



# **ELECTIONS AND COVID-19: LESSONS FROM GHANA'S 2020 GENERAL ELECTIONS**

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# LESSONS FROM GHANA'S 2020 GENERAL ELECTIONS



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## **About the Electoral Hub**

The Electoral Hub (E-Hub), an organ of the Initiative for Research, Innovation and Advocacy in Development (IRIAD), is a multidisciplinary strategic think-tank which seeks to provide solutions to improve the credibility and integrity of the electoral process. It is conceptualized to complement the roles and activities of the different institutions, stakeholders and drivers of the electoral process and governance. The Electoral Hub's aim is to strengthen electoral governance and accountability in Nigeria through the provision of data and critical analysis supporting the credibility and integrity of the electoral process. We believe that the integrity of the electoral process is crucial in improving the electoral governance architecture and democracy in Nigeria. We also believe in contextual analysis for solutions rooted in the principles of justice and equity

Our core values are knowledge-exchange, inclusion, justice, equity, transparency and accountability.

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## Acronyms

<b>APC</b>	All People's Congress
<b>APC</b>	All Progressives Congress
<b>CEDAW</b>	UN Convention on the Elimination of All Forms of Discrimination Against Women
<b>COVID-19</b>	Coronavirus Disease 2019
<b>CPP</b>	Convention People's Party
<b>CSO</b>	Civil Society Organisation
<b>EC</b>	Electoral Commission of Ghana
<b>EMB</b>	Electoral Management Body
<b>GCPP</b>	Great Consolidated Popular Party
<b>GFP</b>	Ghana Freedom Party
<b>GUM</b>	Ghana Union Movement
<b>INEC</b>	Independent National Electoral Commission
<b>IRIAD</b>	Initiative for Research, Innovation and Advocacy in Development
<b>IRI</b>	International Republican Institute
<b>LPG</b>	Liberal Party of Ghana
<b>MMDA</b>	Metropolitan Municipal and District Assembly
<b>MPs</b>	Members of Parliament
<b>NDC</b>	National Democratic Congress
<b>NDI</b>	National Democratic Institute
<b>NDP</b>	National Democratic Party
<b>NPP</b>	New Patriotic Party
<b>PAP</b>	People's Action Party
<b>PDP</b>	People's Democratic Party
<b>PNC</b>	People's National Convention
<b>PPP</b>	Progressive People's Party

<b>PWDs</b>	Persons with Disabilities
<b>UFP</b>	United Front Party
<b>UNCRPD</b>	UN Convention on the Rights of Persons with Disabilities
<b>UPP</b>	United Progressive Party

# Introduction

Elections are a complex process that are influenced by the actions of various stakeholders, including the legislature, executive, political parties, electoral management bodies (EMBs), civil society organisations (CSOs), security agencies, media, and the general public. Each of these stakeholders has a role to play in promoting transparency, accountability, inclusion, and impartiality, all of which are crucial to upholding electoral integrity and credibility.<sup>1</sup>

In recent times, the emergence of the novel coronavirus pandemic, also known as COVID-19, has complicated elections even further. From election campaigning to voting on election day, election observation to results declaration, each stage of the electoral process will inevitably be affected by COVID-19. As the world navigates this unprecedented pandemic, it is important to find the right balance between ensuring public safety and conducting elections with integrity and credibility.

Against this background, the Electoral Hub, an organ of the Initiative for Research, Innovation and Advocacy in Development (IRIAD) has been conducting comparative research in order to understand how other countries have been able to successfully conduct elections in the context of COVID-19. So far, we have produced documents on lessons learned from the South Korean and Malawian elections that occurred in 2020.<sup>2</sup> In the same light, this paper will analyse strengths and weakness of the 2020 Ghanaian general

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<sup>1</sup> The Ace Project, *Electoral Integrity*. Available at: [https://aceproject.org/ace-en/topics/ei/explore\\_topic\\_new](https://aceproject.org/ace-en/topics/ei/explore_topic_new); Open Election Data Initiative, *Electoral Integrity*. Available at: <https://openelectiondata.net/en/guide/electoral-integrity/credible-elections/>

<sup>2</sup> See *Elections and COVID-19: Lessons from the 2020 South Korean Parliamentary Elections*, Electoral Hub Discussion Paper 1/2020. Available at: <https://iriadev.org/wp-content/uploads/2020/07/ELECTORAL-HUB-Discussion-Paper-LESSONS-FROM-2020-South-Korea-Parliamentary-Elections.pdf>; *Elections and Covid-19: Lessons From Malawi's 2020 Presidential Election*, Electoral Hub Discussion Paper 2/2020. Available at: <https://electoralhub.iriadev.org/wp-content/uploads/2020/09/Electoral-Hub-Discussion-Paper-on-LESSONS-FROM-MALAWI.pdf>

elections in order to draw out lessons that can be used to make recommendations for different stakeholders in Nigeria. The following are the key points that are discussed in this paper:

- historical context of Ghana
- Ghana's electoral process and system;
- Ghana's EMB – the Electoral Commission of Ghana;
- Ghana's political parties and system;
- electoral inclusion in Ghana;
- the Ghanaian electorate;
- the 2020 general elections;
- implications of COVID-19 on the elections; and
- lessons to be learned from the elections.

It is hoped that from the discussions made in this paper, we can better understand Ghana's strengths and shortcomings, using the lessons learned from them to improve the integrity and credibility of our own electoral process and system in Nigeria even in the context of COVID-19.

# Historical Context

Modern Ghana, formerly known as the Gold Coast, was the first black African country south of the Sahara to achieve independence from colonial rule.<sup>3</sup> Kwame Nkrumah, a nationalist and pan-African leader who drove the independence movement in Ghana, declared the country's independence on 6 March 1957, and on 1 July 1960 Ghana became a commonwealth republic with Nkrumah as the first President of the country.<sup>4</sup>

Nkrumah was motivated by Marxist and socialist ideologies, which led to increasing authoritarianism and centralisation. Constitutional amendments in the 1960s gradually transformed Ghana into a one-party state in which fundamental rights and political participation were either severely restricted or completely banned.<sup>5</sup> Nkrumah's party, the Convention People's Party (CPP), was the only party legally allowed to operate, and Nkrumah was named President for Life.<sup>6</sup> These actions, together with a deepening economic crisis, led to growing opposition and culminated in Nkrumah being deposed in a military takeover in 1966 when he was away in China.<sup>7</sup> The new government was called the National Liberation Council,<sup>8</sup> and Nkrumah was exiled to Guinea where he spent the rest of his life.<sup>9</sup>

The military takeover over in 1966 set the precedent for a series of military takeovers and unstable military regimes in Ghana in 1969, 1972, 1978, 1979 and 1981.<sup>10</sup> This is reflective

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<sup>3</sup> John D Fage, "Ghana", *Encyclopaedia Britannica*. Available at: <https://www.britannica.com/place/Ghana>

<sup>4</sup> UNDP, *About Ghana*. Available at: <https://www.gh.undp.org/content/ghana/en/home/countryinfo.html>

<sup>5</sup> "Constitutional History of Ghana", *Constitution Net*. Available at: <https://constitutionnet.org/country/constitutional-history-ghana>

<sup>6</sup> John D Fage, "Ghana", *op. cit.*

<sup>7</sup> Ibid

<sup>8</sup> Ibid

<sup>9</sup> "History of Ghana", *History World*. Available at: <http://www.historyworld.net/wrldhis/plaintexthistories.asp?historyid=ad43>

<sup>10</sup> "Constitutional History of Ghana", *op. cit.*



of a common trend of military coups in other African countries including Nigeria during this period. The gamechanger in Ghana was the coup of 1981 led by Flight Lt Jerry Rawlings, which set out to implement far reaching reforms that set the country back on the path to democracy and development.<sup>11</sup>

Following public consultations and expert analysis, a new Constitution was drafted and approved by the people in a referendum on 28 April 1992.<sup>12</sup> This new Constitution ushered in a return to democracy, providing for, among others, a presidential system of government and greater freedoms and human right protections.<sup>13</sup> It also consolidated the existing laws on a unitary state with decentralised local governments.<sup>14</sup> The ban on party politics was removed, and multi-party elections were held later that year, ushering in the Fourth Republic with Rawlings as the newly elected President.<sup>15</sup> Today, Ghana is seen as a model for political and economic reform in Africa.<sup>16</sup>

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<sup>11</sup> *Ibid*

<sup>12</sup> *Ibid*

<sup>13</sup> *Ibid*

<sup>14</sup> Sarah B Kpentey, “Local Government and Participation in Ghana”, *Academic Review of Humanities and Social Sciences*, Vol 2, Issue 2, 2019, page 176

<sup>15</sup> “Constitutional History of Ghana”, *op. cit.*

<sup>16</sup> UNDP, *About Ghana, op. cit.*

# Electoral Process and System

Ghana is a representative democracy governed by a constitution – the 1992 Constitution of Ghana. It has three branches of government: the executive, the legislature, and the judiciary. The executive branch is headed by the President, who is both head of state and head of government. Other members of the executive include the Vice-President, the Council of State (a deliberative and advisory body), the cabinet (a body of 10-19 members appointed by the President<sup>17</sup>), and ministers of state.

The legislative branch (parliament) consists of 275 members of the unicameral National Assembly. These members are called MPs (Members of Parliament) and they serve in single-seat constituencies. According to Ghana's Constitution, majority of ministers must also be MPs.<sup>18</sup>

The judicial branch is independent of the executive and the legislature. It consists of Superior Courts established by the 1992 Constitution, and Inferior Courts established by parliament. The Superior Courts are: the Supreme Court of Ghana, the Court of Appeal, the High Court of Justice, and the Regional Tribunals. The Inferior Courts are Circuit Courts, District Courts, and special courts such as Juvenile Courts.<sup>19</sup>

Ghana has a four-year electoral cycle, and elections have been held every four years since 1992. The following are the types of elections held in Ghana:

- *Presidential elections*: These are held every four years to elect a President using the majoritarian (two-round) system. This means that a candidate has to obtain 50% +

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<sup>17</sup> 1992 Constitution of Ghana, Article 76(1)

<sup>18</sup> Ibid, Article 78(1)

<sup>19</sup> John D Fage, "Ghana", *op. cit.*

1 of the vote (absolute majority) to win. If no candidate achieves this, a run-off election will be held with the top two candidates.

- *Parliamentary elections*: These are held every four years to elect members of parliament (the National Assembly) using the first-past-the-post system. This means that a candidate only needs to have the highest number of votes (simple majority) to emerge as the winner. Parliamentary elections are held simultaneously with presidential elections.
- *Local government elections*: These consist of District Assembly elections and Unit Committee elections. District Assembly elections are held every four years to elect electoral area representatives to the District Assemblies, while Unit Committee elections are held every four years to elect representatives to the Units.<sup>20</sup>

The laws governing elections in Ghana are the 1992 Constitution, Political Parties Act 2002, Electoral Regulations, Representation of the People's Law 1992, and case laws based on Supreme Court opinions of previous election petitions.<sup>21</sup>

**Voting on election day** requires voters to go physically to their polling station with their voter ID card.<sup>22</sup> Voters' identity is verified with a verification machine, and voting is done in a private voting booth to allow for secrecy of votes. Only citizens of Ghana over the age of eighteen are allowed to vote.<sup>23</sup>

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<sup>20</sup> Electoral Commission of Ghana, *Electoral System of Ghana*. Available at: <https://www.ec.gov.gh/electoral-system/>

<sup>21</sup> African Union, *Preliminary Statement: AU Election Observation Mission to the Presidential and Parliamentary Elections in the Republic of Ghana*. Available at: <https://au.int/en/pressreleases/20201209/preliminary-statement-au-election-observation-mission-presidential-and-parliamentary-elections-in-the-republic-of-ghana>

<sup>22</sup> Electoral Commission of Ghana, <https://www.ec.gov.gh/voting/>

<sup>23</sup> 1992 Constitution of Ghana, Article 42

There is also provision for ‘**special voting**’ in Ghana, whereby voters who have election-day duties, such as election officials, media personnel, and security agencies, are allowed to vote before election day. By virtue of the regulations enacted by the Electoral Commission of Ghana (EC), voters must apply to the returning officer in their constituency in order to be entered as a special voter not later than 42 days before election day.<sup>24</sup> Special votes are not counted immediately, but are kept in safe custody and sealed until election day when they are counted along with the general votes.<sup>25</sup>

Similarly, Ghanaian laws allow voters to **vote by proxy**, which involves selecting another person to vote on their behalf. To vote by proxy, voters have to meet one of the following criteria:

- they have an illness or disability;
- their work prevents them from going to the polling station on election day;
- their attendance in an educational course prevents them from going to the polling station on election day;
- they are unable to go to the polling station on election day due to personal reasons such as being away on holiday; or
- they are a Ghanaian citizen living overseas.<sup>26</sup>

From the criteria above, it is evident that even Ghanaians in the diaspora are enfranchised, as they are also allowed to vote by proxy. Like special voting, voters who choose to vote by proxy must also apply to the returning officer in their constituency at least 42 days before election day.<sup>27</sup>

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<sup>24</sup> Public Elections Regulations 2016 (CI 94), section 23(1)-(2)

<sup>25</sup> Ibid, section 23(11)

<sup>26</sup> Electoral Commission of Ghana, <https://www.ec.gov.gh/voting/>

<sup>27</sup> Ibid

Additionally, voters can transfer to a new polling station if for at least two months, they have been resident in a constituency other than the one in which they were originally registered. The deadline for applying for transfer of votes is also 42 days before election day.<sup>28</sup> These provisions for special voting, voting by proxy, and transfer of voting are commendable as they make the voting process easier, drive turnout, and enfranchise more citizens.

The electoral statistics of Ghana are as follows: 16 regions, 267 districts, 275 constituencies, 38,622 voting stations, 33,367 polling stations, and 17,027,641 registered voters.<sup>29</sup> This is elaborated in the below table.

S/N	Region	Constituencies	Voting <sup>30</sup> Stations	Registered Voters
1	Western	17	2,602	1,187,333
2	Central	23	3,419	1,567,756
3	Greater Accra	34	7,607	3,528,996
4	Volta	18	2,237	924,116
5	Oti	8	962	358,552
6	Eastern	33	3,943	1,641,050
7	Ashanti	47	6,737	3,019,178
8	Western North	9	1,149	468,683
9	Ahafo	6	779	316,970
10	Bono	12	1,483	653,378
11	Bono East	11	1,412	594,610
12	Savannah	7	731	298,404
13	Northern	18	2,202	1,050,016

<sup>28</sup> Ibid

<sup>29</sup> Electoral Commission of Ghana <https://www.ec.gov.gh/>; <https://www.ec.gov.gh/about-us/>

<sup>30</sup> Disaggregated voting stations data provided by Director of Research, EC through email exchange

<b>14</b>	North East	6	645	289,529
<b>15</b>	Upper East	15	1,491	659,317
<b>16</b>	Upper West	11	1,223	469,753
<b>TOTAL</b>		<b>275</b>	<b>38,622</b>	<b>17,027,641</b>

*Source: Electoral Commission of Ghana<sup>31</sup>*

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<sup>31</sup> Electoral Commission of Ghana,  
<https://twitter.com/ECGhanaOfficial/status/1337083203002183685/photo/1>;  
<https://www.ec.gov.gh/elections-gallery/>

# Electoral Management Body

The electoral management body in charge of all matters relating to the conduct and management of all levels of elections and referenda in Ghana is called the Electoral Commission of Ghana (EC). It was established by the Electoral Commission Act (Act 451) of 1993. Its functions are to:

- compile and revise the register of voters;
- undertake the delimitation of constituencies for both national and local government elections;
- conduct and supervise all public elections and referenda;
- educate the people on the electoral process and its purpose;
- undertake programmes for the expansion of the registration of voters;
- undertake the preparation of voter identity cards; and
- store properly election material.<sup>32</sup>

According to the Constitution and the Electoral Commission Act, the EC shall comprise of a Chair, two deputy Chairs, and four other members.<sup>33</sup> These members are appointed by the President, acting on the advice of the Council of State.<sup>34</sup> The Commission is also empowered to appoint other officers and employees acting in consultation with the Public Services Commission.<sup>35</sup> Notably, Commissioners have no limits on their terms in office.<sup>36</sup> The first Chair was in office for twenty years, one of the current Commissioners has been in office since 2004, and two others have been in office since 2010. This allows

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<sup>32</sup> 1992 Constitution of Ghana, Article 45; Electoral Commission Act 1993, section 2

<sup>33</sup> 1992 Constitution of Ghana, Article 43; Electoral Commission Act 1993, section 1

<sup>34</sup> 1992 Constitution of Ghana, Article 70(2)

<sup>35</sup> Electoral Commission Act 1993, section 8

<sup>36</sup> “Ghana: Electoral Commission of Ghana”, *EISA* (updated November 2012). Available at: <https://www.eisa.org/wep/gha3.htm>

Commissioners to gain a wealth of electoral experience and knowledge that can be applied in successive elections.

The EC is currently led by Ms Jean Mensa, who was appointed as the Chair in August 2018. Since her appointment, Ms Mensa has instituted some important improvements to the electoral process, leading to 67% of Ghanaians saying in a public opinion poll that they trust the EC, and 83% of them believing that the EC was prepared to conduct the election.<sup>37</sup>

Ms Mensa is assisted by two Deputies – Dr Bossman Asare (Deputy Chairman, Corporate) and Mr Samuel Tettey (Deputy Chairman, Operations). There are four other members of the commission: Mr Ebenezer Aggrey-Fynn, Mrs Hajia Sa-adata Maida, Mrs Rebecca Adjalo, and Ms Adwoa Abrefa.

In addition to the national office in Accra, the EC has sixteen regional offices and 266 district offices across the country.<sup>38</sup> The head office has seven departments and various units under them.<sup>39</sup>

Although members of the EC are appointed by the President, there are a number of measures put in place to promote the independence of the Commission, including the following:

- Article 46 of the 1992 constitution states that “in the performance of its functions, the Electoral Commission shall not be subject to the direction or control of any authority” except as provided in the constitution or any other law not inconsistent with the constitution

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<sup>37</sup> IRI & NDI, *Ghana Election Watch: December 2020 General Elections* (2 November 2020), page 5. Available at: [https://www.ndi.org/sites/default/files/Ghana%20Election%20Watch%20V4\\_0.pdf](https://www.ndi.org/sites/default/files/Ghana%20Election%20Watch%20V4_0.pdf)

<sup>38</sup> Electoral Commission of Ghana, <https://www.ec.gov.gh/mode-of-appointment/>

<sup>39</sup> Ibid



- The Chairman and the two Deputy Chairmen have permanent tenure of office and enjoy the same conditions of service as justices of the Superior Courts<sup>40</sup>
- The EC has the power to appoint its officers and other employees by acting in consultation with the Public Service Commission<sup>41</sup>
- The administrative expenses of the EC, including salaries, allowances and pensions are chargeable to the Consolidated Fund<sup>42</sup>

This level of independence allows greater room for the EC to effectively carry out its functions without undue political interference.

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<sup>40</sup> The Electoral Commission of Ghana,  
<https://www.ec.gov.gh/about-us/>

<sup>41</sup> Ibid

<sup>42</sup> Ibid; 1992 Constitution of Ghana, Article 54

# Political Parties and System

In the colonial period, there were some regional parties, notably the Northern People's Party, which by winning 15 of 26 seats in the Northern Region, became the first significant electoral opposition group in 1954.<sup>43</sup> However, in 1957 after Ghana attained independence, the Avoidance of Discrimination Act was passed which banned all parties and organisations that were confined to any racial, ethnic, or religious group.<sup>44</sup> Thus, the Northern People's Party merged with other opposition parties against the CPP to form the United Party under the leadership of Kofi Abrefa Busia.<sup>45</sup> The United Party was the only opposition party in Ghana until the ban on party politics was placed in 1964.<sup>46</sup>

The 1992 Constitution of Ghana lifted the ban on party politics and guaranteed the right to form political parties,<sup>47</sup> but similarly prohibited the formation of parties based on ethnic, religious, regional or other sectional divisions.<sup>48</sup> Currently, there are 27 registered political parties in the country,<sup>49</sup> and fourteen of them presented candidates for the 2020 general elections, including All People's Congress (APC), Convention People's Party (CPP), Ghana Freedom Party (GFP), Great Consolidated Popular Party (GCPP), Ghana Union Movement (GUM), Liberal Party of Ghana (LPG), National Democratic Congress (NDC), National Democratic Party (NDP), New Patriotic Party (NPP), People's Action Party

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<sup>43</sup> Minion Morrison and Jae Woo Hong, "Ghana's Political Parties: How Ethno/Regional Variations Sustain the National Two-Party System", *The Journal of Modern African Studies*, Vol 44, No 4 (Dec 2006), page 626

<sup>44</sup> "On October 13, 1957, The United Party Was Formed Under The Leadership Of Dr. K. A. Busia", *Edward A Ulzen Memorial Foundation* (13 October 2017). Available at: <https://www.eaumf.org/ejm-blog/2017/10/13/ta2pvuzhvi4mwdh1xfird4ybiqjnh1>

<sup>45</sup> *Ibid*

<sup>46</sup> *Ibid*

<sup>47</sup> 1992 Constitution of Ghana, Article 55(1)

<sup>48</sup> *Ibid*, Article 55(4)

<sup>49</sup> Electoral Commission of Ghana, *Electoral System of Ghana*. Available at: <https://www.ec.gov.gh/about-us/>

(PAP), People’s National Convention (PNC), Progressive People’s Party (PPP), United Front Party (UFP), and United Progressive Party (UPP).

One of the laws governing political parties in Ghana is the Political Parties Law Act 574 (2000). This law states that all parties must register with the EC before they are allowed to canvass for votes or put forward a candidate for an election.<sup>50</sup> A prospective political party must satisfy the EC that:

- the internal organisation of the party conforms with democratic principles and its actions and purposes are not inconsistent with the Constitution;
- the party has on its national executive committee one member from each region;
- the party has branches in all the regions and is organised in not less than two-thirds of the districts in each region;
- there is in each district at least one founding member of the party who is ordinarily resident in the district or is a registered voter in the district;
- the party's name, emblem, colour, motto or any other symbol has no ethnic, gender, regional, religious or other sectional connotation or gives the appearance that its activities are confined only to part of the country; and
- the party is not in breach of any of the provisions of the Political Parties Law Act.<sup>51</sup>

However, this law is not strictly enforced, as observers have noted that there are parties that do not contest in general elections, which breaches the requirement of having a presence across the country.<sup>52</sup> Yet the EC has failed to deregister them.

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<sup>50</sup> The Political Parties Law Act 574 (2000), sections 4-6

<sup>51</sup> EISA, *Ghana: Political party registration* (updated December 2012). Available at: <https://www.eisa.org/wep/ghaparties1.htm>

<sup>52</sup> Edward Acquah, “Ghanaians urge EC to enforce electoral laws”, *Graphic Online* (1 July 2019). Available at: <https://www.graphic.com.gh/news/general-news/ghana-news-ghanaians-urge-ec-to-enforce-electoral-laws.html>

Following registration, parties have a duty to report to the EC things such as source of funding, assets and liabilities, particulars of offices, records of the party, or such other information as is reasonably required by the Commission.<sup>53</sup> All of these ensure that the EC is able to exercise effective oversight over political parties. Political parties are also prohibited from receiving funds from non-citizens of Ghana.<sup>54</sup>

In addition to the Political Parties Law Act, a code of conduct was drawn up by CSOs together with political parties and the EC in 2000 (and amended in 2004).<sup>55</sup> In 2012, the Institute of Economic Affairs and the Ghana Political Parties Programme published a revised code of conduct, which was adopted by eight parties.<sup>56</sup> This code of conduct sets out rules guiding the conduct of political parties during campaigning, out-of-campaign activities, elections, and activities after declaration of results.<sup>57</sup> However, some observers have criticised the unenforceability of the code, pointing out that lack of legal sanctions have contributed to breaches of the code.<sup>58</sup>

Membership of a political party is not a requirement for contesting elections, as there were independent candidates during the 2020 elections, running for both presidential and parliamentary positions. However, the Constitution of Ghana requires an MP to vacate their seat if they leave the party through which they were elected, or if they were elected as an independent candidate and eventually join a political party.<sup>59</sup>

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<sup>53</sup> The Political Parties Law Act 574 (2000), sections 13, 14, 15, 18, 20, 21, and 22

<sup>54</sup> *Ibid*, section 23-24

<sup>55</sup> EISA, *Ghana: Political party code of conduct*. Available at: <https://www.eisa.org/wep/ghaparties3.htm>

<sup>56</sup> *Ibid*; The Institute of Economic Affairs, *Political Parties Code of Conduct 2012*. Available at: <https://www.idea.int/sites/default/files/tools/2012%20Code%20of%20Conduct%20for%20Political%20Parties.pdf>

<sup>57</sup> The Institute of Economic Affairs, *Political Parties Code of Conduct 2012*, *op. cit.*

<sup>58</sup> EISA, *Ghana: Political party code of conduct*, *op. cit.*

<sup>59</sup> 1992 Constitution of Ghana, Article 97(g) and (h)

# Electoral Inclusion

This section will outline the efforts that have been made by Ghana to promote the inclusion of three key groups – women, youth, and persons with disabilities – in the electoral process. It will also discuss challenges and recommendations for improvement.

## Women

The 1992 Constitution of Ghana guarantees freedom from discrimination on different grounds including sex,<sup>60</sup> and also permits affirmative action to end discrimination.<sup>61</sup> Ghana has also ratified international instruments such as the UN Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW) and the new Protocol to the African Charter on Women’s Rights.

Additionally, Ghana adopted the National Gender Policy in 2015. This policy expresses a commitment to women’s leadership and accountable governance, with the objective of enhancing the participation of women in leadership, governance, and decision-making at all levels.<sup>62</sup> Some of the strategies to achieve this are:

- Promote an enabling political environment and commitments that reaffirm increased political will for the state to achieve gender equality in all sustainable development frameworks;

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<sup>60</sup> 1992 Constitution of Ghana, Article 17

<sup>61</sup> Ibid, Article 17(4)

<sup>62</sup> Ministry of Gender, Children and Social Protection, *National Gender Policy* (May 2015), page 29

- Develop guidelines for mainstreaming women into decision-making processes at Metropolitan Municipal and District Assembly (MMDA) levels and into all public structures;
- Act on removing persisting barriers that militate against gender equality and women's empowerment by facilitating political declarations and political decisions for the inclusion of women;
- Implement the Affirmative Action Policy for the realisation of at least 40% representation of women in all structures, while advocating for the passage of an affirmative action legislation; and
- Promote social-accountability networks at all tiers of government, particularly at the MMDA level and across all citizen representation structures, where duty bearers will be made to demonstrate their responsiveness to the women's inclusion and participation and provision of service to all.<sup>63</sup>

While the National Gender Policy along with the Implementation Plan that was released in 2016 are commendable, observers have reported that there is confusion as to when the policy became operational, which has led to delays in its implementation.<sup>64</sup> Consequently, government policies and activities frequently do not align with the National Gender Policy.<sup>65</sup> An Affirmative Action Bill was also introduced in 2016 but was met with opposition, which is reminiscent of the Gender and Equal Opportunities Bill that is yet to be passed in Nigeria.

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<sup>63</sup> Ibid

<sup>64</sup> Charla Britt *et al*, *USAID/Ghana Gender Analysis Report* (20 April 2020), page 10. Available at: <https://banyanglobal.com/wp-content/uploads/2020/05/USAID-Ghana-Gender-Analysis-Report.pdf>

<sup>65</sup> Ibid

In order to enhance gender inclusion in the electoral process of Ghana, there needs to be political will to implement the National Gender Policy, particularly the commitment to 40% affirmative action in favour of women, as well as other international instruments promoting the rights of women, that have been ratified in Ghana. Other recommendations are that political parties should reach a broad, long-term agreement on gender-inclusive governance, and security agencies should be sensitised to gendered perspectives of elections, including violence against female candidates.<sup>66</sup>

## Youth

Over 60% of Ghanaians are under the age of 30,<sup>67</sup> which makes young people a significant part of the Ghanaian society. In order to empower the youth and create an enabling platform for them to contribute to national development, Ghana adopted the National Youth Policy in 2010. One of the priority areas of this Policy is Governance, Democracy, and Leadership, which involves promoting the active participation of youth in decision-making at all levels.<sup>68</sup>

The Policy also provides for special attention to be made to identifiable youth groups such as post-basic and secondary school drop-outs, students in tertiary institutions, out-of-school, unemployed, and under-employed youth, female youth, pregnant adolescent youth and education, youth in crime, youth at risk, youth with disabilities, and youth with special talents.<sup>69</sup>

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<sup>66</sup> Diana Hojlund Madsen, Kwesi Aning, and Kajsa Hallberg Adu, *A step forward but not guarantee of gender friendly policies*, NAI Policy Notes 2020:7, page 7. Available at: <http://nai.diva-portal.org/smash/get/diva2:1506621/FULLTEXT01.pdf>

<sup>67</sup> John D Fage, "Ghana", *op. cit.*

<sup>68</sup> Ministry of Youth and Sports, *National Youth Policy of Ghana* (August 2010), page 16. Available at: <http://ir.parliament.gh/bitstream/handle/123456789/564/GHANA%20YOUTH%20POLICY.pdf?sequence=1&isAllowed=y>

<sup>69</sup> *Ibid*, pages 19-20

However, it has been noted that this Policy, which was adopted over ten years ago, is outdated and over-run by technology and dramatic social changes.<sup>70</sup> Calls have been made for a review of the Policy, and in 2019 it was stated that the Commonwealth group would help Ghana develop a new evidence-based national youth policy.<sup>71</sup> However, two years later it does not appear that a revised Policy has been developed yet. In order to promote youth inclusion even further, it is important to develop new and innovative methods of engagement, particularly relating to technology and social media.

## Persons with Disabilities

The 1992 Constitution of Ghana confers certain rights on persons with disabilities (PWDs) to enable their participation and inclusion in public life.<sup>72</sup> Ghana also adopted a national disability policy in 2000, which provided the framework for the passing of Persons with Disability Act in 2006.<sup>73</sup> In 2012, Ghana ratified the UN Convention on the Rights of Persons with Disabilities (UNCRPD). For its part, the EC collects data on the visually impaired to enable the Commission provide them with tactile jackets, as well as those with amputated arms or fingers who cannot use the biometric system for accreditation.<sup>74</sup>

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<sup>70</sup> National Youth Authority, *Review 2010 youth policy*. Available at: <http://www.nya.gov.gh/review-2010-youth-policy>

<sup>71</sup> The Commonwealth, *Commonwealth to help Ghana develop a new youth policy* (15 February 2019). Available at: <https://thecommonwealth.org/media/news/commonwealth-help-ghana-develop-new-youth-policy>

<sup>72</sup> 1992 Constitution of Ghana, Article 29

<sup>73</sup> Factsheet – UPR 2017, Ghana. Available at: [https://www.upr-info.org/sites/default/files/general-document/pdf/disability\\_factsheet.pdf](https://www.upr-info.org/sites/default/files/general-document/pdf/disability_factsheet.pdf)

<sup>74</sup> “Insufficient Data On PWDs, A Threat To Inclusive Participation In Elections 2020”, *Penplusbytes* (24 July 2020). Available at: <http://penplusbytes.org/insufficient-data-on-pwds-a-threat-to-inclusive-participation-in-elections-2020/>



However, a CSO in Ghana, Penplusbytes, has noted that the absence of reliable data and tailor-made digital tools to aid PWDs poses a threat to inclusive participation and infringes on their right.<sup>75</sup> While the EC collects data on some PWDs, it does not collect data for others such as those with mental impairment, the deaf, and albinos.<sup>76</sup> In this light, observers have noted that Ghana only focuses on the physically disabled and neglects people with other forms of disabilities.<sup>77</sup>

To address this issue, the EC has an important role in ensuring that data is collected on people with different forms of disabilities, and tools are developed to adequately cater to these people. Other recommendations are for the EC to mount billboards that indicate that PWDs and older persons should be given preferential treatment during elections, as well as provide interpreters at polling centres for the deaf.<sup>78</sup> If these recommendations are adopted, the level of disability inclusion in the electoral process of Ghana should increase.

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<sup>75</sup> Ibid

<sup>76</sup> Ibid

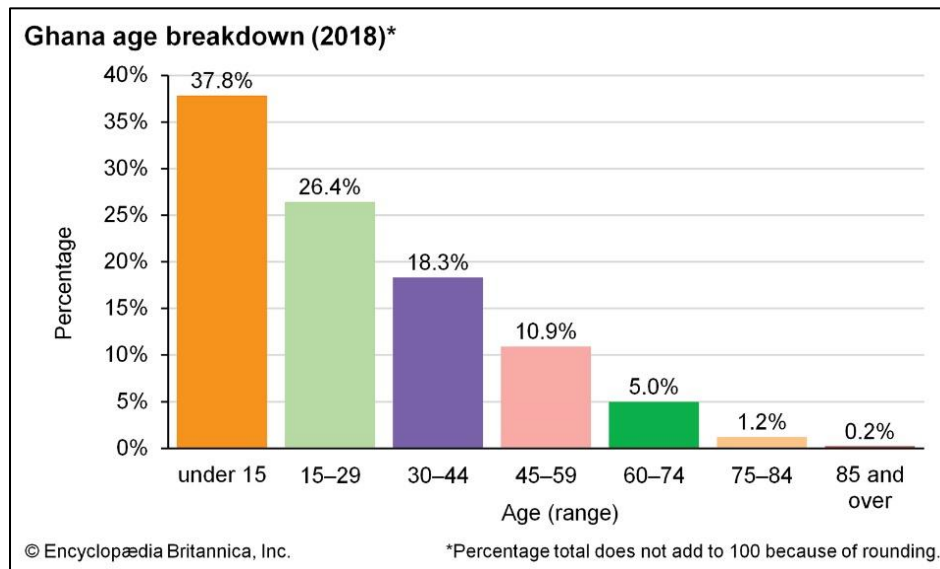
<sup>77</sup> Ibid

<sup>78</sup> Ibid

# Electorate

Ghana is a relatively small country, with a total population of 30,417,856 as at 2019 (15,001,771 female and 15,416,085 male).<sup>79</sup> The people of Ghana may be said to belong to one broad ethnic group, but there are many subgroups which can be divided into at least 75 on the basis of language.<sup>80</sup> The largest of these groups are the Akan (which includes the Anyi, Asante, Baule, Fante, and Guang), Mole-Dagbani, Ewe, Ga-Adangme, and Gurma.<sup>81</sup>

The population of Ghana is also predominantly young, with over 60% under the age of 30.<sup>82</sup> This shows that support from the youth is critical to election success, as the number of young registered voters (aged 18-35) is 9,375,515.<sup>83</sup> This figure is more than half of the total number of registered voters.



Source: *Encyclopaedia Britannica*<sup>84</sup>

<sup>79</sup> World Bank, Population, total – Ghana

<https://data.worldbank.org/indicator/SP.POP.TOTL?locations=GH>

<sup>80</sup> John D Fage, “Ghana”, *op. cit.*

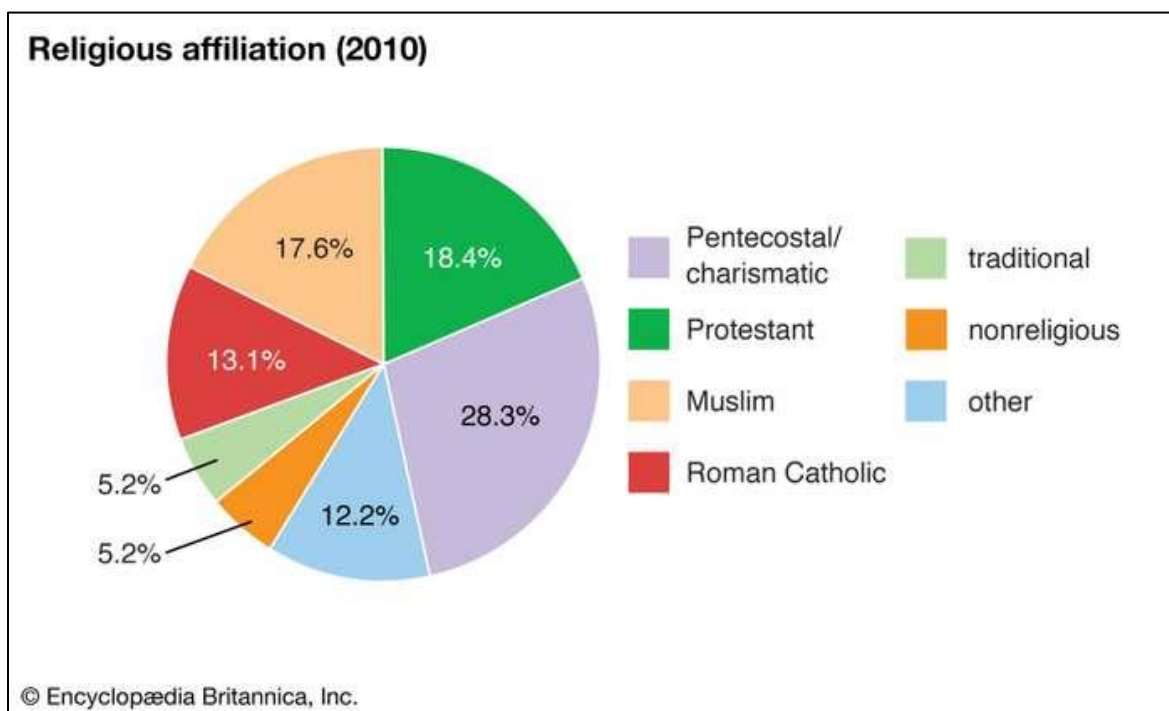
<sup>81</sup> *Ibid*

<sup>82</sup> *Ibid*

<sup>83</sup> Electoral Commission of Ghana, <https://www.ec.gov.gh/elections-gallery/>

<sup>84</sup> John D Fage, “Ghana”, *op. cit.*

More than one-half of the Ghanaian population is Christian, about one-fifth is Muslim, and a small segment adheres to the traditional indigenous religions.<sup>85</sup> Christian influence is most dominant in the southern part of the country, while Islam is strongest in the extreme north and in the larger urban centres, which contain some immigrant populations from Muslim regions of western Africa.<sup>86</sup>



*Source: Encyclopaedia Britannica<sup>87</sup>*

Majority of Ghanaians (56.1%) live in urban areas.<sup>88</sup> This explains why the declining support from the middle classes in Accra and other major cities toward the NPP was crucial to the outcome of the parliamentary election. This is discussed in more detail later in this paper.

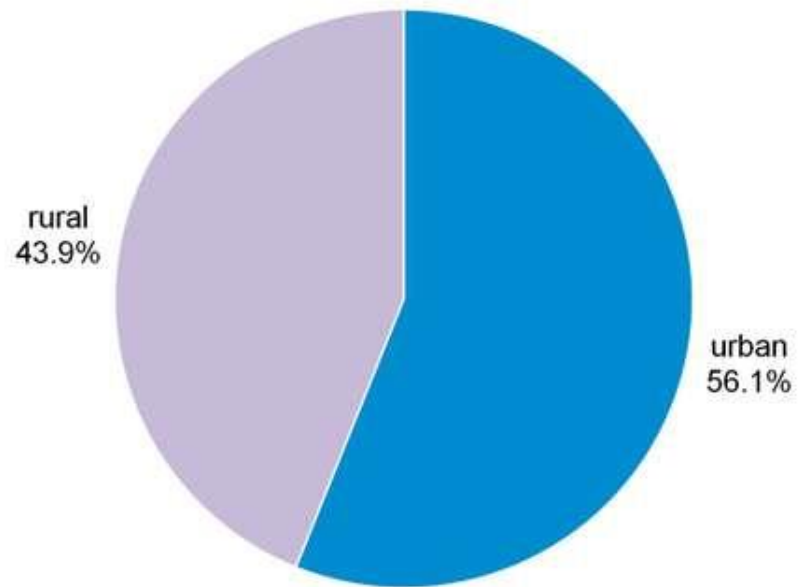
<sup>85</sup> Ibid

<sup>86</sup> Ibid

<sup>87</sup> Ibid

<sup>88</sup> Ibid

Ghana urban-rural (2018)



© Encyclopædia Britannica, Inc.

*Source: Encyclopaedia Britannica<sup>89</sup>*

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<sup>89</sup> Ibid

# 2020 General Elections

The Ghanaian general elections were conducted on 7 December 2020 to elect a president and 275 members of parliament. The presidential elections were contested by twelve candidates in total. However, it was essentially a two-horse race between the incumbent President, Nana Akufo-Addo of New Patriotic Party (NPP), and the former President, John Mahama of the National Democratic Convention (NDC).

On 10 December 2020, the EC, whose responsibility it is to announce election results, declared incumbent President Akufo-Addo winner of the contest. President Akufo-Addo won 51.3% of the votes cast, against Mr Mahama's 47.4%.<sup>90</sup>

## SUMMARY OF THE 2020 PRESIDENTIAL ELECTION RESULTS - WITHOUT TECHIMAN SOUTH CONSTITUENCY

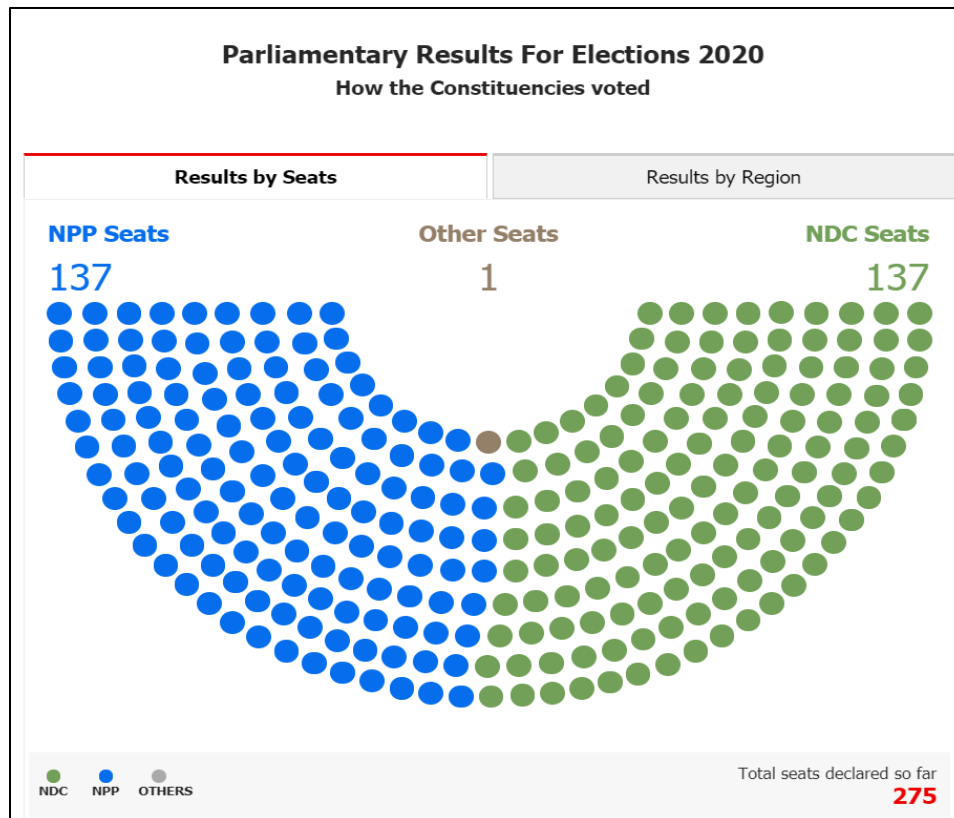
ORDER ON BALLOT	PARTIES	NAME OF CANDIDATES	VOTES OBTAINED	VOTES IN PERCENTAGES
1	NPP	Nana Addo Dankwa Akufo-Addo	6,730,587	51.302%
2	NDC	John Dramani Mahama	6,213,182	47.359%
3	GUM	Christian Kwabena Andrews	105,548	0.805%
4	CPP	Ivor Kobina Greenstreet	12,200	0.093%
5	GFP	Akua Donkor	5,574	0.042%
6	GCPP	Henry Herbert Lartey	3,564	0.027%
7	APC	Hassan Ayariga	7,138	0.054%
8	LPG	Percival Kofi Akpaloo	7,683	0.059%
9	PNC	David Asibi Ayindenaba Apasera	10,882	0.083%
10	PPP	Brigitte Akosua Dzogbenuku	6,849	0.052%
11	NDP	Nana Konadu Agyeman-Rawlings	6,549	0.050%
12	IND	Alfred Kwame Asiedu Walker	9,704	0.074%
Total Valid Votes			13,119,460	
Total Rejected Ballots			313,397	2.333%
Total Votes Cast			13,432,857	
Registered Voters			17,027,641	
Voter Turnout			79.0%	

*Source: Election Commission of Ghana<sup>91</sup>*

<sup>90</sup> Electoral Commission of Ghana, *Summary of the 2020 Presidential Election Results* (16 December 2020). Available at: <https://www.ec.gov.gh/summary-of-the-2020-presidential-election-results-without-techiman-south-constituency-results/>

<sup>91</sup> Ibid

The parliamentary election saw the NPP and the NDC emerge with 137 seats each, while an independent candidate won one seat.<sup>92</sup> This resulted in a hung parliament, where no party has a majority in the legislature.



Source: Ghana Web<sup>93</sup>

Turnout at the election was high, with 79% of registered voters coming out to vote.<sup>94</sup> Reports from observers were largely positive, as they judged the elections to be largely credible, transparent, and peaceful.<sup>95</sup>

<sup>92</sup> Ghana Web, *Parliamentary Results for Elections 2020*. Available at: <https://www.ghanaweb.com/GhanaHomePage/ghanaelection2020/elections.parliamentary.results.php>

<sup>93</sup> Ibid

<sup>94</sup> Electoral Commission of Ghana, *Summary of the 2020 Presidential Election Results*, *op. cit.*

<sup>95</sup> Commonwealth Observer Group, *Ghana Presidential and Parliamentary Elections 2020* (9 December 2020). Available at: <https://thecommonwealth.org/sites/default/files/inline/FINAL-PRELIMINARY->

# Implications of COVID-19

Ghana recorded its first two cases of coronavirus (COVID-19) on 12 March 2020.<sup>96</sup> Two weeks before the election, on 23 November 2020, there were 51,274 confirmed coronavirus cases and 323 deaths in Ghana.<sup>97</sup> On election day, 7 December 2020, there were 52,844 confirmed cases and 327 deaths.<sup>98</sup> Two weeks after the election, on 21 December 2020, there were 54,221 confirmed cases and 333 deaths.<sup>99</sup> This indicates that although there was a general increase in cases, the elections did not result in a drastic spike, as happened in other countries such as Malawi where the number of cases following the election almost doubled.<sup>100</sup>

Prior to the election, some of the measures that the Ghanaian government put in place to mitigate the effects of the virus were a partial lockdown, closure of schools, suspension of public gatherings, enforcement of social distancing, and enhanced hygiene measures.<sup>101</sup> The EC also introduced public health and safety protocols for election activities, such as voter registration and voting on election day. For voter registration, the EC adopted a queue management system to prevent overcrowding, whereby half of those present were attended to in the morning while the second half were asked to leave and return in the afternoon.<sup>102</sup> Other measures to prevent the spread of COVID-19 during voter registration included

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[STATEMENT.pdf](#); European Union (EU) Election Observation Mission, *Preliminary Statement* (9 December 2020). Available at: [https://eeas.europa.eu/sites/eeas/files/eucom\\_ghana\\_preliminary\\_statement\\_.pdf](https://eeas.europa.eu/sites/eeas/files/eucom_ghana_preliminary_statement_.pdf); IRI & NDI, *Ghana Election Watch*, *op. cit.*

<sup>96</sup> Ghana Health Service, [https://www.ghanahealthservice.org/covid19/downloads/covid\\_19\\_first\\_confirmed\\_GH.pdf](https://www.ghanahealthservice.org/covid19/downloads/covid_19_first_confirmed_GH.pdf)

<sup>97</sup> Ghana Health Service, [https://www.ghanahealthservice.org/covid19/archive\\_2020.php](https://www.ghanahealthservice.org/covid19/archive_2020.php)

<sup>98</sup> Ibid

<sup>99</sup> Ibid

<sup>100</sup> See *Elections and Covid-19: Lessons From Malawi's 2020 Presidential Election*, *op. cit.*, page 25

<sup>101</sup> Rafiq Raji, "Covid-19 and Ghana's December Elections", *Center for Strategic & International Studies* (26 August 2020). Available at: <https://www.csis.org/analysis/covid-19-and-ghanas-december-elections>

<sup>102</sup> Electoral Commission of Ghana, <https://twitter.com/ECGhanaOfficial/status/1280179642004054016/photo/1>

mandatory wearing of face masks, temperature checks, hand washing, provision of sanitisers, social distancing, and wiping of scanners with alcohol wipes before capturing fingerprints.<sup>103</sup>

In the same way, political parties and civil society adapted their campaign and outreach strategies to government public health guidelines.<sup>104</sup> For example, large rallies were often replaced by smaller outdoor events and more frequent door-to-door visits.<sup>105</sup>

With regard to voting on election day, the EC procured and distributed thermometer guns, veronica buckets, liquid soap, and sanitisers across polling stations in the country.<sup>106</sup> 10,000 new polling units were also created to prevent overcrowding at polling stations.<sup>107</sup> To encourage the public to follow these COVID-19 protocols, the EC put in place educational advertisements on TV and radio.<sup>108</sup> They also developed publicity materials and shared them on social media.

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<sup>103</sup> Ibid, <https://twitter.com/ECGhanaOfficial/status/1263142992854110208/photo/1>

<sup>104</sup> IRI & NDI, *Ghana Election Watch*, *op. cit.*, page 4

<sup>105</sup> EU Election Observation Mission, *Preliminary Statement* (9 December 2020), page 2. Available at: [https://eeas.europa.eu/sites/eeas/files/eueom\\_ghana\\_preliminary\\_statement.pdf](https://eeas.europa.eu/sites/eeas/files/eueom_ghana_preliminary_statement.pdf)

<sup>106</sup> Electoral Commission of Ghana, <https://twitter.com/ECGhanaOfficial/status/1329777246240911362>

<sup>107</sup> “COVID-19 precautions taken as polls open in Ghana’s general election”, *The Commonwealth* (7 December 2020). Available at: <https://thecommonwealth.org/media/news/covid-19-precautions-taken-polls-open-ghana's-general-election>

<sup>108</sup> Electoral Commission of Ghana, <https://twitter.com/ECGhanaOfficial/status/1329777246240911362>





*Publicity materials by the EC encouraging voters to comply with COVID-19 protocols<sup>109</sup>*

Finally, the EC appointed COVID-19 ambassadors in voting centres to take voters' temperature, ensure that they were wearing masks, and ensure that they washed/sanitised their hands.<sup>110</sup>

<sup>109</sup> Ibid, <https://twitter.com/ECGhanaOfficial/status/1335198541799677956/photo/1>

<sup>110</sup> Commonwealth Observer Group, *Ghana Presidential and Parliamentary Elections 2020*, op. cit.

On election day, it is therefore not surprising that voters duly complied with these protocols: observers reported that voters formed orderly queues, standing a metre apart from one another, and the entrance and exit to each polling booth was supplied with paper tissues and hand sanitisers.<sup>111</sup> This compliance with COVID-19 protocols is highly impressive, and it likely prevented a dramatic rise in coronavirus cases following the elections. This is something that should be emulated by other countries such as Nigeria in their conduct of elections during the pandemic.

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<sup>111</sup> IRI & NDI, *Ghana Election Watch, op. cit.*, page 4

# Lessons from the Election

Many lessons can be learned from the domestic and regional processes that were put in place before, during and after the elections from different angles.

## Strengths of the Election

### a. Role of the EC

The Electoral Commission of Ghana made a lot of improvements in this election, compared to the 2016 election. The IRI/NDI commended the EC for its openness and transparency in its procurement of election materials, as well as the “Let the Citizen Know” campaign, which allowed the Commission to speak directly to the citizens and also encourage public participation in the electoral process.<sup>112</sup> The increased transparency in the EC’s procurement process is particularly commendable, given that the Commission has long been accused of massive procurement irregularities.<sup>113</sup>

To ensure readiness for the election, the EC also recruited and trained more than 150,000 temporary staff.<sup>114</sup> Another commendable action was the biometric voter registration exercise which increased the number of registered voters from about 16.6 million to 17,027,641 as at the time of the election, and the harmonization of the voter register to ensure that missing names were ratified.<sup>115</sup> Although this process was not without its faults

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<sup>112</sup> IRI & NDI, *Ghana Election Watch*, *op. cit.*, page 4

<sup>113</sup> “Ghana elections: A hung parliament could haunt Nana Akufo-Addo”, *The Africa Report* (17 December 2020). Available at: <https://www.theafricareport.com/55613/ghana-elections-a-hung-parliament-could-haunt-nana-akufo-addo/>

<sup>114</sup> IRI & NDI, *Ghana Election Watch*, *op. cit.*

<sup>115</sup> *Ibid*

as there were pockets of violence in some areas (see below), it nevertheless contributed to the integrity and credibility of the election.

With regard to election day administration, observers noted that voting was well managed, voters were able to freely express their will, party agents were present in almost all polling stations, and integrity measures for the identification of voters were respected.<sup>116</sup> It was also noted that the EC completed technical preparations for the elections in a timely manner.<sup>117</sup> This efficient administration helped to improve the integrity and credibility of the election, which should in turn inspire trust and confidence in the electoral process. Nigeria can emulate these measures, in order to reduce voter fatigue and encourage more people to participate in elections.

## **b. Special Voting/Voting by Proxy**

The EC made provision for special voting, where the Ghana Police, military, media, election officials, and ambulance workers were allowed to vote a week to the election.<sup>118</sup> The EC stated that more than 100,000 registered voters would participate in the special voting.<sup>119</sup> This provision for special voting, together with other arrangements for voting by proxy in the Ghanaian electoral system, is a highly commendable act that can be emulated by Nigeria, as our elections currently disenfranchise millions of Nigerians who have election-day duties, such as police officers and INEC staff, as well as Nigerians in the diaspora. By making provisions for these people to vote early or by proxy, the EC rightly upheld their constitutional right to vote and also increased the legitimacy of the elections.

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<sup>116</sup> EU Election Observation Mission, *Preliminary Statement, op. cit.*, page 1

<sup>117</sup> *Ibid*

<sup>118</sup> “Ghana Election Special Voting list 2020: EC Ghana new voters register exclude 'Special Voters' from 7 Dec. 2020 election”, *BBC News* (28 November 2020). Available at: <https://www.bbc.com/pidgin/media-55040702>

<sup>119</sup> Xinhua, “Ghana opens special voting for general election”, *CGTN Africa* (1 December 2020). Available at: <https://africa.cgtn.com/2020/12/01/ghana-opens-special-voting-for-general-election/>

## c. Voter Turnout

Turnout during the election was particularly impressive, at 79%.<sup>120</sup> This is a relatively high figure, and a significant improvement from the 69% figure during the 2016 election.<sup>121</sup> This high level of turnout can be attributed to other strengths of the election such as efficient administration, public campaigns (e.g. Let the Citizen Know), and provisions for special voting/voting by proxy. Indeed, it is noteworthy that Ghana was able to achieve such a high level of turnout despite the COVID-19 pandemic. These are measures that should be emulated by Nigeria in order to drive turnout during its own elections, which have been particularly low (36% during the 2019 general election,<sup>122</sup> 33% during the Ondo 2020 governorship election,<sup>123</sup> and 25% during the Edo 2020 governorship election<sup>124</sup>).

## d. Independent Candidacy

The Constitution of Ghana allows independent candidacy, and the elections saw independent candidates running for positions in the presidential election and parliamentary elections. Indeed, one of the independent candidates won the election in his constituency. Since the other two parties hold an equal number of seats, this means that the balance of power effectively lies in the hands of the independent candidate.<sup>125</sup> This is even more true because, as discussed earlier, the majority of Ministers in Ghana must be from the legislature. The Africa Report has pointed out that this implies that “many ruling party MPs

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<sup>120</sup> Electoral Commission of Ghana, *Summary of the 2020 Presidential Election Results*, *op. cit.*

<sup>121</sup> Electoral Commission of Ghana, *Declaration of 2016 Presidential Election Results* (9 December 2016). Available at: <https://twitter.com/ECGhanaOfficial/status/807332823841513473>

<sup>122</sup> INEC Nigeria, *2019 Presidential Election: Declaration of Results* (23 February 2019). Available at: <https://www.inecnigeria.org/wp-content/uploads/2019/10/2019-GE-PRESIDENTIAL-ELECTION-RESULTS.pdf>

<sup>123</sup> INEC Nigeria, *Declaration of Result: Ondo State Governorship Election* (10 October 2020). Available at: <https://twitter.com/inecnigeria/status/1315955207499591680/photo/1>

<sup>124</sup> INEC Nigeria, *2020 Edo Governorship Election: Declaration of Results* (21 September 2020). Available at <https://twitter.com/inecnigeria/status/1308000156135165953>

<sup>125</sup> Ekow Annan, “Ghana’s NDC to challenge election result, Akufo-Addo era judges dominate court”, *The Africa Report* (30 December 2020). Available at: <https://www.theafricareport.com/56858/ghanas-ndc-to-challenge-election-result-akufo-addo-era-judges-dominate-court/>.

will often be away from parliament on ministerial duties making every close vote on any matter on which consensus across the aisle cannot be found a sure cliffhanger”.<sup>126</sup> This is likely to promote consensus building and more effective oversight in the legislature.<sup>127</sup> Nigeria can emulate this by passing its Independent Candidacy Bill which is currently in its National Assembly.<sup>128</sup>

## e. Electoral Inclusion

During the 2020 election, three women ran for presidency, up from one in 2016 (which was the first time a woman ran for President in Ghana). In 2020, for the first time a woman also stood as the Vice-Presidential candidate of a major party (the NDC). This increase in the number of female candidates is commendable and a great lesson for other countries to emulate. The percentage of women in parliament also increased following the election, albeit marginally, from 12.7% in 2016 to 13.1% in 2020.<sup>129</sup>

However, there is still more work to be done, as three female presidential candidates out of twelve is just 25%. This figure, as well as the 13.1% figure for the parliamentary election, is much lower than the 40% benchmark in the National Gender Policy of Ghana. It is therefore important to build on the gains for women in this election in order to increase gender inclusion even further in the next election.

With regard to youth, as discussed earlier more than half of the total number of registered voters are young people aged 18-35. It is commendable that the minimum age qualification for members of parliament is 21 years,<sup>130</sup> which is even lower than the 25-year age

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<sup>126</sup> “Ghana elections: A hung parliament could haunt Nana Akufo-Addo”, *op. cit.*

<sup>127</sup> *Ibid*

<sup>128</sup> James Kwen, “Reps clear way as Independent Candidacy Bill passes second reading”, *Business Day* (13 May 2020). Available at: <https://businessday.ng/news/article/reps-clear-way-as-independent-candidacy-bill-passes-second-reading/>

<sup>129</sup> World Bank, *Proportion of seats held by women in national parliaments (%) – Ghana*. Available at: <https://data.worldbank.org/indicator/SG.GEN.PARL.ZS?locations=GH>

<sup>130</sup> *Ibid*, Article 94(1)(a)

minimum in Nigeria following the passing of the Not Too Young To Run Act. In the 2020 elections, 27 year-old Francisca Oteng-Mensah, who first got into parliament at 23, made history by garnering 77,635 votes – the highest number of votes in any constituency.<sup>131</sup> This is a positive example that can be emulated by other young people in Ghana and other countries.

However, more efforts to promote inclusion are needed. The minimum age qualification for President of Ghana is 40, which automatically excludes young people.<sup>132</sup> As at 2012 only 15.3% of MPs were below 40 years and just 5.45% were below 35 years.<sup>133</sup> The age breakdown for MPs elected in 2020 is not yet available, but it is evident that young people are still in the minority. To build on the gains of young people such as Oteng-Mensah in this election, it is important to strengthen advocacy for the further electoral inclusion of youth.

For PWDs, the African Union notes that sign language was used for civic and voter education prior to the elections, and most of the polling stations observed (88.5%) were accessible to PWDs.<sup>134</sup> It was also noted that priority voting was given to PWDs.<sup>135</sup> However, there is lack of adequate data to ascertain the number of PWDs who actually voted or contested elections. As discussed earlier, the EC has an important role in ensuring that data is collected on people with different forms of disabilities, and tools are developed to adequately cater to them. It is also important to do more to ensure that all polling stations, not just most of them, are accessible to PWDs.

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<sup>131</sup> “Ghana’s youngest MP makes her constituency NPP’s new ‘World Bank’”, *Ghana Web* (15 December 2020). Available at: <https://www.ghanaweb.com/GhanaHomePage/NewsArchive/Ghana-s-youngest-MP-makes-her-constituency-NPP-s-new-World-Bank-1134101>

<sup>132</sup> 1992 Constitution of Ghana, Article 62(b)

<sup>133</sup> *Service Duration and Age of MPs*, <http://ghanamps.com/ancillarylinks/index.php?id=260>

<sup>134</sup> African Union, *Preliminary Statement: AU Election Observation Mission to the Presidential and Parliamentary Elections in the Republic of Ghana*, *op. cit.*

<sup>135</sup> *Ibid*

Ultimately, the elections were generally inclusive, albeit in varying degrees for women, youth, and PWDs. The measures to promote inclusion during this election should be strengthened in future elections so as to drive inclusion even further.

## **f. Influence of CSOs**

The NPP, which is the party of the incumbent President Akufo-Addo, was long perceived as the “darling of the middle classes”.<sup>136</sup> However, going by the election results, the party did not win in the capital, Accra, and some other major cities which are the centre of CSOs and the middle classes.<sup>137</sup> The poor performance of the party in these districts is attributed to running battles with CSOs over government projects perceived to be non-transparent and nepotistic, or lacking the requisite degree of elite consensus.<sup>138</sup> The declining support for the NPP in these regions was even more critical, as Greater Accra was the region with the highest number of voters (over 3 million) during the fresh voter registration exercise prior to the election.<sup>139</sup> Thus even though the NPP still managed to win the presidential election, their 63-seat majority in the parliament was wiped out. This reflects one of the key features of a representative democracy, which involves holding the government to account through methods such as voting in elections.

## **g. COVID-19 Protocols**

As discussed earlier, COVID-19 protocols such as social distancing, wearing of masks, and hand hygiene were followed during the election, which prevented a spike in cases. The EC also had a queue management system in place to moderate crowding as well as appointed COVID-19 ambassadors in voting centres to ensure voters comply with the laid out

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<sup>136</sup> “Ghana elections: A hung parliament could haunt Nana Akufo-Addo”, *op. cit.*

<sup>137</sup> *Ibid*

<sup>138</sup> *Ibid*

<sup>139</sup> “Ghana voter registration exercise: Ahead of Presidential and parliamentary elections, more than 15 million Ghanaians register to vote in December”, *BBC News* (7 August 2020). Available at: <https://www.bbc.com/pidgin/tori-53690208>



COVID-19 protocols. This is an area worthy of emulation, particularly in Nigeria where recent elections during the pandemic have been marked with lax enforcement of COVID-19 protocols.<sup>140</sup>

## **Weaknesses of the Election**

### **a. Irregularities**

Despite massive improvements in election day administration, there were still some irregularities. According to the EU Election Observation Mission, during the election “the secrecy of the vote was not always ensured, mainly due to poor layout of polling stations”.<sup>141</sup> They also noted that while counting was transparent, it was not well organised and procedures were frequently not followed.<sup>142</sup>

Even after the election, there were irregularities notably in the declaration of results. It has been reported that the EC corrected figures of the 2020 polls at least five times after its declaration and subsequent publishing on its website.<sup>143</sup> Such actions reduce the credibility of the elections and have led to speculations that there were some underhand dealings before the results were declared in favour of President Akufo-Addo.<sup>144</sup>

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<sup>140</sup> See *Deepening Democracy: Lessons from Edo State 2020 Governorship Election*, Electoral Hub Technical Paper 1/2020. Available at: <https://electoralhub.iriadev.org/wp-content/uploads/2020/09/TECHNICAL-PAPER-Lessons-from-Edo-State-Governorship-Election.pdf>; *Deepening Democracy: Lessons from Ondo State 2020 Governorship Election*, Electoral Hub Technical Paper 2/2020. Available at: <https://electoralhub.iriadev.org/wp-content/uploads/2020/10/ELECTORAL-HUB-TECHNICAL-PAPER-on-Lessons-and-Result-Analysis-of-the-Ondo-State-Governorship-Election.pdf>

<sup>141</sup> EU Election Observation Mission, *Preliminary Statement, op. cit.*, page 1

<sup>142</sup> Ibid

<sup>143</sup> Ekow Annan, “Ghana’s NDC to challenge election result, Akufo-Addo era judges dominate court”, *op. cit.*

<sup>144</sup> Ibid

In order to increase trust and confidence in the electoral process, it is important to reduce irregularities and inconsistencies during vote collation, counting, and declaration to the barest minimum. This can be done by increasing the quality of training for staff, as well as adopting electronic systems for vote collation and results transmission in order to reduce inconsistencies.

## **b. Two-Party System**

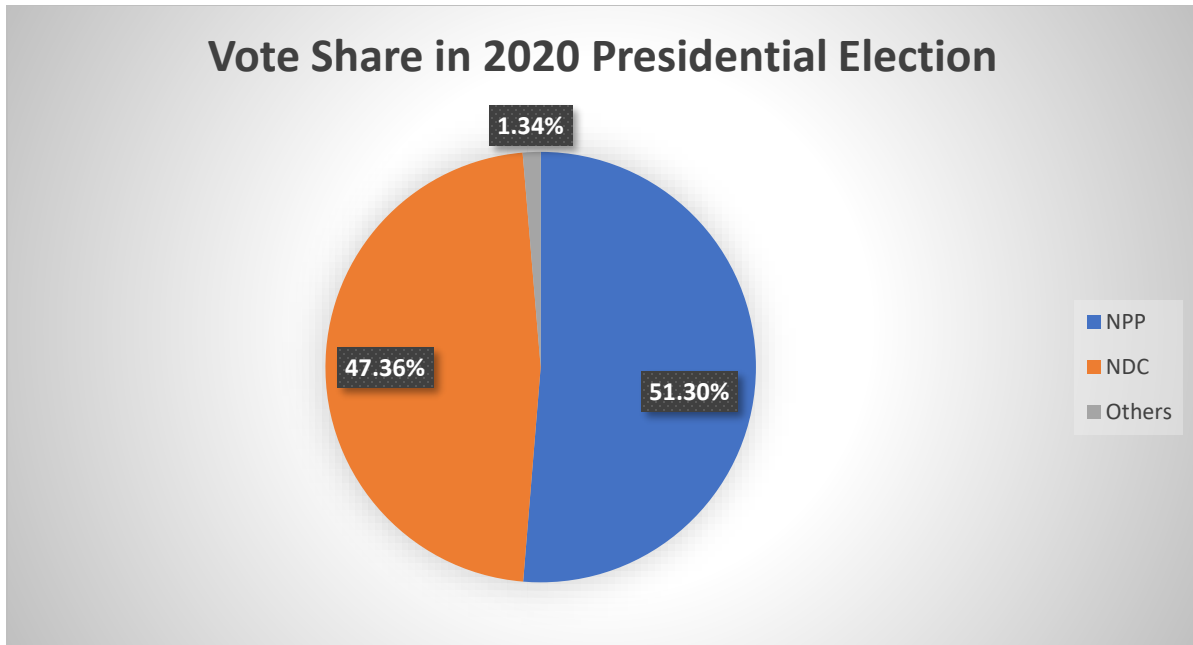
As discussed earlier, Ghana operates a multi-party democracy having 27 registered political parties. However, the 2020 presidential election was like others in the past, dominated by two prominent parties – the NDC and the NPP. They have remained the leading parties in election contests in Ghana since 1992.<sup>145</sup> As a result, presidential candidates from the other ten parties were only able to get 1.34% of the vote combined. The situation was even worse for the parliamentary election, as the NDC and NPP are the only two parties represented in the National Assembly. This is similar to Nigeria where elections are dominated by the All Progressives Congress (APC) and the People’s Democratic Party (PDP).

As recommended in an earlier paper by the Electoral Hub, the media has a crucial part to play in ensuring that each candidate/party is given equal attention during the campaign period, so as to enable the citizens make an informed choice between all the candidates, not just the dominant two.<sup>146</sup>

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<sup>145</sup> *Statement of the Joint IRI/NDI Pre-Election Mission to Ghana* (1 November 2016). Available at: <https://www.iri.org/resource/statement-joint-irindi-pre-election-mission-ghana>

<sup>146</sup> *Deepening Democracy: Lessons from Edo State 2020 Governorship Election*, *op. cit.*, page 7



### **c. Violence/Malpractices**

It has been noted that Ghana has a history of transparent and inclusive polls, as well as peaceful transfers of power.<sup>147</sup> However, before the elections there were reported issues around security operations in the country. The issues were regarding the establishment of the vigilante security system as an alternative source of security. Like other countries of Africa who are facing different security challenges, it is said that the Ghana state security services are no longer trusted by many citizens to protect them. Hence, politicians are still using vigilante groups for personal security.<sup>148</sup> According to the IRI/NDI, the violence that marred the Ayawaso West Wuogon constituency by-election in January 2019 spurred the passage of the Vigilantism and Related Offences Act in September 2019.<sup>149</sup> This was aimed at addressing and mitigating vigilante violence, but the law is said to be weak and incapable of providing enough enforcement against perpetrators of violence.

<sup>147</sup> IRI & NDI, *Ghana Election Watch*, *op. cit.*, page 3

<sup>148</sup> *Ibid*, page 8

<sup>149</sup> *Ibid*

During the voter registration exercise prior to the election, there were violent incidents, and there were calls for the arrest of these individuals to serve as an important deterrent ahead of election day.<sup>150</sup> CSOs and peace campaigners also expressed fear that tensions could escalate if leaders of political parties did not call for peace.<sup>151</sup> Some of the efforts at peace making included a peace walk concert titled “I stand for peace election 2020” organised by musician, Stonebwoy on 28 November 2020.<sup>152</sup>

Despite these efforts, on election day there was an incident in Techiman South which affected the parliamentary election in that constituency. The EC announced the NPP candidate, Martin Adjei Mensah Korsah, as the winner, but the NDC alleged that the military and national security officials forced the EC officials to declare results in favour of the NPP.<sup>153</sup> This disagreement escalated to violence, leading to the death of at least three persons, and the injury of others.<sup>154</sup>

Furthermore, the outcomes of at least three seats including Techiman South, Zabzugu and Sefwi Wiawso were disputed by the NDC, while the results of the Banda and Savelugu seats, which the NDC won by slim margins, were challenged by the NPP.<sup>155</sup> Therefore, although the elections were said to be relatively peaceful, these pockets of violence and allegations of malpractices serve to reduce the integrity and credibility of the elections. To avoid situations like this, security agencies must ensure that the election environment is adequately safeguarded.

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<sup>150</sup> Ibid

<sup>151</sup> “History of Ghana: Elections 2020 things you for know about Ghana”, *BBC News* (6 December 2020). Available at: <https://www.bbc.com/pidgin/media-55120390>

<sup>152</sup> “I stand for peace election 2020: Stonebwoy peace walk concert for Ghana election on 7 December – Foto”, *BBC News* (28 November 2020). Available at: <https://www.bbc.com/pidgin/tori-55112942>

<sup>153</sup> “Ghana 2020 elections: John Mahama of NDC blame EC for Techiman shooting ask Jean Mensa to resign”, *BBC News* (17 December 2020). Available at: <https://www.bbc.com/pidgin/tori-55344709>

<sup>154</sup> Ekow Annan, “Ghana’s NDC to challenge election result, Akufo-Addo era judges dominate court”, *op. cit.*

<sup>155</sup> Ibid

## d. Rejection of Outcome

Despite reports from observers that the elections were credible and transparent, immediately after the EC announced the result of the elections Mr Mahama called a press conference in his party's secretariat where he vowed to challenge the outcome of the result, accusing the Commission of presiding over a "fraudulent outcome".<sup>156</sup> The report further stated that NDC lawyers were already auditing the results sheets from the country's 38,000 polling stations, and would decide on the next steps which could include a challenge to the official results at the Supreme Court.<sup>157</sup>

This action is reminiscent of Donald Trump's refusal to concede defeat in the 2020 US elections. Such resistance from defeated candidates heightens tensions that could escalate to violence in the post-election period, as happened in the US where pro-Trump rioters invaded the US Capitol building.<sup>158</sup> To avoid situations like this, candidates should be willing to concede defeat after elections so as ensure the peace and security of the nation.

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<sup>156</sup> Patrick Smith, "Ghana elections: John Mahama to fight on after rejecting Nana Akufo-Addo victory", *The Africa Report* (11 December 2020). Available at: <https://www.theafricareport.com/54833/ghana-elections-john-mahama-to-fight-on-after-rejecting-nana-akufo-addo-victory/>

<sup>157</sup> Ibid

<sup>158</sup> Charlie Savage, "Incitement to Riot? What Trump Told Supporters Before Mob Stormed Capito", *New York Times* (updated 12 January 2021). Available at: <https://www.nytimes.com/2021/01/10/us/trump-speech-riot.html>; Dan Barry, Mike McIntire and Matthew Rosenberg, "'Our President Wants Us Here': The Mob That Stormed the Capitol", *New York Times* (updated 13 January 2021). Available at: <https://www.nytimes.com/2021/01/09/us/capitol-rioters.html>

# Conclusion

Given that the health of a democracy is largely dependent of the effectiveness of its electoral systems and processes, it is important to ensure that the integrity and credibility of elections is not hampered by COVID-19. As Ghana has shown, it is possible to conduct credible elections during the pandemic without having a dramatic rise in cases. Based on the strengths and weaknesses of the election as discussed in this paper, the following is a summary of our recommendations on how different stakeholders in Nigeria can uphold electoral integrity and credibility:

- The Independent National Electoral Commission (INEC), which is the main EMB in Nigeria, can reduce irregularities and inconsistencies during elections by increasing the quality of training for staff, as well as adopting electronic systems for vote collation and results transmission.
- INEC and the media can drive voter turnout through public campaigns to inform citizens and encourage participation.
- INEC should promote the inclusion of people with different forms of disabilities which might not be visible, such as intellectual disabilities.
- The national legislature in Nigeria, the National Assembly, should work with INEC to make provisions for special/absentee voting for people who have election-day duties, in order to uphold their constitutional right to vote and also increase the legitimacy of elections.
- The executive and political parties should make efforts towards affirmative action for women.

- The National Assembly should pass the Independent Candidacy Bill in order to promote consensus building and more effective oversight in the legislature.
- The media should ensure that each candidate/party is given equal attention during the campaign period, so as to enable the citizens make an informed choice between all the candidates.
- Candidates should be willing to concede defeat after elections so as de-escalate tensions and ensure the peace and security of the nation.
- Security agencies must ensure that the election environment is adequately safeguarded in order to reduce electoral violence and other malpractices.
- CSOs should advocate for greater electoral inclusion of women, youth, and PWDs in the electoral process. One of the ways in which they can do this is by engaging with INEC and political parties to implement the various laws and policies aimed at promoting inclusion.
- The general public should hold governments to account by utilising the power of their vote during elections.
- INEC and the general public should ensure that COVID-19 protocols are followed on election day.



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