



# **COMESA ELECTION OBSERVER MISSION TO THE 25 OCTOBER 2013 PRESIDENTIAL ELECTIONS IN THE REPUBLIC OF MADAGASCAR**

## **PRELIMINARY STATEMENT**

### **Introduction**

At the invitation of the Government of Madagascar, the Common Market for Eastern and Southern Africa (COMESA) deployed an Election Observer mission to observe the first round of presidential elections held on 25 October 2013. In such Missions, COMESA seeks to improve the “political governance, transparency, democratization processes, security, stability and sustainable development of the region through inter-regional cooperation.

The COMESA Observer Mission based its observations on the legal framework governing elections in Madagascar based on the COMESA guidelines on the conduct of election observer missions which are anchored on existing benchmarks governing elections and electoral observation of the African Union and Southern Africa Development Cooperation (SADC).

The Mission was led by Ambassador Berhane Ghebray and comprised seven observers drawn from COMESA Member States. On the eve of the elections, 24 October 2013, COMESA deployed observer teams to three regions of Madagascar; namely Antananarivo, Itasy, and Vakinankaratra who observed the conclusion stages of electoral campaigns. On Election Day, 25 October 2013 observation teams visited polling stations and observed opening of polls, voting, closing and counting.

This statement contains preliminary findings and conclusions made by the COMESA Observer Mission based on its observation and interaction with electoral stakeholders. These stakeholders include the Independent National Electoral Commission for the Transition (CENI-T), heads of international and regional election observer groups deployed to Madagascar, international civil society organizations, the media, international and citizen observers present in Madagascar.

While the Mission notes that the aggregation of results is ongoing, it presents its assessment of the elections up until the close of polling and counting on the 25<sup>th</sup> of October 2013 as follows:

## Preliminary findings

Below is a summary of the team's observations:

1. The mission noted with satisfaction the establishment of an appropriate legal framework for these transitional elections, including;
  - i. The Constitution that was adopted in the 2010 referendum, which guarantees the recognition of human rights and the holding of regular elections under universal suffrage;
  - ii. The revision of the Electoral Code of 2012 governing the organization and the functioning powers of an Independent National Electoral Commission known as the CENI-T;
  - iii. Law number 2012 016 of 1<sup>st</sup> August 2012 relating to the Election of the first President of the 4<sup>th</sup> Republic of Madagascar; and
  - iv. Other relevant decrees.
2. The COMESA Mission also noted the restructuring of the Special Electoral Court (CES) created by Statutory Instrument number 2012-014 of 26<sup>th</sup> July 2012, which is within the Constitutional Court of the Republic of Madagascar as a positive development towards the holding of credible transitional elections.
3. The Mission was encouraged by the adherence to eligibility criteria that led to the final publication, by the CES, of a finalized list of 33 candidates who met the legal requirements to stand as a Presidential candidate. The Mission noted these decisions as paramount to a stable transition. The Mission was however noted the gender disparity where out of 33 presidential candidates, only two were women.
4. The Mission applauds the efforts made by the CENI-T in registration of voters for these elections. In particular the mission noted and commended the door-to-door registration exercise, which took place in the months prior to polling.
5. The Mission noted the collaboration efforts between the CENI-T and United Nations Development Program (UNDP) in conducting voter education for the voter registration drive and the polls. The mission commended the work of the Independent Electoral Commission in conscientizing the Malagasy electorate on the procedures of these important elections.
6. The Mission observed that the efforts made towards training of the media organized by the CENI-T and supported by the UNDP. This helped to raise their awareness on the need for ethical reporting on election issues with focus on neutrality, impartiality, and objectivity. It was noted that at least one public radio stations provided all the candidates with appropriate and adequate airtime to publicize themselves thus ensuring equity in media exposure.

7. All campaigning observed by the Mission took place in a calm and peaceful manner. The COMESA election observer mission congratulates the parties and their supporters for maintaining peace during the voting period. The Mission also commends the Government of Madagascar for successfully securing the elections.
8. With regard to polling day, COMESA observers noted that despite some delays as a result of late delivery of ballot materials, polling stations were generally opened on time.
9. The Mission appreciated the presence of candidate's agents in all polling stations observed. This enhanced the credibility of the polling process.
10. COMESA teams noted however with concern that polling stations were not sufficiently signposted resulting in difficulties among the electorate in locating the exact place to vote.
11. COMESA noted the use of transparent ballot boxes within the polling stations and observance to opening procedures. COMESA commends the measures taken to preserve resources in using ballot boxes from previous elections. It would however be prudent that necessary and appropriate security measures are improved for the securing of polling material, for instance, seals and locks which correspond to the ballot boxes be provided.
12. COMESA observers noted some inconsistencies in the application of polling procedures and the operations of the polling booths. These inconsistencies were not however of a grave nature but may rather reflect inadequacies in the training by the CENI-T staff of electoral officials. COMESA noted that voting procedures were generally followed in such a way as to preserve the secrecy of the vote.
13. The use of a manual register resulted in delays in the identification of voters. Furthermore COMESA observed that some prospective voters were initially turned away for not having voters' cards, despite their names appearing in the voters roll. However, these were allowed to vote after consultations with the presiding officer. This essentially points to a lack of uniform application of the electoral rules and to inadequacies in training.
14. It was encouraging to note that measures had been taken to provide voters with their cards through the mail and where this had been unsuccessful, by collecting at the polling stations. Despite this valiant effort by the CENI-T, some voters were still unable to find their voter's cards despite being registered.
15. COMESA observers noted that polling operations took place under calm and peaceful conditions. Security personnel were present outside the

- polling stations in a number of polling stations observed in a manner that provided confidence rather than intimidation.
16. At closing of the polls Presiding Officers took appropriate measures to make-up for delays in opening including allowing all voters in the queues at 17:00 to cast their ballots beyond closing hours. In some observed stations this process took up to extra three hours.
  17. COMESA observers witnessed that counting procedures were very transparent as counting was open to the public. However, the counting procedures were notably slow, which pointed at insufficient training of electoral staff.
  18. The filling out of the 50 copies of the Proces Verbal (PV) Form, while intended to guarantee the transparency of the vote led to long delays in transferring the results to compilation centers. It was observed that the laborious process of filling out of the forms resulted in party agents leaving polling stations before receiving their copies of the PV, thereby undermining the transparency of the process.
  19. COMESA is concerned by the delays in transferring of results from polling stations to Compilation centers and encourages the timely delivery of PVs from all of the remaining Polling Stations.

## **Conclusions**

The Mission noted that Madagascar elections took place in the wake of a long process of transition. Despite the postponement of the election date, the holding of these transitional elections on 25 October 2013 reflected the commitment of the political stakeholders to the implementation of the SADC Road Map for ending the crisis in Madagascar, which is highly commendable.

COMESA observers highly commend the work of the CENI-T particularly in training the Media on responsible reporting.

Save for a few isolated incidents, the elections were conducted in a generally transparent and non-discriminatory manner. The Mission is of the view that the election process was carried out in a peaceful and safe environment.

Signed

Ambassador Berhane Ghebray  
HEAD OF COMESA ELECTORAL OBSERVER MISSION TO MADAGASCAR