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## PRESS RELEASE

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***PRELIMINARY STATEMENT  
BY THE NDI INTERNATIONAL DELEGATION  
TO THE MARCH 18, 1996 PRESIDENTIAL RUNOFF ELECTION IN BENIN***

**Cotonou, March 21, 1996**

### **I. INTRODUCTION**

The international delegation sponsored by the National Democratic Institute for International Affairs (NDI) is pleased to offer this preliminary statement on the March 18, 1996 presidential runoff election in Benin.

Our international delegation comprised 18 members who witnessed the election in all six administrative divisions (*départements* or *préfectures*) of Benin, including the Cotonou metropolitan area. The delegation was led by Harry Johnston, member of the Africa Subcommittee of the United States Congress. The delegation also included elected officials, political party and civic leaders, regional specialists and elections experts from Africa, Europe and North America.

This international delegation, like its predecessor to the March 3 first-round election and NDI's pre-election assessment delegation, was invited and welcomed by the Beninese government, candidates, political party leaders, electoral authorities and civic organizations. We were provided access to all phases of the election process. Our delegation came to witness the elections. We did not seek to supervise the elections or certify them. Ultimately, it is the Beninese people who will determine the legitimacy of the electoral process.



The primary purposes of the delegation were to demonstrate the international community's continued support for the democratic process in Benin and to provide the international community with an objective assessment of the March 18 election. We also sought to learn from the Beninese people about the nature of their electoral process and its implications for the further consolidation of Benin's democratic institutions.

The delegation's mandate included the examination of the pre-election environment, election day proceedings and the tabulation of results to date. This statement is a preliminary assessment of these issues, based on direct observations of delegation members, information gathered during the pre-election period by a four member NDI pre-election assessment delegation, observations made by the 22-member NDI international delegation to the March 3 first-round election, as well as information gathered by NDI staff since their arrival in Benin on February 18, 1996.

We note that the announcement of official results and the resolution of any electoral complaints by Benin's Constitutional Court have yet to be completed. NDI will continue to monitor developments during the immediate post-election period and will issue a more detailed report on the election process at a later date.

The delegation arrived in Benin on March 15, shortly after Beninese authorities announced March 18 as the date for the second-round election. The majority of the delegation members participated in monitoring the first-round election and, prior to the elections, had met at the national level with representatives of the Constitutional Court, the National Autonomous Electoral Commission (CENA), the major presidential candidates, representatives of other first-round candidates, news media, national election monitoring groups and civic education organizations. After a day of briefings in Cotonou, the delegation was divided into nine teams and deployed throughout the country's six divisions, including the Cotonou metropolitan area. Upon arrival at their deployment sites, team members met with election commission officials at the divisional (*préfecture*) and sub-divisional (*sous-préfecture*) levels, as well as representatives of the presidential candidates. The teams subsequently observed the voting, counting and tabulation processes. Team members observed election day activities in approximately 175 polling sites throughout the country.

## **II. THE INTERIM ELECTION PERIOD**

The delegation was impressed that the campaign took place under peaceful conditions, as it did for the first round. Candidates traveled freely to different parts of the country, campaigned openly without disturbances and respected the legal requirement to end their campaigns 24 hours before election day. Political activists enthusiastically campaigned for their candidates. The public media provided active and equitable election coverage during the campaign period. However, the delegation deeply regretted that Constitutional Court members and their families reportedly had been threatened following the announcement of first-round election results.

The delegation noted that disagreements among various Beninese institutions concerning the date of the second round negatively affected specific measures that could have been taken to improve electoral preparations. This may also have negatively affected public confidence in the organization of the second round. For example, once the official results of the first round were announced by the Constitutional Court on March 11, the CENA requested that the Court provide details on the 494,673 votes the Court had annulled from the first round. Because some of the annulments were attributed to the inefficiency of some polling officials, the CENA planned to conduct detailed training sessions for polling officials before the runoff. When March 18 was finally announced as the election date, there was little time remaining before the election for the CENA to organize comprehensive training programs.

Additionally, the High Authority for Audiovisual Communications (HAAC) was planning to organize a debate between the two candidates in the final days before the end of the official campaign period. The debate would have been broadcast simultaneously on radio and television and would have provided an opportunity for the candidates to focus political discourse on the major substantive issues facing the country. Such a debate would also have provided important voter education for the Beninese electorate. Unfortunately, changes in the election date made it impossible for the HAAC to organize the debate. Also, recommendations concerning additional matters were made by NDI's observer delegation and were well received by the CENA and the HAAC, but the limited time precluded their implementation.

### **III. ELECTION DAY**

This election represents an important step in the democratic process in Benin as election officials, political leaders and activists and the electorate continued to improve the method of conduct for elections. The delegation was particularly impressed by the calm, patient and peaceful manner in which the Beninese electorate conducted itself on election day, as had been the case for the first round election on March 3. To the delegation, this was another demonstration of the intense interest of the Beninese people in expressing their political will and making public policy choices through the ballot.

The delegation was also impressed with the high voter turnout and the commendable level of citizen participation in the second round election. For the second time, candidates actively deployed representatives at the polling sites to observe the voting and counting process. Representatives of nonpartisan civic groups also stationed numerous pollwatchers to help ensure the integrity of the process and provided, as did the CENA, voter education materials that were observed at many voting sites. The Constitutional Court again dispatched its representatives throughout the country. These activities substantially increased prospects for transparency in the conduct of the election and the likelihood that Beninese voters would consider the outcome to be a tangible expression of their commitment to open elections.

Delegation members were inspired by those citizens who served as polling officials and who worked diligently for long hours and often found creative ways to build consensus in resolving

technical problems they faced, such as whether or not to count folded ballots, while respecting provisions in the electoral code. The delegation also noted that in most cases candidate representatives worked cooperatively at the polling places and successfully built consensus on how to resolve problems that arose on voting day in spite of the partisan affiliation of these representatives.

Benin's election law stipulates that ballots are to be counted at the polling stations, that candidate representatives may be present in the polling stations, and that these representatives may sign and should receive copies of the tally sheets. Candidate representatives may also have their written observations included in the record of election day events. The delegation noted that, generally, these provisions, which are meant to help better organize the election, deter fraud and increase public confidence in election results, were applied by the polling officials. These officials and the representatives of the CENA at the local and sub-divisional levels deserve recognition for their contribution and dedication.

The delegation noted that steps had been taken by the CENA to avoid repeating some of the organizational problems that were encountered during the first round. For example:

- voting materials were generally delivered earlier to the administrative headquarters and distributed to polling sites before the opening of the election, thereby minimizing delays in the opening of polling stations;
- ◆ at most polling sites visited by the delegation, the placement and nature of receptacles for disposing of unused ballots were effectively organized to guarantee the secrecy of the vote. Additionally, there was a conscientious and largely successful effort to construct voting booths in a way that would not jeopardize the secrecy of the vote;
- there was improved collaboration for the second round at the national and local levels in the relationship between the CENA and the Ministry of Interior; and
- the HAAC made a concerted effort to further educate Beninese journalists regarding the necessity of equitable coverage of campaign activities by the public media, in both local- and French-language broadcasts.

Despite these improvements, the delegation was concerned with shortcomings observed in some aspects of the second-round electoral process. These included:

- ◆ apprehensions by some polling officials regarding the Constitutional Court's criteria for correct polling place operations and completion of polling place tally sheets. These concerns were due in large part to the Court not having provided specific details on those polling sites where results had been annulled after the first round;

- ◆ the lack of full knowledge on the part of polling officials and voters concerning the specific responsibilities of roving Constitutional Court representatives at the sub-divisional and divisional levels;
- ◆ the lack of specific instructions regarding whether the envelopes containing tally sheets and other voting materials were required to be sealed by polling station officials before transmission to CENA representatives at the sub-divisional and divisional levels;
- ◆ confusion over the validity of folded ballots;
- ◆ the presence at some polling stations of village chiefs, mayors and/or law enforcement personnel, and other representatives of the administration, which may have unduly influenced some voters;
- ◆ the lack of uniform and efficient application of indelible ink, which sometimes blurred voters' thumbprints and spoiled electoral lists;
- ◆ inconsistencies in the numbering of polling stations, ballot boxes and polling station electoral lists, which made it more difficult for some polling officials to correctly fill out tally sheets and minutes;
- ◆ apparent underage voting in some areas; and
- ◆ circumvention in some cases of CENA procedures for transmission of polling station results.

### **III. RECOMMENDATIONS**

The delegation again noted the many positive elements of the pre-election and election-day environment, electoral organization and the legal framework for the elections. In addition, the delegation appreciated the openness and serious attitude of election officials, party and candidate representatives and others with whom it met. In the spirit of international cooperation and in light of these positive factors, the delegation offers the following recommendations, some of which NDI expressed in its March 6 statement on the first-round election. These recommendations are made in the hope that their implementation will help consolidate the democratic and electoral processes in Benin.

- The CENA should be established at a sufficiently early date to allow for the adequate and timely organization of elections and should be provided with the necessary material and logistical support to accomplish its work;

- ◆ Further consideration should be given to the question of establishing a permanent CENA and/or a small permanent secretariat for the CENA to ensure better continuity in electoral administration;
- Steps should be taken to further clarify the respective roles and responsibilities of the Constitutional Court, CENA and Ministry of Interior officials in organizing and supervising the election at both the national and local levels;
- ◆ Local authorities, such as mayors and village chiefs, should refrain from interfering in the electoral process;
- Education should be provided to the public about the role of the CENA as a means of enhancing public confidence in the electoral process;
- ◆ Continued and improved training should be provided for polling officials;
- ◆ Continuous civic and voter education programs should be conducted to allow the electorate to familiarize itself with specific voting procedures and the requirements for each particular election;
- ◆ Women should continue to be encouraged to participate fully in the political process and steps should be taken to guarantee equal access for women to the electoral process;
- More durable voter registration lists should be established and publicized in time for review and verification by voters and political party/candidate representatives before every election;
- ◆ Legal mechanisms should be found to properly address voter identification to avoid underage voting;
- ◆ Steps should continue to be taken to ensure that critical elements of the voting process, such as voting booths and unused ballot receptacles, guarantee the secrecy of the vote;
- News coverage of candidate activities in the national languages should be regulated by the High Authority on Audiovisual Communications (HAAC) to ensure future equitable media treatment of all candidates, as is the case with French-language broadcasts;
- ◆ Steps should be taken by the HAAC well before future elections to secure the approval and participation of candidates in any planned broadcast debates and candidate fora;
- ◆ Steps should be taken by the government, CENA, candidates and candidate representatives to help ensure that elections in Benin take place in a calm and peaceful environment; and

- ◆ The CENA, HAAC, other institutions and candidates and their representatives, with the assistance of the Constitutional Court, should undertake a comprehensive review of Beninese electoral procedures to enhance prospects for the proper organization of future elections.

The delegation greatly appreciates the hospitality extended to it by government officials, the Constitutional Court, CENA, presidential candidates, NGOs, mass media, traditional and civic leaders and other Beninese. The delegation could not have accomplished its tasks without the cooperation of those with whom it met. Since 1991, Benin has successfully completed two presidential elections and begun the process of consolidating independent, democratic institutions. NDI remains committed to assisting those working to further advance the democratic process, a process that reflects the hopes and aspirations of the Beninese people.

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**List of Confirmed Delegates  
NDI Second Round Presidential Election Observation Mission**

**March 18, 1996**

(Updated 3/15/96)

**Co-Chairs:**

**Congressman Harry Johnston**  
US House of Representatives (D-FL)  
Member of Africa Sub-Committee  
UNITED STATES

**Co-Chair TBA**

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**Tadjouline Ali-Diabacte**  
Member of the Commission Electorale Nationale (C.E.N.) of Togo  
(Observer First Round)  
TOGO

**Gordon Ashworth**  
Vice President, Corporate Development  
Goldfarb Consultants  
(Observed First Round)  
CANADA

**Honoré Guié**  
President, GERDDES-Côte d'Ivoire  
President, Observatoire Nationale des Elections (ONE) in Côte d'Ivoire  
(Observed First Round)  
COTE D'IVOIRE

**Kelley Jones**  
Formerly with AAI  
(Observed First Round)  
UNITED STATES

**Adamou Kombo**  
Former NDI Field Representative in Benin  
Resident in France  
(Observed First Round)  
NIGER



**Kafui Kpegba-Dzotsi**  
Députée UTD à l'Assemblée Nationale du Togo  
TOGO

**Terrence Lyons**  
Brookings Institute  
UNITED STATES

**Nina Robbins**  
World Resources Institute  
UNITED STATES

**Djissou Faustin Semodji**  
Administrateur Civil, Ministère de l'Economie et Finance  
Secrétaire-Général GERDDES-Togo  
TOGO

**Dominique Tremblay**  
Elections Canada Returns Officer for Hull, Québec  
(Observed First Round)  
CANADA

**Walter Van Wolputte**  
Attaché, Kabinet van de Vice-Eerste Minister en de Minister van Binnenlandse Zaken  
(Observed First Round)  
BELGIUM