

MONITORING ABUSE OF INCUMBENCY IN GHANA'S 2012 ELECTIONS:

FINAL REPORT

FEBRUARY 2012 – JANUARY, 2013

Compiled by:

Ghana Integrity Initiative (GII), Ghana Anti-Corruption Coalition (GACC) and Ghana Center
for Democratic Development (CDD-Ghana)

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Vitus Adaboo Azeem,
Executive Director, GII.

ACRONYMS

CAEMMI	Centre for African Elections Media Monitoring Index
CDD-Ghana	Ghana Center or Democratic Development
CHRAJ	Commission for Human Rights and Administrative Justice
CPP	Convention People's Party
CSOs	Civil Society Organization
DANIDA	Danish International Development Agency
DFP	Democratic Freedom Party
EU	European Union
GACC	Ghana Anti-Corruption Coalition
GCPP	Great Consolidated Peoples Party
GII	Ghana Integrity Initiative
GJA	Ghana Journalists Association,
GTV	Ghana Television (the television station of the Ghana Broadcasting Corporation)
IEA	Institute of Economic Affairs
IPP	Independent People's Party
LRC	Legal Resource Centre
MP	Member of Parliament
NDC	National Democratic Congress
NDP	National Democratic Party
NPP	New Patriotic Party
NVP	New Vision Party
PMT	Project Management Team (of STAR-Ghana)
PNC	People's National Convention
PPP	Progressive People's Party
PRC	Project Review Committee,
RPD	Reformed Patriotic Democrats
STAR-Ghana	Strengthening Transparency, Accountability and Responsiveness in Ghana
UFP	United Front Party
UK Aid	United Kingdom Agency for International Development
URP	United Renaissance Party
USAID	United States Agency for International Development
YPP	Young People's Party

1.0 Introduction/Background

Election is an integral part of democracy and an important pillar that places the power to govern with the people, thereby allowing citizens to take part in governance. It is a cardinal process through which power is allocated, thereby actualising representative democracy. In a democracy, the elected officials are expected to mirror the image of their electors in terms of political programmes and beliefs. Elections, therefore, bring to the fore a social contract between the elected and the electorate as representatives of the people.

Democracy functions when elections are deemed to be generally free and fair. Controlling fraud, corruption and unfair practices in election is, therefore, fundamental to sustaining a democratic regime. When an election is held, it is essential to ensure that every citizen, regardless of the outcome of the election, has faith in the integrity of the process. Regrettably, electoral fraud, corruption and unfair practices bring the reliability of the electoral process into question. It also affects the legitimacy of the elected officials. This often leads to mistrust, violence and conflicts, while robbing citizens of their need for expected peace and development.

One major form of electoral fraud is abuse of incumbency. Abuse of incumbency refers to the use of state resources to aid an incumbent's campaign for re-election. This occurs when an incumbent party or candidate takes advantage of government power and resources which are not available to the incumbent's challengers or opponents, or even deprives the challengers from using resources. Abuse of incumbency prevents fair elections by putting government resources that should be equally accessible to all candidates behind one party or its incumbent. It poses a serious threat to sustaining democracy.

There are two types of actions that are considered to be an "abuse of incumbency." The first is coercive practice, which includes physically preventing candidates from advertising, blocking the use of municipal facilities for campaign events, or denying opponents the right to engage citizens through the national media and securing votes through threats against voters. The second is corrupt practice, which includes illegally using state resources to fund electoral campaigns, using national media (free of charge) for political advertising, using public employees as campaign staff, using public transport facilities for electoral purposes, and vote-buying.

Abuse of incumbency is at variance with the defining principles of democratic governance. Elected officials are held accountable through regular election. In election, elected officials submit their behaviour in office for approval and could be replaced if the electorate decides that they are not implementing policies and programmes in the best interest of the electorate.

However, election can only ensure democratic rule if only they are fair and open. As observed in previous elections in Ghana, there is a high propensity for incumbent candidates and parties to impede the campaign of other parties in order to create an unfair advantage. CDD-Ghana, during

its monitoring of the abuse of incumbency in the 2004 elections, identified five main categories of incumbency abuse. These were:

- (i) the blatant partisanship amongst the “non-partisans”,
- (ii) politicization of access to public facilities,
- (iii) turning official events into campaign rallies,
- (iv) privatizing public goods for partisan purposes; and
- (v) the non-resignations of civil/public servants who decide to contest elections.

Similarly, the Institute of Economic Affairs (IEA), during the 2008 elections, also reported abuses of incumbency; involving the use of state vehicles, state security apparatuses, state officials, state venues and paraphernalia, and state helicopters to distribute campaign materials. This brings to the fore the fact that abuse of incumbency is a bane in the Ghanaian electoral process and needs to be checked to ensure a credible electoral process and effective democratic governance.

The 1992 Constitution of the Republic of Ghana makes it clear that political participation and competition must be fair. Article 55 of the Constitution guarantees a right to all citizens to join and participate in the activities of political parties. It also provides equal access for political parties and their candidates to the use of state media resources. The Constitution makes a clear distinction between an individual in his capacity as a private person and a public officer in the use of public resources. Therefore, if a public officer uses his or her office or public resources to benefit the officer’s party or themselves, thereby granting a clear advantage over challengers, he or she is placed in a conflict of interest situation. Public officials are to ensure that, in the performance of their duties, they remove such conflicts of interest in order to prevent the instance of abuse.

1.1 2012 Elections: Abuse of Incumbency and Electoral Corruption project

The Ghana Integrity Initiative (GII), Ghana Anti-Corruption Coalition (GACC) and Ghana Centre for Democratic Development (CDD-Ghana) collaborated to monitor abuse of incumbency and electoral corruption in the 2012 general elections in Ghana. The aim of the monitoring exercise was to observe and expose the instance and extent of any abuse of incumbency or pre-election electoral corruption to use as a tool for promoting clean and fair elections. The project specifically tracked the use of institutional resources for political party campaigns, the use of state assets for organized platforms, the coverage of political party campaigns by the state-owned media, and electoral corruption.

The project was scheduled to take off in February, 2012. The observers were recruited and trained in April while the actual monitoring process took place from May 2012 to November, 2012 after a formal launch of the project. The Coalition of the three institutions produced three reports on the abuse of incumbency and electoral corruption, which were launched and published. Criticisms of the reports shortly followed, some of which were genuine concerns,

while others were without substance. Regardless, the reports managed to attract public interest and generate public debate on the issues while serving to restrain public officials from using public resources for political party campaigns.

2.0 Objectives of the Project: Monitoring Abuse of Incumbency and Electoral Corruption

The activities under this project were aimed at promoting electoral integrity in order to enhance election transparency, equality of opportunity, credibility, and peace. The Coalition sought to use this monitoring project as an early warning mechanism to expose findings of electoral impropriety to the electoral stakeholders and the general public. The overarching goal of this project was to initiate a set of interventions to ensure that the 2012 elections were conducted in a peaceful atmosphere and a level playing field for all parties and candidates. The intervention sought to restrain public officials from abusing incumbency in the 2012 elections through civil society monitoring, reporting and public exposure. The intervention was also expected to curb disaffection and possible violence among party members, especially at the primaries when members of the same party are vying against each other for candidacy. It also removes the disadvantage of the challenging candidates against incumbents. The intervention identified and reported on acts of political corruption and the abuse of incumbency in selected constituencies and at the national level, focusing on media coverage of political party and candidates' campaign activities. A special emphasis was placed on media coverage, tracking the use of the state media and detection of media bias. The specific objectives of the project comprised the following:

- a) To develop and publish indicators for the monitoring of abuse of incumbency and electoral corruption;
- b) To provide a clear understanding among public officials of abuse of incumbency and electoral corruption;
- c) To develop a manual for the training of election observers on abuse of incumbency and electoral corruption;
- d) To recruit, train and deploy 35 election monitors to monitor and report acts on abuse of incumbency and electoral corruption in 30 constituencies,
- e) To recruit, train and deploy 5 election monitors to observe and report abuse of incumbency in 3 state-owned news papers, one state-owned television station and one state-owned radio station;
- f) To provide increased reporting on the nature and incidence of abuse of incumbency and electoral corruption;
- g) To restrain public officials from abuse of incumbency and electoral corruption.

The following were the key indicators of the media monitoring:

1. Unequal distribution of time and space to political parties and candidates;
2. Frequency of appearances and duration of incumbent candidates and party representatives in news programs or materials;

3. Frequency of mentioning of candidates in news programs and materials;
4. Extent of hidden advertisements for/against a party or a candidate;
5. Disproportionate focus on participation of a candidate in social, cultural and sports events;
6. Disproportionate negative coverage of candidate or party in news programs or articles;
7. Use of the advertisement in the state-controlled media on unequal financial conditions for incumbent and opposition candidates;
8. Unequal access of challenging candidates to advertisement possibilities in the state-owned media.

3.0 Scope and Methodology

For the effective implementation of the project the Coalition set up two committees: a Project Steering Committee and a Project Review Committee. A Project Steering Committee comprised mainly of senior staff of the Coalition members and was tasked with the responsibility of ensuring that the project was properly executed. The Project Review Committee comprised of the heads of the Coalition members and four external members, including Mr. Justice Emile Short, former Commissioner of the Commission on Human Rights and Administrative Justice (CHRAJ), who served as the Chairman; Dr. Messan Mawugbe, Executive Director, Centre for African Elections Media Monitoring Index (CAEMMI); Ms. Daphne Lariba Nabila, Acting Executive Director, Legal Resource Centre (LRC); and Mr. Bright Blewu, General Secretary, Ghana Journalist Association, (GJA). The Review Committee had the responsibility of reviewing the work of the Coalition, in particular, the project reports before they are released to the public. This was aimed at ensuring that only accurate reports were released.

In the implementation of the project, the Coalition purposively selected thirty (30) constituencies out of two hundred and thirty (230) existing constituencies in the country for observation. The constituencies were the Ellembele, Sefwi Wiaso and Jomoro constituencies in the Western Region, the Cape Coast, Mfantseman West and Komenda/Edina Eguafu/Abirem constituencies in the Central Region, the Ablekumah South, Ododiodoo and Tema West in the Greater Accra region, the Avenor – Ave, North Tongu and Ho East constituencies in the Volta Region, the Lower Manya, Abuakwa-North and Akwatia constituencies in the Eastern Region, the Asawase, Obuasi and Ejura Sekyedumasi constituencies in the Ashanti Region, the Asutifi South, Tano South and Sunyani West constituencies in the Brong Ahafo Region, the Yapei/Kusawgu, Tamale South and Tamale Central constituencies in the Northern Region, the Zebilla, Talensi and Nabdam constituencies in the Upper East Region, and the Wa Central, Wa West and Nadawli West constituencies in the Upper West Region.

The constituencies were selected based on where ministers of state, sitting Members of Parliament (MPs), political party officials and Metropolitan, Municipal, District Chief Executives (MMDCEs) were contesting parliamentary elections. An observer was assigned to

monitor instances of abuse of incumbency and electoral corruption in each of the thirty constituencies while five observers were assigned to monitor the coverage provided to political parties by the state media. The observers were trained on the use of monitoring indicators developed for the project. The observers were deployed to begin the observation from 1st May, 2012. The constituency observers attended public and political functions in the respective constituencies, and captured instances of abuse of incumbency and electoral corruption using telephone cameras and recorders. They compiled their collected data and submitted weekly reports to GII.

The second aspect of the project involved the monitoring of two state owned news papers (Daily Graphic and Ghanaian Times), one state owned weekly paper (Spectator), one state owned television station (GTV) and one state owned radio station (Uniiq FM).

On the media monitoring, both qualitative and quantitative content analysis tools were used to analyse data received from the media monitoring of news stories, features, articles, editorials, amount of space allocated and time taken up by incumbent party and candidates as compared to other parties and candidates. Qualitative analysis of the media served as an approach to capture verbatim content of subtle advertisement, news prominence, and the tone of news coverage. This qualitative evaluation also analysed the language used and the messages conveyed to help “qualify” the quantitative measures of news coverage. The quantitative analyses evaluated the language levels and measurement of media space allotted to the political parties and candidates in terms of frequencies and percentages, using bar and pie charts for their findings.

The media observers submitted weekly reports on their observations to GII. The Steering Committee of the Coalition then collated and analysed the reports. A draft report was reviewed and finalised by a Project Review Committee, and the final report was released to the public at a Press Conference or as a Press Release. Publicly exposing instances of abuse of incumbency and electoral corruption served as a measure of quality control as well as an awareness creation mechanism for the public.

To ensure effective news content analysis the ‘raw news’ was processed through the following steps:

- 1st Level: Identifying and filtering the political news;
- 2nd Level: Categorizing the frequencies under Macro and Micro Analysis using statement by statement analysis;
- 3rd Level: Analysing within the various context of spatial meanings of negative, positive and neutral, using a coding scheme;
- 4th Level: Determining actual space allotted by each medium to a story, using a coding scheme;
- 5th Level: Processing all coded materials and replicating the process to test reliability of score levels;
- 6th Level: Ascertaining the validity of data and translating the data into descriptive charts.
- 7th Level: Drawing conclusions from the coded data.

4.0 Main Findings: Abuse of Incumbency and Electoral Corruption

During the monitoring exercise, three rounds of reports on abuse of incumbency and electoral corruption were published. In total, there were nine (9) cases of abuse of incumbency and eight (8) cases of electoral corruption, particularly vote buying, that were found credible. While abuse of incumbency was committed by officials from the incumbent National Democratic Congress (NDC) government, electoral corruption was committed by both the incumbent and the opposition party contestants.

There was only one credible and verifiable report on the free use of public vehicles for campaign activities on behalf of the incumbent in one of the regions. The use of public (state or local) vehicles free of charge or at discounted rates for campaigning for or on behalf of the incumbent party is also considered abuse of incumbency, since this advantage is not available to challenging parties. This may include using state vehicles for an incumbent candidates' short- or long-distance travel, party staff members' travel, transportation of citizens and/or campaign supporters to meetings, and transporting campaign materials.

At the national level, the Coalition further noted that some heads of public institutions who are contesting the Parliamentary seats on the ticket of the ruling party failed to resign from these positions. Although some of them took leave to campaign, they continued to use the resources of their institutions, such as official vehicles and fuel coupons, for their campaigns. There were two cases of public officers contesting for parliamentary election without prior resignation from their previous positions.

Some of the observers also reported instances of public officials using official working hours to campaign or promote partisan interest. This constitutes as an abuse of incumbency since public servants involved are paid to commit full time to pursue state interests rather than partisan objectives.

4.2. Specific Findings

The following were cases of abuse of incumbency and electoral corruption reported during the period leading to the 2012 general elections:

4.2.1 Turning public functions into campaign events or to advance partisan interests

These abuses were captured when party/public officials were allowed to solicit votes during public events funded with state resources, thereby turning the events into political campaign events. At most of such events, the government representative used public events to introduce parliamentary candidates and justify the need for the party's re-election. The incumbent party used the opportunity to tout the party's achievements while castigating its opponents by recounting the number of projects implemented and **cutting sword for new public facilities.**

During the monitoring exercise, our observers reported six (6) cases of abuse of incumbency related to public functions being used as campaign events. These cases of abuse of incumbency

involved NDC party executives, District Chief Executives (DCEs), Ministers of State and the President (as a Presidential candidate). These reported cases occurred in Sunyani West, Akatsi, Ellembelle, Wa West, Cape Coast and Central Gonja constituencies.

The following are the detailed reports of public events that were being used as campaign events:

Cases 1: On May 2, 2012 at Sunyani in the Brong Ahafo region, our observer reported that the Policy Fair, which was a state-sponsored event intended to showcase government policies and programmes, was turned into an NDC campaign event. At the policy fair, the Regional Minister, who was acting as the DCE and the NDC parliamentary candidate for Sunyani West Municipal Assembly, the Minister of Information, and other speakers at the event used the platform to call for the re-election of the ruling party. The speakers elaborated on the achievements of the ruling NDC party, which were showcased pictorially at the stands of the District/Municipal Assemblies in the region.

Case 2: On the 9th of May 2012 at Akatsi in the Volta Region, our observer reported that the DCE turned a state-organised and sponsored programme into a campaign event when he presented one thousand (1,000) dual desks procured with funds from the Ghana Education Trust Fund (GETfund) to thirty-two (32) basic schools in the district. The event took place at the District Assembly premises at 9:00 am and was attended by the heads of the beneficiary schools, constituency representatives of the NDC, and the general public. There were also several public and party officials at the ceremony, including the National Disaster Management Organization (NADMO) Coordinator, the NDC constituency chairman, the NDC Constituency Secretary and the representative of the District Director of Education. The speakers at the event used the platform to campaign and solicit for votes for the NDC, and indicated that the presentations were to promote the “Better Ghana Agenda” of the government.

Case 3: Our observer in the Ellembelle Constituency in the Western region reported that at 4:00 pm on the 27th of May, 2012, the candidate of the ruling party turned a public event into an NDC campaign event at Bomoakpole, a community in Ellembelle Constituency. The Hon. Deputy Minister was at the event to commission a shed he had built for the community with his share of the Common Fund. In his speech, the MP highlighted his own achievements and those of his party in the constituency during the previous three years. He promised to build a Junior High School (JHS) classroom block in 2013 for the community if they voted for him to retain power. The NDC Western Regional propaganda secretary stated that “...it will be a huge mistake on the part of voters if the NDC does not get 100% vote from the community”. The venue was also decorated with NDC party flags with most of the NDC supporters donning their party T-shirts. Also present at the event were the DCE, the Presiding Member (PM) of the Assembly, the NDC Western Region propaganda secretary, the constituency Chairman, the vice chairman, the constituency youth organizer, among others.



Case 4: On 17th August, 2012, our observer in Cape Coast in the Central region reported that at 1.00 p.m., His Excellency, President John Dramani Mahama, as part of the state sponsored “Thank You Tour” of Cape Coast after the death and burial of the late President, used the platform provided him at the Mosque at Kotokraba in Cape Coast in the Central region to urge the people of Cape Coast to elect him to continue the “Better Ghana Agenda”.

Case 5: The regional Farmers Day Celebration in Wa West constituency in the Upper West region and the district of Yapei in Northern region was turned into an NDC party activity. Government officials, such as the DCEs and heads of public organisations, came wearing the NDC party T-shirts, and a number of the official vehicles present at the function were also decorated with NDC paraphernalia. Most of the speeches were an attempt to lure voters to vote for the NDC in the coming elections.

Case 6: During the 20th anniversary celebration of the NDC party held on Wednesday 13th May 2012, in Avenor in the Volta region, a pick-up truck belonging to the District Mutual Health Insurance Scheme was seen carrying supporters of the NDC in party colours to the anniversary grounds at the forecourt of the Akatsi District Library.



Case 7: A report was received that the Chief Executive Officer (CEO) of the Ghana Tourist Board, who was contesting parliamentary elections on the ruling party's (NDC) ticket, took a leave for campaign activities instead of resigning his position. This enabled him to still use the official vehicle and draw fuel from the office for his campaign, which constitutes as abuse of incumbency.

Case 8: The CEO of the Ghana Investment Promotion Council (GIPC) approved a request for funds to support the activities of an organisation whose primary objective was to campaign for the re-election of the incumbent President. There were also other public officers who contested and lost their party's primaries, yet joined the campaign of the NDC without resigning their positions. This is a violation because the Constitution clearly bars them from engaging in active party politics.

Case 9: On 11th July, 2012 in Ellembelle Constituency of the Western region, an NDC activist, who was also a member of the party's Constituency Communications Team, participated as a panellist on a Newspaper review programme on Ankobra FM. The party activist used the programme to promote the NDC party. This party official was also a public official who worked at the Ellembelle District Education Office. Because the programme was aired between the hours of 7:30 am - 10:00am, the official was in violation of abuse of incumbency, due to the fact that the official used office hours for the business of his political party.

4.2.2 Reports of Electoral corruption (Vote buying)

Vote buying, a corrupt electoral practice, constitutes the offering (or promise) of money, food, clothing, household goods, development projects, and other favours to individuals, communities, and groups of people as an inducement by a party, a candidate or a candidate's agent with the clear intention of obtaining the recipient's vote. In the monitoring exercise, eight (8) cases of electoral corruption were reported in constituencies across the country. These cases included the distribution of satellite dishes, motor bikes, gas cylinders, jerseys, footballs, and benches to individuals, communities and groups in an attempt to influence their votes. There were also reports of provision and renovation of the community and its church infrastructure. These acts of electoral corruption were committed by both the NDC and NPP.

Every community in the country needs some development, particularly in the areas of health, education, infrastructure and material support. Due to limited resources, the government is unable to meet the needs and demands of all communities. However, in the election years, some candidates for the election provide infrastructure to communities in the form of new projects or rehabilitation of existing projects, including churches and mosques with the hope of securing their votes during the election. These are viewed as acts of electoral corruption, since the provisions and infrastructure come with the price of support and votes for the party in the approaching elections.

Another common practice of abuse in Ghana is for governments to delay the launches of new projects and inauguration of completed projects until the months close to elections. This is a

strategy used to demonstrate their commitment to the development of the communities, aimed at winning support and votes. This is definitely electoral corruption although it could also be considered an abuse of incumbency because the ruling party has control over public resources and power to dictate the timeline for these activities, which it uses to its advantage. In some cases, communities are deprived of benefiting from completed projects due to the delays.

Case 1: Our observer in the Abuakwa North Constituency in the Eastern region reported that an aspiring NDC MP, who was also the Minister for the region, donated DSTV (satellite) dishes to senior high schools as well as to some youth in the constituency. The candidate, a former diplomat, also donated motorbikes, donning his own initials, to citizens in/around the constituency to solicit votes in the upcoming elections.



Case 2: The observer also noted that, the incumbent NPP MP for the Abuakwa North constituency in the Eastern Region, renovated the old Tafo Presbyterian church. He specifically tiled the floor and replaced the louvre blades. He also distributed unregistered motorbikes in his constituency. These kinds of gifts to citizens and groups in an election year could serve as a

corrupting influence on voters that would undermine the fairness, freeness and integrity of elections and their outcomes.



Unregistered motorbikes distributed by the sitting Member of Parliament (MP)

Case 3: In the Tema West Constituency in the Greater Accra region, our observer reported that the major streets at the Lashibi community area were fixed with high powered street lights close to the elections. This could potentially influence voters to vote for the NDC and its parliamentary candidate. The project, which was reported to be an initiative of the candidate who was also a Minister of State, was commissioned as part of the Minister’s campaign in the constituency. Timing the project close to elections, the attendance at the commissioning ceremony by party executives, and directly appealing for votes all suggest that the project was aimed to influence voters.

Case 4: The same NDC parliamentary candidate (Tema West Constituency in the Greater Accra region) was also reported to be using various items to influence people to vote for him. At a meeting with transport operator groups and traders in October 2012, he presented the participants with jerseys, footballs, and benches inscribed with the name of the parliamentary aspirant. The candidate also promised further benefits should he be elected.

Case 5: During a six-day tour of the Upper West region by the presidential candidate of the New Patriotic Party (NPP), free fuel was supplied to interested individuals who had either a motor bike or a car. They were supplied by the “Ramabus” Goil filling station at the T-Junction on the Wa-Hamile road. The beneficiaries of the fuel were required to welcome the candidate and follow him round the region on the tour. This is seen as indirectly buying votes, as some of the beneficiaries were not necessarily part of his entourage or even his campaign staff.

Case 6: Our observers in the Upper West region also reported that during President John Dramani Mahama’s “Thank You Tour”, motor bike riders were supplied with free fuel from filling stations, including the “Ramabus” Goil Filling station located at the T-Junction on the Wa-Hamile road. The President also promised the populace that upon his election, a regional hospital will be constructed for them with loans that had already been secured from Barclays

Bank. This was an official tour that also served as a campaign tour, the platform of which was used to exhibit the achievements of the ruling party and solicit votes.

Case 7: The ruling NDC government, in the months leading up to elections, implemented a policy to distribute gas cylinders to the rural citizens throughout the country. While the policy, on its face value, was laudable, as its target was the rural poor, the timing of the distribution as well as the failure to clearly outline the criteria that was used for the distribution calls the intentions of the policy into question. For example, it was alleged that the NDC parliamentary candidate for Tamale Central Constituency in the Northern region, who is also the Deputy Minister of Energy, distributed gas cylinders to people in his constituency. The Tamale Central Constituency can hardly be described as a rural constituency; therefore, the implementation of the policy was very partisan and not transparent.

Another example of this type of abuse was utilized in the distribution of laptops under the One Laptop per Child Program. The inscription of the President's picture on the laptops and the non-transparent criteria used for the distribution turned the policy into a vote-buying scheme without any relationship to the impact of the policy on education.

Case 8: As in 2008, the incumbent party launched projects and made promises for new ones towards the end of its term of office. Between October and December, 2012, the government was on a spree of providing last minute projects to some rural communities. An example was observed in Zebilla Constituency in the Upper East Region, where electricity poles were distributed to communities attached with the promise that they will be connected to the national grid after the elections.

5.0 Main Findings: Coverage of Political Parties and their Candidates by the State-owned Media

Chapter 12 (163) of the 1992 Constitution of Ghana states that, "All state-owned media shall afford fair opportunities and facilities for the presentation of divergent views and dissenting opinions of all political parties". Overall observations of the state-owned media reportage on activities of all political parties covering May 1 to November 30, 2012 revealed that the Spectator, the Daily Graphic, the Ghanaian Times and the Ghana Television (GTV) allotted to the NDC ruling party the highest news share of 33% and the NPP, which is the biggest opposition party, 27% of overall news share. Conversely, the report showed that the Progressive Peoples Party (PPP) had an overall total story share of 10%; the Convention Peoples Party (CPP) had 9%, the Peoples National Convention (PNC) had 8%; the National Democratic Party (NDP) had 3%; the United Front Party (UFP) and the United Renaissance Party (URP) had equal share of 2%. Furthermore, the Democratic Freedom Party (DFP), Ghana Consolidated Peoples Party (GCPP), Independent People's Party (IPP), New Vision Party (NVP), and the Independent Candidate received a total coverage of 1% each. The Reformed Patriotic Democrats (RPD) and the Young People's Party (YPP) were not given any story share at all.

5.1. Specific Findings

5.1.1 Space Allocation and News Air Time

Overall, the data collected for the period from May 1 to November 30, 2012 revealed unequal access to state media resources for political parties. The incumbent ruling party received the highest attention in terms of news space allocation and news airtime by the state media. The NDC recorded a total of 22% media print space (61,329.4 CM²) and an air time of a total 84 hours, 46 minutes and 13 seconds while the NPP received 13% print space (7,900.98 CM²) and air time of 20 hours, 29 minutes and 21 seconds.

The CPP recorded an overall total of 5% news space and an overall total of 13 hours, 13 minutes, 21 seconds air time whereas the PNC recorded overall total of 6% news space and overall total of 8 hours, 5 minutes, 35 seconds news air time during the period of the study. The UFP received an overall total of 3% news space and a total news air time score of 3 hours, 8 minutes and 5 seconds while the DFP recorded an overall news space of 1% with a total news airtime score of 30 seconds. The GCPP recorded a total news airtime score of 3 hours, 8 minutes, 43 seconds, IPP with 9 minutes, NVP with 16 minutes, GFP with 13 minutes 15 seconds, RPD with 1 minute, YPP with 2 minutes NDP with 1 hour 48 minutes and the URP with 17 minutes 53 seconds.

5.1.2 Space Allocation to Political Parties: May 1 – November 30, 2012

The Spectator Newspaper during the observation period (May to November 2012) allotted the NDC, the ruling political party, the highest news share of 48% while the NPP had 29%. The PPP was also allotted 13% while the CPP secured 7% with the PNC coming last with 3% news share. The Daily Graphic allotted the highest news share to the ruling party, the NDC, a total news share of 36%, while the NPP came out second with 24%. The PPP received 17% news share from the months of May to November 2012, CPP with 11% and the UFP political party with 8%. Furthermore, the Daily Graphic allotted equal news share of 2% each to the DFP and the GCPP during the period.

The Ghanaian Times Newspaper gave the National Democratic Congress (NDC) the highest news slot of 54%, while the New Patriotic Party had 29%. The Convention Peoples Party (CPP) secured 12% while PPP had 3%. The PNC and UFP had equal news share of 1% each during the period.

5.1.3 Air Time Allocation to Political Parties: May 1 – November 30, 2012

Overall airtime allocation by the state television, GTV, and the state radio's projection of news by political parties was also monitored between the months of May to November 2012. The GTV allotted the highest airtime to the NPP party with 10 hours 14 minutes and 31 seconds. The ruling NDC received a total of 7 hours 45 minutes and 28 seconds. The PNC had 6 hours and 19 minutes while PPP had 4 hours 49 minutes and 17 seconds. The rest of the parties

recorded a lower share of time slot compared to NPP and NDC. For example, the CPP was allotted 4 hours 43 minutes and 20 seconds. The UFP was allotted 3 hours 3 minutes and 40 seconds while the GCPP received 3 hours 2 minutes and 52 seconds. Finally, the NDP was allotted 60 seconds only for the entire period.

The state radio station, Uniiq FM, allotted the highest airtime to the NPP with 11 hours 13 minutes and 40 seconds for the entire period. The NDC was the second most favoured party with a total of 10 hours 53 minutes and 6 seconds during the period of monitoring while the CPP received 7 hours 28 minutes and 50 seconds. The PNC also had 6 hours, 38 minutes and 10 seconds, followed by PPP with 2 hours, 9 minutes and 54 seconds with the NDP with 1 hour, 47 minutes and 55 seconds, the URP with 17 minutes and 53 seconds, NVP with 16 minutes, GFP with 13 minutes. The UFP was allotted 9 minutes and 15 seconds, IPP with airtime share of 9 minutes while the GCPP had 5 minutes 51 seconds and the YPP with 2 minutes from May to November 2012.

5.1.4 Media Coverage of Presidential Candidates

The **Daily Graphic Newspaper** gave the highest news share of 38% to the NPP Flag bearer for the period between May and November, 2012 followed by PNC's Hassan Ayariga with 23% news share. The CPP Flag bearer was allotted the third highest news share of 17%, the NDC candidate overall had 2% news share and lastly the UFP Flag bearer had the least with 1%.

The **Ghanaian Times** allotted the highest news share to NPP's Presidential Candidate Nana Akufo-Addo with a total of 50% during the observation period of May to November 2012. The NDC's Presidential candidate, Atta Mills/John Mahama had 31% while the CPP's Dr. Abu Sakara had 15% and the IPP's Presidential candidate had only 4%.

The State Television, **Ghana Television (GTV)** allotted the PPP's flag bearer Paa Kwesi Nduom, the highest news share of 27% followed by NPP's Nana Addo Dankwa Akufo-Addo with 22%, The NDC's candidate received 16% of news share from the GTV while the CPP got 11%. The PNC's Hassan Ayariga received 5%, and the independent candidate got 3%. Madam Akua Donkor of GFP had news share of 4%, while Mr. Kofi Akpaloo of the Independent Peoples Party (IPP), GCPP, Henry Herbert Lartey, and NDP's Nana Konadu Agyeman Rawlings had equal news share of 2% each by the GTV. Also, Kwabena Agyei of RPD, Kofi Wayo of URP, and the New Vision Party (UFP) Presidential candidate also secured equal news share of 1% each.

The Uniiq FM, during the months of May to November 2012, also allotted the highest news coverage to the NDC's Presidential candidate, Prof. Mill/John Mahama, with 31% followed by the NPP's Presidential candidate with 15%, PNC's Hassan Ayariga had 10%, CPP's Dr. Abu Sakara with 8%, PPP's Dr. Paa Kwesi Nduom with 7% and RPD Presidential candidate had 5% in that order.

5.2 News Coverage on Presidential Candidates: May to November, 2012

5.2.1 Space Allocation

The space covered by the media on Presidential candidates was monitored from the month of May to the month of November. The results showed that 48% of news space allocation went to the CPP flag bearer, Dr. Abu Sakara, followed by the ruling party NDC flag bearer, John Dramani Mahama, with the second highest percentage of 22% while the NPP flag bearer, Nana Akufo- Addo, was allotted 17%.

On per medium projections, the Daily Graphic gave the highest news space share coverage of 51% to the CPP Flag bearer, Dr. Abu Sakara, during the period of monitoring. This was followed by the ruling party, NDC's candidate John Mahama, and NPP's Nana Addo Dankwa Akufo-Addo with an equal overall share of 24% each, whereas the PPP's candidate, Dr. Paa Kwesi Nduom had a share of 11% and PNC's Flag bearer with the least percentage of 1%.

The Spectator newspaper gave the highest space to the NDC Flag bearer, John Mahama, with a total of 37% from the month of May to November, while giving the NPP's Nana Akufo- Addo 26%, and the CPP's Abu Sakara space share of 23%.

The Ghanaian Times gave the highest news space share to the NPP Party's Flag bearer, Nana Akufo- Addo with an overall total of 45% during the monitored months while giving CPP's Dr. Abu Sakara 24%. The PPP's Paa Kwesi Nduom had a share space of 21% followed by IPP's Kofi Akpaloo with 6% and the NDC's candidate John Evans Mills/John Mahama¹ a total of 3% in all during the monitored months.

5.2.2 Airtime Allocation

In terms of airtime allocation, available data on Uniiq FM showed that the station favoured the NDC as it gave the largest airtime to the ruling NDC's candidate originally Prof. Atta Mill and later John Mahama with a total of 12 hours 37 minutes and 50 seconds. This was followed by the largest opposition party's candidate, Nana Akufo- Addo, with 11 hours, 20 minutes and 3 seconds time slot. Dr. Abu Sakara had the third highest with 7 hours 11 minutes and 56 seconds while PNC's Hassan Ayariga had 6 hours, 11 minutes and 40 seconds.

GTV during the period of monitoring gave the NPP's Presidential Candidate, Nana Akufo-Addo the highest air time slot of 10 hours 10 minutes and 33 seconds, and gave NDC's Prof. Atta Mills/John Mahama a total of 6 hours 55 minutes and 16 seconds, followed by PNC's Hassan Ayariga with 6 hours 6 minutes and 40 seconds.

Key Findings

Overall, the state-owned media The Ghanaian Times, Spectator, Uniiq FM and GTV gave the highest attention to the ruling party NDC and their candidate in news story share, space allotment, and time slots. However, favourability cannot be determined, as the data for months of monitoring for Daily Graphic, The Ghanaian Times and Uniiq Radio were either partly

¹The first NDC Presidential candidate was Professor John Atta-Mills, who, unfortunately died in July 2012 and was succeeded by his Vice President John Mahama.

submitted or not submitted at all. The overall report covering May 1st to November 30th only reflects available data during the period.

The report shows that many of the smaller political parties did not get the same amount of state media coverage and airtime as the larger parties. Even though they often do not have the resources to pay for advertisements and media coverage, they actually need the media support more, but are often ignored. However, it is often argued that these smaller parties are not doing anything newsworthy and, therefore do not attract coverage by the media by default.

6.0 Challenges of the project

One of the main challenges of the project on abuse of incumbency was the fact that activities which constitute as “abuse of incumbency” are not clearly defined in the Ghanaian context and agreed to by all stakeholders, particularly the political parties. For example, in Ghana, many public officials do not see the activities considered to be abuses as improper acts. They view the acquisition of their public position as a license to use public assets and facilities for political campaigns and electoral advantage. This is compounded by the fact that there is lack of knowledge and awareness about such abuses. Moreover, there is a thin-line between public servants and politicians, all of whom have access to public assets and facilities and have the potential to use them to political advantage. For example, should a minister use his/her official car for campaigns while the public servant is prevented from doing so? Of course, many public servants are barred from engaging in active politics, and would have to resign their positions if they decided to run for elections.

The second major challenge relates to faith-based communities and their leaders. When a politician donates a car to a pastor or a Chief Imam during the electioneering period, is it considered abuse of incumbency/electoral corruption or not. When a politician offers to renovate a religious building, or make a substantial donation of money to a religious group, should they accept it or not? Will the beneficiary body or person even accept that it is improper? How does one persuade them that it is wrong and that the politician is doing this for political gain?

In Ghana, most citizens do not contribute funds to political parties, while others even expect and continue to demand money and gifts-in-kind from politicians in exchange for support and votes. When the politicians yield, it is tantamount to electoral corruption. However, politicians also argue that they cannot win if they do not yield. This is a serious challenge in this project, as it is difficult to determine to what extent such acts should be considered electoral corruption. This gray area is why vote-buying persists throughout our elections.

Most politicians with control over public budgets and resources spend outside the budget in election years, arguing that this is not abuse of incumbency, as they have a responsibility to bring development to their people. This makes it difficult to cite instances of abuse of incumbency, and may even attract the wrath of the beneficiary communities. Incumbent candidates make promises, and even issue orders, for the provision of goods and services to communities that support on campaign platforms. Others delay the launch of completed projects and/or refuse releases of funds for the execution of budgeted projects to communities perceived

to be “anti-government”. The flip side is that some communities demand public goods and services close to elections and expect to get them, while others even threaten not to vote if they do not receive attention from the government or candidates prior to elections.

The implementing partners (the Coalition) also faced threats of court action by some of the accused persons who felt the reports were either not true or did not constitute abuse of incumbency or electoral corruption. Although this did not actually materialise, it could lead to a protracted legal tussle and a huge waste of CSO’s limited resources. This requires due diligence and cross-checking of the reports received from the observers in the field to ensure that they are accurate. This is especially important because it was very difficult to ensure that the observers had no partisan affiliation. The Coalition went to all lengths to ensure that its observers did not have any partisan affiliation, but it is difficult to state categorically that this was the situation in all the study areas, especially since some of them failed to submit reports.

7.0. Recommendations and way forward

The report showed that there were instances of abuse of incumbency as well as electoral corruption, and that the politicians and electorate alike were not able to recognise when these instances were occurring. . There is, therefore, obviously a need to promote advocacy on the issues of abuse of incumbency and electoral corruption, as they do not ensure a fair and level-playing field in the campaigns leading up to elections. Some recommendations are made here as a way forward towards the 2016 elections, so as to ensure that these acts are not repeated. The following recommendations are put forward:

- **Reforms on Political Party Financing**

First, the most important area of reform should be the possible reviewing of and/or enforcing of the political party finance laws. Even though the Constitution has spelt out rules on prohibited sources of funding, requirements for reporting, and publication of assets and financial statements, the Political Parties Act, 2000 (Act 574) has watered down some of these requirements. Therefore, there is a need to revisit the legal framework on political party financing as it is a potential source of abuse of incumbency and electoral corruption. Unfortunately, the political parties and some other stakeholders believe that state party financing is the solution. Once the state does not finance them, they are not obliged to publish their accounts. Of course, private companies publish their accounts and pay taxes although they are not funded by the state. Unfortunately, Parliamentarians, who make the laws, come from the political parties and may tend to put their parties’ interests ahead of the national interest, thereby resisting any legal reforms aimed at strengthening the political party finance laws.

However, there is a need to advocate on the key legal issues and practices and to seek agreement with stakeholders for these reforms. This will also include identifying key indicators as bases for advocacy for change. However, the challenge here is that there is no set of indicators of abuse of incumbency and electoral corruption that are acceptable to all stakeholders. One area of possible reform should be the consideration of providing platforms for all parties to engage the electorate on an equal basis, such as the IEA Presidential Debates which are free for all participants.

Admittedly, the IEA platform does not cover all candidates and is viewed in some quarters as unfair. This may be true, especially for new parties that had no chance of having a representation in Parliament prior to the elections.

- **Guidelines for Public Servants Contesting Elections**

There is a need for clear guidelines as to when public servants who wish to contest elections should step aside. This will make it easy for any abuses to be detected and sanctioned. It would, therefore, be helpful for the Public Services Commission (PSC) to clearly establish these guidelines and set up a unit to monitor abuses. It would be necessary for the Coalition or any other interested CSOs to engage the PSC and the office of the Head of the Civil Service (OHCS) regarding this, and would be further enhanced if a “Code of Conduct on Abuse of Incumbency” is included in the Political Parties Act in an amendment. However, it will require a strong bi-partisan Parliament to make that amendment.

It is also important that incumbent contestants that are entitled to use their official vehicles for private purposes, including political campaigns, are sanctioned to pay a percentage of their salaries during the campaign seasons, as it would be impossible to stop them from using these cars for party activities.

- **Public Education and Awareness Creation**

There is a need for the Coalition, other CSOs, the Media and the National Commission for Civic Education (NCCE) to undertake a public education and awareness creation campaign for the citizens, including religious groups and their leaders. This campaign would highlight the negative impacts of such abuses of incumbency and electoral corruption on the economy, democracy and fair electoral competition. The electorate should be educated to avoid putting pressures on the candidates during elections, including threatening not to vote and demanding money and favours. This will be enhanced by a strict policy that ensures all state functions are organised by the relevant state institutions and not by politicians.

- **Fiscal Discipline**

Finally, it is also important to put in place measures, including laws and regulations, to ensure that government officials adhere to approved budget expenditures during election years. It is important that these regulations stipulate that politicians avoid yielding to the demands of the electorate, which can influence candidates to over-spend in campaigns.

8.0. Conclusion

The gains made in Ghana’s democratic process seem to be threatened by abuse of incumbency and electoral corruption. There are very high stakes in elections in Ghana. Individuals and political parties are willing to go to great lengths to ensure that their candidate or party acquires or remains in power. It is, therefore, imperative that Ghanaians and other stakeholders proactively and stringently fight any form of electoral fraud to safeguard a vibrant and sustainable democracy.

Increasingly, Ghanaian politicians continue to give high value gifts to influence the electorate, instead of presenting their policies and programmes, as a basis for soliciting their support and votes. Throughout the monitoring exercise, our observers saw the distribution of valuable gifts such as motorcycles, bicycles, satellite dishes, gas cylinders, and free fuel. There were also renovation works of churches, “last minute” promises, and even introduction and implementation of new government policies and projects close to the time of elections. The monitoring exercise revealed that ‘vote buying’ seems to have eaten deep into our electioneering process, and impacts negatively on the integrity of elections and the legitimacy of the government. This practice makes democracy very expensive and creates an unequal playing field for candidates contesting in the elections. It has created a system where only the rich/affluent and sometimes the corrupt can be elected as the representatives of the people. This phenomenon has the potential of sidelining the interest of the poor and the marginalised in society.

Public education on the impact of electoral fraud and malpractices on the democratic process is, therefore, paramount if Ghana hopes to sustain its democracy and to elect quality leaders. The populace need to be sensitised on the need to contribute to a clean political process by resisting such acts. Individuals and political parties that engage in any form of electoral corruption, including abuse of incumbency and vote buying, should be exposed and shamed and potentially prosecuted to serve as a deterrent. This will ensure that elections in Ghana are conducted within an environment that will guarantee a level playing field for all aspiring candidates in credible elections.