



ELECTION
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Electoral Commission of Ghana
Accra, Ghana

Proposal to Link Voter to Ballot in Presidential and Parliamentary Elections

Dear Chairperson and Members of the Electoral Commission of Ghana,

As Ghana prepares for its 2024 elections, the importance of a tension-free and violence-free electoral process cannot be overstated. In light of this, Election Validation Intelligence (EVI), a pioneering advocacy organization dedicated to promoting peaceful elections through enhanced validation processes and the publication of insights into validation infractions recorded during elections in Ghana and across Africa, submits this proposal for your urgent consideration and implementation.

1.0 IDENTIFIED GAPS AND IMPACT ON THE ELECTORAL PROCESS

EVI's comprehensive analysis highlights significant weaknesses in Ghana's current electoral validation safeguards and auditability mechanisms. While the existing processes ensure a direct linkage and audit trail between voters and the voter register, they fall short in establishing reliable connections between voters and their ballots, as well as between the register and the ballots. This gap means that about 66.33% of the necessary validation safeguards for a comprehensive voter-register-ballot cross-referencing and validation record-keeping are missing in Ghana's electoral process. The absence of these critical linkages potentially exposes the electoral process to errors or manipulations that could remain undetected due to the incomplete audit trail, which presents several challenges, including:

- **Identification and Prevention of Voter Fraud:** The inability to create reliable voter-to-ballot and register-to-ballot linkages impairs the ability of polling station officials or the court to identify and prevent voter impersonation, unauthorized voting, and multiple voting, as outlined in Sections 32(a)(b), 28(c)(e)(h), 29(a)(b), and 19(1).
- **Handling Ballot-Related Issues:** The lack of comprehensive linkages affects stakeholders' capacity to manage problems such as ballot box snatching, swapping, or stuffing that may arise after disruptions or violence, as specified in Sections 35, 29, and 33(2)(b)(ii).
- **Enforcement of Electoral Regulations:** The court's ability to address and rectify violations related to personation, multiple voting, bribery, treating, intimidation, undue influence, and other misconduct is compromised, as outlined in Sections 32, 33, 34, and 35.
- **Declaration of Polling Station Results Void:** The court's capacity to declare polling station results void for non-compliance with election regulations is weakened, as detailed in Section 26(b)(c).
- **Declaration of Election of Candidate Void:** The court's ability to void the election of a candidate for non-compliance or other misconduct is hindered.
- **Court-Adjusted Results:** The Electoral Commission's ability to identify and remove invalid votes, implement court-adjusted results, or call for fresh elections is affected by the lack of a complete audit trail of the electoral process.

2.0 PROPOSAL

2.1 Overview

Several key provisions of Ghana's election laws underscore the necessity for a comprehensive voter-register-ballot validation process, including:

- **Ballot Number and Stamp:** Each issued and counterfoil ballot paper shall have a number printed on it and the Electoral Commission's stamp (Section 26(1)(c)(d)).
- **Mark against Voter Number:** A mark should be made against the voter number in the register to indicate that the voter has been issued a ballot paper or has voted already (Section 31(b)).
- **Endorsement on Tendered Ballots:** The presiding officer should endorse the name and number of the voter in the register on each tendered ballot paper (Sections 33(2)(b)(i), 27(4), 21(3)).
- **Rejected Ballots Statement:** Presiding officers should draw up a statement showing the number of rejected ballot papers under several headings (Section 38(4)(a)(b)).

2.2 Proposes Extending Voter ID Endorsement to Issued and Counterfoil Ballot.

In line with Section 33(2)(b)(i) of Ghana's election laws, which mandates presiding officers to endorse the voter's name and number on tendered ballot papers, EVI proposes that this practice be extended to issued and counterfoil ballot papers. This can be done by:

- **Endorsing the Voter's ID Number on Issued or Tendered Ballot Papers:** The presiding officer should clearly endorse or write the voter's ID number (or the voter number in the register) on the issued ballot paper before handing it to the voter.
- **Endorsing the Voter's ID Number on the Counterfoil of Issued or Tendered Ballot Papers:** The presiding officer should also endorse or write the voter's ID number (or the voter number in the register) on the counterfoil of the ballot paper booklet from which the ballot was issued.
- **Recording the Printed Number of the Issued or Tendered Ballot Paper Against the Voter's ID Number in the Register:** The printed serial number on the issued or tendered ballot paper should be recorded against the voter's ID number (or the voter number in the register) in the electoral register.

Advantages of Implementing the Proposed Measure

- **No Additional Costs:** The proposed endorsements can be carried out using existing resources and do not require any new equipment or materials, making it a cost-neutral enhancement to the electoral process.
- **No Changes to Voting Procedures:** The process of endorsing voter IDs on ballot papers and counterfoils integrates seamlessly with the current voting procedures, requiring only minimal additional actions by presiding officers.

Impact of the Proposed Measure on the Electoral Process

- **Enhance Verification:** Ensures each ballot corresponds accurately to a registered voter. This prevents issues such as impersonation, unauthorized voting, and multiple voting, thereby safeguarding the integrity of the electoral process.
- **Detection of Unauthorized Votes:** Allows polling station officials to scrutinize, identify, and invalidate ballots that do not correspond to registered voter numbers. This enhances the accuracy of vote counting and helps maintain the credibility of election results.

- **Support for Judicial Scrutiny:** Provides a robust framework for the courts to scrutinize and address issues on votes obtained through fraudulent means such as impersonation, bribery, threats, intimidation, or undue influence. This capability supports fair and just electoral outcomes and allows for the potential declaration of an election void in cases of widespread misconduct.
- **Handling Ballot Box Issues:** Facilitates effective management and resolution of issues related to ballot boxes, including incidents of snatching, swapping, or stuffing. This is particularly crucial in situations where disruptions arise from riots or open violence, ensuring that such disturbances do not undermine the election process.

2.3 Proposes the Amendments Of Existing Regulations or Administrative Procedures

Amend the voting procedures under Section 31(2) to include:

- **Endorse the Voter's ID Number on Issued or Tendered Ballot Papers:** The presiding officer shall clearly endorse or write the voter's ID number (or the voter number in the register) on the issued ballot paper before handing it to the voter.
- **Endorse the Voter's ID Number on the Counterfoil of Issued or Tendered Ballot Papers:** The presiding officer shall endorse or write the voter's ID number (or the voter number in the register) on the counterfoil of the ballot paper booklet from which the ballot was issued.
- **Recording the Printed Number of the Issued or Tendered Ballot Paper Against the Voter's ID Number in the Register:** The printed serial number on the issued or tendered ballot paper should be recorded against the voter's ID number (or the voter number in the register) in the electoral register.

Amend the rejected ballots criteria and the rejected ballots statement headings regulations under Section 38(1)(4) to expand the rejected ballots criteria and statement headings to include:

- **Invalid Ballot Due to Missing Voter Number:** Any ballot paper that does not have a corresponding voter number from the register shall be void.
- **Invalid Ballot Due to Mismatched Ballot Paper Number:** Any ballot paper with a ballot paper number that does not match the ballot paper number issued to the voter in the register shall be void.
- **Duplicate Valid Ballots with the Same Mark:** If two or more ballot papers are found to have the same voter ID or number from the register and the same ballot paper number from the ballot paper booklet, and they are marked for the same candidate, only one of the ballot papers shall be valid, and the remaining duplicate ballot papers shall be void.

- **Duplicate Ballots with Different Marks:** If two or more ballot papers are found to have the same voter ID or number from the register and the same ballot paper number from the ballot paper booklet, but they are marked for different candidates, all such ballot papers shall be void.
- **Different Ballot Paper Numbers with the Same Mark:** If two or more ballot papers are found to have the same voter ID or number from the register but different ballot paper numbers from the ballot paper booklet, and they are marked for the same candidate, all such ballot papers shall be void.
- **Different Ballot Paper Numbers with Different Marks:** If two or more ballot papers are found to have the same voter ID or number from the register but different ballot paper numbers from the ballot paper booklet, and they are marked for different candidates, all such ballot papers shall be void.

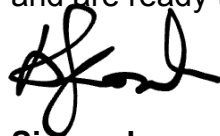
2.4 Proposes The Collection and Publication of Election Violations Data Insights

- Systematically collect, analyze, and publish data insights into validation infractions recorded in the rejected ballots statements. This analysis will help identify areas where improper ballot handling, voter suppression, administrative errors, potential voter fraud, and coordinated attempts to undermine the electoral process are most prevalent. The insights gained will inform targeted interventions to strengthen the electoral process and ensure its integrity.

Conclusion

In conclusion, EVI believes that these proposals will significantly address the identified gaps, enhance validation safeguards for handling ballot-related disputes and ballot-box-related incidents, and support polling station officials and judiciary in the enforcement of electoral laws.

We respectfully request the Electoral Commission's urgent attention to these proposals and are ready to provide further clarification or support to facilitate their adoption.



Sincerely,

Hans Akosah
 Founder and President
 Election Validation Intelligence (EVI)

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	Peace Council	Christian Council	Office of Chief Imam
	Political Parties	The Media	