



ELECTORAL COMMISSION
GHANA

Electoral Commission
P. O. Box M.214
Accra.

IMMEDIATE RELEASE

EC CLARIFIES ELECTRONIC RESULTS TRANSMISSION AND CONTRACTUAL PROCESS

The Electoral Commission would like to place on record that the decision to put in place an electronic results transmission system (ERTS) for the 2016 elections was not taken unilaterally by the Commission. It was part of the several reform proposals made by the Electoral Reform Committee which was set up by the Commission after the 2013 Supreme Court judgment on the Presidential Election Petition. The members of the Reform Committee included the following:

- Ms. Georgina Opoku Amankwaa- Deputy Chairperson (EC)
- Mrs. Rebecca Kabukie Adjalo (Member, EC)
- Mr. Johnson Asiedu Nkefiah (NDC)
- Mr. Kwabena Agyei Agyepong (NPP)
- Mr. James Kwabena Bomfeh Jnr. (CPP)
- Mr. Anin-Kofi Addo (YPP)
- Dr. Ransford Gyampo (IEA)
- Mr. Kwesi Jonah (IDEG) and
- Dr. Franklin Oduro (CDD-Ghana)

The Committee's proposal on the ERTS which was captured on pages 32 and 33 of the report was as follows:

"It is recommended that hand-held scanners should be used to scan constituency collation forms that contain the polling station results and sent electronically and directly to the National Collation Centre. The hard copies would be sent physically to the Head Office of the EC."

"Justification: The transparency of the collation of the votes is critical to the acceptability of the declaration of the results. Therefore these steps should be taken to further open up the collation process to as many members of the public as possible. Where people are assured of openness, they tend to trust the



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electoral process and ignore rumors of manipulation of results. This engenders trust in the process.”

As obvious from the above extract from the Committee's recommendations, the Electoral Commission only accepted to implement a proposal and decision which was taken by the Committee and collectively accepted by all the political parties at the Inter-Party Advisory Committee (IPAC) level. The Commission holds the view that the basis for the recommendation of the ERTS by the Reform Committee was valid and deepens the integrity and transparency of the election results collation process.

At an IPAC meeting held on 12th June 2015, the Commission adequately briefed the political parties on all the reforms as proposed and subsequently accepted by the Commission. On 18th March, 2016, Mr. Peter MacManu recognized that IPAC was the appropriate forum at which such issues should be discussed and requested the Commission to brief the political parties on the tender process. The Commission is of the view that any concerns regarding the implementation of this proposal, should again be brought to the IPAC, where they were conceived for implementation by the Commission.

The Commission has taken note of Mr. MacManu's public comments about the agreed results transmission process, especially the legality of the said system. We however wish to point out that Mr. MacManu was a member of the Legal Committee of IPAC and was intimately and significantly involved in the drafting of the two important regulations C.I.91 and C.I.94 (which regulate registration of voters and the elections). Mr. MacManu also appeared before the parliamentary committee for Subsidiary Legislation chaired by Hon. Osei Bonsu Amoah. The latter is also a regular representative of the New Patriotic Party (NPP) at IPAC.

In the view of the Commission, Mr. MacManu had ample opportunity to raise the issue of the inclusion of the ERTS in the law either at IPAC, or the Legal Committee of IPAC where the law was drafted; or even before the subsidiary legislation committee of Parliament. As a matter of fact, the results transmitted through the ERTS would remain provisional and since they do not replace the manual results process captured in the Law, in the view of the EC, the legal



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committee of IPAC, and IPAC, there was no need to capture the process in the law.

Additionally under the new C.I. to regulate elections, all political parties and candidates are entitled to have counting agents present during the counting and collation of results. The Commission would also want to emphasize that the ERTS does not replace the manual collation process which requires agents of political parties to attest to the accuracy of results before declaration by presiding officers. As explained at IPAC, in the event of a discrepancy between results from the ERTS and the manual results, the manual results would take precedence. This makes it impossible for anyone to attempt to alter declared results in the transmission process.

It is the expectation of the Electoral Commission that all political party representatives on Committees (collectively set up by IPAC) will raise any concerns they may have about any reforms or the electoral process at IPAC to be discussed and addressed collectively.

Furthermore, the Commission has always dealt with political party leaders and other stakeholders with utmost good faith and on the basis of trust. It is therefore natural for the Commission to expect that the political parties will relate to us on the same terms.

The Commission would like to assure the public that no decision has yet been made on the vendor for the ERTS. In furtherance of our commitment to transparency, the Commission intended to make vendor selection process as inclusive as possible. The planned demonstration exercise is a key stage in the selection process. Consequently, after completion of the evaluation, a number of vendors were listed to present their proposed solutions to the various stakeholders, including the political parties. Indeed we already had invitations prepared to be sent out from the week beginning 1st of August to all relevant stakeholders to participate in the demonstration exercise. The Commission will only make a decision on the vendor after this exercise has been completed.

We would like to assure everyone, particularly, the political parties that our doors are always open for any clarifications or concerns they may have on our



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processes. As our key partners in delivering credible and transparent electoral outcome, we will continue to engage the parties on all our processes leading up to the 2016 elections.

Thank you.

Signed:
ERIC KOFI DZAKPASU
Head of Communications