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SUPREME COURT OF GHANA

IN THE SUPERIOR COURT OF JUDICATURE
IN THE SUPREME COURT OF JUSTICE
ACCRA- A.D. 2021

WRIT NO. J1/5/2021

ARTICLE 64 OF THE CONSTITUTION AND SUPREME COURT RULES, 1996 (C.I. 16) (AS AMENDED BY C.I. 74 & C.I. 99)

AMENDED PRESIDENTIAL ELECTION PETITION

PURSUANT TO LEAVE GRANTED BY THIS COURT ON 14TH JANUARY, 2021
PRESIDENTIAL ELECTION HELD ON THE 7TH DAY OF DECEMBER, 2020

BETWEEN

JOHN DRAMANI MAHAMA) PETITIONER
No. 33 Chain Homes)
Airport Valley Drive, Accra)
GL-128-5622

AND

1. ELECTORAL COMMISSION) 1ST RESPONDENT
National Headquarters, Accra)

2. NANA ADDO DANKWA AKUFO-ADDO) 2ND RESPONDENT
H/No. 2, Onyaa Crescent)
Nima, Accra

WITNESS STATEMENT OF PETER MAC MANU,2ND RESPONDENT'S LAWFUL ATTORNEY

1. My name is Peter Mac Manu. I am an entrepreneur and the New Patriotic Party Campaign Manager for the 2020 General

Election. I live at House No.11, 3rd Central Link, NTHC Estates, Adjirigano, East Legon, Accra.

2. By Power of Attorney, dated 15th January 2021, 2nd Respondent appointed me to testify in this Presidential Election Petition on his behalf. Annexed herewith is a copy of the Power of Attorney marked ***'Exhibit 2nd Respondent -1'***.

3. I wish to state from the onset that the Petition is without merit and based on unfounded and misconceived assertions.

4. The election was conducted across 38,622 polling stations in Ghana and 311 special voting centers. In each of the polling stations and special voting centres, the votes were cast, counted and the results declared in the presence of representatives of the candidates, counting agents, voters, the general public and, in most instances, the media, local and international observers.

5. My Lords, upon the announcement of results, copies were posted at the various polling stations and the candidates' representatives were given copies of the Statement of Poll and Declaration for the Office of President (***Form Eight B-'Pink Sheet'***), in accordance with the law governing Presidential Election.

6. I note that the Petition does not disclose any attack on the validity of the election held throughout the 38,622 polling stations and 311 special voting centres, or any of the processes I have stated in paragraphs 4 & 5.

7. In point of fact, Petitioner's allegations of ***"wrong aggregation of votes"*** and "***vote padding***" are empty, and collectively involve about ***6,622 votes*** – this is a sum patently insignificant to materially affect the outcome of an election in which 2nd Respondent defeated Petitioner by well over ***500,000 votes***.

8. Even though Petitioner claims that no candidate obtained more than 50% of the total number of valid votes cast at the election, Petitioner does not state any factual basis for that unfounded claim. He does not state the number of valid votes or percentage thereof that he obtained in the election, or the number of votes or percentage thereof that 2nd Respondent obtained in the election; nor does he state the total number of valid votes cast to support the allegations and request for the so-called *"second election with Petitioner and 2nd Respondent as the candidates"*.

9. My Lords, the Petition is largely conjectural and borne out of Petitioner's unfounded imagination, and also the material facts in the Petition do not support the reliefs sought.

10. Further, Petitioner has mounted his attack on insignificant inaccuracies and slips in the *"declaration of the results"* of the election, rather than the validity of the election and the actual results thereof. These slips and errors did not affect the outcome of the election, and I say that 2nd Respondent won the Presidential Election of 7th December, 2020.

11. In sum, Petitioner's deliberate failure or calculated refusal to recognize these simple, logical and self-evident matters has led Petitioner erroneously to seek a *"second election"* based on insignificant errors and false and empty suppositions that neither Petitioner nor 2nd Respondent met the threshold of more than 50% of the total number of valid votes cast at the 2020 Presidential Election.

12. My Lords, what is rather conspicuous and significant is that Petitioner has not been able to make any claim in his Petition in respect of the exact number of valid votes he obtained and the total number of valid votes cast in favour of 2nd Respondent.

13. Indeed, my Lords, Petitioner very well knows that 2nd Respondent obtained more than 50% of the total number of valid votes cast at the 2020 Presidential Election, that is why he deliberately avoids mentioning any figures.

14. My Lords, the statement annexed by Petitioner as Exhibit "A" to his Petition is not an instrument made by 1st Respondent under Article 63(9) of the Constitution,1992.

15. My Lords, I wish to state emphatically that the corrections of the errors by 1st Respondent in its statement on 9th December, 2020 were made within the authority of 1st Respondent.

16. The correction effected by 1st Respondent on 10th December, 2020, provides a proper reckoning of the percentage of votes obtained by 2nd Respondent using the *"valid votes cast"* rather than *"total votes cast"* and shows that 2nd Respondent obtained more than 50% of the total number of valid votes cast.

17. The persistent reliance by Petitioner on errors contained in the 9th December, 2020 statement by 1st Respondent further confirms the lack of any basis for the Petition.

18. My Lords, the evidence of the outcome of the election is the announcement of the results at all the **38,622** polling stations and the **311** special voting centres, used for the conduct of the election, which Petitioner does not question in the Petition.

19. I wish to state that the bold assertion that *"a total of One Hundred point Three percent (100.3%)"* is yielded from the percentages announced by 1st Respondent on 9th December, 2020, is based on the innocuous error 1st Respondent made inadvertently in reading the percentage of votes secured by 2nd Respondent as **51.595%** instead of **51.295%** and that, when a proper reckoning is done based on the correct percentage of **"51.295%"** secured by 2nd Respondent, the total percentage is 100%.

20. I deny paragraphs 15,16&17 of the Petition and emphasize again that Petitioner's claims are mischievously anchored on a harmless slip by 1st Respondent in interchanging *"total votes cast"* for *"total valid votes"*, when announcing the various percentages obtained by each candidate on 9th December, 2020.

21. The endeavour by Petitioner to generate his own percentage as well as that of 2nd Respondent from total votes cast, is disingenuous, as Petitioner very well knows or ought to know that it is only "**total valid votes**" that is used in determining the results of an election.

22. My Lords, when the total valid votes cast are used as the denominator, 2nd Respondent will still be the outright winner of the election by more than 50%, even if by statistical projection, the votes of all the 128,018 registered voters in Techiman South Constituency were to be added to Petitioner's votes.

23. Further and in any event, the addition by Petitioner of all the votes of the total registered voters in Techiman South Constituency to the valid votes of Petitioner (resulting in an alleged reduction of 2nd Respondent's valid votes to 49.624%) is a deliberately misleading exercise in futility, as the exact number of votes actually obtained by each candidate in the Techiman South Constituency Presidential Election was known as at the time of filing the Petition and same is annexed as an exhibit to the Petition. Annexed herewith is a copy of the Collation Sheet for Techiman South Constituency marked '***Exhibit 2nd Respondent 2***'.

24. The Petitioner therefore cannot legitimately make any extrapolations from all the voters in Techiman South Constituency, because the Petition ought to be based on facts and not extrapolations and suppositions.

25. When the number of votes obtained by each candidate in Techiman South Constituency is factored into the results declared by 1st Respondent on 9th December, 2020, 2nd Respondent's percentage of the total number of valid votes cast is still well over 51%, a fact that Petitioner has not questioned in the Petition.

26. The Petitioner's persistent and false claim of being entitled to the votes of all registered voters in Techiman South Constituency, contrary to Petitioner's knowledge that the actual results from that Constituency were declared shortly after 1st Respondent's statement of 9th December 2020, is not only bizarre but defies reason and is a deliberate attempt to mislead this Honourable Court.

27. To the best of my knowledge 1st Respondent regularly conducted the Presidential Election in accordance with the Constitution, 1992 and the enabling law.

28. I repeat emphatically that Petitioner has neither challenged the conduct of the election itself nor the validity of the election.

29. According to 1st Respondent the adjustments in the numbers attributed to the various candidates and the consequent percentages thereof are based on 1st Respondent's correction of minor errors made based on further accurate information from four Constituencies from the Greater Accra Region. In any event, the margin of 1,001 votes contained in the alleged error, cannot, under any circumstances, affect the outcome of the election, even if added to Petitioner's votes and subtracted from the votes attributed to 2nd Respondent.

30. I, therefore, say that the innocuous errors in the Declaration and Press Release by 1st Respondent, which are, immaterial, do not meet the "***materiality***" threshold needed to warrant a challenge to the validity of the results of a regularly conducted election.

31. I say that 1st Respondent has clearly explained the reason for the adjustment of the figures announced on 9th December, 2020, and must add that that allegation (like all others), even if proven, has no material effect on the outcome of the election regularly conducted throughout the country.

32. I deny the statements in paragraphs 31, 32, 33, 34 & 35 of the Petition, and say that on Petitioner's own showing the difference between the National Democratic Congress (NDC)'s calculation and 1st Respondent's calculation, as per the allegation of "wrong aggregation" of votes, is a paltry **960** votes. A careful scrutiny of Petitioner's Exhibit E attached to the Petition shows that the 960 votes were not credited to any of the candidates in the election and thus, did not affect the results of the election. Further the 960 votes were a result of incorrect summation of the valid votes and the rejected votes and this arithmetic slip has absolutely no effect on the total number of valid votes obtained by each candidate.

33. The total number of votes involved in Petitioner's wild claim of "vote padding" is a negligible ***5,662 votes***.

34. My Lords, the instant action is a ruse and a face-saving gimmick by Petitioner, after Petitioner and many senior members of his NDC party had prematurely pronounced outright victory in the election, only to be badly exposed by results of 1st Respondent, corroborated by most media houses worthy of note in the country as well as many independent local and international observers. Annexed herewith is the Coalition of Domestic Election Observers' (CODEO) Statement on the Official Results of the 2020 Presidential Elections dated 10th December 2020 and 15th December 2020 respectively and the European Union Observer Mission (EU OM) Preliminary Statement dated 9th December 2020 marked '***Exhibits 2nd Respondent -3,4 & 5***'.

35. The Petitioner's conduct and that of other leading members of the NDC in proclaiming outright victory with an alleged percentage of over 51%, only to now come to this Honorable Court and pray for "*a second election with Petitioner and 2nd Respondent as the candidates*", was contrived to mislead the people of Ghana, and shows that from the outset, Petitioner and his party leaders knew that they had lost the Presidential Election. Annexed herewith are pen drives of videos of leading members of the National Democratic Congress in their various press engagements declaring Petitioner as having won the Presidential Elections marked ***'Exhibit 2nd Respondent 6'.***

I accordingly pray the Court to dismiss entirely all the reliefs sought by Petitioner.

.....

PETER MAC MANU

THE REGISTRAR
SUPREME COURT,
ACCRA.

-AND TO THE ABOVE NAMED

1. **PETITIONER OR HIS LAWYER, TONY LITHUR ESQ, LITHUR BREW & CO, NO. 110B, 1ST KANDA CLOSE, KANDA, ACCRA.**
2. **1ST RESPONDENT OR ITS LAWYER, JUSTIN AMENUVOR ESQ., AMENUVOR & ASSOCIATES, NO. 8 II ODARTEY OSRO STREET, KUKU HILL, OSU, ACCRA.**

Filed on 22-9-2021
at 2:50 am/pm
Registrar
SUPREME COURT OF GHANA

IN THE SUPERIOR COURT OF JUDICATURE
IN THE SUPREME COURT OF JUSTICE
ACCRA- A.D. 2021

WRIT NO. J1/5/2021

ARTICLE 64 OF THE CONSTITUTION AND SUPREME COURT RULES, 1996 (C.I. 16) (AS AMENDED BY C.I. 74 & C.I. 99)

AMENDED PRESIDENTIAL ELECTION PETITION

PURSUANT TO LEAVE GRANTED BY THIS COURT ON 14TH JANUARY, 2021 PRESIDENTIAL ELECTION HELD ON THE 7TH DAY OF DECEMBER, 2020

BETWEEN

JOHN DRAMANI MAHAMA No. 33 Chain Homes Airport Valley Drive, Accra GL-128-5622	)	PETITIONER

AND

2. ELECTORAL COMMISSION National Headquarters, Accra	)	1ST RESPONDENT
2. NANA ADDO DANKWA AKUFO-ADDO H/No. 2, Onyaa Crescent Nima, Accra	)	2ND RESPONDENT

STATEMENT OF TRUTH

I, Peter Mac Manu of House No. 11, 3rd Central Link, NTHC Estates, Adjirigano, East Legon, Accra hereby affirm that the Statements contained in my Witness Statement are true.

DATED AT ACCRA THIS 22nd DAY OF JANUARY, 2021.

.....

PETER MAC MANU

THE REGISTRAR
SUPREME COURT,
ACCRA.

-AND TO THE ABOVE NAMED

1. **PETITIONER OR HIS LAWYER, TONY LITHUR ESQ, LITHUR BREW & CO, NO. 110B, 1ST KANDA CLOSE, KANDA, ACCRA.**
2. **1ST RESPONDENT OR ITS LAWYER, JUSTIN AMENUVOR ESQ., AMENUVOR & ASSOCIATES, NO. 8 II ODARTEY OSRO STREET, KUKU HILL, OSU, ACCRA.**

LVD GAST 13741/2021

POWER OF ATTORNEY

THIS POWER OF ATTORNEY is given the 15TH day of January 2021 by me, **NANA ADDO DANKWA AKUFO-ADDO,** of No. 02, Onyaa Crescent, Nima, Accra,

1. **I, HEREBY, APPOINT PETER MAC MANU** of House No. 11, 3rd Central Link, Adjirigano, NTHC Estate, East Legon,, Accra, as my true and lawful attorney and, in my name and on my behalf, to do the following acts or things or any of them as he shall, in my interest, as 2nd Respondent in the Presidential Election Petition, Writ No. J1/5/2021, think proper: namely,

   (1). to represent me and give evidence on my behalf in Writ No. J1/5/2021;

   (2) to tender documents on my behalf in the Presidential Election Petition.

   (3). generally to do such other lawful acts and things as my Attorney may think reasonable for the attainment of the above purposes, as fully and properly as I would do.

2. **AND I HEREBY AGREE** to ratify and confirm all and whatsoever my said Attorney shall lawfully do or cause to be done in accordance with this power of attorney.

IN WITNESS WHEREOF I HAVE HEREUNTO SET MY HAND AND NAME THE DAY ANDYEAR FIRST ABOVE WRITTEN

SIGNED by **NANA ADDO DANKWA AKUFO-ADDO** In the presence of:)

.....
DEPONENT

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SWORN AT ACCRA THIS 22ND DAY OF JANUARY 20 21
BEFORE ME
COMMISSIONER FOR OATHS
K. T. ANNUR

WITNESS:

Name: KWAKU ASIRIFI

Occupation: LAWYER

Address: P.O.BOX 207, ACCRA.

BEFORE ME

K. T. ANNOR
P. O. BOX 14303
ACCRA, GHANA
0544909779
COMMISSIONER FOR OATHS
05/11/2021

COMMISSIONER FOR OATHS

DATE	

"EXH 2" "RESPONDENT-2"

Public Elections Regulations, 2020
FORM TEN **C.I.127**
(regulations 44 (7)(c), (d), (e), (g), (h), 44 (8), 44 (9) and 44 (9)(a))

PRESIDENTIAL ELECTION RESULTS SUMMARY SHEET

NAME OF CONSTITUENCY TECHIMAN SOUTH **REGION** BONO EAST

S/N	NAME OF CANDIDATE (In the order in which they appear on the Ballot Paper)	VOTES OBTAINED (IN FIGURES)	VOTES OBTAINED (IN WORDS)
1.	NANA ADDO DANKWA AKUFO-ADDO	46379	FORTY-SIX THOUSAND THREE HUNDRED AND SEVENTY-NINE
2.	JOHN DRAMANI MAHAMA	52034	FIFTY-TWO THOUSAND AND THIRTY-FOUR
3.	CHRISTIAN KWABENA ANDREWS	720	SEVEN HUNDRED AND TWENTY
4.	IVOR KOBINA GREENSTREET	46	FORTY-SIX
5.	AKUA DONKOR	24	TWENTY-FOUR
6.	HENRY HERBERT LARTEY	16	SIXTEEN
7.	HASSAN AYARIGA	54	FIFTY-FOUR
8.	KOFI PERCIVAL AKPALOO	24	TWENTY-FOUR
9.	DAVID APASERA	45	FORTY-FIVE
10.	BRIGITTE DZOGBENUKU	19	NINETEEN
11.	NANA KONADU AGYEMAN-RAWLINGS	29	TWENTY-NINE
12.	ALFRED KWAME ASIEDU WALKER	46	FORTY-SIX
A.	TOTAL VALID BALLOTS	97227	NINETY SEVEN THOUSAND TWO HUNDRED AND TWENTY SEVEN
B.	TOTAL REJECTED BALLOTS	2209	TWO THOUSAND TWO HUNDRED AND NINE
C.	TOTAL VOTES CAST	99436	NINETY-NINE THOUSAND FOUR HUNDRED AND THIRTY-SIX

DECLARATION

We, the undersigned, do hereby declare that the results shown above are true and accurate account of the ballots in this Constituency

NANA AMANEMA FREMPAH — *Name of Returning Officer*

Signature — 9/12/20 *Date* — 2:99 PM *Time*

S/N	NAME OF CANDIDATE'S AGENT	NAME OF CANDIDATE	SIGNATURE OF AGENT
1.	ADANE KINARTENG	NANA ADDO DANKWA AKUFO-ADDO	
2.		JOHN DRAMANI MAHAMA	
3.		CHRISTIAN KWABENA ANDREWS	
4.	EVANS ISAAC	IVOR KOBINA GREENSTREET	
5.		AKUA DONKOR	
6.		HENRY HERBERT LARTEY	
7.		HASSAN AYARIGA	
8.		KOFI PERCIVAL AKPALOO	
9.		DAVID APASERA	
10.		BRIGITTE DZOGBENUKU	
11.		NANA KONADU AGYEMAN-RAWLINGS	
12.		ALFRED KWAME ASIEDU WALKER	

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SWORN AT ACCRA THIS ... DAY OF ... 20...
BEFORE ME
COMMISSIONER FOR OATHS

ELECTORAL COMMISSION
P. O. BOX M 214
ACCRA

FOR IMMEDIATE RELEASE

CODEO'S STATEMENT ON THE OFFICIAL RESULTS OF THE 2020 PRESIDENTIAL ELECTIONS

CONTACT
Mr. Albert Arhin
CODEO National Coordinator
Phone: +233 (0) 24 474 6791 / (0) 20 822 1068
Secretariat: +233 (0) 244 350 266/ 0277 744 777
Email: info@codeoghana.org
Website: www.codeoghana.org

Thursday, December 10, 2020
Accra, Ghana

Introduction

On Sunday, December 6, 2020, the Coalition of Domestic Election Observers (CODEO), in its press statement, communicated to the nation its intention to once again employ the Parallel Vote Tabulation (PVT) methodology to observe the 2020 presidential election, just as it did in 2008, 2012 and 2016. The PVT methodology is a reliable tool available to independent and non-partisan citizens' election observer groups around the world for verifying the accuracy of official presidential elections results. In keeping with our protocols, which is that CODEO releases its PVT findings after the official results have been announced by the Electoral Commission, CODEO is here to release its PVT estimates for the presidential election. CODEO's PVT estimates for the presidential results form part of its comprehensive election observation activities for the 2020 elections that covered voter registration exercise, pre-election environment observation for three months (September to November), and election day observation.

The PVT Methodology

The PVT is an advanced and scientific election observation technique that combines well-established statistical principles and Information Communication Technology (ICT) to observe elections. The PVT involves deploying trained accredited Observers to a nationally representative random sample of polling stations. On Election-Day, PVT Observers observe the entire polling process and transmit reports about the conduct of the polls and the official vote count in real-time to a central election observation database, using the Short Message Service (SMS) platform.

The PVT technique has been deployed successfully around the world to promote electoral integrity and help defend the rights of citizens to vote and to protect such rights when exercised. The first PVT was conducted in the Philippines in 1986. Since then, the methodology has been deployed in election observation in Bulgaria, Chile, Croatia, Guyana, Albania, Bangladesh, Belarus, Indonesia, Georgia, Macedonia, Slovakia, Montenegro, Nicaragua, Panama, Peru and Ukraine. In Africa, the methodology has been deployed successfully in Madagascar, Malawi, Mozambique, Uganda, Burundi, Sierra Leone, Zambia, Ghana, Nigeria, Zimbabwe, Burkina Faso, Cote d'Ivoire, Kenya and Tunisia.

Unlike pre-election surveys (which track voter intentions) or exit polls (which track voter re-collections), the PVT is based on the actual behavior of electorates in an election. In other words, PVT Observers do not speak to voters about the choices they made at the polls to predict the outcome of an election. Rather, after observing the entire voting and counting process, PVT Observers record

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the official vote count as announced by election officials at polling stations and rapidly transmit this information to an observation center via coded text message. Consequently, the PVT data is collected directly from polling stations.

PVT in Ghana in Retrospect

CODEO applied the PVT methodology for the first time in its election observation work in the year 2008 and has since used it in all subsequent presidential elections, including the current one (i.e. 2012, 2016 and 2020). As presented in Tables 1 to 3, CODEO's previous PVT estimates of the presidential election results have been consistent with the official results announced by the EC in 2008, 2012 and 2016 *(See Appendix A, Tables A1 to A4)*. Similarly, CODEO's PVT voter turnout and rejected ballot rates in the previous elections have also been consistent with figures announced by the EC *(See Appendix A, Table A5)*.

The 2020 PVT Estimates of the Presidential Election

By midnight of December 7, 2020, CODEO had received data of vote count from its **1,502 PVT** Observers who were deployed to a nationally representative random sample of polling stations located in every region and constituency of the country. CODEO at this point can confidently verify the outcomes of the presidential election results as announced by the EC. The findings presented in this statement are based on data received from all **1,502** PVT polling stations across the **275** constituencies in the country's **16** regions. The data was thoroughly checked for accuracy and internal consistency.

Table 1 below shows the percentages of the valid votes garnered by each of the twelve presidential candidates announced by the EC compared to the PVT estimates. In general, each candidate's official result closely matches the PVT estimate and falls within the estimated confidence of 95% range and the associated margin of error. Also, the PVT ranking of the presidential candidates based on their share of the valid votes received is largely similar to what was put out by the EC.

Table 1: EC Official Results and CODEO PVT Estimates (2020 Presidential Election)

Candidate	Party	EC Official Results	CODEO PVT Estimates		
			Estimate	Error Margin	Confidence Range
Nana Addo Dankwa Akufo-Addo	NPP	**51.302%**	**50.98%**	±1.20%	49.78% --- 52.18%
John Dramani Mahama	NDC	**47.359%**	**47.66%**	± 1.19%	46.47% --- 48.85%
Christian Kwabena Andrews	GUM	**0.805%**	**0.80%**	± 0.05%	0.75% --- 0.85%
Ivor Kobina Greenstreet	CPP	**0.093%**	**0.09%**	± 0.01%	0.08% --- 0.10%
David Asibi Ayindenaba Akpasera	PNC	**0.083%**	**0.11%**	± 0.05%	0.06% --- 0.16%
Alfred Kwame Asiedu Walker	IND.	**0.074%**	**0.07%**	± 0.01%	0.06% --- 0.08%
Percival Kofi Akpaloo	LPG	**0.059%**	**0.07%**	± 0.01%	0.06% --- 0.08%
Hassan Ayariga	APC	**0.054%**	**0.05%**	± 0.01%	0.04% --- 0.06%
Brigitte Akosua Dzogbenuku	PPP	**0.052%**	**0.06%**	± 0.01%	0.05% --- 0.07%
Nana Konadu Agyeman Rawlings	NDP	**0.050%**	**0.05%**	± 0.01%	0.04% --- 0.06%
Akua Donkor	GFP	**0.042%**	**0.05%**	± 0.01%	0.04% --- 0.06%
Henry Herbert Lartey	GCPP	**0.027%**	**0.03%**	± 0.01%	0.02% --- 0.04%

***Note:** PVT estimate margin of error is based on a 95% confidence level.*

Aside the fact that the PVT estimates of candidates' vote share received generally match the EC's official results, the PVT estimated rejected ballots of **2.25%** with a margin of error of **±0.11%** is also consistent with the EC's figure of **2.33%**. The official voter turnout rate of **79.0%** announced by the EC is slightly outside the PVT voter turnout confidence range based on the estimated turnout rate of **79.69%** and error margin of **±0.46%** (Table2). It is worth noting, however, that this could be due to exclusion of the outstanding results from Techiman South Constituency with a total number of 128,018 registered voters.

Table 2: EC Official Turnout and Rejected Ballot Rates and CODEO PVT Estimates (2020 Presidential Election)

Candidate	EC Official Results	CODEO PVT Estimates		
		Estimate	Error Margin	Confidence Range
Voter Turnout Rate	**79.00%**	**79.69%**	±0.46%	79.23% --- 80.15%
Rejected Ballot Rate	**2.33%**	**2.25%**	± 0.11%	2.14% --- 2.36%

Note: PVT estimate margin of error is based on a 95% confidence level.

Conclusions

Given that the official result announced by the Electoral Commission for each candidate falls within their respective PVT estimated confidence ranges, CODEO can confidently confirm that its PVT estimates are consistent with the official presidential election results.

Not only do CODEO's PVT estimates match the official results of the EC, but our Observers also reported that the two main parties (NDC and NPP) had party agents at over **99%** of polling stations and that both NDC and NPP party agents also signed the official declaration of polls and were given copies of those documents.

Further, evidence from CODEO's PVT Observers showed that on December 7, 2020 voting and counting were conducted as per relevant electoral laws, with no significant incidents related to the voting process *(Refer to CODEO's Preliminary Statement)*. In that statement, CODEO noted that the arrangements put in place by the Electoral Commission from setup, voting to counting of ballots at polling stations were generally adequate and credible. In that statement, CODEO also projected a voter turnout and rejected ballot rates of approximately **80.0%** and **2.0%**, respectively, which has been re-confirmed in today's statement of CODEO's PVT estimates on the presidential results. Indeed, the EC official voter turnout and rejected ballot rates are largely consistent with the PVT projections. CODEO's pre-election environment observation reports also noted a generally peaceful electoral environment, with political parties focusing their campaigns on policy and developmental issues, with a few incidents of use of abusive or inflammatory language recorded.

Thus, CODEO's pre-election and election day observation reports as well as our PVT data should give Ghanaians confidence the results declared by the Electoral Commission reflect how Ghanaians voted in the December 7 presidential polls. Accordingly, CODEO advises the contestants in the presidential election, their supporters, and the general public to place confidence in the official presidential results as declared by the Electoral Commission. We encourage any party or candidate with issues about the presidential results to peacefully resolve these through proper legal and procedural channels. CODEO appeals to Ghanaians to remain calm, law-abiding and allow the systems to work.

CODEO further commends the maturity shown by Ghanaians throughout the voting, counting, and collating processes. CODEO deeply regrets the isolated cases of violence at some polling stations and constituency collation centers, which led to the loss of lives. CODEO expresses its condolences to the bereaved families, and wishes the injured citizens a speedy recovery.

Ladies and Gentlemen, please be assured that CODEO's comprehensive election observation activities are not over yet. CODEO will continue to observe the post-election environment, and also organize a stakeholder review session(s) to draw lessons from the just concluded 2020 elections to inform future elections.

On behalf of the Advisory Board of CODEO and all its member organizations, we would like to thank the thousands of Ghanaians across the country that volunteered to serve as nonpartisan election Observers and the technical team who worked tirelessly to protect the integrity of the December 7,

2020 polls. CODEO also commends the security agencies for their professionalism in maintaining peace during voting, counting, and collation of results. The Coalition acknowledges and commends other stakeholders, including other local and international observer groups, and the entire population for the high sense of comportment during the elections.

CODEO would also like to acknowledge the generous support of the American people through the United States Agency for International Development (USAID). The Coalition further acknowledges the additional support of the STAR-Ghana Foundation with funding from UKAID and the European Union.

GOD BLESS OUR HOME LAND GHANA!!!!!

Signed:

Sheikh Arimiyawo Shaibu
Acting Chair, CODEO
(For and on Behalf of the Advisory Board)
CODEO Secretariat
Thursday, December 10, 2020

APPENDIX A

PARALLEL VOTE TABULATION RESULTS FOR PRESIDENTIAL ELECTIONS IN 2008, 2012, AND 2016

Table A1: Official EC Results and CODEO PVT Estimates for the 2008 Presidential Election (Round One)

Candidate	Party	EC Official Result	CODEO PVT Estimate	CODEO PVT Margin of Error
Nana Addo Dankwa Akufo-Addo	NPP	49.1%	49.8%	±1.60%
Prof. John Evans Atta Mills	NDC	47.9%	47.4%	±1.60%
Dr. Papa Kwesi Nduom	CPP	1.30%	1.30%	±0.10%
Dr. Edward Nasigre Mahama	PNC	0.90%	0.80%	±0.20%
Emmanuel Ansah-Antwi	DFP	0.30%	0.30%	±0.00%
Kwesi Amoafo-Yeboah	INDEPENDENT	0.20%	0.20%	±0.01%
Kwabena Adjei	RDP	0.10%	0.10%	±0.00%
Thomas Ward-Brew	DPP	0.10%	0.10%	±0.00%

Note: PVT estimate margin of error is based on a 95% confidence level.

Table A2: Official EC Results and CODEO PVT Estimates for the 2008 Presidential Election (Run-off)

Candidate	Party	EC Official Result	CODEO PVT Estimate	CODEO PVT Margin of Error
Prof. John Evans Atta Mills	NDC	50.13%	50.19%	±1.70%
Nana Addo Dankwa Akufo-Addo	NPP	49.87%	49.81%	±1.70%

Note: PVT estimate margin of error is based on a 95% confidence level.

Table A3: Official EC Results and CODEO PVT Estimates for the 2012 Presidential Election

Candidate	Party	EC Official Result	CODEO PVT Estimate	CODEO PVT Margin of Error
John Dramani Mahama	NDC	50.70%	51.38%	±1.33%
Nana Addo Dankwa Akufo-Addo	NPP	47.74%	47.17%	±1.35%
Dr. Papa Kwesi Nduom	PPP	0.59%	0.53%	±0.04%
Henry Herbert Lartey	GCPP	0.35%	0.34%	±0.02%
Ayariga Hassan	PNC	0.22%	0.18%	±0.03%
Michael Abu Sakara Foster	CPP	0.18%	0.18%	±0.02%
Jacob Osei Yeboah	INDEPENDENT	0.14%	0.13%	±0.02%
Akwasi Addai Odike	UFP	0.08%	0.08%	±0.01%

Note: PVT estimate margin of error is based on a 95% confidence level.

Table A4: Official EC Results and CODEO PVT Estimates for the 2016 Presidential Election

Candidate	Party	EC Official Result	CODEO PVT Estimate	CODEO PVT Margin of Error
Nana Addo Dankwa Akufo-Addo	NPP	53.85%	53.75%	±1.29%
John Dramani Mahama	NDC	44.40%	44.32%	±1.25%
Dr. Papa Kwesi Nduom	PPP	1.00%	1.07%	±0.16%
Ivor Kobina Greenstreet	CPP	0.24%	0.27%	±0.04%
Dr. Edward Mahama	PNC	0.21%	0.26%	±0.10%
Nana Konadu Agyeman-Rawlings	NDP	0.16%	0.18%	±0.04%
Jacob Osei Yeboah	IND.	0.15%	0.15%	±0.03%

Note: PVT estimate margin of error is based on a 95% confidence level.

Table A5: Official EC Figures and CODEO PVT Estimates for Voter Turnout and Rejected Ballots

	EC Official Figure	PVT Estimate	PVT Error Margin
2008 Voter Turnout Rate (Round 1)	69.5%	69.9%	--
2008 Rejected Ballot Rate (Round 1)	2.4%	2.2%	--
2008 Voter Turnout Rate (Run-off)	72.4%	72.3%	--
2008 Rejected Ballot Rate (Run-off)	1.02%	1.00%	--
2012 Voter Turnout Rate	79.43%	78.68%	±0.58%
2012 Rejected Ballot Rate	--	--	--
2016 Voter Turnout Rate	68.62%	69.33%	±0.48%
2016 Rejected Ballot Rate	1.54%	1.60%	±0.09%

APPENDIX B

2020 PARALLEL VOTE TABULATION SAMPLING METHODOLOGY

Introduction

In 2020 PVT, CODEO employed a nationally representative sample of 1,502 polling stations drawn from the official list of polling stations provided by the Electoral Commission. The sampled polling stations are spread across the 275 constituencies located with the 16 regions of the country. To ensure national representativeness, the sample was stratified at the regional and constituency levels.

We first arranged all 275 constituencies, together with their respective number of polling stations in each of the 16 regions. We then obtained the cumulative number of polling stations across the country. Based on the number of polling stations in each constituency across the 16 regions, we worked out the percentage share of each constituency in the total number of polling stations in the country. Subsequently, we used the estimated percentage shares to work out how much of the targeted 1,502 PVT polling stations should be allocated to each constituency.

The final stage of the sampling process is the random selection of actual polling stations for each constituency based on the number of polling stations allocated to it through the stratification processes (see Table B1).

Table B1: Distribution of National and Sampled Polling Stations | by region & constituency | 2020

Region	Constituency	Polling Stations Across 16 Regions of Ghana		PVT Sampled Polling stations	
		Number	% Share	Number	% Share
AHAFO	Asunafo North	196	0.5%	8	0.5%
	Asunafo South	123	0.3%	5	0.3%
	Asutifi North	104	0.3%	4	0.3%
	Asutifi South	92	0.2%	4	0.3%
	Tano North	129	0.3%	5	0.3%
	Tano South	140	0.4%	5	0.3%
ASHANTI	Adansi Asokwa	90	0.2%	3	0.2%
	Fomena	68	0.2%	3	0.2%
	New Edubiase	116	0.3%	4	0.3%
	Afigya Kwabre North	83	0.2%	3	0.2%
	Afigya Kwabre South	198	0.5%	8	0.5%
	Ahafo Ano North	132	0.3%	5	0.3%
	Ahafo Ano South-East	82	0.2%	3	0.2%
	Ahafo Ano South West	91	0.2%	4	0.3%
	Akrofuom	65	0.2%	3	0.2%
	Odotobri	138	0.4%	5	0.3%
	Manso Adubia	142	0.4%	5	0.3%
	Manso Nkwanta	130	0.3%	5	0.3%
	Asante Akim Central	114	0.3%	4	0.3%
	Asante Akim North	110	0.3%	4	0.3%
	Asante Akim South	161	0.4%	6	0.4%
	Asawase	207	0.5%	8	0.5%
	Asokwa	182	0.5%	7	0.5%
	Atwima Kwanwoma	234	0.6%	9	0.6%
	Atwima Mponua	201	0.5%	8	0.5%
	Atwima Nwabiagya North	151	0.4%	6	0.4%
	Atwima Nwabiagya South	187	0.5%	7	0.5%
	Bantama	166	0.4%	6	0.4%
	Bekwai	186	0.5%	7	0.5%
	Bosome Freho	86	0.2%	3	0.2%
	Bosomtwe	192	0.5%	7	0.5%
	Ejisu	206	0.5%	8	0.5%
	Ejura Sekyedumase	165	0.4%	6	0.4%
	Juaben	87	0.2%	3	0.2%
	Kwabre East	281	0.7%	11	0.7%
	Kwadaso Municipal	196	0.5%	8	0.5%
	Mampong	141	0.4%	5	0.3%
	Manhyia North	137	0.4%	5	0.3%
	Manhyia South	109	0.3%	4	0.3%

	Nhyiaeso	167	0.4%	6	0.4%
	Obuasi East	109	0.3%	4	0.3%
	Obuasi West	136	0.3%	5	0.3%
	Offinso South	167	0.4%	6	0.4%
	Offinso North	121	0.3%	5	0.3%
	Oforikrom	230	0.6%	9	0.6%
	Old Tafo	142	0.4%	5	0.3%
	Sekyere Afram Plains	61	0.2%	2	0.1%
	Nsuta/Kwamang/Beposo	112	0.3%	4	0.3%
	Effiduase/Asokore	97	0.2%	4	0.3%
	Kumawu	76	0.2%	3	0.2%
	Afigya Seyere East	147	0.4%	6	0.4%
	Suame	214	0.6%	8	0.5%
	Subin	170	0.4%	7	0.5%
BONO	Banda	45	0.1%	2	0.1%
	Berekum East	131	0.3%	5	0.3%
	Berekum West	60	0.2%	2	0.1%
	Dormaa Central	135	0.3%	5	0.3%
	Dormaa East	87	0.2%	3	0.2%
	Dormaa West	58	0.1%	2	0.1%
	Jaman North	110	0.3%	4	0.3%
	Jaman South	132	0.3%	5	0.3%
	Sunyani East	256	0.7%	10	0.7%
	Sunyani West	195	0.5%	8	0.5%
	Tain	150	0.4%	6	0.4%
	Wenchi	136	0.3%	5	0.3%
BONO EAST	Atebubu/Amantin	177	0.5%	7	0.5%
	Kintampo North	167	0.4%	6	0.4%
	Kintampo South	129	0.3%	5	0.3%
	Nkoranza North	88	0.2%	3	0.2%
	Nkoranza South	156	0.4%	6	0.4%
	Pru East	100	0.3%	4	0.3%
	Pru West	77	0.2%	3	0.2%
	Sene East	68	0.2%	3	0.2%
	Sene West	84	0.2%	3	0.2%
	Techiman South	265	0.7%	10	0.7%
	Techiman North	110	0.3%	4	0.3%
CENTRAL	Abura Asebu Kwamankese	156	0.4%	6	0.4%
	Agona East	130	0.3%	5	0.3%
	Agona West	191	0.5%	7	0.5%
	Ajumako Enyan Esiam	164	0.4%	6	0.4%
	Asikuma/Odoben/Brakwa	148	0.4%	6	0.4%
	Assin Central	95	0.2%	4	0.3%
	Assin North	100	0.3%	4	0.3%
	Assin South	125	0.3%	5	0.3%
	Awutu Senya East	293	0.8%	11	0.7%
	Awutu Senya West	198	0.5%	8	0.5%
	Cape Coast North	126	0.3%	5	0.3%
	Cape Coast South	112	0.3%	4	0.3%
	Effutu	143	0.4%	6	0.4%
	Ekumfi	96	0.2%	4	0.3%
	Gomoa Central	117	0.3%	5	0.3%
	Gomoa East	204	0.5%	8	0.5%
	Gomoa West	167	0.4%	6	0.4%
	Hemang Lower Denkyira	84	0.2%	3	0.2%
	Komenda Edina Eguafo Abrem	193	0.5%	7	0.5%
	Mfantseman	221	0.6%	9	0.6%
	Twifo Atti Morkwa	121	0.3%	5	0.3%
	Upper Denkyira East	152	0.4%	6	0.4%
	Upper Denkyira West	103	0.3%	4	0.3%
EASTERN	Abuakwa North	97	0.2%	4	0.3%
	Abuakwa South	111	0.3%	4	0.3%
	Achiase	71	0.2%	3	0.2%
	Afram Plains South	120	0.3%	5	0.3%
	Akropong	146	0.4%	6	0.4%
	Akuapem South	105	0.3%	4	0.3%
	Ofoase/Ayirebi	108	0.3%	4	0.3%
	Asene/Manso/Akroso	97	0.2%	4	0.3%
	Asuogyaman	145	0.4%	6	0.4%
	Atiwa East	77	0.2%	3	0.2%
	Atiwa West	70	0.2%	3	0.2%
	Ayensuano	124	0.3%	5	0.3%
	Akim Oda	92	0.2%	4	0.3%

	Abirem	103	0.3%	4	0.3%
	Akim Swedru	54	0.1%	2	0.1%
	Akwatia	117	0.3%	5	0.3%
	Fanteakwa North	130	0.3%	5	0.3%
	Fanteakwa South	85	0.2%	3	0.2%
	Kade	153	0.4%	6	0.4%
	Afram Plains North	126	0.3%	5	0.3%
	Abetifi	141	0.4%	5	0.3%
	Mpraeso	124	0.3%	5	0.3%
	Nkawkaw	172	0.4%	7	0.5%
	Lower Manya Krobo	156	0.4%	6	0.4%
	New Juaben North	94	0.2%	4	0.3%
	New Juaben South	190	0.5%	7	0.5%
	Nsawam/Adoagyiri	193	0.5%	7	0.5%
	Okere	97	0.2%	4	0.3%
	Suhum	159	0.4%	6	0.4%
	Upper Manya Krobo	114	0.3%	4	0.3%
	Upper West Akim	111	0.3%	4	0.3%
	Lower West Akim	135	0.3%	5	0.3%
	Yilo Krobo	158	0.4%	6	0.4%
GREATER ACCRA	Ablekuma Central	306	0.8%	12	0.8%
	Ablekuma North	283	0.7%	11	0.7%
	Ablekuma South	197	0.5%	8	0.5%
	Ablekuma West	215	0.6%	8	0.5%
	Ada	92	0.2%	4	0.3%
	Sege	89	0.2%	3	0.2%
	Adentan	304	0.8%	12	0.8%
	Ashaiman	351	0.9%	14	0.9%
	Odododiodioo	259	0.7%	10	0.7%
	Ayawaso Central	187	0.5%	7	0.5%
	Ayawaso East	113	0.3%	4	0.3%
	Ayawaso North	129	0.3%	5	0.3%
	Ayawaso West Wuogon	207	0.5%	8	0.5%
	Anyaa/Sowutuom	293	0.8%	11	0.7%
	Dome/Kwabenya	356	0.9%	14	0.9%
	Trobu	281	0.7%	11	0.7%
	Bortianor-Ngleshie Amanfro	225	0.6%	9	0.6%
	Domeabra-Obom	106	0.3%	4	0.3%
	Amasaman	300	0.8%	12	0.8%
	Korle Klottey	222	0.6%	9	0.6%
	Kpone-Katamanso	252	0.6%	10	0.7%
	Krowor	233	0.6%	9	0.6%
	Dadekotopon	254	0.7%	10	0.7%
	Madina	307	0.8%	12	0.8%
	Ledzokuku	342	0.9%	13	0.9%
	Ningo Prampram	193	0.5%	7	0.5%
	Okaikwei Central	139	0.4%	5	0.3%
	Okaikwei North	162	0.4%	6	0.4%
	Okaikwei South	197	0.5%	8	0.5%
	Shai-Osudoku	138	0.4%	5	0.3%
	Tema Central	143	0.4%	6	0.4%
	Tema East	235	0.6%	9	0.6%
	Tema West	280	0.7%	11	0.7%
	Weija-Gbawe	235	0.6%	9	0.6%
NORTH EAST	Bunkpurugu	99	0.3%	4	0.3%
	Chereponi	80	0.2%	3	0.2%
	Nalerigu / Gambaga	169	0.4%	7	0.5%
	Yagaba/ Kubori	68	0.2%	3	0.2%
	Walewale	162	0.4%	6	0.4%
	Yunyoo	73	0.2%	3	0.2%
NORTHERN	Gushegu	138	0.4%	5	0.3%
	Karaga	114	0.3%	4	0.3%
	Kpandai	140	0.4%	5	0.3%
	Kumbungu	105	0.3%	4	0.3%
	Mion	90	0.2%	3	0.2%
	Nanton	79	0.2%	3	0.2%
	Bimbilla	172	0.4%	7	0.5%
	Wulesnsi	96	0.2%	4	0.3%
	Saboba	81	0.2%	3	0.2%
	Sagnarigu	146	0.4%	6	0.4%
	Tamale North	102	0.3%	4	0.3%
	Savelugu	124	0.3%	5	0.3%
	Tamale Central	168	0.4%	6	0.4%

	Tamale South	229	0.6%	9	0.6%
	Tatale/Sanguli	77	0.2%	3	0.2%
	Tolon	130	0.3%	5	0.3%
	Yendi	148	0.4%	6	0.4%
	Zabzugu	81	0.2%	3	0.2%
OTI	Biakoye	133	0.3%	5	0.3%
	Buem	148	0.4%	6	0.4%
	Akan	115	0.3%	4	0.3%
	Krachi East	121	0.3%	5	0.3%
	Krachi Nchumuru	88	0.2%	3	0.2%
	Krachi West	84	0.2%	3	0.2%
	Nkwanta North	128	0.3%	5	0.3%
	Nkwanta South	153	0.4%	6	0.4%
SAVANNAH	Bole-Bamboi	116	0.3%	4	0.3%
	Yapei/Kusawgu	173	0.4%	7	0.5%
	Salaga South	118	0.3%	5	0.3%
	Salaga North	50	0.1%	2	0.1%
	Daboya / Mankarigu	76	0.2%	3	0.2%
	Sawla-Tuna-Kalba	118	0.3%	5	0.3%
	Damongo	87	0.2%	3	0.2%
UPPER EAST	Bawku Central	150	0.4%	6	0.4%
	Zebilla	139	0.4%	5	0.3%
	Binduri	88	0.2%	3	0.2%
	Bolga East	44	0.1%	2	0.1%
	Bolgatanga Central	148	0.4%	6	0.4%
	Bongo	124	0.3%	5	0.3%
	Builsa North	82	0.2%	3	0.2%
	Builsa South	58	0.1%	2	0.1%
	Garu	71	0.2%	3	0.2%
	Navrongo Central	127	0.3%	5	0.3%
	Chiana-Paga	130	0.3%	5	0.3%
	Nabdam	51	0.1%	2	0.1%
	Pusiga	95	0.2%	4	0.3%
	Talensi	99	0.3%	4	0.3%
	Tempane	99	0.3%	4	0.3%
UPPER WEST	Daffiama/Bussie/Issa	68	0.2%	3	0.2%
	Jirapa	138	0.4%	5	0.3%
	Lambussie	80	0.2%	3	0.2%
	Lawra	90	0.2%	3	0.2%
	Nadowli/Kaleo	114	0.3%	4	0.3%
	Nandom	89	0.2%	3	0.2%
	Sissala East	97	0.2%	4	0.3%
	Sissala West	95	0.2%	4	0.3%
	Wa East	121	0.3%	5	0.3%
	Wa Central	200	0.5%	8	0.5%
	Wa West	141	0.4%	5	0.3%
VOLTA	Adaklu	47	0.1%	2	0.1%
	Afadjato South	95	0.2%	4	0.3%
	Agotime Ziope	73	0.2%	3	0.2%
	Akatsi North	58	0.1%	2	0.1%
	Akatsi South	133	0.3%	5	0.3%
	Anlo	138	0.4%	5	0.3%
	Central Tongu	109	0.3%	4	0.3%
	Ho Central	247	0.6%	10	0.7%
	Ho West	145	0.4%	6	0.4%
	Hohoe	124	0.3%	5	0.3%
	Keta	121	0.3%	5	0.3%
	Ketu North	138	0.4%	5	0.3%
	Ketu South	279	0.7%	11	0.7%
	Kpando	87	0.2%	3	0.2%
	North Dayi	72	0.2%	3	0.2%
	North Tongu	149	0.4%	6	0.4%
	South Dayi	70	0.2%	3	0.2%
	South Tongu	167	0.4%	6	0.4%
WESTERN	Ahanta West	174	0.4%	7	0.5%
	Effia	96	0.2%	4	0.3%
	Kwesimintsim	103	0.3%	4	0.3%
	Ellembele	153	0.4%	6	0.4%
	Essikadu-Ketan	154	0.4%	6	0.4%
	Jomoro	216	0.6%	8	0.5%
	Mpohor	74	0.2%	3	0.2%
	Evalue Ajomoro Gwira	117	0.3%	5	0.3%
	Prestea Huni-Valley	269	0.7%	10	0.7%

	Sekondi	89	0.2%	3	0.2%
	Shama	126	0.3%	5	0.3%
	Takoradi	119	0.3%	5	0.3%
	Tarkwa Nsuaem	252	0.6%	10	0.7%
	Amenfi Central	163	0.4%	6	0.4%
	Amenfi East	218	0.6%	8	0.5%
	Amenfi West	161	0.4%	6	0.4%
	Wassa East	133	0.3%	5	0.3%
WESTERN NORTH	Aowin	175	0.5%	7	0.5%
	Bia East	75	0.2%	3	0.2%
	Bia West	156	0.4%	6	0.4%
	Bibiani-Anhwiaso-Bekwai	224	0.6%	9	0.6%
	Bodi	79	0.2%	3	0.2%
	Juaboso	132	0.3%	5	0.3%
	Sefwi Akontombra	93	0.2%	4	0.3%
	Sefwi Wiawso	169	0.4%	7	0.5%
	Suaman	55	0.1%	2	0.1%
TOTAL		38,866	100.0%	1,502	100.0%

FOR IMMEDIATE RELEASE

CODEO'S PVT ESTIMATES, THE ELECTORAL COMPUTATIONAL ERRORS, AND MATTERS ARISING

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Tuesday, December 15, 2020
Accra, Ghana

Introduction

The Coalition of Domestic Election Observers (CODEO) held a press conference on Thursday, December 10, 2020 to present its Parallel Vote Tabulation (PVT) estimates for the 2020 presidential elections following declaration of the official results by the Electoral Commission of Ghana (EC) on Wednesday, December 9, 2020. The EC, by law, has the mandate to declare election results, and consistent with CODEO's protocols and international best practice, the Coalition released its estimates after the EC's formal declaration of the presidential election results. CODEO has followed this practice since 2008 when it first introduced the PVT methodology in its comprehensive election observation. The PVT or sample-based observation methodology was used for both the first round and run-off presidential elections in 2008 and has been deployed in all subsequent elections (i.e. 2012, 2016, and 2020) to independently verify the integrity of the official results for the presidential elections as declared by the EC.

The release of CODEO's 2020 PVT estimates has generated some public interest and reaction, particularly following the EC's press release on December 10, 2020 in which the Commission corrected certain errors in its previously announced official declaration. In light of this development, CODEO wishes to address questions and misconceptions about its PVT statement.

Computational errors by the Electoral Commission

In its press release on December 10, 2020, the EC stated that "The Chairperson of the Electoral Commission inadvertently used 13,433,573 as the total valid votes cast. The total valid votes cast is 13,119,460." CODEO finds these computational errors on the part of the EC very unfortunate, as they create room for doubt about the integrity of the presidential election results declared by the Commission on December 9, 2020 and other disputed parliamentary results. CODEO is of the view that, given what is at stake, the EC must go beyond passive publication of a press release to hold a public event to address the underlying issues with respect to the computational errors identified, so as to allay any lingering concerns and doubts. In addition, the Coalition urges the EC to ensure that source documents signed by the political parties, which support the instrument of declaration, are consistent with the tally sheet for the collation of the national results for the presidential candidates.

Do the EC's computational errors affect CODEO's Parallel Vote Tabulation (PVT) estimates?

CODEO wishes to emphasize that the post-declaration errors detected and corrected by the Electoral Commission do not in any way affect the Coalition's PVT estimates as shared on Thursday, December 10, 2020. The PVT is based on polling station data submitted by CODEO stationary Polling Station Observers who witnessed the counting and declaration of those results, having observed the processes of voting during the course of the day.

CODEO has absolute confidence in its PVT estimates, reaffirms the results that it has already published, and assures the public that the results declared by the EC closely match the Coalition's PVT estimates.

1 THIS IS THE DOCUMENT REFERRED TO IN THE OATH OF... AND MARKED EXH... SWORN AT ACCRA THIS... DAY OF... 20... BEFORE ME COMMISSIONER FOR OATHS K. T. ANNOR

The final results released by the EC after correcting the detected errors in the original declaration still fall within the confidence range of CODEO's PVT estimates, and thus further provides CODEO the confidence to reaffirm its position on the PVT estimates (*Refer to CODEO's Press release on the PVT*). CODEO wishes to use this opportunity to further explain the PVT methodology.

PVT methodology and how it works

The PVT is an advanced and scientific election observation technique that combines well-established statistical principles and Information Communication Technology (ICT) to observe elections. The PVT involves deploying trained accredited Observers to a nationally representative random sample of polling stations. In essence, the sampled polling stations reflect the characteristics of polling stations at the national, regional and constituency levels due to the application of stratification in the sampling process, thereby making the sample nationally representative. On Election-Day, PVT Observers stationed at the polling stations observe the entire polling process and transmit reports about the conduct of the polls and the official vote count in real-time to a central election observation database, using the Short Message Service (SMS) platform.

The PVT technique has been deployed successfully around the world to promote electoral integrity and help defend the rights of citizens to vote and to protect such rights when exercised. The first PVT was conducted in the Philippines in 1986. Since then, the methodology has been deployed in election observation in Bulgaria, Chile, Croatia, Guyana, Albania, Bangladesh, Belarus, Indonesia, Georgia, Macedonia, Slovakia, Montenegro, Nicaragua, Panama, Peru and Ukraine. In Africa, the methodology has been deployed successfully in Madagascar, Malawi, Mozambique, Uganda, Burundi, Sierra Leone, Zambia, Ghana, Nigeria, Zimbabwe, Burkina Faso, Côte d'Ivoire, Kenya and Tunisia.

Unlike pre-election surveys (which track voter intentions) or exit polls (which track voter re-collections), the PVT is based on the actual behavior of electorates in an election. In other words, PVT Observers do not speak to voters about the choices they made at the polls to predict the outcome of an election. Rather, after observing the entire voting and counting process, PVT Observers record the official vote count (primary data) as announced by election officials at polling stations and rapidly transmit this information to an observation center via coded text message. Consequently, the PVT data is collected directly from polling stations.

PVT in the 2020 elections

On election day, CODEO deployed 4000 trained stationary Observers to 4000 randomly selected nationally representative sample polling stations across the 275 constituencies in the country. Out of the 4000, 1502 Observers were designated as PVT Observers and were stationed at 1502 polling stations selected for the PVT. The Observers observed the polling processes from arrival, set-up, voting, end of polls, counting and declaration of results. It should be noted that the PVT estimates of the election results were conducted for only the presidential elections, as has been the standard practice of CODEO since it started using the PVT in 2008.

Apart from the 4000 stationary Polling Station Observers, CODEO also deployed over 300 roaming Observers and 275 Constituency Collation Center Observers.

Collation center challenges

Media reports and reports from CODEO Collation Center Observers indicated that there were some challenges with collation center proceedings. This was the case in constituencies such as Techiman South, Savelugu, Sefwi Wiawso, Jomoro, Dormaa West, Zabzugu, Assin, Upper Denkyira East, and Sene West. Some people have opined that the incidents in these constituency collation centers should have had a bearing on the PVT findings. On the contrary, as pointed out earlier, CODEO PVT estimates are based on results declared at *polling stations* from where observers submit reports after results have

been endorsed by presiding officers and candidate agents present and announced publicly. PVT estimates are not based on collation center data.

Unwarranted attacks on CODEO's Acting Chair

CODEO is dismayed by the unwarranted online attacks on its Acting Chair, Sheikh Armiyawo Shaibu, who also happens to be the spokesperson for the Office of the National Chief Imam. CODEO is a coalition made up of 42 organizations, including professional bodies, trade unions, faith-based organizations and civil society organizations that have worked together to advance Ghana's elections and democracy since the founding of the Coalition 20 years ago. Sheikh Armiyawo Shaibu has been a longstanding member of the 16-member Advisory Board of the Coalition until his appointment as Acting Chair in 2019 following the passing of CODEO's Co-Chair Justice V.C.R.A.C. Crabbe and the retirement of its second Co-Chair Prof. Miranda Greenstreet. The views expressed by Sheikh Armiyawo Shaibu on the PVT findings do not represent the view of the Office of the National Chief Imam or his personal view, but rather the collective decision of the CODEO Advisory Board representing the 42-member organizations of CODEO. CODEO condemns the attacks on the person of Sheikh Armiyawo Shaibu, who presented the PVT estimates in his capacity as the Acting Chair of CODEO.

Conclusion

CODEO is thankful for the support and confidence the public has reposed in it since it was founded in 2000 and would like to assure the public that the PVT methodology is a credible and tested confidence-building tool for independently assessing the accuracy and integrity of official results declared by an election management body like the EC. The PVT has been a valuable component of CODEO's observation work. Indeed, it has been used as a reference document by all parties as well as the EC since 2008. In 2012 it was tendered as part of the evidence affirming the accuracy of the 2012 results declared by the Electoral Commission. CODEO takes its observation activities seriously and undertakes them with the utmost professionalism and objectivity.

The Coalition again wishes to express its deepest condolences to the families of those of our compatriots who lost their lives during the electoral process. We also reiterate our call to the National Election Security Task Force (NESTF) to investigate swiftly all incidents of violence during and after the elections and ensure that those found culpable are duly prosecuted. Lastly, CODEO urges all aggrieved parties to resort to peaceful and lawful avenues and processes to seek redress.

SIGNED:

Albert Arhin
National Coordinator (For and on Behalf of the Advisory Board)
CODEO Secretariat, Tuesday, December 15, 2020

PRELIMINARY STATEMENT

Accra, 9 December 2020

Well-conducted elections but misuse of state resources and unregulated campaign finance persist

This preliminary statement of the EU Election Observation Mission (EU EOM) is delivered before the completion of the entire electoral process. Critical stages remain, including tabulation of results and adjudication of petitions. The EU EOM is now only in a position to comment on observation undertaken to date, and will later publish a final report, including full analysis and recommendations for electoral reform. The EU EOM may also make additional statements on election-related matters as and when it considers it appropriate.

Summary

The 2020 elections were organised in an efficient and transparent manner, and voters participated freely. The elections were competitive, and contestants could campaign without hindrance. A few isolated violent incidents occurred, and numerous stakeholders expressed deep apprehensions about the possible use of vigilante groups by political parties. Unregulated political finance, misuse of state resources and numerous instances of vote-buying resulted in an unlevel playing field. Ghana's vibrant and diverse media sector provided voters with sufficient information on both major competing parties and their candidates. However, state media favoured the ruling party and its presidential candidate who received extensive coverage at government inaugurations. The main opposition party frequently expressed a lack of confidence in the Electoral Commission, accusing it of partisanship and criticising the timing of the new voter registration exercise, so close to elections and during a pandemic. However, the process was inclusive and resulted in a high number of registered voters, and the quality of the register was positively tested on election day.

- Voting on election day 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. However, the secrecy of the vote was not always ensured, mainly due to poor layout of polling stations. Counting was transparent although procedures were frequently not followed, and party agents received signed copies of the result forms. Collation was less well organised but key transparency measures were adhered to. Domestic observers contributed to the transparency and credibility of the process.
- Fundamental human rights and freedoms are guaranteed by the Constitution and the legal framework generally provides for credible and competitive elections. However, previously identified gaps in the legal framework remain unaddressed. These include a lack of campaign finance regulation and no deadlines for the adjudication of parliamentary electoral petitions. There are also marked disparities in the size of various constituencies, affecting equal suffrage.
- The EC completed technical preparations for the elections in a timely manner and EU EOM observers assessed the EC's national, regional and district structures as competent, well resourced and transparent. The appointments mechanism, whereby all seven EC members are selected by the President for an indefinite tenure without consultation with the opposition, is not inclusive and does not build confidence.
- There are no unreasonable restrictions on the right to vote, and the principle of universal suffrage is respected. The EC compiled a new biometric voter register shortly before the elections, the timing of which was a source of major controversy, during the COVID-19 pandemic and less than six months before elections. The registration process, scrutinised by party agents and

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domestic observers, was inclusive and there were no serious challenges to the number of registered voters nationwide or in the regions. The final voter register, containing 17,029,971 voters, was certified by the EC on 6 November 2020.

- Candidate registration was generally inclusive, but nomination fees are unreasonably high. The exclusion of all active members of the extended public service, including lower ranks, from running for elections unduly limits the right to stand. There was a genuine contest in each constituency.
- Women are significantly underrepresented in political life: the New Patriotic Party (NPP) fielded only 24 female candidates while the NDC ran with just 22 in 275 constituencies. Perceived traditional roles of women, and, often, a lack of financial resources, contribute to the problem. On a positive note, for the first time one of the two main parties' presidential candidates (NDC) chose a woman as running mate.
- The highly competitive and often confrontational campaign was dominated by President Nana Addo Dankwa Akufo-Addo of the NPP and opposition candidate, former president John Dramani Mahama (NDC). Due to COVID-19, large rallies were often replaced by smaller outdoor events and more frequent door-to-door visits. Campaign freedoms were broadly respected, but tensions were heightened over potential election-related violence associated with vigilantism. Misuse of state resources created an uneven playing field. Vote-buying by both the NPP and NDC was reported by civil society to be widespread.
- Constantly increasing costs of and unlimited spending on running election campaigns are a matter of concern. There are no limits on contributions or on spending, resulting in a lack of transparency and accountability around political and campaign funding. The EC did not enforce parties to comply with legal requirements on financial reporting. This further limits public scrutiny and transparency of political and campaign finance.
- The media reported freely on the elections in a polarized environment. State-owned GTV favoured the NPP in its election-related coverage. Furthermore, the ruling party and its presidential candidate benefited from extensive additional coverage on GTV, Uniiq FM and in the *Daily Graphic* through news and live broadcasts of government inaugurations. Various private media analysed by the EU EOM showed biased coverage in favour of the NPP (UTV, *The Chronicle*, *Daily Guide*) or the NDC (Adom FM and Joy FM).
- The two main parties deployed social media teams who posted content in a coordinated manner across a range of platforms to promote their presidential candidate and discredit the rival. Misinformation spread by both sides risked confusing voters and interfering in the formation of electoral opinions. Hate speech was not a feature of the online political discourse.

The European Union Election Observation Mission (EU EOM) has been present in the Ghana since 1 November following an invitation from the Government and the Electoral Commission. The Mission is led by Chief Observer, Javier Nart, Member of the European Parliament (Spain). In total, the EU EOM deployed 81 observers from 26 EU Member States, Canada, Norway and Switzerland across the country to assess the whole electoral process against international obligations and commitments for democratic elections as well as the laws of Ghana. On Election day, observers visited over 329 polling stations in 102 of the 275 electoral constituencies to observe voting and counting.

The EU EOM is independent in its findings and conclusions and adheres to the Declaration of Principles for International Election Observation signed at the United Nations in October 2005.

Findings

I. BACKGROUND

The 7 December 2020 presidential and parliamentary elections are the eighth general elections since the adoption of the 1992 Constitution and the return to multiparty democracy. Ghana has held competitive elections that culminated in three peaceful transitions of power. The two main parties, the New Patriotic Party (NPP) and the National Democratic Congress (NDC), have dominated the political landscape since then.

The political atmosphere was polarised in the months before the elections. Following the replacement of the Electoral Commission (EC) leadership in 2018, the opposition NDC levelled accusations of bias and unprofessionalism against the new EC leadership and declared a lack of confidence in the electoral body. The NDC, along with some civil society groups, strongly opposed the EC's decision to conduct a fresh biometric voter registration, also voicing concern on the high costs. The NDC also claimed that military deployment along the borders during the pandemic and voter registration suppressed participation in the process in opposition strongholds. There were widespread concerns about political vigilantism and its potential to disrupt the poll.

The president of Ghana is elected for four years for a maximum of two terms. The candidate who secures an absolute majority of valid votes wins. If no candidate obtains an absolute majority, a run-off between the two leading candidates is organised within 21 days. This presidential election is a unique contest featuring for the first time, among the 12 candidates, a president and former president. Eleven presidential candidates proposed by political parties and one independent contested. Parliamentary candidates are elected in 275 single-member constituencies based on the first-past-the-post system. A total of 914 parliamentary candidates competed, having been nominated by 11 political parties or standing as independents.

II. LEGAL FRAMEWORK

Legal framework generally provides for credible and competitive elections, but previously identified gaps remain unaddressed

Ghana has ratified all relevant international and regional instruments. The Constitution regulates elections and broadly guarantees all human rights and freedoms necessary for the conduct of democratic elections including the right to vote and to stand for elections; freedoms of assembly, association, movement, and expression; as well as equality and due process of law. Some restrictions remain, such as on the right to stand for all public servants, and an exclusion of the right to vote (and to stand) for those declared to be of unsound mind.

Constituency delimitation remains problematic. The Constitution demands that the number of inhabitants of each constituency should be, as nearly as possible, similar. However, there are marked disparities in the number of registered voters per constituency, affecting equal suffrage.[1]

Further gaps in the legal framework identified by earlier EU EOMs remain largely unaddressed, such as the absence of any consensual method of appointing EC members, which would help increase trust in the institution. While a deadline of 42 days for the Supreme Court to adjudicate petitions related to the presidential election came into force in 2017, no deadlines were introduced for the adjudication of parliamentary electoral petitions. The Right to Information Act (2019) came into force at the beginning of 2020, but its implementation has so far been deficient.

[1] Ketu South in the Volta region has almost 150,000 registered voters, whereas Seykere Afram Plains in the Ashanti region has only ca 15,000.

III. CANDIDATE REGISTRATION

Candidate registration was generally inclusive but nomination fees are unreasonably high

The criteria to qualify as a candidate for presidential and parliamentary elections are largely in line with international standards. However, the fact that all members of the extended public service must resign before registering as candidates, including lower ranks, unduly limits the right to stand.

The nomination fee for presidential candidates was doubled to 100,000 GHS (14,160 EUR) in 2020. The fee for parliamentary candidates is 10,000 GHS (1,416 EUR). Given Ghana's GDP per capita in 2019 was 11,541 GHS (1,634 EUR), the nomination fees for parliamentary candidates appear unreasonably high. Twenty of the 21 disqualifications of parliamentary candidates were reportedly due to unpaid fees. No lawsuits ensued from these disqualifications.

Aside from these restrictions, the candidate registration requirements are generally inclusive. Only the NPP and NDC fielded parliamentary candidates in every constituency.

The EC gave several presidential candidates a hearing and thereby afforded them an opportunity to amend errors and technical issues regarding their nomination forms and supporting signatures. This was an improvement over the 2016 procedures and significantly reduced litigation during the candidate registration process. However, five out of 17 presidential candidates were disqualified by the EC based on allegations of forged signatures, some with no hearing of the candidate. This led to applications for judicial review by three disqualified candidates. All were dismissed by 30 November, and none have filed an appeal.

IV. CAMPAIGN ENVIRONMENT

Intense, competitive electoral contest, however, misuse of state resources and use of power of incumbency created unlevel playing field

The election was held in a highly competitive environment dominated by presidential frontrunners President Nana Addo Dankwa Akufo-Addo (NPP) and opposition candidate, former president John Dramani Mahama (NDC). The campaign lasted several months, in the absence of any official timeframe. The presidential campaign drove the narrative for both the presidential and parliamentary polls. In the month before the elections the campaign was dominated by the death and legacy of former president Jerry Rawlings, free education, and the controversial resignation of the Special Prosecutor, who alleged government interference in his assessment of the Agyapa deal involving Ghana's sale of rights to future gold royalties. The tone was often confrontational and aggressive, with the two parties accusing each other of mismanagement of the country. The NPP and NDC candidates toured the country on several occasions, with their vice-presidential candidates conducting separate events.

Campaign freedoms were broadly respected. A few isolated violent incidents were reported, and numerous stakeholders expressed deep apprehensions about the use of vigilante groups by political parties. Political vigilantism, a long-standing problem in Ghana, is banned under the Vigilantism and Related Offences Act.

EU EOM observers reported that the misuse of state resources and the practice of turning official state events into campaign rallies were prevalent, resulting in an unlevel playing field.[2] Inaugurations of development projects by the President, Vice-President and aspiring candidates, with the overt involvement of local administration officials, were reported by EU EOM observers

[2] International Covenant on Civil and Political Right (ICCPR), GC 25, para. 19. "Reasonable limitations on campaign expenditure may be justified where this is necessary to ensure that the free choice of voters is not undermined or the democratic process distorted by the disproportionate expenditure on behalf of any candidate or party…".

and the media.[3] The system of local government, whereby the President appoints regional and district chief executive officials, diminishes the capacity for independent local government performance.

Vote-buying – the distribution of money and goods to individuals and communities – was reported by civil society to be widespread. Political parties said it was commonplace to offer goods, and/or money and services during campaign events to supporters, communities and traditional chiefs. Parliamentary candidates of both major parties openly told EU EOM observers they distributed money and goods while campaigning.

Chieftaincy wields great power and influence, playing a crucial role in society. While the Constitution precludes chiefs from active party politics, some were observed playing an active role in campaigning and even endorsing presidential candidates.

V. CAMPAIGN FINANCE

Inadequate political finance regulations and poor oversight undermine transparency and accountability of electoral process

Ghana's Constitution, combined with the Political Parties Law, sets up the legal framework for party financing. Parties and candidates are not eligible to direct government funding. However, there is no law expressly prohibiting the use of public funds or resources by government officials for party or campaign activities.[4] No limits are placed on contributions or on spending, resulting in a lack of transparency and accountability, contrary to the international principle of ensuring voters' free choice is not undermined by disproportionate spending on behalf of a candidate or party. Although political parties must, within 21 days before an election, submit to the EC a statement of assets and liabilities, this was not enforced, further limiting public scrutiny and transparency of political finance. Within six months after an election a party must make a financial disclosure combining presidential and parliamentary campaign expenditures. For 2020 the EC notified all 11 contesting political parties of their obligations in this regard.

Parties and candidates are mainly financed through member subscriptions and donations from individuals and "patrons", including from the diaspora, whose identities are not always made public. Many candidates depend on personal funding, largely drawn from their own pockets. Constantly increasing costs of running a campaign are a matter of concern and have resulted in the monetisation of politics. Civil society highlighted the consequences of this for women, youth and small parties wishing to contest.

VI. ELECTION ADMINISTRATION

Well-prepared elections by transparent Electoral Commission

EU EOM observers assessed the EC's national, regional and district structures as competent, well resourced and transparent. Positively, political party agents had access to monitor the production, distribution and storage of sensitive materials including ballot papers.

The EC is an independent constitutional body mandated to conduct and supervise elections and referenda, compile and update the voter register, demarcate electoral boundaries and educate the people on the electoral process. All seven members of the EC, including the chairperson and two deputies, are appointed by the President for an indefinite tenure without consultation with the opposition. The appointment mechanism is not inclusive and does not build confidence. The main

[3] For example, on 25 November the President commissioned the first phase of an US$84 million roads project in Pokuase, Accra; on 7 November the President commissioned the building of a municipal hospital in Bekwai, Ashanti region; on 27 November the President commissioned a 160-bed hospital in the Central region as part of the US$339 million Ghana Hospital Project.
[4] ICCPR, article 25. GC 25, para.19, *ibid.*

opposition party, the NDC, frequently accused the EC of incompetence and bias and declared it had no confidence in the EC leadership.

Despite some logistical challenges, all technical preparations for the elections were completed in a timely manner. A notable exception, however, were the statements of polls – polling station result forms known as "pink sheets". The EC had changed the form without amending the law and, following criticism from parties, reverted to the original form. Since the forms were already printed and distributed, the EC decided to rectify the situation by instructing the district offices to manually stamp-print the missing part on each individual result form before they were dispatched to the respective polling stations. This work was completed only very late on 6 December.

The EC put in place robust transparency measures for the counting of votes and collation of results, namely the distribution to party agents and public display of the polling stations and collation centre result forms. The EC also promised to centrally publish all polling station and collation centre results shortly after elections.

The EC regularly communicated with the public and electoral stakeholders, primarily through social media. On the other hand, the revamped official website was somehow underused by the EC and some important information pertaining to the electoral process was not publicly available. These include, for instance, EC decisions, minutes of meetings, a nationwide list of parliamentary candidates, detailed polling, counting and collation procedures and details on functionality and parameters of the biometric verification devices. The frequency of communication with political parties at national level through Inter-Party Advisory Committee (IPAC) meetings increased significantly in the immediate pre-election period. The opposition parties criticised a lack of consultation during the IPAC meetings, however the last two meetings observed just before the elections were conducted in a consultative manner.

VII. VOTER REGISTRATION

Inclusive voter register despite controversy over new biometric registration exercise

The Constitution as well as enabling legislation guarantees the right to vote and to be registered as a voter to all citizens of Ghana aged at least 18 years and of sound mind. There are no unreasonable restrictions on the right to vote and the principle of universal suffrage is respected.

The EC compiled a new biometric voter register shortly before the elections and it was a source of major controversy. There was no consensus among stakeholders on the modality of voter registration ahead of the elections and the EC was unable to convince the main opposition party as well as a part of civil society of the need to compile a new register. The opposition criticised the timing of the exercise, during the COVID-19 pandemic and less than six months before elections, as well as the high costs of hardware and software.[5]

Despite some technical problems affecting a limited number of registrants and closed land borders, the 39-day biometric voter registration exercise succeeded in registering a very high number of voters. The registration process, scrutinised by party agents and domestic observers, was inclusive and there were no serious challenges to the number of registered voters nationwide or in individual regions. The exercise also largely eliminated deceased persons from the register.

The final voter register, containing 17,029,971 voters, was certified by the EC on 6 November 2020. Positively, the EC published the voter register with limited personal information online and provided an electronic copy of the full register to political parties.

[5] Total costs were 349.7 mil. GHS, i.e. approximately 55 million EUR.

VIII. MEDIA

Media operated in free environment characterised by heavy presence of partisan radio stations. Incumbent benefitted from wide news coverage of government project inaugurations

Ghana enjoys a vibrant, diverse but polarized media environment in which many partisan radio stations and a few independent and professional outlets coexist. During the observation period the media were generally free and no cases of journalists attacked or arrested were registered by the EU EOM. However, allegations of involvement by the National Communications Authority (NCA) in malicious interruptions to the broadcast signal of Joy News TV and NDC-affiliated media GHOne TV and Abusua FM were reported a few days before the elections. The NCA rejected the allegations and stated it had no capability to block or jam broadcasting signals.

There are gaps in the legal framework pertaining to media. The media regulatory body, National Media Commission (NMC), has no powers to sanction outlets breaching regulations and lacks the capacity to conduct media monitoring to ensure oversight of electoral coverage. Similarly, the appointment of the Director General of the NCA, by the President, does not generate trust in the institution. The licensing by the NCA of commercial radio stations owned by politicians or linked to political parties is contrary to international standards since it can compromise the independence of the media through politicised contents used for campaigning.[6] EU EOM observers identified at least 33 NPP-affiliated, 28 NDC-affiliated and five PPP-affiliated radio stations currently on air.

Both state-owned and private media at national and regional levels made efforts to provide media access to minor parties, mainly through interviews of candidates, special programmes and debates. However, the NPP and NDC largely dominated the election-related information presented to voters.

State broadcaster Ghana Broadcasting Corporation (GBC) provided a fair opportunity to all political contestants through various programmes. However, EU EOM's media monitoring shows that state-owned GTV favoured the NPP by allocating it 26.2 per cent of airtime in its election-related news and programmes, compared to 15.8 per cent allocated to the NDC.[7] Furthermore, the NPP and its presidential candidate benefited from extensive additional coverage on GTV (22.1 per cent of airtime) through news and live broadcasts of inaugurations and projects launched by the President or government representatives, often including campaign songs and messages. Equitable electoral coverage was provided by state-owned Uniiq FM (34.2 and 28.6 per cent of airtime allocated to NPP and NDC, respectively) and *Daily Graphic* (29.9 and 26.5 per cent of space allocated to NPP and NDC, respectively). However, both outlets devoted additional coverage of government inaugurations and projects to the NPP. Among the private media analysed by the EU EOM Adom FM and Joy FM favoured NDC in its election-related coverage, while UTV and private newspapers *The Chronicle* and *Daily Guide* showed biased coverage in favour of the NPP.

IX. SOCIAL MEDIA

Polarised online campaign characterised by misinformation that risked confusing voters

Nearly half of Ghanaians (14.8 million) have access to the internet, with some six million people active on social media. Interlocutors expressed concerns that low digital literacy left the online discourse open to manipulation. Much political campaigning and discussion took place in closed chat groups on WhatsApp, the most-used social media platform.[8] The second most-used platform is Facebook, followed by YouTube, Instagram, Facebook Messenger, Twitter and Snapchat.

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[6] UN Rapporteur/OSCE/OAS/ACHPR Joint Declaration on Media Independence and Diversity, Article 24.

[7] From 20 November to 7 December the EU EOM monitored all election-related news/programmes published/broadcast by state-owned GTV, Uniiq FM, *Daily Graphic* and *Ghanaian Times*, and private media TV3, UTV, Adom TV, Peace FM, Joy FM, Citi FM, Adom FM, *The Chronicle* and *Daily Guide*. TV/radio broadcasts monitored from 06:00 to 21:00.

[8] These groups are inaccessible for monitoring purposes.

The legal framework generally guarantees universal and indiscriminate access to and use of the internet. Online media operate without government restrictions. The Criminal Code (1960) and the Electronic Communications Act (2008) include restrictions on disinformation, such as jail terms of up to three years for publishing false statements likely to disturb the public peace, but they lack precision and are therefore open to interpretation that could result in restricted freedom of expression. The Data Protection Act (2012) provides for privacy rights and protection of user data.

COVID-19 was instrumental in driving much campaigning online, and social media was a vital tool for contestants to reach younger voters. The NPP and NDC presidential contestants were by far the most visible and active online, highlighting a notable gap in resources between them and others on the ballot.[9] While the tone of the campaign was confrontational, and false and misleading information was presented in various formats across digital platforms, hate speech and dangerous rhetoric were not features of the online political discourse.[10]

The two main parties deployed social media teams who posted content in a coordinated manner across a range of platforms to promote their presidential candidate and discredit the rival. Recently established Twitter accounts were identified that mostly retweeted negative content. Misinformation disseminated by both sides on Facebook risked confusing voters and interfering in the formation of electoral opinions. A video alleging bribery against the President was broadcast on Facebook and widely shared, including on an NDC support page, but later discredited by Facebook third-party fact-checkers. An NPP Facebook support page made an announcement, later debunked, that the President had organised delivery of aircraft to the Aviation Ministry to revive Ghana Airways. Celebrities with significant online influence distanced themselves from claims by both parties that they had secured their endorsement.

Four imposter news portals with web addresses resembling those of authentic news sources were identified, some with links to fake social media accounts, which disseminated negative and false stories about both frontrunning presidential candidates. These included an NDC-leaning site that claimed to represent a fact-checking project under a name resembling that of two respected Ghanaian fact-checking organisations.[11] Observer teams in 14 regions reported interlocutors received unsolicited texts from both parties and/or recorded campaign voice messages, contrary to privacy provisions in the Data Protection Act.

The Mahama campaign was the top spender on Facebook adverts across all regions. According to Facebook's Ad Library, the combined spend on advertising on the candidates' official and public support pages from 4 August to 6 December totalled US$90,115 (74,280 EUR, Mahama) and US$62,896 (51,860 EUR, Akufo-Addo). A significant number of these ads ran without the sponsor being identified, resulting in a lack of transparency. Mahama was the only candidate to have a dedicated mobile phone application.[12]

X. PARTICIPATION OF WOMEN

Women significantly underrepresented in political domain, especially in elected positions

More than half – 51,74 per cent – of registered voters are women. For the parliamentary elections, the NPP fielded only 24 female candidates (8.7 per cent) while the NDC ran with just 22 (8 per cent)

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[9] Between 1 November and 6 December the EU EOM monitored 62 public Facebook pages linked to the presidential race, of which 50 were official or support pages of the two frontrunning candidates, and some 60,000 tweets containing most-used election hashtags. Monitoring by observers of 183 public FB official or support pages for presidential and parliamentary contestants in the 16 regions showed wide variations in online activity across the country, with many accounts inactive and/or with few or zero followers.

[10] A video broadcast online on 18 November featuring men brandishing weapons on an official police vehicle and warning people in a threatening manner to vote peacefully was shared only to a limited extent on Facebook and Twitter. The men were not in official uniforms, prompting online comments they were NPP-allied vigilantes. In a statement the Inspector General of Police confirmed they were police on a training exercise but not wearing the requisite uniforms.

[11] Ghanafactcheck.com, set up in July 2020, is not a signatory to the International Fact-Checking Network code of principles.

[12] The app did not require users to give personal data. Donations could be made on both parties' websites, including from abroad.

in 275 constituencies. On a positive note, for the first time one of the two main parties' presidential candidates (NDC) chose a woman as running mate, and three women ran for president. Many of the 126 female candidates in these parliamentary elections were independents, often citing difficulties to earn a party nomination as a woman. The first-past-the-post system does not encourage diversified representation or enable a quota system. Perceived traditional roles of women, and, often, a lack of financial resources, contribute to the problem.

While four out of seven members of the EC, including the chairperson, and five out of 18 members of the Supreme Court are women, the number of women involved in the political domain is limited. Of 110 ministers of state, sector, regional and respective deputy ministers, 23 are female. In elected positions, women are even less well represented: of the 275 members of the outgoing parliament, only 37 are women (13.5 per cent). In October 2020 Ghana ranked 150th in the world in terms of women's representation in parliament. The equality clause in the Constitution encourages affirmative action, and an ambitious Affirmative Action Bill has been in preparation, as during previous legislative periods, but has not been brought before parliament.

XI. PARTICIPATION OF PERSONS WITH DISABILITIES

Significant efforts made to reduce obstacles for persons with disabilities on election day

In 2020, 64,699 voters were registered as persons with disabilities (PwDs) during the registration exercise. The Constitution guarantees the rights of disabled people, with the significant exception of the right to vote and the right to stand in elections for citizens who are not "of sound mind", which is not further specified in the Constitution. The treaty committee for the United Nations Convention on the Rights of Persons with Disabilities (CRPD) has said mental incapacity should not serve as a basis for the deprivation of the right to vote and to be elected. However, no instances of exclusion on this basis were brought to the attention of the EU EOM.

Although the Persons with Disability Act 715 was enacted in 2006, the enabling regulations are yet to be passed. On a positive note, the Constitution requires all public facilities, including polling stations and courts, to provide access for people with disabilities. Provisions by the EC for voting include satisfactory physical accessibility to polling stations and fast-track access. The EC provided tactile ballot jackets for visually impaired voters. Cascade trainings were held by the EC in cooperation with the Ghana Federation of Disability Organisations (GFD) to ensure that visually impaired voters knew how to use them, and instructions given at polling stations. The GFD submitted 150 names to the EC to observe elections, focus specifically on PwD issues, especially accessibility, preferential treatment (permission to skip the queue), reachable ballot boxes, and tactile jackets.

XII. ELECTION OBSERVATION

Credible, professional domestic observers contributed to transparency and credibility of process

Ghanaian civil society has a strong presence and a leading role in electoral observation. Domestic observation is organised, credible and well perceived by stakeholders. The Coalition of Domestic Election Observers (CODEO), a network of 43 organisations advocating for democratic institutional development and human rights, leads the national observation activities. CODEO, with support from the Centre for Democratic Development (CDD Ghana), amongst others, deployed around 4,000 observers on election day. CODEO issued reports on registration, campaigning and incidents, and set up a parallel vote tabulation (PVT) exercise. The Institute for Democratic Governance (IDEG) deployed some 700 observers.

XIII. POLLING, COUNTING AND COLLATION OF RESULTS

Well managed voting, transparent counting and protracted collation of results

Opening was observed in 34 polling stations and only 14 of them opened on time. Of the remaining 20, 19 opened within an hour and one opening was delayed for more than an hour. The main reasons were unpreparedness and lack of polling staff. Opening procedures were largely followed and overall conduct of opening was assessed positively in 31 cases.

Voting was conducted in a generally peaceful atmosphere and voting procedures were mostly followed, including the biometric verification of voters. The EU EOM observers reported several irregularities, such as voters not always marking their ballot in secrecy, mainly due to poor layout of polling stations (in 17 per cent of polling stations observed), biometric verification devices (BVD) not always able to successfully verify the voters (9 per cent), presence of unauthorised persons inside the polling stations (8 per cent) and interference with the work of the polling station staff (4 per cent). Party agents from both NPP and NDC were present in all but one polling station visited. The overall conduct of voting was assessed positively in 95 per cent of the 329 polling stations observed. The EC deployed COVID-19 ambassadors to all polling stations to enforce health protocols.

Counting, observed in 30 polling stations, was conducted in a largely transparent manner and always in a presence of party agents. The overall conduct of the counting process was assessed positively in 27 cases. However, the EU EOM observers reported that procedures, such as counting of unused ballots, counting of ticks in the voter register and names reference list, counting of ballots in the ballot box, cross-checking the number of ballots in the ballot box against the number of ticks in the voter register, and recording the number of voters verified by the BVD and manually, were frequently not followed. Furthermore, presiding officers appeared to have difficulties completing the result forms. The polling station result forms were not publicly displayed in 17 polling stations although party agents received signed copy of the result form in all cases.

Collation of results at the constituency level was observed in 35 constituency collation centres with many of them being visited repeatedly. Collation process was less well organised and less transparent often due to a lack of detailed procedures, inadequate facilities and overcrowding which at times led to agents and observers not having a clear view of the procedures and the filling in of result forms. Instances of unrest and tension were observed in Asawase, Sunyani West and Techiman South constituencies. The results were collated in the presence of party agents and observers and key transparency measures were adhered to.

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