

The Chairman  
Electoral Commission of Ghana  
HQ  
Accra

22<sup>nd</sup> September, 2011

Dear Sir,

We refer you to our previous correspondence on the need to get IPAC convened and deliberating on matters regarding the forthcoming Biometric Voter Registration (BVR) exercise and other issues pertaining to the 2012 general elections.

Our call for specific information and material to enable us convince ourselves that the “tender process” leading to the procurement of equipment and materials is credible has fallen on, sadly, deaf ears.

We wholly endorse and support the constitutional provisions safeguarding the independence of the Electoral Commission. However our interpretation of the constitution is that the powers of that independence must be used to provide the nation with an election process that is credible, transparent, fair and ultimately delivers a result that is accepted by stakeholders as reflecting the true choice of the electorate. We do not believe that the independence is given to the Electoral Commission for it to act in a capricious and unilateral manner that can lead to the election process producing discord and tension in our country.

We respectfully advise that as one of the major stakeholders in Ghana’s democratic process, not receiving the courtesy of a response to our letters is a bad signal.

Further to receiving a copy of your “Invitation to Tender (**ITT**)” given to shortlisted companies to submit their solution for the Biometric Registration exercise, we commissioned two independent IT experts in the field of biometrics to analyze your **ITT** and give us their unvarnished assessment as to whether the **ITT** will lead to a credible **BVR**. Both teams arrived at the same conclusion. The gaps, risks and security flaws in the **ITT**, if not addressed and demonstrated to the parties, are of such serious magnitude as to make the **BVR** not credible and prone to fraudulent abuse. See attaché d copies of the reports.

In the light of the above, we wish to convey our deep sense of apprehension that the manner in which you are conducting affairs towards the 2012 elections, secretly, stealthily and silently is a recipe for disaster. We realize that your institution has no experience in the field of electoral

Biometrics and you have not requested credible experts to help you in undertaking this exercise. This can lead only to a bad outcome. Coming events cast their shadow. The pending court case has the potential of not only jeopardizing your already poorly implemented “roadmap” but impugning the integrity and credibility of the GEC.

In order to avoid this, there is an urgent need to convene IPAC immediately so that together we can help restore credibility and ensure that all the “Accra Principles of Electoral Justice” are implemented for the 2012 elections.

For us in the NPP, we implore you as a matter of urgency to:

- Implement the mitigation and remedial measures identified by the experts and demonstrate to IPAC same before we can support the BVR exercise.
  1. The necessary Certifications to ensure international standardization and quality assurance features in the **system hardware are non-existent in the ITT**. This is so for both the finger print scanner and camera. It also applies to the AFIS search engine. **The camera is a 2MP and scanner is 500dpi**. Both are of too low a resolution to make biometric analysis possible. **A camera with greater than 10MP and fingerprint scanner of at least 1200dpi should be the minimum requirement.**

There are no requirements in the ITT to ensure that the **software and other systems** are developed and configured to international standards.
  2. The ITT requirement that the client should **own the source code and be able to make changes without trace (avoid detection)** is a recipe for electoral fraud. All stakeholders should either have access to the Source-code or they are proprietary to the extent that any technical expert or unit with access cannot compromise the functioning of the solution.
  3. There is no requirement in the ITT for the provision of an **AFIS database and Search engine**. This non-requirement means a database somewhere is going to be used. Where is this database? Who owns it? How secure is it? How credible is it? This is even more pertinent as the ITT requires an “AFIS enhancer”. If there is no engine with a database how can you enhance?
  4. Physical security regarding usage of **portable storage devices** (USB’s, memory sticks, flash drives) for the storage and transfer of data are non-existent. Even if such security exists it can be subject to fraudulent abuse and so is not desirable in systems such as ours where data integrity is important. **International best practice is to have a secure encrypted transfer protocols for all data transfer without the use of portable storage devices.**
  5. Locations where Data Centers are located are subject to Certification to ensure that stringent physical security and access controls protocols are adhered to.

The ITT does not specify this as a requirement. This means data integrity cannot be ensured and can be easily compromised.

6. Given the lack of experience of the biometric process of the GEC the management of the project should include non-GEC executives who have proven competence in this area.
- To conduct the forthcoming registration exercise in all Polling Stations in Ghana **simultaneously**, as is the practice with replacement of register, to minimize greatly multiple registrations and its associated Voter ID card issuance. This would make up for the time lost. Nigeria registered 60million voters in two (2) weeks why does Ghana need more than a month to register 13million people. The GEC should call for help from our Donor Partners and our sister nation, Nigeria, for both logistical and financial help to ensure this.
  - To discuss the legal and regulatory issues concerning amending CI-12 with all the Parties immediately before submission to Parliament to prevent delays that the CI will encounter if it gets to Parliament without the Parties' inputs beforehand.
  - To demonstrate to us your plan of action to implement **Voter Verification (authentication)** before voting. This is imperative if the BVR exercise is to be complete. Countries in sub-Saharan Africa who have implemented BVR without authentication have not escaped political chaos post elections. Kenya realizing this through bitter experience, have recently implemented authentication before voting in a bye-election with greatly improved results.

The failure of GEC to demonstrate practically to us, by the time Parliament reconvenes during the third (3<sup>rd</sup>) week of October, 2011 that our concerns are being addressed, would convince us that for the 2012 election the electoral commission cannot be relied upon to ensure a free, fair, credible election.

We would then not be a supporter of the BVR exercise and will advocate for the **GEC to undertake a new manual registration system which is open, transparent, verifiable, economical and auditable (tried and tested) done simultaneously in all polling stations** rather than support the flawed and opaque system the GEC intends embarking on.

Yours Faithfully,

**J. O. Obetsebi-Lampsey (National Chairman)**

Dist:

Chairmen, all political party's

Donor Partners

Media

**NOTE: FOR THE MEDIA**

We forward a copy of our reaction to the Invitation To Tender (ITT) issued by Ghana Electoral Commission (GEC) for your information and the edification of Ghanaians.

The following persons are available to speak further to this correspondence.

Hon. Matthew Opoku Prempeh - 0244-561888

Hon. O. B. Amoah - 020-2013976

Mr. Peter Mac Manu - 020-2110297

Mr. Gabby Asare Otchere- Darko. - 026-4314312