

Introduction

The presence of a Commonwealth Observer Group at the December 1996 Presidential and Parliamentary elections in Ghana followed a request on 2 September 1996 from the Government of Ghana to the Commonwealth Secretary-General. In response to that request, the Secretary-General sent a Commonwealth Secretariat Planning Mission to Ghana on 14-19 October 1996. It met representatives of all the political parties fielding candidates, as well as some which were not, and other groups with an interest in the elections. All these supported the proposal that the Commonwealth should send an Observer Group for the elections.

The Observer Group and its Terms of Reference

This Observer Group was the nineteenth election observation team organised by the Commonwealth since the October 1989 meeting of Commonwealth Heads of Government in Kuala Lumpur, Malaysia, at which it was agreed that member states could benefit from an election observer facility, as a means of strengthening democratic processes and institutions. This view was reaffirmed by Commonwealth Heads of Government at their meetings in Harare, Zimbabwe, in 1991 and Cyprus in 1993. At their most recent meeting in 1995 in Auckland, New Zealand, Heads of Government adopted the Millbrook Commonwealth Action Programme on the Harare Declaration which further underscored the importance of Commonwealth observation of elections as a means of supporting democratic processes and institutions.

It was in this context that the Secretary-General invited our Group of 14 Observers, supported by nine members of staff from the Commonwealth Secretariat, to observe the national elections in Ghana. The composition of the Group, which was led by Sir Paul Reeves, former Governor-General of New Zealand, is set out at *Annex I*.

The Terms of Reference for our Group were incorporated in the Secretary-General's letter inviting each of us to participate in the mission and were as follows:

The Group is established by the Commonwealth Secretary-General at the request of the Government of Ghana, and is supported by Ghana's political parties. It is to observe relevant aspects of the organisation and conduct of the elections in accordance with the law of Ghana. It is to consider the various factors impinging on the credibility of the electoral process as a whole and to determine in its own judgment whether the conditions exist for a free expression of will by the electors and if the results of the elections reflect the wishes of the people.

The Group is to act impartially and independently. It has no executive role; its function is not to supervise but to observe the process as a whole and to form a judgment accordingly. It would also be free to propose to the authorities concerned such action on institutional, procedural and other matters as would assist the holding of the elections.

The Group will submit its report to the Commonwealth Secretary-General, who will forward it to the Government of Ghana, to the leadership of the political parties taking part in the elections and thereafter to Commonwealth governments.

The Secretary-General's announcement of our mission on 26 November 1996 is at *Annex II*.

Method of Work

Our Group assembled in London on 26 November 1996 for a briefing by the Deputy Secretary-General (Political), Mr K Srinivasan. We left London on 27 November 1996 and arrived in Accra late that evening. The following morning, we issued an Arrival Statement (*Annex III*) at a press conference and began a series of briefings, beginning with a meeting with the Chairman of the Electoral Commission, Dr Kwadwo Afari-Gyan. Thereafter, until our deployment in the various regions on 2 December 1996, we met representatives of the main political parties contesting the

elections, non-governmental organisations including the Ghana Bar Association, Ghana Journalists' Association and women's organisations, local election observation bodies and media organisations. We also met members of other foreign observer missions and intergovernmental organisations, and representatives of Commonwealth High Commissions located in Accra.

On Saturday 30 November 1996, we had a meeting with a senior member of the Electoral Commission, Mr David Kangah (Deputy Chairman, Operations), to follow-up on points which had been raised with us during our meetings with the political parties earlier in the week. Our schedule of engagements is at *Annex IV*.

Our consultations in Accra, which were to be followed by similar discussions at the regional and local levels, provided an overview of the political situation and the state of electoral preparedness. It further allowed the Group to hear directly the views of the political parties relating to the elections and provided the opportunity to discuss the observation process with them.

On Monday 2 December we deployed, in two-person teams, to all ten regions of the country. Our Chairperson accompanied the teams deployed to the northern regions on their flight and returned later that same day. On Wednesday 4 December, the Chairperson visited the Central Region and on Thursday 5 December visited the Ashanti region. Along with our colleagues who were based in Kumasi, the capital of the Ashanti region, and the Secretariat Team Leader, our Chairperson was granted an audience with the Asantehene, the traditional leader of the Asante people. While in Kumasi, they also called on the Regional Electoral Commission.

The teams which had been deployed to the regions met regional election officials, security officials, regional representatives of political parties, other observers and various interest groups. Some teams met traditional leaders in their regions. All the teams travelled extensively throughout their designated regions in order to familiarise themselves with local conditions, assess the state of preparedness for the poll and observe the last days of the campaign. Each team reported regularly to base headquarters in Accra. Details of our deployment are at *Annex V*.

On 3 December 1996, we observed the Special Voting which took place at selected polling stations for members of the security forces and officials who on election day were to be on duty away from their own polling stations.

On election day we observed voting and the count for both the presidential and parliamentary elections, at the polling stations and at constituency centres across the country. Our teams visited more than 300 polling stations in 73 constituencies. Throughout our deployment we were guided by Observation Notes and Check Lists (see examples at *Annex VI*).

On the basis of our reports to our Accra office during deployment and our observations of the polling and the counting process, our Chairperson issued an Interim Statement at 12.30 a.m. on 8 December 1996. This was in order to register publicly and transparently the views of the Commonwealth Observer Group after the polls closed but before the outcome of the elections was known. A copy of that statement is at *Annex VII*.

Our Group re-assembled in Accra on Sunday 8 December to compile our report. We departed Ghana from Wednesday 11 December 1996. A copy of the Departure Statement issued is at *Annex VIII*.