problems of verification led to devising of many unscientific methods in order to enable the machine capture the fingers of some prospective voters. Some people had to buy coca cola (soft drink) to wash their hands before they were captured at the Inti-Suariya Primary School polling station. In the Kanvilli R/C Polling Centre in Tamale, a hot coal pot was provided for voters to dry their hands after washing with soap and water before their fingers could be captured. Most of those affected by the problems of verification were elderly women, some young women who had dyed their hands and fingers with a local herb called ~~le~~ were also affected.

Conclusion

Overall, the elections were free, fair, and reflected the will of the electorates. Although there were some irregularities and challenges, they were not significant enough to affect the outcome of the results.

The electioneering campaigns were peaceful. The polling processes on December 7 and 8, counting, collation and certification of the results at the polling stations were done in a transparent manner.

The Commission congratulates Ghanaians for turning out in large numbers to exercise their franchise and for the patience we all exhibited in the light of challenges including those involving the verification machines. Once again, Ghana has demonstrated by the conduct of this election, the sixth in a row of successful polls under the fourth Republican Democratic Constitutional era, that it is indeed the beacon of Democracy in Africa. Despite the few hiccups experienced, we can pat ourselves on the back for keeping the democratic trajectory.

The Commission takes the opportunity to commend the Electoral Commission, the security forces and all stakeholders for organizing yet another successful Presidential and Parliamentary Election in the country.

We take the opportunity to congratulate the President-Elect and all Members of Parliament-Elect as well as all Contestants and their supporters for a generally peaceful election and wish to emphasize that Ghana is the winner in this election.

DATED AT THE COMMISSION ON HUMAN RIGHTS AND ADMINISTRATIVE JUSTICE, THIS 10TH DAY OF DECEMBER 2012

Signed

LAURETTA VIVIAN LAMPTEY