

# Prisoner Voter Registration for 2012 Election

*Biometric Registration of Prisoners in Ghana for 2012 Election  
Human Rights Advocacy Centre Monitoring Report*

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## Background to the report

In the lead up to the Ghanaian election in December of 2012, the Electoral Commission of Ghana was given the mandate to biometrically register citizens to vote. This has included the registration of prisoners, under certain conditions. Conditions to vote in Ghana, as outlined in Article 42 of the 1992 Ghanaian Constitution, are that the individual must be a citizen of Ghana, at least 18 years old, and of sound mind.

The registrations have raised a number of concerns. The Human Rights Advocacy Centre has been following the developments closely. The HRAC Communications Officer, Taniele Gofers, recently met with Assistant Superintendent Courage Atsem from the Ghana Prison Service, and Alhaji Alhassan, an election monitor from Centre for Democratic Development of Ghana, which is part of the Coalition of Domestic Election Observers to uncover the truth behind some of the claims that have been reported in the media.

The biometric registrations were scheduled for the 30<sup>th</sup> May, 2012 and took place at each of the 43 prisons in Ghana.

## Findings and Concerns

The number of prisoners in Ghana is estimated to be about 13,000, yet, in the final count, less than 1000



prisoners were actually registered to vote on the day of registration.

ASP Mr Atsem, from the Ghana Prisons Service, outlined three reasons why this was the case:

1. Reluctance to register;
2. Inability to meet eligibility criteria, particularly providing identification; and
3. The widespread use of false names in prison.

These reasons have been repeated by various representatives from the prisons and the Electoral Commission, so it was necessary to further probe their validity.

### **1. Reluctance to register to vote**

Mr Atsem indicated that due to the non-compulsory nature of voting, many of the prisoners made the decision to forgo their right to vote. Mr Atsem also offered other reasons why prisoners were reluctant to register:

- Prisoners were apprehensive about the process, they did not believe it was real or authentic, and were therefore reluctant to register. This was particularly relevant because it was the first time prisoner registration had been attempted, and as such, Mr Atsem is optimistic that the process will improve next time.
- General mistrust of government and authority
- Prisoners were nervous that when they submitted their details there was a risk they would be transferred, and they were not willing to take this chance
- Some of the prisoners thought that this process represented an opportunity for them to reclaim their passports permanently, rather than just temporarily. When they discovered that this was not the case they no longer wanted to be involved in the registration process.

### **1. Inability to meet eligibility criteria**

In most cases, this constituted an inability to produce appropriate identification. Prisoners were given a length of time (initially 40 days, then extended to 60 days) to contact their families to bring appropriate identification for them. According to Mr Atsem, in many cases, prisoners did not avail this opportunity.

### **2. False names**

At the time of arrest, many prisoners (for a variety of reasons) give false names. Because this is a criminal offense, prisoners are afraid that if they reveal that they previously used false names, they will be charged with a further crime. Though Mr Atsem was quick to emphasise that this was not the

goal of the exercise, it is unclear whether this was adequately conveyed to prisoners. Two things could be done to alleviate this concern:

- Improved education processes around assuring prisoners that the intention of the registration process is not to prosecute the prisoners for previously providing false names
- Improved registration processes, using biometric facilities, from arrest through to detainment. Mr Atsem indicated that he is “hopeful” that the resources will become available for this improvement in the Ghanaian Prisons Services sometime soon.

A number of the impediments to the registration process mentioned by Mr Atsem could be alleviated by improved education and sensitisation programs in the prisons prior to the exercise. Mr Atsem acknowledged “there is always an opportunity to improve” in this regard. The high level of scepticism about the exercise, which is in some ways understandable due to its pilot status and the mistrust of prisoners towards authority, could also be alleviated by education and knowledge. Inmates could also be encouraged toward voting through education and exposure to news and information about political parties and issues, and why it is important for them.

### **Second Interview: Centre for Democratic Development of Ghana**

The second interview that was conducted was with Alhaji Alhassan, who observed the registration process as a representative from the Centre for Democratic Development of Ghana (CDD). The CDD is part of a Coalition of Domestic Election Observers, with 5 co-ordinators in the Greater Accra region. Mr Alhassan is one of these co-ordinators. The mandate of the Coalition is to monitor election activity in the lead-up to the December election. This includes prisoner registration, rallies, campaigning and conflicts. If Mr Alhassan identifies a concern, his role is to raise this concern with Coalition, who is then able to release these concerns to the public via the media.

The first question that was put to Mr Alhassan regarded the low number of prisoner registrations. Mr Alhassan indicated that this was due to the following factors:

- Prisoners have multiple identities, and so their names and addresses conflict. This becomes a problem due to *biometric* registration, where they can no longer alter their identity.
- Prisoners fear being exposed to the public, and subjected to ridicule due to their incarceration. In some cases, members of their family may not be aware they are in prison.
- Some prisoners do not want to give accurate records of their details, so they give incorrect information.

- Prisoners choose not to register because the process was long and arduous.
- Only specific identity cards were accepted – passports/insurance card. A birth certificate was not considered as identification (as they are too easily forged).
- Some prisoners had identities that indicated they were not Ghanaian (even though in some cases they WERE Ghanaian). This mean they were unable to be registered.

In the opinion of Mr Alhassan, the officials did everything they could to encourage the registration of the prisoners, including sensitization programs, but the factors mentioned above were restrictive to prisoners wanting to register.

Mr Alhassan indicated that the prisoners were not able to use guarantors to stand in for their identity. Originally, he said, guarantors were going to be allowed, but in the end, this was cancelled. Mr Alhassan thought that this option should have remained for the prisoners, even despite the low numbers who probably would have taken advantage of it. Mr Alhassan considered this a weakness with the process. Some prisoners indicated a problem with the cancelling of the guarantor system, and the difficulty of registering, but were asked to “not cause problems.” In future, this should be rectified to ensure that all prisoners have equal access to the biometric registration process.

Mr Alhassan indicated that the most significant problem with the registration process was the low numbers of prisoners who registered. With some adjustments to the process, this can be improved in future. Mr Alhassan also indicated that some prisoners were upset that they were unable to register, but this did not create any major problems.

A final point of interest raised by Mr Alhassan was that inmates are only able to vote in presidential elections, not parliamentary elections. This is because inmates are not considered to have a ‘constituency.’ As a result of this system, prisoners are not represented in the parliamentary system. It is his opinion that this should be rectified.

## Media Reports

In a slight contradiction to the recount of Mr Atsem, Mr Alhassan indicated that although the media were present, they were somewhat restricted in their coverage, and only stayed for about half an hour. However, some of the restrictions were intended to benefit the prisoners, to ensure their anonymity was retained. In Mr Alhassan’s opinion, the Prisons Service and Electoral Commission placed restrictions on the media because they did not want them to speak to the inmates about other issues, unrelated to the registration process. He cited the example of some recent reported conflict between

Christians and Muslims in a particular prison (that actually turned out to be unfounded). In conflict to the account of Mr Atsem, Mr Alhassan indicated that there was plenty of space for more media to attend.

Mr Atsem, from the Prisons Service was also questioned on a number of reports that appeared in the paper. In brief, those reports and his responses:

1. Reports suggested that NARCOB **did** have many of the inmates passports, which could have been used as identification. The response from Mr Atsem was that this channel was explored, and as “many as 33 passports were found.” When questioned as to whether this was all across Ghana), Mr Atsem concurred that it was, though this number does seem low. Mr Atsem agreed that for subsequent registrations, more time should be allotted to this step in the process.
2. Reports suggested that the Electoral Commission seized the ID of the inmates. Mr Atsem responded that this was a false report from a journalist who didn't understand the process. Actually, the ID was only released to the prisoners for the purpose of registration, and was always going to be taken back for holding. Mr Alhassan (Coalition) agreed with this response, indicating that the ID was only given for a temporary time, and that prisoners are not able to hold on to these items while incarcerated.
3. Reports suggested that transparency was lacking, due to journalists not being allowed into the exercise. Mr Atsem indicated that this was a security and space issue, however, he insisted that journalists were allowed to observe (MetroTV and TV3) due to their persistence on the day. However, conflicting reports suggest they were allowed to observe, but they were restricted and not allowed to show footage of the inmates. Mr Atsem acknowledged that allowing increased access for journalists would be better for transparency and accountability.
4. Finally, reports suggested that there was no already existing record of prisoners, and this should exist. Mr Atsem flatly disputed this. He acknowledged that perhaps there are some problems with registration of ex-prisoners, but there IS a record of all current prisoners (some of the problem he put down to false names).

The most positive element of the interview was the enthusiasm that was indicated by Mr Atsem (and as he said, this was reflected across the entire Ghana Prisons Service) for this process. The registration of prisoners was seen as a step forward for democracy, and an important human rights process.



## Recommendations and Improvements

The Human Rights Advocacy Centre makes the following suggestions to improve the biometric prisoner registration in the future.

1. Use of the guarantor system, to give prisoners who do not have formal ID an opportunity to register to vote
2. Allow the media to monitor and witness the entire process
3. Increased education and sensitisation around the process, including how to register, the purpose of registration, reassurance of the purpose of the gathering of details, and the importance of voting. The percentage of eligible voters who decided to register inside prison is significantly lower than the percentage of registered voters outside prison. As such, it is imperative that a more thorough education program is developed to teach the prisoners about the rights that they have, and the importance of exercising these rights.
4. Develop a system whereby prisoners are able to vote in parliamentary elections, by allowing them to be registered in a constituency (either their home constituency, or another appropriate option)

HRAC continues to monitor human rights issues in Ghana, such as the registration of prisoners in the lead up to the election in December 2012. Monitoring these issues is a vital part of the advocacy work of HRAC, as we continue to fight for the transparency and accountability of governmental agencies.