

Nov. 2, 2010

**Statement of Preliminary Findings and Conclusions**

*This statement is preliminary; a final report will be published several months after the end of the electoral process. For previous Carter Center statements on Cote d'Ivoire's elections, please visit [www.cartercenter.org](http://www.cartercenter.org).*

**Political Context**

The presidential election of Oct. 31, 2010, is an important step in Cote d'Ivoire's peace process to end the longstanding political crisis in the wake of the 2002 civil war, offering Ivoirians an opportunity to participate in the country's first truly open contest, with 14 candidates on the ballot, including the three main political leaders of the past two decades.

Since the end of the constitutional mandate of President Laurent Gbagbo in October 2005, presidential elections have been repeatedly postponed, mainly due of the lack of progress in the implementation of successive peace agreements, beginning with the Linas-Marcoussis Agreement (Jan. 24, 2003), the Accra III Agreements (July 31, 2004), Pretoria (April 6, 2005), and up to the Ouagadougou Political

the framework formed by successive resolutions of the Security Council of the United Nations.

As with the previous agreements, the OPA faced multiple bottlenecks, including delays in the timing of application (for example, the agreement called for presidential elections to be held within ten months), and successive rounds of negotiations. The Carter Cent





The current configuration of the IEC was established in Feb. 16, 2006, and consists of 31 members appointed according to the formula in the Pretoria Agreement to include two representatives of each of the ten party signatories of the Linas Marcoussis Agreement, as well as other members from governmental, ministerial, justidicial, and presidential bodies. This composition often revealed the potential for partisan interests to erode the functional independence of the IEC. The IEC composition and its decision-making by political consensus, sometimes severly constrained the development of its technical capacity. This has been the case for many operational decisions, including the processing and transmission of election results. These processes have often undermined the important principle of transparent election administration.

The IEC is also responsible for the creation of va

often resulted in too little time for trainees to acquire more than a superficial understanding of the linked procedural elements of their duties.

Communication between the national IEC office and its branches was inconsistent throughout the process. IEC branch officials across the country have frequently expressed their dissatisfaction with this situation to Carter Center observers, remarking on their inability to get answers to questions and concerns raised by citizens in their local jurisdictions. Weak or delayed operational planning may partly explain this lack of regular communication between the different levels of election administration. Nevertheless, local IEC branches felt that the lack of information communicated to their administrative level was a factor in their sometimes diminished capacity to serve the local population.

Owing to the central importance of transparent and independent election administration in the conduct of democratic elections, the Center's final report will provide in-depth focus on these issues.

### **Candidates, Political Parties, and the Campaign**

The right of individuals to participate in public affairs, including through the establishment of and free association with political parties and participation in campaign activities, is protected by international principles and fundamental electoral rights.<sup>2</sup>

The definitive list of 14 presidential candidates was approved by the Constitutional Council announcement of Oct. 19, 2009, following the examination of 20 nomination submissions for the elections then scheduled for Nov. 29, 2009. Given the subsequent delay in the election date, the question of re-opening candidate nomination was raised by jurists and some civil society organizations.

It is important to note that electoral law provisions for candidacy for the presidency were affected by the Linas-Marcoussis Agreement, which established preferential consideration for signatories to the accords. In effect, candidates from signing political parties or groups were exempted from the demonstration of any legal requirements (such as proof of citizenship, tax payment, or health certificate) other than the personal declaration and signature of candidacy.

Accordingly with Art. 28 of the Electoral Code, Presidential Decree 2010-282 of Oct. 12, 2010, fixed the official start of the campaign period at Oct. 15 to close at midnight on Oct. 29.

Art. 32 of the Electoral Code prohibits all political campaign meetings and propaganda of any type outside the official campaign period. In practice, all political parties and most of the candidates conducted informal campaign activities well in advance of the official campaign, without any such violations being sanctioned.

The Carter Center notes with concern many of the statements made by candidate representatives and in some cases the candidates themselves during this 'pre-campaign.' Personal attacks on other candidates were often spoken while slogans such as "we win or we win" implicitly prepared the ground for rejection of results.

---

<sup>2</sup> ICCPR, Art. 25(a); CEDAW, Art. 7(b)



participate in public affairs, and to enjoy security of the person.<sup>4</sup> The state must take all necessary steps to ensure such rights are fully protected and awarded to all citizens in an equal and non-discriminatory manner. The state must take necessary measures to give effect to rights enshrined in the treaty to which they are party. Such rights include the right for all citizens to be treated in an equal and non-discriminatory manner.<sup>5</sup>

Illustrating the strong voter turnout (estimated at 70-80 percent by observers based on unofficial results), many voters were at the polls in the early hours of Oct. 31, well before opening at 7:00 a.m.

Most polling stations opened on time or with delays ranging from 30 minutes to two hours. Reasons for delays in opening varied across the country:

- Late arrival of the president of the polling station staff
- Late delivery of essential election materials
- Absence of other polling station staff

Several operational difficulties appeared to be attributable to weak understanding on the part of election officials about the full details of their responsibilities. In particular, observers noted that the numbered ties to seal the ballot box were not used and where they were employed, the numbers were not registered in the polling station record. In nearly half the polling stations visited by Carter Center observers, the polling officials did not check voters' fingers for indelible ink before issuing them a ballot paper.

Electoral procedures were established to allow party agents and domestic observers at each polling station to observe the voting process and record any concerns for legal scrutiny.<sup>6</sup> Candidate representatives serving as poll witnesses were present in every polling station visited with at least two different parties represented in every case. Non-partisan domestic observers were less prevalent though the Center took note of their presence where encountered.

No major incidents of such magnitude as to undermine the integrity of the polling process were reported.

Voter turnout was very strong over the course of the morning, with most polling stations largely empty by late afternoon. The use of a single ballot and the decision to limit the number of voters to 400 per polling station were positive features that likely contributed to the ability of polling stations to process the high voter turnout.

The presence of security forces at polling stations varied by location across regions. No significant security incidents were observed by the Center on election day. Security forces were highly visible

---

<sup>4</sup> ICCPR, Arts. 2, 25(a) and 9

<sup>5</sup> The State must take necessary measures to give effect to rights enshrined in the treaty to which they are party. Such rights include the right for all citizens to be treated in an equal and non-discriminatory manner. ICCPR; I: Art. 1, Art. 2(2).

<sup>6</sup> The right to participate in the public affairs of one's country, including the electoral process, are recognized at the regional and international level. See for example, African Charter on Human and Peoples' Rights, Art. 13 (1); African Union Declaration on the Principles Governing Democratic Elections in Africa, Art. 7; and ICCPR, Art. 25 (a)







The primary tenet of this project was to ensure the respect of the Code of Conduct signed by the political parties and all 14 candidates running for presidential office, and to publicly denounce any violations.

For the first time in Cote d'Ivoire, a group of national domestic observers, made up of the members of the Ivorian Civil Society Convention (CSCI), deployed long-term observers to follow the presidential election. Some 250 observers strong, the CSCI reported on all the key steps of the political process, from voter registration through the elections. These long-term observers were joined by 700 additional short-term observers for the elections. The CSCI has released several public reports outlining their findings following each critical step of the electoral process, with recommendations for future improvements.

Other civil society organizations also deployed election observers, notably the Ivorian league of human Rights (LIDHO), West Afri

The Carter Center regrets that throughout the period before the official opening of the campaign, the candidate for the presidential majority dominated National Television (RTI), whereas Art. 30 of the Electoral Code stipulates that "parties and candidates have equitable access to state media from the date of publication of the provisional list until polling..."

## **Conclusion**

The Oct. 31 elections were marked by a number of logistical and operational challenges, most notably the timely distribution of voter cards, delivery of essential election materials throughout the country, poll worker training, and effective distribution of information regarding election day procedures. The IEC manifested ongoing planning and operational difficulties.

However, despite these difficulties, the elections were marked by broad political participation, a peaceful election campaign, and strong voter turnout. International goodwill and support have been significant features of Cote d'Ivoire's peace process and the conduct of these elections.

The Carter Center offers these observations and recommendations in the spirit of cooperation and respect. The Center wishes to thank the Ivoirian officials, political party members, civil society members, individuals, and representatives of the international community who have generously offered their time and energy to facilitate the Center's efforts to observe the electoral process.

\*\*\*\*\*

*The Carter Center was founded in 1982 by former U.S. President Jimmy Carter and his wife, Rosalynn, in partnership with Emory University, to advance peace and health worldwide. A not-for-profit, nongovernmental organization, the Center has helped to improve life for people in more than 70 countries by resolving conflicts; advancing democracy, human rights, and economic opportunity; preventing diseases; improving mental health care; and teaching farmers to increase crop production. Visit: [www.cartercenter.org](http://www.cartercenter.org) to learn more about The Carter Center.*