

**PRELIMINARY STATEMENT BY THE NDI
INTERNATIONAL OBSERVER DELEGATION TO THE
DECEMBER 7, 1996 ELECTIONS IN GHANA**

Accra, December 10, 1996

The international delegation sponsored by the National Democratic Institute for International Affairs (NDI), a nonpartisan U.S. based non-governmental organization, is pleased to offer this preliminary statement on the December 7, 1996 presidential and parliamentary elections in Ghana.

Our delegation comprised elected officials, political party and civic leaders, regional specialists and elections experts from Africa, the Caribbean, Europe, and North America. Supported by NDI staff, the 33 members of the NDI delegation witnessed the election in all of Ghana's 10 regions. The delegation was led by Honorable Trevor Fowler, Speaker of South Africa's Gauteng Provincial Legislature and Honorable Audrey McLaughlin, Member of Parliament from Canada.

This international delegation was invited and welcomed by the Ghanaian government, the National Electoral Commission, political party leaders and civic organizations. We were provided access to all stages of the election process. Our delegation came to witness the elections. We did not seek to supervise the elections or certify them. Ultimately, the Ghanaian people will determine the legitimacy of the electoral process.

The primary purposes of the delegation were to demonstrate the international community's interest in and support for the commitment of the Ghanaian people to the continued development of democracy in Ghana, and to conduct an independent assessment of the December 7 elections. We also sought to learn more from the Ghanaian people about the nature of their electoral process and its implications for the consolidation of democracy in the country.

We note that the tabulation of ballots, announcement of official results and the resolution of any electoral complaints that may arise have yet to be completed. We also note that a run-off election between the top two contenders in the presidential race is required if none of the candidates receives an absolute majority in the first round. Therefore, this is a preliminary assessment of the process. NDI will continue to monitor developments and issue a more detailed report at a later date.

The delegation arrived in Ghana on December 3. Prior to the election, the delegates met at the national level with candidates and their representatives, government officials, political party leaders, officials of the National Electoral Commission, members of the news media, representatives of the Network of Domestic Election Observers (NEDEO) -- a coalition of Ghanaian civic groups, professional associations and religious bodies that organized nonpartisan domestic election observers -- and others concerned with the December 7 elections. The delegation then divided into 16 teams and deployed throughout the country. Upon arrival at their deployment sites, team members met with local electoral commission officials, parliamentary candidates, representatives of the competing parties, witnessed the

throughout the country. These polling sites were located in constituencies in rural and urban areas.

The delegation's mandate included the examination of the pre-election environment, election day proceedings and the tabulation of results to date. This statement is a preliminary assessment of these issues, based on direct observations of delegation members, information gathered during the pre-election period by a six member pre-election assessment delegation also organized by NDI and led by U.S. Congressman Harry Johnston, as well as information gathered by NDI staff who arrived in Ghana on October 13.

The delegation's findings indicate clearly that the manner in which the elections of December 7 were conducted represents a positive step forward in the strengthening of Ghana's democracy and its electoral process. The delegation wishes to congratulate the Ghanaian people for the overwhelming expression of their commitment to democracy by their enthusiastic and largely peaceful participation in the election campaign and on election day.

I. THE PRE-ELECTION PERIOD

The delegation was pleased to note that the campaign took place largely under peaceful conditions. Presidential candidates traveled freely to all parts of the country, campaigned openly and for the most part without disturbances. Political activists enthusiastically attended and participated in political rallies organized for their candidates.

The delegation was impressed with the professionalism of both the national and local election officials. The delegation found that this framework compared favorably with international standards. The National Electoral Commission and its subsidiary bodies at the regional and district levels formulated detailed election plans, including confidence-building measures such as holding the presidential and parliamentary elections on the same day, and provided transparent ballot boxes with protective numbered seals.

The delegation applauds the substantial contribution to electoral preparations made by the National Electoral Commission, political parties, civic groups and religious bodies in educating the public about voting procedures. The delegation noted that the Commission had taken effective steps to ensure its independence. The formation of the Inter-Party Advisory Committee (IPAC) in March 1994 as a mechanism for regular communication between the National Electoral Commission and political parties was also recognized by the delegation as an important step that allowed parties and election officials to address problems early. The Commission also supported domestic monitoring initiatives and information sharing. These activities decreased voter apprehension and enhanced public confidence in the electoral process. They also underscored the importance of cooperation among election authorities, political parties, candidates and NGOs.

During the pre-election period, there were reported incidents of voter intimidation. For example, there were allegations that youth groups associated with political parties carried out public activities, such as marching through residential areas, in a manner that could have intimidated voters. The delegation also received reports of special security personnel whose actions may have caused voter fear. There were reports from the Ashanti and Central Regions that persons were beaten for alleged political reasons. In Tamale on October 25 and 26

other persons were also injured during those riots. On further inquiry, NDI's pre-election delegation received information from different political parties that their supporters had been victims of these incidents during the campaign period. The delegation deeply regrets such acts of violence in the period leading up to election day in a few areas around the country.

During the pre-election period, the National Media Commission (NMC) promulgated guidelines on political reporting by the media and "equal access" requirements in state-owned media for candidates. The delegation noted, however, that at the beginning of the campaign period these guidelines were not followed, as the state owned print and broadcast media favored the incumbent president. Allegations of the incumbent party having greater access to public resources were consistently made by the opposition parties. The absence of mechanisms to ensure a more level playing field leaves room for similar acts and complaints in future elections.

In a November 19 report issued by the pre-election delegation, led by Congressman Johnston, NDI raised these concerns and offered a series of recommendations. The report was sent to the National Electoral Commission, political parties, NGOs concerned with electoral matters, the media and others. The delegation noted that the media coverage, while not always equitable, improved noticeably in the last days of the campaign.

II. ELECTION DAY

Given the contentious nature of previous polling, this election represents an important and positive step in the democratic process in Ghana. The delegation was particularly impressed by the calm, patient and peaceful manner in which the Ghanaian electorate conducted itself on election day. This was another demonstration of the intense desire of the Ghanaian people to express their political will through an electoral process.

The delegation was also impressed with the high voter turnout and the commendable level of citizen participation in the elections. Candidates actively deployed agents at the polling sites to observe the voting, the counting process and the transmission of results. NEDEO conducted nonpartisan training and deployed a large number of pollwatchers to all 10 regions of the country to help ensure the integrity of the electoral process and enhance voter confidence in the process. These activities increased substantially the transparency of the elections and the likelihood that Ghanaian voters would consider the outcome to be a genuine expression of their will and a confirmation of their commitment to democracy.

Delegation members were inspired by those citizens who served as polling officials and who worked diligently for long hours to ensure the elections were properly conducted. The National Electoral Commission established a rapid response communication system to address technical problems brought to its attention on election day. The delegation was pleased that women played an important role in administering the election, serving as presiding officers and polling agents at numerous polling sites.

Ghana's election law stipulates that ballots are to be counted at the polling sites in the presence of candidate agents who have to sign and receive copies of the election reporting forms. Candidate agents may also have their written observations included in the record of election

they were forwarded from the regions. While the counting process was difficult and time consuming, the early release of some results helped enhance public confidence in the process and defuse tensions that sometimes arise with delays in reporting results. The delegation commends the open and transparent manner in which the counting was done and hopes the tabulation and verification of the remaining results will be conducted in a similar manner. Polling officials, candidate and party agents, the National Electoral Commission at the district, regional and national levels all deserve recognition for their contribution to much of the success that was achieved in the conduct of the December 7 elections.

Despite these positive and encouraging aspects of the electoral process, the delegation was concerned by a number of problems. These included:

- inequalities in state-owned media coverage of campaign activities, especially at the beginning of the campaign period.
- the inadequate distribution of ballots for the parliamentary election in some parts of the country, such as some polling sites in Dunkwa and Mfantseman West constituencies in the Central Region.
- underage registration and voting in some polling sites.
- shortcomings, such as the lack of one or two seals in some polling sites, a temporary shortage of indelible ink in a number of polling sites and a lack of sufficient results reporting forms.

III. RECOMMENDATIONS

The delegation noted the many positive elements of the pre-election and election day environment, electoral organization and the legal framework for the elections. In addition, the delegation appreciated the openness and commitment of election officials, government officials, party and candidate representatives and NGO leaders with whom it met. In the spirit of international cooperation and in light of these positive factors, the delegation offers the following recommendations, which could enhance further confidence and participation in future elections:

News coverage of candidate activities by state-owned media should be regulated by the National Media Commission (NMC) and implemented by employees of the public media in a manner that provides accurate and balanced news coverage of all political contestants, both in quantity and quality of coverage through the entire campaign period.

In an environment where private access to material resources, such as communication and transportation, is limited, it is all the more important that efforts be made to establish an equitable use of state-controlled resources.

Ghanaian political parties should continue to seek and participate in forums that foster inter-party communications, and promote dialogue among party leaders and among supporters of the different parties. In this regard, the delegation recommends that the political parties develop and agree on a code of conduct that will govern the conduct of candidates and their supporters in future campaigns and elections.

Steps should be taken by the government, political parties, the National Electoral Commission and other interested parties to ensure that any election disputes that may arise regarding the conduct and outcome of these elections are thoroughly investigated and resolved peacefully and expeditiously through established processes.

Leaders of all political parties, civic organizations, professional associations and religious bodies should publicly commit to working together in the post-election period to strengthen and consolidate the democratization process in Ghana.

Civic education programs should continue and be intensified to strengthen support for democratic institutions. The process of capacity building for civil society should continue to consolidate democracy.

The delegation greatly appreciates the hospitality extended to it by governmental officials, the National Electoral Commission, presidential candidates and their representatives, political party leaders, members of NGOs, mass media, civic and religious leaders and other Ghanaians. The delegation could not have accomplished its tasks without the cooperation and openness of those with whom it met.

NDI also thanks the United States Agency for International Development (USAID) for its support of this international observation mission. NDI remains committed to assisting those who are working to advance the democratic process in Ghana, a process that reflects the hopes and aspirations of the Ghanaian people and influences democratic development throughout the sub-region. The Institute will continue its activities in Ghana and will maintain a staff presence in Accra during the post-election period.