

# Report on the 2020 Parliamentary and Presidential Election Observation in Ghana



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Each of the members of the National Advocacy Committee of GFD provided extensive professional guidance and knowledge about the lived experiences of persons with disabilities.

The National Council of Persons with Disabilities (NCPD) played a key role in facilitating access to accreditation from the Electoral Commission (EC) for the observation exercise – this contribution must be commended.

GFD encourages its members and stakeholders to use the findings of the observation exercise to support their advocacy for disability inclusion in Ghanaian society.

## **Executive summary**

Ghana has made significant strides to ensure the United Nations Convention on the Rights of Persons with Disabilities (UNCRPD) becomes a reality – for example, by formulating policies that promote the equal rights of persons with disabilities to participate in both social and political life. This is further underscored in the Persons with Disability Act, 2006 (Act 715) of Ghana. However, it is often observed that persons with disabilities and other excluded groups are not given equal opportunities to participate in the electoral process.

As a result, the Ghana Federation of Disability Organisations (GFD) – with funding support from Ghana Somubi Dwumadie – initiated an exercise to deploy approximately 150 observers with the objective of collecting data for evidence-based advocacy for full inclusion.

The key findings of the observation included the following:

- GFD's observers reported that 93.3% of the colour contrast of the electoral materials met the needs of persons with low vision.
- 76.7% of the polling stations were reported to have no staircases to climb during voting.
- 77.3% of the polling stations were sited on level ground.
- 84.3% of the polling stations visited had no exposed tree roots or sand that hindered the voters with disabilities from accessing the polling station.
- In 87.2% of the polling stations visited, there were no open gutters around the locations that hindered the participation of voters with disabilities from voting.

The above analysis deepens the argument that there are various forms of accessibility considerations for the Electoral Commission to address in order to secure the full enjoyment of the rights of persons with disabilities in Ghana to participate in political processes, such as voting.

## 1. Introduction

On 7 December, 2020, Ghana went to the polls to elect a new government for the next four years. This presented an opportunity to engage with the relevant agencies to ensure that electoral processes were accessible to, and inclusive of persons with disabilities – including people with mental health conditions – as well as to advocate for political parties to commit to more inclusive development policies and programmes. The Ghana Federation of Disability Organisations (GFD) and its affiliate members (with support from Ghana Somubi Dwumadie and funded by UK aid), undertook a series of interventions to ensure the inclusion of persons with disabilities before and during the 2020 elections.

A pivotal part of the process was the initiation of an election monitoring exercise which aimed to secure the full and effective inclusion and participation of persons with disabilities. Working with affiliate members, GFD embarked on a number of activities to deploy observers across the country to monitor the electoral process. It involved the recruitment and training of persons with disabilities, and representatives from allied civil society organisations who could be relied upon to undertake impartial observations. GFD also developed and distributed information and educational materials, as well as training materials and tools for observation which contributed to the deployment of observers on the day of the elections.

This report aims to share the experiences and lessons learned about political inclusion and participation of persons with disabilities in the 2020 elections in Ghana. The report makes recommendations on ways to deepen inclusion in future electoral processes and aims to contribute to the wider body of knowledge around inclusivity in governance.

### **Background to disability inclusion in Ghana's 2020 general elections**

The opportunity to be involved in political life – whether by standing for elected office, joining a political party, having access to information about governance processes, following political news stories in the media, or voting to decide on a political candidate – is at the heart of what it means to live in a democratic society. In addition to Article 42 of the 1992 Constitution of Ghana, establishing the right to vote by all qualified Ghanaians, Section 1 of the Persons with Disability Act, 2006 (Act 715) and Article 29 of the Convention on the Rights of

Persons with Disabilities (CRPD) guarantee the full right of persons with disabilities to participate in political and electoral activities of the country. Section 39 of Act 715, in addition to Article 29, paragraph 1 of the CRPD, iterates that state actors must ensure the participation of persons with disabilities in all national and electoral activities by making materials and systems accessible. The Coalition of Domestic Elections Observers (CODEO) observers reported that 94.5% of the set-up of most polling stations ensured that persons with mobility challenges (for example, people with disabilities and older people) could easily access them. It also stated that 95.5% of polling stations gave priority to the elderly, pregnant women, nursing mothers, and persons with disabilities to vote. However, statistics show that persons with disabilities are significantly underrepresented in government, with no persons with disabilities appointed as a minister or deputy. That notwithstanding, persons with disabilities are appointed as representatives at the various district assemblies at local level.

In view of the above, over the years the GFD has pursued advocacy on the successful participation of persons with disabilities in a barrier-free electoral process in Ghana. Many initiatives, including the sensitisation and lobbying of the Electoral Commission (EC) of Ghana and other political parties for disability provisions and inclusion in the electoral process; engagements with the National Commission for Civic Education (NCCE) to increase public knowledge and consciousness towards positive attitudes; and empowering and orienting media personnel to increase and improve in the quality of reportage on disability issues during elections; have seen positive outcomes. Some of these include the provision of accessible voter education campaigns by the EC and NCCE; accessible and inclusive voting booths; the introduction of a tactile voting system; the production of accessible political party manifestos; and media reportage focused on the rights of persons with disabilities. However, in spite of these initiatives, our observation over previous elections in Ghana identified the existence of certain historical barriers. Some of those identified over the period (1992-2012 general elections) include – but are not limited to – inaccessible educational and voting materials; inaccessible built environments; and inaccessible medium of communication at voting centres. There was also an absence of specific data on the various categories of impairments in the voter register.

The GFD recognised that previous observation exercises had not generated enough responses to draw relevant conclusions on the existence of the barriers confronting persons with disabilities for the purpose of engaging relevant stakeholders. For this reason, we set out to elicit a high number of responses to our election observation tool so we could gather sufficient evidence to convince key actors on the various barriers that they were in fact still in place, and establish ways of eliminating them.

## **Methodology**

The 2020 election observation exercise was deemed important to all the member organisations of GFD. The process was led by the National Advocacy Committee<sup>1</sup> and it adopted a user-led, consultative and participatory approach for the observation exercises by persons with disabilities.

Five major thematic indicators were identified for observation: polling station set-up; physical accessibility for voting; special voting provisions for persons with disabilities; inclusion; and verification.

To make it easier to adapt the observation tools to fit particular accessibility requirements, soft copies (shared on mobile phones through the WhatsApp platform) were made available to all observers. A WhatsApp group was created for all field observers and supervisors for the purposes of coordinating, and asking and responding to questions and concerns before, during and after the observation exercise.

## **2. Preparation towards election day observation**

### **a. Development of observation tools**

GFD reviewed the disability election observation tool (developed by GFD during the 2016 parliamentary and presidential elections) and this was adapted by the Advocacy Committee for use in the 2020 election observation. Attention was paid to making sure it was accessible for use by different categories of persons with disabilities. In addition to producing large-print copies of the checklist for the observers, soft versions of same were made available to enable those who had

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<sup>1</sup> The National Advocacy Committee has representation from all the nine members of GFD and experts in disability rights advocacy.

colour contrast needs – among others – to alter the document to suit their accessibility requirements. Furthermore, a simple virtual reporting platform was developed for easy submission of responses. The tool enabled us to gather information about the conduct of polls and also enabled observers to send quick and timely reports on their findings during the election day. The observation checklists covered a diverse range of information, including polling station officers; party agents; security personnel and voters; the functioning of voting equipment; the application and adherence to voting rules and regulations; and the general all-round conduct of the elections.

## **b. Recruitment and training of field personnel**

### **i. Regional supervisors**

GFD recruited and trained one regional executive from each of the 10 GFD regional branches. The regional executives were asked to nominate one member as the regional supervisor and this was followed by an interview to ascertain the competency of the nominated executive. A one-day, virtual training workshop was organised for the 10 regional executives, during which they were taught how, as observers and supervisors, to play the crucial role of being the direct contact with observers on the ground and responsible for resolving basic concerns emanating from field reports.

GFD also recruited and trained polling station observers meant for deployment to the various polling stations. In total, 142 observers were recruited and trained from nine organisations of persons with disabilities across the country through their national associations, including the National Council of Persons with Disabilities (NCPD), Sightsavers staff, GFD secretariat staff and volunteers. After the selection, observers were grouped into four regional coordinators, namely: southern, middle, and northern zones, and staff of the NCPD.

GFD organised four virtual meetings and one physical meeting for the observers. The first virtual training session for the middle and northern zones was held on 2 December, 2020. The training session for the southern zone in Accra was convened face-to-face and virtually on 4 December, 2020. The last training was undertaken for staff of the NCPD.

The purpose of all the training was threefold:



- To prepare the participants to serve as fully-accredited election observers. This involved a thorough review of existing electoral laws and practices, and the role and responsibilities of the electoral observer.
- To prepare the participants to view the election through a "disability lens" in order to assess the extent to which citizens with disabilities voted, and the manner in which they voted.
- To share tools and strategies that might be needed by observers with disabilities.

## **ii. Accreditation for GFD election observers**

The Electoral Commission of Ghana accredits interested groups to enable their observers to gain access to polling stations and information on voting processes. In collaboration with the NCPD, we applied for accreditation for observation and received a positive response. The names of observers were sent to the Electoral Commission for individual accreditation. As part of the EC's criteria for accessing accreditation, applicants are required to undergo a basic observations training. For this reason, GFD's observers received separate training in addition to what GFD had already provided. Once accredited, observers were required to respect the EC's code of conduct for observers.

## **iii. GFD's election day observation, deployment and reporting strategy**

On 7 December, 2020, GFD deployed 142 roaming observers, comprising persons with disabilities; civil society organisation representatives and volunteers; and 10 regional supervisors. Also included in the observer groups were GFD board members, GFD staff, and volunteers. On the day of the elections, the observers moved from one polling station to the other and covered about 600 in total. By filling in an online form, the observers' reports from the polling stations were sent directly into a single database. The regional observers also completed the online forms and observation checklists, as well as calling the national coordinator in the event of an incident.

### **3. Findings from election day observations**

#### **a. Challenges encountered by persons with disabilities in accessing the voting process**

Accessibility to voting centres by persons with disabilities is key to achieving the ultimate goal of exercising their franchise as citizens of Ghana, as set out in the national constitution. We examined the set-up of polling stations, the physical accessibility of sites, and provisions for persons with disabilities. Our election observations revealed that while some efforts are in place to promote the inclusion of persons with disabilities in the voting process, there were concrete barriers like staircases, tree roots and heaps of sand or gravel hindering movement, and gutters in or around the polling stations. In the case of visual accessibility, the built environment and voting materials had room for improvement. With the GFD's analysis, 7% to 9% of existing polling stations required some modifications to make them visually accessible.

The voting process was observed according to the following criteria:

#### **i. Polling station set-up**

- GFD observers reported that out of the 600 polling stations covered, the majority (94%) of them commenced voting as early as between 7am and 8am. About 6% of the polling stations opened voting about 8:01am, after all issues that necessitated delay were resolved. The timely commencement of polls was of the essence to the smooth accessing of privileges, such as preferential treatment of persons with disabilities. At polling stations where polls do not commence on time, the officers on hand are often under immense pressure when attending to everyone and can therefore neglect the particular requirements of persons with disabilities. Additionally, voters without disabilities tend to prevent any category of marginalised persons from accessing privileges entitled to them.
- It was also noted by 97.5% of the observers that all the election officials were present at the time of their (the observers') arrival at the polling.
- GFD observers reported that only 3.8% of EC officials were persons with visible disabilities, and 2.1% of political party agents were persons with visible disabilities.

- The EC issued a directive to its officials to give preferential treatment to persons with disabilities at the polling stations. 87.4% of the observers reported that persons with disabilities were given preferential treatment at the polling station.
- Another area of concern for persons with disabilities is the availability of sign language interpreters at the polling stations. About 91.9% of the polling stations did not provide sign language interpreter services, and 78% stated that alternative provision of communication for deaf persons was not in place.
- The GFD observers reported that 87.8% of the polling stations had uniformed security personnel present at the time of voting. It is the EC's practice to facilitate access to the preferential treatment for persons within a category of people 'at risk', such as persons with disabilities; hence, their presence guarantees effective participation of persons with disabilities. Additionally, in case of emergency or violence at the polling station, these security officers are expected to prioritise the evacuation of persons with disabilities.

## **ii. Physical accessibility**

- It was reported that 91.1% of the polling stations had colour contrast in the built environment that satisfied the needs of persons with low vision. 94.1% of the colour contrast of electoral materials met the needs of persons with low vision. These made the electoral materials accessible to some persons with disabilities.
- 77.8% of the polling stations were sited on a level ground, and 23.5% reported that the polling stations were set up at a location where steps were required to access them.
- Out of the 77.8% of the polling stations that were sited on a level ground, 14.9% of them were located at a place where there were exposed tree roots or there was sand/gravel hindering the disabled voter from accessing the polling station.
- 84.4% reported that polling stations were set up in locations that had enough space for wheelchair users to move around easily.
- 15.6% reported that the height of the polling booths was not accessible to wheelchair users and people with short stature. Unfortunately, there

is no standard measurement for the height of the polling booth. However, observers were expected to note how easy or not it was for a person seated in a standard wheelchair to cast their ballot on the ballot paper without additional support.

- Observers reported that “an assistant or poll worker intimidated or otherwise unduly influenced a disabled voter” in 4% of the voting population. This could include a person with disability being refused priority to vote at polling stations with long queues, or a poll worker imposing themselves on a person with disability to assist them to vote.

**iii. Special voting provisions for people with disabilities**

- 100% of the polling stations did not have a voting guide in braille.
- 90.8% of the polling stations did have tactile ballot guides or ballot marking guides provided.
- 90.2% of the polling stations observed had separate tactile jackets for persons with visual impairment for both presidential and parliamentary elections.
- 64% of voters with disabilities used the services of personal assistants/aids or polling officers in voting.

**4. Recommendations for improving and sustaining participation in voting by persons with disabilities: a 10-point agenda**

While there are variables on which we are unable to report, such as the number of polling station officers and party agents who had non-visible disabilities, the election monitoring process did identify specific areas that would improve political inclusion for persons with disabilities. We have made 10 key recommendations that we believe would bring about effective and sustainable change in the election and voting system, and ensure that the right to vote, as set out in Article 42 of the 1992 Constitution of Ghana, is available to all persons with disabilities.

1. It is crucial to sustain initiatives that prepare the ground and create opportunities for participation in voting. Advocacy and lobbying of the EC and other stakeholders in the process to promote disability inclusion in the election process must be a regular activity – not a one-off event in the lead

up to major elections. We recommend that engagement must commence at least two years prior to the actual elections.

2. On representation, there is a clear need for the EC of Ghana to prioritise the selection of persons with disabilities as electoral officers during elections. We recommend that there should be at least one person with a disability among the EC officials during registration and voting.
3. There is also a need to disaggregate data on persons with disabilities in the voter register regarding the various categories of disabilities so that provisions can be made for individual requirements. Advocacy by organisations of persons with disabilities (OPDs) in this area should happen when the constitutional instrument or method that regulates registration and elections is developed.
4. The State should provide information and educational materials in various accessible formats such as braille, video, and large font size well before election day. This means that a budget should be specifically allocated to the development of accessible voter educational materials.
5. We recommend that the EC and OPDs carry out a comprehensive accessibility audit of all registration and voting centres. This will identify any inaccessible locations and help to ensure that their subsequent replacements are established in good time.
6. OPDs should engage political parties on the involvement of persons with disabilities as party agents, as well as engaging the EC to recruit persons with disabilities as EC officials.
7. The State should increase the education and sensitisation of persons with disabilities on electoral processes. In addition, the EC should improve its sensitisation of visually impaired persons on the appropriate use of the tactile ballot jackets<sup>2</sup> to promote independent voting.
8. We recommend that OPDs and the NCPD engage political parties to sustain the integration of disability issues in their manifestos.
9. We recommend that OPDs and the NCPD engage political parties to establish disability wings by amending their constitutions.

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<sup>2</sup> This is a guide developed for and used by blind voters to ensure that they accurately vote for the candidate they want to vote for.

10. Civil society organisations (CSOs) working in the area of elections and political participation should prioritise the inclusion and participation of persons with disabilities in electoral and political activities.

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