



**ELECTORAL COMMISSION
GHANA**

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

**STATEMENT BY MRS. CHARLOTTE OSEI, CHAIRPERSON OF THE
ELECTORAL COMMISSION ON THE RECEIPT OF NOMINATIONS
FOR 2016 PRESIDENTIAL ELECTIONS AND GROUNDS FOR THE
DISQUALIFICATION OF SOME CANDIDATES.**

A. Statutes regulating filing of nominations

- The 1992 Constitution
- Public Elections Regulations 2016 (CI 94)
- Representation of the People's Law, 1992 (PNDC Law 284)
- Presidential Elections Law, 1992 (PNDC Law 285).

B. Importance of the process

The Nomination Form is presented by the candidate seeking public office to the Electoral Commission. It contains important personal details about the candidate and enables the Commission satisfy itself that candidates meet the qualifying criteria under the law.

For instance, presidential and vice presidential candidates are required by the Constitution to be citizens of Ghana; registered voters; at least 40 years old; and eligible to contest for Parliament. In addition, candidates are required to swear to a statutory declaration attesting to their eligibility to stand for office and the accuracy of the details provided in the nomination forms. Consequently, a false statement made in the nomination form has legal consequences.

On submission of the forms by the nominees, the Electoral Commission is obliged under law to check that the facts provided on the nomination forms are correct, and that the



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forms have been properly signed by the required number/s of registered voters.

Clearly, the process of nomination, receipt and acceptance of nomination is a very critical part of the electoral process and the Commission has continually urged prospective candidates to take this process seriously.

C. The 2016 process

- On the 8th day of September 2016, prospective candidates were informed that forms were available at the offices of the Electoral Commission for persons seeking to be elected to the office of President. The Commission also announced the filing fees for presidential and parliamentary candidates for this year's elections.
- On the 23rd of September 2016, the Electoral Commission launched a publication – 'A Guide to Candidates and their Agents' for the 2016 elections.
- On 26 September 2016, the Commission again issued a press release to all candidates reminding them of their duty to take the nomination process seriously, and ensure compliance with the requirements of the Law.
- On September 27, 2016, the Commission was served with an application filed by a political party seeking an injunction restraining the Commission from receiving the published filing fees. The Commission had prior to this been served with court processes



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challenging the processes and basis for the filing fees announced by the Commission.

- On September 29 and 30, 2016, between 9 am and 12 noon and 2 to 5pm, the Commission received nominations presented by candidates or their representatives throughout the country; excluding the filing fees in most instances. Some candidates who submitted their forms early had the added benefit of the Commission being able to point out obvious errors or omissions on their forms, which enabled them to correct said errors or omissions within the nomination period, as specified by law.
- On October 7, 2016, the court dismissed the injunction seeking to restrain the Commission from receiving filing fees. This cleared the way for the Commission to receive the filing fees and complete the nomination process.
- Today, following the receipt of filing fees, the Commission can now finalize the nomination process and declare which nominations have been accepted for the parliamentary and presidential elections of December 2016.

D. Key criteria for presidential candidates

- a. Forms must be signed by candidate
- b. Forms must be signed by two registered voters in every district (432 valid endorsements required)
- c. One voter cannot endorse more than one presidential candidate



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- d. Vice President nominee must be named and must meet constitutional requirements for the office of Vice President
- e. Properly filled forms must be delivered to the Returning officer on or before the date appointed for receipt of nominations
- f. Forms should be submitted in quadruplicates
- g. Forms should include properly attested statutory declarations stating that candidate has provided accurate details to the Commission, has met all the requirements and is qualified for the office of President.
- h. 4 pictures in accordance with dimensions and specifications in the law
- i. Payment of filing fees as determined by the Commission.

The Commission may disqualify a candidate if one of these requirements is not met. For instance:

- a. The nomination form is not properly signed by the candidate;
- b. The statutory declaration is not properly executed;
- c. Filing fees not presented in requested mode or amount;
- d. Less than two registered voters per district sign the nomination forms;
- e. The nomination forms are not properly signed by all the subscribing voters;
- f. The candidate or the designated vice president nominee does not meet the legal requirements of the nominated office.



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Prior to the close of nominations on the 29th and 30th September, candidates whose nomination forms had obvious errors and who submitted early enough, were called by the officers of the Commission and given the opportunity to correct obvious errors or omissions on their nomination forms. The Law permits such corrections only within the nomination period hence our earlier call on candidates to submit as early as possible.

Following the receipt of nomination forms last week, and the payment of filing fees earlier today, the EC is now in a position to announce candidates whose nominations have been accepted by the Electoral Commission having met the afore stated requirements.

1. Dr. Hassan Ayariga - All Peoples' Congress (APC)

The Commission is unable to accept Dr. Ayariga's nomination for the following reason:

a. The candidate did not provide evidence on his statutory declaration as to his hometown or residence in the constituency as per the legal requirements.

b. Two subscribers to Dr. Ayariga's nominations also subscribed for another presidential candidate. This is in breach of Regulation 7(4) of CI 94. The implication is that the two subscribers are disqualified and therefore, Dr. Ayariga does not have the requisite number of subscribers under Regulation 7(2) (b) of CI 94. The details of the duplicate subscribers are as follows:



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- Abaako Issifu (page 103)
Voter ID number 2988006876
PS code: J110202

- Abudu Ayuba (page 95)
Voter ID number 6303005554
PS code: H200201

In addition, the signatures of both voters are different on the two nomination forms. This raises questions as to the legitimacy of those signatures.

We will refer the matter of the possible forgeries of these signatures to the Ghana Police Service and the Attorney General for investigation and prosecution in line with the following sections of the Criminal Offences Act, 1960 (Act 29):
Section 211: Perjury
Section 248: making false declaration etc. for office or voting;
Section 251: Deceiving a public officer
Section 256: Corruption, Intimidation and personation in respect of election

2. Dr. Edward Nasigri Mahama – PNC

The Commission is unable to accept Dr. Mahama's nomination for the following reasons:

- a. Many subscribers did not properly sign the forms. Thumbprints, signatures or marks were omitted all together. For instance, no signatures on Page 16, 24, 28.

- b. Two subscribers to Dr. Mahama's nominations also subscribed for another presidential candidate. These are:



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- i. Abaako Issifu (page 103)
Voter ID number 2988006876
PS code: J110202
- ii. Abudu Ayuba (page 95)
Voter ID number 6303005554
PS code: H200201

As stated earlier, the signatures of both voters are different on the two nomination forms. This raises questions as to the legitimacy of those signatures.

We will refer the matter of the possible forgeries of these signatures to the Ghana Police Service and the Attorney General for investigation and prosecution in line with the following sections of the Criminal Offences Act, 1960 (Act 29):
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- c. For a large majority of subscribers, the signature portion was ticked rather than subscribed with a signature, thumb print or mark.

It is important to point out that a simple tick does not satisfy the requirements of the law for where a mark is made in lieu of a signature or thumb print.

A mark in law is “an X made by a person who is illiterate or too weak to sign his/her full name.” According to the Free Law Dictionary, “On the rare occasion that this occurs, the “X” should be within or next to a notation” indicating the person’s name or formally



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witnessed by another person to make the mark valid. Accordingly, the Commission is unable to accept mere ticks, which have not been properly, witnessed as legitimate marks made by voters subscribing to Dr. Mahama's forms.

In conclusion, Dr. Mahama does not have the requisite number of subscribers required under Regulation 7(2) (b) of CI 94 and his nomination cannot therefore be accepted.

3. Dr. Nana Agyenim Boateng – United Front Party

The Commission is unable to accept Dr. Boateng's nomination because the number of his subscribers do not meet the minimum required under Regulation 7(2) (b) of CI 94.

The details are as follows:

- a. One subscriber Amadu Babia Latifah with Voter ID number 3357006984, and Polling station K100401 supported the nomination of another candidate (page 110). This is in breach of Regulation 7 (4) of CI 94.

Further, the Subscriber has different signatures on both candidates' nominations raising questions as to the legitimacy of the signature on both forms.

- b. Three of Dr. Boateng's subscribers supported the nomination of another candidate and again, with different signatures. This again is in breach of Regulation 7(4) of CI 94. Details are:



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- i. Alfred Yevuglo (page 35)
Voter ID no: 1270013632
Polling station code: D091201
- ii. Dagadu Raymond (page 35)
Voter ID no: 1270012857
Polling station code: D091201
- iii. Adu Thomas (page 67)
Voter ID no: 3703013114
Polling station code: F310202

We will refer the matter of the possible forgeries of these signatures to the Ghana Police Service and the Attorney General for investigation and prosecution in line with the following sections of the Criminal Offences Act, 1960 (Act 29):
Section 211: Perjury
Section 248: making false declaration etc. for office or voting;
Section 251: Deceiving a public officer
Section 256: Corruption, Intimidation and personation in respect of election

4. Kofi Akpaloo- Independent People's Party

The Commission is unable to accept Mr. Akpaloo's nomination because the number of subscribers to Mr. Akpaloo's forms did not meet the requirements of Regulation 7 (2) (b) of CI 94. The details are as follows:

- a. Three subscribers supported the nomination of another candidate in breach of Regulation 7 (4) of CI 94. Again, the cross subscribers have different signatures on the nomination forms raising questions as to the legitimacy of these signatures.



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These are:

- i. Alfred Yevuglo (page 35)
Voter ID no: 1270013632
Polling station code: D091201

- ii. Dagadu Raymond (page 35)
Voter ID no: 1270012857
Polling station code: D091201

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Voter ID no: 3703013114
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Section 251: Deceiving a public officer
Section 256: Corruption, Intimidation and personation in respect of election.

5. Kwabena Adjei- Reform Patriotic Democrat

The Commission is unable to accept Mr. Adjei's nomination because the number of subscribers to his forms did not meet the requirements of Regulation 7 (2) (b) of CI 94. The details are as follows:

Two subscribers to Mr. Adjei's forms are not registered voters as they are on the Exclusion List for multiple registrations. Details are:



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- Stephen Owusu (2012/2014) with voter IDs 2643005586 & 1490019583
- Fusheini Mariama/ Abdulai Mariama (4.2012/3.2012) with voter IDs 2643005586 & 1490019583

We also call on the Ghana Police Service to investigate the named individuals for the electoral offence.

6. Dr. Papa Kwesi Nduom – Progressive People’s Party (PPP)

The Commission is unable to accept Dr. Nduom’s nomination because the number of subscribers to his forms did not meet the requirements of Regulation 7 (2) (b) of CI 94. The details are as follows:

- One subscriber Richard Aseda (‘Asida’ on the Voters’ Register), with Voter ID no 7812003957) endorsed the forms in two different districts (pages 21 and 39).

The subscriber was found to be on the Voter’s Register in one district thereby disqualifying his second subscription and reducing the total number of subscribers to below the minimum required by the Law.

The same subscriber (Richard Aseda (‘Asida’)) endorsed the form with different signatures in both portions of the nomination form. This raises questions as to the legitimacy of one or both signatures.

We will refer the matter of the possible forgery of the signature(s) to the Ghana Police Service and the Attorney



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General for investigation and prosecution in line with the following sections of the Criminal Offences Act, 1960 (Act 29):
Section 211: Perjury
Section 248: making false declaration etc. for office or voting;
Section 251: Deceiving a public officer
Section 256: Corruption, Intimidation and personation in respect of election.

7. Dr. Henry Herbert Lartey - Great Consolidated Popular Party (GCPP)

The Commission is unable to accept Dr. Lartey's nomination because the number of subscribers to his forms did not meet the requirements of Regulation 7 (2) (b) of CI 94. The details are as follows:

- a. Pages 18 – 22 do not contain the signatures of subscribers as required by Law
- b. Pages 14 – 17: Subscriptions are undated
- c. The Personal records of the Vice Presidential candidate have not been provided.

- d. One subscriber - Amadu Babia Latifah. With Voter ID number 3357006984 & Polling station K100401 (page 110) also supported the nomination of another candidate. This disqualifies both candidates endorsed by the said voter.

Further, the said subscriber has different signatures on both candidates' nominations raising questions as to the legitimacy of both signatures.



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We will refer the matter of the possible forgeries of these signatures to the Ghana Police Service and the Attorney General for investigation and prosecution in line with the following sections of the Criminal Offences Act, 1960 (Act 29):
Section 211: Perjury
Section 248: making false declaration etc. for office or voting;
Section 251: Deceiving a public officer
Section 256: Corruption, Intimidation and personation in respect of election.

8. Richard Nixon Tetteh - United Development Systems Party

The Commission is unable to accept Mr. Tetteh's nomination because the number of subscribers to his forms did not meet the requirements of Regulation 7 (2) (b) of CI 94.

The nomination forms were improperly filled and almost all subscribers to Mr. Tetteh's forms have invalid voter ID numbers. The candidate did not also pay the filing fee within the stipulated timeline.

9. Mrs. Nana Konadu Agyeman-Rawlings - National Democratic Party

The Commission is unable to accept Mrs. Rawlings' nomination because the number of subscribers to her forms did not meet the requirements of Regulation 7 (2) (b) of CI 94.

- One subscriber on page 89 of her nomination forms is not a validly registered voter and illegally registered twice and so is on the Exclusion list of multiple voters. Details are:



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- Salifu Abdulai
District: Nanumba South
Voter ID no: 6617004814 (28.3.2012)
Voter ID no: 2126900022 (04.8.2014).

10. Thomas Nuako Ward-Brew – Democratic People’s Party

The Commission is unable to accept Mr. Ward-Brew’s nomination for the following reasons:

- His forms were improperly completed and Candidate’s particulars were not provided (page 1). The candidate did not provide his voter ID number and the Commission is unable to ascertain whether the candidate is a registered voter and therefore eligible for the office of President.
- The Statutory Declaration by the candidate is not signed and candidate’s details missing from statutory declaration (pages 112 and 113). However, the same statutory declaration has been signed by the Commissioner of oaths. This is illegal and unethical.
- The Signature of the Vice presidential candidate is missing (page 112)
- The Voter ID number of the Vice Presidential candidate has not been provided and so the Commission is unable to ascertain whether the Vice Presidential candidate is a registered voter and eligible to stand as a candidate for that office.
- The number of subscribers to Mr. Ward-Brew’s forms did not meet the requirements of Regulation 7 (2) (b) of CI 94.



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- i. There are no signatures for subscribers (pages 69, 70 and 71)
- ii. Signatures of two subscribers (Isaac Dusi & Kofi Kuma) are identical (pages 55 and 56) and this raises questions about the legitimacy of the two signatures.
- iii. The same subscriber - Kumbung Doseu endorsed the nomination forms in two different districts (Lawra and Nandom) with two different signatures (page 109) raising issues again on the legitimacy of both signatures.
- iv. Two subscribers subscribed in both Dormaa Municipal & Dormaa West districts (page 76)

Details as follows-

- a. Yaa Yeboaa
Voter ID no; 3462001504
 - b. Anthony Boamah
Voter ID no: 3462002159
- v. There are undated endorsements on pages 48, 50, 55, 56 and 61
 - vi. Missing residential addresses, page 33
Page 10: Thumbprints for even headmasters and teachers and Researchers and pastors (page 74).
 - vii. The candidate did not also pay the filing fee within the stipulated timeline.

We will refer the matter of the possible forgeries of these signatures to the Ghana Police Service and the Attorney



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General for investigation and prosecution in line with the following sections of the Criminal Offences Act, 1960 (Act 29):
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Section 251: Deceiving a public officer
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11. Alfred Kwame Asiedu Walker – Independent candidate

The Commission is unable to accept Mr. Walker's nomination for the following reasons:

- Mr. Walker's forms were improperly filled and contained several irregularities.
- There are invalid endorsements and signatures of subscribers are missing from pages 82-84, 99, 100.
- Personal records of Vice Presidential candidate were not provided (page 112)
- The Candidate's Statutory Declaration was not completed and not signed by the candidate.
- The Candidate's Voter ID number and Polling station were details not provided
- The Voter ID details and polling station for vice presidential candidate were not provided. Therefore the Commission was unable to confirm the eligibility of the nominee vice president for the office.
- The Consent to nomination was not signed by both Presidential and Vice Presidential candidates.
- The Vice presidential candidate did not sign his personal record form.



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12. Akua Donkor – Ghana Freedom Party

The Commission is unable to accept Madam Donkor's nomination for the following reasons:

- Her form was improperly filled.
- The Consent to candidacy by the candidate and Vice president nominee were not signed.
- Residential addresses and polling station details of several subscribers were not provided (pages 68, 79, 80, 81, 82, 83, 84)
- Same signatures with different names (Pages 48, 49, 50, 51, 52, 53, 54, 55, 56, 57, 58 & 59)
- Three different signatures provided on the forms for the Presidential candidate
- Vice Presidential candidate not qualified on basis of provided date of birth of October 15, 1998. The details of the vice presidential candidate were also omitted on the personal record form
- The candidate's Statutory Declaration was incomplete

13. Akwasi Addai Odike – United Progressive Party

The Commission has been served with court processes challenging the membership and candidacy of Mr. Akwasi Addai Odike by some members of the United Progressive Party. The processes seek to restrain the Electoral Commission from issuing, accepting and registering Mr. Odike to contest the 2016 presidential election as the flag bearer of the UFP.

The Commission is therefore unable to accept Mr. Odike's nomination forms until the matter in court has been concluded. We hope that Mr. Odike and the UPP would



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resolve the matter by October 14, 2016; after which date the Commission would be unable to process the nomination.

Accepted Nominations

The following nominations have been accepted by the Electoral Commission (in order of submission):

1. Nana Addo–Dankwa Akufo-Addo - New Patriotic Party
2. John Dramani Mahama – National Democratic Congress
3. Ivor Kobina Greenstreet - Convention Peoples' Party
4. Jacob Osei Yeboah – Independent Candidate