

Colloquium on African Elections: Best Practices and Cross-Sectoral Collaboration

Final Report



Accra, Ghana
November 11-14, 2009

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Overview

In the past two decades, competitive elections have become the norm in many African countries. In nations such as Ghana, Mauritius, and South Africa, successful elections have helped consolidate nascent democratic institutions and enhanced prospects for greater economic and political development. In other countries, such as Liberia and Sierra Leone, credible elections have paved the way for national reconciliation and a return to democratic rule after decades of armed conflict and civil war. On the other hand, flawed elections in countries such as Kenya and Zimbabwe have led to violence, loss of life, and destruction of property, and have further polarized political discourse.

The third wave of democratization that began in the early 1990s facilitated the emergence of democratic institutions critical to the holding of credible elections in some African countries. These include independent election management bodies, nonpartisan civil society election monitoring groups, and independent media. Political parties have trained and deployed poll watchers to monitor election processes, while professional security services have ensured that political contestants and their supporters freely conduct campaign activities and vote in fulfillment of their constitutional rights.

The African Union (AU), the Economic Community of West African States (ECOWAS), and the Southern African Development Community (SADC) are signatories of the 2005 Declaration of Principles for International Election Observation and Code of Conduct for International Election Observers. In January 2007, the AU adopted the Charter on Democracy, Elections, and Governance, a document that underscores the importance of credible democratic elections on the continent. The charter still has to be ratified by the required number of member states to become binding. In addition, subregional entities, notably ECOWAS and SADC, have adopted protocols aimed at fostering democratic governance and high standards for elections. While implementation of these standards varies among member states, these public commitments show that political will exists in Africa to promote and conduct credible elections, even if the electoral processes in many countries still fall short of the expectations of citizens.

African democrats agree that effective communication among key players and greater professionalism and transparency in the performance of their duties contribute measurably to successful elections. The Colloquium on African Elections brought together political party leaders, security officials, election management body officials, civil society representatives and media representatives in a unique opportunity to share knowledge on ways to strengthen electoral practices and promote cross-sectoral collaboration across the continent. The colloquium used case studies from recent African elections to ground discussions in practical experiences.

The colloquium was held November 11 to 14, 2009, in Accra, Ghana, to highlight that country's 2008 elections as a particular case study of challenges and best practices in the conduct of elections in Africa. Ghana's December 2008 elections were universally viewed as credible. For the second time in less than a decade, the presidency and

leadership of parliament changed hands from the ruling party to an opposition party through the ballot box. Despite heated political tensions and a razor-thin margin between the candidates, the election results were accepted by all political parties, domestic and international observers, and the public at large. The work of Ghana's Coalition of Domestic Election Observers and its findings helped convince members of the public and political parties to accept the electoral outcome. Moreover, Ghanaian security services did not resort to the use of force, despite considerable tensions in the pre-election period and in the lead-up to the tabulation and announcement of election results. The Ghanaian example provides positive lessons in election management, contrasted with the flawed elections in Kenya and Zimbabwe in 2007 and 2008, respectively, which left many Africa watchers with the impression that African elections are fraught with irregularities, fraud, and conflict.



Approximately 100 participants from 25 African countries attended the colloquium, including election commissioners, political party leaders, civic advocates, leaders of election monitoring groups, journalists, and high-level security service officials.

Methodology

The colloquium followed a case study approach in which Ghanaian and other African practitioners shared experiences on elections and suggested best practices and lessons learned from those experiences. Panel discussions were held in plenary on the role of each sector of the electoral process — election management bodies, political parties, civil society domestic observers, the media, and the security sector. Following the panel discussions, participants convened in sectoral working groups to review the plenary deliberations and build consensus on best practices. At the end of the colloquium, participants agreed on a communiqué with recommendations for best practices that could enhance the credibility of elections on the continent.¹

Plenary: African Elections, Best Practices, and International Standards

Moderator: **Dr. Christopher Fomunyoh**, *Senior Associate and Regional Director, National Democratic Institute (Cameroon)*

Panelists: **Hon. Charles Djrekpo**, *Former President, Autonomous National Election Commission; Former Member of Parliament (Benin)*

Ms. Joyce Titi Pitso, *Election and Political Process Manager, Electoral Institute of Southern Africa (South Africa)*

¹ The communiqué is included as Appendix I.

Mr. Patrick Merloe, *Senior Associate and Director of Election Process Programs, National Democratic Institute (United States)*

Key Points:

- Democratic electoral processes should be inclusive, transparent, accountable, and designed to promote public confidence. African elections vary widely in their adherence to these principles.
- Many African countries have signed on to regional and/or global instruments that promote democratic principles, including the AU Charter on Democracy, Elections, and Governance; ECOWAS' Protocol on Democracy and Good Governance; and SADC Principles and Guidelines Governing Democratic Elections. However, political will to implement these instruments is weak.
- Election administrators, political parties, civil society, media, and security services bring different perspectives to elections, and collaboration among these stakeholders can improve the electoral process.

Summary: The opening plenary session framed the context for colloquium deliberations as panelists described the significance of elections, as well as recent trends in Africa. Elections are a focal point for democratization because they enable citizens to enjoy the rights enshrined in the Universal Declaration of Human Rights to choose their representatives freely. While elections are not the endpoint of democracy, they are one of its key pillars. They are the foundation of the social contract through which elected leaders gain legitimacy to govern from the electorate. While credible elections do not guarantee good governance, they do deliver legitimate leaders, a fundamental requirement for good governance. Credible elections enhance prospects for democratic consolidation, while flawed elections tend to undermine political and economic development.

Several factors contribute to making an election process more credible: it must be inclusive of all citizens, transparent to citizens, and accountable to citizens. If these principles are met, the public is likely to have confidence in the election process.

Africa has experienced a checkered record of elections, though the development of regional protocols favoring democratic principles indicates an increasingly supportive environment for democratic principles and practices to take root. The AU's 2002 Durban document, which establishes elections as the basis for the authority of a government, identifies elections as a key aspect of good governance and places responsibility for ensuring adherence to democratic principles for elections with AU member states themselves. However, the political will to abide by these commitments varies widely from country to country. In far



too many African countries, efforts continue to maintain strong-man rule through constitutional changes, coups d'état, or more insidiously, electoral manipulation.

Panelists encouraged participants to use the Colloquium on African Elections to develop a better understanding of the different perspectives of their peers on the electoral process. Panelists also highlighted the important role that all stakeholders play in preventing election manipulation. For example, election administrators must understand how rigging can take place and develop mechanisms to reduce opportunities for malfeasance. Trained political party poll watchers and nonpartisan election observers have a responsibility to identify and deter rigging.

Plenary: Election Management Bodies and African Elections

Moderator: **Ms. Abigail Wilson**, *Deputy Director for Africa, International Foundation for Electoral Systems* (United States)

Panelists: **Mr. Francis Oké**, *Head, Economic Community of West African States Electoral Assistance Unit* (Benin)

Eng. Dr. Badru Kiggundu, *Chairman, Electoral Commission* (Uganda)

Mr. David Azey Adeenze-Kangah, *Deputy Chairman, Electoral Commission of Ghana* (Ghana)

Panelists were asked to discuss the effectiveness of election management bodies (EMBs) in key areas, such as election planning, voter registration, candidate nomination, data management, polling staff recruitment and training, voter and civic education, and compliance mechanisms. They were also asked to discuss the importance of EMB outreach to political parties, domestic and international observers, media, and security services.

Key Points:

- The legal and financial framework for elections should guarantee the independence of election commissions.
- Election commissioners should be chosen through an inclusive and transparent process. Integrity and professionalism should be key qualifications for nominees to serve on election commissions.
- EMBs should engage all stakeholders on a regular basis, providing the information they need to participate fully in and evaluate the process.

Summary: Panelists discussed the important role played by election commissions in the electoral process and presented case studies from Uganda and Ghana. EMBs often face a number of challenges that hinder efforts to conduct elections. Organizing an election in all reaches of a country is a gargantuan task with many logistical challenges. Funding is often not received in a timely fashion. Maintaining security is

often a concern, and election commissions may have to rely on security services that are viewed with suspicion by the public. Political parties can cause havoc if they refuse to accept election results. Irresponsible comments by observers who fail to follow international standards for election observation, lack sufficient knowledge of the country context, or visit only a few polling stations can throw the credibility of an election into doubt. Frequent changes to the electoral framework can also hinder election commissions. In Uganda, for example, late amendments to the electoral laws have been a particular challenge. In 2005, when Uganda held its first multiparty elections in more than 20 years, electoral laws were passed only two weeks before candidate nominations were due. There was no time for voter education and little time for political parties and candidates to prepare. Ugandan political parties have now called for the enactment of a time limit requiring that all amendments to the electoral law be passed at least one year before an election.



Election commission decisions impact all political parties and other stakeholders. Regular engagement with all electoral actors can increase their acceptance of the electoral process. Ghana's election commission has collaborated actively with stakeholders, including establishing standing relationships with political parties, media outlets, civil society organizations, faith-based organizations, security services, and the judiciary. This collaboration improves the electoral process and eases tensions. For example, when a recent election was scheduled on a Sunday, a number of Christian groups protested. The election commission met with faith-based organizations to explain the rationale for the date and eventually received their assent. The Catholic Church then issued a decree shifting the date of mass so that members would not have to miss services in order to vote. In contrast, political parties in Uganda, mistrustful of the election commission's motives, questioned the legality of commission efforts to organize meetings with them during a recent election cycle.

Given the control that EMBs have over the electoral process, panelists focused in particular on the challenge of guaranteeing that election commissions are independent and impartial, which can enhance citizen confidence in the electoral process. Panelists considered different mechanisms for nominating election commissioners, expressing concern that conflicts of interest can arise when a president or political party nominates EMB members. To avoid this problem, panelists agreed that EMBs should be named through inclusive, transparent processes with checks and balances. In addition, those selecting election commissioners must ensure that their candidates are committed to conducting a credible process and have a reputation for integrity.

Panelists recommended further measures to ensure independence: election commissioners must have a mandate to make independent decisions, and they must have the space and means to do their work. Legal frameworks can be used to prevent

executive branch manipulation of election commission decisions. Election commissions can be made subject to judicial review, as is the case in Ghana. Also, election observers can reassure citizens about the performance of an EMB by assessing the process in light of accepted democratic standards.

Plenary: Political Parties in Elections and Candidate Debates as a Confidence-Building and Conflict Mitigation Tool

Moderator: **Dr. Augustine Magolowondo**, *Africa Regional Programme Coordinator, Netherlands Institute for Multiparty Democracy* (Malawi)

Panelists: **Ms. Alice Wahome**, *Deputy Secretary General, National Rainbow Coalition* (Kenya)

Ms. Jean Mensa, *Administrator, Institute of Economic Affairs* (Ghana)

Participants were asked to reflect on the key challenges that political parties encounter in electoral processes in Africa. Panelists were also asked to identify and discuss some of the key factors that affect political parties' performance in elections, both from the perspective of political parties as institutions and the challenges presented by the context within which elections are held. As candidate debates are one way of ensuring that voters are provided with the information they need to make choices, participants were asked to discuss the organization of candidate debates and the extent to which they make a difference in elections.

Key Points:

- Codes of conduct with enforcement mechanisms can reduce the likelihood of conflict during an electoral process.
- Cross-party cooperation can be an important signal to the public that political parties are willing to compete peacefully and fairly and to work jointly on issues of national interest.
- EMB consultations with political parties help to build trust in the process.
- Due to their visibility to the public, leaders in power can have a strong influence on public opinion. It is important for incumbent leaders to set a tone of tolerance and respect for the elections process.
- Candidate debates enable citizens to make more informed decisions in the voting booth.

Summary: The plenary discussion highlighted some of the challenges that parties face and provided case studies from Kenya and Ghana. Panelists highlighted the development of competitive multiparty systems as a particular challenge in many African countries because of the history of single-party rule. In some countries,

opposition parties have struggled to gain strength and experience after the return to multiparty systems. Political parties are sometimes created solely as power vehicles before elections and lack any unifying ideology. Newer parties often lack the structures, capacities, and resources to operate effectively. A plethora of political parties have formed in some countries, splitting the electorate and making it difficult for an opposition movement to unite enough votes to win office. Coalitions can be unwieldy and difficult to form. In the case of Kenya, a government of national unity composed of new coalitions was instituted after the conflict-ridden 2007 elections. It has proven difficult to bring both sides together to manage the coalition government, and frustration among the population is rising.



Panelists recognized that political parties have the power to shape electoral processes. In Kenya, for example, seeds of discontent were sown when the electoral commission failed to follow an informal practice of consulting with political parties on the appointment of commissioners. Parties' resulting mistrust of the electoral process continued throughout the process and ultimately resulted in conflict when questions arose about the early announcement of election results. Following the

crisis, Kenya established an interim electoral commission through a transparent, competitive process in which candidates for the commission were vetted by parliament before they were appointed by the president. The new commission has consulted with political parties to identify potential reforms.

Relations between the electoral commission and political parties were better in Ghana. Regular stakeholder meetings to discuss how to organize violence-free elections were a key ingredient to increasing political tolerance. Furthermore, parties met on a regular basis to discuss issues of national interest and seek consensus. The political parties agreed to a code of conduct that set up an enforcement mechanism at both the national and regional level. Monthly meetings were held to review violations of the code of conduct and publish the names of culprits. As a result, there were few breaches of the code. Nonetheless, tensions were very high during Ghana's run-off election. The incumbent president's public plea for all to abide by the rules and regulations and respect the election commission's mandate was essential in maintaining peace when a razor-thin margin of victory was announced favoring the opposition candidate.

Candidate debates are one way through which parties can inform citizens about their positions on key issues and contribute to more peaceful electoral contests. Debates provide forums for discussion of the concerns of the electorate so that parties and candidates can develop policies that meaningfully address issues of importance to citizens. In addition, debates can help to increase camaraderie among candidates from different parties and lower political tension. All four presidential candidates participated in debates in the run-up to Ghana's 2008 elections. Gathering public input when determining debate questions, collaborating with the media to ensure broad coverage,

and setting strict guidelines and rules for candidates and moderators all contributed to successful debates. Collaboration with the campaign teams of the political parties was very helpful in generating candidates' trust and confidence in the debate process.

Plenary: Creating Confidence and Trust Building Mechanisms in Electoral Processes: The Case of Dialogue Platforms among Political Parties, Elections Management Bodies, and Other Election Stakeholders

Moderator: **Ms. Joyce (Titi) Pitso**, *Election and Political Process Manager, Electoral Institute of Southern Africa* (South Africa)

Panelists: **Mr. Nana Ohene-Ntow**, *General Secretary, New Patriotic Party* (Ghana)
Mr. Christopher Theophilus Daza, *Secretary General, Malawi Congress Party* (Malawi)

Panelists were asked to review efforts in a number of African countries to put in place mechanisms that encourage active involvement by the various key stakeholders in the electoral process. Experience has shown that such mechanisms can prevent election-related conflict and render the process credible and acceptable to all.

Key Points:

- Meetings among political parties, the election commission, and civil society representatives can build trust among the various elections stakeholders.
- Structured multiparty dialogue can prevent conflict and election violence.

Summary: Panelists described the collaboration between political parties and other elections stakeholders in Ghana and Malawi, where political actors collaborated on a regular basis. Participants agreed that dialogue platforms between political parties and EMBs are the best vehicle to prevent election violence.

In Ghana, the Interparty Advisory Committee (IPAC) was created to address important election-related matters through an informal agreement between the election commission and political parties. IPAC members have helped spearhead a number of major reforms, including the decision to use transparent ballot boxes and to declare election results at polling stations. While these reforms have not been written into the law, they have been respected by the election commission. Political parties also engaged with the National Peace Council, religious leaders, and other civil society groups to promote a violence-free election. Because parties initiated the interparty committee and participated voluntarily, they felt greater ownership of the process.



With tensions running high in the lead-up to Malawi's 2009 general elections, and the specter of conflict from the Kenyan elections in their minds, the Malawi Centre for Multiparty Democracy (CMD-M) created a multi-stakeholder dialogue platform to promote regular consultation between the election commission and political stakeholders in order to encourage a culture of dialogue, facilitate the resolution of inter-party conflict, strengthen the capacities of political parties, and foster peace and reconciliation. Participants to the dialogue platform discussed a variety of elections processes, and parties were involved in decisions about data and results management. The CMD-M also developed recommendations for the media, the judiciary, and the police. Furthermore, political parties signed a communiqué agreeing to support and conduct peaceful elections and took steps to prevent electoral violence.

Working Dinner: Challenges and Opportunities for Upcoming African Elections

Remarks by: **Brig. Gen. Bob Winful** (ret.), *Former Chief of Staff, Ghana Armed Forces; Former Director of Army Operations (Ghana)*
Mr. Kwame Karikari, *Executive Director, Media Foundation for West Africa (Ghana)*

Key Points:

- Security services should develop a coordinated election security strategy that incorporates all branches of the security services, all areas of the country, and all points of the electoral process.
- Security personnel must remain neutral throughout the electoral process.
- Media owners often set the tone for coverage of electoral processes. Regulators should carefully observe media outlets owned by politicians.
- Regulatory frameworks that censure irresponsible journalism could help to ensure peace throughout the electoral process.

Summary: Based on their experiences with elections in Ghana, speakers discussed ways that the security forces and media can contribute to maintaining peace during an election process. While security service members should be engaged with elections stakeholders, they must be careful to remain neutral. In Ghana, members of the security services developed a coordinated security strategy under the unified command of the Inspector General of Ghana's police force. All of the uniformed services, including the police, military, customs, and immigration, were trained to work together throughout the electoral process. Security personnel worked with other electoral stakeholders to watch for early warning signs of violence and take steps to address potential flash points.

The media has been implicated in fomenting conflict around elections in a number of countries. While the media is not responsible for maintaining physical order, media outlets have a responsibility to report professionally and avoid spreading rumors that could spark violence. During the 2008 Ghanaian elections, radio and television coverage of incoming results encouraged citizens to wait for information at home, avoiding potential threats to security from large groups of people converging on the streets. However, some radio stations owned by politicians broadcast partisan messages that were a threat to peace. Ghana's National Media Commission, constitutionally mandated to protect press freedom and insulate state-owned media from government control, helped to ensure greater access to the media for all parties, but did not have adequate authority to sanction media outlets for irresponsible conduct. A regulatory framework to monitor media broadcasts, promote media pluralism, and encourage responsible journalism would help to reduce the likelihood of election-related conflict.



Plenary: Civil Society and Domestic Monitoring

Moderator: **Mr. Patrick Merloe**, *Senior Associate and Director of Election Process Programs, National Democratic Institute (United States)*

Panelists: **Justice V.C.R.A.C. Crabbe**, *Co-Chair, Coalition of Domestic Election Observers (Ghana)*

Mr. Aloisius Nthenda, *Chairperson, Malawi Electoral Support Network (Malawi)*

Mr. Tawanda Chimhini, *Field Officer, Zimbabwe Election Support Network (Zimbabwe)*

Mr. Badié Hima, *Former Vice President, Association Nigérienne pour la Défense des Droits de l'Homme (Niger)*

Panelists were asked to discuss the principles that guide observation, accreditation, the issuance of public statements, and the need to monitor all aspects of the election process. They were also asked to review the impact of new technology in election monitoring and information management, as well as relations with other stakeholders.

Key Points:

- Nonpartisan domestic election monitors play an essential role in providing impartial assessments of electoral process and in deterring electoral fraud.

- Regular communication and cooperation with EMBs can increase observers' access to the information needed to evaluate the electoral process and ease election administrators' concerns that observers may undermine their efforts.
- The use of statistically-based election monitoring techniques throughout the electoral process can give domestic observers the clearest picture of an election in its entirety and a basis upon which to evaluate it.

Summary: Panelists discussed the impact that domestic election observers can have on an election, providing examples from Ghana, Malawi, and Zimbabwe. Nonpartisan domestic observers can provide an impartial assessment of the electoral process and observe a larger swath of the country than international observers, helping citizens to assess the legitimacy of an election and know whether their votes are counted.

In the case of Ghana's 2008 elections, the margin of victory in the presidential runoff election was razor thin. The Coalition of Domestic Election Observers (CODEO) conducted a statistical analysis of the results, known as a parallel vote tabulation (PVT), and forecast the results to be within a percentage point of those announced by the election commission. CODEO's findings helped to convince members of the public and political parties to accept the results announced by the election commission, averting the conflict that might have resulted from such a close margin of victory. Similarly, the use of statistically-based monitoring techniques by the Malawi Electoral Support Network (MESN) helped to confirm surprising results in Malawi's 2009 elections.



Domestic observers can also forestall electoral manipulation by election administrators and poll workers. The Zimbabwe Election Support Network (ZESN) chose to conduct a PVT of the 2008 election because of concerns of fraud in past elections. The announcement of ZESN's PVT results forced the election commission to announce valid results that were close enough to require a second round of elections.

The deployment of long-term observers throughout the entire electoral process also helps deter fraud at critical points. ZESN's long-term observers contributed to regular reports issued via the media and the Internet that publicly pressured political actors to adhere to accepted standards for election behavior.

Panelists also discussed challenges associated with domestic observation. In large countries, mobilizing enough observers to cover the entire territory and gather credible, objective information can be difficult. Building collaborative relationships with other stakeholders can be difficult as well. In some countries, EMBs view election observers with suspicion and may not provide accreditation for them. Building coalitions of diverse civil society organizations and establishing a track record of impartiality can improve the credibility of domestic observation efforts and reduce the likelihood that an EMB might

feel threatened by their efforts. Another challenge faced by domestic observers is that laws preventing people from voting outside their home districts may prevent observers from voting. In Ghana, domestic observers were allowed to cast their votes a day early so they would not be disenfranchised.

The use of PVTs on election day is a relatively new practice gaining increasing ground in Africa. In Ghana and Malawi, domestic observer groups worked to increase understanding of PVTs and allay the concerns of election commissions and other stakeholders over the use of statistically-based monitoring techniques. They stressed that the PVTs were not intended to compete with the election commission, but were instead intended to provide additional support for the commission and help to ease tensions in the event of a close result. Likewise, Zimbabwe's ZESN strived to reassure election stakeholders about its intentions in conducting the PVT. Although civil society organizations in Zimbabwe are generally viewed as anti-government, ZESN's commitment to nonpartisanship led all parties to take the PVT results seriously.

In order to conduct a credible statistically-based monitoring effort, domestic observation groups need to know the exact number of polling stations and where they are located in order to generate a valid statistical sample. Observers also need accreditation and secure access to polling sites. An effective communication system must be established, and observers must be trained in its use.



The panelists agreed that because PVTs only provide information about the tally and transmission of votes on election day, the deployment of long-term observers is equally important to give the broadest picture of how an election was conducted.

Plenary: Media Advocacy and Coverage of Elections

Moderator: **Mr. Ben Akoh**, *ICT/Media Program Manager, Open Society Initiative for West Africa* (Nigeria)

Panelists: **Dr. Nana Tanko**, *Executive Director, Open Society Initiative for West Africa* (Nigeria)

Mr. Kwame Karikari, *Executive Director, Media Foundation for West Africa* (Ghana)

Mr. Kwami Ahiabenu, *Director, International Institute of ICT Journalism* (Ghana)

Mr. Gbenga Aruleba, *Director, News for Daar Communications* (Nigeria)

Mr. Souleymane Diallo, *Coordinateur, Coalition des Organes de Presse de Guinée Lynx* (Guinea)

Given the increasingly vital role that the media play in elections coverage and in post-election governance monitoring, panelists were asked to examine the impact of modern

technology before, during, and after the 2008 elections in Ghana, and the challenges faced by media practitioners in Nigeria and Guinea.

Key Points:

- Media access gives candidates opportunities to ensure that citizens are informed about their choices prior to election day.
- State-owned media outlets have a responsibility to provide equal access to all candidates.
- Media outlets should make use of new technologies to broaden election coverage and provide voters with information to enhance their engagement and participation in electoral processes.

Summary: Panelists discussed the nature of the media in many African countries during elections. Freedom of expression and access to the media are essential in providing opposition parties a chance to compete on equal footing in an election, yet access remains limited in many African countries. Many journalists continue to face repression of their efforts to report accurately and responsibly. Though private media outlets have expanded during the past two decades, state-operated media continue to dominate the airwaves in many countries and are often biased toward the governing party. Many alternative media sources are also partisan. The biased reporting commonly seen on the continent robs citizens of the accurate information they need to make informed decisions on election day. Partisan rhetoric amplified by the media can also fuel conflict.

Freedom of the press is still not respected in a number of countries. In others, journalists may focus more on scandals or salacious topics than on concrete issues of importance to voters. In addition, underpaid journalists may supplement their income by accepting money from politicians.

Even in closed societies, local and international media have embraced innovative non-traditional approaches such as web-based communication tools that enable citizens to take on new roles and responsibilities in generating content and monitoring governance. Technological developments have fueled the growth of more independent media outlets. Mobile phones and SMS are key tools used for news gathering and transmission.



Participants also discussed the challenges faced by media in Guinea, Nigeria, and Kenya. In Guinea, the state-owned media are not accessible to opposition parties, and a history of repression has left independent journalists fearful. Although press laws enacted in 2005 and 2006 have opened space for media to operate, a responsible

media culture has not had time to develop. There are not enough investors to support independent media outlets, so many of the new sources that have developed are owned by political leaders.



In Nigeria, media pluralism exists and has helped increase debate on governance issues. The media have been at the forefront of a campaign to promote electoral reform since Nigeria's flawed 2007 elections. Nevertheless, a restrictive media regime exists in which media outlets can be shut down at will by the government. With national elections expected in 2011, Nigeria's democratic institutions will soon face another trial, and an improved environment for media will be a necessary step toward improving the country's electoral record.

In Kenya, the media contributed to outbreaks of violence following the 2007 elections by broadcasting inflammatory statements, hyping expectations, and reporting results before the election commission announced them. Developing measures to regulate the media has been a priority following those elections.

To improve media performance during an electoral process, panelists encouraged activists to advocate for greater openness by state-owned media. In addition, media monitoring should be conducted continuously. Journalists may also need additional training to reinforce the importance of nonpartisan reporting. Citizens should also be aware of the potential for bias when media outlets are owned by politicians.

Plenary: Elections Knowledge Sharing and Partnership Coordination: African Union Charter on Democracy, Elections, and Governance; Economic Community of West African States Protocol on Democracy and Good Governance; and the Southern African Development Community Principles and Guidelines Governing Democratic Elections

Moderator: **Prof. Clever Nyathi**, *Senior Governance Advisor, United Nations Development Programme-Ghana* (Ghana)

Panelists: **Dr. Kamil Kamaluddeen**, *Country Director, United Nations Development Programme-Ghana* (Ghana)

Dr. Jibrin Ibrahim, *Director, Centre for Democracy and Development* (Nigeria)

Mr. David Azey Adeenze-Kangah, *Deputy Chairman, Electoral Commission of Ghana* (Ghana)

Panelists were asked to examine the role of regional governmental bodies in election observation and the content of the AU Charter on Democracy, Elections, and Governance and other regional protocols as a boost to credible elections. They were

also asked to discuss coordination of election assistance among external actors and development partners and efforts to guarantee sustainable support.

Key Points:

- Regional treaties are useful advocacy tools when they lay out a set of principles around which activists can rally. The public needs more information about existing agreements in order to effectively advocate for them, especially in countries where the political will is lacking to implement their provisions.
- Sharing of information and experiences among election stakeholders of different countries can help countries to improve their electoral processes.

Summary: As the world has grown more interconnected, countries and international organizations have taken greater interest in elections in other countries. Ultimately, the development of a country is the responsibility of the government and the people of that country, and they must have ownership of their electoral and political processes. However, panelists acknowledged that external actors can provide assistance.

Panelists discussed the role that development partners may play in an election process, including training election administrators, mediating electoral disputes, supporting voter education, and sharing knowledge, experience, and resources. Well-coordinated assistance ensures accountability, transparency, and efficient utilization of donor assistance. In the case of Ghana's 2008 elections, development partners provided funding for civic education and helped ensure that the government committed to early release of funds as required by the Electoral Commission.



Development partners may also support international election observers. Concerns were raised that international observers may have disproportionate influence on how an election is perceived while lacking a strong understanding of the country and context in which the election takes place. The panelists encouraged international observers to coordinate with EMBs and to follow international standards for election observation to ease such concerns.

In addition to direct support, external bodies can set standards for evaluating elections. Regional agreements in support of democracy are important. Since the Universal Declaration of Human Rights in 1948, a number of instruments have been developed to promote human rights and democratic governance. However, regional agreements tend to be weak in terms of sanctions, and many countries have committed to protocols they have failed to implement. Despite the symbolic importance of these instruments, they have not prevented democratic consolidation in a number of African countries from

being set back by the lifting of term limits by African leaders, the return of coups d'état on the continent, and the erosion in some countries of respect for human rights.

Panelists agreed that cross-border exchanges and meetings can enhance knowledge sharing across the continent. Ghana's Electoral Commission has sent staff to help with elections in other countries, including the historic 1994 elections in South Africa. At the regional level, Ghana's Electoral Commission has worked in close collaboration with ECOWAS and played an instrumental role in the establishment of the Network of Elections Management Bodies.



Plenary: The Role of the Security Sector in Ensuring Free, Fair, and Secure Elections

Moderator: **Dr. Mathurin C. Houngnikpo**, *Academic Chair of Civil-Military Relations, Africa Center for Strategic Studies (Benin)*

Panelists: **Inspector General of Police (ret.) Patrick Acheampong**, *Coordinator, National Elections Security Task Force (Ghana)*

Gen. Lamine Cissé, *General Officer and former Inspector General, Armed Forces; Chief of General Staff, Armed Forces (Senegal)*

Gen. Owoye Andrew Azazi, *Former Chief of Defense Staff, Nigerian Army; Chairman, Committee on Transformation of the Nigerian Army (Nigeria)*

Panelists were asked to examine the professionalism of security services, review the appropriate rules of engagement during elections, and discuss instruments such as codes of conduct that mitigate conflict and preserve the integrity of the electoral process. They were also asked to discuss the importance of regular communications between security services and key stakeholders.

Key Points:

- Coordinated planning by all security agencies is essential to the conduct of peaceful elections.
- Security forces must remain neutral and avoid intimidating voters.
- Security personnel should identify potential flashpoints and respond promptly to reports of problems to maintain order.

Summary: Panelists provided an overview of the role of security services in elections based on their experiences in Ghana, Senegal, and Nigeria. In each of these cases, the security sector was charged with maintaining peace and order during the

preparations for the elections, on election day, and in the days following the election. Panelists agreed that coordination among all security personnel is important to ensure that all areas are covered. In Ghana, a National Elections Security Task Force was developed early in the electoral process, comprising representatives of the many agencies involved in providing security in the country. The task force met regularly with the election commission, media, traditional and religious leaders, and political parties. Likewise, a National Commission for Security was created in Senegal to bring together the heads of the various security services. Early planning to develop a coordinated strategy increased the effectiveness of the security forces. In addition, the panelists agreed that vigilant media monitoring and quick investigation of all complaints and allegations of violence are important to maintain order.

Security forces are often tasked with protecting and transporting election materials. Precautions can be taken to enhance public confidence that the election materials will not be disturbed during their transport to and from the polling stations. For example, sealed, stamped, or signed envelopes can be used to ensure ballot security.



Citizens may feel intimidated by security personnel near polling stations. Panelists noted that developing and enforcing a code of conduct for security personnel can alleviate this tension.

The panelists also emphasized the importance of funding for security services. In order to train personnel on specific protocols for the electoral environment and deploy personnel throughout the country, adequate funding must be received well before election day.

Working Dinner: Overview of Roles, Codes of Conduct, Media Oversight Bodies, Access to Information about the Electoral Process, Civic Education, Reporting Results, and Gathering Information from Other Stakeholders

Remarks by: **Dr. Emmanuel Akwetey**, *Executive Director, Institute for Democratic Governance (Ghana)*

Key Point:

- Civil society has an important role to play in promoting professional media conduct during election periods.

Summary: The working dinner was devoted to additional discussion on the role of the media in the electoral process. Given the risk that media can incite violence, particularly when tensions are high during an election season, participants discussed

the need for mechanisms to sanction media outlets that violate the law, act counter to the public good, or propagate false information during election periods. In addition, civil society can monitor the media and increase pressure for more professional and responsible broadcasting. For example, in Ghana's 2008 elections, leaders of faith-based organizations collectively called for responsible journalism. The country's Civic Forum Initiative brought individuals together to create a dialogue on unity at a critical moment during the electoral process.

Conclusion: Plenary Review of Best Practices, Presentations by Working Groups, and Adoption of Colloquium Document

Moderator: **Ms. Barrie Freeman**, *Deputy Regional Director for Central and West Africa, National Democratic Institute (United States)*

Panelists: Rapporteurs from each of the five sectoral working groups

Following the plenary discussions described above, participants broke into working groups to discuss each sector represented at the colloquium in more detail. The working groups analyzed the cases presented during the colloquium to extract best practices for their sectors that can contribute to more credible elections. Based on the working groups' findings, the Accra Communiqué of the Colloquium on African Elections was developed with recommendations for elections practitioners. The communiqué is included as Appendix I.



The communiqué endorses the AU's Charter on Democracy, Elections, and Governance, which was adopted in January 2007 but has not yet been ratified by the required number of member states. The charter underscores the need for credible democratic elections on the continent, calling on African governments to commit to "transparent, free and fair elections" and to create a "conducive environment for independent and impartial election monitoring or observation mechanisms."

The communiqué includes 62 specific recommendations for African governments, EMBs, political parties, security services, civil society, domestic and international election monitoring and observation groups, and the media. Participants committed to apply the principles included in the communiqué in their respective countries and to establish mechanisms to continue sharing ideas and experiences. The colloquium organizers hope that participants will share these recommendations widely and contribute to improved elections processes in countries across Africa.

Appendix I



ACCRA COMMUNIQUÉ of the COLLOQUIUM ON AFRICAN ELECTIONS

November 14, 2009

Leaders from election management bodies, political parties, security services, civil society and media from 25 sub-Saharan countries gathered in Accra, Ghana from November 12-14, 2009 to assess recent elections across the continent and develop recommendations for raising standards of professionalism, improving electoral processes and mitigating election-related conflict.

In many African countries, successful elections have strengthened democratic institutions and practices while enhancing opportunities for economic growth. In others, credible elections have paved the way for national reconciliation and return to civilian rule after periods of armed conflict and civil war. At the same time, flawed elections in some African countries have sparked violence, further polarized divided societies and eroded public confidence in political and electoral processes.

During the Accra colloquium, participants reviewed the successes and challenges of recent elections on the continent. Deliberations on best practices and lessons learned from elections in Africa reinforced the importance of cross-sectoral collaboration, effective communication and trust among all election stakeholders as essential ingredients for successful elections. Participants engaged in comparative discussions on the design and structure of election management bodies and conflict mitigation mechanisms – such as inter-party dialogue platforms, multi-party liaison committees, and cross-sectoral codes of conduct – and their enforcement provisions. In assessing best practices, participants identified the following prerequisites for peaceful, participative and credible elections: inclusiveness, transparency, integrity, professionalism and accountability.

Participants recognized the need for a holistic approach to elections that includes coordination among election management bodies, political parties, security services, civil society, religious leaders, and the media. Participants acknowledged the growing demand across the continent for strengthening democratic institutions and practices, and noted existing political will to advocate for credible elections, even if electoral processes in many countries fall short of citizens' expectations.

Participants considered the importance of the African Union's Charter on Democracy, Elections and Governance, adopted in 2007. Article 17 of the Charter "reaffirms the commitment to holding transparent, free and fair elections in accordance with the 2002 OAU/AU Declaration on the Principles Governing Democratic Election in Africa," and

calls on states to take concrete actions to fulfill their responsibilities. Article 22 of the Charter commits governments to “create a conducive environment for independent and impartial election monitoring or observation mechanisms.”

Participants agreed on the need for African governments to ratify expeditiously the AU charter and other relevant instruments, and for civil society to promote and monitor compliance and issue scorecards or other reports on the implementation of their provisions.

Participants acknowledged the positive actions of regional organizations, such as the African Union, the Economic Community of West African States (ECOWAS), the East African Community (EAC) and the Southern African Development Community (SADC) in adopting protocols aimed at fostering democratic governance and high standards of electoral conduct. Participants noted with concern, however, that implementation of these standards varies widely among the member states.

In recognition of the variety of experiences and lessons learned across the continent, as well as the acknowledgement of the universality of democratic values, frank and practical discussions during the colloquium on the state of elections in Africa led to the following recommendations:

To African governments:

1. Ratify the African Union Charter on Democracy, Elections and Governance and relevant regional instruments, and put into place mechanisms to monitor and enforce compliance with its principles.
2. Ensure that constitutional, legal and regulatory frameworks that reflect international best practices, to include continuous voter registration, are in place in a timely fashion. These frameworks should not be unilaterally modified.
3. Take steps to fully fund elections through budget allocations as a matter of national sovereignty.
4. Set up credible election management bodies with leaders and members chosen on the basis of their integrity, professionalism and ability to act independently.
5. Release funding for election management bodies early in the process, and respect the independence of these bodies.
6. Create an integrated and impartial electoral security coordinating body, bringing together all security services and other national stakeholders such as representatives of political parties, civil society and media that play a role during electoral processes in order to facilitate coherent, professional and effective policing around elections.
7. Provide an enabling environment in which domestic election monitoring organizations and international observer groups can freely observe and comment on all aspects of the electoral process.
8. Encourage free, responsible and robust media as a means of promoting democratic elections and good governance by:

- a. Establishing regulatory frameworks that promote media pluralism and encourage responsible journalism, both in ownership and points of view, and that sanction media that incite violence and conflict or the derailment of the democratic process.
 - b. Removing the application of criminal liability to election campaign and candidate coverage.
 - c. Ensuring that all political parties have equal access to publicly financed media.
9. Put in place appropriate mechanisms for the expeditious, just and fair resolution of electoral disputes.
 10. Prosecute election-related offenses in a timely, just and fair manner.

To Election Management Bodies:

1. Allocate appropriate time and resources to critical aspects of the electoral process such as election planning, budget planning, staff selection and capacity building, the voter registration process, the candidate selection process, data management, polling agent recruitment and training, voter and civic education and compliance mechanisms.
2. Develop capacity to facilitate citizen access to voter registration processes on a continuous basis or as required by national law.
3. Conduct operations transparently.
4. Ensure fair treatment of all political contestants and citizens through regular outreach towards political parties, civil society, domestic monitoring organizations and international observers, media and security services.
5. Avail themselves to political party and candidate agents, domestic election monitors and observers, media and international observers interested in monitoring the electoral process.
6. Ensure that accurate information on the electoral process is regularly provided to the public on a timely basis.
7. Ensure the accessibility of the electoral process to marginalized groups, including the disabled, youth and women.
8. Work with all other stakeholders to ensure peaceful and credible elections.
9. Expeditiously and transparently count, tabulate and announce election results.

To Political Parties:

1. Level the playing field to ensure credible, democratic and peaceful elections by advocating for the reform of electoral and regulatory frameworks, where necessary.
2. Actively promote and participate in multi-stakeholder, as well as inter-party and intra-party dialogue platforms to ensure transparent and inclusive party processes that can contribute to peaceful and credible electoral processes.
3. Commit to peaceful actions at all times, especially during electoral periods, sign and enforce codes of conduct, and educate party leaders and activists to honor their provisions.

4. Inspect voter rolls during display periods and utilize lawful means to seek redress in case of gaps and omissions.
5. Refrain from campaign strategies and messages that appeal to ethnic or regional differences.
6. Focus on issue-based policy and platform development and ensure wide dissemination of these documents to the public.
7. Commit to take part in candidate or party debates and lobby for the widest possible media coverage to enable voters to make informed electoral choices.
8. Practice internal democracy, especially in the conduct of candidate selection and nomination processes.
9. Ensure that party agents are appropriately selected, trained and monitored during electoral periods.
10. Stipulate in party constitutions and other internal regulations provisions for the inclusion of women and marginalized groups in leadership roles within their respective parties.
11. Continuously recruit and educate members, including women, youth and representatives of other marginalized groups.
12. Prepare women and youth for positions of leadership within party structures and as candidates for elected office.
13. Openly accept the results of credible and democratic elections.
14. Refrain from shielding from appropriate and fair legal action party members or supporters who engage in election offenses.

To Security Services:

1. Recognize that electoral security is part of the larger human security framework and, accordingly, ensure that priority during elections is placed on protecting civilians during elections.
2. Fulfill institutional responsibilities to ensure the impartiality of security services in the conduct of their official missions during the entire electoral process.
3. Actively participate in national, sub-national and local-level electoral coordinating bodies in order to maximize intra-government cooperation and coordination during and between electoral processes.
4. Define the roles of the respective security services in providing electoral security with the preference that the police play the lead role in an integrated effort that can draw upon support from the military, if needed.
5. Conduct electoral threat assessments and prepare security plans in advance of election day in order to ensure that training has been conducted, communication networks are in place and response capacity has been tested.
6. Maintain high standards of professionalism during all phases of the electoral process.

To Civil Society:

1. Carry out civic and voter education campaigns through all phases of the electoral process.

2. Develop understanding of constitutional, legal and electoral frameworks in order to advocate for electoral reform, as needed.
3. Advocate for the ratification of election laws that reinforce peaceful and credible electoral processes.
4. Promote election dialogue platforms and carry out conflict mitigation initiatives.
5. Promote the participation of women and youth in all stages of the electoral process.
6. Organize and host candidate debates in coordination with media, political parties and candidates.

To Domestic and International Election Monitoring and Observer Groups:

1. Adhere to regional and international standards and principles guiding election monitoring. Select monitors and observers on the basis of competence and impartiality. Enforce codes of conduct for all election observers and monitors.
2. Observe and report on all aspects of the electoral process, including factors that affect the overall political environment.
3. Conduct activities in an impartial and transparent manner.
4. Create partnerships and coordinate efforts, to the fullest extent possible, among groups and within coalitions.
5. Work with other stakeholders to ensure peaceful and credible elections.
6. Recruit domestic election monitors from community-based organizations.
7. Create regional networks, such as the SADC Electoral Support Network (SADC-ESN), to share best practices and lessons learned.
8. Use new technologies and methodologies, such as statistically based random sampling or parallel vote tabulation (PVT), to enhance the quality of observation efforts.
9. Ensure that international observers are familiar with local laws, customs and culture.

To the Media:

1. State-owned and/or state-controlled media must subscribe to and enforce codes of conduct prohibiting biased news or other coverage, and must guarantee accurate, fair and equitable coverage of electoral contestants.
2. State-owned and/or state-controlled media must provide equitable and free access for all electoral contestants across their distribution channels.
3. State-owned media should serve as public media, and protocols, bylaws and codes of conduct should be adopted to ensure that this public resource operates free of political bias and for the public interest including in the electoral contest.
4. State-owned and state-controlled media must provide robust voter education to ensure citizens understand voter registration and polling day procedures.
5. The recent and growing phenomena of community-based radio, which often broadcasts in local languages and targets rural populations, should be fully integrated into national voter education and election monitoring initiatives.

6. Private media should adopt and enforce codes of conduct, ethical standards and professional guidelines requiring unbiased, accurate and equitable news coverage of political parties and electoral candidates. Coverage of political parties or candidate activities that favor one political party or candidate over another must be clearly separated from news coverage and labeled as editorial opinion.
7. State-owned, state-controlled and private media must train journalists and media personnel within their establishments to cover elections accurately, effectively and professionally.
8. The media's role in monitoring all aspects of the electoral process should be continuous and ongoing throughout the election cycle.

Conclusion:

Participants from the different sectors represented at the colloquium will endeavor to apply these principles in their respective countries and will establish mechanisms to continue sharing ideas and experiences.

Participants call on existing bodies, such as the African Union and its Peer Review Mechanism, to play a more robust role in sharing best practices and lessons learned across the continent in the critical domain of democracy and good governance.

Participants express gratitude to the people of Ghana for helping to facilitate the colloquium and for their hospitality. Participants express thanks to four Ghanaian organizations that facilitated key aspects of this gathering: the Center for Democratic Development, the Coalition of Domestic Election Observers, the Electoral Commission of Ghana, and the Institute for Economic Affairs. Participants thank the conveners of this event: the African Center for Strategic Studies, the International Foundation for Electoral Systems, the National Democratic Institute, the Netherlands Institute for Multiparty Democracy, the Open Society Initiative for West Africa, and the Ghana office of the United Nations Development Programme. Participants appreciate support provided by the United States Agency for International Development, the European Union and the National Endowment for Democracy.

Appendix II

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