

Ghana General Elections

7 December 2016



The Commonwealth

Ghana General Elections 7 December 2016

Table of Contents

Letter of Transmittal	iv
Executive Summary	vii
Recommendations.....	ix
The Electoral Framework.....	ix
The Media	ix
Inclusive Participation and Representation.....	ix
The Electoral Commission	x
Political Parties	x
Chapter 1	1
INTRODUCTION	1
Terms of Reference.....	1
Activities.....	2
Chapter 2	3
POLITICAL BACKGROUND	3
Period from 1957-1992	3
1992 and 1996 Elections.....	3
2000 and 2004 Elections.....	4
The 2008 Elections	4
2012 Elections	5
Chapter 3	6
THE ELECTORAL FRAMEWORK; THE MEDIA; INCLUSIVE PARTICIPATION AND REPRESENTATION	6
The President and Parliament.....	6
Legal Framework and International and Regional Commitments.....	6
The Electoral Commission of Ghana (EC).....	7
Electoral Reforms following the 2012 Elections.....	8
Eligibility for Voting and Voter Registration	10
Candidate Eligibility and Nomination	12
Campaign Finance.....	14
Complaints, Appeals and Election Petitions	14
The role of the media	14
Media reporting of the election campaign	16
Inclusive Participation and Representation	17
Recommendations.....	17

Chapter 4	19
THE ELECTION CAMPAIGN	19
VOTING; COUNTING AND RESULTS	19
Conduct of the Election Campaign	19
Inter-party tensions.....	19
Peace-building Mechanisms.....	20
National and International Significance of the Elections	22
Voting.....	23
Key Procedures for Opening and Voting	23
Assessment of Opening and Voting	24
The Count	26
Key Procedures for Closure, Counting and Results Aggregation	26
Assessment of Closure, Counting and Results Aggregation	28
National Results Tabulation - Presidential Election	28
Overview of the Countrywide Observation	30
Ashanti Region	30
Brong Ahafo Region	31
Central Region	33
Eastern Region	33
Greater Accra Region	34
Northern Region	35
Volta Region.....	36
Western Region	37
Upper Eastern Region.....	37
Upper Western Region.....	38
The Results	39
Summary of voting	40
The significance of these elections	40
Recommendations	40
Annex I: Biographies of Chairperson and Observers	42
Annex II: Arrival Statement	47
Annex III: STATEMENT OF H.E. THABO MBEKI	51
Annex IV: Joint Pre-Election Statement of International Election Observation Mission	53
Annex V: Interim Statement	55
Annex VI: Deployment Plan	59

Letter of Transmittal



Commonwealth Observer Group
Ghana General Elections
7 December 2016

Letter of Transmittal

12 December 2016

Honourable Secretary General,
Commonwealth Secretariat,
Marlborough House,
Pall Mall,
London. SW1Y 5HX.

Dear Secretary General,

As Chairperson of the Commonwealth Observer Group to the 7 December 2016 General Elections in Ghana, I am pleased to submit to you with this letter our final report.

The Group's remit was to assess whether the elections were conducted according to the standards for democratic elections to which Ghana has committed itself, primarily in its own Constitution and related legislation but also according to international standards to which it is signatory.

In carrying out our task, we consulted with a range of stakeholders namely the presidential candidates, political parties, civil society, including women and youth groups, media representatives, the Police, Commonwealth High Commissioners as well as other national and international election observer missions. Our consultations with these stakeholders and our deployment to all the 10 regions gave us a comprehensive picture of the electoral processes and environment.

This was a closely contested election between the two leading political parties, the New Patriotic Party and the National Democratic Congress. We noted commendable local peace efforts by the National Peace Council and its partners in bringing together the Presidential candidates to sign a peace pact in which they agreed to take a definitive stand against electoral violence, impunity and injustice.

Additionally, at regional and district levels peace efforts were pursued by civil society groups, traditional leaders and faith groups. These efforts were instrumental in ensuring a peaceful environment during the elections.

The Group's overall assessment is that the electoral process, as a whole, was credible, transparent and inclusive. Many of the key benchmarks for democratic elections were met. The Group has offered recommendations to address some of the shortcomings identified.

We commend and congratulate the Ghanaian voters for the peaceful and orderly manner in which they exercised their franchise. We also commend the Electoral Commission and polling staff, the political parties, the citizen observers, the media and the security forces for their respective roles in ensuring the success of the process.

In accordance with our mandate, we submit our detailed findings and recommendations in the attached report to help further strengthen the electoral process in Ghana. We hope that these findings are received in the constructive spirit in which they are offered.

It was a great honour for me to chair this eminent group of experts in undertaking this duty. As we now depart to our respective countries, on behalf of the Group and in my own name, I would like to thank you for giving us the opportunity to observe the 2016 Ghana General Elections.

I would also like to give my special thanks to the staff team who provided invaluable support to the Group.



Thabo Mbeki

Former President of the Republic of South Africa and Chair of the Commonwealth
Observer Group



Dr Lesley Clark



Ambassador Akin Fayomi



Mr Musa Mwenye, SC



Ms Masjaliza Hamzah



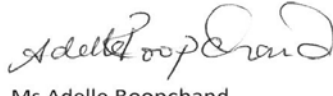
Dr Eric Kwa



Dr Samuel Azu'u Fonkam



Professor Joy Ogwu



Ms Adelle Roopchand



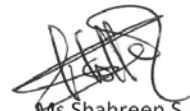
Ms Joan Purcell



Mr Phandu Skelemani



Ms Josephine Tamai



Ms Shahreen S. Tilottoma



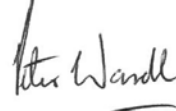
Adv Notemba Tjipueja



Dr Alexander Vines, OBE



Hon Margaret Wilson



Mr Peter Wardle

Executive Summary

The Commonwealth Observer Group for the 7 December 2016 General Elections was present in Ghana from 29 November to 13 December 2016. The Group's arrival was preceded by an Advance Observer Team which was in the country from 16 November 2016.

In carrying out its Terms of Reference, the Group met, among others, with the Electoral Commission (EC) of Ghana, the presidential candidates, political parties, civil society, including women and youth groups, the media, the Police, Commonwealth High Commissioners, as well as other citizen and international observer missions.

On 4 December 2016 our teams were deployed throughout the ten regions of Ghana to observe the election environment and preparation of the polls, and met key stakeholders at the regional, district and constituency levels.

The campaign was highly competitive and closely contested, and was conducted in a largely peaceful and vibrant manner, with fundamental rights of candidates, political parties and supporters largely respected.

The media, on the whole, played a prominent and positive role in the campaign, with freedoms of speech and expression respected. Our Group also noted the growing influence of social media on the electorate and the campaign. However, we also observed cases of the use of inflammatory language, and biased reporting.

The legal framework provides an adequate basis for the conduct of democratic elections in Ghana, with guarantees for fundamental freedoms of the right to vote, to be elected, freedom of assembly, association, expression and movement.

The Electoral Commission was, on the whole, well prepared for the elections, and administered the electoral process efficiently and professionally. The polls largely opened on time with election materials available and polling staff, security and party agents present. Pregnant women, the elderly and persons with disability were generally given priority. The poll set up, voting, and the count, collation and results process, for the most part, followed the prescribed procedures. The vast majority of voters found their names on the voters' lists and were able to vote. Few incidents were reported that had a significant impact on the voting process.

Well-conducted elections can be further improved. Our report encourages undertaking a post-election review of all aspects of the electoral framework and administration both internally and with stakeholders, with a view to adopting recommendations and best practice, in particular with regard to the following aspects: the legal framework, voter register, women's political participation, administrative and logistical arrangements for the elections, signage for polling stations, vote collation, tabulation and transmission systems,

special voting provisions, and communications between the Electoral Commission and other stakeholders. The reports from citizen and international observers could be used to inform this post-election review.

In the context of our Terms of Reference, our Report offers, in a positive spirit, a number of recommendations for consideration to further improve the electoral process in Ghana. Our overall conclusion is that the Ghana General Election as a whole was conducted in a peaceful, credible, transparent and inclusive manner. The Group commends and congratulates the Ghanaian voters, the Electoral Commission of Ghana and polling staff, civil society, the citizen observers, the media and the security forces for their respective roles in ensuring the success of the elections.

Recommendations

The Electoral Framework

As part of the post-election review recommended in Chapter 4, the Electoral Commission should review:

- The candidate nomination process, to ensure that the requirements are clear and that there is sufficient time to check and if necessary rectify errors - thereby facilitating greater political participation.
- The Inter-Party Advisory Committee (IPAC) consultation mechanism, to identify opportunities to improve communication between the Electoral Commission and political parties.
- The enforcement of the provisions of the law on campaign finance, to ensure greater transparency.

The Media

- The media, with appropriate support from the National Media Commission and the Electoral Commission, should consider encouraging more training for journalists on good practice in the coverage of elections; and should consider the value of introducing a non-statutory Code of Conduct for journalists covering elections.

Inclusive Participation and Representation

- The Government should consider further action to fulfill its commitments as a signatory to the Convention for the Elimination of All Forms of Discrimination Against Women (CEDAW). It could consider taking specific measures to achieve the goal of increased representation of women in political and public life (article 7 of CEDAW) by using temporary measures (affirmative action) as set out in Article 4. In particular, the Government should consider enacting affirmative action legislation to provide for a mandatory affirmative action quota of a minimum of 30% women candidates, to be enacted by all political parties before the 2020 election.
- The Government should strengthen the work of the Ministry of Gender, Children and Social Protection to integrate gender across all government institutions and promote women's political participation, in partnership with civil society organisations.
- Political parties should consider implementing additional measures to increase the participation of women within decision-making bodies of their parties, and to increase the number of women candidates nominated and supported. The nomination of women candidates to

contest safe seats for their parties would significantly increase their chances of election.

The Electoral Commission

- The Electoral Commission, involving all their stakeholders, should undertake a full post-election review of all aspects of the electoral framework, administration and processes with a view to demonstrating the key factors in the success of these elections, as well as identifying areas for improvement, particularly in relation to:
 - The integrity of the voter register;
 - The system for Special Voting and ensuring that all involved fully understand it;
 - The recruitment, training and deployment of greater numbers of female Presiding Officers and polling assistants;
 - Polling station logistics, including layout that ensures the secrecy of the ballot; clearer signage; the optimum allocation of voter numbers to each polling station; and more widespread access for disabled persons;
 - Improving the clarity and effectiveness of the procedures for the collation of results at Constituency Collation Centres and the National Count Centre; and
 - Communication between the EC and its stakeholders at every stage of the electoral process.
- The EC should ensure that all reforms arising from this post-election review are implemented in good time before the next elections.
- The EC should analyse the results of its observation of male and female participation levels on voting day, and share them with interested stakeholders in order to ensure improved levels of participation by both men and women.

Political Parties

Political parties should:

- Consider how to recruit, train and deploy greater numbers of female polling agents.
- Disband vigilante groups and instead encourage a more positive role for young people at a campaign level.

Chapter 1

INTRODUCTION

The Commonwealth Secretary-General, Rt Hon Patricia Scotland QC, constituted an Observer Group for the 7 December 2016 General Elections, following the invitation by the Electoral Commission of Ghana. In line with tradition, the Secretary-General sent a Pre-Election Assessment Mission to Ghana in August 2016, to assess the prevailing situation as well as the pre-electoral environment, prior to her final decision on whether to constitute a Commonwealth Observer Group. A full list of members is at Annex I.

The Commonwealth Observer Group for the 2016 General Elections was led by His Excellency Mr Thabo Mbeki, former President of the Republic of South Africa, and comprised sixteen eminent persons. A six-person staff team from the Commonwealth Secretariat supported the Observer Group.

Terms of Reference

“The Group is established by the Commonwealth Secretary-General at the invitation of the Electoral Commission of the Republic of Ghana. It is to observe relevant aspects of the organisation and conduct of the General Elections that are scheduled to take place on 7 December 2016, in accordance with the laws of Ghana.

The Group is to consider the various factors impinging on the credibility of the electoral process as a whole. It will determine in its own judgement whether the elections have been conducted according to the standards for democratic elections to which Ghana has committed itself, with reference to national election-related legislation and relevant regional, Commonwealth and other international commitments.

The Group is to act impartially and independently and shall conduct itself according to the standards expressed in the International Declaration of Principles to which the Commonwealth is a signatory. It has no executive role; its function is not to supervise but to observe the process as a whole and to form a judgment accordingly.

In its Final Report, the Group is also free to propose to the authorities concerned recommendations for change on institutional, procedural and other matters that would assist the holding of future elections.

The Group is to submit its report to the Commonwealth Secretary-General, who will forward it to the Government of Ghana, the Electoral Commission of Ghana, political and civil society organisations, and thereafter to all Commonwealth Governments.”

Activities

An Advance Observer Team arrived in Ghana on 16 November 2016, ahead of the full Observer Group which was present from 29 November to 13 December 2016.

The full Observer Group received briefings on the preparations for and run-up to the Presidential and Parliamentary Elections from the Advance Observer Team; the Electoral Commission of Ghana; representatives of political parties; a wide range of civil society organisations; domestic election observer groups; the media; the Police Service of Ghana; and Commonwealth High Commissions. The Observer Group also met other international election observation missions.

The Chairperson of the Observer Group made an Arrival Statement on 1 December 2016 (Annex II).

Members of the Observer Group travelled to and remained in all ten Regions of Ghana from 4-9 December 2016, where they received further briefings at the Regional and District level from representatives of the Electoral Commission, political parties, civil society organisations, faith groups, traditional leaders, domestic observer groups, the media and the police. Members of the Group also liaised with members of other international observer missions.

On 5 December, the Chairperson of the Group issued a statement, urging credible, transparent, inclusive, peaceful and democratic elections (Annex III).

Heads of international observer missions namely, Economic Community of West African States (ECOWAS), African Union (AU), European Union (EU), National Democratic Institute (NDI) and the Commonwealth issued a joint statement (Annex IV) on 6 December appealing to all Ghanaians to adhere to the peace pledge made by the political leaders ahead of the elections. The peace pledge is discussed in detail in Chapter 4.

On 9 December 2016, the Chairperson of the Commonwealth Observer Group issued an Interim Statement (Annex V), highlighting the Group's preliminary findings and observations.

The Observer Group's final Report was agreed in Accra before the Group left Ghana on 13 December 2016, and was thereafter transmitted to the Commonwealth Secretary-General.

Chapter 2

POLITICAL BACKGROUND

Period from 1957-1992

Ghana, previously called the Gold Coast, became independent on 6 March 1957 and was proclaimed a republic on 1 July 1960 with Kwame Nkrumah installed as President. The name Ghana was adopted after the medieval Ghana Empire of West Africa, which was also famed for its wealth and trade in gold.

From independence in 1957 Nkrumah spearheaded the movement for African Unity, laid the foundations for the formation of the Organisation of African Unity (OAU), and was a firm supporter of the Commonwealth and the Non-Aligned Movement. Domestically however, his popularity waned. Ghana transformed into a one-party state, with the Convention People's Party (CPP) being the only recognised party. An increase in the President's powers, through laws such as the Preventive Detention Act of 1958, and unpopular economic and social policies contributed to Nkrumah's waning popularity.

On 24 February 1966, Nkrumah's government was overthrown by the Ghana Armed Forces. The next 25 years were characterised by a series of military coups, and short-lived periods of civilian government. However, in 1992 a new Constitution was approved in a nationwide referendum; the ban on political activity was lifted; and the freedom of the press was restored.

Soon after the promulgation of the 1992 Constitution, which was approved by the people of Ghana in a referendum in April and May 1992, Ghana held elections the same year. Since then, civilian rule has not been interrupted and Ghana has held six Presidential and Parliamentary elections.

1992 and 1996 Elections

Presidential elections were held on 3 November 1992 and observed by the Commonwealth, among others. The election was won by Jerry John Rawlings, who had previously served as President under military rule and now led the National Democratic Congress (NDC) party. He defeated the New Patriotic Party (NPP) candidate, Professor Albert Adu Boahen.

Parliamentary elections followed on 29 December 1992, and the Progressive Alliance - made up of the NDC, the National Convention Party (NCP) and the Eagle Party - won 198 out of 200 seats. Four parties, including the NPP, boycotted the Parliamentary elections due to dissatisfaction with the election arrangements.

The Commonwealth Observer Group reported that the process of transition to multi-party democracy was marked by an atmosphere of deep-seated suspicion of President Rawlings' motives and actions. The Group highlighted a lack of

dialogue between government and opposition, and an 'unsatisfactory' playing field. That Observer Group expressed concerns about a number of aspects of the electoral process, but concluded that their observations were not "to be understood as in any way detracting from the overall freeness and fairness of the process".

The opposition NPP severely criticised the conduct of the elections and the report of the Commonwealth Observer Group.

A Commonwealth Observer Group also observed the elections in 1996, which saw Jerry John Rawlings re-elected as President. The Observer Group noted a range of concerns about the electoral process, including delays in getting results from some polling stations, the lack of a political parties' code of conduct, and the role and attitude of the media, but concluded that "overall the conditions allowed a free expression of the will of the electors".

2000 and 2004 Elections

In the first round of the 2000 Presidential election, the NPP's candidate, John Kufuor, won 48.17% of the vote, with the NDC candidate, John Atta Mills, winning 44.54%. In accordance with the 1992 Constitution, which requires that the President must be elected with over 50% of votes cast, a run-off between the two leading candidates was held and was won by the NPP candidate with 56.73% of the votes. John Kufuor became President in a peaceful transfer of power. In the 2000 Parliamentary election, the NPP won 100 of the 200 seats in Parliament; the NDC won 92.

John Kufuor was re-elected as President in 2004, defeating John Atta Mills in the first round with 52.45% of the votes. The NPP won 128 Parliamentary seats to the NDC's 94.

The Commonwealth did not observe the 2000 or 2004 elections.

The 2008 Elections

A Commonwealth Observer Group did deploy in Ghana for the elections in 2008. The NDC won 114 Parliamentary seats to the NPP's 107. In the first round of the 2008 Presidential election, Nana Akufo-Addo of the NPP won 49.13% of the votes, with John Atta Mills winning 47.92%. The run-off, however, was won by John Atta Mills of the NDC with 50.23% of the vote against Nana Akufo-Addo's 49.77%. It was noted that the focus of the run-off campaign shifted away from issues, to personality politics, party loyalty and ethnicity.

The Commonwealth Observer Group concluded that the conduct of the 2008 elections widely confirmed the view that Ghana's maturing democracy had become a good reference point for the African continent and the Commonwealth as a whole. The Observer Group reported that the elections had been conducted in an open, transparent and inclusive manner, and were therefore considered credible. At the same time, the Observer Group highlighted the issue of the voter register as a central area of concern and

recommended that all efforts be made to address the integrity of the voters' register in future elections. The Observer Group welcomed initiatives taken by the Electoral Commission between the first and second rounds to improve the efficiency of the electoral procedures.

2012 Elections

President John Atta Mills died suddenly on 24 July 2012 and was succeeded by Vice-President John Dramani Mahama. The Presidential election followed on 7 December 2012 and again a Commonwealth Observer Group was deployed.

In June 2012 the Electoral Commission announced that following the release of the 2010 census figures, 45 new electoral constituencies, and some new Districts, would be created. Some stakeholders criticised the announcement, arguing that it came too close to the election, and challenged it in the Supreme Court. In October 2012 the Supreme Court upheld the Electoral Commission's decision.

The run-up to the elections saw a rise in tension due to the fiercely contested campaign and fears that this could lead to violence. In the week preceding the elections, the Presidential candidates signed the 'Kumasi Declaration', publicly denouncing the resort to violence in election campaigning.

The Presidential election saw John Dramani Mahama (NDC) elected with 50.7% of the votes; Nana Akufo-Addo (NPP) received 47.74%. The NDC won 151 parliamentary seats, while the NPP got 120.

The NPP challenged the results in the Supreme Court, alleging rigging and electoral fraud. Eight months after the election, the Supreme Court dismissed the petition and upheld the results.

The Commonwealth Observer Group reported that the elections met many of the benchmarks for democratic elections and noted that, while aspects of the administrative system and the environment for the polls could be improved further, the elections were credible. Among concerns noted by the Observer Group were:

- Abuses of incumbency, including the use of state vehicles, state security apparatus, state officials and state venues and paraphernalia.
- The winner-takes-all politics of exclusion, perpetrated by governments in power against losing political parties.
- Some chiefs openly engaged in partisan politics, despite a ban in the 1992 Constitution on chiefs participating in active party politics.
- Irregularities in the biometric voter registration exercise conducted ahead of the elections, including concerns about the registration of minors, registration of non-Ghanaians, and multiple registration.

Chapter 3

THE ELECTORAL FRAMEWORK; THE MEDIA; INCLUSIVE PARTICIPATION AND REPRESENTATION

The President and Parliament

The President of Ghana is elected for a four-year term and can serve a maximum of two terms in office. The President is elected in a single national constituency on the basis of a majority system. In order to be elected in the first round a candidate needs to secure at least 50%-plus-1 of the valid votes cast. If no candidate secures such a majority, then the leading two candidates contest a run-off election. In the run-off, whichever candidate secures the most votes is the winner.

The Parliament of Ghana consists of 275 members, who are elected from single-member constituencies on the basis of the first-past-the-post system. The term of a Parliament is also four years.

Legal Framework and International and Regional Commitments

The 1992 Constitution of Ghana as amended by Act 527 of 1996 is the supreme law of the Republic of Ghana.

Ghana has signed or agreed to all the major regional and international commitments and instruments relating to human rights and the conduct of elections. These include:

- The Commonwealth Charter (2012)
- AU African Charter on Democracy, Elections and Governance (2007)
- ECOWAS Protocol on Democracy and Good Governance (2001)
- International Convention on the Elimination of All Forms of Racial Discrimination (1996)
- African Charter on Human and Peoples' Rights (1981)
- Convention on the Elimination of All Forms of Discrimination Against Women (1979)
- International Covenant on Civil and Political Rights (1966)
- Universal Declaration of Human Rights (1948)

The Constitution of Ghana guarantees fundamental rights and freedoms, including freedom of expression, assembly, association and participation in elections.

The key documents providing the legal and regulatory framework for the conduct of elections are:

- Constitution of Ghana (1992, as amended by Act 527 of 1996)
- Representation of the People Act (1992, as amended)
- Public Elections Registration of Voters Regulations (CI 91 of 2016)
- Public Elections Regulations (CI 94 of 2016)
- Presidential Elections Act (1992, as amended)
- Electoral Commission Act (1993, as amended)
- Political Parties Act (2000)
- Representation of the People (Constituencies) Instrument (2004)
- Political Parties Code of Conduct (2012)

The Electoral Commission of Ghana (EC)

The Constitution and the Electoral Commission Act provide for the establishment of the EC as an independent body. Article 43.1 of the 1992 Constitution provides that the EC shall consist of seven members - a Chairperson, two deputy Chairpersons, plus four other members.

The Chairperson and other members of the EC are appointed by the President, on the advice of the Council of State¹, for an unspecified period. The current Chairperson of the EC is Mrs Charlotte Osei, who took office in 2015. Her predecessor had served from 1993-2015.

The key responsibilities of the Electoral Commission are to:

- Compile the register of voters and revise it at such period as may be determined by law;
- Undertake programmes for the expansion of the registration of voters;

¹ The Council of State is established by Articles 89 to 92 of the Constitution which states "There shall be a Council of State to counsel the President in the performance of his functions"; and include a former Chief Justice of Ghana, a former Chief of the Defence Staff, a former Inspector General of Police and the President of the National House of Chiefs. Each region of Ghana also has an elected representative; and the President of Ghana appoints 11 further members. Members stay in office until the term of office of the President ends.

- Demarcate the electoral boundaries for national and local government elections;
- Conduct and supervise all public elections and referendums; and
- Educate the people on the electoral process and its purpose.

The EC has a Head Office in Accra, offices in each of the ten Regions of Ghana and offices in each of the 216 Districts of Ghana.

During the pre-election and election period, the EC appoints a Returning Officer and two Deputy Returning Officers for each of the 275 electoral constituencies, and 148,000 polling station staff.

Electoral Reforms following the 2012 Elections

As noted in Chapter 2, the results of the 2012 presidential election were challenged in the Supreme Court. In the course of delivering its judgment, which upheld the results of the election, the Court recommended that a number of reforms to the electoral process should be undertaken.

The previous Chairperson of the EC, Dr Kwadwo Afari-Gyan, established a Special Reform Committee² to consider reforms proposed by the Court and by political parties. Following this process, several changes were instituted, including:

- Requiring Returning Officers and their deputies to take their oath of office in the presence of a magistrate or judicial officer rather than an officer of the EC;
- Provision for the adjournment of polling in the event of a disruption;
- Serially numbered Statements of Polls and declaration of results sheets;
- Sanctions in the law for election officials who negligently perform their work;
- A requirement for Returning Officers to issue copies of collation sheets to candidates and party agents;
- Expansion of the list of Special Voters to include accredited media and security personnel as well as staff of the Electoral Commission.

² The Committee comprised representatives of the political parties, governance institutions and Civil Society Organisations.

- Undertaking an 'exhibition' exercise to identify and correct mistakes in the voter register, and a registration exercise to allow new voters to join the voter register;
- Strengthening the role of the EC's non-statutory Inter-Party Advisory Committee (IPAC) to improve liaison between the EC and political parties;
- Increasing the transparency of the results tabulation process at the level of the National Collation Centre;
- Raising the minimum educational requirements for polling officers, and improving the quality of training for polling officers;
- Providing for the names and pictures of Returning Officers and their deputies to be published at least 10 days prior to an election and for a copy of the publication to be furnished to political parties taking part in the election;
- Providing for the names and pictures of Presiding Officers and polling assistants that the EC proposes to appoint to be published at the District Office of the EC at least 10 days prior to an election, and for a copy of the publication to be furnished to political parties taking part in the election. An eligible voter or a registered political party could object to any proposed name within seven days of the publication, but not later than 7 days before the election;
- Provision of a transferred voters list for persons who have moved to areas other than those in which they are registered to vote, provided they have been resident in the new area for at least 12 months;
- The provision by Returning Officers, no later than 14 days before polling day, of an absent voters list to political parties, candidates and each polling station. The absent voters list contains names of persons on the transferred voters list and the special voters list;
- Provisions for voting by proxy by persons who are unable to vote in person due to ill health or absence from the constituency on voting day provided that they apply to the Returning Officer at least 42 days before the poll to be entered on the proxy voters list;
- Identification of voters through the biometric verification process using a biometric verification device and provision for manual verification for voters who are duly registered but who the BVD fails to verify.

Some proposals discussed by the Special Reform Committee were not pursued:

- A proposal to hold the Presidential and Parliamentary elections in November instead of December was not accepted by Parliament.
- A proposal to continue the 2012 requirement that a voter not verified by the BVD at a polling station should not be allowed to vote was rejected. Instead, the EC introduced a 'Manual Verification' process to be used in such situations where the Presiding Officer is satisfied about the voter's identity.
- A proposal to make representatives of civil society organisations full members of the IPAC was not accepted - however, civil society organisations were invited to attend IPAC meetings as observers.

As the elections approached, the EC announced that in order to increase the transparency and visibility of the results tabulation process, it would introduce a non-statutory 'Electronic Results Transmission System' (ERTS) in constituency Collation Centres. The system consisted of a spreadsheet into which were entered the various figures reported on the results sheet from each polling station in the constituency. The ERTS provided a check on the arithmetic on the results sheets; and allowed the Returning Officer at the constituency Collation Centre to display the results to all those present on an overhead projector screen; provided running totals of votes cast across the constituency; and finally, offered the chance to transmit the results data, once certified by the Returning Officer, using a mobile data link, to the National Collation Centre in Accra. The Group will comment on the use of the ERTS system in Chapter 4.

Eligibility for Voting and Voter Registration

Article 42 of the Constitution of Ghana provides that "every citizen of Ghana of eighteen years of age or above and of sound mind has the right to vote and is entitled to be registered as a voter for the purposes of public elections and referenda".

The Registration of Voters Regulation sets out procedures for registering voters.

Initial registration involves a voter attending a registration centre in person to provide biometric information (photo and fingerprint scans) as well as details such as name and address.

At the point of registration, anyone entitled to be on the register, a political party agent, or an EC officer may challenge the inclusion of any other person on the voter register - the EC must then examine whether the application to register is genuine, and there is an appeal process involving the District and High Courts.

If no challenge is made, then the EC must include the individual on the provisional voter register, assign a Voter ID number to them, and issue them with a Voter ID card.

The Electoral Commission is then required to publish ('exhibit') the voter register, so that electors can confirm that they have been included, and that their details are correct. At this stage, anyone registered to vote in the same electoral area may challenge the provisional registration of another voter in that electoral area.

When the period for correcting information and determining challenges has passed, the EC publishes the 'certified' voter register. Once a person is included on the 'certified' voter register, there is no further opportunity to challenge their right to vote. A person may vote at an election provided they have been included in the certified register more than 60 days before Election Day.

The EC uses electronic Biometric Verification Devices (BVDs) to store information about each voter. Before issuing a voter with a ballot paper, polling officers check the individual's photo and fingerprint scans using the BVD.

At the 2012 elections there were a number of problems with the BVDs that were noted in the Commonwealth Observer Group Report, including instances where the machines stopped working and could not be replaced, leading to the adjournment of voting until the following day in 431 polling stations and instances where voters were disenfranchised due to their non-recognition by the BVDs, notwithstanding their possession of voter ID cards and the fact that they appeared on the Names Reference List and Voter Register.

In the run-up to the 2016 elections, there was a good deal of focus on the voter register. The main opposition party, the NPP, continued to express concern that the register contained ineligible entries, including non-citizens and minors, and demanded its complete replacement. The NDC, on the other hand, maintained that the voters register was suitable for use at the elections.

The EC sought views from all political parties in its IPAC forum, and established a panel of eminent persons to review the issue in the light of the parties' representations. This panel did not recommend the wholesale replacement of the current voters register.

Meanwhile, the Supreme Court also considered the issue of the voters register and in May and July 2016 directed the EC to clean up the register, and in particular to remove entries for people whose only evidence of identity was their National Health Insurance Scheme (NHIS) card - which the Court deemed insufficient evidence for the purposes of voter registration.

In July and August 2016, the EC:

- Deleted 56,772 entries which had been made using NHIS cards as evidence of identity;

- Provided an opportunity for those affected by these deletions to re-register using alternative evidence of identity - 27,806 voters did so;
- Conducted an exercise for a limited period during which new voters could join the register.
- Conducted a public 'exhibition' of the voter register, to provide an opportunity to correct entries and to challenge the inclusion of any ineligible persons. Citizen observers reported that although this exercise was conducted smoothly, there was a disappointing level of engagement and scrutiny both by members of the public and by the political parties themselves.

A total 15,712,499 voters were on the voters' register for the elections on 7 December 2016.

Candidate Eligibility and Nomination

President

To be eligible as a candidate for the Presidential elections a person must be a citizen of Ghana over 40 years of age, and be a registered voter.

For the nomination process, prospective candidates had to submit to the EC certain relevant documents, signed by the candidate plus two other persons registered in each District Assembly, by a specified date. In addition, candidates were required to deposit 50,000 GHC, equivalent to approximately US Dollars 11,767.

A person is prohibited from standing as a candidate for President if he/she is a public employee (unless he/she resigns from their post); a chief; or, has been ruled to be unfit for public office, convicted of treason or another offence concerned with state security.

17 presidential aspirants submitted nominations ahead of the 2016 elections, however the EC disqualified 13 on the grounds that they did not meet the required candidature criteria. The four successful aspirants were:

- Nana Akufo-Addo New Patriotic Party (NPP)
- Ivor Kobina Greenstreet Convention People's Party (CPP)
- John Dramani Mahama National Democratic Congress (NDC)
- Jacob Osei Yeboah Independent

Some of the disqualified candidates filed suits in court to challenge their disqualification.

There were concerns that if these cases were not heard in good time they could affect the timing of the elections. However, on 18 October the Chief Justice,

Campaign Finance

The legal framework for political parties is contained in Article 55 of the Constitution as read with the Political Parties Law Act 2000. Under the Political Parties Law Act political parties are required to submit to the Elections Commission statements of their assets and liabilities. Political parties are also required to file a return indicating the state of their accounts, the sources of their donations in cash or kind and the audited accounts of the party. According to the Political Parties Law Act, political parties are precluded from raising campaign funds from non-citizens of Ghana.

The Group heard that the legislation on campaign finance was not effectively enforced, so that the overall level of transparency was low.

Complaints, Appeals and Election Petitions

Ghana has established a mechanism for dealing with election disputes, including a fast-track dispute resolution mechanism for dealing with election-related complaints during the electoral period.

Decisions of the EC can be challenged through the Courts as can challenges to election results. A challenge to the results of the Presidential Election must be submitted to the Supreme Court within 21 days of the declaration of results. A challenge to the results of the parliamentary elections must be submitted to the High Court within 21 days of declaration of the results.

A challenge to the validity of the process on the grounds of corrupt practice etc, must be made prior to the publication of results.

Criminal activities are to be dealt with by the appropriate law enforcement agency. Non-criminal complaints relating to the Code of Conduct can be dealt with through the Inter-Party Advisory Committee (IPAC) mechanism. The IPAC mechanism is informal.

The role of the media

Freedom of speech and expression is enshrined in the 1992 Constitution of the Republic of Ghana. The Constitution guarantees freedom and independence of the media; prevents censorship of the media; and forbids licensing of media. It also prohibits any impediments to the establishment of private press or media. The Constitution provides that Parliament may enact laws that derogate from these rights, in the interests of national security, public order, public morality or the protection of the rights and freedoms of other persons.

The Group reviewed various international indices of press freedom:

- Freedom House downgraded Ghana from Free to Partly Free in its Freedom of the Press 2016 Report.

- The Ibrahim Index of African Governance ranked Ghana no 2 out of 54 countries (a 3.2-point drop since 2006).
- Reporters Without Borders' 2016 World Press Freedom Index ranked Ghana at 26 out 180 countries (a fall of four points since 2015).

In May 2016, the Inspector General of Police reportedly suggested that social media should be shut down if it became a tool for misinformation on Election Day. The National Media Commission (NMC) and others argued that a shutdown would infringe the fundamental rights of free speech guaranteed under the Constitution. In fact, the issue of a social media blackout never materialised in the pre-election, Election Day and post-election period.

The Constitution also provides that 'all state-owned media shall afford fair opportunities and facilities for the presentation of divergent views and dissenting opinions'. Implicitly, all presidential candidates are entitled to be given a fair share of space on state-owned media during campaigning.

The National Media Commission is mandated by law to:

- promote and ensure the freedom and independence of the media;
- maintain the highest journalistic standards; and,
- mediate and settle complaints made against or by the press or other mass media.

The NMC does not, however, have the right to regulate the media. We understand that in December 2015, Parliament approved a framework under which the NMC would be able to review content intended to be broadcast. However, the Group heard that the Supreme Court struck down this provision, and we saw no evidence that this regime had been put into practice in the run-up to the elections.

Newspaper readership is low and limited to urban areas, with only 1.5% of the population reading newspapers.

Radio is by far the dominant media in Ghana with over 300 radio stations across the country broadcasting in English and local languages. In rural areas the use of mobile radios on trucks and cars using a megaphone is more common.

There were around 50 TV stations on air at the time of the election campaign.

The Ghana Broadcasting Corporation is the public broadcaster in Ghana. It is funded through a very small licence fee, and advertising revenue. It owns one television station and 10 radio stations around the country.

Several wealthy businessmen own a number of media outlets, and some media outlets are politically-controlled. Many media outlets are politically partisan

in favour of the two main parties. (We heard that the Ghana Journalists Association is calling for legislation that would restrict the number of media outlets that can be owned by one company.)

Internet penetration in Ghana, according to Freedom House, is 23.5% of the population; there are an estimated 3.5 million Facebook users in Ghana. All the main social media platforms are used, and there are a number of popular online news sites³. (The Group noted that many organisations and individuals involved in the elections, including the Electoral Commission, made use of the internet to maintain communication during the election period and to share information about the results.)

Media reporting of the election campaign

There is no election-specific code of conduct for journalists, although the Ghana Journalists Association (GJA) published guidelines encouraging journalists to:

- Conduct themselves to the highest standards;
- Report accurately and without bias, and in particular to ensure that the incumbent party of government does not gain unfair access to the media;
- Enable voters to make informed and intelligent choices during the elections;
- Check facts rigorously;
- Focus on issues; and,
- Not to compromise their integrity by accepting bribes or other inducements.

The GJA guidelines also encouraged campaigners to ensure that the media are given adequate notice of political candidates' and parties' activities, to ensure adequate coverage.

The main sanction available for breach of the GJA guidelines appeared to be suspension of a journalist's GJA membership, although the Group heard that the threat of 'naming and shaming' was a more effective sanction in practice. The Group heard from stakeholders that both public and private media - especially those known to take a partisan stance - had reported events inaccurately during the election campaign. However, the Group also heard that journalists' fact-checking was considered to have improved overall, compared with previous elections.

³ Including www.myjoyonline.com, www.ghananewsagency.org and www.peacefmonline.com

The Group was informed that the Electoral Commission generally had a good relationship with the media, which helped to underline some key voter education messages.

The Media Foundation of West Africa (MFWA) launched an initiative called “Decent Language Campaigning for Peaceful Elections”. MFWA’s monthly monitoring for August and September 2016 suggested a drop in the number of “indecent” expressions recorded.

Inclusive Participation and Representation

Gender

The Constitution guarantees fundamental rights and equal opportunities for men and women to participate in the political and electoral process in Ghana. However, despite comprising 51.1% of voters, women are severely under-represented as parliamentarians and election candidates. At the 2012 election the 134 women candidates comprised only 10.1% of all election candidates, and those 30 who were elected comprised only 10.91% of Members of Parliament – the same proportion as in 2004 and well short of the minimum goal of 30% for women’s political representation as set out by regional and international organisations. The situation has not improved at the 2016 election with one female presidential candidate and 136 female parliamentary candidates (11.7%) standing for election. The female presidential candidate received 0.16% of the vote (16,878 votes) and 36 women were elected as Members of Parliament, comprising 13.1% of the 275 MP’s elected. Civil society organisations and the government have worked to promote women’s political leadership, but there are very significant cultural and financial barriers that limit women’s political participation. Legislative reforms and commitment from political parties will be required to achieve the goal of women’s equal political participation and representation.

Persons with a Disability

The Constitution enshrines the rights of disabled people and, as far as practicable, requires all public places, facilities which includes to polling stations, to provide access for people with a disability. One of the Presidential candidates was a person with a physical disability, party manifestos were published in braille, and some television coverage of the election and voter education included sign language for the hearing impaired.

Recommendations

The Electoral Framework

As part of the post-election review recommended in Chapter 4, the EC should review:

- The candidate nomination process, to ensure that the requirements are clear and that there is sufficient time to check and if necessary rectify errors - thereby facilitating greater political participation.
- The IPAC consultation mechanism, to identify opportunities to improve communication between the Electoral Commission and political parties.
- The enforcement of the provisions of the law on campaign finance, to ensure greater transparency.

The Media

- The media, with appropriate support from the National Media Commission and the Electoral Commission, should consider encouraging more training for journalists on good practice in the coverage of elections; and should consider the value of introducing a non-statutory Code of Conduct for journalists covering elections.

Inclusive Participation and Representation

- The Government should consider further action to fulfill its commitments as a signatory to the Convention for the Elimination of All Forms of Discrimination Against Women (CEDAW). It could consider taking specific measures to achieve the goal of increased representation of women in political and public life (article 7 of CEDAW) by using temporary measures (affirmative action) as set out in Article 4. In particular, the Government should consider enacting affirmative action legislation to provide for a mandatory affirmative action quota of a minimum of 30% women candidates, to be enacted by all political parties before the 2020 election.
- The Government should strengthen the work of the Ministry of Gender, Children and Social Protection to integrate gender across all government institutions and promote women's political participation, in partnership with civil society organisations.
- Political parties should consider implementing additional measures to increase the participation of women within decision-making bodies of their parties, and to increase the number of women candidates nominated and supported. The nomination of women candidates to contest safe seats for their parties would significantly increase their chances of election.

Chapter 4

THE ELECTION CAMPAIGN VOTING; COUNTING AND RESULTS

Conduct of the Election Campaign

The official start of the campaign period is not defined in the Ghana Constitution, but campaigning is required to end twenty-four hours before polling day.

The political environment throughout the campaign was highly charged. However, despite concerns in the run-up to the campaign, it was in fact largely peaceful, with few incidents of violence.

Political parties made widespread use of advertising in print and electronic media, although the cost of this meant that advertising was dominated by the best-funded parties. All parties also held large-scale rallies and undertook door-to-door campaigning on the ground. Campaign material from a range of parties, such as billboards and T-shirts were visible across the country (although in the Volta region, an NDC 'stronghold', the Group noted significantly less material from other parties).

Televised Presidential debates were organised by a range of organisations. For example, on 22 November the Institute of Economic Affairs organised a debate, although the two main Presidential candidates from the NDC and NPP did not take part. On 30 November, the Ghana Broadcasting Corporation and the National Commission for Civic Education (NCCE) organised a further debate - all candidates were invited but the NPP and NDP Presidential candidates did not take part. This four-round debate was independently moderated and candidates answered questions on a range of issues including energy and education; employment and private sector; health and food security/agriculture; and corruption and governance. The NCCE also organised constituency debates for Parliamentary candidates across the country.

Among the key issues raised in the campaign were the economy, energy, education, infrastructure, health, unemployment, agriculture and rural development, natural resources, ICT and corruption. At the same time, the campaign also included a significant focus on the personalities of the candidates rather than on the issues alone.

Inter-party tensions

In briefings with several stakeholders, the Group was informed about some incidents of violent clashes between the two main political parties. These clashes were reportedly observed mainly in the strongholds of the NDC and the NPP. Incidents of violent clashes between the NPP and NDC supporters were

witnessed by some citizen observers during the limited voter registration exercise which was held from 28 April to 8 May 2016.

The Commonwealth Observer Group was informed about the emergence of vigilante groups that were allegedly used by some political parties. In the meeting with the Police, the Group was informed that a National Election Security Task Force was constituted ahead of the elections to address security issues. The Election Security Task Force was also constituted at Regional and District levels⁴. The Police further informed the Group that it had identified about 5,000 potential hot spots out of the 28,992 polling stations. The potential hotspots included high crime areas, areas with localised tensions related to chieftaincy disputes and many others. The Police indicated that they were working with the community leaders and the public to address some of the issues identified. The Group noted during the briefings that although the identification of likely hotspots was an important exercise, the situation was fluid and the Police rightly continued to monitor developments at all stages of the election.

Furthermore, the Police provided bodyguards to the Presidential candidates in order to remove any reason for political parties to use their own vigilantes to protect their candidates.

One feature of the campaign was the organisation of 'health walks' by political parties. The Group heard that 'health walks' were a reasonably common event in Ghana, generally organised by community organisations and aimed at promoting the benefits of exercise. The Police told us that such non-political events rarely raised any issues of crowd control or obstruction. In the early stages of the election campaign, the Police in some parts of the country did not deal with political party 'health walks' as political campaigning events - which was, in effect, what they were.

It was one of these events, in Accra on 13 November, which led to a clash between supporters of the two main parties when an NDC 'health walk' reportedly led to large numbers of NDC supporters gathering close to the residence of the NPP Presidential candidate - the Police faced criticism for having failed to prevent the clash.

However, the Police informed us that they quickly began to treat political party 'health walks' in the same way as election rallies - requiring the organisers to give advance notice of their plans in accordance with the Public Order Act, and ensuring that rival walks were kept apart as far as possible, and were appropriately policed.

Peace-building Mechanisms

The National Peace Council organised on 1 December 2016 the signing ceremony of the Peace Pact by the Presidential candidates known as the 'Accra Declaration'. At the event, the Presidential candidates were invited to make a

⁴ Election Security Task Forces were chaired by the senior police officer in each area.

public affirmation against electoral violence, impunity and injustice in pursuit of strengthening democracy, stability and peace in Ghana. The Commonwealth Deputy Secretary-General, Dr Josephine Ojiambo, delivered a goodwill message at this event.

Out of seven Presidential candidates, six were at the event and signed the Accra Declaration; one candidate was represented by a running mate. In their statements all the Presidential candidates declared their commitment to peaceful elections and to shun violence.

By signing the Accra Declaration, the Presidential candidates committed to the following, amongst others:

- Peaceful elections;
- Accepting the results of the elections and conceding to the winner;
- Judicial resolution of election disputes;
- A definitive stand against electoral violence, impunity and injustice;
- Leading a national process of reducing the occurrence of electoral violence, impunity and injustice;
- Publicly speaking out against all acts of violence, impunity and injustice, whether perpetrated by the member of their political parties or rivals;
- Conducting political campaigns in such a manner that the ability of the Police or other security agencies to perform their roles and duties will not be hindered; and,
- Intensifying and expanding the scope of their civic and elections education activities.

A similar exercise was completed a week before the 2012 elections, which led to the signing of the Kumasi Declaration.

The National Peace Council and other interlocutors emphasised the need to go beyond the signing of peace pacts and address the root causes of violence or threats to peace.

In addition to peace efforts at national level, civil society groups, traditional leaders and faith groups also pursued peace messaging at regional and district levels. These efforts were instrumental in ensuring a peaceful environment during the elections.

As part of peace-building efforts, several civil society groups set up situation rooms to mitigate real or potential threats of violence during the elections. These groups include the Coalition of Domestic Election Observers, the Civil

Forum Initiative in collaboration with the Institute for Democratic Governance and the West African Network for Peace Building (WANEP) amongst others.

The Women's Situation Room in particular mobilised eminent women from Ghana and other parts of Africa in collaboration with the youth to promote peaceful elections. It is significant to note that the Women's Situation Room was designed not only to address the issue of women in elections, but also mobilised as a vital interest group to ensure the peace and stability of the country through constructive intervention in challenging situations. This concept is built on the capacity of women as influencers in society. Successful models for the Women's Situation Room have been derived from the establishment of such Situation Rooms during recent elections in Africa.

The Police also launched a series of dialogues with key stakeholders including political parties to ensure peaceful elections. Furthermore, the Police in collaboration with the National Commission on Small Arms, organised a two-day Forum on armed violence in elections in May 2016 in Ada, Greater Accra Region. This Forum which was organised for Political Parties, adopted the 'Ada Communiqué'. In the Communiqué, the Political parties denounced the use of violence in resolving electoral disputes. They also rejected electoral violence and disassociated themselves from "vigilante groups" and their activities.

National and International Significance of the Elections

Many interlocutors mentioned that Ghana's winner-takes-all political system makes every election in Ghana a "do-or-die" affair. They mentioned that the stakes were even higher for the 2016 elections due to the following political dynamics:

- The NPP's desire to return to office after eight years in opposition;
- The NPP's Presidential candidate would be contesting elections for the third time;
- The NDC Presidential candidate was keen to have two full terms in office; if he lost, it would be the first time a sitting President had lost an election rather than leaving office at the end of two full terms; and,
- The economic stakes were high, as Ghana would in the next few years benefit from increased oil and gas rents (even if prices remain deflated).

International interest in Ghana's elections was also high, with Ghana being seen as a democratic anchor state, especially in West Africa. The Commonwealth Observer Group's chairperson President Thabo Mbeki on 9 December underlined to the press how important successful elections in Ghana are for Africa and the Commonwealth.

Voting

The 2016 Presidential and Parliamentary elections in Ghana took place on Wednesday 7 December 2016. Polling was scheduled to take place from 07.00 hrs to 17.00 hrs and was organized in 28,992 polling stations across the country.

Most polling stations were organized outdoors, with tape used to create a designated polling area. In addition, a 500 metre exclusion zone is in effect around a polling station, within which it is prohibited to try to influence voters, for instance by the placing of campaign posters. There was also a ban on the sale of alcohol and the use of motorbikes within the prescribed radius of a polling station.

Each polling station is managed by a Presiding Officer, supported by four polling assistants (Reference List Officer, Biometric Verification Officer/Inker, Presidential Ballot Issuer, Parliamentary Ballot Issuer). Each polling station had two ballot boxes - one for the presidential election and one for the parliamentary election. There were also two voting booths in each polling station, one for each election. At each polling station there was to be a Security Officer, drawn from the police or another section of the country's uniformed sector.

Key Procedures for Opening and Voting

The stated procedures for opening and voting were as follows:

- Prior to opening, the ballot boxes are shown to all present to confirm that they are empty.
- The boxes are then sealed by the Presiding Officer and party agents.
- Accredited party agents and observers, as well as media, are allowed to be present.
- Upon arrival at the polling station a prospective voter presents their Voter ID Card to the Names Reference List Officer, who finds their details on the Names Reference List. This list identifies the page number and location of the voter's details on the voter register.
- The Names Reference List Officer informs the Biometric Verification Officer of the page number of the voter in the voter register.
- The Biometric Verification Officer scans the bar code on the elector's Voter ID Card and compares the details brought up on the Biometric Verification Device (BVD) against the voter card and compares the photo with the voter.

- The voter then places a finger on the BVD for verification purposes. If the first finger is unsuccessful the process is repeated for as many fingers as it takes to get a match.
- If the match is successful then the BVD will flash green and announce “verified” (If there is no match then it flashes red and announces “rejected”. The voter’s details on the main voter register are marked by crossing lines through the bar code entry, indicating they have voted and preventing the bar code being re-used.
- The little finger on the left hand of the voter is then marked with indelible ink.
- The presidential ballot is stamped with the official unique stamp of the polling station and handed to the voter.
- The voter proceeds to the booth, marks the ballot to indicate their choice of candidate by virtue of a thumbprint, using an ink pad provided and then places ballot in the box for the presidential elections.
- The voter then collects a ballot for the parliamentary election, which is also stamped with the unique stamp of the polling station.
- The voter goes to a voting booth, marks their choice in the same way, places the ballot in the box and leaves the polling station.

In cases where the BVD could not identify the finger print of a voter, there is an alternative procedure of manual verification. Where this occurs and the Presiding Officer is satisfied as to the voter’s identity, then the Presiding Officer must fill a form signed by himself/herself and the voter, and have it endorsed by agents at the polling station.

Persons requiring assistance could be helped by a person of their choice, or failing this by the Presiding Officer. Proxy voting is permitted in Ghana, but a person had to apply for this in advance and for their proxy to be identified and registered at the polling station. There was then a separate list for designated proxy voters.

Special Voting for registered electoral officials, security officers and media personnel took place on 1 and 4 December 2016. These votes were held by the Returning Officer to be added and tabulated with the main vote aggregation at the tabulation stage.

Assessment of Opening and Voting

Special Voting

The Group observed special voting on 1 and 4 December 2016 for election officials, security and media personnel expected to be on duty on the main polling day on 7 December 2016. This initiative, overall, was a success with a turnout of close to 80%. However, we observed that a fair number of voters

who expected to cast their votes under this arrangement were unable, for various reasons, to locate their names on the special voting lists.

We commend the efforts of the Electoral Commission, security agencies and political parties, who quickly met to address the challenges encountered. We welcomed the setting aside of a second day for the continuation of the special voting, and the decision to deploy affected officials close to where they were registered to enable them to exercise their franchise on the main polling day. From our observations, few voters took advantage of the second day of special voting. Nevertheless, it was clear that voters and some of the organisations for whom they worked were unclear about the rules and procedures for special voting.

Voting

On Election Day, 7 December 2016, Commonwealth teams reported a largely peaceful process and it was generally well managed, transparent and voters were free to exercise their right to vote. Poll officials overall worked hard in sometimes a challenging environment. Party Agents were present throughout and national observers were also present at many polling stations. The turnout of voters was 68.62%, and in the vast majority of cases voters waited patiently in queues in order to be able to cast their vote.

Some of the key observations of our teams were:

We observed that the majority of the polling stations opened on time, with polling staff, election materials, security and party agents present. The exception was Jaman North Constituency in Brong Ahafo Region, where voting took place a day later because there had been a dispute about the Voters Register. Where there were delays, these were reportedly caused variously by the late arrival of polling staff, security personnel or party agents or the availability of necessary equipment.

The opening procedures were largely followed, and the polling staff performed their functions well.

For the most part, the set-up of polling stations was adequate, though in some cases the positioning of the voting booths was such that the secrecy of the vote may have been compromised in some instances.

The majority of polling stations were accessible to the elderly and persons with disabilities.

In the vast majority of polling stations the elderly, pregnant women, nursing mothers and persons with disabilities were given priority to vote before others and provided with assistance if required.

We noted the absence of signage at polling stations to direct voters to the appropriate queues.

The BVDs worked well, with few cases of manual verification required.

We noted that the proportion of polling staff who were female varied, but with many polling stations having at least one female polling assistant. However, the majority of Presiding Officers were male.

Voting, for the most part, followed the prescribed procedures, including biometric verification of voters.

Some of our observers noted inconsistent scrutiny by the Verification Officer for traces of indelible ink in some of the polling stations observed.

The majority of voters found their names on the voters' lists and were able to vote.

On the whole, relatively few incidents were reported that had a significant impact on the voting process.

At most polling stations visited by the Group, the security forces played a positive and discreet role.

In regions with high levels of Muslim voters, women were mostly able to queue in women only lines as is culturally appropriate.

The Count

At the close of polls at 17:00 hrs, the majority of polling stations we observed had no queues. The count in general followed the prescribed procedures. This included the signing by the party agents of the result declaration forms, and the posting of the official results in a visible and public place for the public to view.

Key Procedures for Closure, Counting and Results Aggregation

At 17.00 hrs persons waiting in line are allowed to vote and polling continues until all such persons have been processed. Following this the Presiding Officer (PO) closes the polling station and starts preparing it for the count. Agents and Observers can be present for the count and the public are permitted to return to also observe. The stated procedures for counting and results aggregation are as follows:

- The number of unused and spoilt ballots are to be counted and recorded;
- The number of ballots issued is ascertained by adding the number of persons marked as having voted on the Voter Register;
- The seals on the ballot box are to be broken and the ballot box opened (starting with the Presidential ballots);

- Ballots are sorted for each candidate;
- Doubtful ballots are separated and adjudicated upon. They are only to be counted as valid where the intent of the voter is clear. Rejected ballots should be shown to Agents and explained;
- The ballots for each candidate are then audibly counted for persons present;
- Once the vote total for each candidate has been confirmed, the result is announced and the relevant paper work completed;
- This process is then repeated for the parliamentary elections;
- The number of ballots in any one box should not be more than the number of persons verified by the BVD or manually;
- Result sheets are provided for endorsement by Party Agents. Non-endorsement does not invalidate the results, but the reason is supposed to be noted;
- Agents are entitled to receive an official copy of the polling station result;
- The result declaration forms are posted in a visible and public place for the public to view;
- Following completion of the counts and the relevant paper work, all materials are to be packed, secured and delivered to the relevant Returning Officer (RO) for tabulation;
- The RO checks and confirms the paper work of each PO upon delivery and the PO will receive a receipt for the 'Transfer of Election Materials';
- Agents are allowed to follow the delivery and tabulation;
- At the constituency level Party Agents can endorse the tabulated result or lodge an objection.

An RO collates results from all of the polling stations in his/her Constituency and declares the parliamentary result and announces the Constituency vote totals for the presidential elections. The RO also posts a copy of the results in a conspicuous place at the constituency centre. Thereafter the RO transmits the results to the Electoral Commission Headquarters in Accra. The Electoral Commission (EC) in Accra announces the final result for the Presidential election.

Assessment of Closure, Counting and Results Aggregation

The vote count at the polling stations was transparent, with party agents able to follow the process closely. This was also the case during the tabulation process. At the polling station level party agents were able to get a copy of the result and could therefore check and verify the results later tabulated and announced at the constituency and national levels. Results from polling stations and constituencies were also broadcast extensively on TV, radio, online, and in social media, enabling people to follow on an on-going basis as the final results were tabulated.

Some of the key observations of our teams were:

- The process was highly transparent and inclusive, with consensus reached on apparent invalid ballots.
- Some polls continued after 17.00 hrs due to queues. Where there were queues at 17:00 hrs in polling stations we observed, procedures were correctly followed to allow such voters to cast their ballots.
- The lighting conditions were not always conducive for the count, though Polling officials and agents did their best under difficult circumstances in some locations.
- We noted that some Presiding Officers had difficulties accurately completing results forms and this resulted in further delays with Returning Officers, who we observed discovering some minor errors and miscalculations.
- We noted that collation at constituency collation centres, while largely transparent, sometimes was negatively impacted by inadequate facilities, exhaustion of polling staff and polling agents, and a tense environment. A violent incident was reported at the Tamale Central constituency collation centre.
- Collation for the presidential elections was slowed by a stringent verification process, which provided additional opportunities to ascertain the accuracy of results announced.

National Results Tabulation - Presidential Election

As each constituency across Ghana declared its total votes in the Presidential election, the Returning Officer (RO) transmitted the figures to the Electoral Commission's National Collation Centre (NCC) in Accra. This involved sending (by fax) copies of both the constituency results sheet and the individual polling station results sheets to the NCC. Alongside this process, it was intended that constituency ROs would be able to transmit both the polling station figures and constituency results to the NCC via a mobile data link, using the Electronic Results Transmission System (ERTS). At the NCC, the EC would initially check that the data on the faxed constituency results sheets matched the data

transmitted via the ERTS; and then check each constituency collation sheet against the polling station results sheets.

The EC had indicated before election day that the process of checking and collating the final results at the NCC could take up to 72 hours following the close of polls - that is, until the evening of Saturday 10 December.

During the morning of Thursday 8 December the EC issued a statement saying that, in order to detect possible instances of over-voting (that is, more ballots having been counted than were duly issued to voters), they would be conducting rigorous checks, as outlined above, at the NCC to ensure that the total figures reported by constituency collation centres could be reconciled with the votes recorded on the individual polling station results sheets. We understand that allegations of possible over-voting had been made by one of the two main political parties. The EC indicated that, should any possible instances of over-voting be detected through their checks, the Commission would meet to determine what should be done in each instance.

The EC said that, while these detailed checks were being conducted, it would nevertheless issue constituency totals as they were received at the NCC - it used the term 'provisional' totals for this stage of the process, as opposed to the term 'certified' totals for the final results they would subsequently release. It also appeared that the EC had problems with the transmission of Constituency results via a mobile data link to the NCC.

The EC nevertheless proceeded to announce a steady flow of provisional totals from constituencies around the country, as they were received at the NCC.

Around lunchtime on Thursday 8 December, the EC announced that the agents of both the major political parties at the NCC wanted to be sure that all the checks, including of the polling station results sheets, had been carried out before they would certify a constituency result - a request that the parties were entitled to make, and to which the EC agreed. The EC explained again the various checks that would be carried out in arriving at the certified totals.

We observed some confusion on the part of the media and members of the public about the process. The EC faced criticism for the length of time it was taking to arrive at the final results of the Presidential election - despite the fact that it was still well within the estimate of 72 hours that they had given before Election Day. Meanwhile, allegations circulated - repeated by some senior officials of the main political parties - of attempts to manipulate the totals. The EC denied these stories.

The EC released the official, certified results of the Presidential election on the evening of Friday 9 December, around 48 hours after the polls had closed.

Overview of the Countrywide Observation

Commonwealth teams were deployed to all ten Regions of Ghana. Our teams observed the voting, counting and results aggregation and also met with electoral officials, observers and other stakeholders at the Constituency level to build up a larger picture on the conduct of the process.

Ashanti Region

- Ashanti being a traditional NPP stronghold, there was a distinct balance of printed campaign materials displayed throughout the region for the two major political parties.
- A few polling stations opened late due to late delivery of election materials. Layout of some polling stations could have compromised the secrecy of the ballot as the ballot boxes were located where voters had easy access to introduce items and also to retrieve the boxes if they really wanted to. No signage was available for voters to know exactly which queue they were required to join which resulted in some voters joining the wrong queue, which led to them having to be redirected to the appropriate queue.
- The increased vigilance of security officers was quite evident with roving officers throughout the constituencies visited. Police informed the team that approximately 20,000 ballot papers without serial numbers were found in a hotel room. They were finger printed mainly in favour of one political party. In a separate incident, an arrest of one person was made for possession of at least 37 'fake' election observer identification badges with the intent to reproduce more at a hotel. In another incident, two youths attempted to steal a ballot box in Bantama constituency. Persons from the community had beaten the two individuals and then handed them over to the police. In all three incidents, police investigations were ongoing at the time of deployment.
- Long queues of anxious voters were observed at the start of polling with some voters indicating that they started queuing as early as 2:00 am. Persons in the queue waited patiently to vote without much complaint. Prior to the close of polls the queues were short. Polling staff and party agents present were easily identifiable. Polling staff were generally efficient, however there was no standardisation in inking the little finger. Some polling staff inked the right little finger while others inked the left. Additionally, the team did not observe that the fingers were being checked for previous inking of the finger prior to the voter being instructed to dip his/her finger in indelible ink. No malfunction was observed with the two BVD machines used at each polling station (machines were changed every four hours with new batteries). Very few elderly persons had to vote using the manual verification system. The newly implemented manual verification system allowed for voters to exercise their franchise.

- Counting was efficiently done immediately after reconciliation of the ballots with all the ballots accounted for. It was observed, however, at two polling stations, that the Presiding Officers were uncertain on how to properly record the number of votes cast on the "Statement of Poll" form when there was a difference in the total number of votes cast for presidential and the total number of votes cast for parliamentary elections respectively. Additionally, Presiding Officers rejected very few ballot papers that were wrongly placed in the appropriately assigned ballot boxes, for example, Presidential ballots which were placed in the Parliamentary ballot box was rejected. However, due to the small number of instances, it did not affect the outcome of the elections.
- The electronic system at the collation centre was not functioning properly as our team was informed that the software required updating. This delayed the electronic collation process. The team was informed, however, that it did not affect the manual system as both the manual and electronic systems were being run parallel to each other. Transmission of results were being done efficiently by election officials who were aware of the importance of accuracy and timeliness in transmission of the results at each stage of the process.

Brong Ahafo Region

- The team met with EC Regional Officials who indicated that election materials were dispatched to all 2,958 polling stations in the 29 constituencies and secured accordingly by the Police.
- The EC also assured the team of the readiness of all electoral officials who had been subjected to rigorous training programs in the preceding period.
- The team met with the Regional Police Commander, accompanied by his deputy, the Head of CID and the Head of State Security, who alerted observers on various hotspots in the Region indicating that sufficient preparations were in place to forestall and deal with any acts of violence in co-operation with all security agencies. Observers from the African Union (AU), National Democratic Institute (NDI) and Coalition of Domestic Elections Observers (CODEO) were also present at the briefing. Observers were advised to avoid hotspot areas.
- A peaceful atmosphere was experienced in the days preceding the election.
- BVDs worked generally well in the verification of voters and no delays were witnessed as a result of the verification process, at polling stations visited.

- The placement of polling booths at some polling stations to some extent compromised the secrecy of the vote. Although this was done in consultation with party agents. It is noted that the Manual for Election Officials specifically requires Presiding Officers to place polling booths in such a manner so as to protect the secrecy of the vote.
- Polling stations were set up in such a manner that voters were first issued with a ballot for the Presidential election and proceeded to vote and subsequently were guided to a separate table and issued with a ballot for the Parliamentary election and again cast their vote.
- The queues at polling stations were generally not long or prohibitive and voting generally proceeded smoothly, with elderly people and pregnant women being given preference.
- By 4pm some polling stations had only received approximately 50% or so of the registered voters on the voters register.
- As the team proceeded to the polling station at the Regional Administration in Sunyani for closing at 5pm it witnessed a number of polling stations that no longer had voters. This particular polling station closed on time at 5pm with only one voter left voting, just before 5pm.
- Counting proceeded after all the post polling procedures were finalized with party agents. Counting was done in a transparent manner in the open, in full view of party agents and observers and members of the public who were positioned outside the cordoned off area.
- The count of the Presidential election commenced whilst it was still light, however towards the end of the count it became dark and election officials did not have a lamp and therefor had to make use of car lights and cell phone torches.
- Voting at Jaman North was halted on election day due to a dispute over the voters register which had increased from 506 to 533 voters due to the transfer register. The Regional Electoral Commission officials initially advised that voting should continue as there was no mandate to postpone elections from the Headquarters of the Electoral Commission. However, at a later stage the Headquarters officially pronounced that voting at Jaman North was postponed to the 8th December. The team was unable to observe elections in Jaman North due to the distance, but was advised by the Regional EC office that the polling had proceeded without any further dispute.
- The team noted that elections in Brong Ahafo were generally peaceful contrary to the expectations of violence in various hotspots. The heavy presence of the police in these areas and the various peace initiatives by stakeholders clearly had a positive impact.

Central Region

- The Team observed an overall peaceful atmosphere and very systematic arrangements on the Elections Day. Most of the polling stations opened on time or a few minutes after 7 am. There were long queues well before 7 am. Security agents were on duty in all the polling stations and were clearly identified by armbands which read: "On Election duty".
- We observed that polling officials were very professional in terms of doing their jobs on the Elections Day. Voting materials were brought from the District Electoral Office on time and were in place in the polling stations visited. In almost every polling station the Biometric Voting Devices worked during the polling time.
- In most of the polling stations, polling agents were also present from at least the two major political parties. Female participation was seen among the polling agents. It was evident that many were young women.
- Polling stations were generally accessible for physically challenged persons. There was very high visibility of International observers, media and coalition of civil society observers including, CODEO, Ghana Conference of Catholic Bishops, Women's Situation Room etc.
- The participation of women and the youth was also discernible in the voting process as polling officers and presiding officers.
- The process of counting and tallying votes at the end of the vote casting was conducted transparently, satisfactorily, and procedures and processes were generally followed. In one polling station in Zongo, Elmina constituency, the party agents and citizen observers participated in the counting.

Eastern Region

- Polling in general was smooth and peaceful, with early turnout of voters and some patiently waiting in long queues.
- During special voting, some officials who were part of the election process - police, immigration, fire services, polling officials recruited by EC, etc. - could not find their names on the register. There is denial of accountability as to which agency is responsible to transfer these names from the main register to the special voting register.
- On Election Day, polling officials were ready to open but at five polling stations, election materials did not arrive on time or were incomplete, which delayed the opening. The hold-up caused some agitation among voters and at one polling station, security had to step in to maintain order.

- The team observed varying levels of professionalism among polling officials. Some were in command of their station and were seen to be in charge. Some were not, e.g. in one polling station, the set-up was such that one person in plain clothes sitting next to the security officer was the first person to look at voters' registration card before the name reference list officer. In a collation centre in Lower Mankya Krobo constituency, collation was delayed partly because they had to get a Presiding Officer to bring in the election materials which he had taken home with him after his polling station closed. Layout of polling stations vary and in some instances, the position of voting booths was such that they could compromise the secrecy of vote.
- Security forces were overstretched. One polling station in Suhum constituency had no security officer at opening time (none even at 7.50am when our team left). Regional police admitted that there was not enough personnel to cover every polling station. Orders for more security to be deployed came from Accra and were made without taking into account the reality of resources on the ground.
- The set up for counting of ballots at the New Palace Oyoko polling station (Juaben North constituency) had its limitations; e.g. tables were too small and uneven, causing ballots to fall on the ground or polling officials had to push the ballot papers in to contain them on the table. Lighting was limited and voters who were witnessing the process brought in extra lights. Those who watched the counting were very vigilant to ensure transparency and accountability.
- Collation process took a long time. Some delays were partly due to the distance and the condition of roads between polling stations and the collation centre (e.g. in the hinterlands in Lower Mankya Krobo constituency), others could be attributed to the failure of the electronic collation system, which forced EC officials to revert to manual collation.

Greater Accra Region

- Prior to Election Day the CODEO data collection centre was visited, as was the Women's Situation Room. A meeting was held with the Eminent Women's Group and the call centre where calls were received from all regions on issues relating to issues women may have encountered during the election process. All community organisations stressed the need for a peaceful election.
- Several polling stations were visited on the Special Voting Day for personnel involved in the election. There were issues with people finding their names on the special voters register, because they were registered in another district and had not filled in the application forms for their names to be transferred. Although another polling day was held on the Sunday to enable further voting for these personnel, few additional voters took advantage of this opportunity.

- Security was evident and appropriate before and during the election. No major incidents were observed. On Election Day there was security at all polling stations and on one occasion during the counting of the ballots, the army arrived to ensure the large crowd observing the final count did not interfere with the process.
- On Election Day polling stations opened between 7am and 7.30am at the different polling stations observed during the day. Party agents were at all polling stations. The officials appeared to understand the voting process and the long queues proceeded in an orderly fashion. There was some seating but most people had to stand in the sun. The elderly and infirm voters received assistance but women carrying babies were not given special treatment and also had to wait. The whole process was transparent and no conflict or issues with the voting was observed.
- At 5pm the counting of votes was undertaken in the open in front of Party agents and large noisy crowds. The Presiding Officers exercised considerable control and the arrival of the army calmed the crowd and level of noise. The wind tended to interfere with the voting papers but where this happened all were retrieved and there were no incidents. The count was long and some of the officials appeared tired. The final count was shown to the Party officials as were spoilt ballots and there was agreement on the final count.

Northern Region

- Generally, polling stations opened on time and were well organized, although in some instances the placement of voting screens was less than ideal to ensure secrecy of voting. The polling stations were all appropriately staffed with a fair balance of men and women, however there were no female presiding officers observed. There were long lines at some polling stations but voters generally waited patiently.
- All polling stations observed had the correct number of party agents who cooperated well with each other and with the polling officials. The atmosphere on election day was generally calm. However, there was one instance of deadly electoral violence two days before the election, in Chereponi where 1 person died and several were injured when the NDC and NPP clashed about the location for their rallies.
- There were no cases observed of persons being disenfranchised and those voters who were not verified through the Biometric verification devices were manually verified and allowed to vote. The elderly, physically disabled and pregnant women were given priority to vote and assisted when required. It is likely that some minors were allowed to vote at one polling station because they were registered as voters but appeared to be less than 18 years of age.

- There were a number of polling stations with campaign materials within the 100 yards exclusion zone and at one polling station, an ambulance donated to the local mosque by the incumbent member of parliament who was a candidate for election in that constituency, was used as a barricade between two polling stations with very clear words marked on it indicating that it was donated by that candidate.
- The vote count observed at two polling stations was conducted in accordance with the correct procedures. However, there was a minor numerical error in the final tally signed off by the Presiding Officers and Polling Agents for one of the counts. The Tamale Central Collation Centre was very tense due to disputes between polling agents and five ballot boxes were destroyed. Additional security officers were subsequently stationed to ensure order, and a recount of the vote was required to be undertaken.

Volta Region

- The Team saw an exemplary voting process, peaceful with few problems across the 59 polling stations in 8 constituencies that it observed on Election Day. Out of these, 95% of the polling stations we visited reported that they started on time; 82% had five EC officials; 30% of the presiding officers were women. All the polling stations that the Team observed were suitable for people with disability and the elderly.
- A uniformed security personnel was in post at 70% of polling stations but the number was arbitrary. Where there were no uniformed security personnel, this put visible extra stress on polling station officials. In one case we discovered that the security personnel had gone off to sleep and local villagers had to improvise. The Team also found that some security personnel were unable to speak the local language of the electorate and this impacted their effectiveness.
- All polling stations that the Team visited reported no problems of electoral lists or the BVD.
- In many polling stations (75%), the elderly, pregnant women, nursing mothers and persons with disabilities were given priority to vote before others, but pregnant and nursing mothers were less likely to be prioritised.
- Special voting was a problem, with very low turnout on 4 December. Electoral Commission officials believe that better lists from security forces and devolved responsibility for them to manage these lists at constituency level could help in the future. The Team noted very little use of proxy voting.
- Pre-elections, the Team observed the power of incumbency with the party of government using state resources to campaign for it. This does

not seem to have dramatically altered the vote as voting turnout averaged around 65% in Volta, significantly down on the previous election.

- The compilation process at the centres was slow, not helped by the EC electronic system failing. The manual count resulted in an additional delay and many certified results were released late on 8 December and on the 9 December. The certified results, matched the ones that the Team had obtained informally and through its observation.

Western Region

- Polling stations opened on time on the whole in Western Region. In Takodari, except one polling station in Sekondi which opened at 08:30 am. In some polling stations voters started queuing up as early as 4 am but these were relatively orderly, with voters waiting patiently. The team was informed that all the polling materials were provided on time to all polling stations visited with the exception of one polling station in in Sekondi where forms for manual verification were not available.
- On the Election Day, the team observed long queues in some polling stations and the security agent on elections duty managed the crowds in an orderly manner. However, the team observed that in one polling station there was no security agent.
- Polling agents of the 2 major political parties (NDC and NPP) were present in all polling stations observed. The composition of electoral staff was balanced between men and women, with women being presiding officers in some of these polling stations. The participation of observers from civil society organizations was remarkable.
- The team witnessed that, the choice of some polling stations did not factor in accessibility by people who are physically challenged. Positioning of some voting booths in Effia Constituency did not sufficiently guarantee the secrecy of voting.

Upper Eastern Region

- Polling began on time at most polling stations, with all materials available and both staff and party agents in attendance. However, a few polling stations opened up to 45 minutes late, because polling station materials arrived late. Polling stations were generally well laid out, with voting screens positioned in order to ensure voters could cast their ballot in secrecy. Party agents generally played a positive role.
- Voters began to queue some hours before voting began at 7.00am, and voting proceeded all day calmly and enthusiastically. Persons with disabilities and the elderly were given priority in voting queues. In one location, one polling station had well over 1,000 voters registered while

the other had just over 300. Voting at the larger polling station was very slow, and did not finish until after 10.00pm.

- Verification of voters went smoothly - the BVDs worked well. The Manual Verification process was used in exceptional cases, but the numbers of voters verified manually was small.
- Some security officers worked well as part of the polling station team, assisting the EC staff at all times. Other security officers positioned themselves to one side, and took very little interest in proceedings. In one case, a police officer who believed that voting screens were positioned in such a way as to compromise secrecy moved into the polling station and moved the screens without consulting the Presiding Officer - this police officer was supported in the ensuing dispute with the Presiding Officer by a number of his colleagues, including a senior police officer. The Presiding Officer took the view that the screens were positioned as optimally as possible to ensure secrecy while at the same time allowing sufficient light for voters to cast their ballots when it became dark.
- Counting of ballots at polling stations was generally conducted efficiently and with good humour. However, the results tabulation process at the constituency Collation Centre we observed was slow and considerably less transparent than the voting and counting at polling stations. Party agents played little part in scrutinising the transfer of totals from polling station results sheets to the constituency tally; instead, party agents waited until late in the morning after election day, when the Returning Officer had tallied all the figures, and only then conducted a detailed reconciliation with their own copies of polling station results sheets. The tabulation process was nevertheless calm.

Upper Western Region

- The region was a stronghold of the NDC and the incumbent President.
- The people of the region were all supportive of a peaceful election and its outcome. Their mantra is "we are all the same". Thus, the people aspired for a peaceful polling and election result.
- Election preparation was on track and all election materials were sorted out and dispatched as scheduled in the early hours of 7th December 2016.
- On Election Day, people turned up in large numbers at the Polling Stations as early as 6.00am to cast their votes. Everyone was intent on exercising their constitutional right to vote. People waited patiently in queues to cast their vote.

- Polling proceeded on time apart from a few late openings. Most of the Polling Stations had a majority of women polling officials and some of these were Presiding Officers.
- Upper West is predominantly Muslim thus there were two rows of voters - male and female only lines. Non-Muslim women in all the Polling Stations had the option to join one or the other line.
- The counting of votes at the Polling Stations were done immediately after the close of polling at 5.00pm. The counting was done transparently and the results accepted by the political party agents and the people.
- Counting at the Wa Collation Centre was done in a transparent manner although results from the Polling Stations trickled throughout the early part of the night.
- Discrepancies in relation to the number of votes or signature of political party agents were resolved immediately at the Collation Centre and the results declared.
- Upper West was a stronghold of the incumbent President and his party the NDC. However, for the first time, the then Opposition party, the NPP won five of the 11 constituencies.
- Generally the elections in Upper West Region was conducted in a peaceful and orderly manner. And the outcomes of the elections in relation to winning by candidates have been accepted without any violence.

The Results

Results of the parliamentary elections were announced by the respective Returning Officer for each constituency. These were broadcast by media on a rolling basis.

The final result of the Presidential election was announced by the Chairperson of the EC in the evening on 9 December 2016 as follows:

Candidate	Votes	% of valid votes cast
Nana Akufo Addo	5,716,026	53.85
John Dramani Mahama	4,713,277	44.40
Papa Kwesi Nduom	105,682	1.00
Ivor Greenstreet	25,395	0.24

Edward Mahama	22,214	0.21
Nana Konadu Agyeman Rawlings	16,878	0.16
Jacob Osei Yeboah	15,889	0.15

Summary of voting

Total Votes Cast	10,781,917
Total Valid Votes	10,615,361
Total Rejected Votes	166,249
Total Registered Voters	15,712,455
Turnout %	68.62

The final result of the parliamentary election from the 275 constituencies confirmed that the NPP obtained 169 seats while the NDC obtained 106 seats.

The significance of these elections

The 7 December elections in Ghana were norm-setting for Africa, the Commonwealth and beyond.

The EC, the people of Ghana and the political parties and their leaders all contributed to this further deepening of democratic process in Ghana by delivering elections that for many in the Group are among the best they have observed.

Good elections though come at a price: the EC reportedly budgeted over 1 billion cedis for these elections.

These elections were internationally significant and the Group's central recommendation - a full post-election review following these successful elections - will help the Commonwealth and others, as well as Ghana, learn lessons and improve their own electoral processes.

Recommendations

- The EC, involving all their stakeholders, should undertake a full post-election review of all aspects of the electoral framework, administration and processes with a view to demonstrating the key

factors in the success of these elections, as well as identifying areas for improvement, particularly in relation to:

- The integrity of the voter register.
 - The system for Special Voting and ensuring that all involved fully understand it.
 - The recruitment, training and deployment of greater numbers of female Presiding Officers and polling assistants.
 - Polling station logistics, including layout that ensures the secrecy of the ballot; clearer signage; the optimum allocation of voter numbers to each polling station; and more widespread access for disabled persons
 - Improving the clarity of the procedures for the collation of results at Constituency Collation Centres and the National Count Centre.
 - Communication between the EC and its stakeholders at every stage of the electoral process.
- The EC should ensure that all reforms arising from this post-election review are implemented in good time before the next elections.
 - The EC should analyse the results of its observation of male and female participation levels on voting day, and share them with interested stakeholders in order to ensure improved levels of participation by both men and women.

Political parties should:

- consider how to recruit, train and deploy greater numbers of female polling agents.
- disband vigilante groups and instead encourage a more positive role for young people at a campaign level.

Annex I: Biographies of Chairperson and Observers

Thabo Mbeki (South Africa)

Thabo Mbeki was born on 18 June 1942 in the Eastern Cape Province of South Africa. Coming from a family of activists, he became political at a young age and joined the African National Congress Youth League (ANCYL) at the age of 13. He left South Africa in 1962 for exile and studied economics at Sussex University. Mbeki returned to South Africa after the unbanning of political parties in 1990, a process to which he contributed immensely as team leader of the ANC's secret negotiations with the apartheid regime. President Nelson Mandela appointed Mbeki as Deputy President. He would be elected President in 1999 and again in 2004. Mbeki resigned as President of South Africa in September 2008 and continues to work on conflict mediation efforts throughout the African continent.

Shahreen Srabon Tilottoma (Bangladesh)

Ms. Shahreen Srabon Tilottoma is an enrolled Advocate in the District and Sessions Court in Bangladesh and Partnership and Engagement Coordinator in the Commonwealth Youth Human Rights and Democracy Network (CYHRDN). Shahreen is a member of Dhaka Bar Association, Dhaka Taxes Bar Association and Youth for Human Rights Bangladesh Chapter. Shahreen has been actively involved in grass roots human rights and youth activism within her country as well as at the international level. She has served as the Regional Youth Caucus Member in Commonwealth Youth Programme Asia Region as Country Youth Representative. Shahreen holds an LL.B. Honours Degree and Master of Development Studies (MDS) from BRAC University in Bangladesh. She also holds an LL.M. (Master of Laws) from Southeast University in Bangladesh. Previously Shahreen has worked for United Nations Development Programme (UNDP) Bangladesh in the Democratic Governance Cluster and led the Youth Strategic Priority in ActionAid International Bangladesh. She is now a recognized national young leader for youth empowerment, human rights and related advocacy in Bangladesh.

Josephine Tamai (Belize)

Josephine Tamai is the Chief Elections Officer, Elections and Boundaries Department, Belize. Mrs. Tamai holds a Master's Degree in Management Studies. Under her leadership, several elections including General, Municipal, Village Council and by-elections have been successfully conducted. She has worked with the Government of Belize for over 25 years in various capacities. Additionally, Mrs. Tamai has been a part of several observer missions for both CARICOM and Commonwealth Observer Missions.

Phandu T.C. Skelemani (Botswana)

Born on 5th January 1945. Graduate of the then University of Botswana, Lesotho and Swaziland in May 1973 with LLB (Bachelor of Laws). Worked in the Attorney Generals chambers from June 1973 up to 15th August 2003. Was Attorney General from 1993 up to 2003 when I retired. Was ex-officio Member of Parliament as Attorney-General. Stood for election in October 2003, 2004 and

2009. Was appointed to several cabinet positions as Minister of Presidential Affairs and Public Administration, then Minister of Justice, Defence and Security and from April 2008 up to October 2014 was Minister of Foreign Affairs and International Co-operation when I retired from active politics. Now a farmer and legal consultant.

Samuel Azu'u Fonkam (Cameroon)

Dr. Samuel Azu'u Fonkam holds a combined Honours Degree in Law and Economics from the University of Yaounde, and an LL.M. and Ph.D in Law from the University of London. Dr Fonkam has taught Law for over twenty five years at the University of Yaounde and is currently Chair of the Cameroon Electoral Commission, Elections Cameroon, a position he had held for the past 8 years. Before his appointment as Chairman of Elections Cameroon, he served as Technical Adviser at the Presidency of the Republic of Cameroon and Deputy Secretary General (Deputy Clerk) of the Cameroon National Assembly. He is currently a Member of the Steering Committee of the Commonwealth Electoral Network (CEN), Vice President of the Réseau des Compétences Électorales Francophones (RECEF), Member of the Executive Committee of the Association of African Election Administrations (AAEA) and Member of the Audit and Oversight Committee of the Association of World Election Bodies (A-WEB). He has led Elections Observer Missions for the African Union, the International Organization of the Francophonie, the Economic Community of Central African States (ECCAS) and the Electoral Institute for Sustainable Democracy in Africa (EISA).

Joan Purcell (Grenada)

Joan Purcell (B.SC. M.Ed., Dip Theology) has been involved in her country's politics for over 25 years and has served in public office for fourteen years. She was a member of the Interim Government of Grenada during the period 1983-84, serving as a Cabinet Minister. Mrs. Purcell continued in public office as an elected Member of Parliament for the period 1990-1999 both in Government and Opposition. During the period 2008 to 2013, she served as President of the Senate. Previous to her political career, Mrs. Purcell held various managerial positions in the field of Development Work. Her professional background is in the area of Social Work and Adult and Continuing Education in which areas she remains actively involved as a Training Specialist. She has written and published five books, including the memoirs of her life in politics. She is a strong advocate of good governance, positive family values and grassroots development. She has done significant work in promoting the rights and responsibilities of women, children and youth. Mrs. Purcell is committed to nation building and people development. She is a strong proponent of a biblical world view and seeks to live out her Christian faith in service to her country.

Masjaliza Hamzah (Malaysia)

Masjaliza Hamzah is an independent researcher, trainer, and journalist who works on human rights, with a focus on Muslim women's rights and gender equality. In 2013, she led the Centre for Independent Journalism on an extensive monitoring of media coverage of Malaysian elections, in collaboration with the University of Nottingham Malaysia campus. She was an observer with regional group ANFREL for Indonesia's first post-Suharto elections in 1999. She

was also treasurer for Malaysia's electoral reform coalition Bersih 2.0 from 2013-2015

Notemba Tjipueja (Namibia)

Notemba Tjipueja is the Chairperson of the Electoral Commission of Namibia, which position she has held from 2011. This is the first time in Namibian electoral history that a woman has held this position. She has successfully spearheaded, with the Commission the introduction of electronic voting in Namibia during the 2014 Presidential and National Assembly Elections, a first in Africa. She is currently the Chairperson of the Executive Committee of the ECF-SADC a Regional Body of Electoral Management Bodies in the SADC Region, which seeks to strengthen co-operation amongst Electoral Commissions in the SADC region and to promote conditions conducive to free, fair, credible and transparent elections in the SADC region. Adv. Tjipueja is a lawyer by profession and previous positions include Director of the SADC Legal Sector of the Southern African Development Community (SADC) where she chaired the Senior Official Committee of lawyers and oversaw the amendment of the SADC Treaty and Protocols and the establishment of the SADC Tribunal in Windhoek Namibia. Furthermore, she has experience in the private sector and several years as an Advocate in the High and Supreme Court of Namibia. Adv. Tjipueja holds two Bachelor of Laws degrees, from the University of Papua New Guinea (British Common Law) and the University of the Witwatersrand (Roman Dutch law) respectively.

Margaret Wilson (New Zealand)

Professor Margaret Wilson, Professor of Law and Public Policy, University of Waikato. Former Member of Parliament 1999 - 2008. Held several Ministerial appointments including Attorney-General, Minister of Labour and Minister Responsible for Treaty of Waitangi Negotiations. Former Speaker New Zealand Parliament 2005 - 2008. Positions held include that of Director of the Reserve Bank, Law Commissioner, Foundation Dean, Waikato Law School, President of the New Zealand Labour Party. Appointed Distinguished Companion of the New Zealand Order of Merit in 2009.

Akin O. Fayomi (Nigeria)

Ambassador Akin O. Fayomi is the immediate past Nigeria's Ambassador to France and Monaco. Prior to this, he held the position of Under Secretary for Regions & International Organisations in the Nigerian Foreign Ministry. He has also served with the African Union Commission as Ambassador/Special Representative to Liberia and Sierra Leone. In his diplomatic career which spanned three & a half decades, he was part of Nigeria's diplomatic presence in Rio de Janeiro, Beijing, Harare, Seoul, London and Paris. He also represented Nigeria at various regional and international conferences of ECOWAS, AU, the Commonwealth and the UN. He previously observed presidential & parliamentary elections in Ghana (2008) and Liberia (2011).

Joy Ogwu (Nigeria)

Joy Ogwu is a Professor of Political science and International Relations. She served as the first Female Director-General of the Nigerian Institute of International Affairs. She subsequently served as Nigeria's Minister of Foreign

Affairs, and also became Nigeria's first female Permanent Representative to the United Nations from 2008- 2016. In this position, she led Nigeria to the Security Council for two terms, and served an unprecedented tenure of four times as President of the United Nations Security Council. From 2002-2007, she served on the U.N. Secretary-General's Advisory Board on Disarmament Matters. She served as Chair of the Committee on Peacekeeping Operations (C-34) from 2008-2016. In 2011, she was elected as first President of the Executive Board of the newly created UN-Women. She served for five years as a Member of the Board of Trustees of the United Nations Institute for Training and Research (UNITAR). She was elected Chair of the PrepCom and President of the U.N. Small Arms and Light Weapons Review Process, which culminated in a landmark Consensus in 2012. Professor Ogwu is widely published in the fields of Foreign policy and International Relations.

Eric Kwa (Papua New Guinea)

Dr. Eric Kwa is the Secretary for Constitutional and Law Reform Commission. He was formerly the Associate Professor of Law at the UPNG Law School and also a former Dean of that School. He is from Siassi Island in the Morobe Province. He is a lawyer and has practised law, appearing before all the different levels of court in PNG. Dr. Eric Kwa holds a PhD in Environmental Law from the Auckland University, New Zealand. He also has a Master of Laws with Honours (LLM (Hon)) from Wollongong University, Australia and a Law Degree with Honours (LLB (Hon)) from the University of Papua New Guinea. Dr. Kwa has also attended and successfully completed specialized training in teaching Environmental Law at the National University of Singapore and on biosafety and biotechnology at the Tromso University, Norway. Dr. Kwa's key interests are: Environmental Law; Natural Resources Law; Constitutional Law; and Local Government Law. He has researched and published widely in these areas having published five (5) books, a number of refereed articles and book chapters published locally and internationally, and presented more than 25 papers at both national and international conferences. His most notable books are: Constitutional Law of Papua New Guinea (2001, Law Book Co) and Natural Resources Law of Papua New Guinea (2001, Law Book Co). He has recently completed a book on Decentralisation which will be released in December 2016. He is currently working on a legal dictionary for PNG.

Adelle Roopchand (Trinidad and Tobago)

Adelle Zaira Roopchand is a Journalist/Communications, Media and Public Relations specialist based in Trinidad and Tobago. She has been coordinating Caribbean media activities for the Technical Centre for Agricultural Development and Rural Cooperation ACP-EU since 2010. She has served the Caribbean Community (CARICOM) through its arms, CARICOM Implementation Agency for Crime and Security; Caribbean Agricultural Research and Development Institute (CARDI); Caribbean Regional Fisheries Mechanism (CRFM) as a communications and media specialist. Adelle coordinated the international media centre for the: Fifth Summit of the Americas 2009; Commonwealth Heads of Government Meeting 2009; VIII Americas Competitiveness Forum 2013 hosted in Trinidad and Tobago; and was engaged by Globecast Africa for media centre services for CHOGM 2013 and 2015 in Sri Lanka and Malta respectively. Adelle has served on Commonwealth Observer Groups for election in Rwanda

2010 and Guyana 2011 and Sri Lanka 2015. She has completed undergraduate studies in Mass Communications; post graduate studies in Mass Communications, Media and Public Relations; and in Management.

Alex Vines (United Kingdom)

Dr Alex Vines OBE (United Kingdom) heads the Africa Programme at Chatham House, London. He is also a Senior Lecturer at Coventry University and has chaired the UN Group of Experts on Côte d'Ivoire and been a member of the UN Panel of Experts on Liberia. He has over 25 years of working on African peace, security and governance issues including as a senior researcher for Human Rights Watch. He sits on the editorial boards of the South African Journal of International Affairs and Africa Review (African Studies Association of India).

Peter Wardle (United Kingdom)

Peter Wardle spent 10½ years as chief executive of the United Kingdom's independent Electoral Commission. During that time, the Electoral Commission exercised oversight and reported on the conduct of 3 UK general elections and around a dozen other major elections and referendums, including the 2014 referendum on independence for Scotland. Peter Wardle was involved in major changes to the electoral registration system, and to the framework for ensuring compliance with the UK's regulations for campaign finance. He has a range of international elections experience, particularly in European and Commonwealth countries, and is now working on various projects in the elections and democracy field. Before joining the Electoral Commission he worked in a range of senior roles in the UK civil service, including the Inland Revenue and Cabinet Office. He spent 8 years as a non-executive director of his local district general hospital, and 8 years as an independent member of a large housing provider's audit and risk committee.

Musa Mwenye (Zambia)

Musa Mwenye, SC holds an LL.B degree from the University of Zambia. He has dual admission as an advocate of the Courts of Zambia and as a Solicitor of the Supreme Court of England and Wales. He is also a Notary public and was one of the first people to serve as Judges of the Zambian small claims court. Musa is immediate past Attorney General of the Republic of Zambia. Prior to serving as Attorney General, he served as Solicitor General of the Republic of Zambia. He received peer recognition among all the lawyers in Zambia by being elected and serving as President of the Law Association of Zambia (The Zambian Bar Association). He has, in the past been Chairperson of the Council of the Zambia Institute of Advanced Legal Education (A body exclusively responsible for administering the Bar exams in Zambia), Chairperson of the Disciplinary Committee of the Law Association of Zambia (the highest statutory body responsible for enforcement of ethical standards among, and effecting sanctions upon errant lawyers), member of the Judicial Service Commission of Zambia, member of the Council of Law reporting of Zambia and Chairperson of the Anti-money Laundering Authority of Zambia. Musa was the inaugural Vice Chairperson of the Zambian Legal and Justice Reforms Commission. He sits on various Boards and he is currently senior partner of Mwenye & Mwitwa - Advocates, a Zambian based commercial law firm.

Annex II: Arrival Statement

ARRIVAL STATEMENT BY CHAIR OF THE COMMONWEALTH OBSERVER GROUP TO GHANA

1 December 2016

Statement by: Chair of the Commonwealth Observer Group, HE Thabo Mbeki

Ladies and Gentlemen, thank you for coming to this Commonwealth Observer Group Press Conference.

I am greatly honoured to have been asked by Commonwealth Secretary-General Rt Hon Patricia Scotland QC, to lead the Commonwealth Observer Group to Ghana's General Elections scheduled for 7 December 2016.

The Group was constituted following an invitation from the Electoral Commission of Ghana. It is made up of 17 eminent persons drawn from across the different regions of the Commonwealth, including Africa, Asia, Europe, the Caribbean and the Pacific. They bring a wealth of experience from across the social and political spectrum including civil society, women's and youth groups, human rights organisations and the media.

We are here to observe the electoral process and will act impartially and independently as we scrutinise its organisation and conduct. We will seek to assess the pre-election environment, polling day activities and the post-election period against the backdrop of Ghana's national legislation, regional and international commitments.

We will then take a view whether it has been conducted to the international and regional standards to which Ghana has committed itself, including its own laws.

In this context, we look forward to the Presidential candidates reaffirming their commitment to peaceful elections.

Our planned briefings will be wide ranging, encompassing the Electoral Commission, political parties and local stakeholders; including citizen observers, women's groups and youth.

We will also be briefed by our Advance Observer Team which has been on the ground in Ghana since 16th November.

From Sunday 4 December, our Observers will be deployed across all ten regions of the country. They will be in small teams and will arrive to observe preparations ahead of polling day and meet with political parties, the police, election officials and other stakeholders. On Election Day, they will observe the opening, voting, closing, counting and the results management processes.

We will issue an Interim Statement on our preliminary findings on 9 December 2016. A final report will then be prepared and submitted to the Commonwealth Secretary-General, and subsequently shared with relevant stakeholders and the public. The Group will leave Ghana on 13 December 2016.

We are aware of the significance of these elections to the people of Ghana. Our presence here affirms the support of the Commonwealth to the country and its democratic processes. We will perform our observation role with impartiality, independence and transparency.

We hope that our Group's presence will confirm the solidarity of the Commonwealth with the people of Ghana.

On behalf of the Group, I wish the people of the Republic of Ghana well, as they go out on Wednesday to exercise their franchise in conditions of peace.

Note to Editors:

The Commonwealth Observer Group will function impartially and independently and will conduct itself according to the standards expressed in the International Declaration of Principles for Election Observation.

The 17 Commonwealth Observers will be in Ghana from 29 November to 13 December 2016. An Advance Observer Team was deployed to Ghana on 16 December 2016.

The Commonwealth Observer Group members are:

Chairperson
HE Thabo Mbeki - Chair
Former President of South Africa
South Africa

Dr Lesley Clark
Gender Expert
Australia

Shahreen Tilottoma
Youth Expert
Bangladesh

Josephine Tamai
Chief Elections Officer
Belize

Pandu Skelemani
Former Foreign Minister
Botswana

Samuel Azu'u Fonkam
President (Chairman)
Elections Cameroon
Cameroon

Ms Joan Purcell
Former Parliamentarian
Grenada

Ms Masjaliza Hamzah
Civil Society
Malaysia

Adv. Notemba Tjipueja
Chairperson
Electoral Commission of Namibia
Namibia

Hon Margaret Wilson
Former Speaker
New Zealand

Professor Joy Ogwu
Former Foreign Minister and
Former Permanent Representative of Nigeria to the UN
Nigeria

Ambassador Akin Fayomi
Former Diplomat
Nigeria

Dr Eric Kwa
Legal Expert
Papua New Guinea

Adelle Roopchand
Media Expert
Trinidad and Tobago

Peter Wardle
Former Chief Executive
Electoral Commission
United Kingdom

Dr Alex Vines OBE
Head, Africa Programme
Chatham House
United Kingdom

Musa Mwenye SC
Former Attorney General
Zambia

The Commonwealth is a voluntary association of 52 independent and equal sovereign states. It is home to 2.2 billion citizens, of which over 60% are under the age of 30. The Commonwealth includes some of the world's largest, smallest, richest and poorest countries, spanning five regions. Thirty-one of its members are small states, many of them island nations. Commonwealth countries are supported by an active network of more than 80 intergovernmental, civil society, cultural and professional organisations.

For more on the work of the Commonwealth visit our website at www.thecommonwealth.org

Annex III: STATEMENT OF H.E. THABO MBEKI

STATEMENT OF H.E. THABO MBEKI, CHAIRPERSON OF THE COMMONWEALTH OBSERVER GROUP FOR THE 2016 GHANA GENERAL ELECTIONS ON 5 DECEMBER, 2016.

We arrived in the beautiful city of Accra last week to observe the 2016 Ghanaian General Elections as part of The Commonwealth Observer Group. Some of our colleagues had arrived earlier on November the 16th.

The Commonwealth Observers are now deployed in all the 10 regions of Ghana and are keeping us constantly briefed about the situation as the country readies herself for Wednesday's important elections.

We take this opportunity, two days before the December 7 General Elections, to convey our best wishes to the sister people of Ghana for credible, transparent, inclusive, peaceful and democratic elections.

We say this very mindful of the historic place of honour Ghana has occupied in the context of Africa's deeply held aspirations since its independence in 1957.

Since then Ghana has also served in the ranks of the Commonwealth as a valued member.

Accordingly the entire Commonwealth, including its many African members, has experienced great pride and encouragement at all times when Ghana has made progress in terms of meeting the aspirations of her people, knowing that this would also serve to inspire all other Member States of the Commonwealth. It is in this context that the Commonwealth shares the fervent hope that on December 7, Ghana will once more serve to inspire our entire Community of Nations by holding truly credible, transparent, inclusive, peaceful and democratic elections.

The esteemed seven Presidential Candidates provided a clear demonstration of the resolve of the sister people of Ghana to ensure that this country remains true to its commitment to democracy and peace when they signed the seminal Accra Declaration on Thursday, December 1st.

Thus did Ghana, once again, set a noble example which all our countries should emulate.

Consistent with the commitments made by the Presidential Candidates when they spoke after signing the Accra Declaration, with great humility we appeal to the sister people of this great country to respect the undertakings that have been made by the respected political and other leaders of Ghana as reflected in the Accra Declaration.

In this context we urge that if any disputes should arise concerning the elections, these should be settled peacefully through the Courts of the land.

In this regard we are fully in agreement with the political and other leaders of the people of Ghana that no other option exists for the resolution of any electoral dispute except the peaceful route.

Otherwise all of us, and first of all and principally the Political Parties of Ghana, including their leaders, members and supporters must respect the outcome of the elections once the electoral process has determined that the people have spoken.

Thus will Ghana continue to teach all our nations that 'the voice of the people is the voice of God'!

As we reiterate our best wishes to the people of Ghana for credible, transparent, inclusive, peaceful and democratic elections, we remain convinced that this admirable sister people will live up to the expectations of the peoples of Africa and the Commonwealth in this regard.

Note to Editors:

The Commonwealth Observer Group will function impartially and independently and will conduct itself according to the standards expressed in the International Declaration of Principles for Election Observation.

The 17 Commonwealth Observers will be in Ghana from 29 November to 13 December 2016. An Advance Observer Team was deployed to Ghana on 16 December 2016.

The Commonwealth is a voluntary association of 52 independent and equal sovereign states. It is home to 2.2 billion citizens, of which over 60% are under the age of 30. The Commonwealth includes some of the world's largest, smallest, richest and poorest countries, spanning five regions. Thirty-one of its members are small states, many of them island nations. Commonwealth countries are supported by an active network of more than 80 intergovernmental, civil society, cultural and professional organisations.

For more on the work of the Commonwealth visit our website at www.thecommonwealth.org

Annex IV: Joint Pre-Election Statement of International Election Observation Mission



JOINT PRE-ELECTION STATEMENT OF INTERNATIONAL ELECTION OBSERVATION MISSIONS IN GHANA

Accra, Ghana, 6 December 2016: We, the heads of the international election observation missions in the Republic of Ghana listed below, cognisant of the signing of the **Accra Declaration** on 1 December 2016, facilitated by the National Peace Council, wish to congratulate the presidential candidates in the upcoming elections for demonstrating their commitment to democratic, credible and peaceful elections.

We wish to appeal to all Ghanaians to adhere to the pledge made by the political leaders as enshrined in the Declaration before, during and after the polls. We further urge stakeholders to conduct themselves in such a manner that reflects the aspirations of the Declaration, which is a commitment to peaceful elections and judicial resolution of election disputes.

We recognize Ghana's strong and resilient institutions that have in the past been able to handle challenges in a peaceful and constructive manner. We hope that this tradition will continue furthering the consolidation of Ghana's democratic credentials. Should any of the stakeholders feel dissatisfied with the election process, we urge that they channel their concerns through the established legal and institutional mechanisms.

We reiterate our commitment to supporting the democratic process in the Republic of Ghana.

Endorsed by:

1. **H. E. Hifikepunye Pohamba**, former President of the Republic of Namibia, Head of the African Union Election Observation Mission.
2. **H.E. Professor Amos Sawyer**, former President of the Interim Government of the Republic of Liberia, Head of ECOWAS Election Observation Mission.
3. **H.E. Thabo Mbeki**, former President of the Republic of South Africa, Head of the Commonwealth Observer Group.
4. **Mr Tamas Meszerics**, Member of the European Parliament, Chief Observer of the European Union Election Observation Mission.

Amb. Johnnie Carson, Former Assistant Secretary for African Affairs, US State Department, Head of National Democratic In

Annex V: Interim Statement

GHANA GENERAL ELECTIONS 2016: OBSERVER GROUP INTERIM STATEMENT

9 DECEMBER 2016

Statement by: HE Thabo Mbeki, Chair of the Commonwealth Observer Group to Ghana

The Commonwealth Observer Group has been present in Ghana since 29 November 2016. Our arrival was preceded by an Advance Observer Team which has been in the country since 16 November 2016.

We have met with the Electoral Commission of Ghana, the presidential candidates, political parties, civil society, including women and youth groups, media representatives, the Police, Commonwealth High Commissioners as well as other national and international election observer missions.

On 4 December our teams were deployed throughout the ten regions of Ghana to observe the election environment and preparations for the polls. Ahead of Election Day, our teams met electoral officials, political parties, police and other stakeholders at the district and regional levels to gain a comprehensive picture of the electoral processes and environment at these levels. The Commonwealth teams therefore observed the final campaign events around the country.

The following is an initial assessment of the critical aspects of the election process and the electoral environment. Our final report, which we will complete before our departure, will be issued at a later date.

As the Commonwealth Observer Group we commend the people of the Republic of Ghana for the peaceful and orderly manner in which they exercised their right to vote on 7 December 2016.

Key findings

Pre-election Environment

The campaign

In our briefings with several stakeholders, we were informed that the atmosphere at campaigns was vibrant and largely peaceful with a few incidents

of violent clashes between the two main political parties. The campaign rallies of the major political parties were highly visible in various parts of the country. However, we were informed about the use of vigilante groups by some political parties.

Final campaign rallies of the two leading political parties were held in Accra with their campaign paraphernalia including billboards posters and supporters clad in party colours being highly visible. Other political parties had a lower level of visibility. We note that these final rallies were peaceful overall. The fundamental rights of candidates, political parties and supporters to assemble and campaign were broadly observed.

The campaign was highly competitive and closely fought between the leading political parties. Local peace efforts by the National Peace Council and its partners are to be commended for bringing together the Presidential candidates to sign a peace pact, known as the 'Accra Declaration', on 1 December 2016. At the signing of the peace pact, the Presidential Candidates declared their commitment to peace and to put the democratic aspirations of Ghanaians above all other considerations. We commend peace messages that were conveyed ahead of the elections by several groups including civil society groups, citizen observers and the youth.

The Media Environment

Media

Freedom of speech and expression is enshrined in Ghana's constitution. It has led to a proliferation of media institutions, in particular radio.

Stakeholders informed the Group that both public and private media in Ghana have, in some cases, reported events inaccurately, especially those which have not been in favour of their respective sympathising party. There has been growing concern that a lack of regulation has led to unsubstantiated claims and counter claims from some reporters.

Stakeholders also expressed concerns about the use of inflammatory language particularly on radio.

Overall however, it was found that journalists acted responsibly and that the media was balanced in its coverage.

Social Media

Social media is growing rapidly in Ghana, with a 14 per cent growth in the last year. This has in the main been driven by young people who make up more than half of the population. As such, the use of Facebook, Twitter, WhatsApp and other online media has become an increasingly important means of communication during the Election campaign.

The Revised Legal Framework

Ghana's 2016 General Elections were conducted under a revised legal framework as a result of reforms implemented since the previous elections. New provisions for these elections included a requirement for election officials and party or candidate agents to take oaths before a magistrate or judicial officer; provision for the adjournment of polling in the event of a disruption; serially numbered Statement of Polls and declaration of results sheets; sanctions in the law for election officials who negligently perform their work; the introduction of manual verification of voters, supplementary to biometric verification; a requirement for Returning Officers to issue copies of collation sheets to candidates/party agents; and the expansion of the list of special voters to include accredited media and security personnel as well as staff from the Electoral Commission.

Special Voting

We had the opportunity to observe special voting on 1 and 4 December 2016. This initiative, on the whole, was a success with a turnout of close to 80%. However, we received complaints that a fair number of voters who expected to cast their votes under this arrangement were unable, for various reasons, to locate their names on the special voting lists.

We commend the efforts of the Electoral Commission, security agencies and political parties, who quickly met to address the challenges encountered. We welcomed the setting aside of a second day for the continuation of the special voting, and the decision to deploy affected officials close to where they were registered to enable them to exercise their franchise on the main polling day.

Election Day

Set Up of Polls

We observed and were credibly informed that the majority of the polling stations opened on time, with polling staff, election materials, security and party agents present. The exception was Jaman North Constituency in Brong Ahafo Region, where voting took place yesterday because there had been a dispute about the Voters Register. Where there were delays, these were reportedly caused variously by the late arrival of polling staff, security personnel or party agents or the availability of necessary equipment.

For the most part, the set-up of polling stations was adequate, though in some cases the positioning of the voting booths was such that the secrecy of the vote may have been compromised in some instances.

The majority of polling stations were accessible to persons with disabilities. We noted that a significant number of polling staff were female, though the majority of Presiding Officers were male.

The Voting Process

Voting, for the most part, followed the prescribed procedures. Voters requiring assistance, including pregnant women, the elderly, those with disability were given preferential treatment at the polling stations. The majority of voters found their names on the voters' lists and were able to vote. On the whole, relatively few incidents were reported that had a significant impact on the voting process.

The Count

At the close of polls at 17:00 hrs, the majority of polling stations had no queues. The counts in general followed the prescribed procedures. This included the signing by the party agents of the result declaration forms, and the posting of the official results in a visible and public place for the public to view.

Overall Conclusion

Our overall conclusion is that the opening, voting, closing and counting process at the polling stations on 7 December 2016 were credible, transparent and inclusive.

We commend and congratulate the Ghanaian voters, the Electoral Commission and polling staff, the political parties, the citizen observers, the media and the security forces for their respective roles in ensuring the success of the electoral process thus far.

We are mindful, however, that the process of collating the results is still on-going. Our final assessment of the entire process will be contained in our final report.

It is my hope and expectation that the positive, peaceful and orderly atmosphere that we all experienced on 7 December 2016 will continue to prevail as we await the conclusion of this electoral process.

We urge all parties and candidates to allow the Electoral Commission to announce the results of the Elections as well as respect the will of the people of Ghana as expressed at the polls. In the spirit of the Accra Declaration signed last week, we appeal to all Ghanaians to refrain from making any utterances or performing any acts that could trigger tensions or otherwise adversely affect the post-election environment. Furthermore, if any disputes should arise concerning the elections, those should be settled through prescribed legal channels.

Finally, it is our hope that by bringing this electoral process to a successful conclusion, Ghana will again serve as an inspiration and beacon for the rising tide of democracy throughout the Commonwealth.

Annex VI: Deployment Plan

REGIONS	LOCATION	NAMES
Greater Accra	Accra	H E Thabo Mbeki (Chairperson) Mr Martin Kasirye Ms Lainy Malkani
Greater Accra	Accra	Professor Joy Ogwu Hon Margaret Wilson
Greater Accra	Accra	Ms Lindiwe Maleleka Ms Zippy Ojago
Ashanti	Kumasi	Mrs Josephine Tamai Ms Adelle Roopchand
Brong Ahafo	Sunyani	Adv. Notemba Tjipueja Ambassador Akin Fayomi
Central / Western	Cape Coast Sekondi-Takoradi	Dr Samuel Azu'u Fonkam Ms Shahreen Tilottoma
Eastern	Koforidua	Mr Pandu Skelemani Ms Masjaliza Hamzah
Northern	Tamale	Mr Musa Mwenye SC Dr Lesley Clark
Upper East	Bolgatanga	Mr Peter Wardle
Upper West	Wa	Dr Eric Kwa
Volta	Ho	Dr Alex Vines OBE Mrs Joan Purcell

Declaration of Principles for International Election Observation

The Commonwealth Secretariat is a signatory to both the Declaration of Principles for International Election Observation and the associated Code of Conduct for International Election Observation Missions, which were commemorated on 27 October 2005 at the United Nations in New York.

Commonwealth Secretariat

Marlborough House, Pall Mall

London SW1Y 5HX

United Kingdom

thecommonwealth.org



The Commonwealth