



Carter Center Ghana Election Mission

Executive Summary

November 6, 1992

The Carter Center Observer Team for the 1992 presidential elections commend the government of Ghana, the Interim National Election Commission (INEC) and the Ghanaian people for the significant progress that has been made in laying the basis for a constitutional democracy in the Fourth Republic.

Human Rights and Civil Liberties have been fundamentally restored in Ghana after a period of extra-constitutional governance. The "Culture of Silence" has been dissipated, hopefully forever. The press in Ghana enjoys, and sometimes misuses, its widened freedoms. The political parties were all given substantial opportunities to present their views via state-owned electronic and print media. Despite unfortunate incidents, they also were able to carry their messages freely throughout the length and breadth of this land. All of these achievements and more augur well for the consolidation of a political culture of open debate, tolerance and accountability.

Our observers were able to visit all the regions of Ghana and witness the conduct of electoral operations in numerous polling stations and constituency centers. What they report is the diversity of experiences in the implementation of election procedures. In the accompanying document, we have provided an overview of the problems and irregularities that they reported. A more detailed report by region will be presented to INEC as soon as possible. Many of the irregularities that took place can be attributed to the logistical problems that INEC encountered, especially in the high density urban areas.

Despite the number of irregularities and inconsistencies reported, the Carter Center team did not encounter a systematic pattern that would suggest fraudulent conduct or the rigging of the elections. On the other hand, the fundamental problems created by the use of a flawed register, and the inadequate system of voter identification, makes it possible for others to attribute these irregularities to deliberate misconduct. We are not able to confirm or disconfirm these allegations. What this unfortunate situation points to is the need for urgent attention to be devoted to the need for a more reliable voter register and a more consistent system of voter identification perhaps through the introduction of an I.D. system.

As a group of individuals who are deeply concerned to see continued progress towards a pluralist democracy, we are concerned by reports of violence and conflict. We encourage all Ghanaians to seek a peaceful resolution of all disagreements and we call on the government to do everything within its power to restore trust and confidence in the electoral system so that all political forces will feel encouraged to take part in electoral competitions.

THE
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OF EMORY UNIVERSITY



Report of the
Carter Center Ghana Election Mission

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Introduction

The members of the Carter Center Ghana Election Mission regard it as a distinct honor to have been invited to observe the November 1992 elections. Our team, including 18 international observers and at least 250 Ghanaian observers, observed the election proceedings in every region of the country. We admired the spirit with which the Ghanaian people took part in the electoral process, even though this took place, at times, under very trying circumstances for all involved. We were also impressed, in most cases, by the smoothness of the organization and implementation of the election procedures. Despite the occurrence of serious irregularities in the election process, what we have observed does not lead us to question the validity of the results. We hope that the observations made in the body of this document will help the Ghanaian people and government in their continuing movement toward full multiparty democracy.

Across regions and within regions, we noted a great diversity of voting experiences. In many cases, voters found their names on the register and voted with no problems. In other instances, however, irregularities were observed, some serious, others less. In all, they raise troubling questions about the electoral process.

In general, we noted fewer problems and fewer instances of voting irregularities in the rural areas where voters were more likely to be known by the election officials, polling agents and other individuals present at the polling stations. However, the more urban the polling station and the registered voters at that station, the more likely that voters faced obstacles in voting, including being turned away by overburdened electoral officials, slowness in the flow of voters through the voter identification process, and being subjected to overcrowding at the polling station.

Voter Register

The current register is dated and raises serious questions about the voting process. This register was initially prepared for the 1987 district assembly elections and partially updated in 1991. In some sites, our observers noticed multiple register lists being used, both the register of the April 1992 referendum and the further modified one for the 1992 presidential election. Many prospective voters had registered under other names and

addresses in 1987. At this election, lacking their registration slips, they were sometimes unable to remember and identify the names and addresses used in 1987. In addition, some voters who did not participate in the earlier balloting processes, found themselves excluded from the current exercise. Other voters had changed their addresses over the last four years, and, when unable to identify the address on the current register, were denied the right to cast a ballot. In many instances, these and other procedures created confusion and often generated disappointment and frustration among potential voters. Such problems were further complicated by the fact that in certain regions some parties did not have timely access to the voter register.

Voter Identification

The absence of a reliable and consistent procedure for identifying eligible voters led to allegations of impersonation or the disqualification of those voters. Some potential voters were turned away because they could not state their addresses or their names in ways that corresponded to what appeared on the register. Although in these cases the voters were asked to check for their names in other polling stations, it was not clear to our observers how many eventually were able to find their names elsewhere. Voters turned away from one polling station may have faced a long wait on another queue. This was especially true in the urban areas. A related problem was the question of verifying whether a person was old enough to vote.

In one region, presiding officers in some polling stations read out the names of registered voters rather than allowing voters to identify themselves as their turn came up. This practice may have been used with good intentions, but it represented a clear violation of the election procedures. This practice tended to slow down the process of voting, created anxieties among voters who did not hear their names, and opened up possibilities for impersonation as individuals could simply assume names to which no one answered.

Voting Procedures

At the polling stations, the physical distance between the potential voters and the electoral official in charge of the voter register raised questions about the ease of impersonation. In some cases where the voter could see names on the voter's register, impersonation was facilitated, particularly at stations where potential voters were not known to the election officers and other electoral officials.

There was a noticeable inconsistency in the determination of what should be a spoiled ballot. Some presiding officers identified as spoiled a ballot that had a thumbprint on the party symbol while others accepted as valid ballots that had a thumbprint either on the symbol, the name of the candidate or in the box designated for the thumbprint. There was also inconsistency over

what constituted a rejected or spoiled ballot.

It was observed that some polling stations did not have sufficient ballots for the number of registered voters at that site. There were instances in which ballots were borrowed from neighboring sites by stations experiencing shortages of ballots. These practices raised concerns about the handling of election materials.

The delegation expressed concern over the issue of tendered ballots and whether these ballots, if found valid, were entered into the tally of votes.

In many cases, ballot boxes were unsealed or improperly sealed before, during, or after the voting process. At times, this shortcoming was caused by the absence of seals at the polling stations and inadequate training on their use. After the counting of ballots at the polling stations, there were some inconsistencies observed in how the ballot boxes were transported to the constituency center and by whom.

At the constituency centers, we observed both orderly and disorderly processes. At most centers procedures went smoothly. In some instances, the scene at constituency centers was chaotic. Some ballot boxes arrived unsealed. Another problem concerned the storage of ballot boxes and ballots after they were delivered to the returning officers and their deputies.

Election Officers

Election officers were generally enthusiastic, capable, and took their assignments seriously. There is, however, the need to strengthen the technical knowledge of presiding officers and their polling assistants in order to maintain consistency in the way election rules are applied. They also need to know how to ensure the security of ballot boxes and election materials after the voting.

Presiding officers should be vested with sufficient authority to conduct the voting process in an orderly manner. There were cases in at least two regions where presiding officers were intimidated by large crowds of people who surrounded the polling sites.

Polling Agents

Most polling agents performed their duties correctly. However, there was considerable variation in the level of knowledge about their roles among polling agents. Some clearly exerted greater influence over the election process than was described in the training manual. In some cases, these agents remained in areas prescribed by the presiding officers, offering helpful advice to voters. In other cases, however, they overstepped their mandate and exerted undue influence upon all persons involved in overseeing voting procedures as well as on the voters themselves.

In a number of cases, they appeared to usurp the responsibilities of the presiding officer and the polling assistants, leaning over the register, refusing to accept the decisions of the presiding officer and his agents, and providing restricted information to prospective voters. Where struggles between polling agents occurred and intensified, violent encounters sometimes ensued.

Security

In most cases, security personnel performed effectively. In some cases, however, they were unable to control the crowds, resulting in an increase in tension and frustration for voters and election officers. Often, spectators were allowed to congregate at polling stations, a situation which contributed to unnecessary crowding and confusion.

In both rural and urban areas, we noted an insufficient number of security officers at some polling sites and some cases none at all. Security officers sometimes exceeded their mandate, with some taking part in the counting process, while others took upon themselves tasks rightfully belonging to the presiding officers such as making decisions about spoiled ballots. Some members of the delegation also observed security officers allowing people to jump the queue at the polling station while others were made to stay in line. In isolated cases, we observed security officers interfering with the secrecy of the ballot process.

Irregularities

Although a majority of polling stations conducted the voting process without incident, enough irregularities, such as those noted above, were observed to warrant careful review by the Interim National Election Commission (INEC).



The Common Ground: Peace, Democracy
Economic Progress in Ghana

In times of heightened political tensions, it is easy to forget all that could be lost in the impatience to achieve a desired goal. For those of us who have been close observers of the ebb and flow of Ghana's political and economic fortunes, the distance her people have traveled in arresting economic decline and initiating a return to constitutional democracy exceeds by far the road that still must be traversed. Before that final journey can be undertaken, however, Ghanaians must find a common ground on which to walk.

The official results of the presidential elections of November 3 are expected to show a victory for the candidate of the National Democratic Congress. The losing candidates have vigorously protested the conduct of the elections and have threatened to refrain from further electoral contests until certain fundamental demands regarding the voter register are met. Ghana therefore finds itself in a position similar to that of other African countries in which reactions to election results have taken their people to the precipice of civil conflict.

This is a road Ghana can and should avoid. Any concerned observer who is aware of the desperate situation in several African countries today is obliged to urge caution on all sides of a political dispute that is not insuperable. The governing authorities must surely pause at the lurking spectre of a post-electoral Ghana in which the opposition parties are arrayed outside rather than within the parliamentary chambers. Similarly, after years of demanding inclusion in the decision-making centres of their country, the leaders of the disappointed parties must view with misgivings the calls to take their struggle to the streets where the risks are so grave.

Ghanaians of all political persuasions have demonstrated that they want a fully democratic and pluralist political order. Their delegates to the Consultative Assembly in 1991 affirmed that choice in a resounding manner. Throughout the land on November 3, 1992, all international observers were able to witness the common citizenry standing for hours in voting queues, often enduring delays caused by logistical difficulties, to get hold of a ballot on which to imprint their political choices. Must all this be thrown away in a pitched battle to prove who is right and who is wrong about the degree of accuracy of the voting result? Is there another way out of this impasse?

All Ghanaians, we believe, can be brought together in a common search for civil peace, a true democracy and sustainable economic development. What might have been only an accidental occurrence, namely the simultaneous conduct of presidential elections in Ghana and the United States on November 3, 1992, now appears redolent with a deeper meaning. What many Americans often take for granted, namely that they can vote freely according to their consciences and that the official results will accurately reflect their choices, are still denied most other peoples in the world. The expectation that defeated candidates will automatically accept the voting results, often before the final tabulation is made, and promptly congratulate the winner, flows directly from the high confidence of the citizens and politicians in the electoral system.

Operating against numerous odds and daunting constraints, the Interim National Election Commission (INEC), under the able leadership of Justice J. Ofori-Boateng, has brought Ghana to the brink of a new electoral era. Further progress can and must be made. It is in the interest of all political parties and their leaders to join hands in the pursuit of this objective. No government in Ghana today, whatever its political coloration, will attract the level of private investments, both domestic and foreign, that is today critically needed if the political system excludes and marginalizes major political forces and significant sections of the population.

The technical difficulties that are still impeding the achievement of a fully free, fair and depoliticized electoral process can be objectively studied and effective solutions sought. Why engender mayhem over a matter that is supremely within the powers of the Ghanaian government and INEC with the assistance of professional consultants to resolve? Moreover, the international community, which has invested so heavily in Ghana over the past decade, and which is poised to do so much more for a fully democratic Fourth Republic, will surely not deny her the financial means to establish an electoral operation, including a sound voter register, that can guarantee honest and harmonious elections?

As I write, President Carter is en route to a long-planned visit to Eastern Europe including the former Soviet Union. Were it not for this commitment, he would be with us today to help in the search for a way out of the present impasse. The Carter Center has been involved for several years in improving maize production in Ghana. Our efforts to free Ghana's rural dwellers from the plight of Guinea worm infestation is well-known here and abroad. Our election observers, and the Ghanaian citizens who worked alongside us as local monitors, have carried the Carter Center insignia into the most remote hamlets of the land and contributed in myriad ways to inspiring public confidence in the electoral process.

Today, we brace ourselves for additional challenges: to help maintain civil peace among Ghana's peoples, on which all hope for social progress rests; to assist in the building of a resilient democratic order anchored to a sound electoral system; and to help

generate a more productive economy that was promised thirty-five years ago in words that so inspired all the peoples Africa and the African diaspora. With so much at stake, to lose or win, we can surely find a way to move forward?

Dr. Richard Joseph
Fellow for African Governance
The Carter Center

6 November 1992

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