

Chapter 4

The Poll and Count

The first step in the Presidential and Parliamentary elections took place on 3 December 1996 with designated polling stations opening for special voters (see Chapter 2). Our Observers were present for this exercise. There was confusion and delay at most stations because the lists of special voters had not been compiled alphabetically or in numerical order. At some stations, the list was in fact being compiled on the day. However, we believe that eventually all special voters were able to vote. The sealed ballot boxes were then kept in the custody of designated police stations, and were to be counted immediately after the polls had closed on election day.

Although the polls officially opened across the country at 7 a.m. on Saturday 7 December 1996, for many Ghanaians the day started much earlier. Long queues had already formed at polling stations when our Observers reached there around 6.30 a.m. Polling staff themselves had made their final preparations from 4.30 a.m. and, in some of the more remote areas, chosen to sleep the night at their posts.

By and large, the polls opened on time. There were, however, some instances of delay. At certain polling stations, inadequate supplies had arrived, and at others ballot papers were not distributed. But these were exceptions and the delays were seldom significant.

That the people of Ghana should have turned up by the thousands at their polling stations so early in the day was testimony of their commitment to the democratic process. Indeed,

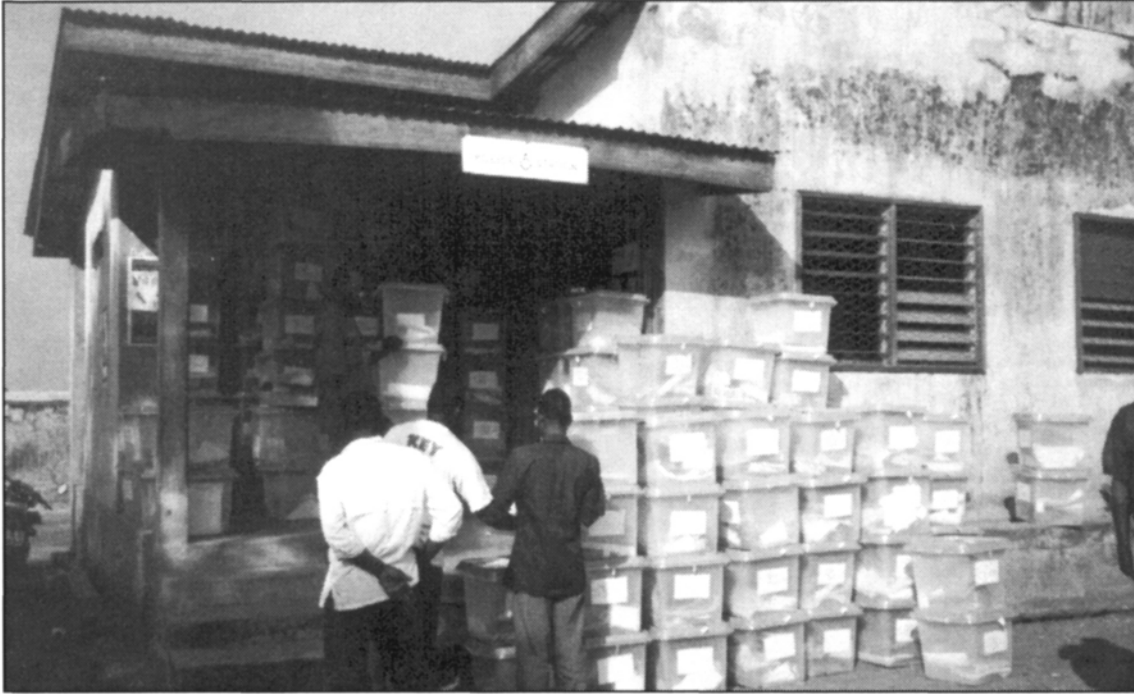
we were struck from the very outset by the patience, exuberance and keen interest of the people in the exercise of their democratic rights. The high turnout of voters was further evidence of this.

Each one of us was at a polling station to witness the procedures for the opening, some of us at rural stations and others at urban locations. We witnessed Presiding Officers following the prescribed procedures, including displaying the empty ballot boxes to the party agents and the waiting crowd before applying the seals.

Most polling stations were designated as 'temporary structures', and were sited conveniently, usually on open ground. Others were located at schools, community centres, churches, mosques and other public buildings. Most were out of doors, in space roped off for the purpose. We



Check it out! ... Commonwealth Observer Senator Jessica Odle with election officials in the Western Region, checking on election materials before their distribution to polling stations



Essential supplies ... ballot boxes and election materials awaiting distribution: police stations were used to keep essential items secure before polling day

formed the impression that the Electoral Commission had done its best to ensure that there was a polling station within easy reach of everyone; in some isolated villages this meant siting polling centres with very few registered voters. Wherever there were unusually large concentrations of population, two or more centres were established side by side.

Our experience was that the layout of polling stations was variable and did not always correspond to the circular flow chart published and disseminated widely by the Electoral Commission (see *Annex XI*). In some instances the arrangement left much to be desired. Often the space available was cramped. In some cases, the cardboard screens provided for privacy were positioned in a way which could have compromised the secrecy of the ballot. At certain stations, the candidates' agents were located too close to the booths and at others too far away. On the whole, however, the layout of polling stations was adequate, and we did not discern any deliberate attempt to undermine the integrity of the voting process.

Voters generally seemed to be familiar with the voting procedures. However, there were some who required guidance, particularly in the rural areas. The aged, the infirm and pregnant women were often taken to the front of the queue. At some polling stations in a few areas, we observed that men and women formed separate queues and that sometimes men voted ahead of women who had been waiting longer. At most stations single mixed queues were formed.



Early delivery ... Electoral Commission staff deliver ballot boxes and other vital election materials early on polling day in the Upper West Region

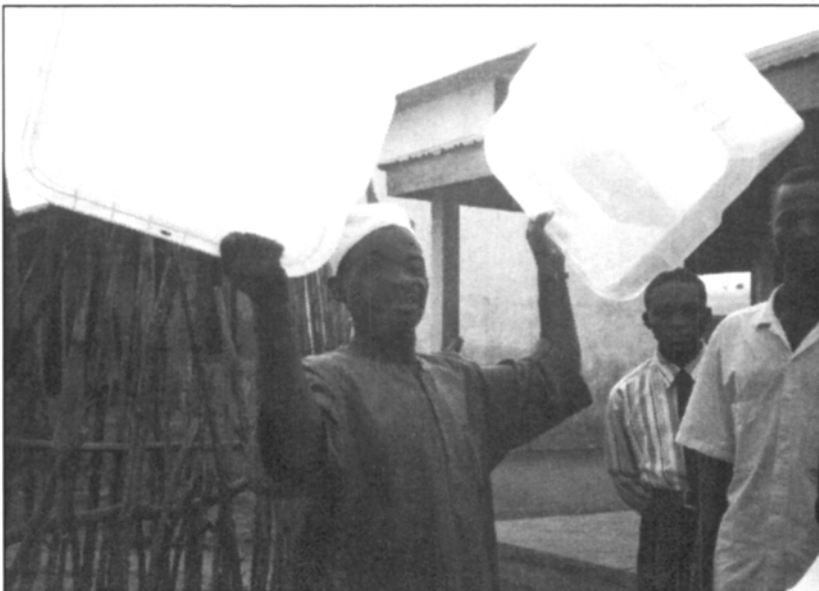


Above board ... election officials and party agents worked closely together: here they check the numbers on the books of ballot papers before voting starts at a polling station in the Northern Region

Polling staff were helpful, prompting persons to go through the prescribed course. Despite the vigilance of the polling staff, however, a few voters appear to have left immediately after casting the presidential ballot, and without waiting to vote in the parliamentary election. This was evident from a pattern of discrepancy between the numbers of presidential and parliamentary ballots issued at polling stations. This could, of course, have been a deliberate decision by certain voters but more likely occurred, in our view, out of confusion. At some polling stations, there were significant numbers of spoilt ballots. Ballots were sometimes placed in the wrong box.

At some stations, the candidates' agents and polling staff voted first, while at others first priority was given to the waiting public. At the latter, polling staff and agents voted when there was a lull in the proceedings. In a number of instances, Presiding Officers and other polling staff were registered at other polling stations, usually nearby, and had to take turns to go and cast their votes when circumstances so permitted.

On the whole, the system worked well. Most Presiding Officers and their staff, generally teachers, had been well trained and were in control of the situation, applying the law when needed and showing flexibility and understanding where warranted. We



Nothing there ... an election official shows the empty ballot boxes – one for the Presidential election, one for the Parliamentary – to the voters and party agents: the boxes could then be sealed

Applying the seals ... election officials and party agents check the seals on the ballot boxes before voting begins



were pleased to note that a fair proportion of the Presiding Officers were women. There were occasional instances where the stipulated procedures were not followed. One of our Observers, for instance, deemed it advisable to remind a Presiding Officer that a hole-punch was required to perforate the voter identity card, prompting him to send someone to the District Electoral Office for the instrument, which had evidently not been supplied in the first instance. At two of the polling stations we visited, ballot boxes had been supplied without lids and the Presiding Officers had evidently not carried out checks in advance; in one instance, an improvised lid was arranged, while in the other the voting proceeded with an open box.

We came across several instances of unsealed ballot boxes. In some cases this may have been deliberate as the seals were hard to open and polling staff had not been provided with the cutting instruments required.

At several polling stations across the country difficulties were caused by the inadequate distribution of ballot papers. It is possible that the high voter turnout upset the calculations of the Electoral Commission. Contingency arrangements were made to provide additional supplies, occasionally by diverting unused stocks from other polling stations.

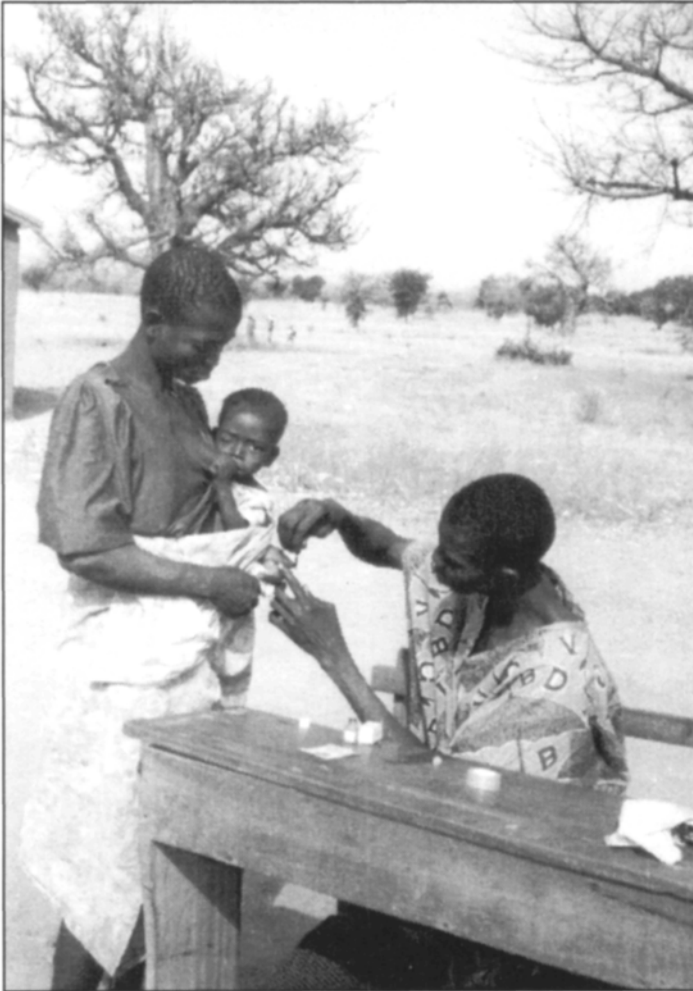
In one constituency, however, the parliamentary election was suspended because of grossly inadequate supplies of ballot papers and inability to secure replenishments. In another, the parliamentary election was not held at all due to a legal injunction arising from a dispute over nominations.

Very few cases of fraudulent voter identity cards were noticed. Discretion was invoked by Presiding Officers in cases where a voter had not brought her/his card, a situation which occasionally arose at most polling stations; in such cases, the Presiding Officer questioned the

voter so as to obtain the prescribed information and, once satisfied that all the details given matched the information on the voter registration form, the person was allowed to vote with the concurrence of the



Card check ... for the first time every registered voter had been issued with a voter identity card: at the polling station election officials examined the card and, if all was in order, the voter's name was ticked off on the register and a hole punched through the card



The ink spots ... before the ballot paper was issued indelible ink was applied to the voter's left thumbnail and cuticle, an important safeguard against multiple voting

candidates' agents. Although the electoral registers had been drawn up in numerical order, i.e., according to the number on the voter identity card, there was a separate alphabetical list at each polling station which facilitated identification of the voter.

We observed some cases of what appeared to be under-aged persons voting on election day in certain parts of the country.

Our experience of the candidates' agents varied. They were present throughout the day, with the two competing alliances better represented than the other parties or independent candidates. While many had undergone training, and several agents appeared to understand the electoral law and their own responsibilities, others seemed to be passive onlookers. Some were obviously very young.

There were cases where agents intruded too closely on the voting process. In other instances, they complained that they were too far away to observe the proceedings. At one station we witnessed agents performing the role of crowd control in the absence of any security officials.



Secret ballot ... in most cases the voting area was well screened and voters generally seemed to be familiar with the procedures

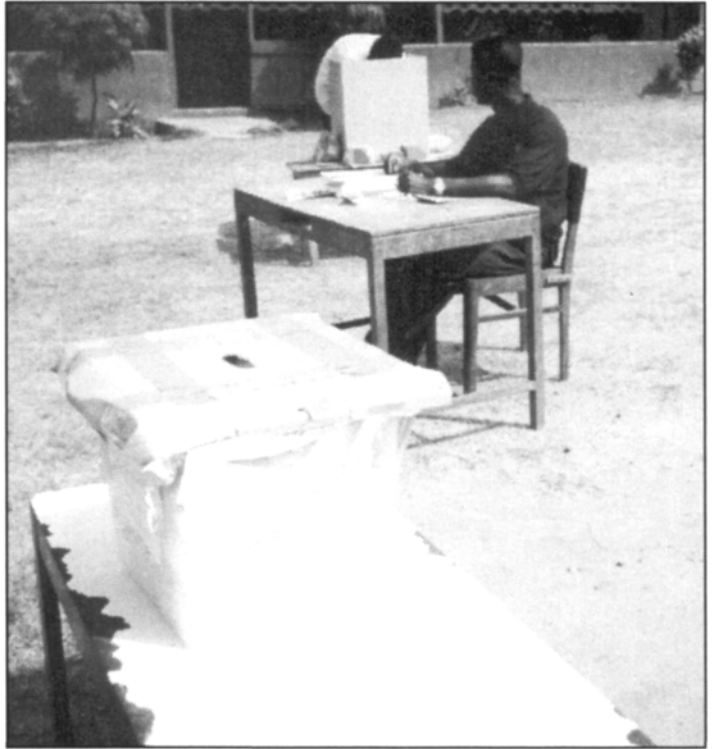
Improvisation ... at least two Accra polling stations were supplied with ballot boxes without lids: at one voting proceeded with an open box, but here an improvised lid was arranged

By and large, the candidates' agents were vigilant and played an important role in promoting the integrity of the voting and counting process. They took particular interest in transferred voters, whom they could not easily identify. The Presiding Officers consulted them whenever required and problems were usually sorted out amicably.

The various checks and balances devised for the voting appeared to work well. There was a three-pronged effort to prevent multiple voting: first, the name was ticked on the register after examining the voter identity card; second, a hole was punched through the card itself; and finally, indelible ink was applied to the left thumbnail and cuticle.

Many areas reported problems with supplies of indelible ink, which had to be replenished by the electoral authorities. Two types of ink were used by the Electoral Commission, and each polling station was meant to have supplies of both. There were isolated instances where the quality of the ink was substandard.

Security at polling stations was variable. Owing, we were told, to a shortage of personnel, not every station had a designated security guard. Security Task Forces in each region had assured us that there would be adequate security, particularly in potentially volatile areas. At more than one polling station in Accra, the absence of security guards resulted in unruly scenes, with much jostling to get to the register. In one instance, our Observers took the initiative to send their driver to the nearest police station to draw attention to the problem, and two Customs officers thereafter arrived to restore order. At another station, we learnt from the Presiding



It's in the box ... an elderly voter casts his ballot at an Accra polling station: ballot boxes were positioned in full public view

Officer that a large crowd, anxious over a delay in the opening of the station, had knocked over the polling officials' desks. Crowd control was better at stations where access could be suitably regulated.

At most rural locations, one security official was often deployed to cover two adjacent polling stations, and did so without difficulty. In some areas, there were also mobile police and military teams. The security presence was, in virtually all cases, minimal, unobtrusive and non-threatening.

Before the elections, some in the opposition parties had expressed anxieties about paramilitary forces – the so-called 'commandos' allegedly loyal to the ruling party – which would be used to intimidate the public into voting for the NDC or staying away from the polls altogether, particularly in the countryside. These 'commandos' were also allegedly on standby to intervene should the vote go against the incumbent President. Intimidation had also been feared from the so-called 'macho-men', or party thugs. We therefore kept an eye out specially for such eventualities. Though young party activists were certainly on the streets through much of the day, none of us witnessed or heard of any paramilitary or other intimidatory presence.

Another aspect of the process which served to reinforce the integrity of the poll was the very presence of observers, both domestic and international. NEDEO and Ghana Alert put a large number of domestic observers in place, usually drawn from the local areas. As already noted, a number of external observers other than the Commonwealth team, were also present. We co-operated with the other observer groups so as to maximise coverage.

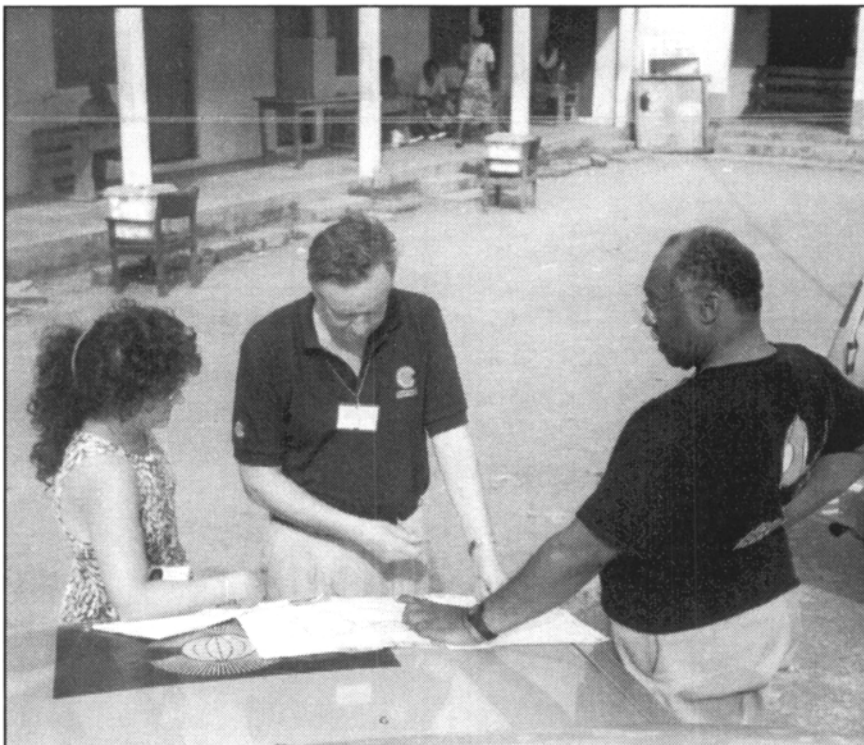
The polling was, in most areas, intense in the first hours; by 12 noon, a majority of the registered voters had exercised their franchise and there were hardly any queues thereafter, except for a late rush at a few large urban polling stations. From what we were able to gauge, the voter turnout was substantial.

As a result of the bulk of the voting taking place early in the day, most polling stations closed comfortably by 5 p.m. Where queues still existed, the prescribed procedure was followed, whereby a security guard stood at the tail of the queue at 5 p.m. so that no new arrivals could join. In our experience, all those queuing at polling stations at 5 p.m. were permitted to vote.

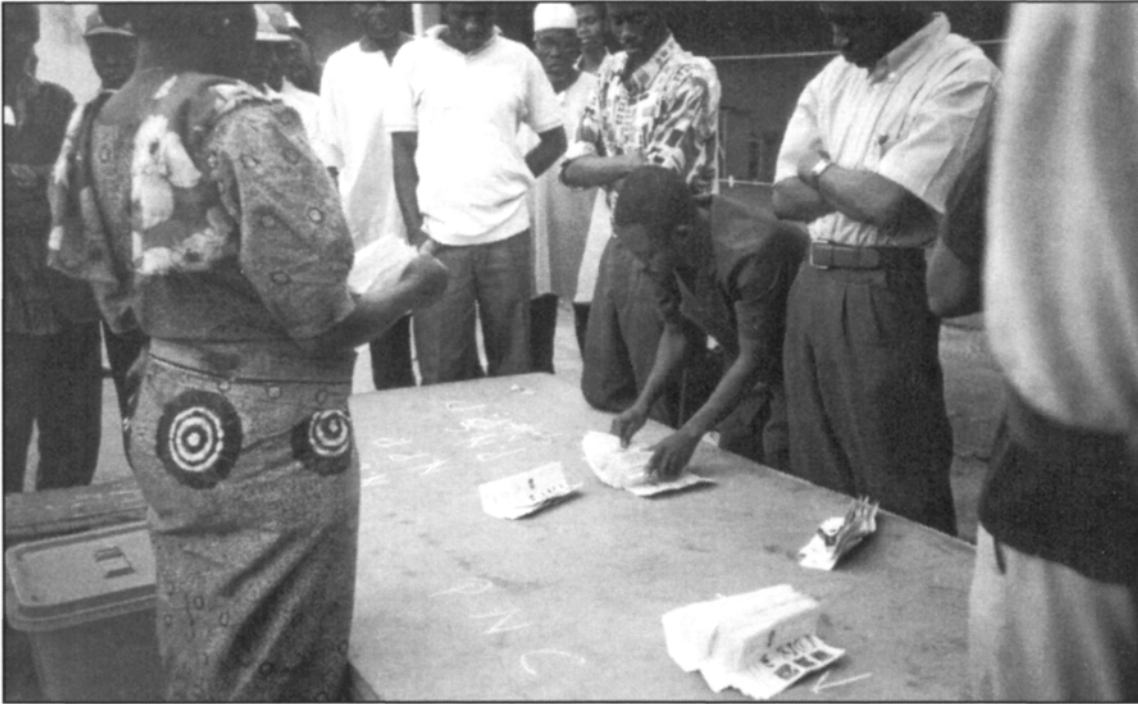
At each of the stations where our observer teams were present, once the last voter had cast her/his vote, the Presiding Officer went through the closing procedures, counting and noting the number of unused ballots and rearranging the polling station for the count.

The count generated enormous interest and many members of the public congregated for

it. The presidential count was conducted first, with the relevant ballot boxes emptied on a table and the votes separated into piles for the three candidates, with the candidates' agents watching each ballot closely. Particular interest was shown by the agents in spoilt ballots and, in some instances, they prevailed upon the Presiding Officer not to reject a ballot, pointing out that the voter had made a reasonable indication of her/his choice. Once the votes had



Plans are useless, but planning is essential ... international observers co-operated to ensure that there was no duplication of coverage: Commonwealth Observer Peter Fowler (centre) and colleagues from the National Democratic Institute of the US confer on their routes for the remainder of polling day



The count ... Observers were impressed by the transparency of the count, which was done at the polling stations, watched by party agents and often by large crowds

been separated by candidate, the Presiding Officer or one of the other members of the polling staff counted each ballot audibly, with the crowd joining in at various stages. The end of the count was marked by spontaneous jubilation among the supporters of the winning candidate. The entire process was then repeated for the parliamentary votes. One of our teams also observed the counting of special votes.

The process of counting had its merits and demerits. On the negative side, it was slow and tedious, and took the better part of two hours in most instances, meaning that much of the count was conducted after dusk. Various arrangements were made for lighting; where electricity was unavailable, hurricane lamps, kerosene lanterns, or even candles were used. At one polling station our Observers turned on the headlights of their vehicle to facilitate the count. Some of the polling stations were hardly conducive to such a sensitive operation; space was often cramped, made worse still by the crowds of onlookers, and the wind sometimes blew ballots off the table. In one case, a Presiding Officer took it upon himself to carry out the count at another venue, as he did not believe the polling station was suitable.

While there was usually a security official present, it is doubtful whether a sole and unarmed person could have been able to control a situation of breakdown in law and order had this occurred. In some areas, armed soldiers were posted at polling stations during the count. The presence of the public in large numbers



The morning after ... although unofficial results were broadcast by radio, there were long delays before the official results were displayed on the scoreboards in Accra and other main towns

enhanced the transparency of the count. Much excitement was generated by the process, and inevitably some tension. Generally, however, a spirit of camaraderie seemed to prevail among the candidates' agents.

After the count, Presiding Officers went through the laborious process of filling in the various returns. Sometimes, the number of ballots did not tally; discrepancies between the parliamentary and presidential votes at the same polling station added to confusion. Generally, the candidates' agents on the spot accepted the results and signed the return sheets. In a few cases, however, they argued and wrangled and some results were subsequently challenged during the compilation of returns at constituency centres.

After the count at polling stations, and because Electoral Commission vehicles were very limited in number, we observed returns and ballot boxes transported to constituency centres by various means – police vans, buses, taxis, boats, bicycles and other forms of transport were employed; some boxes were physically carried by polling staff. We understand that some did not arrive till the following day, as polling staff at very remote polling stations had been advised to sleep overnight at their posts. The scene at many of the constituency centres we visited was rather disorganised, with Presiding Officers reporting to the Returning Officer one by one, taking an agonisingly long time. Thereafter began the equally long process of aggregating the tally manually. As a consequence, at most centres there were no signs of any results emerging by midnight.

That night and the next morning, large crowds gathered at 'scoreboards' erected in the district and regional headquarters, as well as at Independence Square in Accra, to learn the results. They were all to be disappointed. As late as the evening of Sunday 8 December, only a handful of results had been posted on the boards. All this while, however, the GBC was broadcasting unofficial returns from constituencies across the country and the media, both domestic and international, were confidently predicting the eventual results.

The Electoral Commission told us that results were taking a long time to come through for various reasons, including the non-receipt of results from remote polling stations and challenges made to some results. This caused considerable delay in the declaration of the results. The Chairman of the Commission emphasised that the results would only be declared once they had been duly certified.

On Wednesday 11 December 1996 the Chairman of the Electoral Commission officially declared that Flt-Lt Rawlings had been re-elected as the President of Ghana, winning 57.2 per cent of the valid votes cast, against 39.9 per cent for his nearest rival, Mr Kufuor. The turnout had been 76.8 per cent in the 197 constituencies from which results were available. In the parliamentary elections, of the 195 constituency results then available the NDC had won 130 seats, the NPP 59, the PCP five and the PNC one.