



Ghana Presidential and Parliamentary Elections 2020

**Interim Statement by Justice Dr. Emmanuel
Ugirashebuja, President of the East Africa Court of
Justice (Rtd)**

Chair of the Commonwealth Observer Group

9 December 2020

The People of Ghana,
Your Excellencies,
Fellow Heads of Election Observation Missions,
Members of the media,
Ladies and Gentlemen,

On 7 December 2020, Ghanaians reaffirmed their commitment to our shared values of democracy by exercising their right to vote in the eighth elections since the reintroduction of multi-party system in 1992.

The electoral process is yet to be concluded. The greatest test of leadership is called for now. All parties must exercise patience and restraint while Ghanaians await the announcement of full results. We urge the Ghana Electoral Commission to continue to expedite the



collation of all election results, with the transparency and professionalism which they demonstrated on election day.

If there are any grievances, they must be pursued through due process, and the use of all available dispute resolution mechanisms.”

The voting process was conducted in a largely peaceful and orderly manner. The Commonwealth Observer Group commends the People of Ghana, the institutions involved, the polling staff and all other electoral stakeholders for the commitment to conducting a successful election and for the tolerance exhibited by all stakeholders on Election Day. We are honoured to have been given this opportunity to observe and support Ghana’s democracy.

Our Group was constituted by the Secretary-General of the Commonwealth, The Rt Hon Patricia Scotland QC, following an invitation from the Electoral Commission of Ghana to observe these elections. We arrived on 4 December and will depart Ghana on 10 December.

Our preliminary findings will be shared in the following manner: I will first provide our key findings on the pre-election environment, after which I will focus on our observations on Election Day. Finally, I will share our impressions of the post-election stage so far, mindful that the results process is ongoing.



In accordance with our mandate, we are assessing this election according to the national, regional, Commonwealth and international standards to which Ghana has committed itself, as underscored in the arrival statement we issued on 5 December 2020.

The following is our initial assessment:

Key Findings

The Pre-Election Environment

We note that this election has been held against the backdrop of unprecedented circumstances posed by the severe acute respiratory syndrome coronavirus 2 (SARS-Cov-2) or “COVID-19” pandemic, which is one of the worst crises in our lifetimes. The date of our arrival and departure in Ghana and the size of our Group is indicative of the realities of the current pandemic but we have nevertheless followed the developments in Ghana and are confident that despite the challenges posed by COVID-19, our observation mission has been able to operate within its mandate.

Since our arrival, we have met with a range of stakeholders including the Electoral Commission of Ghana, political parties, civil society organisations, the media, the police, domestic and international observers, and members of the diplomatic community.



We note that several political parties participated in the 2020 Presidential and Parliamentary Elections. The main presidential contestants were former President John Dramani Mahama of the National Democratic Congress (NDC) and incumbent President Nana Akufo-Addo of the New Patriotic Party (NPP).

Ghana has a robust and vibrant civil society which is very active in the electoral process and which, through its activities, has enriched the democratic process and has contributed to building confidence in the electoral process and thereby to peace. We encourage civil society in Ghana to continue with its role and commend all stakeholders for maintaining the space for civil society organisations to fulfil this very important role.

Ghana is renowned for its robust media and also for its determination to safeguard media freedoms. We encourage all stakeholders to ensure that media freedom is maintained and respected as an essential characteristic of any truly democratic society.

Some stakeholders raised concerns by the danger posed by “vigilante groups” to peace and the rule of law. The Group welcomes the enactment of the Vigilantism and Related Offences Act 2019 to deal with this rising scourge and we urge more decisive action to enforce the provisions of the law in this regard.

Despite the competitive nature of the elections, we are gratified that all stakeholders in the electoral process have shown maturity, tolerance and a commitment to democracy and peace. On 4 December 2020, President Nana Akuf-Addo of the NPP and Mr. John Mahama of the NDC signed a peace pact in which they reaffirmed their commitment to peace and expressed their concern about vigilantism.

We encourage Ghanaians to continue to exhibit the culture of political tolerance, political maturity and peace which the country is renowned for.

Social Media

The use of misinformation and disinformation through social media platforms is increasingly becoming a potential weapon against democracy. Ghana's pre-election period experienced ample social media interactions. We conducted a topline analysis within the Twitter micro-blogging platform.

From our data, both candidates have employed the use of strategic social media campaign mechanisms. However, in some instances social media was driven by a number of robots (bot accounts). The use of bots has been heavily criticized in a number of countries.



Encouragingly, we noticed Civil Society fact-checking initiatives and efforts to mitigate disinformation.

We encourage stakeholders to investigate these trends and data further. It may also be important to consider putting in place key parameters and guidelines for the use of social media during and after campaign/election time. Parties may need to be more vigilant and discourage their followers/campaigners to fall into manipulation techniques, unrestricted use of bots and the spread of fake-news as well as the use of unverified accounts.

Election Day

On election day, members of the Group deployed in different regions met with local police, polling officials and returning officers, voters and political party agents. The Commonwealth Observer Group would like to commend the staff of the Electoral Commission of Ghana, polling officials and other institutions who worked tirelessly to ensure that electoral materials and equipment were in place in readiness for the election day.

On Election Day, the majority of polling stations opened on time and they were equipped with requisite polling staff and materials. The procedures for the opening of



the polls were generally followed. We were impressed by the professionalism, confidence, and enthusiasm of polling officials. Issues that were observed, such as delays or missing materials, were usually resolved efficiently.

Police presence at polling stations was generally visible, non-threatening and impartial.

In most polling stations party agents were present, and they performed their duties unhindered. Voting happened outside in the open and polling booths and electoral materials were at times disturbed by wind. We encourage the Electoral Commission of Ghana to consider acquiring suitable tents or placing voting booths in suitable enclosures away from the elements.

We observed that voting proceeded steadily and that by lunchtime, there were no long queues in most polling stations. We commend the Electoral Commission of Ghana for the measures it has introduced to reduce the number of voters at polling centres. On the whole, biometric verification proceeded well with a few minor difficulties which, in the instances observed, were quickly resolved.

The Group observed that the increase of multiple streams in polling stations led to some confusion about where voters were to vote from due to the absence of adequate signage at the polling stations. Additionally, the positioning of the voting booths in polling stations



could compromise the secrecy of the ballot. We urge the Electoral Commission of Ghana to increase signage at polling stations and put in place measures that ensure the secrecy of the ballot.

The Group observed COVID-19 Ambassadors at all polling stations. The Group observed that, by and large, voters' temperature was checked and voters were required to wash and/or sanitise their hands before voting. While most voters complied with the insistence on the wearing of masks, social distancing was not consistently observed in the queues.

Although the elderly, unwell or disabled voters were provided facilities to sit or vote quickly, we observed that pregnant women or mothers with infants were not accorded similar facilities.

Closing procedures were transparent, with presiding officers and polling officials predominantly conducting the process in a careful manner and in accordance with prescribed procedures. Where they were requested to do so by party agents, presiding officers conducted recounts and the results announced at polling centres were generally agreed to by all party agents.

All the polling stations visited were outside and the counting of votes continued after dark. The Group observed that there was a lack of adequate lighting in



all the polling stations visited and polling officials had to improvise by using cellular phone torches and vehicle head lamps. We urge the Electoral Commission of Ghana to provide requisite lighting materials to polling stations in future elections.

Post-Election

The day after the elections, our Observers met with some stakeholders to receive their feedback on the process and to follow up on the ongoing result transmission stage. Preliminarily, stakeholders reported no major incidences in the collation of results. We however note the Electoral Commission's delay to announcing results in line with their intended timeline, and encourage them to continue providing citizens with updated and transparent timelines for the declaration of results.

We encourage all Ghanaians, especially political parties, candidates and supporters, to remain patient and peaceful, while the Electoral Commission of Ghana concludes the processing of results. President Akufo-Addo and Former President Mahama reassured the Commonwealth that they would foster peace and the respect for the rule of law. I note that this commitment entails the resolution of grievances through the established legal channels.

Conclusion

We wish to commend and congratulate all the voters for turning out in significant numbers on election day to exercise their democratic franchise. We also commend the Electoral Commission and polling staff, the political parties, civil society, the media and the security forces for their respective roles in ensuring the success of the electoral process thus far.

It is our hope and expectation that while the results process reaches its crucial finalisation phase, Ghana's tradition of peaceful electoral processes will continue to be preserved and safeguarded.

Our final report will now be prepared and submitted to the Commonwealth Secretary-General, who will forward it to the Government of the Republic of Ghana, the Electoral Commission of Ghana, leaders of political parties, and thereafter to all Commonwealth Governments. It would also be made available to the general public.

As we conclude, we encourage the Electoral Commission, political parties, civil society and other electoral stakeholders to engage in post-election inclusive dialogue and maintain the peace that characterises the Ghanaian democratic tradition

Thank you.



The Commonwealth

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Accra, Ghana

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Note to Editors

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