



**AFRICAN UNION ELECTION OBSERVATION MISSION TO GHANA 2016
PRESIDENTIAL AND PARLIAMENTARY ELECTIONS**

PRELIMINARY STATEMENT

Accra, 9 December 2016

***AUEOM Reports Generally Peaceful and Well Administered Elections; Calls
for Calm While Final Results are Awaited***

1.0. Introduction

- On 7 December 2016, Ghanaians went to the polls to elect their president and parliamentarians in the Fourth Republic. Various political parties contested the elections with two major ones being the ruling National Democratic Congress (NDC) led by the incumbent President John Dramani Mahama and the main opposition New Patriotic Party (NPP) led by Hon. Nana Akufo-Addo. Since the introduction of multiparty democracy in 1992, the NDC and NPP have dominated the political landscape in Ghana alternating political power in a democratic and peaceful manner.
- Consistent with the 2005 International Principles for Election Observation to which the African Union is signatory, guided by the 2007 African Charter on Democracy, Elections and Governance which Ghana has ratified and inspired by the African Peer Review Mechanism to which Ghana has acceded, the AU has engaged with various Ghanaian stakeholders ahead of the election with a view to ensure that the process is democratic, credible, transparent and peaceful since the beginning of the year. The AU conducted a pre-election assessment in April 2016. Jointly with the United Nations Office in West Africa and the Sahel (UNOWAS) and the Economic Community for West African States (ECOWAS), the AU deployed High Level Political Mission in August 2016. On 26 October 2016, the AU deployed a Long-Term Observation (LTO) Mission which will remain in the country until 15 December 2016. The LTO mission was joined by short-term election observers on 30 November 2016.
- Ahead of the 7 December 2016 elections, the AU released a Statement on 23 November 2016 to share its key findings and assessment of the pre-election environment to enable stakeholders consider taking necessary actions prior to the elections.
- This interim statement presents the preliminary findings of the African Union Observation Mission (AUEOM) highlighting the Mission's key observations, main conclusion and recommendations following the presidential and parliamentary elections held on Wednesday, 7 December 2016.

2.0. SUMMARY OF KEY FINDINGS

2.1. The Pre-Election Phase

Political and Electoral Environment

- The pre-election political and electoral environment was generally calm and peaceful despite inflammatory and aggressive rhetoric during the campaign period creating a climate of fear in the country. The tense political environment was exacerbated by the prevalence of vigilante groups affiliated to some political parties as well as the proliferation of illegal small arms. A total of 5000 polling stations were declared political hotspots prone to violence, a significant increase up from 3000 in the previous elections.
- The AUEOM also notes the wavering and waning confidence of the opposition and some stakeholders in the ability of the Electoral Commission to conduct impartial polls creating an environment of mistrust and suspicion during the pre-election period.

The Electoral and Legal Framework

- Ghana's constitutional and legislative frameworks largely comply with the regional and international norms and standards for democratic elections. However, the AUEOM notes that the legal frameworks do not adequately regulate campaign process and party funding.

Electoral Administration

- Ghana's Electoral Commission (EC) is constitutionally established as an independent and impartial body vested with the responsibility for the conduct, management and supervision of all public elections. Since its establishment, the EC is known for conducting fairly credible elections.
- The AUEOM takes note of the effort by the EC to ensure transparent and credible elections in 2016 elections through its implementation of necessary electoral reforms and constant engagement with stakeholders throughout the process. The Mission observes that the EC was adequately prepared for the 2016 polls and adhered to the electoral calendar. The Mission notes the timely delivery of electoral materials to all the polling stations ahead of the elections.

Voter Registration

- The AUEOM notes that the EC is responsible for voter registration. For the 2016 elections, the EC did not carry out new voter registration exercise but undertook continuous voter registration exercise to update the existing voter register ahead of the elections. As a result, over 15 million legible voters were registered.
- While the voter registration process was completed before the arrival of the AUEOM, it has noted the recurrent concerns around the accuracy of the Voter Register, in particular the alleged inclusion of deceased persons, underage voters, and foreigners.

Candidates, Parties Registration and Nomination

- The AUEOM notes that registration of political parties in Ghana falls under the jurisdiction of the Electoral Commission and is regulated by the Political Parties Act.
- Ahead of the elections, 13 of the 17 presidential candidates were disqualified during the candidate nomination process which led to protracted court litigations and the resultant acrimonious relationships between the affected parties and candidates and the EC.
- The AUEOM notes the low number of parliamentary and presidential nominees in the 2016 elections. As a maturing democracy, Ghana is expected to provide an enabling environment for more women's political participation and representation in key decision-making structures, in particular as leaders of political parties.

Election Campaigns

- The Mission observed political campaign activities and noted that they were hotly contested and generally peaceful. However, it notes with concern reports of incidents of violence, intimidation, and use of intemperate language across the political divide, more so against some female candidates. This structural and psychological violence seemed, in particular, to discredit women politicians. The Mission also notes with concern verbal attacks on the EC during campaign trails, which could have impacted the credibility of the EC. The Mission further notes the increasing use of public resources during campaigns mainly in the form of handouts of goods during campaign rallies. While the Mission cannot ascertain the extent of the impact in the elections, it notes that the use of public resources could have provided a comparative advantage to some candidates and parties.

- The Mission is however satisfied with efforts by stakeholders such as the National Peace Council and Civil Society in ensuring that political parties embarked on peaceful and issue based campaigns.

Women Participation

- The Mission observed generally low women's participation as candidates, polling staff, party agents and citizen observers. Out of 1,158 parliamentary candidates, there were only 136 women, representing 11.7% which is lower than the 2012 election and far below the 30% threshold for women political representation as set by regional and continental organizations. The AUEOM was, however, encouraged that among the presidential candidates there was a woman. As a maturing democracy, and in line with regional and continental norms, Ghana is expected to provide an enabling environment for more women's participation and representation on key decision-making structures, in particular as leaders of political parties.

The Media

- The AUEOM notes that the media in Ghana is vibrant, diverse and enjoys relative editorial independence allowing for plurality of opinions and viewpoints. The AUEOM further notes that the public broadcaster provided access to all contesting candidates and parties despite reports that some parties and candidates received more coverage than others. The Mission, however, notes that some media outlets, particularly those owned by political parties and candidates were partisan and were used to spread polarizing messages and hate speeches, particularly during campaigns.

Election Dispute Resolution

- The AUEOM commends Ghana's strong and independent institutions as well as mechanisms for dispute resolution. The Mission commends, in particular, the Judiciary for expeditiously adjudicating electoral disputes and the National Peace Council for creating an enabling environment for generally peaceful 2016 elections. While the Mission notes that the electoral process is yet to be completed, it calls on the leaders of these institutions to continue playing a positive role in ensuring peaceful post-election environment.

Security of the Elections

- The Mission notes that the 2016 electoral process presented enormous security challenges, particularly because of the presence of vigilante groups alleged to be

affiliated to some political parties, the high number of election 'hotspots', proliferation of small arms and the tense political environment. The Mission was however encouraged by the high level of security preparedness and measures put in place which contributed to the general peaceful conduct of the elections.

2.2. The Election Phase

- On Election Day, the AU observers witnessed opening and closing processes in 26 polling stations and observed the voting process in 339 polling stations across the country and noted the following:
 - Polls largely opened and closed on time in all polling stations visited;
 - The atmosphere or environment outside of the polling stations visited was generally peaceful. There were no major incidents of violence, threats or intimidation observed;
 - Voting was generally peaceful and all eligible voters were able to cast their votes without hindrance;
 - The secrecy of the vote was guaranteed in most of the polling stations visited except in few cases where it was not due to layout of the polling stations;
 - Few isolated irregularities including, interference, underage voting were observed in some polling stations visited;
 - Essential electoral material were available in adequate quantities in the polling stations visited;
 - The security personnel were visibly present in all the polling stations visited and their conduct was professional and presence discreet;
 - Observers, party and candidate agents were present and able to perform their duties without hindrance and restrictions in all the polling stations visited;
 - Women participation as party agents, polling staff and observers was generally low;
 - Overall, the AUEOM assessed the competence of the polling staff and the conduct of the process as generally good.

The Mission notes reports of some challenges on Election Day that, for instance, led to

the postponement of elections in some polling stations in Bronga Ahafo region, and an incident at a collation centre in Tamale. It is closely following political developments in the post-election period.

3.0 Conclusion

- The AUEOM concludes that despite some challenges encountered during the pre-election period, Special Voting and on Election Day, overall, the 2016 elections were conducted in a largely peaceful, transparent and credible manner.
- This preliminary statement is issued before the conclusion of the entire electoral process. The AUEOM will issue a comprehensive assessment of the elections within two months which will take into consideration how the remaining stages of the electoral process were managed.

4.0 Recommendations

- The AUEOM offers the following preliminary recommendations for consideration by Ghanaian stakeholders for further improvement on their electoral processes in future:
 - **Result Tabulation and Announcement:** The EC is encouraged to handle the result tabulation process in a transparent, credible and expeditious manner. The AUEOM urges all political parties to exercise maximum restraint as the country awaits the final announcement of results.
 - **Use of vigilantes:** Political parties to refrain from recruiting and deploying armed body guards, gangs, and other types of vigilantes during elections.
 - **Maintenance of peace and stability:** The AUEOM calls on all stakeholders to remain calm and not jeopardise the security and stability of the country. Should any stakeholder feel dissatisfied with the electoral process, the Mission urges that they channel their concerns through the established legal and institutional mechanisms. The National Peace Council of Ghana needs to be institutionally strengthened and effectively decentralized to regions, districts, villages etc.
 - **Use of intemperate language:** Political parties, candidates and other stakeholders are urged to refrain from using intemperate language and other forms of intimidation during elections.

- ***Women political participation:*** The government and political parties to adopt affirmative action measures, including gender quotas, to enhance women's political participation and representation.

The AUEOM commends the various civil society organisations, academia and the media that participated meaningfully in the electoral processes. The mission congratulates the leaders of political parties and independent candidates for maintaining peace and calm during the electoral process, and encourages them to maintain peace as the EC processes the final results. The political parties, civil society organisations and the media are implored to refrain from announcing results as this is the sole responsibility of the EC which, to its credit, has done a marvelous job thus far. Finally, the Mission expresses its profound gratitude to the people of Ghana for the generally peaceful, transparent and well administered 2016 general elections.

5.0 About the AUEOM

The AUEOM is in Ghana upon invitation from the Government of the Republic of Ghana. Its presence is in line with relevant AU instruments on democracy, elections and governance, Ghana's national legal framework, and other regional and international instruments for international election observation.

The Mission objective is to contribute the democratic consolidation in Ghana and ensure free, fair and credible elections.

The Mission deployed four (4) core team election analysts and 10 long-term election observers in Ghana on 22 October, and 40 short-term observers on 29 November 2016. The Mission is led by **H.E Hifikepunye Pohamba**, former President of the Republic of Namibia.

Since its deployment, the Mission has met and consulted various stakeholders, observed and followed up on the implementation of certain aspects of the electoral process including campaigning, the preparation and distribution of non-sensitive materials, the recruitment and training of election staff, the conduct of civic and voter education, and the resolution of electoral disputes, voting and collation amongst others.