

Ghana's EC's dangerous and pathological conduct

Everyone who followed IMANI's exchanges with the Electoral Commission in 2020 carefully would have noticed that IMANI was against the compilation of a new electoral register for one major reason: **shady procurement and waste of resources**.

Over the years, some partisan fanatics have tried to make it look as if IMANI was merely crying wolf. Very few have actually looked at the substance of IMANI's case, which was mainly that Ghana's biometric voting management system (BVMS) had cost the nation tens of millions of dollars to put together, was still in good shape, and needed only minor maintenance to be fit for the purpose of running the 2020 elections.

The Electoral Commission did everything they could to twist the facts, hide information, and outrightly lie to justify their decision to jettison the existing BVMS so that they could procure a brand new one.

A few days ago, our colleague, Bright Simons, who continues to monitor the EC closely discovered that the EC had been sneaking out biometric devices that are core components of the BVMS to recycling companies without any public notice. His checks showed that these actions had never come up for discussion during the Inter-Party Advisory Committee (IPAC) meetings, through which the EC engages with its political stakeholders. He also discovered that the EC never opened any public tenders for these sales of sensitive equipment to recyclers.

Worst of all, he discovered through painstaking checks that the recycling companies engaged for the exercises do not have the strict certifications for secure data destruction that is required when disposing of sensitive equipment like this.

IMANI have since done our checks and we are shocked at the EC's recklessness. It is universally known that wiping off data from electronic devices does not permanently erase them. Hence, disposal of electronic equipment containing sensitive traces of personal data, voter information no less, requires extremely thorough protocols that only a few specialised recycling companies, properly so certified, can handle.

But we were not prepared for the sheer mendacity, audacity, and shamelessness of the EC's response to our colleague. The EC's press statement was full of lies, half-truths, and pure fantasies.

1. The EC says that only 10 biometric verification devices (BVDs) were "auctioned". And that they "found their way" into a recycling plant. The obvious questions that the media ought to ask are a) before the EC jettisoned the existing system, it had told Parliament that it had implemented a "2 BVDs per polling station" policy and therefore had more than 70,000 BVDs in stock. Then in 2020, it proceeded to buy a brand new set of biometric voter registration (BVR) kits with corresponding BVD kits and swore (despite video evidence collected by Bright Simons) that they never used

any of the pre-existing devices in the 2020 mass voter registration exercise. **Why then did they auction only 10 out of the over 70,000 devices?** Why “10”, and not 5, 100, or 1000? How have the remaining tens of thousands of devices been disposed of? Ghanaians who have been paying attention to the EC’s strange conduct under the current leadership know that the EC admitted to have lost some BVRs recently, but when pushed it insisted that they were only five in number. There is a clear pattern here. What exactly is going on?

2. The EC claims that the 10 BVDs were auctioned, and that they just somehow then found their way into a recycling plant. Who were the auctioneers? Are they registered auctioneers licensed to conduct auctions by the Auctioneers Registration Board? Who were the successful bidders? How was the auction advertised? Why would anyone want to buy 10 used biometric devices that the EC claims has been “hard-coded” for electoral purposes, for which reason it has refused to use the thousands of devices bought in recent years? Why would a commercial recycling plant be interested in just 10 devices? Who authorised the recycling of the devices in a facility without adequate secure data handling capabilities?
3. How does the EC reconcile the claim of just 10 devices with the thousands of identical devices captured in the photographic evidence shared by our colleague (see appendix)?
4. The EC claims that it decided to buy fresh equipment because refurbishing the old devices would have cost more than buying a new set. Yet, it did refurbish the devices ahead of the 2019 electoral exercises. IMANI has evidence of payments to the previous broker of these machines, STL (see appendix). That exercise did not cost the tens of millions of dollars the EC claims.
5. The EC definitely lied about the costs of refurbishment because it has absolutely NO evidence to show that the original makers of the equipment, HSB, and the software provider, Genkey, provided them with invoices or any quotations backing up these fantastical claims that refurbishment would have cost more than fresh procurement. IMANI painstakingly checked, and found out that refurbishment would have cost less than 10% of what the EC spent because many of the devices were barely two years old and had been used only once.
6. The EC has consistently lied about the “obsolescence” of the biometric infrastructure that they came to meet and which they spent precious money to augment. IMANI has time and again provided detailed information from Parliament, the Ministry of Finance, and the Auditor General to show that the bulk of equipment in use as of 2020 when the EC decided to launch fresh procurement was bought in 2016 and

2018 (see appendix). As late as 2019, the EC was refurbishing this equipment for use in the 2019 December referendum that was eventually cancelled. In fact, the EC successfully held the referendum for the new regions in December 2018 and the 2019 District Assembly elections without a glitch using the same equipment that they will later claim to be obsolete. We have included an appendix below containing snapshots of evidence debunking the EC's "obsolescence" claims.

7. The EC disputes our colleague's claims of amounts spent on the biometric voting system as well as previous figures provided by IMANI. Yet, in their tabulation of costs, they barefacedly refused to include the costs of new software, licenses and upgrades; the new VSAT systems procured to sync with the new datacenter; the software shadily procured from Neurotechnology of Lithuania; and the cost of consulting, installation, and logistics etc. In estimating the cost of the EC's decision to jettison the existing system for the new one that it rigged public procurement processes to acquire, IMANI has always made it clear that it is accounting for **total cost of ownership**. It is thus monstrously deceitful for the EC to list the costs of just the devices, as if by their decision to jettison the existing system the only resulting costs to the nation are limited to the new devices procured.
8. The EC has never properly addressed IMANI's research into this issue for four years now. Their sudden pretence of accountability is thus entirely hypocritical. IMANI has used and presented evidence from the Auditor General and the EC's own submissions to Parliament(see appendix). Never once has the EC tackled the overwhelming weight of evidence presented. Even when the Chairperson of the tender committee of the EC resigned from his duties in order not to rubberstamp what was clear bid-rigging in favour of Thales, the supplier of the EC's new system, the EC refused to acknowledge the depths of impropriety it has sunk.

It has become clear that the EC, in its current shape and form, is pathologically misgoverned and cannot be expected to uphold any serious public service standards. It no longer has the DNA to conform to its ethical obligations. Unless and until a total overhaul of the culture in the leadership ranks of the EC occurs, it is frankly fruitless to expect any accountability from it. But in due course, that accountability will come.

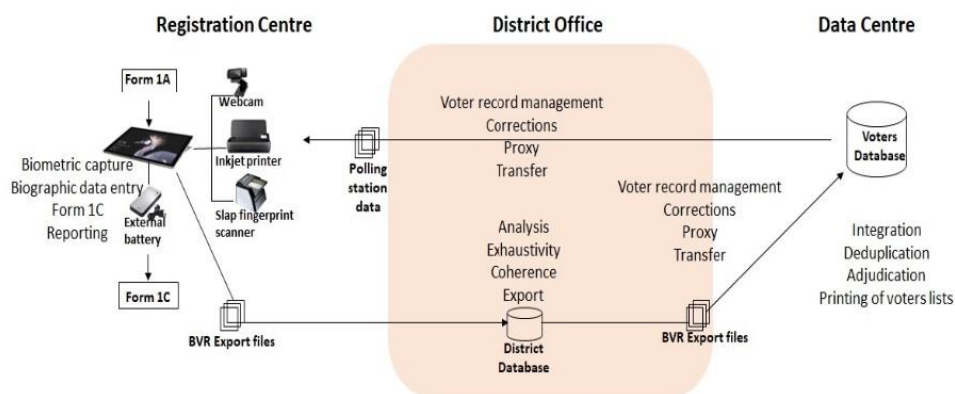
Appendices

1. EC's Press Statement: <https://citinewsroom.com/wp-content/uploads/2024/04/FACT-CHECKING-PROCUREMENT-OF-BVDS-AND-BVRS-BY-THE-ELECTORAL-COMMISSION-IN-2020.pdf>
2. EC's half-truth tabulation of costs associated with the newly procured biometric voting management system (BVMS). The EC carefully omits many ancillary costs, such as new software, consulting, logistics, VSATs etc., which were all part of the process to jettison the old system.

NO	DATE	ITEM	AMOUNT (US\$)
1	20-02-20	Procurement of Biometric Voter Management System and related services	59,568,832.88
2	16-06-20	Procurement of Additional Biometric Verification Devices and Printers	1,139,650.00
3	25-09-20	Procurement of Additional Biometric Verification Devices	1,732,650.00
4	30-09-20	Procurement of Additional Biometric Verification Devices	58,910.10
5	30-12-19	Design, supply, installation, implementation and related services for the provision of Data and Recovery Center	6,161,869.69
Total			68,661,912.67

3. This article by Bright Simons provides video evidence of some old equipment in use and debunks claims that the new system procured by the EC can verify voters using facial biometrics as claimed: <https://brightsimons.com/2020/07/10/the-sins-of-ghanas-ec/>
4. EC's shady procurement and big-rigging saga: https://imaniafrica.org/wp-content/uploads/2020/02/IMANI_EC_Dangerous_Games_February_2020-FINALISED-copy.pdf
5. This IMANI brief catalogs a list of issues, from inflated software contracts with a Lithuanian technology company to deceitful EC conduct in retaining STL as a paid contractor to continue servicing equipment it claimed were discarded, even as it bastardised the company in the press: <https://imaniafrica.org/2020/11/imani-alert-the-fake-transparency-of-the-electoral-commission/>
6. This is an extract from a press kit (https://media.peacefonline.com/docs/202001/23107833_84075.pdf) widely released to the media by the EC in 2020, in which it blatantly lies that all the biometric equipment in use were bought in 2011:

Registration and Creation of Voters List



Challenges of the Current System – BVR Kit

1. The Kit had been in use since 2011
2. Many of the Component parts had reach end of life and end of support
3. A large quantity of the kits had many faulty component parts that were difficult to replace (keyboard, mouse, screen, camera)
4. The battery packs had worn out and therefore the decreased battery autonomy could not guarantee continuous use of the BVR
5. The image quality obtained from the fingerprint scanner we increasing deteriorating leading to repeated image acquisition prolonging the registration process
6. The inkjet printers were failing at a frequent rate
7. Here are pictures of mounds of biometric devices that cast serious doubts on the EC's claims that it only auctioned 10 BVDs:



8. Here are snapshots of evidence from official parliamentary, Auditor General, and Ministry of Finance documents, some prepared and submitted by the EC itself,

conclusively debunking the assertion that all its equipment, as of 2020, was procured in 2011.

A.

balance of GH¢160,597,180 of the appropriated budget uncommitted.

Officials from the EC informed the Committee that, the Commission require the amount to upgrade its data center, acquire 5,000 new BVR kits in addition to 7,500 kits refurbished in 2016 and 5,000 new kits for the impending District Level Elections (DLE) scheduled for September next year and the referendum in 2019. The Commission expressed its dissatisfaction at the inability of the Commission to use the amount to procure critical election related equipment infrastructure. The situation could adversely impact the efficient running of future elections by the Commission.

The Committee urges Management of the Commission to take urgent steps to commit part of the resources to ensure that the funding gap created in the 2019 budget is bridged.

9.2 Shortfall in Budget Allocation

The Committee noted that the Electoral Commission requires an amount of GH¢979,511,867 to undertake critical election related activities for the conduct of referendum to seek the approval of Ghanaians to elect MMDCEs and the District level Elections in 2019. The Commission informed the Committee that, the amount will be used to procure new BVR and BVD kits, refurbish existing kits, upgrade the Commission's data center, and undertake voter registration in preparation for future elections. The Commission will also apply part of the funds to upgrade its Data Center which exhausted its capacity.

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3. Budget Sub-Programme Results Statement

The table indicates the main outputs, its indicators and projections by which the Service measures the performance of this sub-programme. The past data indicates actual performance whilst the projections are the Service's estimate of future performance.

Main Outputs	Output Indicator	Past Years		Projections			
		2017	2018	Budget Year 2019	Indicative Year 2020	Indicative Year 2021	Indicative Year 2022
Code book printed	Printed by	-	June 30 th	-	June 30 th	-	-
Printing of Voter's Register	Printed by	-	Oct. 30 th	Oct. 30 th	Oct. 30 th	-	-
Programmers and Database Administrators trained	Number of Programmers and Database Administrators trained	14	-	5	-	-	-
Replacement of obsolete IT Equipment	Number of obsolete IT equipment replaced	-	50	50	-	-	-
BVR kit replaced	Number replaced	-	2000	1500	-	-	-
ICT training for staff	Completed by	-	March 30 th	June 30 th	-	-	-
Internet, WAN connectivity to EC offices across the country	Completed by	-	March 31 st	March 30 th	March 30 th	-	-
Deploying of wireless connectivity to Headquarters and Regional offices installed.	Completed by	-	March 30 th	-	-	-	-

4. Budget Sub-Programme Operations and Projects

The table lists the main Operations and Projects to be undertaken by the sub-programme

Operations	Projects
Undertake Training and Capacity Building for IT Staff of the Commission	Procure IT Equipment to support the Operations of the Commission
Maintain and Renew Software licenses for Data centers, 7,500 Biometric Voter Registration Kits, 72,000 BVDs	EU Grant for the Support of Independent Government Institutions (IGIs) - Capex
Extend and maintain EC Wide Area Network (WAN) to 269 Districts	
EU Grant for the Support of Independent Government Institutions (IGIs) - GS Goods and Services	

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		2016	2017	Budget Year 2018	Indicative Year 2019	Indicative Year 2020	Indicative Year 2021
Code book printed.	Printed by	June 30 th	Nil	June 30 th	Nil	Nil	Nil
Printing of Voter's Register	Printed by	July 30 th	Nil	July 30 th	July 30 th	July 30 th	July 30 th
Programmers and Database Administrators trained	Number of Programmers and Database Administrators trained	Nil	14	Nil	Nil	Nil	Nil
Replacement of obsolete IT Equipment	Number of obsolete IT equipment replaced	300	Data center and accessories required	100	Nil	Nil	Nil
BVR kit replaced	Number replaced	500	Nil	Nil	Nil	Nil	Nil
ICT training for staff	Completed by	April 10 th	Nil	March 30 th	Nil	Nil	Nil
Internet, WAN connectivity to EC offices across the country	Completed by	March 31 st	Nil	March 30 th	Nil	Nil	Nil
Extension of Microsoft Share point to the - Headquarters - Regions, and - Districts completed	Completed by	March 31 st	Nil	March 30 th	Nil	Nil	Nil
Deploying of wireless connectivity to - Headquarters, and - Regional offices installed.	Completed by	March 30 th	Nil	March 30 th	Nil	Nil	Nil

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D.

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		2017	2018	Budget Year 2019	Indicative Year 2020	Indicative Year 2021	Indicative Year 2022
Code book printed	Printed by	-	June 30 th	-	June 30 th	-	-
Printing of Voter's Register	Printed by	-	Oct. 30 th	Oct. 30 th	Oct. 30 th	-	-
Programmers and Database Administrators trained	Number of Programmers and Database Administrators trained	14	-	5	-	-	-
Replacement of obsolete IT Equipment	Number of obsolete IT equipment replaced	-	50	50	-	-	-
BVR kit replaced	Number replaced	-	2000	1500	-	-	-
ICT training for staff	Completed by	-	March 30 th	June 30 th	-	-	-
Internet, WAN connectivity to EC offices across the country	Completed by	-	March 31 st	March 30 th	March 30 th	-	-
Deploying of wireless connectivity to Headquarters and Regional offices installed.	Completed by	-	March 30 th	-	-	-	-

E.

19/5/2016	Final Payment of the Biometric Voter Registration Kits	C/EC/PROC/01/SF.20/V.29/45	2,187,665.00		SUPER TECH (STL) Ltd (Exempted)
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	Components and Ancillary Services				from 5% withholding)
6/10/2016	Payment of supply of Biometric Equipment and other Ancillary Services	C/EC/01/SF.2 /1/V.10/36	10,295,481		SUPER TECH (STL) Ltd (Exempted from 5% withholding)
30/12/2016	Final payment of Biometric Verification Machine preparation, update and training for the Exhibition exercise and the General Elections	C/EC/01/SF.2 0/V.31/31	10,776,647.00		SUPER TECH (STL) Ltd (Exempted from 5% withholding)