

THE
CARTER CENTER



**The Carter Center
International Election Observation Mission to Côte d'Ivoire
Report #2**

**Observation of Identification and Voter Registration
May 8, 2009**

Framework of the Mission

A transparent and democratic election is an essential part of the peace and reconciliation process in Cote d'Ivoire as outlined in the 2007 Ouagadougou Political Accord and its complementary accords.

Following an invitation from the Ivorian authorities, The Carter Center launched an international election observation mission in November 2008. The objective of the mission is twofold: to help reinforce confidence in the electoral process and to support free, fair, and transparent elections in Cote d'Ivoire. The Center's election observation is conducted in a non-partisan and professional manner, in conformity with Cote d'Ivoire's national laws and the international standards described in the Declaration of Principles for International Election Observation.

Observation Methodology

In November 2008, the Center deployed three teams of international observers to assess the identification and voter registration process. A report published on Dec. 22, 2008 summarizing the findings of the first phase of deployment was distributed to national authorities, political parties, to representatives of the international community, and posted on the Center's Web site www.cartercenter.org.

Three teams of observers were re-deployed from Feb. 15 to March 30, 2009, principally to rural areas, including:

- Lakota, Gagnoa, Soubré, San Pedro
- Duékoué, Guiglo, Toulepleu, Danané, Man, Biankouma, Touba, Odienné
- Daloa, Séguéla
- Agboville, Akoupé
- Aboisso, Abengourou, Agnibilekrou, Tanda, Bondoukou, Bouna
- Yamoussoukro, Bouaké

The Center's observers met Independent Election Commissions (CEI) at regional, departmental, and local levels, technical agents at collection centers, members of the Local Commissions for the Supervision of Identification (CLSI), local authorities, representatives of the *Forces Nouvelles*, judges, political party representatives, civil society organizations, and representatives of the U.N. Mission in Cote d'Ivoire (UNOCI).

The Carter Center hopes that the findings and recommendations of this report will contribute to the conduct of credible elections in Cote d'Ivoire.

Assessment of the Identification and Voter Registration Operation

Bearing in mind the Official Procedures for Identification and Voter Registration (*Mode Opératoire*) and the Prime Minister's Circular of Oct. 21, 2008, The Carter Center assessed the identification and voter registration process based on the following eight criteria:

- The opening of collection sites in rural areas
- The surroundings adjacent to the data collection centers
- Human resources and logistics
- Registration operations
- Supervisory and monitoring mechanism
- Presence of observers and political parties representatives
- Other related factors
- Allegations of fraud

Key Findings

1. The opening of collection centers in rural areas

The opening of collection centers in the rural sub-regions has suffered from significant logistical shortfalls. The lack of means of transport for the technical teams and supervisors was particularly acute. In general, only one vehicle per administrative department was available for all the agents involved but even in cases when a vehicle was available, the teams still lacked sufficient provisions for fuel.

In order to help remedying this logistical problem, UNOCI provided some transport, though this too had its problems. UNOCI personnel were required to travel long distances – as much as two and a half hours one-way - from the U.N. base to the collection centers and then to return to base before dusk.

Only since late February 2009 has the CEI received a budget (funded by international donors) for daily vehicle rentals to help alleviate these constraints and facilitate the transportation of material and the teams working at the collection centers.

These continuous logistical problems had the following consequences:

- The opening of collection centers was slow and haphazard, characterized by last minute planning and logistical constraints that inhibited coordination between the different agencies.

- Work was often interrupted for two or three days as teams and equipment were redeployed from one collection center to the next.
- Some collection centers were “relocated” or opened in a single location with only one technical team rather than as initially planned at several locations in various villages.

In some cases, administrative restructuring created new sub-regions and administrative departments *after* the division of electoral constituencies by the CEI. The allocation of human and material resources had to be adjusted to fit this restructuring, adding to the delayed opening of certain centers.

In some villages, the opening of the collection center was delayed at the request of local authorities because most eligible people did not have the required documentation to register.

Carter Center observers reported that in a limited number of villages, mainly in the west of Cote d’Ivoire, village chiefs opposed the opening of a collection center in settlements nearby their village. This opposition was usually for one of two reasons: 1) the village chief considered the adjoining village or settlement to be inhabited principally by non-Ivoirians or 2) he felt that those living in the adjacent settlement ought to be registered only at the same time as those of the village. Some actors believed that this attitude demonstrates a deliberate intent to monitor/control the electorate in a given region and that it may be used to prevent some eligible voters from going to the polls on election day. Others saw it more as an affair of local governance, that the village chief was concerned more about his authority than the voter registration per se, and he wished to exercise his leadership by influencing the administrative and governmental decisions being made within a territory that is traditionally his own. Following the intervention of government authorities, the affected collection centers were opened as planned.

2. The Surroundings Adjacent to the Collection Centers

The following aspects were considered in the evaluation of the surroundings adjacent to the collection centers:

- The number of people petitioning
- The general atmosphere in the surroundings of the center
- The presence of security forces

The number of petitioners was moderate to high during the first days of operation with anywhere from 30 to 60 petitioners per day. This number usually fell visibly after the second or third day of operations even though the identification and registration of the target population had not been reached. One possible explanation is that many people realized that they did not yet possess the documentation required to register. Additionally, in some areas petitioners may have decided to register in neighboring villages or in the nearest larger town. Out of fear that the technical teams might not come to their village of origin.

The atmosphere at the collection centers throughout the rural areas appeared generally calm, although several sporadic incidents were reported, usually when indigenous populations believed that Ivoirians not native to the area ought to register in their birthplace rather than their current place of residence. The intervention of members of the local CEI generally alleviated these baseless efforts to restrict access to registration.

In some villages, traditional authorities conducted an informal, preliminary screening process that determined which petitioners were fit to present themselves at the collection centers. The justification for this was that “we know one another in our village” and thus the village chief can judge who is Ivorian and merits registration. However, this imprecise method of determining suitability was an obvious abuse and may have excluded some otherwise eligible people from registering.

In some of the administrative departments visited, other reported incidents included:

- Groups of youth approached collection centers proclaiming the presence of “known foreigners” waiting in line as petitioners. These youth were often identified as members of the groups Pan-African Youth Congress (COGEP) or Federation of Students and Scholars of Cote d’Ivoire (FESCI).
- SAGEM and INS equipment and materials were confiscated by groups of youth claiming to have witnessed irregularities in the operations. The material was given back following the intervention of local authorities but without the perpetrators being sanctioned for their acts.
- Security forces intervened in several instances when they were alerted by phone calls to apprehend petitioners who were supposedly non-Ivorian.

These disruptions reveal an informal monitoring of petitioners even before they presented themselves at collection centers. The petitioners in question had often been made to supply supplementary proof of their nationality and, at times, they were even taken to the police station to verify their identity. It appears that in most cases, the person was ultimately proven to be Ivorian and therefore able to proceed with registration at the collection center. These instances were plausibly perceived as acts of intimidation by the people concerned as well as the communities and the political parties with which they identify.

The presence of security forces was intermittent, being occasional in the sub-prefectures and departmental towns, and nonexistent in villages. The absence of security forces was typically not perceived as worrisome by the collection center teams based in rural villages, though in the towns the local authorities and collection center teams complained more often.

3. Human Resources and Logistics

The basic human and material requirements for the proper functioning of a collection center include:

- The presence of the entire technical team: one CEI head of the center, one CEI agent responsible for identification, one ONI (National Office of Identification) agent responsible for identification, one INS (National Institute of Statistics) agent and one agent from SAGEM.
- The availability of all properly functioning equipment and materials (includes registration forms, a ruler for measuring height, a computer for the INS, an uninterruptable power supply, a generator for centers lacking electricity, SAGEM equipment with a battery as needed for centers lacking electricity).
- Security of material during non-working hours.
- Coordination centers functioning at the administrative departmental level.

Several management problems were observed, including:

- At the launch of operations in certain administrative departments, an inadequate number of INS and ONI staff was recruited. This situation delayed deployment of several teams to field sites as they waited for their full team complement to be appointed.
- The reduced number of INS supervisors was particularly problematic during the sub-prefectural deployment because the INS computer had to be reconfigured for the opening of each collection center.
- In most of the areas visited, late salary payment for agents resulted in repeated work stoppages and even the confiscation of the equipment and material by the staff. At times staff had not been paid for up to two months.
- In some areas, the departmental commissioners of the CEI also stopped work in protest against late payment. Some local CEI commissioners also criticized legal uncertainties regarding the legitimacy of their involvement in the process, as they had not received an official document attesting to the opening of identification and voter registration operations in their area.

There were many recurrent problems with the INS equipment:

- In some cases, the number of computers was insufficient. Collection center teams had to wait several weeks for more equipment to arrive, compounding the other deployment delays.
- The number of generators was also usually insufficient. Since most of the rural collection centers did not have electricity, the computers could not function without the essential generators.
- In most cases, the fuel provided for the generators was used after one or two days of operation. In some cases, there was no fuel allowance for the teams deployed to the villages.

Given these logistical problems, elected local officials or businesspeople often provided generators or donated fuel, though these gestures did not wholly compensate for the deficiencies. Sometimes, the local population provided generators and/or contributed to buy the fuel. Not only did this make the identification and voter registration process dependent on local goodwill, but it also imposed a cost for a process officially free of charge to the population.

Collection centers sometimes ran out of materials and had to wait for resupply. Even when agents promptly reported problems with INS computers or SAGEM equipment, or a shortage of registration forms, inadequate transport left the teams waiting for remedy.

The security of equipment and material outside of working hours was not a particular problem in the rural areas as it was usually stored in the same places where center staff members were housed.

Further to the Center's Dec. 2008 report, government authorities have still failed to establish the planned regional data coordination centers intended to transmit registration information regularly to a central location in Abidjan.

4. Registration Operations

The agents at the collection centers generally proved to be informed about the official procedures for the identification and registration process. Nonetheless, as mentioned in the Center's first report, there continued to be a certain lack of standardization for verifying the validity of documents. This observation concerns two aspects of the verification of documents:

- First, agents needed to confirm that the monetary value of the official stamp and the date the document was created corresponded.
- Second, they had to check the consistency of all dates on the document (e.g. the year of the register, the date the birth was registered, and the date of birth) and match the birth certificate's number with the date the birth was registered.

It appears that the lack of standardization was due to the fact that some agents received complementary instructions from their superiors while others did not. The understanding of the procedures also varied depending on the initial training of the agents. As a result, it was difficult for the Center's observers to determine if any irregular admission or rejection of certain citizens was intentional or not. That said, some limited cases of irregular rejections and registration were observed. Additionally, some petitioners who received documentation through the mobile court proceedings of 2008 were pressed by collection center teams to produce an official copy of their birth certificate although the mobile court-issued document was supposed to be valid to register.

Collection centers were not always established at the predetermined location planned by the CEI. Sometimes they were set up inside a private residence, such as that of the village chief or an inhabitant in the village. These changes were justified for various reasons:

- The predetermined location was considered inappropriate because it was too small or derelict, or because the initial location was inside a school where classes were being held.
- The village chief provided equipment such as generators to the technical teams and in doing so asked that the set up take place wherever the generator happened to be located.
- Local individuals offered the use of a site that already had electricity installed, thus avoiding the need to a generator and fuel.

The local CEI was not always informed in good time of these changes. When informed of such changes, some local commissioners objected, arguing that the collection center location (which would also serve as the polling station in the future) must be a public space rather than a private one. This principle was ignored at times because the technical team lacked the means to carry out the proceedings without the assistance of certain local actors who agreed to provide this sort of assistance. Some agents remarked to observers, "How can you go against the will of someone who provides his own generator and fuel, who also provides meals for the team and a place to sleep, and all without asking for any monetary compensation?"

5. Supervisory and Monitoring Mechanism

The National Commission for the Supervision of Identification (CNSI) was in charge of supervision and monitoring of identification with the support of the Local Commission for the Supervision of Identification (CLSI) and the additional support of other agents hired for this purpose. Altogether it seems that the CLSI and their agents were able to operate at the communal level and/or in the central towns of the sub-prefecture despite supervision being visibly weaker in rural areas. The level of supervision decreased in rural towns as the

operation continued, mainly due to the inability to guarantee that the agents would indeed be paid for their work. According to observers, petitioners presented only a very limited number of complaints to CLSI agents.

6. Presence of Observers and Political Party Representatives

Few Ivorian civil society organizations were involved in the observation of the identification and voter registration operation. Two factors appear to explain the low number of organizations playing a role at this stage in the electoral process: first, the lack of financial means necessary to observe the process in a professional manner over the long term (compared to shorter term observation of election day), and second, some organizations with the means to deploy observers were unable to obtain the necessary authorization from the CEI despite their multiple requests since the beginning of the operation.

Several political parties deployed party witnesses to collection centers throughout the country, including rural areas, to observe the operations and to encourage their members and supporters to participate in the identification and voter registration. They also helped people to acquire the documentation they needed to register, and in some cases paid for the cost of doing so. At the same time, it also appeared that political parties were engaged in informal surveillance to block those individuals they deemed ineligible for registration for whatever reason.

7. Other Related Factors

Several other factors affected the registration process, including:

- The acquisition of documents required for registration
- The need for photocopies of documents
- Accessibility of the collection centers
- Public awareness of the identification and voter registration process

As collection centers opened in rural areas, a significant number of petitioners were unable to register because:

- The documents they provided were often in such poor condition (worn, illegible, etc) that they could not be accepted in the registration process. Thus, petitioners needed to request new copies of official documents from local government authorities.
- There is still a portion of the Ivorian population that has never been registered officially, particularly in the most remote, rural areas that were never visited by the mobile courts.

Petitioners also had to contend with several bureaucratic and other hurdles, often not of their own making:

- Congestion at local government offices overwhelmed by the high number of requests for documents.
- The long distance from many villages to the government office responsible for generating the required papers.
- The late redeployment of mobile courts in the CNO zone meant that a number of minors (who could seek identification though not voter registration) could not participate in the

proceedings for several months because they did not have the opportunity to obtain their nationality certificate.

- The late launch of the public phase of the reconstitution of civil registers' operation.
- The absence of a birth certificate reference number on the national identity (green) card made it difficult to track down the birth certificate. A tracking procedure was established by the authorities, but this was done late in the process and the procedures appeared to be complicated and time consuming.
- Making photocopies of documents was a difficult, if not impossible task, in rural areas where there were few or no machines available. Anyone seeking a photocopy under such conditions had to travel, often by foot, several dozen kilometers to reach the nearest photocopier.
- The cost of papers, such as the nationality certificate and additional documents issued by local courts, excluded that sector of the population too poor to pay. In some areas, the local authorities and magistrates agreed to reduce the cost to obtain the preliminary identification papers.

The Center also assessed the administrative and legal phase of the reconstitution of civil registries. This phase officially began on Jan. 27, 2009, but most of the commissions responsible for this actually started working only four or five weeks later. Although the commissions established the necessary dossiers in accordance with official procedures, the district attorneys often insisted on additional proof in order to give a ruling on the requests presented to them. This pattern seems to indicate communication and coordination problems between the various actors involved in the reconstitution of the civil registries. It also seemed that the affected population was slow to participate, which may have been the result of the remote location of many rural residents and the fact that the reconstruction of civil registries took place at the same time as identification and voter registration.

Overall, the remote location of some collection centers and the resulting travel distances for the population did not seem to present a problem to most people, despite the fact that in some rural areas petitioners had to travel more than ten miles to reach their collection center.

Although political parties, local CEI commissioners and civil society organizations helped to spread the word about the identification and voter registration process, these efforts did not compensate entirely for the absence of a public awareness campaign. Such a campaign would have been especially useful in rural areas where many members of the population do not consider the possession of state administered identity papers to be completely essential. Moreover, although most people had a general awareness about the ongoing identification and voter registration, they were often not aware of the specific requirements to be registered such as the necessary documents to be presented, the need for an official stamp to be affixed to the document, as well as the presence of a visible official seal and signature, etc. In rural areas, local government authorities usually informed traditional leaders who in turn informed the population of the arrival date of the technical teams but the lack of a precise deployment calendar for the technical teams, as well as the various reasons for delays outlined in this report, meant that villagers were often surprised by their arrival and they didn't have the chance to acquire the necessary documents in advance.

8. Allegations of Fraud

Frequent media reports of voter registration fraud were exacerbated by the public fraud allegations of some political actors. For example, some members of the ruling party, the

Ivorian Popular Front (FPI), even described the level of fraud as “massive.” However, the Center has not seen evidence to support these claims. Carter Center observers did learn of a limited number of proven cases of fraud that were subject to legal proceedings. Instances of fraud involving false civil registry documents revealed the existence of forgery networks that were subsequently shut down and those involved were condemned. There were also some cases of fraud involving petitioners of foreign origin (usually involving nationals of ECOWAS countries) who also faced legal proceedings.

It is important to remember that the official procedures call for the application of several security measures and cross-checks to rule out irregular registrations and other errors prior to the publication of a provisional voter roll. Once the list is published, there will be an additional period for public verification and requests for corrections.

Conclusions

The shortcomings noted by The Carter Center in the first phase of observer deployment included financial constraints and delays in disbursement, logistical deficiencies, and coordination and communication problems between the various actors in the operation. These problems persisted during the second phase of Carter Center observation and appear to have worsened as the operation reached rural areas. Inadequate or poor planning, last-minute decisions, and changes in the face of mounting logistical problems further undermined the efficient delivery of the operation.

The lack of material means available to the local CEI constituted a weakness in the administration of the identification and voter registration operation. In such circumstances, it was often difficult for the local CEI to establish their authority and ensure an adequate follow-up of an important phase of the electoral process.

The pace of operations in rural areas equally suffered because of the added burden posed to rural residents seeking the necessary documents to get registered (e.g. the distance needed to travel to reach the government office or the local court where such documents are obtained as well as the unavailability of photocopy machines). It seemed that rural residents were slow to respond or unprepared for the arrival of the technical teams because of the very limited public awareness campaign in rural areas that explained the conditions required to participate. Additionally, a number of rejections at the collection centers were due to worn or illegible identity documents.

Except for a few incidents, the voter registration process was carried out in a peaceful atmosphere throughout the rural areas. It is important to underline that the population itself assisted the operation, not only providing food and shelter to the technical teams but also by providing logistical material such as generators and fuel necessary for the equipment to function.

Additional irregularities that were observed include the changed location of some collection centers, instances of irregular or invalid rejections and/or admissions of some petitioners, though it appeared that overall the collection center teams attempted to apply the correct means to verify documents.

Keeping in mind the verification procedures that must be applied at the next stage of the process, the Center's observations do not call into question the credibility and integrity of voter registration operation at this stage.

The Center will continue to observe the follow up stages of the registration process, including the official procedures that will cross-check the data from collection centers and eliminate invalid or multiple registrations. As noted above, a parallel system of departmental data coordination and transmission to the central level was to have operated but this important process was never implemented. These and other delays experienced thus far should be taken into consideration if the CEI is to establish a credible voter register and a realistic electoral calendar.

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The Carter Center conducts election observation activities in a nonpartisan, professional manner as set forth in the Declaration of Principles for International Election Observation. The Center coordinates closely with other international and domestic observer delegations and publishes its statements on its Web site: www.cartercenter.org.

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