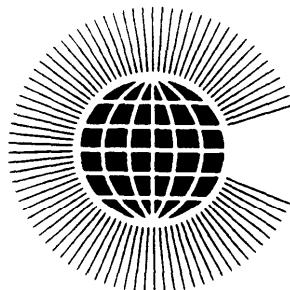


Voting for Democracy

Conference of Commonwealth Chief Election Officers
Queens' College Cambridge - 23-26 March 1998

GETTING THE REGISTER RIGHT: THE GHANA EXPERIENCE

Mr David A Kangah and Mr Kwadwo Sarfo-Kantanka
Deputy Chairmen, Electoral Commission, Ghana



Commonwealth Secretariat

CONFERENCE OF COMMONWEALTH CHIEF ELECTION OFFICERS
CAMBRIDGE – MARCH 23 – 26, 1998
"GETTING THE REGISTER RIGHT"
(VOTER REGISTRATION AND VOTER IDENTIFICATION)
THE GHANA EXPERIENCE

INTRODUCTION

This paper is based on the experiences of the Ghana Electoral Commission in the area of Voters registration for the purposes of public elections and referenda. Ghana, a former British Colony called the Gold Coast, attained her independence in 1957. Ghana adopted the British type First-Past-The-Post (FPTP) electoral system. It is situated on the West Coast of Africa and occupies an area of about 238,000 sq. kilometres with a population of over 18 million people.

Ghana is divided into 10 administrative regions, and 110 administrative districts (plus 10 sub-metropolitan districts). The country is also divided into 100 constituencies (or electoral districts),

Before 1968, the Ministry of Local Government was responsible for the conduct of elections in the country. In that year, an interim Electoral Commission was set up as a body responsible for registration of voters and the conduct and supervision of elections. This was as a result of recommendations made by the Siriboc Committee which enquired into Local Government and Electoral reforms in 1968. This interim Electoral Commission quickly compiled a voters register (or roll) and conducted the general and presidential elections of that year. The registration was carried out at centers determined by the Commission and the registers typed out by a large team of Secretaries. In 1971 the Commission became a permanent body.

The electoral administration body in Ghana took different forms and structures from 1972 after the military coup that year. From 1972 to 1973 the Commission was known as the Centre for Civic Education. From 1973 - 1977 the Commission became known as the Civil Registration and Electoral Department with an additional responsibility for issuing citizens I.D. cards. During the referendum on Union Government in March 1978, the voters registers of 1968 were used and votes were counted at polling stations instead of constituency centres for the first time in the country.

In 1982, the Electoral Commission became known as the National Commission for Democracy and in 1992 during the transition to civilian rule it became reconstituted as the Interim National Electoral Commission. The present Electoral Commission, with seven members, was established by the 1992 Constitution with one of its main functions being the responsibility for compiling the register of voters and its revision at such periods as determined by law.

Currently, Ghana practises both the majoritarian and FPTP (first-past-the-post) electoral systems. In presidential elections the winner is the candidate who earns a majority percentage of the valid votes cast. A second round election is conducted for

the candidates who obtained the two highest number of votes, if no candidate earns a majority in the first round. However in parliamentary elections, this majoritarian clause is not applicable and a candidate is declared winner if he/she earns more votes than any other candidate. An issue for determination by a referendum is taken to be determined if at least 35 percentage of the persons entitled to vote at the referendum voted and. of the valid votes cast, at least 70 percent voted in favour of the issue. This calculation would be very difficult and contentious if accurate voters registers are not available.

2. LEGAL FRAMEWORK FOR VOTER REGISTRATION

Whether or not an electoral administration will require voters registers is a factor that is determined by the legal provisions of the country. Considerations for registering voters depend on whether a country has a universal suffrage, uses electoral colleges and others. In Ghana, the current constitution, written in 1992 under a chapter on Representation of the People. states that “Every citizen of Ghana of eighteen years or above and of sound mind has the right to vote and is entitled to be registered as a voter for the purposes of public elections and referenda” . This statement gives a right to register and vote and so registration as a voter and participation in public elections and referenda in Ghana are voluntary. But there are other incentives that make a person want to register as a voter. For example, one of the qualifications for appointment to certain posts is that one is qualified to be a member of Parliament. However to be an MP a person must be a registered voter. The 1992 constitution also established an Electoral Commission with one of its functions as “to compile the register of voters and revise it at such periods as may be determined by law “. Infact it goes on further to say that the Electoral Commission is also to undertake programmes for the expansion of the registration of voters.

Parliament in 1993 enacted the Electoral Commission Law (Act 451, 1993) to give effect to the electoral provisions of the constitution. Based upon the provisions of the Electoral Commission Act, the Commission drew up regulations for registration which were passed into law by Parliament in 1995 as “Public Elections (Registration of Voters) Regulations 1995” (Constitutional Instrument, C.I. 12). The registrations cover the following areas:

- Part I** - Registration of voters,
- Part II** - Challenges and Complaints,
- Part III** - Provisional Voters Register and Complaints relating thereto, and
- Part IV** - Offences and Miscellaneous provisions.

The regulations under qualification for registration apart from those qualifications stated in the constitution requires that a person must be resident or ordinarily resident in an electoral area. and is not prohibited by any law in force from registering as a voter to be entitled to have his or her name included in the register of voters. Ordinary residence has been defined to mean that a person shall be deemed to be ordinarily resident in an area if within the four years prior. to the registration time he/she has lived in the area for an aggregate period of not less than twelve months.

The regulations provide that the Commission shall designate any place it considers appropriate as a registration centre for the purpose of registering voters. Since such centres are also used as polling stations the Commission ensures that the centre is within reach of the voters in the electoral area and it can stand aby weather conditions on election day. Infact the Commission is required under these regulations to make known in the national newspapers and gazette the places that it designates as registration centres. The list of the centres is made available to the political parties to enable them assign their agents to these places during the registration period and when the provisional registers are exhibited.

The regulations provide for the Electoral Commission to specify the period during which the registration of voters shall take place, However it would appear that the constitutional requirement is to have registration of voters on request. That is, as soon as a citizen qualifies to have his/her name included in the register it should be possible for that to be done. In fact a recent Court of Appeal judgement has alluded to this and so the Commission is now considering modalities to undertake continuous registration. Though the regulations provide for the Commission to vary the application procedure and the period of registration in the case of the disabled or incapacitated the Commission has not as yet found it necessary to do so. However the procedure for registering Ghanaian citizens resident abroad is slightly different.

The legal provisions also deal with provisions for challenging an application for registration and the setting up of district registration review committees to deal with such challenges. The Commission is also by law expected to cause the provisional register of voters of each polling division to be opened for public inspection and scrutiny at the registration centre for such period as the Commission shall specify. During the exhibition of the provisional registers any qualified person may register a complaint with the exhibition officer in respect of any matter included or not included in the provisional register. There are provisions for settling such claims and objections. A certified register is then published after all claims or objections have been duly determined.

Registration offenses range from registering or attempting to register when a person is not qualified to do so; register or attempts to register in the name of another person dead or alive: etc. to unlawful possession of another person's voter I.D. card.

2.a THE VOTERS REGISTER - the prams; and the issuance of Voter identification card.

A major consideration to *make* before embarking on compiling a voters register is whether to have fixed centres or to have registration assistants move from place to place registering applicants. The latter has sometimes been called face-to-face registration. In 1988/9 the then National Commission for Democracy undertook a registration exercise by having the registration assistants go from house to house, go to market places, offices, and hospitals to register the applicants. This was done to ensure that every qualified applicant was reached. In addition the registration officials were paid according to the number of people they were able to register. At the end of the exercise, the resultant registers were flawed with numerous problems, some of which were:

- i) Multiple entries in the same register - it was possible for the same person to be registered at Merent points with slight differences in detail. if he/she did not admit having been registered earlier on;
- ii) A voter having his/her name in more than one register - one applicant could., fraudulently, be registered by more than one registration assistant;
- iii) Voters not finding their Dames in the register they thought should contain them;
- iv) Ghost entries - some unscrupulous officials fogged entries to claim more remuneration; etc.

These flaws together produced very bloated registers with serious consequences for future elections; notably the 1992 general and presidential elections.

One other issue for consideration during the compilation of voters registers is whether to include titles of voters or not- In the 1988/89 registration exercise, names and titles were mixed up with some voters looking for their names in the registers with one title when probably it was the other that had been entered. This was the case for many who carry long titles. It was also difficult to tell the difference between two-word names such as Abu Issa and Issa Abu. The Commission decided to enter the names in alphabetical order but this net work and the result was confusion on election day.

After having to USC such flawed registers with the attendant problems and complaints (and in some casts accusations) we learnt our lesson in 1995. We decided to specify the places for registration. In fact we said prospective voters should register where they lived and at the polling station they normally would go to vote. Additionally the period of registration was specified- The legal framework outlined above was enacted that year and governed the registration process. The number of registration centres (polling stations for that matter) country wide was increased to ensure that not more than 500 voters were registered in rural centres and 1500 in the city or urban ones. In addition the spread of' centres was determined lo make sure that no voter or registration applicant would have to travel more than 3 Mom&-es to his/her centre.

The Electoral Commission was not able to arrange to register all qualified Ghanaian citizens abroad. However the Commission covered Ghanaians working with the Ghana Embassies (or Consulates), the UN, Commonwealth Secretariat, and other World Organizations. Special forms were sent lo the embassies for distribution to qualified Ghanaians in their respective countries lo complete. The completed forms were returned to the Commission for the registration to be effected- The individuals on return home were then issued with their ID cards.

2.b. LOGISTIC PLANNING - A lot of preparatory work was done before embarking on the registration exercise of 1995- The numbers and kinds of registration materials to be moved to the field was carefully determined. For instance the numbers of registration forms for each centre had to be known. This means the packaging of forms

must be done in such a way that distribution is easy and convenient- This was achieved by paewing material at the Commission's headquarters in quantities to meet District and constituency requirements. The District or Constituency officers repacked them for each registration centre under their supervision. Packaging also took care of backup needs.

One important aspect of logistic planning has to do with transport. The Commission dots not have an adequate fleet of vehicles to move people and material to the field. In this connection the Commission in collaboration with the sector Ministry for transport, Regional and District directors of administration, commandeered vehicles from government departments, corporations, NGOs, the Private Transport Unions etc. to augment its own fleet- However we made sure we did not use any vehicle belonging to a political party- In addition to vehicles the Commission also used boats, motorbikes and even tractors in areas with special difficulties. The Ghana Airforce also released helicopters to airlift people aad materials to areas that could not be reached by road or Ima t easily.

Even with the elaborate logistic and movement plans we put in place WC still encountered some problems during the exercise. Ghana had its last population census in 1984. Our material distribution figures were therefore based on projected registrable population figures using the 1984 population census figures. The projected figures which turned out to be wrong for many areas caused shortages in some places and surpluses

in others. Shortages of registration forms especially caused a lot of problems. In the arcas where photo voter identification cards were being issued we also experienced shortages of films. The result was that some people left their assigned registration centres and went to nearby centres to register. Our backup contingency plans saved the situation and reduced the interruptions to a minimum. Additionally, some people who felt the photo ID Cards were belter than the thumb print cards left their areas to other centres where they could get photo ID Cards. In 1996 during the parliamentary and presidential elections some of these W&I-S had to apply for transfer of their votes to enable them vote in their own constituencies.

2.c PERSONNEL RECRUITMENT, TRAINING AND DEPLOYMENT

For the 1995 voters registration exercise about 20,000 registration centres were used. It was decided to have each centre manned by a team comprising a registration officer, two assistants, and a camera person for photo areas. The registration officer received and interviewed the applicant to ascertain his/her eligibility. One of the assistants firled the special (scannable) registration form for the applicant. The second assistant tore off the ID portion of the form and laminated it for the applicant. The second assistant in areas where thumb print ID cards were issued was also responsible for taking the thumbprint of" the applicant. In the photo ID card areas the applicant went to the camera person for his/her photograph to be taken and brought it back for the second registration assistant to affix it to the ID portion of the form before laminating it for him/her.

In all we had to employ over 60,000 temporary personnel for the exercise (The Commission has a permanent staff strength of under 1,500). Apart from the officers described above we hired registration supervisors and two assistants each to man every district. The registration supervisors and the Commission's RegiONI Directors were trained at key trainers programme. They in turn went back to their respective regions and trained the assistant registration supervisors and the Commission's district officers in a trainer of trainees (TOT) programme.

All registration officers and assistants were then trained at specified centres across the entire country using a training manual prepared by the Commission's public education and training (PET) department. This final training included mock registration exercises, and was done timely close to the actual registration period. During the key training programme representatives (national leaders) of all registered political parties were in attendance to observe the training process. In the same vain the political parties had observers at the TOT programme and the actual training of the registration officials.

All registration staff were then deployed along with their registration materials to be at post at least 24 hours to the start of the exercise. During this deployment at least one Security personnel accompanied registration officials for each station. The actual exercise of registration was so peaceful there was no need for security presence at the centres.

2.d. THE REGISTRATION TECHNOLOGY

Before 1995 and beginning with the 1998/89 exercise, registration data was collected in the Gold and carried to Accra for a team of over hundred data possessing staff to key them into a national database. This was done with difficulty and a lot of delays. Using this procedure, error was very high. Planning for the October 1995 registration began nearly a full year earlier than the due date. The Commission had estimated (using

projected population figures and indices as described above) that the registrable population of Ghana would be 10 million people. It would have been impossible to compile a computerized voters register by the above traditional means within the six months following registration as required by the electoral laws. As a result, the Commission decided to use Optical Mark Recognition (OMR) scanning technology that had been in use in Ghana by the West African Examinations Council (WAEC) for grading student tests, but for that purpose only. The OMR technology would allow the Commission to produce the register within the legal time limit and at a lower cost than the traditional method. The OMR inputs the information automatically by using marks at designated locations on a scannable form to represent numbers and letters of the alphabet.

Scanners convert these tick marks into an ASCII, or text only, format that computers can understand. Because of the design of the OMR form, the Commission decided to limit the information captured by the computer to only some vital information that would actually be used on Election Day, viz the name, age, and sex of the voter. Other

information gathered during the process, including the voters' street address, home town, and parents' names were only used in cases where the voters' eligibility was challenged.

The OMR technology did not solve all the Commission's problems. The Commission carries out its exercises based on 3 main principles:

- i) To register every eligible person, i.e. attain 100 % registration;
- ii) To ensure that every person registers but only once; and
- iii) To help potential voters to register in a most convenient way possible.

In line with these principles the Commission recognized the necessity of discouraging the production of both counterfeit and altered voter identification (ID) Cards while remaining within a modest budget, Emphasis was therefore placed upon security, and transparency, of the registration procedure and not simply relying on the security built into the voter ID card.

In 1994, the Commission had after considering all the options available to it and to facilitate easy identification of voters as well as eliminate impersonation, decided to provide voter ID cards to all registered voters. In the 10 Regional capital cities and ten other constituencies, ID cards were to include a photograph of the voter, but all voters in the rest of the country would have ID cards with thumb print. It was understood that in the areas where ID cards were issued with thumbprint, most individuals knew their neighbours quite well and therefore the likelihood of impersonation would be minimal. An ultraviolet security feature was built into the photographs using privately ordered films. Most significantly the voter registration cards bore a unique number, thereby giving every registered voter a corresponding unique number. Throughout the registration period the Commission kept accurate records of which voter registration ID numbers were issued to each of the nearly 20,000 centres. The ID numbers assigned to each registration centre were also made available to all the political parties. And again party agents were stationed at every registration centre to closely observe the process.

The registration officials used daily account forms to keep record of all forms that they used. In particular registration forms that were not used were kept safely but their numbers were sent to the Commission's data management department. The Commission's computer was then programmed to reject those numbers during the scanning process. This security mechanism ensured that no stolen forms could be used

to illegally register any person. Another security measure to make it impossible for any person to register more than once was the mechanism by which each applicant was given a stain of indelible ink after registering. The ink was very effective making the stain to last more than two weeks covering the registration period.

While the implementation process required a lot of co-ordination and work, it proved really worthwhile for the Commission. Counterfeitors who simply produce an imitation ID card will not outsmart the system as the name and number on it must match the name and number on the register at a specific polling station.

When registration is over and the data entry is completed, provisional registers are printed for all registration centres. As a mechanism of verification, the provisional registers are sent to their respective centres for the public, political party agents and other interested persons to examine them. The prospective voters themselves visit the centres during the exhibition period to check their names, ID numbers and other particulars on the register. During the verification any person can object to another person's name being on the register. Such objections are referred to Registration Review Committees to adjudicate.

2.e. LOST ID CARDS

It was evident some voters would lose their cards before or on election day. Some of the cards could be forcibly taken away from voters by unscrupulous political activists or even stolen. The Commission therefore instituted a mechanism for replacing lost I.D. Cards. In fact it is provided in the registration regulations to report the loss of his/her card to the police or an official of the Electoral Commission. The lost cards are replaced with cards of different colour and the station of the register containing the name and number of the person who lost his/her card is notified. A note is then made in the register that the voter would be appearing at the station with a "replaced Card". If the voter or any other person should present the original card on election day he/she is apprehended. The replacement cards equally had unique numbers.

3. COST AND OTHER CONSIDERATIONS

Obviously, under the present economic situation of Ghana, it would be unpardonable if the Commission in planning its exercises does not take cost into account. Cost effectiveness has actually been a key principle to the Commission. In fact it is for this very reason that the Commission sought assistance to improve on its database and data entry process. For the last registration exercise fewer than 40 people were required to work on the scanners that scanned the data. Obviously the initial cost of the technology was a big investment but once acquired it reduced the huge man-hours that would have been put into the production of the registers.

The Commission also achieved cost-effectiveness in other areas. The entire registration was carried out in a timely period of two weeks compared to past periods ranging from 3 weeks to 2 months. The number of registration centres was increased to reach out to almost every eligible person but efficient planning and effective training of the operatives made it possible for the processing time per applicant to be reduced to a minimum. The applicants themselves were adequately educated on the registration procedures through an intensive public education programme. Members and staff of the Commission were deployed to meet groups of public interest organizations to educate them on the registration procedure. We went to churches, prayer centres, mosques and any conceivable, but, convenient place that we could meet with people. In addition a lot of posters, bill boards etc. were produced. Not only did the intensive public education sensitize people on the need to register but it promoted efficiency during the registration as our monitoring and evaluation reports showed.

As stated earlier, the provisional registers were exhibited. The exhibition revealed very satisfying results: the entries had very few mistakes; not many registration forms were spoilt; it was very easy for people to find their names (and particulars) in the provisional registers; and later in the 1996 elections the voter processing time was in most places 45 seconds.

In 1996 we carried out a revision of the registers in district centres (120) and captured only 25,000 new voters. Then in 1997 we carried out the same process at electoral area centres (5,500) and registered a mere 295,000 new c&rants. Our analysis of these results shows that we bad achieved over 95% registration in 1995. It also showed that the entire registration process was carried out at a cost of about 99 cents per voter, which compared with previous times was very low. In fact we are aware that in many countries the ID card alone costs more than one doliar per voter-

CONCLUSION

Registration of voters, especially in a country like Ghana with a low technological development, is very useM. It facilitates processing of voters on election day since voter identification is made easier. In our circumstances not every qualified citizen has a reliable document to prove his/her illegibility, it is true that many of them don't even have birth certificates- It is therefore imperative that a voter identification card that is properly issued would be a big assert for the electoral process. However the right to vote should continue to be the fact that a voter has been registered and not the possession of the voter ID card. if this is not the case a voter may be deprived of his/her franchise if his/her ID card is lost, stolen, or even forcibly taken away.

We at the Ghana Electoral Commission are sure we have a good legal framework to guide us in all our electoral work.

The voters registration we undertook in 1995 was a great success. I! no doubt contributed in no small way to a successful parliamentary and presidential elections in 1996. Voter ID cards will continue to play a major role in our electoral process.