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CODEO retains final responsibility for all errors, omissions and interpretation in this report.

EXECUTIVE SUMMARY

1.1. Introduction

Under the auspices of the Ghana Center for Democratic Development (CDD-Ghana), the Coalition of Domestic Election Observers (CODEO), once again, mounted a nation-wide observation of Ghana's 2008 general elections. CODEO undertook a nine-month pre-election observation from March to November 2008 deploying sixty (60) trained pre-election observers to fifty-six (56) strategically selected constituencies across the country. CODEO also deployed over 4,000 Election-Day observers for the December 7 presidential and parliamentary elections and the December 28 presidential run-off election. On January 2, 2009, CODEO observed the residual presidential run-off at the Tain constituency of the Brong Ahafo region. In addition to its traditional election watch methodology, CODEO, for the first time, conducted parallel vote tabulation (PVT) of the presidential election in the December 7 and December 28 elections. CODEO's 2008 election activities were funded by the United States Agency for International Development (USAID). The National Democratic Institute (NDI) of the USA provided technical assistance and funding to CODEO for the PVT exercise. The British High Commission supported CODEO's observation of the January 2, 2009 Tain constituency presidential run-off.

1.2 Summary of Findings

1.2.1. Pre-Election Observation

The pre-election observation covered all activities and events leading up to the Election Day balloting. They included: the Electoral Commission's (EC) preparatory exercises, such as the limited voters' registration and exhibition of the voters' register, the nomination of candidates; political party primaries; the candidate campaigns; civic/ voter education, the behavior of public officials among others.

CODEO observations were as follows:

- √ The replacement of defaced and/ or lost voters' ID cards was smooth and peaceful even though the exercise attracted low patronage from voters in the centers visited.
- √ The limited voters' registration exercise encountered administrative bottlenecks and inadequate voter education that created confusion and uncertainty amongst prospective registrants. In addition, there was a high incidence of irregularities and violence at some registration centers in the Greater Accra and Northern regions.
- √ The busing of party supporters to party strongholds for partisan gain particularly during the limited registration of voters and transfer of vote processes resulted in some political tension and violence in some of the regions.
- √ The exhibition of the 2008 Provisional Voters' Register was poorly patronized by the voters and the political parties. This affected the objective of using the

exercise to clean and expunge unqualified persons from the bloated voters register.

- √ The political parties' presidential congresses to elect their flag bearers were extremely competitive and in some cases acrimonious in some political parties. Despite the competitive nature of the contests, congresses ran smoothly with isolated incidence of violence.
- √ Similarly, most of the parties' parliamentary contests were smooth and peaceful. Only isolated irregularities and a general lack of transparency were reported in the processes of nomination and vetting of candidates in some party primaries.
- √ The presidential candidates campaigns were more intense than those of the parliamentary candidates. The presidential campaigns were generally peaceful and candidates made attempts to focus their campaigns on policy-oriented issues. However, candidates rarely discussed specific issues and interest pertaining to the welfare of women and persons with disability. Political intolerance was manifested among supporters of the political parties the presidential and parliamentary primaries resulting in violent clashes in some instances. The disregard for the Political Parties' Code of Conduct and the Public Order Act in the scheduling of campaign events by political parties also resulted in violent clashes among party supporters.
- √ Some incumbent public officials, notably District Chief Executives (DCEs), used public resources and time for partisan campaigns.
- √ Some chiefs participated directly in campaign events and even took partisan postures in contravention of the 1992 Constitution. Likewise, some sitting public officials got involved in partisan politics without due regard to existing prohibition provisions.
- √ Civic and voter education was generally inadequate and sometimes inaccurate.

Based on its observations, CODEO recommends that:

- √ The EC must adopt an “open registration” or “continuous registration” system instead of the present practice of periodic revision of the voters' register. The EC has indicated plans to employ Biometric technology in future voter registration exercises. CODEO, however, recommends to EC to consider collaborating with the National Identification Authority (NIA) on citizenship identification to assist in future voter registration exercises.
- √ The EC must set up reliable timetable and strictly adhere to its stipulated electoral deadlines in each election year. The compression of the 2008 calendar resulted in an undue rush in the implementation of some electoral activities. It may be helpful if steps are taken to amend the provision on the constitutionally required period within which a general and a presidential election are organized so as to avoid compressed timelines between elections and transitions.
- √ The leadership of political parties must take, seriously, the education of their supporters on conflict prevention. Furthermore, political parties and their agents must pledge to uphold and be held accountable to the provisions of the agreed Code of Conduct in future elections.
- √ The security agencies, particularly the Police, must show courage and

proactiveness in arresting and prosecuting election violence offences brought to them to serve as deterrent to other persons in future elections.

- √ Political parties must strengthen their internal democratic structures by reviewing their ground rules to ensure conformity to the provisions of the 1992 Constitution and democratic practices.
- √ The legislative provisions that govern the conduct of public officials who wish to contest partisan elections must be clarified, and sanctions enforced so as to ensure that public officials seeking political office strictly comply with the rules.
- √ The National House of Chiefs must put in appropriate internal checks backed by education and sanctions to stem the situation where traditional authorities engage in partisan politics in violation of Article 276 (1) of the 1992 Constitution.
- √ The EC and NCCE must deepen their collaboration in the area of voter education to improve the quality and quantity of these education programs through enhanced and continuous voter education.

1.2.2. Election Day Observation

CODEO presents the following findings from its observations of the December 7 and December 28 elections as well as the January 2, 2009 Tain constituency polls:

- √ The preparations of the EC officials in setting up the polling stations for the polls were timely and orderly. A majority of the polling stations opened on time and also had all the election materials.
- √ The polling stations were easily accessible to voters including the elderly and persons with disability. Tactile Ballot papers for the visually impaired were adequately made available at the polling stations visited.
- √ Accredited political party and candidates' agents were present at most of the polling stations, except in the Tain constituency on January 2, 2009 where NPP party agents were absent following the party's boycott of that election.
- √ There was high presence of uniformed security personnel at the polling stations to maintain peace and order.
- √ Voting was generally conducted in an orderly and peaceful manner with polling officials adhering to the laid down procedures.
- √ There were a few instances of violence and irregularities which occurred at some polling stations during the voting on December 7. However, the December 28 run-off recorded increased number of election related violent cases and irregularities. Most of the incidents reported included missing election materials at polling stations during set-up, and disorder at polling stations resulting from violent confrontations.
- √ Counting and collation of ballots were generally orderly. Almost all polling stations observed had the number of ballot papers cast congruent with the ballots found in the ballot box. There were, however, a high incidence of rejected ballots during the December 7 polls.

CODEO Recommendations are as follows:

- √ A comprehensive and focused voter education in all facets of the electoral process, including incidence of rejected ballots, is a necessity in future elections.

- √ The presence of adequate number of security personnel and their alertness at the polling stations would improve the quality of future elections.
- √ The EC must adopt a robust mechanism to recruit competent and non-partisan officials and provide them with thorough training in electoral rules and procedures.
- √ The EC must adopt a more transparent and technologically advanced mode of transmitting results in future elections to boost confidence in the collation processes.
- √ The EC must down-size some of the polling stations with large numbers of voters, particularly in the urban centers to reduce undue delays and long queues formed at polling stations on election day.
- √ The EC must devise an improved strategy, including the assistance of credible logistics companies, to forestall shortages and delays in transporting election materials in future elections.
- √ The EC must rigidly enforce its rules on political parties as well as regulations surrounding the conduct of elections and decisively deal with those who break the laws.
- √ The media, particularly radio stations that have partisan affiliation, must desist from using their platforms to incite supporters for unlawful acts and provocative behavior during election period and, indeed, at all times.
- √ The National Media Commission (NMC) and the Ghana Journalists' Association (GJA) must be firm in applying their rules and devise an effective mechanism that will check and promptly sanction media establishments that contravene them. It may be helpful for these institutions to strengthen their oversight rules and regulations, even if it means amending them, in order to be effective in dealing with recalcitrant ones.