



Coalition of Domestic Election Observers (CODEO)

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Setting the records straight: Misrepresentations by the Electoral Commission of Ghana on CODEO's Close-Of-Polls Statement on the Ayawaso West Wuogon Constituency by-election

On the evening of Thursday, January 31, 2019, the Coalition of Domestic Election Observers (CODEO), which had deployed observers for the Ayawaso West Wuogon Constituency by-election held on that date, released its Close-Of-Polls Statement. CODEO's Close-Of-Polls Statement typically provides a snapshot of what transpires on Election Day. Consistent with its practice, CODEO communicated its initial report of the election not only to the public, through traditional and new media channels, but also to the leadership of the Electoral Commission (EC) via e-mail.

CODEO follows a strict protocol and has, thus, always taken great pains to ensure that its Close-Of-Poll Statement and other reports record and reflect only that which is factually and contemporaneously observed and documented by its assigned observers and team. CODEO does not rely on hearsay or uncorroborated third-party accounts. CODEO is, therefore, surprised that claims or assertions it did not make in its initial Statement have been attributed to it by the Electoral Commission of Ghana in a press statement and at a press conference apparently, in reaction to the CODEO statement. For the avoidance of doubt, CODEO wishes to state categorically that:

1. Contrary to the impression created by the EC regarding the shooting incident at La Bawaleshie, CODEO **did not indicate, anywhere in its statement that the said shooting incident took place at a POLLING STATION**. CODEO was clear in its statement that "CODEO observers witnessed the violent incident, including shooting incident, which took place in the La Bawaleshie area at East Legon." The CODEO statement **also did not in any way attempt to link the Electoral Commission to the shooting incident**, contrary to the EC's claim. CODEO, in fact, pointed out that its observers "could not confirm the exact cause of the violent incident".
2. The Electoral Commission, also in its statement, denied that the violent incident which took place at La Bawaleshie affected voting. According to the Commission, the incident **"did not in any way disrupt the conduct of the poll."** CODEO wishes to reaffirm its initial observation that, as a result of the panic and chaos emanating from the shooting incident, voting was, in fact, temporarily disrupted at a polling station close to the shooting incident. Indeed, a media report of an interview with the Electoral Commission's own Municipal Director for Ayawaso West confirms that voting was disrupted for about 45 minutes in the wake of the shooting incident before normalcy was restored (source: <https://mobile.ghanaweb.com/GhanaHomePage/NewsArchive/Skirmishes-at-La-Bawaleshie-had-nothing-to-do-with-voting-Rashid-Nantongma-719788>).
3. Regarding the presence of security personnel at polling stations, CODEO is baffled by the EC's indication that CODEO had suggested, in its Statement, that the presence of stationed security officers specifically or in and of itself **disrupted the voting process**. CODEO made no such attribution or linkage. CODEO's main concerns regarding security arrangements for the by-election were explicitly stated as: **the apparent lack of proper**

security coordination for the election; the heavy and intimidating presence of security personnel at various polling stations; the display of a lack of understanding of the electoral rules and regulations by some plain-clothed (“non-uniformed”) security personnel; and the presence of MASKED “security operatives” at some polling stations. CODEO further wishes to point out that, its general observation about the security deployment for the by-election as stated in its Statement was not limited to stationed security personnel, but also mobile patrol teams. Indeed, security operatives in some of the mobile patrol vehicles sighted by observers at some polling stations were armed.

4. Regarding the incident at a polling station at the Prisons JHS Polling Station at Roman Ridge, where a stationed uniformed police officer was attacked for questioning and directing some plain-clothed security operatives at the polling station to reposition themselves, CODEO stands by the account of its observer and is ready to cooperate with the Electoral Commission and the security agencies to undertake further investigation into the matter.
5. Contrary to the Electoral Commission’s suggestion that CODEO did not provide an overall picture of the conduct of the polls, CODEO wishes to draw the attention of the EC to the paragraph in the CODEO Statement which noted that, apart from the main concerns regarding security arrangement for the by election, **“most observers reported of a generally smooth voting exercise, including the smooth performance of biometric devices.”** The CODEO Statement further touched on other issues such as the presence of party agents at polling stations, and the generally-low voter turn-out which indeed has been confirmed by the EC’s official turn-out figure for the by-election at 19.83%.

CODEO further reiterates the point indicated above that, its Close-of-Polls Statement which is typically released at the end of voting, provides a snapshot of an election. Indeed, the CODEO initial Statement clearly indicated that “CODEO will continue to observe the counting and declaration of results, and will issue its preliminary statement in due course”. CODEO wishes to assure the EC and the general public that, in line with its standard practice, its final report on the election which will provide a comprehensive assessment of the by-election will be released in the coming days.

CODEO has attached as an Appendix to this Statement, its Close-of-Polls Statement as released on the evening of Thursday, January 31, 2019.

CODEO also wants to assure the Electoral Commission of Ghana, election stakeholders and the general public that **it remains unflinching in its commitment to impartiality, objectivity and neutrality and that, its sole interest in the country’s electoral processes is the promotion and assurance of electoral integrity.** In this regard, CODEO’s observation efforts are aimed at complementing the efforts of the EC in ensuring electoral credibility. In discharging this responsibility, CODEO has always endeavored to work cooperatively and in good faith with the Electoral Commission, as CODEO sees itself not as standing in an adversarial relationship with the EC, but as working, ultimately, toward a common end of ensuring transparent, credible and peaceful elections and election management in Ghana.

Signed:



Albert Arhin,
National Coordinator, CODEO

Dated: Wednesday, February 6, 2019

APPENDIX



Coalition of Domestic Election Observers (CODEO) CONTACT

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THE CONDUCT OF THE AYAWASO WEST WUOGON CONSTITUENCY BY- ELECTION CLOSE-OF-POLLS STATEMENT: CODEO QUESTIONS SECURITY ARRANGEMENTS FOR THE POLLS

The Coalition of Domestic Election Observers (CODEO) observed today's by-election in the Ayawaso West Wuogon Constituency in the Greater Accra Region. CODEO observers visited more than half of the polling stations in all the electoral areas across the constituency. The observers spent an average of two hours at each polling station and observed set up and voting processes. Below are highlights of CODEO's findings as at the end of close of polls:

- CODEO observers witnessed the violent incident, including shooting incident, which took place in the La Bawaleshie area at East Legon. While the observers could not confirm the exact cause of the violent incident, CODEO is disappointed that an electoral exercise was subjected to such violence which temporarily disrupted voting.
- Observers noted a generally low voter turn-out across the constituency.
- At the commencement of polls, most polling stations had political party agents present, particularly from the New Patriotic Party (NPP) and the National Democratic Congress (NDC). CODEO observers, however, noted the subsequent withdrawal from some of the polling stations observed of NDC agents.
- CODEO is also alarmed about the apparent lack of proper security coordination for the election:
 - The observers noted several instances of heavy – and intimidating – security presence at most polling stations observed. Many polling stations had not less than five uniformed security personnel, and in some cases, as high as 15.
 - At the Dzorwulu JHS, for instance, two adjoining polling stations had a total of 13 uniformed security personnel as well as a number of non-uniformed security personnel. At the Christian Book Centre at East Legon, nine (9) uniformed security personnel and other non-uniformed security personnel could be seen at the two adjoining polling stations.
 - Many polling stations also had security agents in plain cloth, some of whom claimed to be National Security operatives.
 - Some polling stations had separate security teams from the Police, the Immigration Service and 'National Security.'
 - Polling stations were frequented by mobile patrol teams of security personnel sometimes at short intervals of less than thirty minutes.

- Even more worrying was the presence of masked security operatives at polling stations, who could not easily be identified and thus could not be held accountable for any misconduct.
- Some non-uniformed security operatives displayed lack of understanding of the electoral rules and regulations. At the Prisons JHS at Roman Ridge, for instance, security operatives who claimed to be National Security operatives positioned themselves next to polling officials and when a stationed uniformed police officer alerted them to move away from poll officials, a pick-up full of many more of the so-called security operatives descended on the police officer and attacked him for doing legitimate work.
- Apart from the above listed incidents, most observers reported of a generally smooth voting exercise, including the smooth performance of biometric devices.

Conclusions

CODEO questions this high level and, what appears to be, uncoordinated security arrangement and presence during the elections. Unlike previous arrangement which seems to have been working well for the country during elections, CODEO is unsure what role, if any at all, of the Election Security Task Force played in this election.

CODEO is unhappy about the intimidating presence of the security personnel, especially masked security persons, at the various polling stations. CODEO further calls on the Ghana Police Service, the National Security Minister, Interior Minister, and the entire security set-up of the country to expeditiously conduct investigations into the violence that broke out earlier in the day at La Bawaleshie, and to take subsequent appropriate action. It is imperative that all security agencies immediately review the security arrangement put in place for the election, in a bid to understand what happened today as far as personnel deployment is concerned and to enhance security planning for similar exercises in the future.

Finally, CODEO calls on the Electoral Commission and the security agencies to give hearing to the NDC regarding their concerns about the electoral process which resulted in their boycott of the election and to investigate any valid concerns they may have.

CODEO will continue to observe the counting and declaration of results, and will issue its preliminary statement in due course.

Signed:



**Albert Arhin,
National Coordinator, CODEO**

Dated: Thursday, January 31, 2018