



## **PRELIMINARY DECLARATION**

---

### **I- INTRODUCTION**

1. In line with the provisions of the Supplementary Protocol on Democracy and Good Governance (2001), His Excellency Kadré Désiré Ouédraogo, President of the Economic Community of West African States (ECOWAS), deployed an Election Observation Mission (EOM) to observe the Presidential and Legislative elections held in Niger on 21 February 2016.
2. Led by His Excellency Prof. Amos Sawyer, former Head of the Interim Government of National Unity in Liberia, the Mission was made up of 130 observers, comprising of 115 short term observers (STOs) and 15 long term observers (LTOs). The Mission's primary objective was to ensure the smooth running of the electoral process and to accompany Niger in its efforts towards the consolidation of multi-party democracy in the country.
3. The Mission was composed of ECOWAS Council of the Wise, Ambassadors accredited to the ECOWAS Commission in Abuja, members of the ECOWAS Parliament, and the ECOWAS Court of Justice. It also comprised experts of Ministries of Foreign Affairs and Electoral Management Bodies of Member States, as well as representatives of Civil Society Organizations and the Media. In performing his duties, the head of the Mission was supported by a technical team from the ECOWAS Commission.

## **II-ECOWAS' INTERVENTION AND SUPPORT TO THE ELECTORAL PROCESS IN NIGER**

4. In line with its goal of supporting democratic processes in West Africa, the ECOWAS Commission has been actively involved in the election process in Niger. Some of the interventions and technical support provided by ECOWAS include:

- The deployment of a Technical Assessment Mission in October 2015;
- The deployment of a High-level pre-election fact-finding Mission in December 2015 led by General Abdulsalami Abubakar, former Head of State of the Federal Republic of Nigeria;
- The deployment of a Long-Term Election Observer Mission, from 1 February to 1 March 2016, and the setting up of a Situation Room in Niamey, which served as the coordination center to manage election-related alerts and provide quick response support to the electoral process;
- The provision of financial support to the tune of (\$750,000.00), to the CENI;
- The deployment of a short-term Observer Mission from 15 - 24 February, 2016.

### **III- ARRIVAL AND CONSULTATIONS**

5. To attain the objectives of this ECOWAS Observation Mission, the Head of Mission, His Excellency Amos Sawyer upon arrival in Niamey, held discussions with various parties and institutions involved in the electoral process: the government, political parties, the High Authority on Communication (CSC), the President of the Independent National Electoral Commission (CENI), the Constitutional Court, the National Council of Political Dialogue (CNDP), and civil society organizations. He also met the other election observer missions, notably the African Union (AU), the West African Economic and Monetary Union (UEMOA), the International Francophone Organization (OIF) and the Sahelo-Saharan States Communities (CEN-SAD). He also paid a courtesy call on the President of the Republic and met with representatives of the other candidates in the election.

6. The Head of Mission was briefed about the state of preparedness, and particularly the efforts made by the authorities, including the INEC, to address concerns related to materials, logistic, training of the election agents, as well as the transportation of election material to the regions. He was briefed on the issue of 'vote by witness', but the issue was pronounced upon by the Constitutional Court,

#### **IV- ELECTORAL CAMPAIGN AND THE MEDIA**

7. The electoral campaign which commenced on 31 January 2016 and continued until 19 February 2016 all over the country, was conducted in a peaceful atmosphere without major incidents, which reflected their respect for the values and principles contained in the code of good conduct for political parties.

#### **V- OBSERVATION OF THE ELECTION**

##### **Deployment, opening, conduct of the polls and vote counting**

8. After a briefing and guidance session organized on 18 February 2016, ECOWAS observers were deployed in six (6) administrative regions of Niger and in the region of Niamey, (with the exception of the Agadez and Diffa regions), where we obtained information through our partners, the West African Network for Peacebuilding (WANEP). Following careful analysis of the information transmitted to the Situation Room by deployed observers, and after a debriefing session with observers returning from the field, the ECOWAS Election Observation Mission makes the preliminary evaluation of the conduct of the polling process as follows:

- a- Voting went peacefully on 21 February 2016 with voters freely performing their civic duties;
- b- In most of the polling stations where Observers visited, the voting process commenced between 8:40 a.m. and 10:40 a.m., after the official time schedule of 8:00 a.m. However, in a certain number of polling stations, the voting process started many hours later (three to four hours), notably in the five (5) districts of

- Niamey due to the lack of election material and the late arrival of the electoral officials at the polling station;
- c- In most of the polling units observed, some arrangements were made to assist aged persons and people with disabilities;
  - d- Representatives of political parties were observed in most of the polling stations visited.
  - e- International observers from the African Union (AU), the West African Monetary Union (UEMOA), Embassies of the USA and Spain were observed, as well as a remarkable presence of local observers (OPELE, CNDH, CONGAFEM, WANEP, RAOUWANMAT and ONED).
  - f- The peaceful settlement of minor incidents arising in the process of the election by the members of the polling station and the representatives of candidates were observed.

**9.** Meanwhile, some shortcomings were observed, notably:

- a-** Delay in the arrival of polling officials at the polling stations, due to difficulties in conveying the material in some localities;
- b-** Disturbances of the voting process and attempt of intimidation in some polling stations in the region of Diffa, precisely in Ngourti.

**10.** The voting process ended at 7:00 p.m. which is the official closing time of the polling stations. However, owing to some challenges which affected the commencement of voting the INEC extended voting in some places to allow voters to exercise their right.

**11.** The counting process and the validation of ballot papers in the polling stations took place in a transparent and credible manner, and in the presence of the delegates of political parties and the election observers.

## **VI- CONCLUSIONS**

**12.** In the light of the aforementioned observations, the ECOWAS Observer Mission to the legislative and presidential elections in Niger Republic held on 21 February 2016 has come to the following

preliminary conclusions, based on its assessment of the voting process up till the counting of votes in different polling stations on that day:

- a-** In spite of some shortcomings as noted, the ECOWAS Observer Mission states that so far the election was held in a calm and peaceful atmosphere.
- b-** ECOWAS congratulates all the political actors and the election management bodies for the organization of the election despite some challenges.
- c-** ECOWAS encourages the Independent National Electoral Commission (INEC) and other parties involved to conclude all phases of the process with the same sense of diligence, patriotism, and transparency up to the collation and announcement of the final results.
- d-** The mission recommends that INEC and other organizations take note of the shortcomings observed during this election and draw appropriate lessons in order to improve future elections.
- e-** The Mission appeals to candidates and their supporters to accept the verdict of the polls and the preservation of peace and security throughout the process. In particular, it urges any aggrieved candidates to seek redress by way of legal means solely.
- f-** Lastly, the ECOWAS Observer Mission would like to thank the INEC and all other relevant authorities for the measures taken towards facilitating the good conduct of ECOWAS Observer Mission to the 21 February 2016 Presidential and Legislative elections in Niger Republic.

**Done in Niamey, this 22<sup>nd</sup> day of February 2016**

**H. E. Professor Amos SAWYER**

Head of Mission