



## PRELIMINARY DECLARATION

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### I. INTRODUCTION

1. In line with the provisions of the Supplementary Protocol on Democracy and Good Governance and within the framework of the ECOWAS Electoral Assistance Program for Member States, His Excellency **Kadré Désiré OUEDRAOGO**, President of the ECOWAS Commission, deployed a 100-member Election Observation Mission (EOM) to the 24 November 2013 legislative elections in the Republic of Mali. The EOM was in furtherance of the efforts aimed at helping Mali to conclude the ECOWAS-facilitated transitional roadmap for the restoration of full constitutional order in the country.
2. The ECOWAS Mission was led by His Excellency **Professor AMOS SAWYER**, former President of the Interim Government of National Unity of the Republic of Liberia, as Chief Observer. It was supported by the ECOWAS Electoral Technical Team.
3. The legislative elections are being organized to elect 147 Deputies out of 1100 candidates in 55 constituencies to the National Assembly, based on party, coalition and independent candidate lists.

### II. ELECTORAL CONTEXT, ARRIVAL AND DEPLOYMENT OF OBSERVERS

4. Following the successful conclusion of the peaceful Presidential election last August, the ECOWAS Commission continued monitoring the political and security situation in Mali through the Office of the Special Representative of the President of the Commission and its Early Warning Mechanism. It noted with satisfaction the intensification of the national dialogue and reconciliation efforts by the newly-elected President, His Excellency Ibrahim Boubacar Keita. While the security situation in the south of the country has witnessed steady stabilization allowing for the return and resettlement of some refugees and IDPs, the north has recorded an upsurge in sporadic acts of terrorism and sabotage attacks since the Presidential election.
5. The bulk of the ECOWAS observers started arriving on 16 November 2013. Following a briefing and orientation session on 21 November, they were deployed to eight of the nine Administrative Regions of Mali.
6. On his arrival in the country, H.E. **Professor AMOS SAWYER** met and exchanged views with the Malian authorities and electoral management bodies, including the Prime Minister, the Minister of Territorial Administration, the Chairman of the Independent National Electoral Commission, and the Delegate-General of Elections. He also met with the Special Representative of the UN Secretary-General and Head of MINUSMA, H.E. Bert Koenders, and together with the Head of the African Union Observer Mission, co-hosted a briefing session with the Special Representatives of the AU and ECOWAS, and the Heads of the UEMOA and OIF Observer Missions.

7. In the course of the exchanges, the ECOWAS EOM was briefed on the measures taken to address the administrative shortcomings identified during the Presidential election, in the following key areas:
- The early delivery of electoral materials by the Ministry of Territorial Administration to the Regions throughout the country.
  - Enhanced rate of distribution of NINA cards as at 22 November 2013, up by 11% above the rate for the Presidential elections and arrangements made to ensure that returnee refugees and Internally Displaced Persons (IDPs) with NINA Cards were able to vote.
8. It was however observed that provision could not be made to register voters who had attained the age of 18 by the time of, and since the Presidential election.

### **III. ELECTIONEERING CAMPAIGN**

9. Due to the resurgence of terrorist attacks in the north, no notable electioneering campaign took place in parts of the north. Several parties could not field candidates in Kidal and Tessalit due to the security concerns. Overall, the electioneering campaign in the country was peaceful but muted, either due to the proximity nature of the legislative elections or diminished enthusiasm, compared with the situation during the Presidential election.

### **IV. ELECTION DAY: OPENING, VOTING AND CLOSING OF THE POLL**

10. The processes and conduct of stakeholders on Election Day showed a marked improvement over the Presidential elections. These included:
- a) The arrival in time of electoral officials, party agents, monitors and security personnel, as well as the early delivery of essential materials and the orderly conduct of voters. This allowed polls to open on time at 08.00hrs;
  - b) The processing of voters, the secrecy of the ballot, and the processing of ballots at the close of voting at 18.00hrs were carried out professionally and in accordance with the law.
11. The following shortcomings were, however noted:
- a) Inadequate sensitization of voters on the relocation of some polling stations since the Presidential election, particularly in Gao and Timbuktu;
  - b) Late display of Voters Lists at several polling stations across the country, which resulted in difficulties in locating polling stations;
  - c) Non-utilization of NINA Cards for proxy votes in several polling stations in Kolokani City Centre within the Region of Koulikoro;
  - d) Poor turnout of voters across the country and the effective disenfranchisement of a considerable number of newly eligible voters, as well as potential voters in parts of the north;
  - e) An isolated case of ballot box snatching in the Kidal Region as well as attempts by a Deputy Mayor to force the replacement of polling agents mid-way through the election in 4 polling stations in Commune 5 in Bamako;

- f) Poor representation of women among the candidates, constituting only 14% of the total.

## **V. PRELIMINARY CONCLUSIONS AND RECOMMENDATIONS**

**12.** In light of the preceding observations and analysis, the ECOWAS Observer Mission to the 2013 legislative elections in Mali draws the following preliminary conclusions:

- The shortcomings observed did not, in any significant way, affect the conduct of the election in line with globally acceptable standards. Though not intended, the disenfranchisement of some young voters and some electorate in the insecure north, as well as the low turnout in the elections, are regrettable.
- On the whole, the ECOWAS Observer Mission adjudges the legislative elections of 24 November 2013 to have taken place in acceptable conditions of freedom and transparency.

**13.** Regarding the challenges identified in the electoral process, the ECOWAS EOM wishes to make the following recommendations:

### **A. To the Electoral Management Bodies (EMBs):**

- In preparation towards the run-off legislative elections, the ECOWAS EOM urges the relevant Electoral Management Bodies to ensure adequate voter sensitization on the relocation of polling stations and ensure early display of Voters Lists in polling stations.

### **B. To the Government, the EMBs and the In-Coming National Assembly**

- The ECOWAS EOM encourages the Government, the EMBs and the incoming National Assembly to consider expediting reflection and action on the rationalization and consolidation of electoral administration in the country to ensure greater coherence and effectiveness.
- The EOM further encourages the stakeholders to revisit the constitutional provisions underpinning legislative elections, in particular, with regard to cost effectiveness and the requirement of a two-round electoral process.

### **C. To the Government, MINUSMA and Operation Serval**

- While welcoming the scaling up of counter-terrorism and security operations in the north of the country, the ECOWAS EOM urges the allied forces to maintain the momentum in order to further improve the security environment, particularly in Gao, Kidal and Tessalit.

### **D. To the Political Parties**

- The ECOWAS EOM encourages the political parties to intensify efforts in party building, ensure greater internal party democracy, and implement affirmative action in favour of women and the youth to enhance their competitiveness and representation in critical decision-making institutions of the state, particularly the National and Communal Assemblies.

14. The EOM congratulates the political parties, candidates and the electorate for their peaceful conduct in the electoral process, and encourages them to maintain this posture during the processes of collation and declaration of results. It also enjoins them to seek solutions to any grievances exclusively through legal channels.
15. The ECOWAS EOM is convinced that the conclusion of the legislative elections will endow Mali with another legitimate platform to spearhead the on-going reconciliation and reconstruction efforts. It reiterates the commitment of ECOWAS to accompany Mali in these processes.
16. The ECOWAS EOM condemns the recent upsurge in sporadic terrorist activities and calls on all armed non-state groups to submit to disarmament and join the dialogue and reconciliation process.
17. The ECOWAS EOM expresses appreciation to MINUSMA, Operation Serval and the entire International Community for their support to the Malian efforts aimed at re-establishing and stabilizing the security, political, and institutional order in the Country.

**Done at Bamako this 25<sup>th</sup> Day of November, 2013**

**The Head of the ECOWAS Observation Mission**

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