

Electoral Reform Monitoring and Advocacy Group

Bulletin 3

February 2017



Introduction

The previous two editions of the Electoral Reforms Monitoring and Advocacy Group (ERMAG) Bulletins reported on the implementation of the Electoral Commission's (EC) reforms. These Bulletins noted that out of the 27 proposed reforms, 20 had been implemented or initiated for implementation. In this third edition of the Bulletin, we provide an update on the effectiveness of 5 of the 20 reforms which were implemented, but whose implementation and effectiveness could only be confirmed or reported on or after the 2016 Presidential and General Elections.

1 Priority to vulnerable persons at Polling Stations

The EC took steps to implement this proposal. As was stated in the first ERMAG Bulletin, the EC included a section on gender and disability in its Training Manual for its election officials. On polling day, 7th December, 2016, at most Polling Stations, where assistance was requested by the elderly or Persons with Disabilities (PWDs) to vote, such assistance was provided. According to the

preliminary Election Day observation statement by the Coalition of Domestic Election Observers (CODEO) issued on 8th December, 2016, **96%** of Polling Stations were also accessible to PWDs, the elderly, pregnant women and nursing mothers.

In addition, tactile jackets for ballot papers for voters with visual impairment were provided at Polling Stations. Most aged/elderly, pregnant women and nursing mothers were given priority.

2 EC should set up a National Results Collation Center to replace the “strong room”

In the second ERMAG Bulletin, we reported that the EC had proposed its Conference Room as the temporary site for the National Results Collation Center (NRCC). We also noted in the same Bulletin that this temporary site may be too small for such a purpose. In many ways the set-up of the NRCC appeared not to have met the expectations of stakeholders and the general public. It was envisaged that a more accessible location with sufficient

space to accommodate all key stakeholders would be set up.

This location failed to sufficiently provide the needed space and accessibility during Election Day. The inappropriateness of the conference room of the EC, combined with delays in certifying Polling Station Results from the constituency level, caused some confusion, and agitation among Ghanaians.

Nonetheless, each presidential candidate was allowed two representatives at the Center at all material times. There were representatives of other stakeholders and election observer groups including CODEO, the National Media Commission (NMC), National Commission for Civic Education (NCCE), Ghana Journalists Association and the Women's Situation Room.

In the future it would be prudent for the EC to operate a system which would minimize the delay associated with the declaration of Results by the Commission.

3 Returning Officers to issue copies of collation sheets to Candidates/Agents

The Supreme Court ruled on 27th October, 2016 that the EC should provide copies of the Result Collation Form for the Presidential Elections to all agents of presidential candidates at the Collation Centers. Until the ruling, the EC was not bound by law—Constitutional Instrument (CI) 94- to provide copies of the Result Collation Form to agents of presidential candidates. On Election Day, Returning

Officers issued copies of the Results Collation Form to agents of the various candidates who were present at the various Collation Centers.

4 EC to publish Presidential and General Election Results per Polling Station on its Website

Prior to the Polling Day, the EC promised to publish the Presidential Election Results for each Polling Station on its Website. Unfortunately, the EC's plan to transmit live Results from Polling Stations and Collation Centers did not materialize, and neither did the publication of Polling Station Results on its website. What the EC published on its website intermittently was constituency Results. The EC on Election Day did release a statement to the effect that this plan had been abandoned because their system had been compromised. As a result, the EC had to rely on the old method of announcing Results, which was slower than expected.

The anxieties created by the delay in announcing Results were exacerbated by attempts by the New Patriotic Party (NPP) and the National Democratic Congress (NDC) to announce provisional Results on their own. It is still troubling that over two months after the declaration of Results, the EC is yet to publish the detailed Polling Station Results on its Website as was promised.

5 EC should serially number the statement of Polls and the Declaration of Results sheets

The statement of polls and declaration of Results sheets were duly serially numbered for the polling process.

Conclusion

The Polls were well organized and has been commended locally and internationally. The collaborative efforts of candidates and their parties, Civil Society, the NCCE, the Judiciary, the Media and the EC itself played no small role in ensuring the success of the Elections.

The EC is highly commended. However, for future elections, the EC should strengthen its systems for certifying and announcing Results from the Polling Stations and Collation Centers. A more collaborative approach with the media houses on announcing Results might

generally reduce anxiety and foster more transparency in the election process.

The ERMAG will undertake a comprehensive assessment of the implementation of the 27 accepted reforms that the EC committed itself to implementing for the 2016 Presidential and General Elections. The outcome of this assessment, and any other lessons drawn from the just concluded Polls, will form a final report that ERMAG and CODEO will prepare and make public for a national conversation towards strengthening Ghana's electoral administration and management.

Appendix

List of electoral reforms accepted by the EC to be implemented:

1. Hold Presidential and Parliamentary elections in November instead of December
2. EC to do continuous registration as well as periodic registration
3. Election Officials & Party Agents to take oaths before a Magistrate or Judicial officer instead of an officer of the Commission
4. Institutionalize IPAC
5. Use of the Biometric Verification Device for exhibition of the Provisional Voters Register
6. EC to raise the minimum educational qualification requirements for various levels of election officials
7. EC should improve quality of training of election officials and EC staff
8. PWDs and vulnerable persons should be given priority at polling stations
9. EC should make clear provisions regarding processes and procedures to be followed upon an adjournment of the poll
10. EC should improve the Compensation package for Election officials
11. EC should serially number the statement of Polls and the Declaration of result sheets
12. EC should set up a National Collation Center to replace the “strong room”
13. EC to appoint collation officers for each constituency
14. EC to defer adoption of electronic voting
15. EC must ensure that election officials who breached electoral laws are sanctioned
16. EC should take steps to reduce rejected ballots
17. EC should extend the period of notice for Voter Registration exercise from 14 to 21 days
18. EC should be given the mandate to apply to the courts to delete names of unqualified persons from the Provisional Voter Register
19. EC should be required by law to give a copy of the Final Certified Register to Registered Political Parties at least 21 days before the elections
20. EC to reduce the number of voters per polling station
21. EC should publish an annual calendar of its activities at the beginning of an Election year
22. EC should publish a list of all polling stations with their codes and locations not later than 42 days to the elections. EC accepted 21days
23. Returning Officers should give copies of Proxy, Special and Absent Voters lists to Candidates/Parties
24. Returning Officers to issue copies of collation sheets to Candidates/Agents
25. EC to expand the list of special voters to include accredited media personnel and election observers. GJA to provide the list of accredited media to the EC

26. EC to publish Presidential Election Results per polling station on its website

27. EC to define the term “ordinarily Resident”

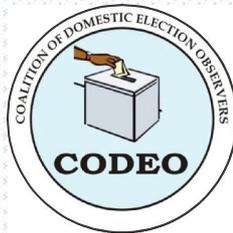
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About the ERMAG

The *Electoral Reform Monitoring and Advocacy Group (ERMAG)* is under the auspices of CODEO and it seeks to monitor and report on the implementation of the Electoral Commission (EC)'s accepted 27 reforms. As an independent and non-partisan civil society body, it aims at promoting an inclusive and credible implementation of the reform process.

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