



PRELIMINARY DECLARATION

I- INTRODUCTION

1. In line with the provisions of the ECOWAS Supplementary Protocol on Democracy and Good Governance (2001), His Excellency Kadré Désiré Ouédraogo, President of the Commission of the Economic Community of West African States (ECOWAS), deployed an Election Observation Mission (EOM) to observe the presidential election held on 6 March 2016 in the Republic of Benin.

2. The Mission was led by His Excellency Kabine Komara, one-time Prime Minister of the Republic of Guinea, and composed of 136 members including 120 short-term observers and 16 long-term experts. The EOM's main objective was to ensure the smooth running of the electoral process and support the people of Benin in sustaining its longstanding democratic tradition, through successful conclusion of the election scheduled for 6 March 2016.

3. The Mission was composed of one member of the ECOWAS Council of Elders, Ambassadors of Member States accredited to the ECOWAS Commission in Abuja, members of the ECOWAS Parliament and the Community Court of Justice. The Mission also comprised experts from the ministries of foreign affairs and election management bodies of Member States, as well as representatives of civil society and the media. The Mission was supported by a technical team from the ECOWAS Commission.

II- ECOWAS' INTERVENTION AND SUPPORT TO THE ELECTORAL PROCESS IN BENIN

4. Before deploying the EOM, in accordance with its mandate to support Member States holding elections, ECOWAS Commission has been actively involved in supporting the electoral process in Benin, through the ECOWAS Zone 4 Office in Cotonou. As part of the preparations for the presidential election, the Commission implemented the following:

- The deployment of a Technical Mission to review the electoral register, followed by a pre-election Fact-Finding Mission, from 10 to 23 January 2016, to assess the state of progress in the electoral process;
- The deployment a Long-Term Election Observation Mission (LTEOM) from 8 February to 10 March 2016;

- The establishment of a Situation Room in Cotonou, which served as the coordination centre, as well as an early warning and response mechanism to ensure effective monitoring of the elections; and
- The deployment of short-term observers from 1 to 8 March 2016;

5. The Commission also provided \$500,000 as financial assistance to the Independent National Electoral Commission (CENA) for the implementation of training, awareness and civic education activities;

III- ARRIVAL AND COMMENCEMENT OF CONSULTATIONS

6. Upon arrival in Cotonou, the Head of the ECOWAS Observation Mission met with the Constitutional Court, the High Council of Media and Communication (HAAC), the Independent National Electoral Commission (CENA), as well as leaders of Civil Society and the candidates who were available. He also met with the heads of the other Election Observation Missions, notably the African Union (AU), the West African Economic and Monetary Union (UEMOA), the International Organisation of the Francophonie (OIF), the Community of Sahel-Saharan States (CEN-SAD) and the Special Representative of the UN Secretary General for West Africa and the Sahel (UNOWAS).

7. These consultations enabled the Mission to note some concerns including, among others (i) delay in the printing and distribution of voter cards; (ii) non-inclusion of the “aged-out” minors; (iii) authorisation of use of proxies and exemptions on election day; (iv) delay in the appointment and training of district coordinators.

8. In addition, the Head of the ECOWAS Observation Mission took part in different initiatives and meetings of Heads of Mission with a view to encouraging the stakeholders to create the enabling conditions for peaceful elections.

9. The Mission noted the following:

- commitment of all political actors to comply with provisions of the Constitution and the legal framework governing the electoral process, as well as to make every effort to preserve the social peace and national cohesion;
- flexibility shown by all stakeholders in seeking consensus on the key issues of the electoral process;
- enhancement of the efforts made by the elections management bodies (CENA, CNT) to finalize the logistical arrangements, particularly to expedite the process of distributing voter cards;
- adoption of Decision EP 16-019 of 11 February 2016 by the Constitutional Court and all subsequent CENA decisions authorising the use of voter cards issued in 2015 to facilitate the exercise of voting rights;
- CENA's statement of 5 March 2016 authorising “aged-out” minors who do not have the voter card in 2016 but are regularly registered on the electoral list to vote with their national identity card.

IV- DISTRIBUTION OF VOTER CARDS

10. The voter cards production and distribution process encountered serious delay which led to the Constitutional Court's decision to postpone the presidential election previously scheduled for 28 February to 6 March 2016. Despite the postponement, voters' cards were unavailable in the districts of Zou and Plateau on the eve of the election. However, the decision by the CENA to authorise the use of the 2015 voter cards in all districts and to allow "aged-out" minors duly registered on the electoral list to vote with an ID card dispelled the tension.

V- ELECTORAL CAMPAIGN AND THE MEDIA

11. The electoral campaign kick-started on 19th February 2016 at midnight and was conducted peacefully. The candidates had access to the media and were able to campaign across the country. Despite the high number of candidates and the high level of competition, the Mission did not note any hate speech.

VI- OBSERVATION OF THE VOTING PROCESS

Deployment, Opening, voting process and vote count

12. The ECOWAS teams were deployed in all 12 districts of Benin. After careful preliminary evaluation of the information provided in the Situation Room by observers deployed and after a debriefing session with the observers returning from the field, the Mission noted:

- (i) Voting generally commenced between 7 and 7:30 am, while the nine hours voting period, as stipulated in the Electoral Act, was respected at the closing time;
- (ii) There was order, discipline and peaceful climate throughout the electoral process;
- (iii) There was slow voter turnout at the opening of the polls, which improved progressively with voters exercising their voting rights;
- (iv) The high professionalism demonstrated by election officials;
- (v) The presence of representatives of the Constitutional Court in all polling stations;
- (vi) The presence of representatives of some candidates in most of the polling stations;
- (vii) Measures were taken to give preferential treatment to the vulnerable people (elderly, pregnant women, people with disabilities) in most of the polling stations visited;
- (viii) The presence of members of local observation groups (RIFONGA-BENIN; WAJEP; NGO ANR International) and some International Observers;

- (ix) The application of decisions made by CENA on the use of the 2015 voter cards and national identity cards;
- (x) The high-level of participation of women and the youth;
- (xi) The smooth conduct of the vote counting process in accordance with the Electoral laws;
- (xii) The discrete presence of security personnel.
- (xiii) The absence of major incidents during the electoral process.

13. Due to the foregoing, the ECOWAS Observation Mission in the Presidential Elections in Benin reached the following provisional findings based on its assessment of the entire electoral process, from its beginning to counting in different polling stations on 6 March 2016.

VII. ELECTORAL PROCESS

14. The Presidential Election on 6 March 2016 represents an important step in the consolidation of democracy in Benin. The broad consensus among the political actors to go to the polls in spite of the many challenges demonstrate their commitment and determination to consolidate the country's democratic gains under a legal and legitimate mandate.

15. Despite the shortcomings highlighted in the preparations for the elections, the ECOWAS Observation Mission is of the view that, at this stage, the electoral process was overall conducted under free, transparent and acceptable conditions.

16. The ECOWAS Mission welcomes the efforts made by the Benin authorities, the election management bodies and all stakeholders to ensure the smooth conduct of the elections in a peaceful climate.

17. The Mission particularly commends the patience and civility demonstrated by the voters during the elections, confirming the democratic maturity that the people of Benin are known for. ECOWAS encourages the voters to sustain their exemplary behaviour until the final announcement of the provisional results. It urges them to keep this high sense of responsibility and preserve the values of tolerance and peace.

18. Furthermore, the Mission calls on all candidates for the presidential elections to respect the results from the polls and urges them to have recourse, when the need arises, to the legal channels to resolve any electoral dispute.

19. Regarding the various inadequacies noted, the Mission will submit full recommendations to the relevant authorities for concrete measures to ensure improvement in the organization and planning of future elections in Benin, among which are the following:

- a. Harmonization of electoral management bodies (CENA, COS-LEPI, CNT) to avoid overlap and enhance coordination;
- b. Improvement in card distribution system;
- c. Provision of adequate security in collation centres;
- d. Provision of secured transport for conveying electoral materials after voting.

20. The Election Observation Mission wishes to extend appreciation to the UNOWAS and other Observation Missions, notably the AU, UEMOA, the OIF, CEN-SAD and the Conseil de l'Entente for their joint collaboration, which facilitated the resolution of some challenges relating to the electoral process.

21. Lastly, with the support of the long-term observers and the ECOWAS Zonal Bureau IV Office, the ECOWAS Observation Mission will monitor the post-election developments until the final announcement of results. The Mission expresses sincere gratitude to the relevant authorities of Benin for the steps taken to facilitate the deployment of observers for the election held on 6 March 2016.

Done at Cotonou, this 7 March 2016

H. E. Mr KABINE KOMARA
Head of Observer Mission