



**FICHE D'OBSERVATION DES OPERATIONS
PREELECTORALES**

1. OBSERVATEUR:

Nom:
Prénom:
Date et lieu de Naiss:
Fonction civile:
Adresse:
Structure représentée:

Parti Politique

O.N.G

Autres:

Dans le dernier cas, précisez l'Association membre de l'O.N.G dont on est issu (Mandataire).

2. CIRCONSCRIPTION ADMINISTRATIVE/ELECTORALE OBSERVEE

Commune de.....
 Arrondissement de
 Poste administrative de
 Commune rurale de

Cochez la case correspondante et la circonscription en face.

Première rubrique : Le recensement

1. Base du recensement

Ancien fichier électoral
 Fichier du recensement administratif
 Nouveau recensement électoral
 Liste additive
 Uniformité de la base de recensement pour toutes les

localités

Dans le dernier cas cochez les cases des bases correspondantes et donner pour chaque base de 1 à 3 localités précisées

2. L'Envergure du recensement:

Intégral
 Partiel

Dans le dernier cas donner un pourcentage approximatif du taux de couverture/ou citer les cas d'omissions dont on en a connaissance.

Deuxième rubrique: Inscription sur les listes électorales

N.B. Les modalités d'inscriptions sur les listes électorales sont fixées au Chapitre V (Articles 20 à 33) du Code électoral.

1. Le délai réglementaire

- * a-t-il été respecté ?
 - Pour l'ouverture Oui Non
 - Pour la clôture Oui Non
- * a-t-il été uniforme pour toutes les localités ?
 - Oui
 - Non

Dans le dernier cas préciser les cas de disparités.

2. La sensibilisation des électeurs:

- * Les Acteurs
 - L'Etat / ses Démembrements
 - Les Partis Politiques
 - * Les moyens utilisés
 - Médias Moyens traditionnels
 - Voie d'affichage
 - * La portée de la sensibilisation
- Le mécanisme d'inscription est-il suffisamment
 moyennement mal acquis par les électeurs ?
- * L'Envergure de la sensibilisation:
 - Totale
 - Partielle

Dans le dernier cas précisez les localités non touchées par la sensibilisation dont vous avez eu connaissance.

3. Affichage des listes électorales

- * Les listes électorales ont-elles été affichées dans les délais requis ?
 - Oui
 - Non
- * Leur lieu d'affichage
 - Public.....
 - Privé.....
- * Le Public a-t-il été informé du délai et du lieu d'affichage des listes ?
 - Oui
 - Non

4. Constats particuliers

Noter ici textuellement tous les constats, écarts ou irrégularités par rapport à la loi ou au Code électoral observés à propos de l'inscription sur les listes électorales.

Troisième rubrique: Distribution des cartes

N.B.

1. Les modalités d'établissement et de distribution des cartes électorales sont-ils conformes aux dispositions du Code Electoral (Article 36 et 37) et/ou de l'Arrêté de la CENI ?

Oui Non

2. Les électeurs sont-ils informés de la distribution des cartes électorales ?

Oui Non

Qui s'est chargé de l'information ?

L'Etat / ses démembrements

Les Partis Politiques

Quels sont les moyens utilisés ?

Médias

Moyens traditionnels de communication

Autorités coutumières

Le lieu de Distribution des cartes

Public

Privé

5 Envergure de la distribution des cartes électorales.

Totale

Partielle

Dans le dernier cas, indiquer un pourcentage (%) approximatif et donner des exemples des zones non couvertes à titre indicatif.

Quatrième rubrique: Nomination des membres des Bureaux de vote

N.B.: La qualité du Président de la CENI Régionale est fixée au Chapitre II (Article 17) du Code Electoral.

1. La composition du Bureau de vote est-elle conforme à la loi/et/ ou aux dispositions du Code Electorale ?

Oui Non

2. La représentation des Partis Politiques est-elle effective et équitable ?

Oui Non

Dans le dernier cas, préciser les Partis Politiques non ou sous-représentés et dans quelle proportion par rapport au nombre de Bureaux de vote.

3. L'Administration est-elle représentée dans le strict respect des quotas qui lui sont dévolus par la loi et/ ou l'Arrêté du Président de la CENI.

Oui Non

Dans le dernier cas, préciser si l'Administration est sous ou sur-représentée et dans quelle proportion par rapport au nombre total des Bureaux de vote de la Circonscription.

4. Les membres des Bureaux de vote ont-ils été informés à temps ?

Oui Non

Dans le dernier cas, préciser par quels moyens.

- Courrier Postal
- Appel téléphonique
- Communiqués Radio-Télévision
- Télégramme - Télex - Fax
- Notification verbale

5. La formation des membres des Bureaux de vote.

* a-t-elle été effective ? Oui Non

Dans le dernier cas, préciser le lieu, la date et la durée de la formation.

* Qui a supervisée la formation ?

* La qualité du formateur:

Cinquième rubrique: La Campagne électorale.

N.B: La date, la durée et les modalités de la Campagne électorale sont fixées par les dispositions du Chapitre IX (Articles 74 à 82) du Code Electoral.

1. La Campagne électorale a-t-elle été conforme aux dispositions légales prévues par le Code Electoral ?

Oui Non

2. La couverture médiatique des activités des Partis Politiques ou des Candidats a-t-elle été équitable ?

Oui Non

Dans le dernier cas, préciser les Partis ou Candidats les mieux ou les moins favorisés par les médias dans les localités observées.

3. Les Partis ou les Candidats ont-ils recouru aux moyens humains et matériels de l'Etat par abus d'autorité ou fraude ?

Oui Non

Dans le dernier cas, préciser la date, le lieu et l'occasion.



FORMULAIRE DE PLAINTE PENDANT LA CAMPAGNE ELECTORALE

Le nom du plaignant -----

Adresse -----

Numéro de téléphone -----

Le nom de la personne accusée d'avoir commis l'abus présumé et

sa fonction -----

Décrivez la nature de votre plainte (ex. Intimidation des candidats, abus des biens de l'Etat, perturbations de meetings de campagnes) :

Résumez les circonstances de votre plainte (Date, heure, lieu de déroulement des faits significatifs)

Les noms des témoins-----

Leurs adresses de contact -----

Y- a - t-il un statut de la plainte ou de l'appel ? Quelle a été la réponse des autorités gouvernementales ?



NIGER WATCH

June 20, 1996

Thursday

No. 3

☐ JUDGES UNION DECIDES TO REJOIN ELECTION COMMISSION

The *Syndicat Autonome des Magistrats au Niger* (SAMAN) announced in a press release yesterday that they would rejoin the CENI immediately in order to ensure that the election process will be credible and transparent. SAMAN had suspended their participation in CENI structures at all levels in protest of the way in which the May 12 constitutional referendum was organized in general, and of undue influence by the local level administration in the CENI's work in particular.

A SAMAN representative announced that the group would remain engaged in the process as long as the CSN and the transition government keep things fair. However, the SAMAN stated specifically that they reserve the right to once again suspend their activity in the election process at any time should they determine that any form of fraud is being committed.

☐ POLITICAL PARTIES SAY "FAUX" TO GOVERNMENT CHARGES

Following a governmental communique released yesterday denouncing a joint meeting between representatives from the four political parties fielding candidates in the upcoming presidential elections and members of the diplomatic community, the MNSD, CDS, PNDS and the ANDP have decided to respond with one of their own to set the record straight. The government's claim that the object of the meeting was to compromise Niger's ability to finalize the \$9 million IMF agreement, and to dissuade international donors from sending observers or financing the elections was labeled a "scandalous lie" by the four major political parties.

The four parties specified seven concerns they raised during the meeting with the international community. These are as follows: the independence of the CENI; the management of the election list; the neutrality of the army, traditional chiefs and administration during the electoral process; and the recent "games" played vis a vis the Supreme Court and the High Court of Justice. It should be recalled that during the last several weeks, Bare has reshuffled the membership of the Constitutional Chamber of the Supreme Court – the body responsible for announcing election results – and has created and then named all members to the High Court of Justice.

The political parties stated in their communique that they have decided to file a complaint with the Supreme Court for defamation and violation of the election code articles 78 and 82 referring to inflammatory remarks during an election campaign and to ministers campaigning without resigning from their posts.

☐ **INTERNATIONAL COMMUNITY SPEAKS OUT**

In a press release of their own, a coalition of funders in Niger offered their own precisions on the meeting at the United Nation's office building. Maintaining their disagreement with the governmental communique and with the Minister of Communication's later commentary, the international community said that while they hope to continue to support Niger in its electoral process, they prefer to be kept out of the internal electoral debate of the country.

☐ **DLD CIVIC ORGANIZATION OFFERS TRAINING FOR DOMESTIC MONITORS IN DIFFA**

Nigerien civic organization *Democratie, Liberté et Developpement* (DLD) has been conducting training seminars for domestic election monitors in the department of Diffa, the far eastern area of Niger. DLD was denied membership to the Collectif due to fundamental disagreements in ideology, according to leaders of the Collectif. NDI reporters understand, however, that during the 1995 legislative elections in Niger, DLD conducted its own training seminars with separate funding, despite being a member organization of a coalition to observe those elections. The current DLD training seminars are financed by a grant from the European Community.

According to state-owned television, DLD was able to train over 400 observers for the upcoming presidential elections. The nightly news devoted a large segment of time to the opening ceremony of the most recent training seminar, presided over by the military prefect of Diffa, giving viewers the impression that the military government sponsors DLD in its efforts. According to Mainassara Maidagi, president of the CENI, DLD is not yet accredited as an official observer organization for the upcoming elections.

☐ **WHAT IS NDI DOING??**

Since returning from the regional retreat in Abidjan we have focused primarily on reestablishing contact with all political parties, the Collectif and the CENI. Johan has been meeting with the parties to explain to them NDI's three phase strategy, taking us through a possible second round of elections, and to discuss their views of the electoral process to date. Johan has also been straightening out NDI-Niger's accounting just after our four recent seminars. Ben has met with the leaders of the Collectif to reestablish the NDI partnership with that organization and inform them that we will be available to provide technical assistance through the elections. As of today, the Collectif has finished their series of 13 sub-regional training seminars around the country. Ben visited two of these training seminars -- one in Niamey and one in Kollo -- and will be commenting on them further in

NDI's report on its four catalytic training seminars held just prior to the regional retreat.

Ben and Johan met today with Mainassara Maidagi, president of the CENI, to discuss NDI's continued assistance with the Collectif, requirements for accreditation, civic education initiatives planned by the Collectif and the CENI, and the overall philosophy of including as many national observers as possible during the presidential elections. On the latter point, Maidagi was in total agreement with NDI that all trained observers be involved in the monitoring operation. Maidagi will be holding subsequent meetings with the UN, who will likely be coordinating all observer efforts, and will emphasize to them that limits in the number of domestic observers will not be accepted.

Ben and Johan also met with a lawyer who is going to be taking on a number of responsibilities when and if NDI closes its office down in Niger.

We will be continuing our work with the Collectif and will be working with them to hold a press conference to provide information on the training seminars now completed and what their plans for the upcoming weeks will be. We have started entering the names of participants during the first four NDI-organized training seminars into a data base and will be encouraging the Collectif to do the same for its 13 seminars. We also plan on having further contact with journalists concerning NDI's plans and with the *Conseil Supérieur de la Communication* (CSC) in the coming days. We are currently evaluating whether it is feasible or desirable to hold further training seminars for the Collectif prior to the first round of elections.



NATIONAL DEMOCRATIC INSTITUTE FOR INTERNATIONAL AFFAIRS

Fifth Floor, 1717 Massachusetts Avenue, N.W. Washington, D.C. 20036
(202) 328-3136 ■ FAX (202) 939-3166 ■ E-Mail: demos@ndi.org

NIGER WATCH

July 2, 1996

Tuesday

No. 11

□ **ELECTION COMMISSION IMPOSES STRICT GUIDELINES FOR OBSERVATION OF PRESIDENTIAL ELECTIONS**

In a letter sent yesterday to domestic election observer groups, the National Independent Election Commission (CENI) indicated that all election observers – both domestic and international – will be tightly controlled and coordinated by the United Nations, and their numbers will be limited to less than 350. The news has sent a shock to the international as well as the Nigerien political community, who had been told during previous weeks by various members of the CENI including its president, that they preferred and encouraged unlimited observation.

The letter indicates that “the authorities” proposed and obtained approval for a technical coordinating committee, organized and managed by the UN. Once becoming accredited by the CENI, all “international and domestic observers . . . must become integrated into the UN coordinating mechanism.” Furthermore, a steering committee, also organized and directed by the UN, will be established and will retain the “sole ability to speak out publicly on the quality or the credibility of the vote”. While the guidelines also relate to international observers, the CENI only sent copies of the letter to domestic groups specifically requesting accreditation.

According to a technical plan developed in “common accord” between the CENI and the UN, only 10 to 11% of the polling stations will need to be observed, requiring no more than 350 observers, of which “220 to 240 will be domestic ones”. According to these figures, the CENI will establish a “quota” on the number of observers it will eventually accredit.

International and domestic groups, including the US Embassy and the Collectif, have already expressed their dismay over the unveiling of these new guidelines. When asked about the veracity of the joint UN/CENI plan, UN elections expert José Estokia, now based in Niamey for the presidential elections, said that he was unaware of the letter and of the so-called agreement.



□ **OUSMANE NOT CONVINCED THAT ELECTION WILL BE TRANSPARENT**

Last night on state-owned television, former President Mahamane Ousmane of the CDS announced that due to the rushed election calendar and the resulting logistical difficulties confronting those responsible for organizing the presidential election, the overall transparency of the process may suffer. In addition to his remarks on the election process, Ousmane discussed his platform and vision for Niger during a 30 minute interview with two journalists. Ousmane is first in line for such nightly media time as regulated by the *Conseil Superieur de la Communication* (CSC). It is ANDP candidate Moumouni Adamou Djermakoye's turn tonight, followed by Mahamadou Issoufou (PNDS), Mainassara Bare (Independent) and finally Tandja Mamadou (MNSD).

□ **WHAT IS NDI DOING??**

We have been working with the Collectif on the following tasks: preparations for their press conference to take place tomorrow; assuring that all of their members are accredited; developing observation check-lists; preparing with them their final budget for an NDI sub-grant; and working on a deployment plan for distribution and retrieval of all materials for observers on-the-ground (these teams will also observe in their respective locations on election day). The Collectif is obviously very disturbed by the CENI letter limiting and controlling observers. We have discussed how they will respond, if at all, during their press conference.

Johan and Ben met with the Ambassador today to discuss the letter that the CENI has distributed to all of the domestic NGOs concerning the guidelines for observation. The US Embassy will be asking the UN today where they stand on the issue of observation. The US, although intending to field observers, does not want to be coopted into a UN coordinated and controlled effort.



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NIGER WATCH

July 1, 1996

Monday

No. 10

□ **GOVERNMENT REJECTS SECOND REQUEST OF ELECTION COMMISSION TO POSTPONE PRESIDENTIAL ELECTION**

ELECTION WILL BE HELD JULY 7

The Nigerien transitional government and the military National Salvation Council (CSN) rejected Friday night a second request by the National Independent Election Commission (CENI) to postpone the presidential election due to difficulties in completing election lists and in the distribution of necessary material throughout the country such as voter cards and certain candidate's ballots.

Appearing on television Friday night, Interior Minister Idi Ango Omar rejected any possibility for delaying the election any further and denounced the continued attempts within the CENI to do so, "despite supplementary resources at its disposal." The Minister of Interior also indicated that any further delay would push the election date into the heart of the rainy season, making many areas unattainable by road.

Masani Korone, the Director of the Computer Center, said that although the CENI claimed it would need a longer period of time to complete all of the election lists, they should be ready on Saturday – the day before the election. Many observers are worried that, because of the rush, the election lists will not be posted at the local level for voters to consult, as provided for in the election code, and therefore they will have no recourse of action if it is determined that there is a mistake or an omission. The election code also requires that the distribution of voter cards begin one month prior to any election, a time limit which will obviously not be respected given that at this time only voters in the most remote regions of the country have received their cards.

□ **NDI HOLDS TRAINING OF TRAINERS WORKSHOP FOR CANDIDATE DELEGATES AT THE POLLS**

The National Democratic Institute for International Affairs (NDI) organized on Saturday at the Palais des Sports a training of trainers workshop for delegates of each of the five



presidential candidates. Over fifty delegates from the four candidates representing the political parties participated in the workshop, which received television and newspaper coverage. Although the independent candidate, Bare Mainassara, was invited to send an equal amount of representatives to the training session, none of his delegates attended.

During the workshop, NDI provided each candidate with 200 more copies of the NDI observer manual and each participant received copies of the election code and its recent modifications. Hamsa Sidou and Omar Moussa, two members of the Collectif, served as discussion leaders, in addition to the two NDI field representatives, and responded to participants' questions. Immediately following the training workshop, many of the participants left to go upcountry in order to conduct more trainings during the week remaining prior to election day.

□ **WHAT IS NDI DOING??**

Now that the training workshop is completed (although we do plan on writing a more formal report on it as well as all other training session NDI has conducted during the past month) we plan on focusing all of our attention on preparing the Collectif for its monitoring mission. They will be holding the press conference this Wednesday and Ben is working to help prepare for this. Johan and Ben are going to be pushing the Collectif to complete their deployment plan and will be assisting them in receiving accreditation for all of their observers. One election day, Ben and members of the Collectif will likely depart with the NDI vehicle to Tillabery and Johan will stay in Niamey.



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NIGER WATCH

July 3, 1996
Wednesday
No. 12

□ **COALITION OF NIGERIEN CIVIC ORGANIZATIONS UNDERLINES "PRE-ELECTORAL IRREGULARITIES"**

The bias nature of the army, traditional chiefs and the administration, as well as the inability of electoral authorities to distribute to all registered voters their electoral cards and post the election lists at the local level comprise the short list of pre-electoral irregularities, according to the *Collectif*, a coalition of Nigerien civic organizations monitoring the Nigerien election process.

In a press conference today at the *Palais des Congres*, the executive members of the *Collectif's* coordinating bureau fielded questions from journalists from the private and state media dealing with the coalition's pre-electoral observations on the eve of the presidential election, scheduled to take place July 7.

Using their country-wide network of over 800 recently trained observers to confirm certain electoral irregularities, the *Collectif* remarked on political hangars being adjoined to army barracks as a breach in the electoral code, which requires that the armed forces remain neutral. The coalition's leaders also pointed to army parachutists being used to air drop sample ballots over a large crowd gathered at the national stadium for a political rally as an illicit use of state resources as well as another breach in army neutrality. *Collectif* observers have also spotted vehicles of traditional chiefs and state employees with campaign paraphernalia and in some cases, actively campaigning.

The *Collectif* took issue with the fact the government has maintained the July 7 election date despite the National Independent Electoral Commission's (CENI) many requests for a delay to allow for the adequate distribution of voter cards and the posting of electoral lists. On the latter point, the *Collectif* expressed their concern that there will be no time for potential voters to consult election lists and thereafter have any recourse in case of omissions or mistakes.



Referring to recent reports indicating that the CENI proposes to limit observers on election day, the *Collectif* confirmed to the attendees that they have requested accreditation for all 840 observers and that they see no reason why the electoral authorities will want to "limit their ability to contribute to a more transparent process."

☐ **DATE FOR LEGISLATIVE ELECTION IS SET**

In a council of ministers meeting held this past weekend, the transitional government announced that legislative elections will be held beginning September 22, 1996. Last April, when the *Conseil de Salut National* (CSN) most recently shortened the transition calendar, many observers remarked that the date for a legislative election, included in previous transition calendars, had been left out.

During recent months, the Nigerien constitution was changed to allow for a presidential system of government, giving more power to the executive branch. In light of these constitutional amendments, the announcement setting the date for the legislative elections dispels many people's fears that the new Nigerien president, once elected, would take advantage of his powers while not having a legislature in place to check executive action.



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Fifth Floor
Washington, D.C. 20036
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E-mail: Monte@ndi.org
Home Page: <http://www.ndi.org>

NEWS RELEASE

IMMEDIATE RELEASE

CONTACT: CHRISTOPHER FOMUNYOH, MONTE ACHENBACH (202) 328-3136

STATEMENT BY THE NATIONAL DEMOCRATIC INSTITUTE ON THE JULY 7 AND 8 PRESIDENTIAL ELECTION IN NIGER

WASHINGTON, D.C., July 19, 1996 — Since early 1991, the National Democratic Institute for International Affairs (NDI) has been working to assist Nigerien efforts to promote and then consolidate democratic institutions in the country. This effort has been a clear demonstration of the international community's interest in and support for democracy and human rights in Niger.

The efforts of Nigerien democrats were interrupted by the January 1996 coup d'etat led by then-Colonel Mainassara Baré, who promised a quick transition back to democratic, civilian rule. Unfortunately, the conduct of the presidential election on July 7 and 8 was so flawed that it represents a major setback to the democratization process in Niger.

At this time, NDI's activities to help strengthen democratic institutions have become incompatible with political developments that prevent Nigeriens from participating fully and freely in the civic and political life of the country. NDI feels that it can no longer carry out meaningful programs in support of democratic institutions in Niger and, therefore, has suspended its program and withdrawn its Niamey-based staff.

NDI has maintained a permanent presence in Niger since opening an office in Niamey last October. Following the January coup and the suspension of NDI's program to strengthen the Nigerien parliament and civic organizations, NDI representatives remained in Niger to support the transition process. They observed the pre-election and election periods, conducted pollwatcher training and assisted a coalition of Nigerien NGOs, the *Collectif*, which monitored the electoral process. The *Collectif* trained 840 independent Nigerien monitors, who were deployed on election day to observe the process in all regions of the country.

The events leading up to this election must be viewed not only within the context of international norms and standards but also in comparison to previous elections conducted in Niger since the democratic transition of 1991-92. The three rounds of legislative and presidential elections in 1993 were all characterized by strict compliance with Nigerien election laws and by a strong emphasis on transparency. The 1995 parliamentary elections, while not without problems, also enjoyed the confidence of the Nigerien electorate. This brief but positive electoral history makes recent events all the more lamentable.

Five years ago, the citizens of Niger made a historic turn in their call for multiparty democracy. The process of transition to democratic government has not been easy. Nevertheless, Nigeriens inside and outside of government had committed themselves to improving the political system. Unfortunately, these efforts fell to impatience in January as General Baré led a military coup d'etat that overthrew Niger's democratically elected government.



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NEWS RELEASE

General Baré took power ostensibly to end the political impasse that had prevailed in Niger as a result of disputes between the former president and prime minister. The new government stated its intention to restructure the country's constitutional system and restore democratic civilian government as soon as possible; Baré expressed disinterest in remaining as head of state. During the early days following the coup, Nigeriens and members of the international community remained hopeful that the new military government would keep its promises. The government attempted to consult all sectors of Nigerien civil society in the process of drafting a new constitution and electoral law and convened a National Forum in early April to discuss this drafting process. Beginning with this Forum, however, disturbing trends emerged. These included the following:

- the recommendations of the Coordination Committee, which was named to propose a new constitution and electoral law, were largely ignored at the National Forum;
- the military government -- which had already replaced all local administrators (prefects) with members of the military shortly after the coup -- replaced most mayors, sous-prefects as well as numerous other officials within the government;
- the government continued to hold the former president, prime minister, and president of the National Assembly under house arrest through April 24 (three months after the coup d'etat);
- intimidation of journalists and party activists became commonplace;
- the military government changed by decree a provision of the new electoral law requiring a candidate for president to resign from the military three months before an election. Invoking a clause added after the National Forum to authorize such changes by decree, the government shortened the time frame to eight days in order to allow General Baré to run for president;

After the government announced the truncated presidential election calendar in April, the political environment continued to deteriorate, raising serious questions about the prospects for a legitimate election. Evidence of the deteriorating environment included the following:

- despite earlier promises to relinquish power, Baré announced his candidacy for the presidency and embarked on numerous campaign trips, receiving state-run media coverage. Promoted to general, he began to set up local committees of support for his independent candidacy, reportedly with local administration involvement;
- the ban on political party activity continued until after the May referendum on the new constitution, despite the shortened electoral calendar;
- just weeks before the election, the composition of the Constitutional Chamber of the Supreme Court, which has the power to validate candidacies and results, was changed by decree;



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NEWS RELEASE

- the military government created by decree the High Court of Justice, which, constitutionally, should be named by and comprise members of the National Assembly. The High Court is responsible for trying high government officials for crimes committed while carrying out official duties. This act raised the specter of trials against other presidential candidates;
- the *Syndicat Autonome des Magistrats au Niger* (SAMAN), a professional association of judges, suspended its participation in the Independent National Election Commission (CENI) at all levels for two weeks. SAMAN's members, many of whom served as regional CENI officials, were protesting what they considered to be excessive influence by local representatives of the military council in the CENI's work during the May 12 referendum;
- despite the CENI's assertions that it was adequately prepared to allow Nigeriens living abroad to vote as provided for in the electoral code, the government passed a decree stating that logistical problems prevented electoral operations outside the country's borders;
- the CENI asked three times for logistical reasons to delay the election (mainly due to difficulty getting voter lists completed and posted on time and lateness in delivering materials, including voter cards, to all polling sites). The military government's only positive response came at the last moment, on July 6, when it called for voting on a second day, adding to the confusion;
- no voter lists were posted in advance of the election for verification. Voter lists and electoral cards were still being completed and distributed immediately prior to the start of voting. With the creation of 4,000 new polling stations for this election and the late delivery of voter cards, many Nigeriens were unable to obtain their cards or find their polling stations on election day.

Election Day

NDI did not organize a large-scale observer delegation for this election and, therefore, cannot comment on irregularities that may have occurred in specific polling stations around the country. Nevertheless, the problems with this process were of a nature so serious and obvious that a major international observation effort was not necessary to reach conclusions about the conduct of the election. NDI based its assessment on credible reports from the media, political parties, election monitors and direct observations by its own representatives.

The disbanding of the CENI, at all levels, while the election was being carried out, undermined public confidence in the results. Its replacement by the *Commission Nationale Electorale* (CNE), appointed and controlled by the Interior Ministry, heightened the concerns of political parties, candidates and other observers about the counting and tabulation process. On the second day of voting and after the dissolution of the CENI, ballot boxes at polling stations in and around Niamey and in the departments of Dosso and Tillabery were transported by the military to local town halls, where the counting process was conducted in



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NEWS RELEASE

secret and in the absence of candidate representatives and independent observers. The centralization and tabulation of votes in Niamey also occurred in secrecy at the *Palais des Sports*, surrounded by military security. These actions violated the electoral code, compromised the integrity of the process and raised serious doubts about the results announced later by the CNE.

Serious anomalies exist in the partial results announced by the CNE on July 9. These results covered 35 percent of the votes cast. An NDI analysis of the results, which the CNE released by region, showed Baré garnering 29 percent of the vote on the first day of balloting, which was conducted under the CENI. Voter turnout reached 61.6 percent. However, results from the second day of voting, conducted under the newly appointed CNE, had Baré securing 72 percent of the vote with a voter turnout rate of 93 percent. These dramatic inconsistencies reveal a statistical improbability that raises questions about the official results. In addition, with delays in the opening of polling sites in many areas and the inability of many voters to obtain voter cards or find their polling sites, an extremely high voter turnout was unlikely. The final election results announced by the CNE gave General Baré 52.2 percent of the vote, eliminating the need for a run-off election.

Conclusion

Since the election, the four other candidates for president have been placed under house arrest. Moreover, political activity and all public gatherings have been banned, and many civic and political activists have been jailed. The government has also curtailed the print and broadcast media. An environment of intimidation and fear has returned.

The irregularities observed on election day cannot be characterized simply as mistakes that were somehow unintended or isolated. Rather, it is apparent that these irregularities represent a willful effort to subvert the process in order to achieve predetermined results. By any standards, the Nigerien people were denied an opportunity to express fully their will, and nascent democratic institutions have been undermined. Nigeriens were denied an election process that they deserved and, since 1991, had come to expect.

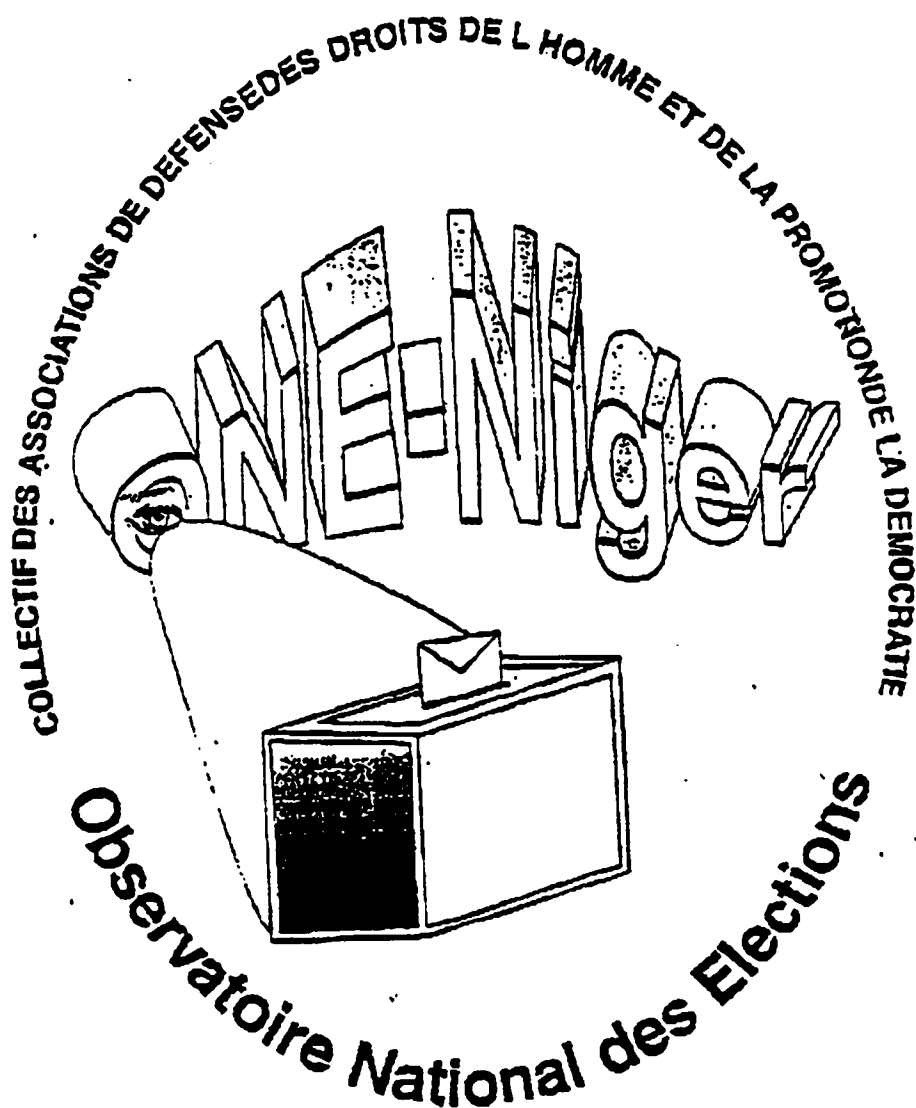
NDI is proud of its association with Nigerien democrats from across the political spectrum who have struggled to establish and strengthen a political system that reflects the aspirations of the people. We are saddened by the events surrounding the election and remain committed to those Nigeriens who are seeking peaceful means to restore the integrity of the elections and the democratic process.

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(Une version française suivra.)



REPUBLIQUE DU NIGER



**RAPPORT SUR L'OBSERVATION DES ELECTIONS
PRESIDENTIELLES DES 7-8 JUILLET 1996**

RAPPORT SUR L'OBSERVATION DES ELECTIONS PRESIDENTIELLES DES 7- 8 JUILLET 1996

Dans le cadre des élections présidentielles organisées par le Gouvernement et le Conseil de Salut National (CSN), le Collectif des associations de défense des droits de l'homme et de la promotion de la démocratie (AFJN, ANDDH, LNDH, RDFN, RIDD-FITILA, USTN,) constituées en observatoire national des élections (ONE-Niger) a décidé d'apporter son concours pour une plus grande transparence des élections.

Pour ce faire, près de huit cents (800) observateurs formés par l'ONE-NIGER ont été déployés sur le terrain, avec pour objectif d'atteindre un taux de couverture de 12%, taux internationalement accepté pour la crédibilité d'une observation.

Le présent rapport s'articule autour des points suivants :

- L'observation de l'organisation du scrutin;
- L'observation du déroulement du scrutin;
- L'observation du dépouillement et de la transmission des résultats des 7 et 8 Juillet 1996.

II L'OBSERVATION DE L'ORGANISATION DU SCRUTIN

Elle concerne la formation des membres des bureaux de vote, la mise à disposition du matériel au niveau des différents bureaux de vote, le transport des membres des bureaux de vote et des délégués des candidats et du matériel.

1-1 De la formation des membres des bureaux de vote et des délégués des partis politiques

Une insuffisance de formation ayant entraîné le non-respect des procédures prévues par le code électoral a été constatée au niveau de cette phase importante de l'organisation du scrutin.

Exemples: - Interpellation de certains observateurs par des Présidents des bureaux de vote face à certaines situations liées au déroulement du vote.

- Bureau de vote n° 40 de Guidiguir où le président du bureau de vote était dans l'incapacité de procéder au dépouillement.



1-2 Du matériel électoral

Il a été constaté dans la plupart des cas, une insuffisance du matériel à la date du 7 juillet 1996.

Exemples: - Insuffisance des bulletins de vote à Dosso commune;

- Manque de bulletins de certains candidats à Geuna (arrondissement de Miriah),
- Absence de bulletins de vote d'un candidat avant 17h à Soumat dans le poste administratif de Banibangou.
- Seulement une dizaine de bulletins du même candidat, étaient disponibles vers 12h alors que le vote n'a commencé qu'après 10h au bureau de vote de Tizégourou dans le même poste administratif de Banibangou;
- Dans le département de Tahoua et dans l'arrondissement de Oualam, presque dans tous les bureaux de vote observés, les urnes n'avaient qu'un seul cadenas ou n'en avaient pas du tout;
- Dans tous les départements, la plupart des bureaux de vote, n'avaient qu'une seule liste électorale; pas de cachet à cire ni de tampon;
- Absence quasi-totale des cartes électorales au jour du scrutin;
- Dans l'arrondissement de Tessaoua, 17 urnes n'ont pas été acheminées dans les villages concernés à la date du 10/7/96 à 19h; Par contre les résultats des bureaux de vote de ces villages ont été communiqués à Niamey depuis le 08/7/96.
Il s'agit des villages de Débi, Dargaza, Makeracua, Maïkogo, N'wala, Kawagna, Kiani Haoussa, Tossa, Kamouno, Katourzé peulh, Sarba I, Sarba II, Maïguizé peulh, Bani, Dilo peulh, Dadin Kowa, Babayé II.

1-3 Du transport

Conformément à l'article 57, alinéa 5 du code électoral, les délégués à raison d'un par candidat, parti ou groupement de partis sont transportés dans les mêmes conditions que les membres des bureaux de vote.

Malheureusement, on a pu observer à Abalak dans le département de Tahoua que seuls les délégués des militants d'un candidat ont été transportés alors même que les membres des bureaux de vote et le matériel électoral n'ont pas été acheminés.

IV/ L'observation du déroulement du scrutin

Le scrutin prévu pour le 7 Juillet 1996 a été étalé sur deux (2) jours en raison du non-acheminement des listes et des cartes électorales dans certaines localités.

2-1 Journée du 7 Juillet 1996

D'une manière générale, le scrutin s'est déroulé dans le calme et la transparence malgré quelques insuffisances constatées çà et là.

Exemples : - Insuffisance de la formation des membres des bureaux de vote et des délégués des partis politiques;

- problèmes d'ordre organisationnel.

2-2 Journée du 8 Juillet 1996

La journée a été surtout marquée par la dissolution de la CENI à 14h30 mn. Cette décision a créé une confusion totale (Démission de certains membres des bureaux de vote - Arrêt de l'observation par certains observateurs nationaux et internationaux).

Il faut noter que la CNE qui a remplacé la CENI, n'a pu prendre en main les opérations qu'en fin de journée.

III/ L'observation du dépouillement et de la transmission des résultats des 7 et 8 Juillet 1996.

Le dépouillement et la transmission se sont déroulés en deux phases:

- Une première phase gérée par la CENI qui s'est déroulée normalement (7/7/96);
- Une deuxième phase gérée selon les localités par les autorités administratives de la place appuyées par les forces de l'ordre et de sécurité et les commissions administratives.

3-1 Dépouillement et transmission à la CENI.

Le dépouillement et la transmission, par les démembrements de la CENI, des résultats partiels du 7 Juillet 1996 ont été effectués conformément aux dispositions du code électoral.

3-2 Dépouillement et transmission à la CNE

Malgré la décision de la dissolution de la CENI, le scrutin a continué jusqu'à la clôture dans la plupart des bureaux de vote. C'est à partir de ce moment que les observateurs ont constaté les violations les plus flagrantes du code électoral, caractérisées par :

- L'immixtion des autorités administratives et des forces de l'ordre et de sécurité dans le dépouillement et la transmission des résultats;

- Le refus manifeste de l'accès aux salles de dépouillement aux délégués des partis politiques, aux membres de bureaux de vote et aux observateurs (Dosso commune, Say, Filingué, Niamey Commune III. au bureau de vote de Tassikonou 1..).

Par ailleurs les observateurs nationaux et internationaux déployés sur l'ensemble du territoire national ont pu relever d'autres formes d'irrégularités telles que:

- L'exagération du taux de participation annoncé par la CNE par rapport à la participation effective des votants ; Exemple de Say où le nombre d'inscrits (38 877) est inférieur au nombre de votants (63 078);
- La non-conformité et l'inexistence des isoairs (ex : Bureau de vote d' Abalak III Tahoua);
- Le non-recensement des électeurs dans certaines régions
Exemples : - Amadi et Kazoé I dans l'arrondissement de Gouré;
- Tagazar et Imanan dans l'arrondissement de Filingué;
- le retard dans la livraison et la distribution des cartes : dans la plupart des circonscriptions électorales, lorsque les cartes existent, elles ont été distribuées sur les lieux de vote le jour du scrutin;
- l'utilisation abusive du témoignage par les chefs coutumiers : dans beaucoup de localités, l'autorité coutumière s'est érigée en témoin de tous les votants qui se sont présentés sans pièce d'identité;
- l'utilisation des matrices de recensement dans certaines zones : à Say, les électeurs ont voté au moyen de fiches de recensement et sans cartes électorales;
- la mauvaise utilisation de l'encre indélébile;
- le vote multiple;
- le vote des mineurs non émancipés;
- le transfert des listings d'une zone à une autre (listings de l'arrondissement de Dakoro à Aguié);
- Les campagnes déguisées :
 - A Diffa, des jeunes gens habillés de tee-shirts et casquettes à l'effigie d'un candidat, tournaient autour du bureau de vote d'Affourori II;
 - Dans le département de Maradi (Bureau de Vote de Bourja 1E), des personnes influençaient le choix des femmes;
- La corruption généralisée des électeurs par tous les candidats .
- L'influence du vote par certaines autorités coutumières et partis politiques;

- L'immixtion des forces de l'ordre et de sécurité dans les opérations électorales caractérisée surtout par la confiscation des urnes;
- Le dépouillement effectué en général par les autorités administratives assistées seulement de leurs collaborateurs en l'absence des délégués des partis, des membres des bureaux de vote et des observateurs;
- Reprise des procès-verbaux de vote et de dépouillement : à Tessaoua Arrondissement les délégués du candidat indépendant ont repris tous les P.V. des opérations de vote et du scrutin pendant la journée du 10/7/96.

L'Observatoire National des Elections (ONE-NIGER) estime que l'insuffisance dans l'organisation matérielle des élections et la non-transparence du scrutin du 8 Juillet 1996 telles que constatées plus haut ôtent toute crédibilité aux élections présidentielles 1er tour des 7 et 8 Juillet 1996.

Recommandations:

Au vu de tout ce qui précède, il serait souhaitable que des dispositions soient prises pour améliorer les prestations à venir. Pour ce faire, les points suivants ont retenu l'attention de l'observatoire National des Elections (ONE-NIGER) :

- La formation adéquate à l'intention des membres des bureaux de vote et des représentants des partis politiques;
- L'audit du fichier électoral actuel, afin qu'il cadre avec la réalité;
- L'instruction civique de l'électorat par l'Etat, la société civile et les partis politiques;
- La mise en place et le renforcement d'une structure indépendante qui prendra en charge le recensement de tous les nigériens en âge de voter, chaque année;
- La mise en place de la Commission Electorale Nationale Indépendante conformément aux dispositions de l'article 9 du Code Electoral;
- La prise de dispositions permettant aux nigériens à l'étranger d'exercer leur droit de vote ;
- Le respect strict des dispositions du Code Electoral;



NB: Ce travail a été possible avec l'appui technique et financier des partenaires suivants:

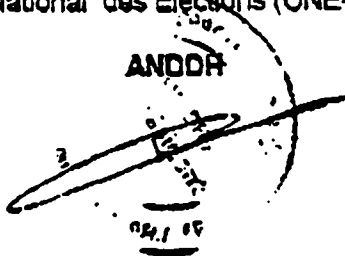
- National Démocratique Institute for Internationals Affairs (NDI)
- Programme des Nations -Unies pour le Développement (PNUD)
- U.S Agency For International Development (USAID)

Pour l' Observatoire National des Elections (ONE-NIGER):

AFJN



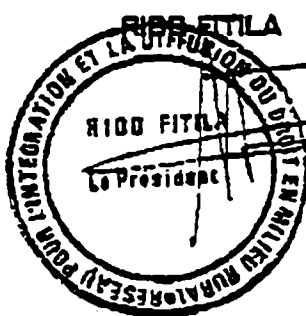
ANDDH



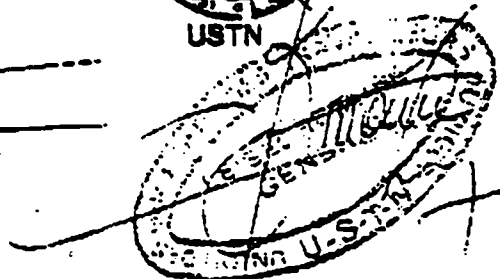
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**NATIONAL
DEMOCRATIC
INSTITUTE**
FOR INTERNATIONAL AFFAIRS

1717 Massachusetts Avenue NW Fifth Floor
Washington, DC 20036
(202) 328-3136
Fax: (202) 939-3166
e-mail: demos@ndi.org
<http://www.ndi.org>

