

ELECTION REPORT ☆

Observing the 2020 Presidential Election in Côte d'Ivoire

Final Report

| Côte d'Ivoire

THE
CARTER CENTER



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| Executive Summary

The Electoral Institute for Sustainable Democracy in Africa (EISA) and The Carter Center deployed a joint international election observation mission (IEOM) to observe the Oct. 31, 2020, presidential election in Côte d'Ivoire. The mission, composed of 36 observers and a core team, was in the country from Aug. 29 to Dec. 15, 2020, to observe all stages of the electoral process. The joint mission issued a preliminary statement on Nov. 2, 2020. This final report provides an overall summary of the Carter Center's assessment of the election. It does not necessarily reflect the views of both organizations involved in the joint mission.

Political Context and Election Results

Numerous political upheavals affected the 2020 election process, which was marred by violence and human casualties. President Alassane Ouattara's candidacy for a third term strained the political climate and prompted the opposition to boycott the election. Ouattara won the election in the first round with 3,031,483 votes—more than 94% of the votes cast—with a voter turnout of 53.9% in polling stations that were opened on election day. Turnout based on the total of registered voters was only 43.6%. Henri Konan Bédié got 53,330 votes (1.6% of ballots cast), and Pascal Affi N'Guessan received 31,986 votes (0.9%). Kouadio Konan Bertin, the only candidate identified as part of the opposition to actively participate in the election, got 35,099 votes (1.9%). On Nov. 9, 2020, in the absence of complaints, the Constitutional Council confirmed these results as provisionally announced by the

Independent Electoral Commission (known by its French acronym, CEI) on Nov. 3.

Legal Framework and Applicable Electoral Legislation

In terms of Côte d'Ivoire's international commitments to universal, regional, and subregional instruments, the legal framework for the conduct of the presidential election is satisfactory. However, the IEOM recalls that the rulings of the African Court on Human and Peoples' Rights (ACHPR) are binding on Côte d'Ivoire, which has the obligation to implement them within the deadlines set by the court.

The amendments of the Electoral Code in 2018 and 2020 were enacted by presidential order without the prior adoption of an enabling law approved by parliament and were widely decried by opposition political actors. In addition, the preamble to the order amending the Electoral Code refers to the state of emergency law and the state's budget law for the year 2020 as justification to bypass the normal legislative process. For the former, there is no legal provision authorizing legislation by order. For the latter, the 2020 state budget act authorizes the president to take measures by order only in economic and financial matters, not for electoral legislation.

The existing legal framework suffers from a lack of harmonization between provisions of the amended 2016 constitution and the 2020 Electoral Code, as well as gaps or shortcomings in several key aspects of the electoral process, namely regarding the precampaign, the prohibition on the use of the state's resources (human and material), the public

financing of political parties and the electoral campaign, as well as candidate eligibility, among others. These shortcomings reduced the transparency of the electoral process.

Significant efforts in terms of communication were noted, especially through the media center and the CEI's Facebook page. Nevertheless, the publication of many documents was not done expeditiously, contrary to national and international obligations on transparency, accountability, and access to information.

Electoral Administration

The Electoral Commission is a permanent and independent administrative authority under the constitution. The Electoral Code and Law 2001-634 of Oct. 9, 2001 (revised in 2004, 2005, 2014, 2019, and 2020), give the CEI a power of proposal for decrees and a power of decision by orders for the execution of its mandate.

The CEI has a mixed membership that includes people defined by their political affiliation. Following decisions of the ACHPR of 2016, 2019, and 2020 recommending a strengthening of the impartiality and independence of the CEI, increased opposition representation was introduced within the CEI at the national and local level. However, the opposition and civil society still dispute the balance between the government and the opposition. The mission also reported that the method of selecting members of the temporary local commissions does not provide adequate oversight of the CEI, contributes to the loss of knowledge, and creates a lack of accountability on the part of local commissioners.

The decentralized configuration of the CEI allowed it to be close to voters throughout the country and helped ensure the success of the electoral process. The distribution of electoral materials was managed efficiently by the CEI, despite a worrisome security situation during the presidential election. In this context, the professionalism of the security forces helped reduce the impact of incidents involving the destruction of electoral materials.

Voter Registration

The CEI's mission is to maintain an up-to-date national voter list through annual revisions. Despite

government-imposed budget restrictions, which allowed updates to be made only in the years when an election is scheduled, the CEI has managed to maintain a relatively even registration rate in relation to the estimated annual population growth rate. However, the Ministry for Territorial Administration and Decentralization (MTAD) has not been able to keep up with the deletion of deceased people due to the lack of modernization of the civil registry.

Voter registration conducted by the CEI from June 10 to July 5, 2020, and the revision of the voter list resulted in a total of 7,495,082 registered voters, including 97,669 abroad, representing a 12% increase in the electoral population, one of the highest growth increases since the creation of the register in 2010.

The constitution guarantees universal, free, equal, and secret suffrage in line with international obligations. The mission deplores the fact that, even though the right to vote is enshrined in the constitution and the Electoral Code, no appropriate measures have been taken to guarantee the exercise of the right to vote of those in pretrial detention, who are presumed innocent until proven guilty and are therefore entitled to exercise their civil and political rights.

Candidate Registration and Related Challenges

Candidates' applications for the presidential election were filed with the CEI from July 16 to Aug. 31, 2020, and 44 potential candidates registered to participate in the election. The Constitutional Council, in its Sept. 14, 2020, decision on the eligibility of candidates, rejected 40 candidates who did not meet the eligibility criteria or who had incompatibilities, and selected only four candidates to run for the presidency.

The perceived transparency of these crucial stages of the process was reduced significantly by (1) the lack of harmonization between the 2016 constitution, amended in 2020, and the 2020 Electoral Code; (2) the overlap between the role of the CEI and that of the Constitutional Council with incomplete and opaque procedures; and (3) the lack of enforcement of binding international court decisions, in the name of the principle of the

preeminence of national norms over international ones, all of which opened the door to diverging interpretations. Other shortcomings regarding the rationale, deemed weak by some observers, for the rejection or acceptance of candidates and the opaque treatment of citizen sponsorship by the Constitutional Council also had significant consequences on candidacy challenges. These factors tarnished the electoral process and are inconsistent with international democratic election standards.

Sponsorship was a new criterion for eligibility introduced for the 2020 presidential election. This formality caused difficulties for most candidates in preparing their candidacy and presented concrete and objective problems. The CEI received the sponsorship files in a transparent manner, but the Constitutional Council's sponsorship validation proved to be haphazard and, in two cases, unexplainable to candidates. Neither the potential candidates, their political parties, nor the national and international observers were able to witness the counting, consolidation, and validation of the sponsorships. Although the Constitutional Council is entitled to deliberate behind closed doors, given the lack of confidence between the actors, the court could have reassured the various stakeholders by reviewing the sponsorships in their presence. The council did not publicly state the reasons underlying its final decisions on sponsorship as outlined in the organic law on its organization and functioning.

During the two months leading up to the election, President Ouattara's eligibility for a new term was challenged, centering on the interpretation made of the 2000 and 2016 constitutions, according to which the president of the republic is entitled to two five-year terms. The Constitutional Council determined that, since the 2016 constitution does not expressly state that the terms served under the 2000 constitution must be considered, the new legislation "technically allowed the incumbent president to run for his own succession." Moreover, the council did not consider the notion of legislative continuity as defined by Article 183 of the constitution. Nor did the council account for its own 2018 jurisprudence, also referred to in the grievances to challenge Ouattara's eligibility, which was based on the applicability of the principle of legislative

continuity provided for in Article 183, thereby reviving a provision of the 2000 constitution.

More broadly, this approach echoes a growing trend observed elsewhere in Africa of changing or amending the constitution to extend or lift term limits, allowing incumbent presidents to run for reelection multiple times. A more inclusive dialogue on this issue would have benefited the Ivorian electoral process.

Human Rights and Public Freedoms

Human rights and public freedoms, already fragile in 2019, deteriorated in the run-up to the presidential election, with several waves of arrests of opponents. The election was marked by widespread violence and serious human rights violations between August and November 2020 during suppressed demonstrations, which included arbitrary arrests, political clashes, and intercommunity violence. The creation of a National Transitional Council (NTC) by the opposition on Nov. 2 triggered the arrest of 21 political leaders and citizens, followed by renewed clashes after the proclamation of final results by the Constitutional Council on Nov. 9. The clashes resulted in several deaths, dozens of injuries, and the introduction of curfews in several localities. As of Nov. 10, the official casualty toll was 85 dead and 484 injured.

During the presidential election, the fundamental freedoms of citizens and political parties were restricted: Three interministerial orders banned marches, sit-ins, and demonstrations throughout the country from Aug. 19 to Oct. 14, 2020. These measures, taken on grounds of a state of emergency, were extended beyond their renewal period during the election period. Such bans were extended until Nov. 1, 2020, with the exception of campaign events. Finally, in the aftermath of the presidential election, three other orders continued to ban marches and demonstrations on public roads from Nov. 2 to 15, then from Nov. 16 to 30, and finally from Dec. 1 to 15, 2020.

Electoral Campaign

The election campaign was characterized by weak enthusiasm among citizens due to the active boycott by opposition candidates. In the run-up to the

election, the IEOM observed precampaign activities by all the parties. The mission also observed the use of state resources by the ruling party during campaign activities, which is prohibited by the Electoral Code and contrary to the principle of equal opportunities for candidates and parties.

Campaign Finance

The laws specifying the method of financing political parties and presidential campaigns are not sufficiently detailed and applied. Law 2004-494 of Sept. 10, 2004, specifies the method of financing political parties, which until then had been poorly regulated. Its application remains limited and often ineffective due to gaps in the traceability of funds, the absence of spending ceilings, the lack of a reliable system of sanctions, and a retroactive reimbursement of campaign spending. These shortcomings result in disparate handling of public and private campaign finance and discretionary actions by the executive and the government.

Media and Social Networks

The Ivorian media space is diverse but polarized and politicized. Public media are under the yoke of the ruling party, and private media are mostly affiliated with political parties or politicians, limiting their ability to provide impartial information. Local radio stations are prohibited from broadcasting political content.¹ The IEOM focused its action on monitoring the more widely used social networks in Côte d'Ivoire and identifying hate speech, dangerous speech, disinformation, and gender discrimination. Cases of disinformation often originated from official pages, while hate speech more often originated from activists and bloggers.

Conduct and Observation of the Vote

The presidential election was marked by protests and a boycott by the opposition in some localities, as well as demonstrations and violence that directly targeted the electoral process, hindering voter participation.

As a result, 4,870 polling stations—more than 21%—were unable to open or transmit their results. These stations accounted for 1,428,641 registered voters in the presidential election, representing 19% of all registered voters.

Voting operations were assessed positively by the IEOM in the majority of the observed polling stations. However, several irregularities were noted in the use and verification of the numbered seals on the ballot boxes, verification of ink on voters' fingers, and the failure to post result sheets outside many polling stations. Although not required under Ivorian law, polling officials were instructed in the operational manual to post the results outside of their respective polling station. This practice, widely recognized as a best practice, would have increased transparency.

For security reasons, the mission did not observe the closing, counting operations, and tabulation of the presidential election results.

There were several discrepancies between the presidential election results announced at the local and national levels, including the number of registered voters, voters who cast ballots, blank and invalid ballots, and votes cast for candidates. In addition, the method of calculating turnout for the presidential election varied from department to department. This contributed to a lack of confidence in the election administration and may have reduced the willingness of the opposition to accept the results.

Electoral Complaints and Final Results

The IEOM analyzed the criteria and procedures for the selection of constitutional judges, which affects the balance and independence of the Constitutional Council. Of the seven members of the council, four members, including its president, are appointed directly by the president of the republic, two by the president of the National Assembly, and one by the president of the Senate. Each member serves a six-year, nonrenewable term. Every three years, half of the council's membership is renewed. When a

¹ According to Decree 95-714 of Sept. 13, 1995, establishing the rules for the operation of local radio stations and the regulation on the operation of these radios, "It is prohibited for local radio operators to produce and broadcast political programs regardless of whether they are remunerated."

majority of the council's members is selected by the executive branch, the president of the republic is in a position to control, direct, or influence the judicial role of the council, which undermines the fundamental principle of judiciary independence.

In light of the postelection situation and the boycott of the election, no appeals were filed with the Constitutional Council. For this reason, the council announced the final results of the presidential election on Nov. 9, 2020, confirming the provisional results declared by the CEI.

In its decision, the council acknowledged the CEI's decision to base the final results and voter turnout on the areas of the country where it was able to organize the election. According to the council, the CEI was not able to organize the elections throughout the Ivorian territory for all 7,495,082 registered voters, but only for 6,066,441 voters. It affirmed that neither the constitution nor the Electoral Code imposes a minimum number of voters or a minimum number of operational polling stations for an election to be valid. The council relied on its own jurisprudence from a decision regarding the 1995 presidential election, which was equally subject to an active opposition boycott,² to reach this conclusion, approving the CEI's exclusion of a sizeable portion of the electorate and effectively reducing the number of registered voters from 7,495,082 to 6,066,441.

Neither the 2020 decision nor the 1995 decision on which it was based provide an explanation for the Constitutional Council's legal reasoning, which effectively regularizes the CEI's practice of excluding certain areas of the country and a considerable portion the electorate for whom polling stations were not operational. The council's approach prevented it from considering whether any irregularities undermined the overall integrity of the vote across the country or the results under Article 64 of the Electoral Code, which could, at its most extreme application, provide the basis for annulling an election.

Although the exclusion of more than 1 million voters affected turnout figures, it did not impact

the overall result of the election, which President Ouattara won by an overwhelming margin due to the noncompetitive nature of the election following calls to boycott the polls by candidates Henri Konan Bédié and Pascal Affi N'Gguessan.

Participation of Persons with Disabilities

The Ivorian Constitution urges the state to ensure the specific needs of vulnerable people, including persons with disabilities (PWDs), and the Electoral Code gives persons living with a physical disability the right to be assisted by anyone of their choice when casting their ballot. This procedure, based on the voters' trust, raises doubts about the integrity of the ballot of voters with visual disabilities.

Access to polling stations on election day continues to be a challenge for persons with mobility impairments, with approximately one-third of the polling stations visited by the mission not being accessible. Access to voter education and political information by PWDs remains limited due to the lack of appropriate formats. However, the IEOM commends the fact that the announcement of the provisional results of the presidential election was accompanied by sign language interpretation for the first time during an election in Côte d'Ivoire.

Youth Participation

Young people played an active role in the presidential election as supporters of candidates, activists, poll workers, and citizen observers. They also took part in large numbers in the election boycott and the civil disobedience movement.

National and International Electoral Observation

Despite multiple revisions, the Electoral Code remains silent on national and international election observation. However, the CEI has a charter for election observation in Côte d'Ivoire that regulates election observation, allowing for the accreditation

² The court relied on its own jurisprudence from a 1995 case contesting the results of that year's presidential election in which the court determined that the cancellation of the results of certain polling stations in which irregularities allegedly occurred did not impact the vote and therefore the merits of the case were rejected on appeal (Constitutional Council decision E/005/95 of Oct. 27, 1995).

of organizations wishing to observe the electoral process. The CEI registered a total of 14,000 election observers for the presidential election. The EISA/Carter Center IEOM was the only long-term international mission present throughout the process.

Recommendations

The IEOM issued recommendations for authorities and stakeholders to improve future elections in Côte d'Ivoire. A complete list can be found at the end of this report.

Among the top recommendations:

- **Standardize relevant legislation.** Harmonize the provisions of the 2016 constitution (as amended in 2020) with those of the 2020 Electoral Code to ensure legal certainty, eliminate contradictions, and avoid confusion among provisions, including those concerning the publication of the provisional and final list of candidates, and those concerning the powers of the Independent Electoral Commission (CEI) and the Constitutional Council with respect to sponsorship for the presidential election.
- **Reform the system and criteria for appointing Constitutional Council members** to guarantee the independence and impartiality of this court, which is fundamental to the credibility and transparency of elections. It would be advisable to review the procedure for appointing council members to reduce the potential for and perception of undue influence by the executive branch on the court, and to introduce specific criteria of competence, particularly that of specialization in the field of public and constitutional law.
- **Review the criteria for CEI membership** to strengthen the independence, impartiality, and professionalization of the electoral administration, including its decentralized branches. This could be done through a mechanism that would guarantee the selection and appointment of independent members of the electoral administration through a consensual approach between the major political forces represented in parliament. If the process of appointing members based on their political affiliation is continued, political parties should be afforded an opportunity to confirm that those appointed to the commission and its subsidiary bodies represent their interests to ensure inclusive representation and broad acceptance of its members.
- **Develop the civil registry system** to establish a reliable and consolidated database on which the CEI can base its regular update of the voter list. Promote synergies between the CEI and all national databases to stabilize the civil registry file through a regular and transparent data exchange, including with the databases of the National Office for Civil Registry and Identification (NOCRI or ONECI in French) and the National Statistics Institute to better define civic education.
- **Ensure the right to an effective appeal to the Constitutional Council** for all candidates after the publication of the provisional list of candidates. Ensure that this list is established by the CEI following the evaluation of the candidates' eligibility criteria before it is sent to the council.
- **Ensure transparency in determining candidate lists.** When drawing up the provisional and final candidate lists, decisions to reject or accept by the CEI and the Constitutional Council, each in its own area of expertise, should be published and the reasons for such decisions explicitly stated and supported by the information necessary to ensure transparency and allow for effective appeal. To bring uniformity in the processing of candidates, comprehensive reform efforts to improve the regulatory framework of this crucial stage of the electoral process should be strongly considered. Increase the transparency and traceability of campaign financing to ensure equal opportunities and fair treatment for political parties and candidates. Introduce a cap on campaign spending, controls over sources of campaign funding, and an effective auditing mechanism for campaign accounts.

Introduction and Conduct of the Mission

The Electoral Institute for Sustainable Democracy in Africa (EISA) and The Carter Center deployed a joint international election observation mission (IEOM) to observe the Oct. 31, 2020, presidential election in Côte d'Ivoire. The mission, composed of 36 observers and a core team, was in the country from Aug. 29 to Dec. 15, 2020, to observe all stages of the electoral process. The joint mission issued a preliminary statement on Nov. 2, 2020. This report summarizes the Carter Center's assessment of the presidential election. It does not necessarily reflect the views of both organizations involved in the joint mission.

In 2019, EISA opened a regional office in Abidjan, Côte d'Ivoire, following the signing of an establishment agreement with the national government. As part of its commitment to the country and the Supporting Transitions and Electoral Processes (STEP) project, EISA signed a cooperation agreement with the U.S. Agency for International Development (USAID) in June 2020 to open a country office for the deployment of an IEOM in partnership with The Carter Center. The goal was to assess the electoral process of the 2020-2021 presidential and legislative elections, drawing on the extensive experience of both organizations. EISA and The Carter Center both were accredited by the Independent Electoral Commission to observe the presidential election. The mission was led by Denis Kadima, executive director of EISA.

Despite the COVID-19 pandemic and the constraints that accompanied it, EISA and The

Carter Center deployed the only long-term IEOM for the Oct. 31, 2020, presidential election as a sign of their commitment to supporting the Ivorian elections. The mission was composed of 36 long-term observers (LTOs) and short-term observers (STOs), and core team members from 28 African and European countries. For the presidential election, LTO teams were deployed across the country from Aug. 29 to Nov. 19, 2020. STOs joined them from Oct. 25 to Nov. 5, 2020.

The mission remained in the country after election day to observe the postelection stages—including the processing and announcement of provisional and final results, possible appeals, and complaints before the Constitutional Council—and political developments until Dec. 15, 2020. The mission issued a preliminary statement on Nov. 2, 2020. This final report summarizes the Carter Center's assessment of the entire observation of the electoral process relating to the presidential election.

Election Observation Methodology

The purpose of the mission was to assess the quality of the electoral process in light of the Ivorian legal framework and international, regional, and subregional standards and obligations to which Côte d'Ivoire has ascribed to in terms of democratic elections, including the African Charter on Democracy, Elections and Governance (ACDEG), and the Economic Community of West African States (ECOWAS) Protocol on Democracy and

Good Governance.³ The mission conducted its observation activities and formulated its conclusions independently, in accordance with the Declaration of Principles for International Election Observation and the Code of Conduct for International Election Observers adopted under the auspices of the United Nations on Oct. 27, 2005.

As part of its assessment, the mission met with various stakeholders, including the CEI and its decentralized branches, the Constitutional Council, various political actors including candidates, representatives of academia and civil society, representatives of the National Press Authority (NPA), and the High Authority for Audiovisual Communication (HAAC).

During its deployment, the mission observed the preparatory stages of the election, such as the establishment of the voter list, the filing of candidacies

and related complaints, the distribution of voter cards, the electoral campaign, logistical preparations, and the training of polling station staff. On election day, observers monitored the opening and voting operations in 213 polling stations. For security reasons, the observers were not able to witness the counting and tabulation of results in the regions. The mission expresses its gratitude to the government of Côte d'Ivoire, the CEI, all national authorities and institutions, as well as Ivorian political parties. The mission also thanks national and international election observation missions, including the Political Transition and Inclusion Program (PTIP) / Indigo mission, civil society organizations, and the media. The mission is particularly grateful to the U.S. Agency for International Development (USAID) and the U.S. Embassy for making implementation possible.

³ Protocol A/SP1/12/01 on Democracy and Good Governance additional to the Protocol on Conflict Prevention, Management, Resolution, Peacekeeping, and Security (2001).

Political Context

Background

The 2020 electoral process was marked by numerous political upheavals, as well as tensions and violence before, during, and after the presidential election. The Rally for Democracy and the Republic (RDR), and the Democratic Party of Côte d'Ivoire—African Democratic Rally (PDCI-RDA, RDHP in French—which had been allied to the incumbent party—the Rally of Houphouëtists for Democracy and Peace, RHDP in French) since 2005, formalized their split from the RDHP in August 2018, following disagreements over the political affiliation of the candidate to carry the colors of the coalition in the 2020 presidential election. The departure of the PDCI-RDA from the RHDP was followed by that of other political parties, including the Union for Democracy and Peace in Côte d'Ivoire (UDPCI). The resignation of Guillaume Soro from his position as president of the National Assembly in February 2019 and his joining the ranks of the opposition while announcing his intention to run for the highest office continued this trend of instability.

The implosion of the ruling coalition was a blow to the regime of President Ouattara, but it did not help the unity of the opposition, which remained divided between the PDCI-RDA, itself prone to internal differences, and the Ivorian Popular Front (FPI, in French) of Pascal Affi N'Guessan, who supported Laurent Gbagbo, and Guillaume Soro.

In response to political tensions, the president initiated a series of political dialogues in 2019 and 2020 between the government, the political parties of the majority and the opposition, and civil society organizations. The first act of the dialogue aimed at adopting consensual measures for the reconfiguration of the CEI, while the second was dedicated to reviewing the Electoral Code. Unfortunately, both dialogue sessions ended without the desired consensus, and the texts adopted in their wake were immediately challenged by the opposition and civil society organizations, followed by appeals to the national courts and the African Court on Human and Peoples' Rights (ACHPR). This further roiled the political climate and complicated the electoral process.

On March 5, 2020, President Ouattara announced his decision not to run in the upcoming election and promised to pass the torch to a younger generation. This decision was welcomed by both sides and helped ease political tensions. However, this relaxation was short-lived. After the death of Prime Minister Amadou Gon Coulibaly, a candidate nominated by the RHDP,⁴ President Ouattara reversed his decision and became a candidate for his own succession on Aug. 6, 2020. This action, considered unconstitutional and challenged by the opposition and civil society organizations, sparked widespread violence. Gathered as a platform around the PDCI-RDA and the FPI, the opposition political

⁴ His nomination was confirmed by the RHDP political council on April 12, 2020.

parties decided to call for demonstrations across the country, which led to the destruction of public and private property, and the loss of many lives.

Despite the outcry, President Ouattara's candidacy was validated by the Constitutional Council on Sept. 14, 2020. He would face Henri Konan Bédié of the PDCI-RDA, Pascal Affi N'Guessan of the FPI, and independent Kouadio Konan Bertin (known as KKB), whose candidacies also were validated. The council rejected the candidacies of Laurent Gbagbo, Guillaume Soro, Albert Mabri Toikeusse, Mamadou Koulibaly, and Marcel Amon Tanoh.

While denouncing the validation of President Ouattara's candidacy, candidates Bédié and Affi N'Guessan called for a dialogue to reach consensus on the methods of organizing the presidential election as well as its postponement. When the government refused, maintaining the dates prescribed by the constitution and the Electoral Code, the opposition called for a campaign of civil disobedience and a boycott of the presidential election, which led to violence and numerous arrests. Attempts at mediation by the international community (the Economic Community of West African States, the African Union, and the U.N.)

did not produce tangible results. It was in this tense environment, marred by violent incidents, that the presidential election was held on Oct. 31, 2020. On Nov. 2, 2020, the Ivorian opposition announced the formation of a National Transitional Council (NTC) led by former President Henri Konan Bédié. The creation of the NTC exacerbated tensions between the government and the opposition, leading to arrests and prosecutions. (See Human Rights and Public Freedoms section of this report.)

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In order to defuse tensions and stop the escalation of violence in the run-up to the legislative election, President Ouattara and former President Bédié began discussions on Nov. 11, 2020.

| Legal Framework

A legal framework is the foundation of election integrity and must be in line with international standards and obligations. Existing legislation must ensure fairness, equality of opportunities, and accountability of all participants under the rule of law. Côte d'Ivoire's legal framework generally is in alignment with international standards and provides an adequate basis for the conduct of presidential election consistent with international instruments ratified by the country. However, the Ivorian legal framework could be improved by harmonizing provisions in the amended 2016 constitution and the 2020 Electoral Code, with an emphasis on addressing gaps in legislation and subjecting all amendments to a parliamentary vote, avoiding the use of presidential decrees. While this possibility is provided for in Article 106 of the constitution, it requires parliament to pass an enabling law with a well-defined purpose and objective and for a limited time.

International Standards and Obligations

Côte d'Ivoire has made considerable progress in adopting and ratifying key international and

regional instruments⁵ over the past 10 years. The electoral provisions of international or regional treaties, conventions, or protocols must be respected and may even have constitutional or statutory relevance, as countries are bound by the international treaties they have signed.

In terms of international justice, the African Court on Human and Peoples' Rights (ACHPR) is the youngest continental jurisdiction for the protection of human rights. Côte d'Ivoire, as a state party to the African Charter on Human and Peoples' Rights, is obligated to respect and implement the court's decisions. State parties must ensure their execution within the time set by the ACHPR, and its judgments are final and binding on the parties involved.⁶

Nevertheless, and as already emphasized in its Oct. 15, 2020,⁷ press release, the IEOM focused its attention on the principle of compliance with court decisions, including those of international jurisdictions and, in particular, those of the ACHPR of 2020 relating to the reconstitution of the electoral administration and the enjoyment of the rights to elect and to be elected. (See Electoral

5 In addition to the International Covenant on Civil and Political Rights; the International Covenant on Economic, Social, and Cultural Rights; the Convention on the Elimination of All Forms of Racial Discrimination; the Convention on the Elimination of All Forms of Discrimination Against Women; the Convention Against Torture and Other Cruel, Inhuman, or Degrading Treatment or Punishment; the Convention on the Rights of Persons with Disabilities, the IEOM stresses the positive efforts made by Côte d'Ivoire in recent years with the adoption and ratification of the U.N. Convention Against Corruption; the African Union Convention on Preventing and Combating Corruption; the African Charter on Human and Peoples' Rights; the African Charter on Democracy, Elections, and Governance; the Protocol to the African Charter on Human and Peoples' Rights; and the ECOWAS Protocol on Democracy and Good Governance.

6 Protocol to the African Charter on Human and Peoples' Rights, Article 30: "The States parties to the present Protocol undertake to comply with the judgment in any case to which they are parties within the time stipulated by the Court and to guarantee its execution."

7 <https://www.cartercenter.org/news/pr/2020/cote-divoire-2020-fr.pdf>.

Administration and Candidate Registration sections of this report.)

In its judgment in the case of *Suy Bi Gohoré Émile v. the Republic of Côte d'Ivoire* of July 15, 2020,⁸ the ACHPR ruled, among other things, on its jurisdiction. The court noted that Côte d'Ivoire is a party to the protocol, that it deposited its declaration on July 23, 2013, and withdrew it from the African Union Commission on April 29, 2020. Moreover, the ACHPR, in the 2014⁹ case of *Ingabire Victoire Umuhoza v. Rwanda*, established the jurisprudential principle that the withdrawal of the declaration has no retroactive effect and no impact on the cases pending before it prior to the deposit of the instrument of withdrawal of the declaration, as is the case here. Any withdrawal of the declaration shall take effect 12 months after the deposit of the instrument of withdrawal. As Côte d'Ivoire deposited the instrument of withdrawal of the declaration on April 29, 2020, the withdrawal took effect on April 30, 2021, and therefore did not in any way affect the jurisdiction of the court in this case.

Based on the above arguments and on Article 30¹⁰ of the protocol to the African Charter on Human and Peoples' Rights, the ACHPR clarified that parties are required to comply with the decisions rendered by the court in any dispute in which they are involved and to ensure their execution within the time limits set by the court. The IEOM therefore believes that the court's rulings are binding on Côte d'Ivoire, which is obligated to implement them, as the rule of law is the cornerstone of all democracies.

The National Legal Framework

The legal framework for the Oct. 31, 2020, presidential election is governed by the Côte d'Ivoire Constitution of Nov. 8, 2016, its amendments of March 19, 2020, which affected 26 articles of the 2016 constitutional text, and by ordinance 2020-356 of April 8, 2020, revising the Electoral Code, which also was amended several times between 2000 and

2018. This framework is supplemented by other legislation such as the law on political parties and groupings (93-668 of 1993) and the law on the financing of political parties and groupings and candidates with public funds (2004-494 of 2004). Finally, various legally binding decrees signed by the president on the proposal of the CEI, along with other decrees and statements of the CEI, are relevant to the governing of presidential elections in Côte d'Ivoire.

There is a lack of harmonization between certain provisions of the amended 2016 constitution and those of the 2020 Electoral Code.

There is a lack of harmonization between certain provisions of the amended 2016 constitution and those of the 2020 Electoral Code. In particular, there are overlaps among the mechanisms and procedures for establishing the final list of candidates and the related challenges for the presidential election, which compromised this crucial stage of the electoral process. Moreover, the legislation in force has gaps or shortcomings in several aspects of the electoral process, including the definition and regulation of the precampaign period, which is prohibited in the Electoral Code but tolerated in practice. Other issues include the prohibition on the misuse of the state's human and material resources, with specific provisions on the system of sanctions, the lack of enforcement of the provisions to control public financing of political parties and election campaigns, the procedure for the ordering of candidates on the ballot paper, and the procedure for the removal of candidates from the final list as established by the Constitutional Council. These weaknesses impacted the transparency and inclusiveness of these stages of the electoral process.

The CEI exercised its regulatory authority by adopting several decrees and decisions to ensure the

⁸ <https://www.african-court.org/cpmt/details-case/0442019>.

⁹ <https://www.african-court.org/cpmt/details-case/0032014>.

¹⁰ https://www.un.org/fr/africa/osaa/pdf/au/protocol_rights_women_africa_2003f.pdf.

smooth implementation of the presidential election, often within short time frames. The mission noted the efforts made by the CEI to improve access to electoral information, particularly through its website and Facebook page, and the creation of a media center open to the public.

Information about the regulatory framework for the presidential election has been made available to the public. The publication requirement is particularly important given that CEI meetings are not open to the public. The mission urges the CEI to continue these efforts and to adopt a systematic electoral reporting mechanism that allows for public accountability, enhances the transparency of the electoral process, and guarantees the right to information as prescribed by Law 2013-867 of Dec. 23, 2013, on access to information of public interest.

The mission noted the efforts made by the CEI to improve access to electoral information, particularly through its website and Facebook page, and the creation of a media center open to the public.

Adoption of the 2020 Electoral Code

Since the advent of the Second Republic, marked by the enactment of the 2000 constitution, the adoption and revision of the Electoral Code is a matter of law. However, the code was amended in 2018 and 2020 by ordinance.¹¹ Although the president can take measures by order,¹² according to Article 106 of the constitution, the IEOM recalls that legislating by ordinance on a matter that falls within the domain of the law is provided for only after prior adoption of an enabling law by parliament. In addition, the preamble to the ordinance amending the Electoral

Code refers respectively to the law on the state of emergency and the law on the state budget for the year 2020. For the former, there is no provision authorizing legislation by ordinance. On the other hand, the state budget act authorizes the president to take measures by ordinance only in economic and financial matters.

The COVID-19 pandemic and the state of emergency to contain it in the country served as a bedrock to justify a prescription¹³ amendment to the Electoral Code. These amendments by ordinance were not the subject of a political consensus. In accordance with the ECOWAS Supplementary Protocol on Democracy and Good Governance, any amendment to an electoral law within six months prior to an election must receive the consent of a large majority of political actors. In this case, the revision took place just before the six months, but was not the result of a consensus decision. The adoption by ordinance was decried widely by opposition political actors and exacerbated tensions.

Finally, it should be noted that Law 2020-493 of May 29, 2020, ratified Ordinance 2020-356 of April 8, 2020, revising the Electoral Code in accordance with Article 106. However, the absence of an ad hoc enabling law authorizing the president to legislate by ordinance within a limited time frame and for the specific purpose of amending the Electoral Code raises questions as to the proper application of Article 106.

Conclusion

Although Côte d'Ivoire's legal framework generally is in alignment with standards and provides an adequate basis for the conduct of the presidential election consistent with international best practices and instruments as ratified by the country, some aspects can be improved. The joint IEOM recommends that Ivorian parliament harmonizes

11 Statement of the Council of Ministers of April 8, 2020. <https://www.presidence.ci/wp-content/uploads/2020/04/CCM-du-08-04-2020.pdf>. "... The Council adopted a decree revising the Electoral Code and its ratification bill. Given the exceptional situation related to the COVID-19 pandemic and the binding measures required by the national response that make it difficult to hold parliamentary meetings, the Council adopted the Decree revising the Electoral Code..."

12 According to Article 106 of the constitution: "The President of the Republic may, in order to carry out his program, request from Parliament, by means of a law, authorization to adopt by decree, for a limited period, measures which normally fall within the domain of the law. Decisions are issued by the Council of Ministers after the Constitutional Council has given its opinion, if necessary. They shall come into force as soon as they are published but lapse if the ratification bill is not submitted to Parliament before the date set by the enabling law. On expiry of the period referred to in the second paragraph of this article, decrees may only be amended by law in respect of their provisions which fall within the legislative domain."

13 Statement of the Council of Ministers on April 8, 2020: <https://www.presidence.ci/wp-content/uploads/2020/04/CCM-du-08-04-2020.pdf>.

provisions of the amended 2016 constitution and the 2020 Electoral Code with an emphasis on addressing legislative gaps, including the mechanisms and procedures for establishing the final list of candidates, the regulation of the precampaign, the prohibition on the use of the state's human and material resources, enforcement of the provisions for control of public financing of political parties and the election campaigns, the procedure for the order of candidates on the ballot, and the procedure for the removing a candidate from the final list as established by the Constitutional Council.

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I Electoral System

The choice of electoral system is a fundamental decision for any country, and international law does not prescribe any preferable system or universally recognized standard for the conduct of genuine elections. However, a country's constitution and legal framework must provide a clear statement on the type of electoral system chosen, which must be in line with the country's international obligations.

In Côte d'Ivoire, the executive power is composed of the president, the vice president, and the government. According to the constitution's relatively new Article 56, the president is elected for five years by direct universal suffrage and may be reelected only once. Presidents are elected by majority vote. If no candidate obtains a majority in the first round, a second round is held between the two candidates who received the greatest number of votes cast. The candidate who obtains the majority of votes in the

second round is elected. The 2016 constitution was the first to clearly define the dates of the presidential election.¹⁴ The amendment of Article 55 in March 2020 stipulates that, once elected, the president chooses a vice president in agreement with parliament. For the presidential election, the entire country constitutes a single electoral constituency.

Conclusion

Overall, Côte d'Ivoire's electoral system respects the principles of fair and periodic elections, universal suffrage, the secrecy of the vote, and the absence of any intimidation, as well as equality of the voting and the fair representation for all citizens. The IEOM commends electoral stakeholders' efforts to ensure that the electoral system allows voters to see the will of the country, as a whole, reflected in the election results.

¹⁴ The first round is held on the last Saturday of October in the fifth year of the term of the incumbent president, which for the 2020 presidential election is Oct. 31, 2020. If an absolute majority is not obtained in the first round, a second round shall be held on the last Saturday of November of the same year—Nov. 28, 2020.

I Electoral Administration

The independence and impartiality of the electoral management bodies, acting transparently and professionally, are some of the guiding principles for any electoral authority and provide the basis for the integrity of elections.¹⁵ The CEI only partially met the international standards for the fulfillment of democratic elections, as its powers to decide the conduct of the elections are severely limited by the executive. In addition, the mission observed that the method of selecting members of local commissions did not ensure their independence and impartiality, promoted the loss of knowledge, and created a lack of accountability on the part of local commissioners. On the other hand, the mission commends the CEI for its geographical coverage during the election, as it allowed voters to access local electoral commissions and polling stations easily and efficiently delivered voting materials. Likewise, the electoral process was conducted within the established time limit and the CEI was able to fulfill the components laid out in its operational plan, with the important exception of those areas with strong protests or where polling operations did not take place.

Composition

The CEI is a permanent, constitutionally mandated¹⁶ administrative authority responsible for organizing the referendums and presidential, legislative, and local elections. Law 2001-634 of Oct. 9, 2001, revised in 2004, 2005, 2014, 2019, and 2020,¹⁷ specifies the membership, organization, powers, and functioning of the CEI. Since the 2019 revision, the CEI has been composed of permanent and nonpermanent members.¹⁸ It includes a permanent central commission and 576 temporary local commissions. At the national level, except for the president, each of the 15 members is the supervisor of a specific geographical area. The temporary local commissions are distributed at various levels of territorial division according to operational forecasts in the regions (31), departments (82), subprefectures (387), and municipalities (58). These local electoral commissions (LECs) are set up provisionally for each election. Diplomatic electoral commissions also were set up in 18 countries to allow Ivorians in the diaspora to participate in the presidential election.

¹⁵ The impartiality and independence of the electoral management body are provided for in Article 17 of the African Charter on Democracy and Article 3 of the ECOWAS protocol. ICCPR, General Comment 25 (57), Para. 20 states, "An independent electoral authority should be established to supervise the electoral process and to ensure that it is conducted fairly, impartially and in accordance with established laws which are compatible with the Covenant."

¹⁶ Article 51, Para. 3 of the constitution of Nov. 8, 2016.

¹⁷ Revisions were made by Law 2004-642 of Dec. 14, 2004; Decisions 2005-06/PR of July 15, 2005 and 2005-11/PR of Aug. 29, 2005 (amended in 2014); Laws 2014-335 of June 18, 2014, 2014-664 of Nov. 3, 2014, 2019-708 of Aug. 5, 2019; and Order 2020-306 of March 4, 2020, as ratified by Law 2020-492 of May 29, 2020. A compilation of laws is available on the CEI's website.

¹⁸ The seven members of the executive body of the CEI are permanent members: the president, three vice presidents, the secretary, and two deputy secretaries.

The CEI has a mixed composition that includes members defined by their political affiliation.¹⁹ The quest for a balance of political forces within the management body has been at the root of various legislative reforms and reorganizations of this commission, both at the central and decentralized branch level. There is considerable lack of trust in this institution, as expressed by many of the mission's interlocutors. The impartiality and independence of the CEI have been challenged directly by several decisions of the ACHPR in 2016, 2019, and 2020. Côte d'Ivoire did not implement the required reforms within the timeframe set by the court in its Nov. 18, 2016, ruling. The government launched a political dialogue in January 2019 as part of the CEI reform process. This dialogue focused on the restructuring of the CEI and not on an in-depth review of the institution. Its concluding recommendations with regards to the composition of the CEI were not implemented for the 2020 process.

Limiting the scope of the full powers conferred to the CEI by the constitution goes against the principle of having an independent and impartial electoral authority.

Autonomy

The Electoral Code and Article 48 of Law 2001-634 essentially grant the CEI the power to make proposals for the execution of its duties under Article 2 of the same law.²⁰ However, the government, represented by the Council of Ministers (CoM), has the power to modify the proposals made by the CEI, including aspects traditionally self-determined by the electoral management body. For example, the CoM decided the opening and closing times of the polls; the organization and operation of polling stations; the technical specifications and number of posters, envelopes and ballot boxes, and

voting booths; the conditions for establishing the list of printers; and the opening and closing dates of the election campaign. While this severely limits the CEI's ability to administer the elections independently, it also restricts public monitoring of the changes, as they are decided in private. Limiting the scope of the full powers conferred to the CEI by the constitution goes against the principle of having an independent and impartial electoral authority. The mission recommends that decisions made by the Council of Ministers on modalities for organizing the election be included in the Electoral Code to decrease the impact of the executive's decisions on the EMB and strengthen the CEI's effective autonomy.

Organization

In structural terms, the CEI's administrative and geographical configuration made it accessible to voters nationally. This adequate representation was one factor that contributed to the success of electoral operations. Furthermore, the electoral process was conducted within the established timeframe. The CEI was able to deploy the electoral materials in accordance with its operational plan, except in a few areas that experienced strong protests by anti-election demonstrators.

While this cascade model enabled the LECs to easily access supervising commissioners' support, it also limited the local commissions' influence in the electoral process. The temporary nature of the LECs did not allow them to have a permanent and comprehensive involvement in the process, except for occasional tasks for which they were responsible. The mission also found that the manner in which the LECs were elected did not foster professionalization and accountability, which could impact perceptions of the CEI and of the integrity of the electoral process. The mission recommends developing mechanisms that would favor criteria of competence and merit in the selection of local election commissioners, giving greater power to the

¹⁹ The central commission is comprised of 15 members. These include one representative appointed by the president of the republic, one representative appointed by the Ministry of Territorial Administration, six civil society representatives (including four from NGOs), one representative from the Superior Council of the Judiciary, and three representatives each from the ruling and opposition parties. The members are appointed by decree for a term of six years. Proposals are submitted to the minister of territorial administration, who draws up a list and submits it to the Council of Ministers for appointment.

²⁰ <https://aceproject.org/ero-en/regions/africa/CI/cote-divoire-loi-portant-composition-attribution>.

CEI in proposing candidates for LECs. The IEOM generally benefited from positive collaboration with the CEI at central and decentralized levels. However, the information provided at the decentralized level lacked consistency because some members of local commissions sometimes refused to share documents or public information without specific prior approval from the central CEI.

Tensions on CEI Composition

In general, the balance provided for in the legal framework between the political forces representing the government and the opposition was no longer effective as of the 2020 presidential election. In March 2018, some opposition representatives joined the presidential majority²¹ but were still considered opposition representatives for the purposes of CEI membership. A recurring criticism, supported by the ACHPR, is that there is an imbalance in representation in favor of the presidential majority, given the nomination of three members by the party or political group in power and three members by administrative entities including the executive branch. Of the six public figures proposed by civil society, one was nominated by the Group of Advocacy and Actions for Electoral Transparency (GAAET),²² a fact openly refuted by the aforementioned group, which claims never to have submitted a nomination. At the local level, the number of LEC members increased from seven to eight after a fourth public figure proposed by the opposition was added following the decisions of the ACHPR. In its ruling of July 15, 2020, on the CEI's composition and impartiality, the ACHPR ordered that the representativeness of the opposition within the EMB be broadened, and new elections be held for the LECs, which were deemed unbalanced in favor of the ruling party.

Although partially implemented, the rulings of the ACHPR did not immediately address the political blockages within the CEI. The provision's call for the opposition to propose four public figures

to the Ministry of Territorial Administration and Decentralization (MTAD), which draws up the final list for validation by the Council of Ministers.²³ This procedure, as well as the boycott of the electoral process linked to the rejection of a third presidential term, led to a refusal by the PDCI-RDA to allow its representative on the central commission to be sworn in before the Constitutional Council on Sept 17, 2020, and subsequently, to allow its representatives to take part in the elections for LEC members.²⁴ Finally, the opposition's call for a boycott of the electoral process led to the temporary withdrawal of representatives of the Alliance of Democratic Forces (ADF) and the League of Movements for Progress (LMP) from the CEI on Sept. 30, 2020.

The mission recommends developing mechanisms that would favor criteria of competence and merit in the selection of local election commissioners, giving greater power to the CEI in proposing candidates for LECs.

The CEI has control over the composition of LEC boards and is supposed to ensure the equal representation of incumbent and opposition groups in their membership. Following the restructuring and the election of new LECs for the presidential election, LEC boards operated with five members instead of eight, as three opposition parties or political groups (PDCI, AFD, LMP) boycotted the electoral process. During the IEOM, most LECs shared the list of their board members with mission staff. In 17 of the country's 33 regions and autonomous districts, IEOM observers were able to identify the political affiliation of 273 LEC presidents. Of these, RHDP was overrepresented and controlled

21 RPC-Peace joined the RHDP in March 2018 and continues to be considered as representing the opposition within the CEI.

22 GAAET is a network of Ivorian CSOs created in 2017 to advocate for CEI reforms to fully comply with the ACHPR Nov. 18, 2016, ruling. The coalition consists of APDH, MIDH, Amnesty International, ADJL-CI, ASSELCI, CIVIS-CI, RIDDEF GIDSE, and CEFICI.

23 Law 2004-462 of Dec. 14, 2004, as amended to date.

24 See the PDCI-RDA press release.

97% of the LEC presidencies, compared with only 1% by LMP and 2% by RDGP-Peace. However, the CEI never published its decisions in respect to LEC composition at the national level, making verification of the political balance in their composition impossible.

The mission found that the method of selecting members of local commissions does not provide independent oversight of the CEI, promotes the loss of knowledge, and creates a lack of accountability on the part of local commissioners.

The mission found that the method of selecting members of local commissions does not provide independent oversight of the CEI, promotes the loss of knowledge, and creates a lack of accountability on the part of local commissioners. The fact that all local commissioners are temporary and proposed, one by the prefect or deputy prefect and the other seven by the political forces, then validated in the Council of Ministers, does not allow the CEI to rely on a pool of experienced agents as is the case for the update of the voter list. The selection criteria for LEC members established by the CEI, which have not been published, have, according to the CEI, not been followed by the political parties. Several political parties' representatives openly acknowledged to the IEOM that the choice of nominees is more motivated by family ties or connections, and not by the quality of the candidates. Many members of the CEI's permanent structures lamented the lack of professionalism of some LEC members, including presidents.

Given the importance of the LECs' tasks, particularly in the transmission and tabulation of results, the CEI would benefit from the establishment of a competitive and transparent recruitment system that would, among other things, allow for the creation of a database of qualified electoral agents, particularly for the position of local commission president. Moreover, the selection of LEC members by political parties should be based on public and verifiable

criteria. Strengthening the professionalization of LEC members, who are appointed two months before each election, would strengthen the integrity of the CEI and the electoral process.

Operations and Logistics

Election materials and documents were produced and acquired in Côte d'Ivoire. The national printing house was responsible for the production of election documents, including ballots, results protocols, results sheets, and voter lists. This approach made it possible to guarantee delivery efficiency, to facilitate the follow-up of printing orders, and if necessary, to launch last-minute printing. The computer and telecommunication equipment used for the results processing and transmission was acquired thanks to the Project to Support Elections in Côte d'Ivoire (PSECI), coordinated by the U.N. Development Program (UNDP) and involving almost all development partners such as the EU, USAID, Japan International Cooperation Agency, and European embassies accredited in Côte d'Ivoire.

The process of material distribution was well managed by the CEI from its central warehouse in Abidjan to the LECs. However, several challenges were noted in the final deployment of materials from the LECs to polling centers, including delays in delivering materials and security personnel to polling stations. The deployment of materials to some polling centers was severely disrupted by barricades and violent actions on the roads.

Local commissions—including the CED, the CESP, and the CEC—are the decentralized operational levels of the supply chain. For this purpose, they have buildings assigned by the state that serve as both an office and a warehouse. For the Oct. 31, 2020, election, the LECs faced two major difficulties, including limited storage capacity and the need to increase the security of these premises in the face of active boycott actions by a segment of the population. The CEI was able to use the warehouses of the gendarmerie stations in the localities concerned, thus reinforcing secure storage capacity. In some localities, nonsensitive material, such as polling booths, ballot boxes, and office kits, were stored in LEC warehouses while sensitive material, such as

ballots, biometric tablets, and election documents, were stored in gendarmerie warehouses. This was the case in Man, Duékoué, Guiglo, and Daloa. Despite security precautions, some headquarters and warehouses were vandalized. For example, all the polling booths were burned in Bangolo a week before the election and in Man the night before the election. In total, the CEI reported the sacking of 14 LEC headquarters in the days leading up to the presidential election.

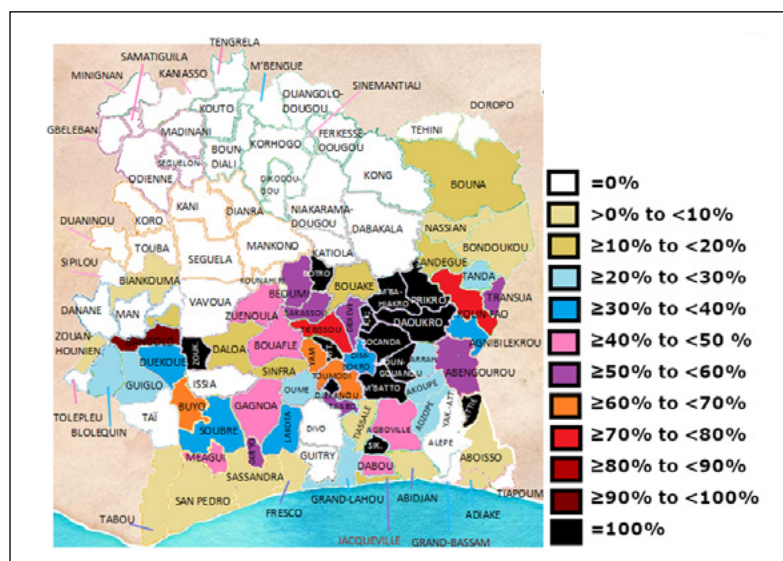
Mapping of Polling Stations

Established by presidential decree following a proposal from the CEI, the electoral map has a total of 22,381 polling stations, of which 22,135 are within Côte d'Ivoire and 246 are located abroad. These are distributed across 10,815 polling centers, of which 10,759 are on the national territory and 56 abroad. The CEI published the list of polling stations. However, it did not publish a detailed list of polling centers and polling stations with the number of registered men and women per station.

The territorial coverage of this mapping is adequate and allows voters to be attached to an accessible polling station. As set on the electoral map, the projected average number of voters per polling station varied from 173 to 436 per station, depending on the region and the major urban centers, and remained well below the maximum of 600 voters per polling station set by the Electoral Code to facilitate voting and counting operations and to adhere to social distancing measures to protect against the COVID-19 pandemic. Polling stations observed on election day complied with the CEI's approach, ranging from 98 to 470 registered voters.

Incidents and violence during the presidential election had a significant impact on the vote. According to the CEI, a total of 4,780 polling stations never opened or were unable to report

Figure 1: Percentage of Voters Who Were Unable to Participate in the Election



results, representing more than 21% of polling stations scheduled. (See Figure 1.)

No polling stations operated on election day in 13 departments in the regions of Moronou (Bongouanou and M'Batto); Agnéby-Tiassa (Sikensi); Bélier (Djékanou); Yamoussoukro (Attiégouakro); Gbêkê (Botro); Haut-Sassandra (Zoukougbeu); Indénié-Djuablin (Bettie); Iffou (Daoukro, M'Bahiakro, and Priko); and N'Zi (Bocanda and Kouassi-Kouassikro). The IEOM notes that the entire Iffou region was unable to participate in the election. In total, voting was heavily impacted in 16 other departments and in two countries abroad, with more than half of the polling stations unable to open on presidential election day.²⁵ The CEI did not publish a list of polling stations that did not open or were unable to transmit results. Such a list, disaggregated by region, could have been used to assess the calculation of voter turnout for the presidential election. (See Provisional Results section of this report.)

²⁵ The regions concerned are Agnéby-Tiassa (Taabo); Bélier (Toumodi, Didiévi, Tiébissou); Yamoussoukro (Yamoussoukroville); Gbêkê (Béoumi, Sakassou); Goh (Gagnoa); Gontougo (Koun-Fao, Transua); Grands-Ponts (Dabou); Guémon (Bangolo); Indénié-Djuablin (Abengourou); and Nawa (Buyo, Guéyo, Méagui). Canada and Germany also saw the closure of more than half of the polling stations originally scheduled.

Recruitment and Training of Electoral Officials

The CEI has developed a database to recruit experienced officials to conduct voter registration. This method, supplemented by training prior to updating the voter list, allows for the professionalization of temporary voter registration staff, particularly regarding the use of biometric tablets. For the recruitment of poll workers, the CEI benefits from the secondment of civil servants through the prefectural authorities, primarily teachers, as provided for by presidential decree.²⁶ This method is faster than a competitive selection process. However, it does not allow for the maintenance and development of polling agents' capacities in the medium and long term.

To ensure consistency, training documents should be harmonized with the operating procedures and the texts of the electoral legal framework.

The CEI conducts cascade training at four levels, including national, regional, and two local levels.²⁷ In the end, nearly 73,000 agents were trained nationwide, including 66,405 polling agents, or three agents per polling station, as well as an additional 10% reserve pool. For the presidential election, the training of local commissioners began on Oct. 19, 2020, allowing for the training of polling station members to be conducted during the week leading up to the election. The duration of the last two levels of training, sometimes ranging from two to three hours, generally has not been consistent with the CEI training plan. The mission also noted that the use of biometric tablets, which is not included in the training manual, as well as the closing, counting operations, and tabulation of results could benefit from enhanced training. (See Electoral System section of this report.)

Some shortcomings also point to the need to strengthen the organization and operational planning of the CEI. For example, there were inconsistencies in the calculation of the number votes cast subsequently with the number of voters. These failings caused arithmetic errors in the consolidation of results. To ensure consistency, training documents should be harmonized with the operating procedures and the texts of the electoral legal framework. For example, when transmitting the results from polling stations, it is not clear whether the sealed envelope containing the results should be placed inside or outside of the sealed ballot box that contains the rest of the election materials and documents.

Conclusion

The CEI only partially met the international standards guiding electoral administration for the fulfillment of democratic elections. Its powers to conduct the elections independently are severely limited by the government. In general, the balance provided by the legal framework between the political forces representing the government and the opposition was no longer effective, as some opposition representatives joined the presidential majority in March 2018 but were still counted as opposition representatives. A recurring criticism, supported by the ACHPR decisions, is the overrepresentation of power at the central level through personalities proposed by the party or political group in power (three members are proposed by the majority party) and by administrative entities including the executive (the head of state, the minister of Territory Administration and Decentralization, and the Supreme Council of the Judiciary each nominate one member).

In addition, the mission observed that the method of selecting members of local commissions did not provide adequate balance of the CEI's composition, promoted the loss of knowledge, and created a lack of accountability on the part of local commissioners. The CEI also should work to reduce delays in deploying security personnel to

²⁶ Decree 641-2020 of Aug. 19, 2020, for the presidential election.

²⁷ LEC members train polling station members.

accompany election materials to polling stations and facilitate the opening and reporting of results of all polling stations. Training manuals should be comprehensive and include instructions for the use of biometric tablets.

On the other hand, the mission commends the CEI for its geographical coverage during the elections, as it allowed voters to access LECs and polling stations easily as well as efficiently delivered voting materials. Likewise, the electoral process was conducted within the established time frame and the CEI was able to fulfill the steps laid out in its operational plan, except for in areas with strong protest activities.

The mission recommends that the CEI strengthens the professionalization of LEC members to bolster the integrity of the electoral process. In addition, the CEI can improve its ability to keep track of unopen polling stations, anticipate its security personnel needs, and revise its local commission member selection mechanisms. The mission acknowledges that some changes require more time and resources than others, but that there is also an important opportunity for improvement that can lead the CEI to align with international standards more closely for the efficient conduct of elections.

| Voter Education

Voter education is crucial to allow people to exercise their right to vote in an informed manner and to respect the freedom of information, thus building confidence in the electoral process.²⁸ In addition, states should take positive measures to overcome specific difficulties, such as illiteracy and language barriers, so that all voters can make an equally informed choice.²⁹

The CEI implemented the principle of the right to voter education well, as it launched a civic and voter education campaign across all regions to promote participation in the voter registration and polling processes. The CEI used awareness-raising signs and posters on the country's main roads, and publicized the election on local radio and television stations and in newspapers. The themes focused on voter turnout and peaceful elections.

The CEI also subcontracted with local associations to implement ad hoc awareness campaigns with the support of some partners, mainly the UNDP's elections support project. After the awareness campaign for the updating of the voter list, voter education activities remained on standby until they were relaunched in early October. Local public authorities, with the support of Ivorian civil society as a whole, played a key role in awareness campaigns. In early October, the CEI selected 18 CSOs (deployed in 18 of the country's 31 regions) for a 15-day outreach campaign (Oct. 10-25, 2020) with the help of the Project to Support Elections in

Côte d'Ivoire (PSECI). The PSECI also mobilized community-based CSOs in the western part of the country to reinforce the awareness-raising campaign. To ensure coverage of other regions and strengthen the awareness campaign in larger localities, the CEI engaged other CSOs for the presidential election campaign.

Conclusion

The CEI's voter education efforts were in line with international standards to foster voter awareness during the presidential election. The CEI worked in partnership with civil society and other organizations to ensure that civic and voter information/awareness campaigns were implemented widely throughout the country. The IEOM commends the CEI's initiative to open a media center every day of the week before, during, and after the election to facilitate communication and access to information for stakeholders, including the general public. Supported by the PESCI, U.N. Women and UNESCO, among others, this initiative also enhanced overall knowledge and understanding of the electoral process, including through press conferences at each key stage of the process. In addition, the IEOM recognizes the CEI's efforts to organize meetings to share information with stakeholders as a means to further disseminate knowledge of the electoral process.

28 ICCPR, Article 25 (b); HRC, General Comment 25, Para. 11, "Voter education and registration campaigns are necessary to ensure the effective exercise of article 25 rights by an informed community."

29 HRC, General Comment 25, Para. 12.

I Voting Rights

The constitution guarantees “universal, free, equal, and secret” suffrage.³⁰ According to the Electoral Code, any person of Ivorian nationality of at least 18 years of age who enjoys all of their civil and political rights is eligible to vote. Ivorian nationals living abroad and registered in a diplomatic or consular representation may take part in presidential elections.³¹ The Electoral Code, in Article 4, provides the criteria for excluding voters from enjoying their right to suffrage. These cases concern individuals convicted of a felony, individuals sentenced to unsuspended prison terms due to specific offenses including theft and fraud, unrehabilitated bankruptcies, individuals in absentia, and individuals explicitly prohibited from voting by the courts. The exercise of the right to vote and to be elected should only be suspended or withdrawn for reasonable and objective grounds, which entails that the length of the suspension of a prisoner’s voting rights should be “proportionate to the offense and the sentence” as stipulated in international instruments on prisoners’ rights.³² Regarding this point, people in pretrial detention should not lose their voting rights unless proven guilty. The IEOM notes with concern that no provision has been made for the exercise of the right to vote by people in pretrial detention and encourages parliament to address this shortcoming.

Lastly, while the Electoral Code generally presents reasonable criteria for inclusion and restriction, the reference to “prohibited persons” should be defined explicitly to avoid risk of arbitrary exclusion.

Participation of Persons With Disabilities

International instruments, in particular the U.N. Convention on the Rights of Persons with Disabilities (CRPD), mandate that states ensure inclusion and full participation of persons with disabilities on an equal basis in political processes.³³ The measures taken by Côte d’Ivoire to guarantee PWDs’ political participation do not align sufficiently with international standards. While the country has ratified international treaties and committed to the inclusion of persons with disabilities in its national legislation, several shortcomings transpired in practice.

Côte d’Ivoire ratified the CRPD in 2014 and the constitution commits the country to provide for the specific needs of vulnerable people, including persons with disabilities. Voter and candidate status are recognized for persons with physical disabilities in the Electoral Code.³⁴ According to the last general census (2014), there were 453,000 registered

³⁰ Article 52 of the Ivorian Constitution.

³¹ The voting procedures for persons abroad were established by presidential decree 2020-634 of Aug. 19, 2020.

³² U.N. Human Rights Committee, General Comment 25: The right to participate in public affairs, voting rights and the right of equal access to public service (Art. 25), 12/07/1996, CCPR/C/21/Rev.1/Add.7.

³³ Article 29, Convention on the Rights of Persons with Disabilities; <https://www.un.org/development/desa/disabilities/convention-on-the-rights-of-persons-with-disabilities.html>.

³⁴ Articles 3, 4, and 17 of the Electoral Code.

persons with disabilities in Côte d'Ivoire, representing 2% of the population.³⁵ There are currently no statistics on persons with disabilities registered on the voter list or on their level of participation, nor on their candidacies in elections. Relevant associations are working to collect this type of data and are advocating for its systematic collection and dissemination by the CEI.

The Electoral Code outlines the voting procedure for persons with disabilities in accordance with the provisions of Article 29 of the CRPD, giving the person with a physical disability the right to be assisted by any person of their choice.³⁶ However, in practice this procedure does not guarantee the secrecy of the vote nor the safety of visually impaired voters. CSOs advocating³⁷ for the rights of persons with disabilities are campaigning for the introduction of voting empowerment devices such as tactile guides and magnifying glasses.³⁸ Accessibility of polling stations on election day continues to be a challenge for people with mobility impairments. As noted by CSOs, a large number of persons with disabilities were registered to vote in polling stations above the ground floor. During the presidential election, 30% of polling stations visited by IEOM observers on election day were not accessible to persons with disabilities due to their location.

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In addition to accessibility issues, voters living with disabilities in Côte d'Ivoire have limited access to civic and voter education and information from candidates and political parties given the limited use by stakeholders of formats adapted for persons with visual and hearing disabilities (audio documents,

subtitles, or sign language interpretation). While the election information TV spots were not inclusive, the IEOM welcomes the introduction of new accessible formats for election information. For the first time, the broadcast of the provisional results of the presidential election on state-owned television was accompanied by sign language interpretation, as was the tour to raise awareness on the CEI's operating methods in seven localities. Also, for the first time in an election in Côte d'Ivoire, a charter was signed by the political parties in Bouaké committing them to include issues of interest to PWDs in their social projects.

In terms of political representation, persons with disabilities remain underrepresented in public institutions and elected positions—with only one MP in the National Assembly, a few municipal councilors but no senators. No person with a disability ran in the presidential election.

Organizations working to protect and promote the rights of persons with disabilities noted that more were recruited as poll workers in several major urban centers during the presidential election than in any previous electoral cycle. Persons with disabilities also participated in the national election observation effort during the presidential election. Nine associations (members of the Coordinating Coalition of Handicapped Individuals, known by its French acronym, CAPH-VB) received training on election observation before the election.

Conclusion

International instruments mandate the inclusion and promotion of equal participation of persons with disabilities in political processes as a way to strengthen equal and universal suffrage. The measures taken by Côte d'Ivoire to guarantee the political participation of persons with disabilities do not align sufficiently with international standards. While the country has ratified international treaties and committed to the inclusion of persons

³⁵ Their total number and percentage in the Ivorian population are most likely higher, according to WHO criteria, which estimate the share of PWDs at 15% on average of the world population.

³⁶ Provided that the person does not have a physical disability, Article 37 of the Electoral Code.

³⁷ Including the Confederation of Disabled People in Côte d'Ivoire (COPHCI, in French).

³⁸ This type of measure, along with accommodations and provisions to enhance accessibility to polling stations for persons with limited mobility, has the advantage of facilitating voting for the elderly, another marginalized group.

with disabilities in its national legislation, several shortcomings transpired in practice, including the lack of voter education materials, problems accessing polling stations, lack of inclusive political advertising, insufficient protection of the secrecy of the vote, and lack of representation within electoral stakeholder groups, among others. The IEOM urges the CEI to systematically gather data on PWDs' participation in the elections, as well as improving the accessibility to polling stations and of election materials in general to guarantee the inclusion of persons with disabilities at all stages of elections.

Women's Participation

Participation of women in the political process and decision making is mandated in international instruments including the Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW),³⁹ the Convention on the Political Rights of Women (CPRW),⁴⁰ and the Protocol to the African Charter on Human and Peoples' Rights on the Rights of Women in Africa (Maputo Protocol).⁴¹

The measures taken by Côte d'Ivoire to promote the participation of women in politics do not align sufficiently with international standards. Despite ratifying the main international and regional instruments that guarantee the rights of women and promote their participation in political life, the Electoral Code is limited in its promotion of the participation of women. Moreover, Article 35 of the constitution provides that the state and public authorities ensure the promotion, development, and protection of women, taking all necessary measures to eliminate all forms of violence against women and girls.

Côte d'Ivoire incorporated the principle of gender equality, including in terms of political participation, for the first time in its 2016

constitution. The constitution calls upon the state to implement the promotion of the political rights of women. The adoption in 2019 of the first Ivorian law promoting the representation of women in elected assemblies is an important step forward for women's political rights, by introducing a mandatory quota of 30% of women in the lists of candidates for all elective positions in the various elected assemblies.⁴²

The Electoral Code is limited in its promotion of the participation of women.

On the other hand, the gender dimension has been only sketchily integrated into the Ivorian Electoral Code. Only the four articles on elected assemblies mention women, including Article 78 on the National Assembly, which since the April 2020 amendment requires lists to include 30% of women candidates in constituencies with more than two seats. The law governing the composition and functioning of the CEI does not include any provisions for the participation of women. However, a gender strategy developed with the support of U.N. Women was finalized on Oct. 5, 2020, and the CEI established a thematic commission to systematically incorporate gender in the electoral process in December 2020.⁴³

Women's Representation in Elected Assemblies

At the end of the 2016-2021 legislature⁴⁴ women represented only 11% of MPs in the National Assembly (29 out of 255). This level

39 Article 7 of the Convention on the Elimination of All Forms of Discrimination Against Women; <http://www.un.org/en/women/cedaw/convention.shtml>.

40 https://treaties.un.org/Pages/ViewDetails.aspx?src=TREATY&mtdsg_no=XVI-1&chapter=16.

41 <https://www.ohchr.org/Documents/Issues/Women/WG/ProtocolontheRightsofWomen.pdf>.

42 The office of deputy, senator, regional councilor, district councilor, and municipal councilor.

43 The gender strategy aims to "make the CEI a strong, credible institution by 2024 that promotes the participation of men and women in the electoral process as managers, voters and candidates." It focuses on three areas: integrating gender into its internal management, systematizing the production, dissemination and use of data disaggregated by gender and age, promoting gender equality in the electoral process, and the electoral participation of women and youth. The gender thematic commission is composed of eight central commissioners, the first vice president and third vice president, the director of legal affairs, and the administrative director of the CEI.

44 U.N. Women in Politics 2020, <https://www.unwomen.org/-/media/headquarters/attachments/sections/library/publications/2020/women-in-politics-map-2020-en.pdf?la=fr&vs=828>.

of representation of women is lower than the continental average (24%) and places Côte d'Ivoire in the 160th position in the Inter-Parliamentary Union global ranking. While women account for 19% of senators, their presence is reduced to 3% on regional councils and 7% on municipal councils. Of the 16 members of the plenary assembly of the central committee of the CEI, four are women. However, their presence is often more limited in the LECs, where of the seven members (the PDCI representatives were not sworn in), the IEOM observed that there was most often one woman member—or no women members—with three women members being the highest number observed. Finally, few political parties appoint women to their decision-making bodies or promote them as candidates, or even mention them in their statutes.

Women's Participation in the Presidential Election

Out of 44 candidates in the presidential election, only three were women (6.8%). No women candidates were selected by the Constitutional Council in the final list of candidates, which was reduced to four applicants. Data on the gender composition of polling station members was not published by the CEI. However, on election day, IEOM observers noted that 77% of observed polling stations included at least one woman, and that women presided over polling stations in only 7.6% of cases.

Conclusion

The measures taken by Côte d'Ivoire to promote the participation of women in politics do not align sufficiently with international standards. Despite ratifying the main international and regional instruments that guarantee the rights of women and promote their participation in political life, the Electoral Code is limited in its integration of the women in politics as outlined in international law.

The IEOM recommends that the CEI publishes gender-disaggregated statistical data on the various aspects of women's participation in electoral processes in order to identify the gaps to be filled and the barriers to the participation of women throughout the electoral cycle. This also will provide the country with a clear indication of the areas of improvement in terms of enhancing the representation of women in politics and elections in general. In addition, the IEOM suggests considering making public funding available to political parties upon their fulfillment of a gender quota or gender equality to encourage a more balanced gender representation in politics.

Youth Participation

Côte d'Ivoire is a signatory to the African Youth Charter,⁴⁵ and the state is charged by the constitution with ensuring the participation of youth in the political development of the country.⁴⁶ The mission found that the CEI adequately included youth in the electoral process, in line with international standards and Côte d'Ivoire's obligations. Young people, ages 16-35, accounted for nearly 35% of the population, according to the 2014 general census.

In response to reports of low voter enthusiasm in the 18-24 age group in the last voter registration campaign, the CEI's awareness-raising campaigns targeted and encouraged young people to register to vote before the presidential election.⁴⁷ The CEI does not publish age-disaggregated data on registered voters; therefore, it is not possible to assess their level of representation on the voter registry or their rate of participation on election day.

Young people actively participated in the presidential election as activists and candidate supporters and also were found in large numbers among supporters of the boycott and civil disobedience movement. Young people featured prominently within citizen observer groups. For example, young

45 <https://au.int/en/treaties/african-youth-charter>.

46 Article 34 of the constitution: "The youth are protected by the state and public communities against all forms of exploitation and abandonment. The State and public authorities shall create conditions conducive to the civic and moral education of the youth. They shall take all necessary measures to ensure the participation of the youth in the social, economic, cultural, sporting and political development of the country. They help the young people to be inserted in the active life by developing their cultural, scientific, psychological, physical and creative potential."

47 The examination of the 2016 voter list by the Platform of Civil Society Organizations for the Observation of Elections in Côte d'Ivoire (POECI) showed a severe underrepresentation of young people ages 18-24, of the order of 10% of their share of the population. On the 2018 voter list, the 18-34 age group represented 32% of registered voters, with a slight underrepresentation of women.

people made up 63% of observers for Indigo, the citizen observer group.

The Electoral Code sets the minimum age for candidates at 35. However, none of the successful presidential candidates were under the age of 50, and their average age was 71, a fact that may suggest that younger candidates' access to resources to conduct a political campaign and attain elected office may be limited.

At the level of local electoral commissions, young people remain largely underrepresented and often even completely absent. On the other hand, international and citizen observer groups observed that youth made up a sizable number of polling station staff, as well as party representatives and citizen observers during the presidential election.

Young people actively participated in the presidential election as activists and candidate supporters and also were found in large numbers among supporters of the boycott and civil disobedience movement.

Conclusion

The CEI's efforts to include young people in the electoral process were adequate and in line with international standards. Youth remained active throughout the electoral process, either by supporting their candidates, peacefully participating in civil disobedience, or as serving as part of the CEI workforce, civil society, and party agents. The mission encourages the CEI to disaggregate registered voters' data according to their age to better tailor voter education campaigns that can target age groups with lower participation. Likewise, it encourages the CEI to explore and address the barriers preventing younger candidates from running for office.

I Voter Registration

Universal and equal suffrage are key principles of genuine elections,⁴⁸ and a transparent, inclusive, and accurate voter list is an important basis allowing eligible voters to exercise their fundamental civil right to vote. According to international standards, if registration is required it should be facilitated, obstacles to it should not be imposed,⁴⁹ and the process should be conducted in such a way that does not discriminate against groups of voters.⁵⁰

Côte d'Ivoire's procedures regulating voter registration are mostly in line with international standards, as the right to vote is guaranteed by the constitution and specified in the Electoral Code. It guarantees the revision of the voter list every year, but no legal provision has been made for the exercise of the right to vote by persons in pretrial detention, who find themselves *de facto* deprived of their right to suffrage.

Documents Required for Registration on the Voter List

The list of supporting documents to be submitted for an application for registration is modified

from one revision operation to another. Indeed, the Electoral Code does not list the documents required to prove the nationality of the potential voter. In addition, the CEI holds several supporting documents in its database, including the national identity card, the certificate of nationality, the identity certificate, and the registration receipt. This situation makes it difficult for the CEI to reconcile the unique identification number of each voter in the voter file database. For Ivorians abroad, a biometric passport or consular card is required to vote. According to most of the opposition representatives with whom the mission spoke, obtaining a certificate of nationality is a selective and inaccessible process for many citizens.

It should be noted that the Electoral Code contains a positive and inclusive provision in favor of Ivorians applying for first-time registration on the voter list, exempting them from presenting proof of residence when registering. The criteria associated with residence are clearly set out in the texts, making this rule clear to applicants. For any change of residence, the elector has to present a certificate of residence, domicile, or tax residency certificate.

48 ICCPR, Article 25: "Every citizen shall have the right and the opportunity, without any of the distinctions mentioned in article 2 and without unreasonable restrictions: (a) To take part in the conduct of public affairs, directly or through freely chosen representatives; (b) To vote and to be elected at genuine periodic elections which shall be by universal and equal suffrage and shall be held by secret ballot, guaranteeing the free expression of the will of the electors." ECOWAS Protocol on Democracy and Good Governance A/SP1/12/01, Article 5: "The voters' lists shall be prepared in a transparent and reliable manner, with the collaboration of the political parties and voters who may have access to them whenever the need arises."

49 ICCPR General Comment 25 (57), Para. 11: "States must take effective measures to ensure that all persons entitled to vote are able to exercise that right. Where registration of voters is required, it should be facilitated and obstacles to such registration should not be imposed. If residence requirements apply to registration, they must be reasonable, and should not be imposed in such a way as to exclude the homeless from the right to vote. Any abusive interference with registration or voting as well as intimidation or coercion of voters should be prohibited by penal laws and those laws should be strictly enforced. Voter education and registration campaigns are necessary to ensure the effective exercise of article 25 rights by an informed community."

50 ICCPR, articles 2 and 25.

Updating the Voter List

The Electoral Code clearly defines the procedure for updating the voter list and voter status. These provisions enable the CEI to regularly review the list and keep the database up to date.

Article 11 of the Electoral Code provides that the CEI shall determine the rules, dates, and procedures applicable to each update of the voter list. The update for the 2020-2021 electoral cycle was organized and launched by a decree adopted by the Council of Ministers, at the CEI's proposal, on May 27, 2020, that fixed the update process over the period from June 10 to 24. This operation was postponed twice under the same regulatory procedure.

The CEI uses an automatic fingerprint identification system (AFIS) that cross-references voters' alphanumeric and biometric data.⁵¹ According to the law governing the CEI, one of its tasks is to keep the national voter list up to date through annual revisions. The role of the CEI updating voters' personal data is especially critical as the civil registry has not been modernized, and it has not yet allowed the Ministry of Territorial Administration and Decentralization (MTAD) to contribute to the updating of the list in a satisfactory manner. The number of deceased people removed from the voter list remains very low (to remove a deceased person, a death certificate must be submitted to the CEI) and contributes to reducing stakeholders' confidence in the voter list. The CEI has faced budgetary limitations, as the government has not allowed it to conduct this work outside of years when an election is scheduled. Despite these limitations, the CEI managed to maintain a relatively even rate of registration between 2010 and 2018 in relation to the estimated⁵² annual population growth rate. Thus, since the establishment of the first voter list in 2010, updates have taken place in 2015, 2016,

2018, and 2020. In 2015 and 2020, the number of newly registered voters increased by 1,023,797 and 801,623, respectively.

Nevertheless, despite recognized good practices in the area⁵³ and requests from the opposition during the political negotiations, no cross-checking with the National Office for Civil Registry and Identification database was conducted. Among other things, this could have helped identify whether the number and ratios of women and youth reflect those of the population. The mission also notes that the National Statistical Institute did not publish or provide the IEOM with detailed data on the number of potential voters by age, gender, and region, thus not allowing for adequate comparison between the electoral and civilian⁵⁴ population.

Nevertheless, despite recognized good practices in the area and requests from the opposition during the political negotiations, no cross-checking with the National Office for Civil Registry and Identification database was conducted.

2020 Voter Registration Operations

In preparation for the presidential election, operations to update the 2020 voter list began on June 10 and lasted, after two successive extensions, for nearly a month, until July 5.⁵⁵ These extensions were made at the request of political parties, particularly the opposition. The CEI deployed 33,000 enumerators across the 10,932 registration centers, which were subsequently transformed into polling centers. Abroad, 84 registration centers were set up in the countries that make up the 18 diplomatic electoral

51 Article 7 of the Electoral Code provides that the voter lists shall contain the following data for each voter: serial number, unique registration number, surname and first name, date and place of birth, gender, job, residency, father's surname and first name, father's date and place of birth, mother's surname and first name, mother's date and place of birth, passport photo, and bar-coded fingerprints of all 10 fingers.

52 Estimates of 2.6% population growth based on the 2014 General Census of Population and Housing.

53 The 2011 Praia Declaration on Elections and Stability in West Africa, Para. 20, recommends as a prerequisite to "facilitate the establishment of reliable electoral lists based on regular census by civil registry, including through the use of appropriate technology."

54 Article 6 of the Electoral Code: "The voter list is an administrative document on which all voters are registered. It is permanent and public. The voter list is updated annually by the Commission in charge of elections to take into account changes in the electorate."

55 Initially scheduled for June 10-24, 2020, the update of the voter list was extended, at the request of political parties and civil society organizations, to June 24-30, then to June 30 through July 5, 2020.

commissions organizing voting for Ivorians abroad. The IEOM found that these extensions had a positive impact on the registration rate.

As detailed in Table 1, the revised 2020 list totaled 7,495,082 voters, including 97,669 abroad. The work done by the CEI increased the electoral population by 12%, one of the highest increases since the creation of the list in 2010. The registration operation allowed 1,711,855 people to apply for registration across the entire territory and 18 diplomatic representations abroad. The deduplication operations resulted in the removal of 60,313 multiple registrations, including 8,773 voters already registered in 2018, and 43,761 voters registered for the first time in 2020, or 3.9% of these new applications. The CEI's processing of voter data also identified 7,779 applications from people not qualified to vote. The deregistration resulted in 763 registered voters being stripped of their civil and political rights, based on data shared by the Ministry of Justice, as well as the deregistration of 8,073 deceased voters, based on data provided by MTAD.

Article 11 of the Electoral Code stipulates that any political party and any person who has registered as a candidate may be issued a copy of the voter list at their own expense. The mission

commends the CEI's practice of providing a digital copy of the voter list free of charge. The Central Commission provided the list to political parties that requested it before the election. Upon request, a printed version also was available from the national printing office. The mission recommends that CEI include as much voter-identifying information as possible while respecting voters' privacy so that sensitive personal data is not used for any other purpose.

Appeals and Complaints

The process of appeals and complaints regarding the voter list, which lasted from Aug. 5 to 13, allowed many applicants to assert their rights to vote. Thus, 13,307 requests were processed in the first and last instance, with an acceptance rate of more than 70%, but with a lower effective inclusion rate (59%) in the voter list. These requests were meant to rectify voters' personal data (6,709), statements of omission (5,969), and requests for deletions contesting the age of majority, nationality or to report the death of a registered voter (629). Many interlocutors and CEI members expressed regret that the complaints period was not longer. The CEI regretted the low

Table 1: Changes to the Electoral Roll in 2020

	Total	Disaggregated Data	
Enrollment in 2020	Requests	2018	2020
Registration or modification requests in 2020	1,711,855	592,341	1,119,514
Rejection of enrollment requests	7,779		7,779
Rejection of multiple registrations (duplicates)	52,534	8,773	43,761
Write-offs following loss of civil rights	763	711	52
Confirmed 2020 registrations	1,651,542	744,237	907,305
Provisional Voter List in 2020	7,503,095	6,595,790	907,305
Litigation in 2020	Requests	2018	2020
Complaints	6,709		5,635
Reports of voters omitted on the LEP	5,969	1,969	159
Write-off requests	629		99
Removal of deceased voters (MTAD list)	34,380		8,073
Definitive Voter List in 2020	7,495,082		

level of participation of citizens during the posting of provisional lists at registration centers.

Regional Variations in Voter Registration Rates

The enrollment rate shows significant regional variations, as seen in Figure 2. The Northwest (Folon and Kabadougou) and the Southeast (Abidjan, Sud-Comoé, and Grands-Ponts) had high enrollment rates above the national average. In contrast, the Northeast (Bounkani) and the central regions had relatively low enrollment rates, around 50% of those enrolled (Nawa, Guémon, Tonkpi, Béré, and Gbôklé). The disparities in registration reflect various dynamics, including internal migration to large cities, mobilization of the electorate in areas that favor the incumbent majority, and weak registration in areas that favor the opposition. The high registration rates observed in the Southeast can be explained by the strong development of the Abidjan-Adzopé axis and the significant development of Abidjan's outlying department, particularly in the South-Comoé and in the Grands-Ponts regions.

The voter list of 7,495,082 included 48.6% women and 51.3% men. (See Figure 3.) The representation of women on the voter list was slightly lower than that of the 2014 general census, which registered 49.3% women and 50.6% men in the Ivorian population. In the megalopolis of Abidjan, as well as in regions marked by greater economic development (mines, agricultural production, ports, borders, etc.) such as San-Pedro, Gbôklé, and Nawa, the overrepresentation of men on the voter list was significantly higher. In contrast, the regions experiencing net emigration, including Bagoué, Moronou, N'Zi and Iffou, had an overrepresentation of women on the list.

The mission encourages all stakeholders, including the CEI, CSOs, and political parties, to strengthen targeted awareness-raising activities, including gender strategies aimed at promoting voter registration.

Figure 2: Rates of Voter Registration Per Eligible Population

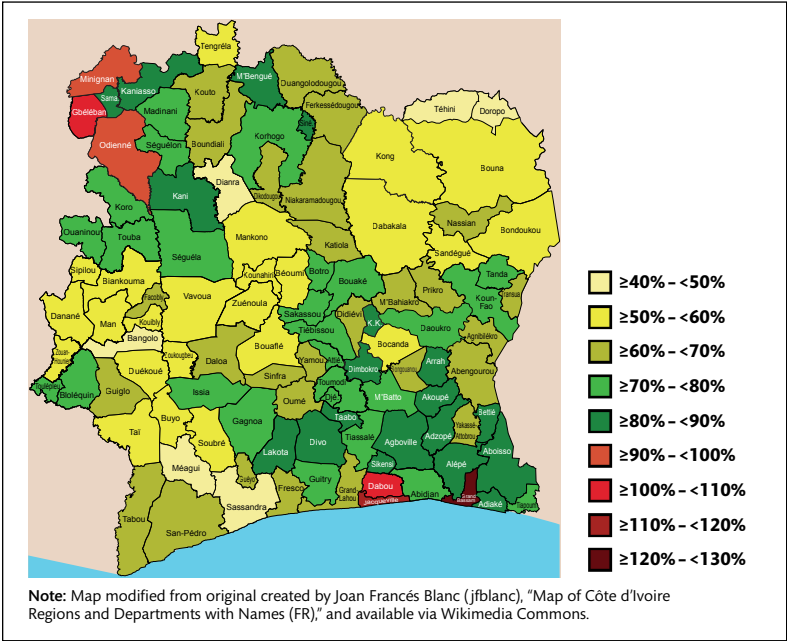
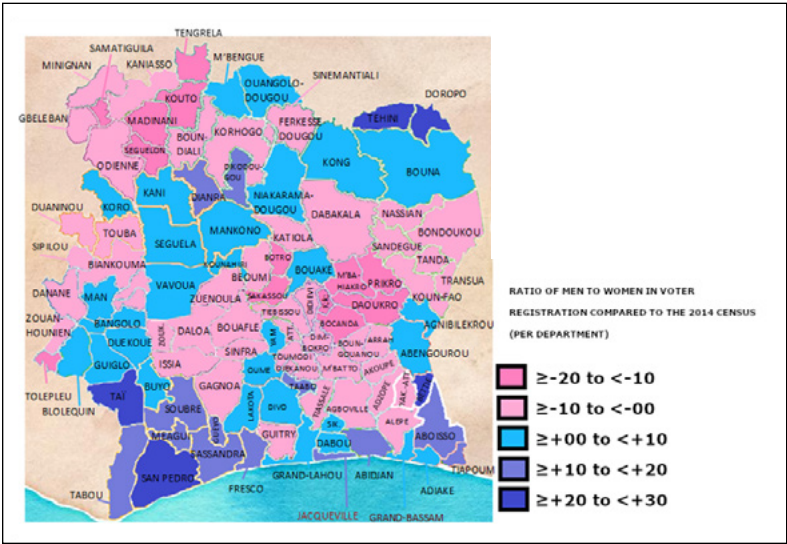


Figure 3: Gender Representation on the Voter List



Voter Cards

Voter cards have a lifetime of one electoral cycle—five years—and must be reprinted with each new cycle. Indeed, Article 14 of the Electoral Code provides that each voter is given a voter card valid for all elections during the current cycle. In accordance with the Electoral Code, these provisions

were specified in a presidential decree,⁵⁶ which set out the implementation measures. The CEI committed to printing cards for all 7,495,082 registered voters following the update of the voter list for 2020. Distribution was conducted at polling centers from Oct. 14 to 20, 2020, and then extended until Oct. 25, 2020. The IEOM noted a low turnout of voters coming to collect their cards. The CEI announced that it had distributed 41% of voter registration cards before the presidential election. This phase proved to be particularly complex for the CEI and its branches due to the active boycott, as well as the attacks and looting that destroyed some of the electoral materials. The CEI reprinted and redeployed more than 260,000 voter registration cards destroyed around the country.

Although the distribution rate of voter registration cards prior to the election was low, this did not have an impact on turnout, as voters could obtain their cards at the polling center or polling station on election day. The IEOM found that few electors collected their voter cards on election day.

Although the distribution rate of voter registration cards prior to the election was low, this did not have an impact on turnout, as voters could obtain their cards at the polling center or polling station on election day.

The possibility of voting with the national ID card makes it unnecessary to use a voter card. The IEOM further noted that the voter list is based on biometric data, which makes it possible to do away with the voter card. Among other things, this would significantly reduce the financial and logistical burden associated with the production and distribution of voter cards. Such a decision could be accompanied by a campaign to distribute free ID cards in order to strengthen the inclusiveness of the Ivorian electoral process.

Conclusion

Côte d'Ivoire's voter registration procedures are mostly in line with international standards. However, the implementation of a complete, up-to-date, and accurate voter list could be improved.

The IEOM commends the CEI's positive approach to maintaining the same mapping for voter registration as for voting, thus making it easier for voters to identify their polling stations. It also recognizes the CEI's efforts to adapt to the public's needs during the voter registration period by extending the deadline for registration twice, ultimately resulting in a higher registration rate. The mission also commends the CEI's practice of providing a digital copy of the voter list free of charge. However, a printed version also should be provided and retrieved from the national printing office upon request.

The IEOM found some aspects of voting registration procedures that can be improved. For example, many different forms of identification (not always showing consistent data) are accepted to register to vote. In this regard, the mission recommends that the CEI consolidate all voter data to make it easier to identify a voter. The mission noted that the number of deceased people removed from the voter list remained low, a fact that is exacerbated by the CEI's inability to clean the voter list outside of election periods due to budgetary reasons. The mission recommends that the government allow the CEI to work in between election periods to prepare for upcoming elections. Lastly, the National Statistical Institute has neither published nor provided the IEOM with disaggregated data on the number of potential voters by age, gender, and region, thus not allowing for adequate comparison between the electoral and civilian population. The IEOM recommends that the National Statistical Institute systematically gather voter list statistical data to better understand voting trends in the country.

⁵⁶ Decree 2020-636 of Aug. 19, 2020, establishing the technical specifications and procedures for issuing voter registration cards.

I Candidate Registration

The candidate registration process is an important part of a competitive electoral process that must guarantee the right and opportunity of every citizen to be elected according to international and regional obligations.⁵⁷ This can be achieved by instituting clear and equitable registration conditions, a transparent review of the candidatures, timely notification of acceptance or rejection, and an effective right of appeal. The electoral dispute procedures⁵⁸ at each stage, as well as the powers and responsibilities of the various bodies involved, should be clearly regulated to avoid any conflict or confusion of competences and to fully guarantee the right to an effective remedy for all candidates.⁵⁹

The registration phases of the presidential election and the related complaints and challenges had a profound negative impact on the Ivorian electoral process. The transparency of these crucial stages of the process was significantly reduced by the lack of harmonization between the 2016 constitution amended in 2020 and the 2020 Electoral Code, the overlap between the role of the CEI and that of the Constitutional Council with incomplete and opaque procedures, and the lack of enforcement of binding international court decisions, all of which opened

the door to diverging interpretations. Other shortcomings regarding the rationale for the rejection or acceptance of candidates and the opaque treatment of citizen sponsorship by the Constitutional Council also had significant consequences on candidacy challenges. These factors negatively impacted the electoral process and undermined the country's compliance with the international standards and obligations regarding democratic elections to which it has subscribed.

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The Right to Effective Dispute Resolution

According to Article 127 of the constitution, the Constitutional Council decides on the eligibility of candidates for the presidential election. In addition, the council decides on and publishes the final list of presidential candidates 15 days before the first

57 ICCPR, Article 25 (b); AU, ACHPR, Article 13 (1).

58 ICCPR, Article 25; UA, ACHPR, Article 13; ICCPR General Comment 25 (57), Para. 15: "The effective implementation of the right and the opportunity to stand for elective office ensures that persons entitled to vote have a free choice of candidates."

59 ICCPR, Article 2(3): "Each State Party to the present Covenant undertakes: (a) To ensure that any person whose rights or freedoms as herein recognized are violated shall have an effective remedy, notwithstanding that the violation has been committed by persons acting in an official capacity; (b) To ensure that any person claiming such a remedy shall have his right thereto determined by competent judicial, administrative or legislative authorities, or by any other competent authority provided for by the legal system of the State, and to develop the possibilities of judicial remedy; (c) To ensure that the competent authorities shall enforce such remedies when granted." AU, the African Charter on Democracy, Elections and Governance (ACDEG), Chapter VII, Article 17(2): "Establish and strengthen national mechanisms that redress election-related disputes in a timely manner."

round of the election, after the CEI has verified the candidate registration files of the various candidates and published the provisional list of candidates. Article 54 of the Electoral Code stipulates that the declaration of candidacy for the election of the president must be accompanied, for each candidate, by 13 documents.⁶⁰

The submission of presidential election candidacies with the CEI took place from July 16 to Aug. 31, 2020, with 44 potential candidates registered to participate. Within 72 hours, the CEI forwarded these applications to the Constitutional Council, which on Sept. 3 published a list of the 44 candidates,⁶¹ opening the period for challenges against candidate eligibility from Sept. 3 to 6. The council, in its Sept. 14, 2020, decision,⁶² rejected 40 candidates who did not meet the eligibility criteria or who presented incompatibilities,⁶³ and selected only four

constitutional requirement to publish the final list 15 days before the election contradicts the 45 days provided for in Article 56 of the Electoral Code, highlighting the absence of harmonization.

While successful candidates were able to have their candidacy challenged, the candidates rejected by the Constitutional Council, with the exception of those who had to complete their sponsorship list (see below), were not entitled to an appeal, as the council ruled in first and last instance, thus invalidating their candidacy definitively without a preliminary assessment of eligibility criteria and the possibility of contesting the initial rejection. This procedure therefore failed to guarantee the right to an effective appeal, as provided for by international standards for democratic elections.

Analysis of the Constitutional Council Decisions of Sept. 14, 2020

The four files deemed admissible by the council were those of candidates Ouattara of the RHDP, Bédié of PDCI-RDA, Affi N'Guessan of the FPI, and Bertin, an independent candidate and dissident of the PDCI. Of the 40 rejected cases, 31 were rejected on various grounds of ineligibility, including failure to submit, errors in the certificate of fiscal regularity and/or the required deposit of 50 million francs (approximately US\$90,000), or incomplete, noncompliant, or missing documents. The nine remaining rejected candidacies did not present the required numbers of sponsorships. (See Citizen Sponsorship section of this report.)

With respect to the certificate of fiscal regularity, Article 54 of the Electoral Code does not expressly mention the government body entitled to issue

The constitutional requirement to publish the final list 15 days before the election contradicts the 45 days provided for in Article 56 of the Electoral Code, highlighting the absence of harmonization.

candidates to compete for the highest office.

Although required by Article 127 of the constitution, the CEI did not publish a provisional list of candidates, and the verification of the registration documents was limited to their receipt and transmission to the Constitutional Council.⁶⁴ This situation compelled the council, under Article 56 of the Electoral Code, to publish the list of candidates as soon as it received them, without being able to verify their eligibility at this stage. Moreover, the

60 The submission of a presidential candidacy must be accompanied by: 1. The personal declaration of candidacy with the candidate's signature duly legalized; 2. A copy of the birth certificate or supplementary judgment in its place; 3. A certificate of nationality; 4. A copy of the criminal record; 5. A certificate of fiscal regularity; 6. A copy of the receipt for the deposit of 50 million CFA francs; 7. The nomination letter of the party or parties or political groups, if any; 8. The sponsorship forms of the voters sponsoring the candidacy; 9. The list of voters sponsoring the candidacy on a USB key, with the first names, surname, date of birth, the electoral district of registration, the number of their voter card, and national identity document, if applicable, as well as the signature of the concerned persons. The individual sponsorship form for collecting duly signed sponsorships is available on the CEI website (www.cei.ci). 10. Color and black-and-white photographs of the candidate, with good sharpness and contrast, in sizes of 3.5 cm x 4.5 cm and 13 cm x 18 cm respectively; 11. A sample of the symbol; 12. A sample of the acronym; 13. A sample of the color chosen for the printing of the single ballot.

61 Twenty-two potential candidates introduced by a political party or a political group and 22 independent candidates.

62 <http://www.conseil-constitutionnel.ci/archives-et-decisions/decision-ndeg-ci-2020-ep-00914-09ccsg-du-14-septembre-2020-portant-publication>.

63 Article 50 of the Electoral Code provides for incompatibilities that do not allow the cumulation of an office with the possibility of being a candidate.

64 Article 127 "[...] The Constitutional Council shall draw up and publish the final list of candidates for the presidential election fifteen days before the first round of the election, after the Independent Electoral Commission has checked the files of the various candidates and published the provisional list of candidates."

it. This may not seem crucial, however, several candidates were rejected by the council for having produced a document that had not been issued by the directeur général des impôts (director general of taxes). Moreover, the CEI's instructions to candidates were not entirely clear. The requirement that the certificate of fiscal regularity be issued by the directeur général des impôts emerged only after a Constitutional Council decision, made without reference to any other existing legal basis.

For the sake of clarity, in the absence of other texts specifying the authority empowered to issue this document, the CEI could have usefully informed candidates about the nature of the document and the authority empowered to deliver it. Indeed, the CEI press release of July 17, 2020, which summarized the documents to be provided in the application file, makes no mention of the authority that must issue this certificate, and the council did not specify in its Sept. 14 decision the legal basis that gives this role to the directeur général des impôts.⁶⁵ Nine candidates encountered difficulties obtaining this certificate or produced a certificate of tax status instead of the certificate of fiscal regularity issued by the directeur général des impôts. In the case of candidate Théophile Soko Waza, the Constitutional Council expressly ruled that the candidate produced a certificate of fiscal regularity but that it was not “issued by the Directeur Général des Impôts, the person authorized to sign this document.”

Five appeals were filed by potential candidates against the candidacy of incumbent President Ouattara. All were rejected either for lack of standing⁶⁶ or on merit. Indeed, according to the Constitutional Council's interpretation, “standing” is granted only to candidates confirmed by the council. Article 56 of the Electoral Code, as formulated by the legislature, opens the way to some major questions about candidate standing, and

when one acquires that standing to file an appeal with the council, and whether the inadmissibility of the candidacy file of a person nominated by a political party removes their standing to act before the council.

The council's interpretation appears restrictive: Article 56 of the Electoral Code gives standing to the “candidate” and not the “candidate finally admitted.” Before the publication of the final list of successful candidates by the Constitutional Council, all those who have filed for candidacy and who are on the provisional list of candidates shall, according to the IEOM and generally the local and international experts consulted by the mission, be candidates within the meaning of Article 56 and shall therefore have standing before the council. The council's interpretation led its ruling simultaneously on the ineligibility or eligibility of candidates and on their standing,⁶⁷ with important consequences for candidacy challenges.

Citizen Sponsorship

Sponsorship is a new feature introduced into the Electoral Code in 2020 by Decree 2020-568 of July 13, 2020, setting out the procedure for collecting sponsorship signatures. This new eligibility criterion made it difficult for the majority of candidates to prepare their candidacy and presented concrete problems.

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⁶⁵ <https://cei.ci/dossier-de-candidature/>

⁶⁶ The appeals of Théophile Soko Waza, Laurent Gbagbo and EDS, and Guillaume Soro.

⁶⁷ According to the most consolidated doctrine on the subject, complaints and appeals on candidacy and election in general, are “objective” appeals whose purpose is not only to defend an individual right, but also and above all to defend legal security and respect for the law. The purpose of the control exercised by the judge of candidacies is to ensure that no candidate enters the competition if they do not meet all the required legal conditions. Based on this logic, any candidate/political party has the right to challenge the candidacy of another candidate/political party to ensure its legality even if they do not have an individual/personal interest to act. The purpose of the appeal is not to oust a competitor but to ensure the legality of the candidacies of those who are going to compete because the integrity of the entire electoral process depends on it.

During the electoral process in 2020, the Constitutional Council rejected nine candidates for insufficient sponsorships. Of these, six candidates were able to subsequently submit additional lists of sponsorships before their candidacies were definitively rejected; two candidates were not notified about the shortfall of council-certified sponsors within 48 hours following an initial assessment of the file; and one candidacy was automatically rejected for having submitted only a list of sponsors for the Autonomous District of Abidjan.⁶⁸

The first practical problem that arose for the candidates was understanding which voter list should be used for citizen sponsorship. Given that the filing period for candidacies began on July 16, 2020, and that the provisional voter list was published on Aug. 1, 2020, in accordance with Article 11 of the Electoral Code, the CEI chose the 2018 voter list database, which, prior to the 2020 update, was the most recent voter list.⁶⁹ This aspect is of paramount importance in calculating the 1% of the electorate required to sponsor a candidacy. The CEI agreed with the political parties that this percentage would be calculated based on the final 2018 voter list, which had 6,595,790 voters, but also on the possibility of using the 904,956 new voters that resulted from the 2020 provisional voter list. This is problematic because the final voter list was not finalized until Sept. 24, 2020, well after both the Aug. 31 deadline for filing candidacies and Sept. 10, the date of the council's notification to candidates to substitute invalidated sponsorships.⁷⁰

Another obstacle in this procedure was that voters could not sponsor more than one candidate. Article 54 of the Electoral Code specifically prohibits multiple sponsorships and establishes a penalty of imprisonment of one month to one year and a fine of 100,000 to 1 million CFA francs. At the close of this report, the IEOM was unable to obtain information on the investigations conducted by the Ivorian judiciary on multiple sponsorships,

which were nevertheless noted in the council decision of Sept. 14.

Multiple sponsorships have not only a penal and pecuniary consequence for the sponsor, but also a consequence for the candidates. The same article of the Electoral Code stipulates that in the case of a presence on more than one list, the sponsorship on the first list, according to the order of filing of the candidacy file, is validated and is invalidated on the lists filed thereafter. However, if, as a result of this invalidation, a candidacy does not reach the required 1% of voters in one or more regions, the candidate or their proxy may, within a period of 48 hours, regularize the file. For example, Affi N'Guessan, who was the second potential candidate to file his application, had 1,274 sponsorships rejected because they already were included in the lists of sponsors of President Ouattara, who filed his application first on Aug. 24, 2020. Mamadou Koulibaly, 16th to file his application, saw 5,099 of his sponsorships rejected because they already had been included by some of the 15 candidates who had filed before him.

Finally, another difficulty that arose was the relationship between the CEI and the Constitutional Council in terms of sponsorship. The Electoral Code and Decree 2020-568 lack precision and allow divergent interpretations. Legally, the Constitutional Council is responsible for verifying the sponsorships of voters and, to do so, the council must, in accordance with the Electoral Code, set up a mechanism for verifying sponsorships. Thus, the council had to determine the modalities for the operation of this system. These modalities were defined by Constitutional Council decision of CI-2020-008 of July 28, 2020. However, in more concrete terms, Article 54 of the Electoral Code also states that "the Constitutional Council, in conjunction with the CEI, shall verify the lists of sponsorship." The CEI had confirmed to the IEOM before the council began verifying sponsorship that the council was not sufficiently equipped, from an IT perspective,

68 Bladi Dessihe Marie-Carine.

69 Although required by Article 6 of the Electoral Code, the CEI did not conduct the annual review in 2019.

70 Decree 2020-568 of July 13, 2020, states in Article 2 that if a voter registered on the provisional voter list grants sponsorship and that they happen, following a possible litigation, to be struck off the final list, the candidate is authorized to proceed to their substitution in the 48 hours following the information provided by the Constitutional Council if this striking off has the effect of making the candidate lose the 1% required threshold.

to conduct a thorough verification of sponsorships even though this is a clear responsibility of the council.

To assist the council in a practical way, the CEI created a specialized technical team solely for voter sponsorship. A card-counting machine, with a capacity of 1,000 cards per minute, was used to count the sponsorship cards attached to the candidacy files. In addition, special software was developed to allow the verification of data including the possible presence of duplicates. Concretely, the CEI produced a summary sheet for the council, alerting it, for example, to a “problematic” sponsorship file.

While the first phase of receiving the sponsorship files was conducted transparently at the CEI level, the validation phase at the Constitutional Council was held behind closed doors and, in two cases, the council failed to adequately explain or inform the rejected candidates about their decision. Neither the potential candidates, nor the political parties that nominated them—nor any national and international observers—were able to attend the counting, consolidation, and validation of sponsorships by the council, which was structured around an ad hoc technical committee,⁷¹ and were therefore unable to assess this part of the process.

The Constitutional Council did not publish the reasons for its final decisions on sponsorship, which is a breach of the provisions of the organic law on its organization and functioning. In the event that a candidate did not have at least 1% of sponsors in regions and autonomous districts due to the invalidation of sponsorships that had already been used on a previously submitted list, the candidates concerned had only 48 hours to submit alternate sponsorships. It was only at the session for upgrading their files, within 48 hours, that candidates were informed by the council of the categories,

the number of sponsors and regions that did not meet the eligibility requirements for candidacies (i.e., sponsor not registered on the voter list, sponsor already used by another candidate who filed the candidacy earlier, duplicates in the list of sponsors).

While the first phase of receiving the sponsorship files was conducted transparently at the CEI level, the validation phase at the Constitutional Council was held behind closed doors and, in two cases, the council failed to adequately explain or inform the rejected candidates about their decision.

Candidates Marcel Amon-Tanoh and Serge Djibré were not invited by the Constitutional Council to complete their sponsorships, and no catch-up session was scheduled for them. As a result, they were unable to update their file or challenge the council’s decisions. However, these two potential candidates had a sponsorship deposit slip with the CEI that clearly demonstrated that they had submitted sponsorship lists in 22 and 17 regions respectively, with a percentage equal to or greater than 1%, and that they should have had the opportunity to replace their missing sponsors within 48 hours. On Sept. 15, candidate Djibré sent a letter to the council asking it to correct its mistake and thus validate his candidacy. The council rejected this request based on the irrevocability of its decisions.

Six candidates were rejected but were given the opportunity to submit alternate sponsorships. According to the council, independent candidates Mamadou Koulibaly and Olivier Djè-Bi-Djè collected compliant sponsorships in 15 of the 17

⁷¹ The verification system was established within the Constitutional Council by Decision CI-2020-008 of July 28, with the creation of a Technical Support Committee (TSC). The TSC is coordinated by the Secretary General of the Constitutional Council and includes several members. It should be noted that formally the CEI is not a member of the TSC, even though the last paragraph of Article 4 of the decision states that any “expert” whose competence is recognized in electoral, IT, or legal matters, if applicable, may be a member. This opens the door to the presence of CEI technicians within the TSC, as confirmed indirectly by the CEI during its Sept. 2 meeting with the IEOM. Article 6 of the decision states that the TSC will dispose and rely, among others, on the verification report of the lists of sponsorships in paper and digital formats submitted by the CEI. In practice, the council, upon receipt of the application files, provides the TSC with the sponsorship lists and the attachments submitted by the CEI. The TSC, in accordance with the Electoral Code, must conduct a series of timely verifications to validate the sponsorships of a candidate (Article 5). The council decides on the file during the examination of the eligibility of candidates in light of the results and conclusions of the TSC’s work. <http://www.conseil-constitutionnel.ci/archives-et-decisions/decision-ndeg-ci-2020-00828-07ccsg-du-28-juillet-2020-portant-mise-en-place-du>.

required regions, while candidate Albert Mabri Toikeusse (UDPCI) only collected, after the update, the required sponsorships in six regions. Without any explanation, it is difficult to assess the council's decisions, even though the rejected candidates claim to have submitted the required number of sponsorships.

Another case worth noting is that of Gnamien Konan. He stated that the council notified him on Sept. 10 that the required percentage of sponsorships had been reached in only 12 out of 17 regions and that he therefore had the opportunity to file the missing sponsors within 48 hours. However, the council's decision of Sept. 14, 2020, indicates that the candidate in question met the required percentage of sponsorships in only 10 regions. In this case, the IEOM is unaware of any explanation from the council regarding why two regions that were considered already validated disappeared between the notification of Sept. 10 and the Sept. 14 decision on the final list of candidates.

Among candidates who had the opportunity to amend the number of sponsorships initially invalidated by the council, Affi N'guessan and Bertin were able to replace the rejected sponsorships and had their candidacies finally validated.

The Eligibility of President Alassane Ouattara

The two months leading up to the election, following the Aug. 6⁷² announcement by the outgoing president that he would run for office, were marked by challenges to President Ouattara's eligibility, based on the interpretation of the 2000 and 2016 constitutions. President Ouattara was elected to his first five-year term in 2010. He was re-elected in 2015 on the basis of Article 35, Paragraph 1 of the 2000 constitution that stated that the "President of the Republic is elected for five

years by direct universal suffrage. He is eligible for re-election only once."

Under the terms of the aforementioned Article 35 (reformulated as Article 55 in the constitution of Nov. 8, 2016), the president is entitled to two five-year terms. After his re-election in 2015, President Ouattara proposed amending fundamental sections of the constitution to strengthen the powers of the executive branch. These changes were approved by referendum, which itself was controversial.⁷³ The adoption of the amended constitution on Nov. 8, 2016, was consecrated by a Constitutional Council decision on Sept. 14, 2020.⁷⁴ According to the council's decision, "It follows from both the explanatory statement and the legal provisions of the Constitution of Nov. 8, 2016, that the impulsive and determining motive of the initiators of this new fundamental law was to establish a new Republic." This interpretation opened a legal debate, as the entry into force of a new constitution does not necessarily entail the institution of a new republic.

In order to provide the grounds for launching this new "social pact," the Constitutional Council referred to Article 184 of the constitution that establishes its entry into force from the day of its promulgation by the president. According to the council, the new constitution thus has *erga omnes* effects that "allow each person, as far as he or she is concerned, to determine the consequences of a new beginning." According to the council, since the constitution does not expressly state that the mandates exercised on the basis of the 2000 constitution must be taken into account, the outgoing president would be eligible to run anew.

However, considering that the outgoing president was elected for his second term under the 2000 constitution, if the counters had been set to zero upon the entry into force of the new constitution, it is paradoxically possible to deduce, as argued by a large number of Ivorian constitutional experts, that

72 Following the death on July 8, 2020, of Prime Minister Amadou Gon Coulibaly, the RHDP's designated candidate to succeed President Ouattara, RHDP members, including the outgoing president, cited unavoidable and exceptional circumstances to justify the nomination and then the actual submission of a candidacy file, arguing that the party was not in a position to hold primary elections to elect a new candidate before the Aug. 31 deadline. This argument is legally unfounded because at the time of Coulibaly's death, the deadline for submitting candidacies had not even opened (July 16) and there is no legal provision in Ivorian law on this subject.

73 The previous constitution required both parents of a presidential candidate to be Ivorian by birth. The proposed amendment permits presidential candidates to demonstrate that they are exclusively Ivorian, meaning that they were born of either a father or a mother who is Ivorian by birth. <https://www.voanews.com/a/ivory-coast-ouattara-constitution/3586880.html>.

74 <http://www.conseil-constitutionnel.ci/archives-et-decisions/decision-ndeg-ci-2020-ep-00914-09ccsg-du-14-septembre-2020-portant-publication>.

his second term had become null and void upon the adoption of the new constitution. Thus, a presidential election should then have been conducted to allow for the full application of the new social pact referenced by the council in its argument, rather than waiting for his second presidential term to expire based on the previous constitutional order.

The IEOM believes that this approach echoes an increasingly worrying trend, already observed across Africa, of changing or amending a constitution to allow sitting presidents to run for a third term. A more inclusive dialogue on this issue would have been beneficial to the Ivorian electoral process. Moreover, this part of the council's decision did not consider the notion of legislative continuity defined by Article 183 of the constitution, which cannot be dissociated from Article 184.⁷⁵ This point was one of the main grievances put forward to challenge the eligibility of the outgoing president. However, the council provided no explanation, simply ignoring this grievance that unquestionably deserved a clear explanation. Furthermore, the council did not take into account its own 2018 jurisprudence, also referred to in the grievances challenging President Ouattara's eligibility, which was based on the possibility of applying the principle of legislative continuity provided for in Article 183,⁷⁶ thus reviving a provision of the 2000 constitution.

Both the 2000 and 2016 constitution limit elected candidates to two presidential terms through identical provisions and therefore these provisions have nothing contrary to the new constitution, as clearly established by Article 183, so that legislative continuity can apply. In practical terms, this would mean that the legal effects of Article 35 of the 2000 constitution should have been extended, beyond an *expressis verbis* provision referred to as a *sine qua non* condition by the council, so that the count of authorized terms must begin from Aug. 1, 2000, and not from Nov. 8, 2016, the date of the promulgation of the new constitution. In light of the above, even if the constituent did not include in the text

of the new constitution a provision relating to the counting of presidential terms, those served under the 2000 constitution should be considered for the application of the new Article 55 of the 2016 constitution.

The IEOM believes that this approach echoes an increasingly worrying trend, already observed across Africa, of changing or amending a constitution to allow sitting presidents to run for a third term.

Moreover, the IEOM notes that the council's decision relied on a 2016 text by Professor Martin Bléou, addressed to the committee of experts in charge of drafting the new constitution, which proposed to introduce a specific provision: "to remove any ambiguity, to provide in the final provisions that the principle according to which the President of the Republic is eligible for re-election only once applies to situations arising under the Constitution of Aug. 1, 2000." Based on these academic conclusions, which have no legal value, the council affirmed that neither the 2016 constitution, nor the transitional provisions, nor the new Article 55, clarified this issue and therefore, "it cannot be argued that a new candidacy of the President-in-Office is not possible." Bléou's remarks, as taken up by the council, however, are only a partial reading of his reasoning, which was above all based on the permanence and continuity of the principle according to which the president is eligible for reelection only once. The council also relied on the previous statements of Affi' N'Guessan, who in 2016 criticized the fact that "nothing in the new Constitution [...] prevents President Alassane Ouattara from being a candidate for his own succession."

Finally, while the council considered a part of Professor Bléou's assertions to be crucial for its decision, it did not take into account the very clear

⁷⁵ Article 183: "The legislation currently in force in Côte d'Ivoire remains applicable, except the emergence of new texts in all that it is not contrary to the present Constitution." Article 184: "The present Constitution comes into force from the day of its promulgation by the President of the Republic."

⁷⁶ Decision CI 2018-008/DCC/23-08/CC/SG of Aug. 23, 2018, of the Constitutional Council at the request of the president of the National Assembly. In this decision, the council, having been called upon by the president of the National Assembly to rule on the conformity of the parliament's rules of procedure with the constitution before their implementation, relied on Article 183 of the 2016 constitution to rule in light of Article 95 of the constitution of Aug. 1, 2000 on the claimant's standing, clearly "reviving" a previous constitutional provision.

positions of Professor Ouraga Obou, a member of the Constitutional Council from 2011 to 2014, who was head of the committee of experts responsible for drafting the 2016 constitution.⁷⁷

ACHPR Involvement in the Case of Laurent Gbagbo and Guillaume Soro

In another case, the council rejected the candidacies of Laurent Gbagbo and Guillaume Soro because they had been removed from the voter list⁷⁸ following the final decisions of the Courts of First Instance of Abidjan and Korhogo on Aug. 25 and 28, 2020, respectively. However, the African Court on Human and Peoples' Rights (ACHPR) ordered Côte d'Ivoire, on Sept. 15, 2020, in the case of Guillaume Soro, to take all necessary measures to remove all obstacles preventing the latter from enjoying his rights to vote and to be elected. On Sept. 25, 2020, in a second decision on Laurent Gbagbo, the ACHPR ordered the suspension of the criminal conviction from his criminal record and to take all necessary measures to immediately remove all obstacles preventing him from registering on the voter list. Although the ACHPR's decisions are binding, Côte d'Ivoire has not implemented them. (See Legal Framework section of this report.)

Conclusion

Côte d'Ivoire's candidate registration procedures did not meet international standards. The process failed to guarantee the right to effective legal remedy for unsuccessful candidates, as set out by international standards for democratic elections. The registration phases of the presidential election and the related complaints and challenges had a profoundly negative impact on the Ivorian electoral process. The lack of harmonization between the 2016 constitution amended in 2020 and the 2020 Electoral Code, the overlap between the role of the CEI and the Constitutional Council with incomplete and opaque procedures, the lack of application of international

court decisions, which are nonetheless binding, have considerably reduced the transparency of these crucial phases and opened the door to interpretative differences.

These shortcomings include, among other things, the problematic reasons provided for the rejection of some candidates and the acceptance of others, and the opaque treatment of citizen sponsorship by the council. Without reviewing the council's reasoning, it is difficult to analyze these decisions, as rejected candidates claimed to have submitted the required number of sponsorships. While the CEI conducted the first stage of the process to collect the sponsorship files transparently, the council's validation of the lists of voter signatures proved opaque and, in two cases, inaccessible to candidates. The main stakeholders in the process (i.e., potential candidates or political parties that were invested in them as well as national and international observers) were not allowed to attend the counting, the consolidation, and the validation of the voter signatures by the council, which was done by an ad hoc technical support committee. Therefore, the transparency of this process could not be assessed.

These factors have tainted the electoral process and are at times contrary to the international standards and obligations to which Côte d'Ivoire has ascribed to in terms of democratic elections.

The registration phase of applications must ensure equal treatment of all candidates. Consistent eligibility criteria, adequate and transparent review of candidacies, notification of acceptance or rejection, and full information for appealing the decision, if necessary, are important to maintain the integrity and transparency of the electoral process. One of the fundamental requirements of a free, fair, and credible election is that it be competitive. For these reasons, any decision to reject a candidacy must always be clear, and the reasons must be explicitly stated and supported by the necessary information to ensure transparency and thus allow a genuine and effective appeal.

77 At a press conference on Nov. 8, 2016, Ouraga Obou explained his legal reasoning as to why the constitution would prevent Ouattara from running for re-election in 2020: "I can assure you, Ouattara will respect his word, he will not run for another term. The Constitution is clear on the issue: all previous provisions that are not contrary to the new ones are not repealed. The President of the Republic, who is in his second term cannot aspire to another term, as the Fundamental Law prohibits him from doing so."

78 Order 01/CE/2020 of Aug. 25 and Order 18 Civ3/2020 of Aug. 28.

Regarding the candidacy of President Ouattara, the Constitutional Council's justifications failed to provide clear or substantiated legal grounds. This process echoes a worrying trend, observed across the African continent, to change or amend constitutions allowing incumbent presidents to run for a third term with the approval of the competent jurisdictional authorities, which often lack complete or total independence with respect to the executive power. In Côte d'Ivoire, the executive appoints the majority of magistrates—four out of seven—who compose the Constitutional Council. Establishing standards and procedures for candidacy application review must ensure consistency in the process, and the IEOM recommends that the legislature make a comprehensive effort to improve this critical phase for the future.

One of the fundamental requirements of a free, fair, and credible election is that it be competitive. For these reasons, any decision to reject a candidacy must always be clear, and the reasons must be explicitly stated and supported by the necessary information to ensure transparency and thus allow a genuine and effective appeal.

I Human Rights and Public Freedoms

The right of every citizen to participate in the electoral process, as a fundamental human right enshrined in international treaties, is intrinsically linked with certain prerequisite human rights that need to be upheld throughout the electoral process: freedom of expression and opinion, freedom of peaceful assembly, freedom of association, freedom of movement, freedom from discrimination, and freedom from fear and intimidation.⁷⁹

Côte d'Ivoire did not meet international standards of respect of human rights and freedoms in the 2020 presidential election, mostly due to the manipulation of current legislation to curb opposition members' freedom of speech, accusing people or candidates of offending the president or vice president, and expanding the concept of the crime of "spreading false news," all with the purpose of incarcerating people in opposition to the ruling party.

Côte d'Ivoire has signed and ratified the ICCPR and its Optional Protocol as well as all international and regional treaties relating to civil and political rights and public freedoms.⁸⁰ The Ivorian Constitution recognizes the public freedoms that are the foundation of any democratic electoral process,

in particular through its articles 19, 20, and 21, which enshrine and guarantee the right to freedom of expression and opinion, freedom of association, peaceful assembly and demonstration, and freedom of movement. In addition, in 2014, Côte d'Ivoire adopted a law promoting and protecting human rights defenders and, in 2017, an implementing decree that enshrines their right to peacefully assemble, and their right to express opinions without fear of prosecution, arrest, detention, and trial in the exercise of their activities.⁸¹

According to several human rights organizations,⁸² the Ivorian legal framework contains adequate provisions for the promotion and protection of human rights and fundamental freedoms. It is currently more advanced than other countries in the subregion thanks to the introduction of relevant provisions in the past decade, notably in the 2016 constitution. However, this legal framework suffers from a partial and uncertain application due to a judicial system biased in favor of the ruling party, a degree of arbitrariness in its decisions, and pervasive corruption in the public administration, including

79 ICCPR, Article 9(1): "Everyone has the right to liberty and security of person. No one shall be subjected to arbitrary arrest or detention. No one shall be deprived of his liberty except on such grounds and in accordance with such procedures as are established by law."

80 In addition to the International Covenant on Civil and Political Rights, other relevant international and regional treaties signed and ratified by Côte d'Ivoire include the First Optional Protocol to the ICCPR, the Convention against Torture (CAT) and Other Cruel, Inhuman or Degrading Treatment or Punishment, the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW), the African Charter on Human and Peoples' Rights (ACHPR) and its Protocol establishing the African Court on Human and Peoples' Rights, and the African Charter on Democracy, Elections and Governance.

81 Côte d'Ivoire is a pioneer, being the first country on the African continent to adopt a law protecting human rights defenders in 2014, a precedent since followed in the subregion by Burkina Faso and Mali.

82 The National Council for Human Rights, Amnesty International, the Ivorian Human Rights Movement, and the Ivorian Human Rights Observatory.

within law enforcement institutions, such as the police and the judiciary.⁸³

On the other hand, several provisions of the penal code defining offenses of false news, incitement of hatred, public order disturbance, inciting unauthorized public gatherings, undermining the authority of the state, which are punishable by imprisonment, are frequently used against political opposition leaders, members of civil society, human rights defenders, and journalists critical of the government, to restrict the exercise of their fundamental freedoms, their freedom of expression and assembly.⁸⁴ The new penal code adopted in June 2019 further restricted freedom of opinion by introducing the crime of offending the president or the vice president and by expanding the concept of the crime of “spreading false news.” Freedom of assembly was similarly restricted by the imposition of sentences of one to three years in prison for organizing unauthorized meetings.

The human rights and public freedoms situation in Côte d’Ivoire, defined as fragile by Amnesty International’s report for the Universal Periodic Review in 2019,⁸⁵ deteriorated in the run-up to the presidential election with the arrest of 17 politicians close to Guillaume Soro and Laurent Gbagbo at the end of December 2019, followed by 19 others in May 2020.⁸⁶ Since then, it has continued to deteriorate in the context of the presidential election of Oct. 31, 2020, following the banning of demonstrations, the arrest of political leaders and participants in civil disobedience actions, and electoral and intercommunal violence.

Violence and Human Rights Violations

Arrests, indefinite detention without trial, threats, and violence against electoral stakeholders—political parties, candidates, activists, voters, poll workers and election administration staff, civil society representatives, and observers—seriously infringe their right to liberty and security.

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Following President Ouattara’s announcement on Aug. 6 that he would run for a third term, numerous demonstrations held in Abidjan and other localities started to be dispersed brutally, leading to intercommunal clashes, particularly in Divo and Bonoua, that resulted in civilian casualties and arrests.⁸⁷ The National Council for Human Rights (CNDH) noted a deterioration in the socio-political situation and called on the authorities to address it, while at the international level, several reports and press releases from human rights organizations and defenders denounced the deteriorating situation of human rights and public freedoms in the run-up to the election.⁸⁸

On Oct. 18, 2020, candidate Affi N’Guessan denounced the burning of his residence in Bongouanou and fresh attacks against opposition

83 Transparency International’s 2021 Corruption Perception Index ranks Côte d’Ivoire 106th out of 180 countries worldwide, with the country having made no significant progress in this area since 2017.

84 Amnesty International report of 2019 and 2020, Freedom House report of 2020, and Human Rights Watch reports of 2019 and 2020.

85 Amnesty International communication on the U.N. Universal Periodic Review; 33rd session of the UPR Working Group, May 2019.

86 MP Alain Lobogon, along with four other MPs and 12 supporters of the former president of the National Assembly, were arrested in December 2019. The secretary general of EDS and other opposition leaders were arrested in May 2020 as part of the investigation into the alleged “attempted insurrection” of presidential candidate Guillaume Soro. <https://www.amnesty.org/fr/latest/news/2020/01/cote-divoire-authorities-must-uphold-the-right-to-fair-trial-of-opposition-members/> and <https://www.voaafricque.com/a/affaire-soro-en-c%C3%B4te-d-ivoire-19-nouvelles-arrestations-pour-tentative-d-insurrection-pr%C3%A9sum%C3%A9e/5406647.html>.

87 <https://www.amnesty.org/fr/latest/news/2020/08/cote-divoire-les-violences-des-voix-dissidentes-augmentent-a-lapproche-de-lelection/>.

88 <https://www.ohchr.org/FR/hrbodies/hrc/pages/documents.aspx> ; <https://documents-dds-ny.un.org/doc/UNDOC/GEN/G19/198/25/PDF/G1919825.pdf?OpenElement>; <https://www.hrw.org/fr/world-report/2020/country-chapters/336482>.

supporters, mainly in Yopougon, Bongouanou, and Bangolo. Security incidents and violent clashes intensified, mainly in Dabou, Divo, Bingerville, and Abidjan (in Abobo, Port-Bouët, Yopougon, and Cocody). On Oct. 21, 2020, “noting serious disturbances to public order,” a prefectural decree introduced a curfew throughout the territory of the department of Dabou, from Oct. 21 to 25. Other curfews followed, some adopted sine die, others renewed as early as the end of October after new clashes in Yamoussoukro and Toumodi. Some curfews were introduced after, or extended beyond, the conclusion of the electoral process and the publication of the final results in Dabou, M’Batto, Daoukro, Bongouanou, Bonoua, N’Douci and Sikensi, and Divo.

On Nov. 2, 2020, the tension increased with the creation by the opposition leaders of a National Transitional Council, which was tasked with setting up an opposition-led transitional government.

Violent political and intercommunal clashes in Dabou between Oct. 19 and 21 resulted in at least 16 deaths and 67 people wounded. The next day, on Oct. 22, the IEOM issued a statement condemning all forms of violence, regardless of their source, as well as the incidents that marred the electoral process, and called for “a constructive and effective dialogue between the President of the Republic and the leaders of the Ivorian opposition parties, in order to reach a mutual agreement supported by the entire political class with a view to putting an end to the violence and guaranteeing an inclusive, credible, and peaceful election, taking all the time that is necessary.”

On the same day, statements from the CNDH and the U.N. Secretary-General expressed the same concerns and encouraged the opposition and the president to engage in dialogue.

Election day was marked by a significant number of incidents, with the final toll reaching 20 deaths, according to authorities. Looting of polling stations and local electoral commissions, removal and destruction of election materials, roadblocks, and other incidents disrupted the voting process and hindered the free exercise of the right to vote, significantly impacting voter turnout, although with significant regional disparities.⁸⁹ As a reminder, according to the CEI, a total of 4,780 polling stations—out of the 22,381 initially planned—were either unable to open or their results could not be consolidated, representing more than 21% of the country’s polling stations. In terms of registered voters, this effectively excluded 1,428,641 electors, or 19% of the electorate. Following the serious incidents that occurred in these localities, the prefects of Yamoussoukro and Toumodi issued curfews as preventive measures.⁹⁰

On Nov. 2, 2020, the tension increased with the creation by the opposition leaders of a National Transitional Council, which was tasked with setting up an opposition-led transitional government. Several dozen opposition leaders and supporters were arrested. (See Political Context section of this report.) On Nov. 3, and in the days that followed, 21 opposition political leaders and others were arrested arbitrarily for being at the home of former President Henri Konan Bédié.⁹¹ Several of the PDCI-RDA leaders were charged with 16 counts, including “acts of terrorism, attack and conspiracy against the authority of the state, disturbance of public order, theft and destruction of private and public property.”⁹² Some

89 In their respective preliminary statements, the CNDH noted 213 incidents; the West Africa Network for Peacebuilding (WANEP) reported 361; and PTI/Indigo recorded and verified 391 incidents.

90 In Yamoussoukro, the measure, which initially covered the period from Oct. 31 to Nov. 2, 2020, was extended until midnight on Nov. 15, 2020. In Toumodi (in the region of Béliér), the curfew was enforced from Nov. 1 through Nov. 6, 2020, and was renewed on Nov. 17 through Nov. 22. Throughout the electoral process, curfews were enforced in Bongouanou (in the Moronou region), Bonoua (in the South Comoé region), Dabou (in the Grands-Ponts region), N’Douci and Sikensi (in the Agnèby-Tiassa region), and Divo (in the Lôh-Djiboua region).

91 Confirmed in an Amnesty International report released on Nov. 16, 2020: <https://www.amnesty.org/fr/latest/news/2020/11/cote-divoire-use-of-machetes-and-guns-reveals-horrors>; and to the IEOM by the CNDH, which is following the case of detainees in connection with the presidential election of 2020 – February 2021.

92 Interviews with a PDCI member who was detained and then released a few days later, and with the campaign manager of another PDCI leader.

of these opposition political leaders were detained for several weeks and even months, others were interrogated by the *Direction de la Surveillance du Territoire* (DST) and then released under judicial supervision.⁹³ On Nov. 25, 2020, three PDCI-RDA executives—Senators Séri Bi Guessan and Bernard Bassy-Koffi, and Executive Secretary Valérie Yapo—were released from the Abidjan House of Arrest and Correction (AHAC).

The Collective of Lawyers for Henri Konan Bédié and leaders of the Ivorian political opposition denounced in a Nov. 4 press release an “illegal attempt to arrest the candidate and former President of the Republic, Henri Konan Bédié.”⁹⁴ Following the creation of the CNT, the public prosecutor of the republic held a press conference on Nov. 6 to provide an update on the arrests and investigations carried out following the call for civil disobedience on Sept. 20, 2020. He announced that nine people had been released, and that others were under investigation. The public prosecutor stated that former President Bédié was not the subject of a house arrest decree or an arrest warrant, and that he was not being targeted, but that some fugitives were wanted for prosecution on charges of assault, conspiracy, and terrorism, including opposition leaders Albert Mabri Toikeusse,⁹⁵ president of the UDPCI, and Affi N’Guessan, president of the Ivorian Popular Front. Affi N’guessan was arrested on the night of Nov. 6 and held incommunicado until Nov. 9. During this period, he was not allowed to communicate with his family or his lawyer. He faced 30 counts, including “attack and conspiracy against the authority of the state, murder and acts of terrorism.” His lawyer only managed to see him when he appeared before the judge on Nov. 9.

On Nov. 9, 2020, following the announcement of the final results by the Constitutional Council, new clashes and acts of violence during a demonstration resulted in at least three deaths and 40 injuries in

the city of Daoukro. The prefect of the department of Daoukro subsequently imposed a 72-hour curfew from 7 p.m. to 6 a.m. throughout the department. In M’Batto, an opposition demonstration on Nov. 9 and 10 ended with at least two dead and dozens injured.⁹⁶ A curfew also was imposed for an indefinite period. Finally, following the Council of Ministers of Nov. 11, 2020, the government officially took note of the security incidents and electoral violence in the localities of Dabou, Divo, Daoukro, Yamoussoukro, Bongouanou, and Toumodi since Aug. 6, 2020, establishing the toll of the electoral process at 85 fatalities, 484 people injured, 225 arrested, 176 charged, and 45 placed under arrest. Of the 85 deaths, 34 occurred before the presidential election, 20 on election day, and 31 in the days that followed.

The Nov. 16 report by Amnesty International on election day and the first two weeks of November, which reported dozens of murders and incidents of extreme brutality, emphasized the need for the Ivorian authorities to investigate the electoral, political, and intercommunal violence, and bring those responsible to justice to avoid a return to impunity. The report was deemed partisan by the RHDP spokesperson on Nov. 18, for “ignoring the opposition’s calls for civil disobedience and boycott.” Based on information collected by its offices in Abidjan and the 31 regions and its 1,500 observers deployed on election day, the CNDH published its monitoring report on violence committed between Sept. 16 and Nov. 10, 2020, a shorter period that began with the call for civil disobedience but did include the violence and human rights violations that occurred in August at the beginning of the demonstrations against President Ouattara’s third term in office. During this period, the CNDH recorded 50 deaths and listed six major categories of human rights violations committed during the election period: violations of the right to life and physical

93 MP Maurice Kakou Guikahué, chief executive secretary of the PDCI-RDA, was kept in detention until January 2021, and Narcisse N’Dri Kouadio, executive secretary, spokesperson for the PDCI-RDA, and chief of staff to Henri Konan Bédié, remained in detention at the close of this report.

94 The lawyers also denounced “the illegal arrest of Maurice Kakou Guikahué without the prior lifting of his parliamentary immunity and the implementation of the special procedure linked to his status as a former minister; the detention of the occupants of the residences of the leaders of the Ivorian political opposition, including Henri Konan Bédié.”

95 The UDPCI president never was apprehended and made his first public appearance since his escape in early January 2021, after the political agreement was signed.

96 Provisional assessment by Amnesty International in its Nov. 16 report.

integrity, freedom of movement, security, displacement of populations, and impediments to the right to vote.⁹⁷ Several human rights organizations⁹⁸ that observed the electoral process and collected information on the ground since December 2020 now consider the official assessment presented on Nov. 11 to be incomplete. Not all the localities where violence and incidents took place could be counted, and the total number of deaths, injuries, and people arrested, charged, and placed under arrest is actually higher and should be updated.

Suppression of Fundamental Freedoms

Despite the inclusion of the freedoms of association, assembly, and peaceful demonstration in the constitution, the government banned marches, sit-ins, and demonstrations throughout the territory from Aug. 19 to Oct. 14, 2020, and required political parties and CSOs to make a prior declaration to hold their public meetings and seek authorization from the state authority. These restrictions did not allow citizens and parties to fully enjoy their fundamental freedoms in the preelection period. These bans then were extended until Nov. 1, 2020, with the exception of demonstrations organized as part of

the election campaign. Finally, in the aftermath of the presidential election, three additional orders continued to ban marches and demonstrations on public roads from Nov. 2 to 15, from Nov. 16 to 30, and from Dec. 1 to 15, 2020.

These decrees were based on the state of emergency in effect from March 23 to May 13, 2020, which has not been renewed. The IEOM notes that the state of emergency is no longer referenced in the new order published on Oct. 14, 2020, and thus questions the relevance of its legal basis. In addition, the mission notes that these provisions do not designate the authorities qualified to authorize demonstrations and on what grounds. The November orders were renewed on the basis of the state of emergency that was lifted in Côte d'Ivoire on May 13, 2020. According to Article 4 of the International Covenant on Civil and Political Rights, the right of peaceful assembly and the right to freedom of association are not absolute rights. Resolution 15/21 (OP 4) makes clear that they “can be subject to certain restrictions, which are prescribed by law, and which are necessary in a democratic society in the interests of national security or public safety, public order (ordre public), the protection of public health or morals or the protection of the rights and freedoms of others.”

In addition to the weak legal basis of the constraints imposed on the exercise of freedom of assembly and peaceful demonstration, the circumstances underlying the threat of serious disturbance and the absence of effective means of maintaining order that could justify them were not found throughout the territory or during the entire period in which the interministerial decrees were adopted and renewed, restricting the fundamental freedoms of citizens without respecting the principle of proportionality. Notwithstanding the above, the IEOM commends the professional attitude of the defense and security forces in the handling of demonstrations.

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⁹⁷ As a result of attacks on distribution centers and the destruction of voter cards, the obstruction of roads preventing the delivery of election materials or access to polling stations of voters.

⁹⁸ The West African Network for Peacebuilding, the Group of Advocacy and Actions for Electoral Transparency, the Ivorian Observatory for Human Rights, and Amnesty International.

Impact of Electoral and Intercommunal Violence

Following requests from Amnesty International and several prominent human rights organizations to investigate postelection and intercommunal violence, the CNDH produced a monitoring report on the violence that took place between Sept. 16 and Nov. 25, 2020. A special investigation unit headed by the public prosecutor was established on Nov. 25, 2020. Charged with investigating crimes and misdemeanors committed before, during, and after the presidential election, this unit did not arrest alleged perpetrators until mid-February, generating in the interim an atmosphere of mistrust and a perception of impunity for some. In addition to the information collected by the CNDH for its report, since January 2021 several human rights organizations (including OIDH, Amnesty International, and WANEP) were investigating in all the affected localities to document and collect testimonies about the violence that occurred between August and December 2020.

The presidential election was marked by violence, violations of human rights and public freedoms, following targeted arrests of citizens, political representatives and members of civil society, and the imposition of restrictions on demonstrations and public meetings, but also by numerous obstructions

to the right to vote on election day made by some people close to the opposition.

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Conclusion

Côte d'Ivoire did not meet its international obligations to respect the political and electoral rights and freedoms of its citizens. Steps to manipulate laws preventing the spread of false news to accuse persons—including candidates—of offending the president or vice president and arrest opposition members restricted their rights to exercise their freedom of speech. The presidential election was marked by government prohibitions on peaceful demonstrations, the arrest of political leaders and participants in civil disobedience actions, brutality, retaliation, and deadly electoral violence.

I The Campaign Period

The electoral campaign is governed by Articles 28 to 32 of the Electoral Code. In accordance with these provisions, the duration of the electoral campaign for the presidential election was set at 15 days, running from Oct. 15 to 29, 2020. Outside of this period, Article 32 of the Electoral Code states that “all electoral meetings and all electoral propaganda by any means whatsoever are prohibited, outside of the regulatory period of the electoral campaign.”

The other two candidates, Bédié and Affi N’Guessan, did not campaign. Instead, they communicated widely to mobilize their electorate to prevent the electoral process from continuing by all legal means.

In the run-up to the presidential election, the IEOM observed precampaign activities regardless of political affiliation, organized mainly on the sidelines of candidate nominations. President Ouattara was nominated by the RHDP at a large meeting in Abidjan on Aug. 22, before the Constitutional Council’s decision of Sept. 14 on the final list of candidates for the presidential election. The same was true for Henri Konan Bédié, who was nominated on Sept. 12 in Yamoussoukro by the PDCI-RDA. Candidate Kouadio Konan Bertin (KKB) was nominated publicly on Oct. 4. Taking advantage of the state visits of the president, official ceremonies and infrastructure openings, the prime minister and some members of the government

conducted precampaign activities. For example, the Alassane Ouattara stadium in Ebimpé in the district of Abidjan was opened on Oct. 3, 2020.

During the official campaign period, only the incumbent candidate, Alassane Ouattara, and the independent KKB engaged in campaign activities. The other two candidates, Bédié and Affi N’Guessan, did not campaign. Instead, they communicated widely to mobilize their electorate to prevent the electoral process from continuing by all legal means. This call for civil disobedience resulted in acts of violence and destruction, which the mission deplored in its Nov. 2, 2020, preliminary statement. The IEOM also regretted that the electoral administration was targeted for violence and destruction, particularly in an attempt to prevent the CEI from distributing voter cards (see Voter Registration section of this report), and condemned the incidents and violence that marred the electoral process, resulting in at least 34 deaths and numerous injuries prior to the election. (See Human Rights and Public Freedoms sections of this report.)

The opposition organized a large rally in Abidjan on Oct. 10, before the official opening of the campaign, to mobilize supporters around the slogan of “civil disobedience.” From a strictly legal standpoint, this meeting was a precampaign activity and therefore prohibited by the current legislation.

In a press release issued by the CEI on Sept. 17, 2020, the president of the institution called on candidates to comply with the legal provisions in force. The press release recalled that, pending the date of the opening of the campaign, it is formally prohibited for any individual to put up posters, and

sign, send, or distribute ballots, circulars, or professions of faith in the interest of a candidate outside the regulatory campaign period. In addition, the law prohibits all electoral propaganda by whatever means outside of the statutory campaign period, thus recalling the clear provisions of Article 32 of the Electoral Code.

Conclusion

The Electoral Code foresees a 15-day presidential election campaign, which took place Oct. 15-29, 2020. Although Article 32 of the Electoral Code states that “all electoral meetings and electoral propaganda shall be prohibited, outside the regulatory duration of the election campaign.” The IEOM directly observed preelection campaign activities, organized mainly on the margins of the candidates’ nominations. The election campaign was characterized by a general lack of enthusiasm, reinforced by the opposition’s call, from Sept. 20, for “civil disobedience,” followed by an active boycott.

In addition, many of the incumbent’s campaign activities were conducted with the use of state resources. (See Public Finance Regulations section of this report.) Overall, the campaign activities did not align sufficiently with the principles of fairness, competitiveness, and freedom to campaign that international standards prescribe for the conduct of an election.

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I Media During the Elections

International treaties guarantee freedom of expression, giving everyone—including political parties and candidates—the right to seek, receive, and impart ideas through any media of their choice, including, but not limited to, writing, speech, printing, and art.⁹⁹ International treaties also recommend that governments take measures to ensure the transparency and appointment of broadcasting and telecommunications regulatory authorities.¹⁰⁰ These authorities should be independent and protected from interference. The freedom of audiovisual communication of each citizen shall be exercised in accordance with international conventions and covenants on human rights and public freedoms, freedom of expression, equality, pluralism of expression of ideas and opinions, and objectivity and transparency.

The report of the U.N. Special Rapporteur on the promotion, protection, and enjoyment of human rights on the internet¹⁰¹ states that the same rights that people have offline must also be protected online. This principle applies, in particular, to freedom of expression under the ICCPR and includes the freedom to seek, receive, and impart information and ideas of all kinds.

International standards state that the free communication of information and ideas by voters and candidates, including on the internet, is essential to conduct genuine elections.¹⁰² This includes the freedom to campaign for elections and communicate political ideas.¹⁰³

The Ivorian Context

The Ivorian media landscape is quite diversified and structured mainly around the press (print and digital), radio, and television (state-owned and private). The audiovisual space, which was the monopoly of the Ivorian Television Broadcasting entity (RTI), was liberalized in 2018. Since 2019, several private television channels have been authorized to broadcast (A+ Ivoire, Life TV, 7 Info, and the *Nouvelle Chaîne Ivoirienne*). According to many observers, these new TV channels remain under the control of public figures close to the government. Law 2017-867 of Dec. 27, 2017, on the legal regime of the press, organizes the press, decriminalizes press offenses, and frames the practice of journalism. Generally speaking, in Côte d'Ivoire, the media are attached to political parties or politicians, while state-owned media remains close to the ruling party.

99 ICCPR, Article 19 (2); AU, African Commission on Human and Peoples' Rights, Declaration of Principles on Freedom of Expression in Africa, Article 1 (1).

100 AU, African Commission on Human and Peoples' Rights, Declaration of Principles on Freedom of Expression in Africa, Article 7.2.

101 Report of the Special Rapporteur on the promotion, protection and enjoyment of human rights on the internet. Human Rights Council, U.N. Doc. A / HRC /38/35 (April 6, 2018).

102 ICCPR, General Comment 34, Para. 12: "Paragraph 2 protects all forms of expression and the means of their dissemination. [...] They include all forms of audio-visual as well as electronic and internet-based modes of expression."

103 ICCPR, General Comment 25, Para. 25, states that "In order to ensure the full enjoyment of rights protected by article 25, the free communication of information and ideas about public and political issues between citizens, candidates and elected representatives is essential. [...] It requires the full enjoyment and respect for the rights guaranteed in articles 19, 21 and 22 of the Covenant, including freedom ... to campaign for election and to advertise political ideas."

The High Authority for Audiovisual Communication (HAAC) is responsible for regulating the audiovisual sector (radio and television). The National Press Authority (NPA) is responsible for regulating the print and online press. When it comes to elections, the HAAC and the NPA are responsible for ensuring that candidates have equal access to the media. In the context of respect for pluralism of ideas and opinions, both the HAAC and the NPA can impose sanctions.

In Côte d'Ivoire, the 2017 Press Law regulates publications on social networks. In Article 90, this law regulates the spread of hate speech, among other aspects. A few convictions have been handed down under this law, including against an opposition MP in 2019 for "spreading false news, inciting violence and disturbing the peace," following the publication of a tweet. In the same year, a meeting between the prosecutor and administrators of Facebook groups raised fears of restrictions on online freedom of expression.

In the run-up to the presidential election, the HAAC, in a statement issued on Sept. 15, 2020, recalled the principles of fair access and pluralism of opinion to be applied in state-owned and private media during the election campaign. Private media were required to apply identical pricing conditions to all candidates and to communicate their pricing schedules to HAAC 72 hours before the official start of the election campaign.

Although the new legal regime for the press has decriminalized press offenses since 2017, journalists' associations denounce the heavy fines that can be imposed, as well as intimidation by charges such as defamation and disclosure of "fake news" or public order disturbances, as well as the arrest of several bloggers during 2020. These associations further denounce that this has resulted in self-censorship, practiced within the profession on certain issues such as the health of members of the government or their management of state affairs. It should be noted that there are a multitude of local radio stations that work according to specifications that prohibit them from discussing political matters.

Social Network Monitoring Methodology

Facebook is the most-used social network in Côte d'Ivoire. In 2018, there were more than 4.3 million accounts in the country. In Abidjan, more than 71% of people ages 15 and older own a smartphone. This social network was the most-used platform by political parties, candidates, and their supporters during the election period. Candidates also used Twitter to a lesser extent, which remains a platform used mainly by the country's elite.

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The IEOM focused on monitoring hate speech, dangerous speech, disinformation, and gender-based discrimination. Monitoring of the presidential election process took place from Sept. 1 to Nov. 13, 2020. The pages monitored included those of candidates, political parties, the media, and influencers. Following the Constitutional Council's decision of Sept. 14, 2020, which approved only four candidates out of the 44 candidacies, and the call for a boycott of the electoral process by the opposition, the monitored platforms were divided into two main groups: those in favor of the election and those opposed to the holding of the election. (See Annex G—Social Media Monitoring and Analysis.)

The accounts being monitored included official and unofficial pages. Facebook groups were included in this monitoring at the end of September. The software used to collect information was CrowdTangle. The monitoring team's work aimed to observe and analyze the recurrence of hate speech and disinformation through a typology based on

the definitions and methodology developed by The Carter Center.

On occasions the monitoring was conducted manually, particularly in the case of publications made on highly monitored accounts. The team was able to observe the relationships between the pages of the two fronts and the coordination in the spread of specific information. The analysis also focused on the impact on social networks of different political slogans and decisions.

The Presidential Election

The monitoring team observed a total of 65 Facebook pages, 34 of which were opposed to the presidential election, 13 were in favor of the election, and 18 were media-owned. In addition, 220 Facebook groups were monitored. (See Annex G.) The team noted the split in Ivorian opinion on social networks, with supporters of the Oct. 31 election (Ouattara, Bertin, and their backers) on one side, and parties and public figures opposed to the organization of the election (Bédié, Gbagbo, Affi N'Guessan, Soro, and their backers) on the other.

As a result, the campaign for the presidential election became a communication campaign to legitimize or delegitimize the electoral process and the bodies in charge of organizing it.

The pro-election front communicated intensively at all stages of the electoral process, focusing on the credibility of the electoral process. For the anti-election front, the communication strategy focused on disseminating information that supported the claim that the election was neither credible or legitimate. As a result, the campaign for the presidential election became a communication campaign to legitimize or delegitimize the electoral process and the

bodies in charge of organizing it. The debate on the candidates' social policies was relegated to the background, unlike in the 2010 presidential election, and to a lesser extent the 2015 presidential election, where social networks were used more as platforms for substantive debates on the candidates' programs.

Unofficial pages regularly broadcasted messages aimed at discrediting political opponents during this election period. Unlike traditional media, these groups were not subject to regulations established by the NPA and HAAC. It should be noted that some groups began their online campaign activities well before the Oct. 15 campaign start date.

On election day and in the days that followed, the monitoring team noted a concentration of discussions on issues such as voter turnout and the implementation of the active boycott with the use of dedicated tags. A significant number of posts focused on the dissemination of turnout numbers and on maps showing voter turnout. This phase was an extension of the battle over the legitimacy of the vote and more generally over the electoral process.

International Election Observation Missions and Media and Social Networks

The preliminary statements of the IEOMs were eagerly awaited by the Ivorian public. Both fronts were looking for statements that would either legitimize the election (pro-election front) or delegitimize it (anti-election front). The IEOM's preliminary statement was disseminated widely on social networks close to the opposition. The ruling party, the government, and state-owned media de facto ignored the reports that were less favorable to them. Furthermore, there was a massive distribution of press releases that praised the organization of the election. Several photos showing members of the Liberal and Democratic Observer Mission supporting RHDP demonstrations and President Ouattara circulated on the web.¹⁰⁴

¹⁰⁴ <https://www.fratmat.info/article/209142/Politique/cote-divoirepresidentielle-2020--la-mission-dobservation-des-liberaux-et-democrates-felicite-les-organes-de-gestion-et-de-supervision-du-scrutin/> ; <https://aip.ci/cote-divoire-aip-presidentielle-2020-les-observateurs-liberaux-et-democrates-saluent-la-cei-pour-la-bonne-organisation-du-scrutin/> ; <https://www.facebook.com/ukinivorycoast/posts/4618149204893033> ; <https://www.lebabi.net/actualite/apres-leur-rapport-en-faveur-du-rhdp-des-observateurs-internationaux-se-prennent-en-selfie-avec-ouattara-86997.html> ; <https://www.afrikmag.com/mission-des-observateurs-pro-ouattara-le-royaume-uni-dement-aucun-ancien-membre-du-gouvernement-britannique-na-participe-a-cette-mission/>

Hate Speech and Disinformation

In general, Ivorian social networks are spaces of freedom, where various political fronts can express themselves and sometimes function as a counterweight to the censorship that can be exerted on the content in written and broadcast media. But social networks also can be a space for the dissemination of comments that promote hatred and violence.

The social media monitoring team recorded 95 instances of disinformation during the period from Sept. 1 to Nov. 1, the day after the presidential election. These cases range from videos taken out of context to false statements attributed to public figures and institutions. The monitors observed that none of the official pages broadcast hate speech. However, instances of disinformation were recorded on official pages before and after the election. Hate speech was spread mainly by activists and internet users in Facebook groups.

Conclusion

Social networks play an important role in Ivorian political life. Though Facebook is the leading

platform of choice, Twitter is expected to rise in the coming years. Given the importance of social networks in the political sphere and the growing use of hate speech and disinformation, it is important that Côte d'Ivoire's legal framework be strengthened. This could represent a major step forward in the regulation of campaigns on social networks without jeopardizing freedom of expression online.

Social network monitoring revealed a battle between the RHDP and its opponents to establish the balance of power following the presidential election. The various fronts maintained their positions and fought for legitimacy against a backdrop of legal proceedings launched by the government.

The profusion of fake news during this period leads to the hypothesis that it is now an integral part of a strategy to provoke specific reactions from internet users, who amplify fake news through social media. This strategy included posting false death tolls of intercommunal clashes, employing photographs and videos taken out of their context, and using extremely alarmist terms to incite fear among internet users.

Campaign Finance

The need for resources is inherent to the conduct of political campaigns, making finance regulations an essential component of a competitive democracy. Several international instruments guide state conduct regarding diverse aspects of campaign finance. While “there is no global or African consensus that public finance is desirable,”¹⁰⁵ some international agreements refer to the importance of money in democracies and the necessity of political parties to access public funding to create a healthy political competition.¹⁰⁶ Traditional guiding principles on political funding center on the idea of transparency. In Article 3, the U.N. Convention Against Corruption highlights that an effective campaign finance system must ensure equal opportunities for candidates and parties, as well as transparent and periodic reporting on campaign funds and sources thereof, together with their campaign expenditures.¹⁰⁷

While other guidelines focus on expenditures, the importance of regulating how much parties and candidates can spend compared with their rivals

to continue maintaining a fair level of electoral competition,¹⁰⁸ international standards regarding oversight and sanctions are limited, and leave it up to each state to establish laws that “proscribe the use of funds acquired through illegal and corrupt practices to finance political parties,”¹⁰⁹ for example. International principles on campaign finance vary, but their common intent remains to curb corruption and an undue advantage in the competitiveness of an electoral process.

Côte d’Ivoire did not meet standards guiding campaign finance procedures during the presidential election, as the country’s laws to regulate political finance are limited and imprecise, and their enforcement lacking. The mission identified major abuses in the use of state resources for campaigning purposes. The public funding of parties, though warranted in Ivorian legislation, was unclear and difficult to monitor. Although vote buying is prohibited by law, observers recorded such incidences on election day. Overall, the regulations for reporting, oversight, and sanctions regarding the

105 The state of political finance regulations in Africa, International IDEA Discussion Paper 14/2016, Page 9.

106 See Article 3, Southern African Development Forum (2001) Norms and Standards for Elections in the SADC Region, adopted on March 25, 2001; Article 5, Organization of American States (2001) Inter-American Democratic Charter, adopted on Sept. 11, 2001; the Venice Commission (Para. 2); IPU (Article 4(1)); CoE (Committee of Ministers): Recommendation Rec(2003)4 of the Committee of Ministers to Member States on Common Rules Against Corruption in the Funding of Political Parties and Electoral Campaigns Art.1 and CoE (Parliamentary Assembly): Recommendation 1516(2001) on Financing of Political Parties Para. 8(A)(ii).

107 U.N. Convention Against Corruption, Article 7 (3). “Each State Party shall also consider taking appropriate legislative and administrative measures [...] to enhance transparency in the funding of candidatures for elected public office and, where applicable, the funding of political parties.” African Union Convention on Preventing and Combating Corruption (AUCPCC), Article 10. “Each State Party shall adopt legislative and other measures to: (b) Incorporate the principle of transparency into funding of political parties.”

108 Reasonable limitations on campaign expenditure may be justified where this is necessary to ensure that the free choice of voters is not undermined, or the democratic process distorted by the disproportionate expenditure on behalf of any candidate or party. (UNHRC Para. 19).

109 African Union Convention on Preventing and Combating Corruption, Article 10. “Each State Party shall adopt legislative and other measures to: (a) Proscribe the use of funds acquired through illegal and corrupt practices to finance political parties.”

misuse of political funding are either weak or not implemented.

Public Finance Regulations

The use of public resources for political gain is prohibited in the Ivorian Electoral Code.¹¹⁰ Not only did candidates engaging in campaign activities do so outside of the formal campaign period established by the CEI,¹¹¹ but the Alassane Ouattara campaign mobilized significant public human, logistical, and material resources for his candidacy's advantage. Independent candidate Bertin's campaign, in contrast, was modest and conducted in targeted regions.

The mission's observers noted the distribution of goods and materials by the president's party, RHDP, in the presence of ministers and party officials without any repercussions. Such events not only served to persuade voters directly on location, but also benefited Ouattara's candidacy by monopolizing the news coverage on state-owned media, the Ivorian television network and radio broadcasting entity, RTI, and the daily newspaper, *Fraternité Matin*.

The law of Côte d'Ivoire prescribes that during election periods, candidates have the right of equal access to written, spoken, and televised media, as regulated by the NCAC.¹¹² The mission did not observe equitable access to media by candidates. Throughout the campaign, the media devoted significantly more airtime to the incumbent president compared with his opponents. Similarly, state-owned newspapers covered President Ouattara's campaign events in greater length than those of other candidates. Newspapers belonging to opposition sympathizers were able to campaign for opposition candidates, albeit on a visibly smaller scale.

Ivorian law also allows for the public funding of political parties.¹¹³ The annual subsidy is assigned to

political parties and groups for the five years of the parliamentary legislature. This funding, included in the annual finance law, represents one-thousandth of the state budget. For the year 2020, the 2019 finance law established an overall budget of just over 8 billion CFA francs (about US\$14 million). Law 2004-494 of Sept. 10, 2004, specifies that public funding is assigned based on three specific criteria: the number of votes obtained in the last legislative elections, the number of seats obtained by each party or political grouping, and the number of MPs registered in the parliamentary groups. The assignment is established following these criteria and based on a two-fifths, two-fifths, and one-fifth allocation, respectively. To receive funding based on the first criteria, a party or grouping must have obtained at least 10% of the votes cast in the legislative elections.

According to IEOM interlocutors, for the year 2020, parties would have received public funding only based on the seats obtained in the 2016 legislative elections. However, the allocation criteria, the amount of funding, and the entity responsible for distribution are insufficiently implemented.¹¹⁴ Furthermore, a commission mandated by law to define the procedures for determining the amount of financing for political parties and groups and for the financing of the electoral campaign for the presidential election, has so far not been created. Moreover, the law also stipulates that political parties must publish their accounts each year and submit an accounting report on their expenditures and revenues to the Court of Auditors. The IEOM found that most political parties do not submit these reports, resulting in a total opacity in the management of these funds.

With respect to the financing of the presidential election campaign, the legislature has provided for financing through a system of reimbursement that is not conducive to ensuring equal opportunities

¹¹⁰ Article 32 of the Electoral Code.

¹¹¹ For more details, see The Campaign Period section in this report.

¹¹² Law 2000-514 of Aug. 1, 2000, as modified by Law 2012-1130 of Dec. 13, 2012, Law 2012-1193 of Dec. 27, 2012, and Law 2015-216 of April 2, 2015.

¹¹³ Article 25 of the constitution of 2016.

¹¹⁴ As a reminder, in 2015, an exceptional subsidy of 100 million francs was granted to presidential candidates on the basis of the discretionary power of President Ouattara through a communication from the Council of Ministers dated Oct. 1, 25 days before the election. This circumstance has had deplorable consequences in terms of funding because, in practical terms, this amount was distributed without meeting any legal obligation, without clarifying which budget line this funding was granted from, and finally without any obligation for the recipients to account for the use of this amount. For the 2020 presidential election, no exceptional grants were made to the four candidates running under the 2015 nonlegislative scheme.

among candidates, particularly when candidates are competing against the ruling party candidate. According to Law 2004-494, presidential candidates receive an exceptional subsidy, the amount being included in annual budget law for the year of the presidential election. This funding is reimbursable and consists of two grants: a lump sum and one supplemental grant. The first is granted equally to all candidates who obtained at least 10% of the votes cast in the presidential election and is equivalent to two-fifths of the funding. The remaining three-fifths are granted in proportion to the number of votes obtained by each candidate.

This funding is made available to recipients three months after the official proclamation of the results of the presidential election by the Constitutional Council. For the 2020 presidential election, no amount was included in the budget law. It should be noted that the law is silent on possible funding for the second round of the presidential election.

Although the mission's presence in the country was limited and it could not observe indirect finance measures, the IEOM found that Ivorian laws support indirect finance of parties and candidates as prescribed in Law 2004-494 of Sept. 10, 2004. This type of funding comes in the form of tax breaks, as the finances of political parties and groups and presidential candidates are not subject to income tax.

Bans on Party or Candidate Income

Law 2004-494 states that no political party or grouping may directly or indirectly receive financial contributions or material aid from public legal persons or national companies with public participation. Furthermore, it is forbidden to receive, accept, or solicit donations, offers, or any other resources from foreign companies, organizations, or countries. In its 2005 iteration, the law further specifies that political parties must record the names and addresses of their donors; however, there is no specific modality to record these names. In the absence of a formal auditing procedure of campaign accounts, it is impossible to identify any prohibited donations

from public or private companies, organizations, or foreign countries, as provided for in the law.

In addition, Côte d'Ivoire prohibits active military personnel, prefectural authorities, and paramilitaries from taking part in electoral campaigns (or political meetings).¹¹⁵ The mission did not observe any involvement of military personnel in the funding of political campaigns during the presidential election.

As the purpose of bans is to limit the influx of money or other types of support given to a candidate's campaign or political party by an individual or an organization,¹¹⁶ the mission recognizes that this regulation alone could have many ramifications—not only in terms of regulating the equity among candidates of diverse levels of access to resources, but on the types of individuals and organizations that have donation powers and the extent of those powers. The mission believes that, compared with public financing regulations, there is a dearth of laws guiding the conduct of private donations. The mission found the absence of private funding regulations and bans on party and candidate income concerning. To address this, the mission encourages stricter control on the origin of funding and on the limits.

Spending Regulations

As with the bans on party income, laws regarding how political parties or candidates spend their campaign funds are largely absent. The only specific limitation Côte d'Ivoire imposes regarding spending allowances is the prohibition of vote buying. The penal code establishes that “anyone found to be buying or selling votes can be fined and imprisoned for up to a year.”¹¹⁷ Although the mission observed instances of vote buying by political candidates on election day, it did not observe any legal repercussions.

Oversight

Oversight and sanctions for violations of political finance laws are provided in Law 2004-494. The

¹¹⁵ Law 2000-514 of Aug. 1, 2000, as modified by Law 2012-1130 of Dec. 13, 2012, Law 2012-1193 of Dec. 27, 2012, and Law 2015-216 of April 2, 2015.

¹¹⁶ See International IDEA glossary at <https://www.idea.int/data-tools/data/political-finance-database>.

¹¹⁷ Penal Code Law 81-640 of July 31, 1981.

law stipulates that false declarations can lead to the suspension of the right to public funding, without prejudice to any ensuing legal proceedings. Interestingly, the obligation to publish their accounts yearly and submit a report on expenditures, revenues, and a statement of assets to the Court of Auditors applies to political parties but not to presidential candidates.¹¹⁸ The mission noted that even though the law provides for the sanctioning of false submissions, the court has consistently maintained a passive attitude and has never noted any violations that could lead to the suspension of the public subsidy. According to the principles and good practices of democratic elections, sanctions must be proportionate, effective, and above all dissuasive. This means that they may include criminal sanctions and fines, and that they may also have direct ex post consequences on elected officials such as the cancellation of a vote or the loss of their mandate or, finally, consequences on political parties such as the temporary withdrawal of public financing or reimbursement of campaign expenses. The passive approach of the court did not provide effective oversight.

While some of the current Ivorian laws regarding oversight, reporting, and sanctions have the intent to promote transparency in the realm of political finance, implementation has been lacking. The mission recognizes that stronger reporting laws are needed, as well as the corresponding enforcement of those rules, to curb corruption and impunity in the way money is spent in Ivorian politics.

Conclusion

There can be no democratic elections without a guarantee of fair conditions for campaigning among candidates and adequate campaign finance rules. Electoral legislation should provide specifically for transparency of donations for candidates' campaign activities, the standardized submission of campaign accounts, reasonable limits on campaign expenditures, and mechanisms for regular reporting and effective and dissuasive sanctions.

Côte d'Ivoire did not meet standards guiding campaign finance procedures during the presidential

election, as the country's laws to regulate political finance are limited or imprecise and their enforcement lacking. The mission identified major abuses in the use of public resources for campaigning purposes, with the incumbent candidate using his presidential platform and events related to his office to promote his reelection. Although equal access to media is guaranteed in the law, the mission saw an imbalance in coverage among candidates that benefited the incumbent. The public funding of parties, though warranted in Ivorian legislation, was imprecise and difficult to scrutinize. Likewise, the mission found the absence of private funding regulations and bans on party and candidate income concerning. Overall, the regulations for reporting, oversight, and sanctions regarding the misuse of political funding are either weak or not implemented.

While some of the current Ivorian laws regarding oversight, reporting, and sanctions have the intent to promote transparency in the realm of political finance, implementation has been lacking.

The mission recommends that equal access to the state's resources (funding and state-owned media) should be enforced. In addition, the legal framework would benefit from a revision of laws, particularly in the areas of regulation of private income, expense limits, and reporting mechanisms. As discussed throughout this section, laws alone cannot enhance the integrity of the elections without an equally effective enforcement system in place. Côte d'Ivoire would benefit from strengthening the Court of Auditors and other supervisory bodies, so they can oversee the implementation of laws on political finance. Overall, to comply with standards and best practices in democratic elections, it also is desirable for the legal framework to provide for a ceiling on campaign spending, control of funding sources, and an effective mechanism for auditing campaign accounts. Table 2 provides an overview of political finance laws in Côte d'Ivoire.

¹¹⁸ Law 2004-494 of Sept. 10, 2004 (articles 15 and 18).

Table 2: Overview of Laws on Political Finance in Côte d'Ivoire

Political Finance Laws (From IDEA Database on Political Finance)	Art	Summary
Bans and Limits on Private Income		
Law 2004-494 of Sept. 10, 2004	13	Political parties cannot accept, solicit, or approve contributions by foreign countries, organizations, or companies.
Law 2004-494 of Sept. 10, 2004	17	Political parties and groups must record names and addresses of donors.
Law 2000-514 of Aug. 1, 2000 as modified by Law 2012-1130 of Dec. 13, 2012; Law 2012-1193 of Dec. 27, 2012; and Law 2015-216 of April 2, 2015	30	Active military, prefectural authorities, and paramilitaries are barred from taking part in electoral campaigns or political meetings.
Public Funding		
Law 2004-494 of Sept. 10, 2004	3	Political parties and groups are given a stipend equivalent in total value to one-thousandth of the state budget.
Law 2004-494 of Sept. 10, 2004	4	The stipend breaks down into three specific subsidies. One is awarded according to the number of votes cast in their favor in elections. A second is allocated to political parties and groups according to their seats in the National Assembly. A third is allocated to groups in proportion to their number of registered members.
Law 2004-494 of Sept. 10, 2004	5	The first subsidy, 40% of the overall funding, is given to all political parties and groups that obtained at least 10% of the votes cast in parliamentary elections.
Law 2004-494 of Sept. 10, 2004	6	The second subsidy, 40% of the overall funding, is granted in proportion to seats in National Assembly.
Law 2004-494 of Sept. 10, 2004	7	The third subsidy, 20% of the overall funding, is granted to parliamentary groups in proportion to their number of registered members.
Law 2004-494 of Sept. 10, 2004	14	The finances of political parties and groups and presidential candidates are not subject to income tax.
Constitution of 2016	25	Political parties and groups receive public funding.
Law 2000-514 of Aug. 1, 2000, as modified by Law 2012-1130 of Dec. 13, 2012; Law 2012-1193 of Dec. 27, 2012; and Law 2015-216 of April 2, 2015	30	During the election period, candidates have equal access to the written, spoken, and televised press as regulated by the National Council of Audiovisual Communication.
Spending Regulations		
Penal Code Law 81-640 of July 31, 1981	213	Anyone found to be buying or selling votes can be imprisoned for up to a year and fined.
Reporting, Oversight, and Sanctions		
Law 2004-494 of Sept. 10, 2004	15	Parties must publish financial accounts every year.
Law 2004-494 of Sept. 10, 2004	17	Political parties and groups must record names and addresses of donors.
Law 2004-494 of Sept. 10, 2004	18	Parties must submit to the Court of Auditors an accounting report of expenditures and revenue along with a statement of assets.
Law 2004-494 of Sept. 10, 2004	19	During an examination, the Court of Auditors may hear statements of relevant political groups.
Law 2004-494 of Sept. 10, 2004	20	Upon completing examination of party accounts, the Court of Auditors prepares a report for the president of the republic. This report must mention the value of the state subsidy and the court's observations.
Law 2004-494 of Sept. 10, 2004	21	Violations of this law may result in the suspension of the governmental subsidy to political parties.
Law 2000-514 of Aug. 1, 2000, as modified by Law 2012-1130 of Dec. 13, 2012; Law 2012-1193 of Dec. 27, 2012; and Law 2015-216 of April 2, 2014	41	Any violation of articles 30 and 31 of the Electoral Code (Law No. 2000-514) is punishable by a fine.

| Election Day

Holding fair and periodic elections, according to international standards, and obligations, is one of the key principles of democracy and the rule of law, and the secrecy of the vote remains a crucial aspect of ensuring that the will of the people is respected. Voting operations for the Oct. 31, 2020, presidential election were deemed mostly positive by the IEOM in the majority of polling stations observed. On election day, the mission deployed 16 teams to observe the opening and voting operations in 213 polling stations in 17 of the country's 33 regions and autonomous districts. For security reasons, the closing, counting, and tabulation of results for the presidential election were not directly observed by the IEOM. Overall, the mission advises that some good practices could be strengthened and the method of calculating various turnout statistics further clarified in the Electoral Code.

Opening of Polling Stations and Voting

The security situation, which required the intervention of law enforcement officials to secure the deployment and installation of voting equipment, resulted in numerous delays in the opening of polling stations. Only 54% of polling stations observed by the IEOM opened at 8 a.m., with 26% opening within 30 minutes, and 20% opening an hour late or more. Delays in opening caused lines to form in front of 67% of the polling stations observed. To get voting underway quickly after these delays, poll workers did not always follow procedures, including drawing lots for the location

of the hologram on the ballot, and presenting the empty ballot box to those present. At the opening, observers rated the competence of polling officers as good in 60% of polling stations, fair in 33%, and poor in 7%.

Overall, voting operations went well in the majority of polling stations observed and were assessed positively in 81% of cases, correctly in 15%, and poorly in 2%, where, among other things, the presidents of the polling stations refused to give information to observers and candidates' representatives.

The IEOM also found that the protocols did not include specific boxes for recording seal numbers prior to voting and for repatriating materials and results. If the majority of polling station members failed to register the seal numbers during opening, the CEI may want to consider revising the content of the protocols and outcome compilation sheets to add a requirement to read the seal numbers aloud. That would enhance the transparency and integrity of the opening, closing, and tabulation procedures.

Overall, voting operations went well in the majority of polling stations observed and were assessed positively in 81% of cases, correctly in 15%, and poorly in 2%, where, among other things, the presidents of the polling stations refused to give information to observers and candidates' representatives. Most procedures were followed. However, procedures related to voter identification

and voting integrity measures, such as verification of voter IDs and their presence on the tally sheet, inking of voters' fingers, and verification to ensure that they had not already voted, were the major exceptions. The arrangement of the voting booth, which exposes each voter's back to those in the polling station to prevent the photographing of ballots and consequent vote buying, did not ensure the secrecy of the vote in 10% of cases. Observers rated the understanding of polling officials as good in 82% of the observed polling stations, fair in 17% of the stations, and poor in 1%. Observers reported instances of vote buying, voter intimidation, and multiple voting in 5% of cases.

All materials were present in almost all the open polling stations. However, the IEOM found that 11% of the observed polling station were missing voting booths, mainly due to the destruction of stocks before opening. Alternative solutions were implemented to guarantee the secrecy of the vote. Hand sanitizer was available in almost all of the observed polling stations. Nevertheless, physical

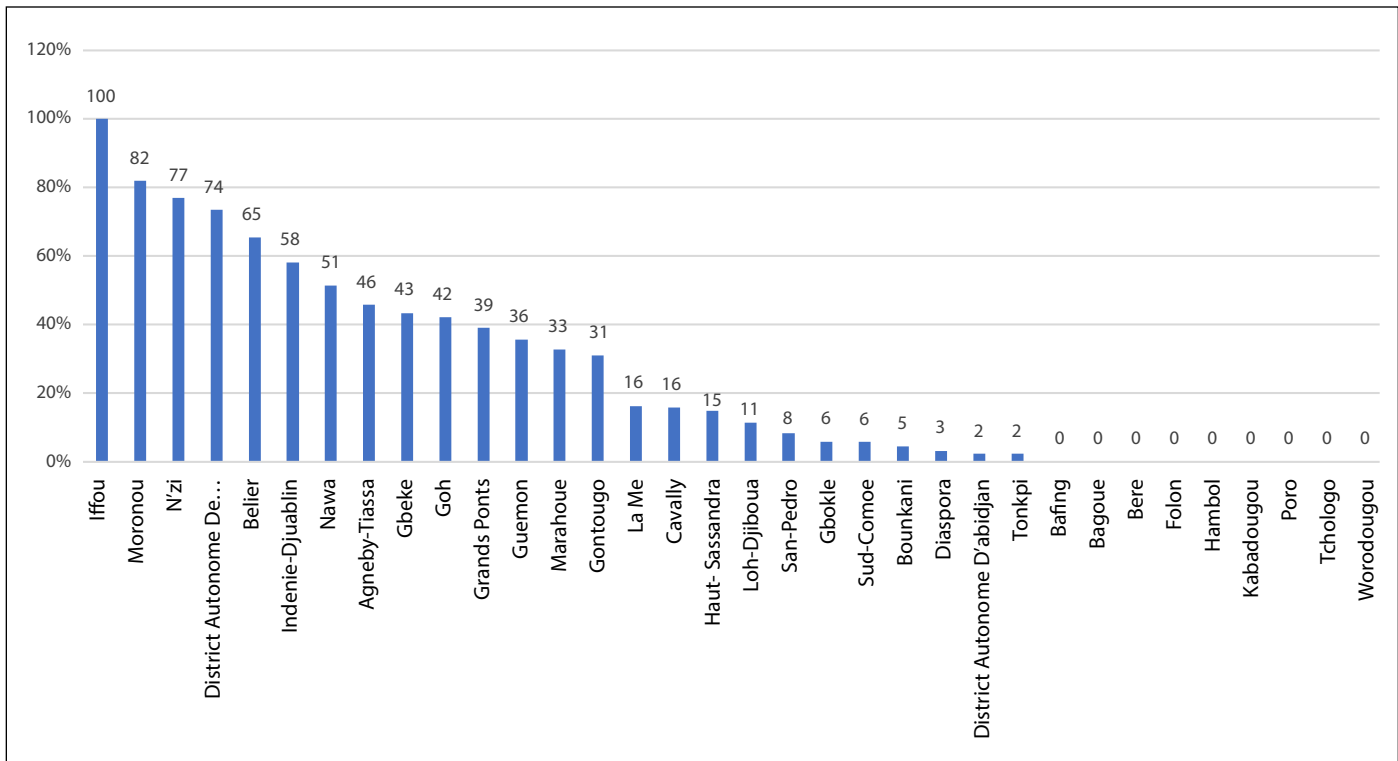
distancing and the prevailing COVID-19 measures generally were not followed by voters.

Biometric identification tablets were used in 88% of the observed polling stations. Yet, many polling station presidents reported not having received the password to use the tablet. In polling stations where the tablet was functioning, fingerprint verification with the biometric tablet was completed in 74% of cases. Tablet malfunctions caused voting interruptions in 4% of the observed polling stations.

Although not required, observers reported that voter lists were posted outside some polling stations. The IEOM notes that this practice would help voters identify their assigned polling stations more readily and increase the transparency of the process for other stakeholders, including party representatives, and should be encouraged.

Law enforcement was present outside 97% of the polling stations observed during election day, with 13% of negative assessments primarily related to the presence of groups of mobilized RHDP youth activists, all wearing black T-shirts, who helped secure polling stations and regulate the lines.

Figure 4: Rate of Polling Stations That Were Not Operational, By Region



Observers were confronted with threats from individuals calling for a boycott outside nine observed polling stations.

Candidates' representatives were present in the majority of directly observed polling stations, primarily for President Ouattara in 83% of the cases and for Bertin in 16%. Their understanding of the voting process was assessed positively in 87% of the polling stations observed, fairly in 10%, and negatively in 1%. No representatives of candidates Bédié or Affi N'Guessan were seen, in accordance with the opposition's boycott of the electoral process. Citizen observers, including the CNDH and PTI-Indigo, were present at 26% of the polling stations observed.

Distribution of Voter Cards

Voter cards were distributed in 89% of the observed polling stations, and, in 82% of cases, were distributed according to the established procedures. On two occasions, representatives of political parties participated in the distribution of voter registration cards. Voter cards were distributed primarily at the polling station level. In 20% of the cases, where less than 50% of the cards had been distributed by Oct. 25, the distribution took place at the polling center level, as prescribed by the CEI.

Impact of the Active Opposition Boycott on Voter Participation

The presidential election was marked by a protest and an active boycott by the opposition in part of the country, as well as significant incidents and violence directly targeting the electoral process. More than 21% of the polling stations initially planned (4,780 polling stations out of 22,381) were unable to open or their results could not be centralized, according to CEI data. (See Mapping of Polling Stations section of this report.) These figures are consistent with the rate of closed polling stations reported by IEOM observers on polling day. A total

of 1,428,641 electors were unable to participate in the presidential election, representing 19% of registered voters.

The most affected regions, where more than half of the polling stations were unable to open or provide results, were Iffou (where no polling stations were operational), Moronou (82% of polling stations were not operational), N'Zi (77%), the autonomous district of Yamoussoukro (73.5%), Béliér (65%), Indénié-Djuablin (58%) and the Nawa region (51%) (see Figure 4). The active boycott—along with incidents that prevented or discouraged voters from going to the polls, and the violence that occurred on election day—resulted in an environment that was not conducive to an inclusive election.

A total of 1,428,641 electors were unable to participate in the presidential election, representing 19% of registered voters.

Conclusion

Voting operations for the presidential election were assessed favorably by the IEOM in most polling stations observed. However, some good practices could be strengthened, including posting the voter list in front of each polling station, adding boxes in the protocols and results tabulation sheets to record the seal numbers, and requiring seal numbers to be read aloud to enhance the transparency and integrity of the opening, closing, and tabulation procedures. The method of calculating voter turnout, the number of voters and the number of votes cast, including blank votes, also could be clarified in the Electoral Code, and the understanding of these provisions reinforced during training of electoral agents.

I Provisional Results

The provisional results of the election were announced gradually over the three days following the vote. The IEOM commends the CEI for aiming to publish the results by polling station, but this was only partially carried out. Also, technical problems delayed the online publication of disaggregated results by polling station. The IEOM encourages the CEI to publish results disaggregated by polling station for each election in a comprehensive manner and to improve the capacity of its website to ensure their publication at the time of the announcement of provisional results and to guarantee permanent access.

The IEOM notes numerous discrepancies between the figures of the local commissions and those announced by the Central Commission, including the number of registered voters, the number of votes cast, invalid and blank ballots, and votes cast for candidates.

Analysis of the results revealed a significant number of arithmetic errors, which underscores the need to strengthen the training of polling station officials. Some localities noted anomalous voter turnout, including a turnout of nearly 100% but no invalid or blank ballots in many polling stations.

The results of the various presidential candidates reflect the political and security situation, including

the opposition boycott. The IEOM notes numerous discrepancies between the figures of the local commissions and those announced by the Central Commission, including the number of registered voters, the number of votes cast, invalid and blank ballots, and votes cast for candidates. This contributed significantly to the lack of confidence in the electoral administration and reduced the level of acceptance of the results. In addition, the calculation of the presidential turnout varied from department to department. The IEOM regrets that this inconsistency, which was subsequently corrected at the national level, reduces the accuracy of the reported presidential turnout. A comprehensive verification cannot be performed because the list of polling stations that did not open or transmit results has not been published, and the results per polling station are not fully available.

Announcement and Publication of Provisional Results

Results are meant to be published at each stage of the tabulation process, from the polling station to the Central Commission, and from the communal, subprefecture, departmental, and regional commissions. The IEOM, which did not monitor the tabulation process for security reasons, found that the posting and sharing of results at the departmental and regional levels was not always completed. Several local commissions reported that they had been instructed not to share detailed provisional results by department and region with candidate representatives and observers.

The announcement and publication of the results by department were made by the CEI gradually the day after the election. These publications were the subject of controversy following a series of anomalies, including identical results for the departments of Korhogo and Man, as well as a participation rate of 100.2% in the department of M'Bengué and 107.08% in Danané without any blank or invalid ballots. Though some of these results were corrected later, this affected the perception of the CEI's credibility and the integrity of its results tabulation process. This negatively affected public acceptance of the results and the election's credibility.

The CEI formally announced national provisional results on Nov. 3, 2020, in line with the objectives set by the electoral administration and within the five days provided for by the texts in force. The results were published on the CEI website gradually from Nov. 3 to 10. However, results by polling station were not made available in their entirety.

Analysis of Results and Voter Turnout

IEOM observers were able to collect the centralized election results from local commissions in 14 of the 33 regions, for a total of 36 out of 108 departments, or 33% of all results. Several findings emerged from an analysis of this data. First, the results tabulation in these 13 departments contained a significant number of arithmetic errors, mainly in the calculation of total votes cast. Although such errors did not impact the calculation of results, mistakes in the formula for calculating the number of voters and votes cast in the polling station results sheet often resulted in blank ballots being counted twice in the total number of voters.

The IEOM also noted differences in the number of votes allocated to candidates between the results of the local and central commissions. The number of votes for Alassane Ouattara increased by 9,168 votes in Kouto and 2,236 in Guiglo and decreased by 1,412 in Duékoué. Similarly, the number of votes obtained by Affi N'Guessan increased by 164 votes in Tabou and by 41 votes in Guiglo. Increases in the number of votes obtained also were observed for

candidate Bédié by 71 votes in Guiglo and by 449 votes in Tabou, and for candidate Bertin by 49 votes in Guiglo and 257 votes in Tabou. Less significant differences also were noted in other localities, notably in Méagui and Soubré.

The CEI announced a participation rate of 53.9%, which it based on the officially announced number of registered voters. But turnout based on the total of registered voters was only 43.6%. The IEOM notes that the method of calculating the turnout varied from department to department. The number of voters was divided by either the total number of registered voters or by the number of registered voters in polling stations that provided results on election day—the latter method overstating the actual voter turnout. The IEOM found that this inconsistency was not corrected at the national level. (See Electoral Challenges and Final Results.)

The IEOM also found discrepancies between the number of voters reported at the local commissions and that announced by the Central Commission.

The IEOM also found discrepancies between the number of voters reported at the local commissions and that announced by the Central Commission. For example, compared with results shared by the Departmental Electoral Commissions (CED, in French) and the Regional Electoral Commissions (CERs, in French), the figures announced by the Central Commission show 9,767 more voters in Kouto; 7,654 more in Tabou; 2,506 more in Guiglo; and 1,849 fewer in Duékoué. The turnout figures announced by the local commissions frequently were changed by the Central Commission. For example, turnout was increased from 8.6% to 91.3% in the department of Bangolo, and from 10.1% to 32.5% in Buyo. Turnout also was reduced from 32.5% to 17.9% in Béoumi, and from 41.5% to 12.3% in Sakassou.

The IEOM notes that the correction of the arithmetic errors alone cannot explain such changes. In some departments, more than half of the voters are not included in the official statistics. The number of registered voters dropped from 115,222 to 39,312

in Yamoussoukro; from 53,524 to 5,070 in Bangolo; and from 34,922 to 15,979 in Sakassou. While these analyses do not call into question the outcome of the election, a comparison of the actual turnout and those used by the CEI reveals significant differences that undermine the inclusiveness of the election and the integrity of the turnout numbers.

The mission also noted some inconsistencies and anomalies in the reported participation rates. For example, the department of Tabou reported 18.9% participation whereas the data shows a rate of 5%. In addition, some CEDs, including those of Béoumi, Yamoussoukro, Bouaké, and Sakassou, reported a higher number of registered voters than that published by the CEI. In the future, the CEI could preprint or prerecord the results sheets at the constituency level with the final enrollment figures to avoid this type of scenario.

For the department of M'Bengué, the CEI announced a participation rate of 99.9% of registered voters, amounting to 100.2% including the votes of deployed polling station members and security personnel (authorized to vote in polling stations other than where they were registered).

The IEOM notes that such figures for an entire department are not realistic. The numbers for this department have not been reviewed or audited by the CEI or the Constitutional Council. In fact, the number of voters reported was 30,501 voters out of 30,442 registered voters and 65 votes from deployed personnel (a total of 30,507 voters), giving a departmental turnout of 100.2%.

There were significant variations in turnout between regions, particularly between the north and south of the country. Turnout rates for the majority of departments in the south ranged from 10% to 40%, with the exception of Sassandra, where the actual turnout was over 70%. In addition to the 13 departments where no polling stations were able to open on election day, the center and south of the country had the lowest actual turnout, with extremes in Buyo, Koun-Fao, Béoumi, and Sakassou of less than 10%. In the north, where the number of registered voters chosen by the CEI generally matches the actual number of registered voters, only two of 30 departments had turnout rates between 70% and 80%, with the others varying mainly between 90% and 100%.

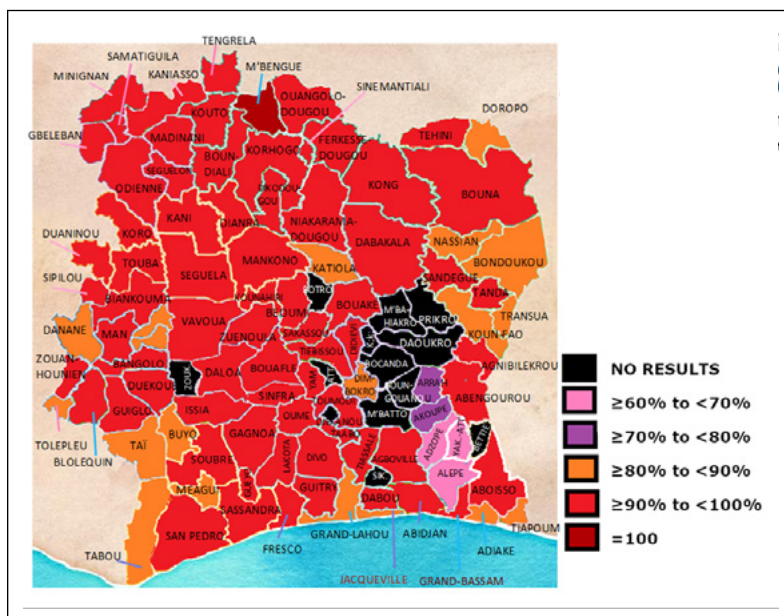
Final Results

President Ouattara won the presidential election on Oct. 31, 2020, in the first round with 94.2% of the votes cast (3,031,483 votes), with a turnout of 53.9%, based only on polling stations in operation. As detailed in Figure 5, the scores obtained by the outgoing president range from 80% and 100% in his northern stronghold and up to 60% and 75% in the regions of La Mé and Moronou, traditionally won by the FPI. (See Provisional Results and Electoral Challenges sections of this report.)

Although opposition candidates announced their withdrawal from the process and launched an active boycott, some voters cast ballots for them anyway. Generally, the highest scores for opposition candidates were in the major urban centers and not in their strongholds where the boycott was particularly pronounced. The lowest scores for opposition candidates were in the north.

Henri Konan Bédié obtained 53,330 votes (1.6% of the total) and Pascal Affi N'Guessan got 31,986 votes (0.9%). Kouadio Konan Bertin, the only opposition candidate to actively participate in the election, obtained 1.9% of the total (35,099 votes). Voting could not be held in Daoukro, the stronghold of the candidate Bédié. Bédié received the highest percentage of votes in the municipalities of Abobo and Yopougon in Abidjan and in the departments of Adzopé, Alépé, Bouaké, and Bondoukou. FPI candidate Affi N'Guessan received his highest percentage of votes in the municipalities of Abobo, Plateau, and Yopougon in Abidjan and in the departments of Alépé, Yakassé-Attobrou,

Figure 5: Percentage of Votes Obtained by President Ouattara, by Department



and Adzopé. Candidate Bertin, having recently been excluded from the PDCL-RDA, received his highest percentage of votes in the municipalities of Abidjan, notably in Yopougon, Abobo, Plateau, and Port-Bouët.

In the absence of appeals, on Nov. 9, the Constitutional Council confirmed all these results as provisionally announced by the CEI on Nov. 3, 2020. (See Provisional Results, Electoral Challenges, and Final Results sections.)

I Electoral Challenges

International standards and obligations for democratic elections recognize the importance of an effective and timely remedy available to every person for the violation of their rights throughout the electoral process, including challenging the election results.¹¹⁹ This right is absolute, and states must enforce the remedy when granted.¹²⁰

During the 2020 presidential election in Côte d'Ivoire, the handling of complaints and appeals was not in line with international standards. The current lack of harmonization between the constitution as amended in 2020 and the Electoral Code has affected the ability to challenge results in terms of clarity of procedures to be followed, including the deadlines to be met. Complaints and appeals were not managed transparently, leaving significant areas

that need to improve and to align more closely with international standards.

The Constitutional Council

In accordance with the provisions of Articles 126 and 127 of the 2016 constitution, the Constitutional Council is the judge of the control and eligibility of the presidential and parliamentary elections. Among other things, it rules on the eligibility of candidates for the presidential election and on challenges to the election of the president, decides and publishes the final list of candidates for the presidential election 15 days before the first round of the election, and proclaims the final results of the presidential election.

With respect to the composition of the council, an analysis of Article 128 of the 2016 constitution shows that of the seven magistrates, four, including the president, are appointed directly by the president of the republic, two by the president of the National Assembly, and one by the president of the Senate. The term of office of each councilor is six years, nonrenewable, and every three years half of the council is renewed. It should be noted that former presidents of the republic are automatically

The current lack of harmonization between the constitution as amended in 2020 and the Electoral Code has affected the ability to challenge results in terms of clarity of procedures to be followed, including the deadlines to be met.

119 An effective remedy allows any individual to assert their rights before a national authority in order to prevent their violation or, if necessary, to obtain compensation. Thus, through the right to an effective remedy, the protection of the rights guaranteed by the constitution and by the legal framework of the country must be respected without exception. African Convention on Human and Peoples' Rights, Article 3: "Every individual shall be entitled to equal protection of the law." General Comment of the U.N. Human Rights Committee (UNHRC GC) 25, Para. 20: "There should be [...] access to judicial review or other equivalent process." Venice Commission, Code of Good Practice in Electoral Matters, Guideline 3.3.

120 ICCPR, Article 14(1): "[e]veryone shall be entitled to a fair and public hearing by a competent, independent and impartial tribunal established by law"; ICCPR, General Comment 32, Article 19: "The requirement of competence, independence and impartiality of a tribunal in the sense of article 14, paragraph 1, is an absolute right that is not subject to any exception. The requirement of independence refers, in particular, to the procedure and qualifications for the appointment of judges [...] and the actual independence of the judiciary from political interference by the executive branch and legislature. States should take specific measures guaranteeing the independence of the judiciary, protecting judges from any form of political interference."

members of the Constitutional Council unless they expressly renounce their membership. The organic law 2001-003 determines the functioning and organization of the council. The criteria and procedures for selecting constitutional judges pose problems in terms of the balance and independence of the council.

The guarantee of independence relates, in particular, to the procedure for appointing judges. States must take measures expressly guaranteeing the independence of the judiciary and protecting judges from any form of interference in their decision making, either through the constitution or through the adoption of laws that set out clear procedures and objective criteria regarding the appointment, remuneration, term of office, promotion, suspension, and removal of judges, as well as disciplinary measures against them. A situation in which the functions and powers of the judiciary and the executive cannot be clearly distinguished, and in which the latter is able to control, direct or influence the former, is inconsistent with the principle of an independent court.

Electoral Dispute Resolution

In accordance with the provisions of the Electoral Code, the Constitutional Council received from the CEI the polling station protocols and the related annexes on Nov. 3, 2020, following the announcement of the provisional results on the same day. It thus opened the phase for possible challenges from Nov. 4 to 8, 2020, having to rule on possible petitions within seven days from its referral. As expected, given the boycott of the election by Affi N'Guessan and Bédié and the postelection situation, no appeals were filed within the legal period of five days. For this reason, at the end of this period, the Constitutional Council announced the final results of the presidential election on Nov. 9, 2020. The final results and turnout did not differ from the provisional results of the CEI. According to the council's arguments, the CEI was not able to organize the elections throughout the country for all 7,495,082 voters registered on the voter list, but

only for 6,066,441 voters, distributed among 17,601 polling stations instead of the 22,381 originally planned.

For the council, it appears that the concerted actions of civil disobedience and the active boycott initiated by the opposition political parties, coupled with acts of violence that were perpetrated in several localities of the country—resulting in human casualties; intentional assault and injury; destruction of public and private property; looting of polling centers, offices, and voting materials; physical or psychological prevention of some voters from exercising their right to vote; as well as many other acts—constituted obstacles to the normal conduct of the electoral process. For these reasons, the CEI was unable to organize the election throughout the country. The CEI therefore redefined the size of the electorate, taking into account only those votes cast and reported to the CEI, excluding voters whose polling station did not open or transmit results to the national level. According to a decision by the Constitutional Council, the CEI was justified in basing its vote totals on the lower figure of 6,066,441 voters rather than the 7,495,082 voters who were initially registered on the voter list.

The CEI therefore redefined the size of the electorate, taking into account only those votes cast and reported to the CEI, excluding voters whose polling station did not open or transmit results to the national level.

The court's Nov. 9 decision¹²¹ affirmed that neither the constitution nor the Electoral Code imposes a minimum number of voters or a minimum number of operational polling stations on which the validity of the election of the president must depend. In addition, the Constitutional Council, in order to justify this state of affairs, relied on its own jurisprudence, notably its decision regarding the 1995 presidential election, which also was subject to an active boycott.¹²² Citing its earlier

121 CI-2020-EP-010/09-11/CC/SG; http://www.conseil-constitutionnel.ci/sites/default/files/decision_ndeg_2020-ep-010_du_09.11.2020_expedition.pdf

122 <http://www.conseil-constitutionnel.ci/archives-et-decisions/decision-ndeg-e-00595>

jurisprudence, the council affirmed the electoral practice “of neutralizing the zones where voting was prevented, resizing the perimeter and the electoral population in relation to the zones where the vote was actually held, and then verifying whether serious irregularities of a nature to violate the sincerity of the vote and to affect the overall result were not actually committed there.”

Neither the 2020 decision nor the 1995 decision on which it was based provide the basis for the Constitutional Council’s legal reasoning to exclude certain areas of the country and a considerable portion the electorate. The council’s approach to reduce the size of the electorate prevented it from considering whether any irregularities undermined the overall integrity of the vote across the country or the results under Article 64 of the Electoral Code, which could, at its most extreme application, provide the basis for annulling an election. Rather, the council examined the protocols used in areas where the election was held and declared the vote fair, as it did not find any serious irregularities sufficient to compromise the integrity of the vote or to alter the overall result.

Although the exclusion of more than 1 million voters affected voter turnout figures, it did not

impact the overall result of the election, which President Ouattara won by an overwhelming margin due to the noncompetitive nature of the election.¹²³

Conclusion

Côte d’Ivoire’s steps to address electoral dispute resolution were not in line with international standards. The handling of complaints and appeals is a useful indicator of a country’s rule of law and the level of citizens’ confidence in the integrity of the judicial system. The dispute resolution process can be weakened when citizens do not have confidence in the independence and impartiality of the judicial system. Complaints and appeals must be managed transparently, both in public hearings and through the publication of reasoned judgments. In this regard, the IEOM recommends reforming the system and criteria for the appointment of Constitutional Council members, to guarantee the independence and impartiality of this jurisdiction and thus correct the current imbalance in favor of the executive branch. The procedures for referral and decision-making regarding electoral disputes must be clearly established by law.

123 The specific case involved an appeal by the candidate Francis Wodié for the general annulment of the 1995 presidential election on the grounds of irregularities in the conduct of the election and the counting of votes. In the absence of evidence, the Constitutional Council rejected the appeal on its merits. In addition, the council, following the verification of the protocol rolls of the polling stations, canceled the results of a limited number of polling stations in six constituencies of the country and, for this reason, updated the final results, which had no impact on the election, given that Henri Konan Bédié had been elected with 96% of the votes cast.

National and International Observation

The right of citizen observers to participate and contribute to election processes is derived from the human rights principle that citizens have the right to participate in the governance and public affairs of their country. General Comment 25 references a role for observers in the election process by stating that “there should be independent scrutiny of the voting and counting process ... so that electors have confidence in the security of the ballot and the counting of the votes.”¹²⁴

National and international observers play a key role in promoting transparency and accountability of the electoral administration and can help increase public confidence in the integrity of electoral processes. Citizen observation throughout the entire electoral cycle can help assess the legitimacy of an electoral process and outline operations and procedures that could be improved. Among other activities, the IEOM participated in several knowledge and information exchanges on electoral practices, including with the CNDH and Indigo.

Institutional and Legal Framework

Despite multiple revisions to the Electoral Code, it remains silent on national and international election observation. Nevertheless, the CEI does allow for the accreditation of organizations wishing to observe the electoral process. An official “Charter for Election Observation in Côte d’Ivoire,” which

For the presidential election, the CEI granted accreditations covering only specific phases of the process: for example, only for the voter registration period, or from the campaign period until the publication of final results. These limitations, contrary to the principles of electoral observation that call for comprehensive coverage of the entire electoral process, made it difficult for IEOM observers to do their work.

was published during the October 2020 presidential election and remains available on the CEI website, specifies the rights and responsibilities of observers. However, this charter does not mention the right to observe the process of compiling and tabulating results. The observation charter also does not provide the criteria for the eligibility of observers—a lack of transparency that could raise questions regarding the inclusiveness of the selection of accredited observers. Information and procedures on accreditation of organizations wishing to observe the electoral process could benefit from greater centralization and be easily accessible on the CEI website. The IEOM also notes that several national organizations and diplomatic representations complained about lengthy delays encountered in the

¹²⁴ See, among others, Article 25 of the ICCPR, articles 19-22 of the African Charter on Democracy, Elections and Governance, the 2002 OAU Declaration on Principles Governing Democratic Elections in Africa, and Point 12 of the 2005 Declaration of Principles for International Election Observation, to which the African Union, EISA, and The Carter Center, among others, have subscribed.

accreditation process and in receiving accreditation badges.

For the presidential election, the CEI granted accreditations covering only specific phases of the process: for example, only for the voter registration period, or from the campaign period until the publication of final results. These limitations, contrary to the principles of electoral observation that call for comprehensive coverage of the entire electoral process, made it difficult for IEOM observers to do their work, as some local electoral commissions refused to receive them, notably in San Pedro and, to a lesser extent, Daloa. However, the mission stresses that its teams also benefited from good collaboration with other LECs, including the regional electoral commissions of Gbêké, Poro, Agnèby-Tiassa, Sud-Comoé, and Tonkpi.

In accordance with international commitments and good practices on democratic elections to which Côte d'Ivoire has ascribed, the IEOM encourages the CEI and the government to establish clear guidelines guaranteeing unfettered observation of all stages of the electoral process.

Authorized Election Observation Missions

The CEI accredited more than 14,000 national and international observers from 114 organizations and platforms for the Oct. 31, 2020, presidential election. Contrary to the requirements of the observation charter, the CEI did not publish the list of accredited bodies.

National organizations and platforms accredited by the CEI included the Platform of Civil Society Organizations for the Observation of the Electoral Process in Côte d'Ivoire; PTI/Indigo; the Civil Society Coalition for Peace and Democratic Development in Côte d'Ivoire; the National Council for Human Rights; the West Africa Network for Peacebuilding; the Ivorian Civil Society Convention; Djigui, The Great Hope Foundation; and the Group of Advocacy and Actions for Electoral Transparency. Several short-term IEOMs also were accredited, including from the Economic Community of West African States, the African Union, and the International Organization of La Francophonie, as well as a mission of experts from the European

Union. Several diplomatic representations also were accredited.

Summary of Conclusions from the Observation Missions for the Presidential Election

All the missions noted the tensions, violence, and lack of consensus in the context in which the election took place. Descriptors such as “volatile,” “sensitive,” and “difficult” recur in the statements of the various national and IEOMs. The headlines are equally illustrative. For instance, the Political Inclusion and Transition Group titled their statement, “An election marred by violence that does not favor the massive and serene expression of people.” WANEP headlined its statement, “An election marred by violence that raises fears of a difficult future,” while EISA and The Carter Center titled theirs, “A non-inclusive Ivorian election is boycotted, leaving country fractured.”

All missions noted that many citizens were prevented from exercising their civil rights because of the security situation. Several shortcomings in the security system and the presence of unauthorized persons providing “security” on election day were noted. Numerous security incidents were reported, as a result of actions and interactions between voters and others involved in the process, including violent demonstrations, assaults on CEI officials, and road-blocks erected on access roads to the polling centers or polling stations to prevent voting.

The shortcomings and irregularities reported concerned the absence of election materials, following their destruction or theft, as well as the impossibility of opening and operating certain polling stations due to delays and absences of polling station staff. Some instances of ballot box stuffing or attempted stuffing also were reported.

The IEOMs all condemned the acts of violence that resulted in the loss of life and called on the competent authorities to shed full light on the incidents so that justice can be done as soon as possible. During the postelection period, they urged and encouraged all stakeholders in the electoral process, including political actors, to work for peace and stability in order to consolidate democracy and the rule of law.

I Recommendations

The IEOM is submitting a series of recommendation for consideration by Ivorian institutions, the executive and legislative branches, the CEI, political parties, and other stakeholders to improve future electoral processes. They constitute the mission's contribution to national discussions on the framework and conduct of elections, as well as possible reforms. These recommendations address the following issues:

Legal Framework

- **Priority:** Harmonize the provisions of the 2016 constitution amended in 2020 with those of the 2020 Electoral Code to ensure legal certainty, eliminate contradictions, and avoid confusion between legal provisions, especially those concerning the publication of the provisional and final list of candidates, and those concerning the powers of the Independent Electoral Commission (CEI) and the Constitutional Council with respect to sponsorship for the presidential election.
- **Priority:** Reform the system and criteria for appointing Constitutional Council members to ensure its independence and impartiality, which is fundamental to the credibility and transparency of elections in Côte d'Ivoire. The current procedure, whereby the executive selects a majority of the council's members, undermines the fundamental principle of an independent judiciary.
- **Priority:** In accordance with national and international obligations for transparency, accountability,

and access to information, the IEOM strongly recommends that the relevant authorities publish, as soon as they are adopted, all legal rules and standards governing the electoral process, including presidential decrees, orders, and decisions of the CEI, as well as provisional and final lists of voters, candidates, polling stations, accredited bodies, as well as the operating procedures and training manuals for each election. The government could include such a publication requirement in the Electoral Code.

Electoral Administration

- **Priority:** Review the criteria and the transparency of the membership of the CEI to strengthen the independence, impartiality, and progressive professionalization of the electoral administration, including its branches. This could be done through a mechanism that would guarantee the selection and appointment of independent members through a consensus approach among the major political forces represented in parliament. If the process of appointing members based on their political affiliation is continued, political parties should be provided an opportunity to confirm the appointments of those who represent their interests on the commission and its subsidiary bodies to ensure inclusive representation and broad acceptance of its members.
- **Priority:** In accordance with its constitutional powers and international obligations, the IEOM recommends that the CEI's regulatory authority

be strengthened in the Electoral Code in an effective manner to ensure the independence of the institution in fulfilling its responsibilities. The CEI's proposals submitted to the Council of Ministers could be published to allow for public accountability of the CEI's and the government's management of the electoral process.

Voter List and Registration

- **Priority:** Take measures to guarantee the constitutional and fundamental right to vote of all registered and potential voters, including persons in pretrial detention and new adults.
- **Priority:** Develop the civil registration system to allow for the establishment of a reliable and consolidated database on which the CEI can base its regular update of the voter list. Promote synergies between the CEI and all national databases to stabilize the civil registration file through regular and transparent exchange of data, including with the databases of the National Office for Civil Registry and Identification and the National Institute of Statistics in order to better target awareness campaigns.
- In light of the multiple identification documents available to voters, including the national identity card, and the use of biometric identification by fingerprints, the government and stakeholders could engage in an inclusive discussion on the possibility of removing voter cards, thereby reducing unnecessary production and distribution costs.

Candidate Registration

- **Priority:** Guarantee the right of all presidential candidates to an effective appeal to the Constitutional Council after the publication of the provisional list of candidates. Ensure that this provisional list is drawn up by the CEI, following the assessment of candidates' eligibility criteria before it is sent to the CC.
- **Priority:** Clarify the Constitutional Council's and CEI's responsibilities with respect to reviewing candidate sponsorship and provide

the technical and computer tools necessary to properly perform a consistent check of the sponsorship lists. In addition, it is advisable to clarify the Electoral Code procedure for the submission and verification of sponsorship lists, as well as the grounds for invalidation that cannot be rectified.

- **Priority:** Ensure transparency in determining the list of candidates. When drawing up the provisional and final list of candidates, decisions to reject or accept by the CEI and the Constitutional Council should be published and the reasons for such decisions be explicitly stated and supported by the information necessary to ensure transparency and allow for effective appeal. To bring uniformity to the processing of candidates, a comprehensive reform effort to improve the regulatory framework of this crucial stage of the electoral process is strongly recommended.
- Consider removing the provisions that allow the Constitutional Council to invalidate multiple sponsorships based on the order of filing, and remove multiple sponsorships from all candidate lists, regardless of the order in which they are filed. Increase the time required to verify sponsorship lists and to regularize the situation for potential candidates who do not obtain the necessary number of sponsorships at first as a result of the invalidation.
- Review and harmonize the sponsorship rules to clarify which voter list is to be used as a basis, and ensure free access for all stakeholders, including national and international observers, to the procedures for counting, consolidating, and validating sponsorships by the Constitutional Council.

Human Rights and Public Freedoms

- Guarantee the possibility of exercising the right to vote to persons in pretrial detention in all places of incarceration by introducing all necessary provisions in the Electoral Code and other elements of the legislation, and by creating a mechanism adapted to the prison system, establishing modalities for registration on the voter list and the options chosen to carry out voting

operations (in particular by correspondence, by mail, by proxy, by permission to leave, or by the opening of polling stations in prisons).

Campaign Finance

- **Priority:** Review the legal framework to end the use of state resources, strictly regulate the precampaign and campaign phases, and introduce an adequate system of proportionate sanctions for violations and a competent authority to enforce it.
- **Priority:** Guarantee equal opportunities and fair treatment for candidates by increasing transparency in the financing of political parties and candidates. Introduce a cap on campaign spending, control of campaign funding sources, and effective auditing mechanism for campaign accounts.

Voting, Counting Operations, and Tabulation of Results

- **Priority:** Publish (including online) disaggregated results by polling station immediately upon announcement of provisional results to

allow candidates to file any appeals. Strengthen the CEI's capacity to collect and process aggregated and disaggregated data by gender, age group, and locality (including region, department, electoral district, and polling station) for registered voters, actual voters, polling station members and presidents, and temporary and permanent CEI staff at the national and local levels, as well as observers and candidate representatives.

- **Clarify in the Electoral Code the method of calculating the turnout, votes cast, and the number of voters, and strengthen the understanding of these provisions by election officials.**

National and International Observation

- **Introduce election observation into the legal framework by providing for its inclusion in all stages of the electoral process, including the compilation and tabulation of results at local and national levels. Accreditation criteria and details of accreditation procedures, including contact information of a focal point, could be published.**

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The findings and analysis contained in this report are those of The Carter Center, and do not necessarily reflect EISA's views.

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Terms and Abbreviations

ACDE	African Charter on Democracy, Elections, and Governance	IDARP	Initiative for Dialogue and Action Research for Peace
ACHPR	African Commission on Human and Peoples' Rights	IEOM	International election observation mission
AU	African Union	KKB	Kouadio Konan Bertin
CEDAW	Convention on the Elimination of All Forms of Discrimination Against Women	LEC	Local electoral commission
CEI	Independent Electoral Commission (Commission Electorale Indépendante)	LMP	League of Movements for Progress
CICS	Convention of Ivorian Civil Society	LTOs	Long-term observers
CNDH	National Council for Human Rights	MTAD	Ministry for Territorial Administration and Decentralization
COSOPCI	Coalition of Civil Society for Peace and Democratic Development in Côte d'Ivoire	NIS	National Institute of Statistics
CSO	Civil society organization	NOCRI	National Office for Civil Registry and Identification
DPCI-ADR or PDCL-RDA	Democratic Party of Côte d'Ivoire— African Democratic Rally	NPA	National Press Authority
ECOWAS	Economic Community of West African States	NTC	National Transition Council
EISA	Electoral Institute for Sustainable Democracy in Africa	PTIP	Political Transition and Inclusion Program
EMB	Electoral management body	PWDs	Persons with disabilities
EOM	Election observation mission	RHDP	Rally of Houphouëtists for Democracy and Peace
EU	European Union	ROR	Rally of Republicans
FPI	Ivorian Popular Front	STEP	Supporting Transitions and Electoral Processes
GAAET	Group of Advocacy and Actions for Electoral Transparency	STOs	Short-term observers
HAAC	High Authority for Audiovisual Communication	UDPCI	Union for Democracy and Peace in Côte d'Ivoire
ICCPR	International Covenant on Civil and Political Rights	USAID	U.S. Agency for International Development
		WANEP	West Africa Network for Peacebuilding

Annex D

Letters of Accreditation

 **REPUBLICUE DE COTE D'IVOIRE**
Union – Discipline – Travail

LE PRESIDENT
N° 026 /CEI/PDT/VP-KS/WMJA



LETTRE D'ACCREDITATION

Le Président de la Commission Electorale Indépendante (CEI) atteste que l'**ONG THE CARTER CENTER** est accréditée pour l'observation de l'élection du Président de la République du 31 octobre 2020, de la campagne électorale à la proclamation des résultats définitifs.

Il requiert toutes les autorités chargées d'administrer le processus électoral sur toute l'étendue du territoire national, de faciliter aux membres de sa mission l'accès à tout lieu ouvert aux opérations électorales.

Il prie les autorités civiles et militaires de les laisser passer librement et de leur porter protection et assistance dans l'accomplissement de leur mission.

Fait à Abidjan, le 13 OCT. 2020


 **KOULIBALY K. K. K. Ibrahime**

Commission Electorale Indépendante (C.E.I.)
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REPUBLIQUE DE CÔTE D'IVOIRE
Union – Discipline – Travail

LE PRESIDENT

N° 001 /CEI/PDT/VP-KS/WMJA

LETTRE D'ACCREDITATION

Le Président de la Commission Electorale Indépendante (CEI) atteste que l'**Institut Electoral pour une Démocratie durable en Afrique (EISA)** est accrédité pour l'observation de l'élection du Président de la République du 31 octobre 2020, de la campagne électorale à la proclamation des résultats définitifs.

Il requiert toutes les autorités chargées d'administrer le processus électoral sur toute l'étendue du territoire national, de faciliter aux membres de sa mission l'accès à tout lieu ouvert aux opérations électorales.

Il prie les autorités civiles et militaires de les laisser passer librement et de leur porter protection et assistance dans l'accomplissement de leur mission.

Fait à Abidjan, le 19 août 2020

COULIBALY-KUIBIERT Ibrahim

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Press Releases and Statements



THE
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IEOM arrival statement

Joint EISA-TCC International Election Observation Mission (IMOE) Presidential and Legislative Elections in the Republic of Côte d'Ivoire

Arrival Statement

Abidjan, September 21, 2020

The Electoral Institute for Sustainable Democracy in Africa (EISA), together with the Carter Center (TCC), announces the arrival and deployment of a Long-Term International Electoral Observation Mission (IEOM) to observe the presidential election of October 31, 2020 and the upcoming legislative elections in the Republic of Côte d'Ivoire. The mission received accreditation from the Independent Electoral Commission (CEI) of the Republic of Côte d'Ivoire on August 19, 2020.

During its stay, the Mission will observe the stages of the preparatory phase of the ballot such as the establishment of the final electoral list, the filing and litigation concerning the candidates for the presidential election, the level of participation of women and youth, digital threats, the election campaign, polling and counting operations on polling day across the country, and the compilation of results. The IEOM will follow the electoral process to its conclusion, including the announcement of official results and the process relating to any disputes over the results.

In addition, the IEOM will interact with various actors in the electoral process, including the CEI, public authorities, political parties and their candidates, independent candidates, media representatives and Ivorian civil society organizations. It will also interact with other national and international Election Observation Missions and Diplomatic Missions present in Côte d'Ivoire.

The IEOM operates independently and in a neutral manner. Its mandate is to observe and analyse the entire electoral process in order to carry out a detailed, impartial and objective assessment. International election observers will assess whether the elections reflect the free expression of the will of the Ivorian people and whether the electoral process complies with the country's legal and institutional framework as well as established international, continental and sub-regional norms and standards for democratic elections articulated in the African Charter on Democracy, Elections and Governance, the ECOWAS Protocol on Democracy and Good Governance and the Principles for

Election Management, Monitoring and Observation (PEMMO). EISA and The Carter Center conduct their election observation mission activities in accordance with the guidelines of the Declaration of Principles for International Election Observation and Code of Conduct for International Election Observers, which was endorsed in a ceremony at the United Nations in 2005.

The Mission is led by Mr. Denis Kadima, EISA Executive Director, and consists of 12 Long-Term Observers, deployed in pairs to different parts of the country. The observers are from Benin, Cameroon, Central African Republic, the Democratic Republic of the Congo, France, Ghana, Morocco, Niger, Senegal, Togo and Tunisia. They will be joined in October by 24 short-term observers. The observers are supported by a team of EISA and TCC experts

and a secretariat based in Abidjan until January 15, 2021.

The Mission will publicize its preliminary conclusions on the conduct of the poll at a press conference and will offer its findings and recommendations for the attention of Ivorian electoral stakeholders. A comprehensive final report will be released after the electoral process is completed.

The IEOM thanks the authorities of the Republic of Côte d'Ivoire for facilitating its work. The mission's work is funded by the United States Agency for International Development.

For more information, please contact the Mission's press officer at infoieom@eisa.org.

Issued in Abidjan, September 21, 2020

Denis KADIMA

Acting Head of Mission



International Electoral Observation Mission (IEOM) Côte d'Ivoire 2020

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PRESS RELEASE—Abidjan on October 15, 2020

Today marks the beginning of the election campaign, paving the way for a crucial stage in the electoral process before the presidential election on Oct. 31. The International Election Observation Mission of the Electoral Institute for Sustainable Democracy in Africa and The Carter Center deplores the loss of life and condemns the violence that has engulfed the electoral process, particularly during August 2020. It reminds political actors that incitement to violence is contrary to international and regional instruments that have been ratified by Côte d'Ivoire, including the International Covenant on Civil and Political Rights and the African Charter on Human and Peoples' Rights.

The Electoral Institute for Sustainable Democracy in Africa (EISA) and The Carter Center urge stakeholders in the electoral process to redouble their efforts and use whatever time is needed to address and resolve several critical issues concerning the electoral process through inclusive dialogue ahead of the presidential election. The mission recalls that dialogue remains the only framework through which it appears possible to reach a mutually acceptable solution to achieve an inclusive, transparent and peaceful election.

EISA and The Carter Center have deployed a long-term international election observation mission (IEOM) in Côte d'Ivoire since August 2020 in preparation for the presidential election on Oct. 31, 2020, and the upcoming legislative elections. The mission consists of an EISA and Carter Center senior team based in Abidjan, 12 international long-term observers (LTOs) deployed in six teams across the country and 24 short-term observers who will join the IEOM on Oct. 25. The observation and analysis

of the IEOM relates not only to national legislation but also to compliance with the sub-regional, regional and international norms and obligations to which the Republic of Côte d'Ivoire has subscribed in the area of democratic elections.

While respecting the principles of neutrality, impartiality and non-interference, the IEOM believes it is important to draw attention to several key issues and concerns relating to pre-election, electoral and post-election phases.

The rule of law is the cornerstone of all democracies. It is also an essential value that must be respected by all and especially throughout the electoral process, from the adoption of the legal framework until the final results of the election are announced. This process must be credible, inclusive and transparent. Any violation of the principles of the rule of law weakens citizens' confidence in the effective application of their rights.

The IEOM is particularly committed to respecting civil liberties, which must be able to be exercised in accordance with the law. Article 20 of the Ivorian Constitution guarantees freedom of peaceful association, assembly and demonstration. However, since Aug. 19 and until Oct. 14, the government has, through three inter-ministerial decrees, suspended marches, sit-ins and other demonstrations in public spaces throughout the country. The orders were made, among other things, on the basis of a law governing the state of emergency which, instituted by decree on March 23, 2020, was not renewed after May 13. The law in question stipulates that the measures taken under the law cease to have effect at the same time as the end of a state of emergency.

The IEOM also stresses its commitment to respect for the decisions of the courts, including those of international courts and in particular those of the African Court of Human and Peoples' Rights (ACHPR) of 2020 related to the recomposition of the electoral administration and the enjoyment of the rights to vote and to be elected. The mission acknowledges the declaration by the State of Côte d'Ivoire to withdraw its recognition of the Court, which will take effect on April 30, 2020.

Furthermore, with regard to the Constitutional Council's Sept. 14 decision, its effects on the inclusion or exclusion of candidates on the final list of presidential candidates have exacerbated the climate of tension around the process. In addition, the citizen sponsorship verification system, as developed and implemented by the Constitutional Council (CC), has failed to dispel and clarify the reasons and motivations for excluding from the final list several potential candidates, resulting in a lack of transparency around this crucial step regarding candidate eligibility.

The IEOM also notes that the composition of the Independent Electoral Commission (known by its French acronym, CEI) and the Local Electoral Commissions (LEC) should be more inclusive and balanced. The lack of agreement between the ruling party and the opposition on the criteria for this recomposition at both the central and local levels remains a crucial point of concern for the IEOM, all the more so after the elections for the offices of the 558 existing LECs started on Sept. 15, 2020.

In addition, the mission has noted challenges regarding both operations and access to information at the national level of the CEI. While most LTO teams reported finding a constructive atmosphere at the electoral administration at the decentralized level, the LTO team in the San Pedro region faced restrictions when trying to collaborate with LECs in that area. The IEOM recalls that for an election observation to be credible, observers must be able to have access to all stages of the electoral process.

This principle is fully in line with the guidelines of the Declaration of Principles for International Election Observation and the Code of Conduct for International Election Observers, adopted within the United Nations in 2005 and of which EISA and The Carter Center are also signatories. The mission

encourages the electoral administration to continue and strengthen its communication and access to information strategy for all national and international election observation missions.

With regard to the election campaign, Article 32 of the Electoral Code states that "*all electoral meetings and electoral propaganda of any type shall be prohibited outside the regulatory duration of the election campaign*". However, the mission observed several pre-election campaign activities that were prohibited by law. Concretely, these included candidate nominations, state visits, and multiple donation ceremonies and infrastructure inaugurations.

Ensuring equal opportunities for all candidates to the presidency remains a crucial principle of any electoral process. This requires a clear system and a specific scope of prohibitions in the legal framework on the use of state resources, including both human and material resources, as well as an adequate system of proportionate sanctions in accordance with standards, obligations and good practices in democratic elections.

The IEOM calls on candidates and their teams and supporters to conduct a transparent campaign free from pressure and false information, including in the media and on social networks. The IEOM also urges the media to cover the election campaign in a balanced and impartial manner and to ensure respect for fundamental freedoms under the Ivorian Constitution.

The mission welcomes the CEI's initiative to publish the provisional polling station results by polling station on its website. However, in the interest of greater transparency, the IEOM urges that this information be published as soon as available and within a sufficient period of time to allow candidates the opportunity to lodge an appeal with the CC within the legal time frame. This could be achieved by allowing the public and stakeholders to view the results registration sheet online, as well as the image of the results protocol, which is the form used to tally the results data within each polling station. Finally, the phases of provisional results, their transmission, compilation and validation, which will enable the proclamation of provisional results by the CEI, could be done at all levels of the electoral administration in the presence of representatives of candidates and national and international observers.



Mission Internationale d'Observation Electorale (MIOE) Cote d'Ivoire 2020

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COMMUNIQUE DE PRESSE—Abidjan, le 22 octobre 2020

La Mission internationale d'observation électorale condamne tout recours à la violence

La Mission internationale d'observation électorale de l'Institut électoral pour une démocratie durable en Afrique (EISA) et du Centre Carter exprime sa vive inquiétude quant à la forte montée des tensions intercommunautaires et au niveau croissant de violence, qui ont entraîné la mort d'au moins huit personnes et fait plusieurs blessés dans la journée du 21 octobre à Dabou dans la région des Grands Ponts. La Mission conjointe internationale d'observation électorale (MIOE) condamne toute forme de violence quel que soit sa provenance, ainsi que les incidents qui sont en train d'émailler le processus électoral.

La mission encourage de nouveau un dialogue constructif et efficace entre le Président de la République et les leaders des partis de l'opposition ivoirienne, pour parvenir à un accord mutuel porté par toute la classe politique en vue de mettre fin aux violences et de garantir un scrutin inclusif, crédible et apaisé en prenant tout le temps qui sera nécessaire. Pour y parvenir, la MIOE invite les responsables politiques à prendre des positions claires pour dénoncer tous les actes de violence et les violations du code de bonne conduite et, en particulier, de ses articles 4 à 10.

La MIOE observe les démarches initiées par la Communauté Économique des États de l'Afrique

de l'Ouest (CEDEAO) pour susciter un dialogue constant entre les principaux acteurs politiques ivoiriens, eu égard à l'environnement politique et électoral tendu entourant l'élection présidentielle du 31 octobre en Côte d'Ivoire.

La mission invite tous les acteurs de l'élection présidentielle à préserver le caractère pacifique du processus électoral et à manifester leur attachement aux principes démocratiques en appelant leurs militants à rejeter fermement toute forme de violence. En outre, elle exhorte tous les candidats et leurs partisans à s'abstenir de tout acte ou langage qui pourrait inciter à un comportement violent ou illégal, y compris les appels visant à empêcher la livraison du matériel électoral et la perturbation du processus électoral dans son ensemble.

La mission rappelle que son mandat est d'observer l'ensemble du processus, en toute indépendance et neutralité. Le rôle des observateurs n'est pas d'intervenir dans le déroulement des élections. Les membres de la mission suivent de près toutes les étapes du processus au niveau central ainsi qu'à travers le pays avec ses observateurs de long-terme déployés depuis la fin du mois d'août, et l'évaluent au regard des lois du pays et des normes régionales et internationales en la matière. La mission présentera ses conclusions préliminaires après le scrutin et publiera un rapport détaillé à la fin du processus.



International Election Observation Mission (IEOM) Côte d'Ivoire 2020

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PRESS RELEASE—Abidjan, November 2, 2020

“Non-Inclusive Ivorian Election Is Boycotted, Leaving Country Fractured”

EISA and The Carter Center again urge political leaders to pursue inclusive dialogue

In a statement released today, the Electoral Institute for Sustainable Democracy in Africa (EISA) and The Carter Center reported their preliminary findings following their observation of the Oct. 31, 2020, presidential election in Côte d'Ivoire.

The mission's report highlighted concerns that the overall context and process did not allow for a genuinely competitive election. The process excluded a number of Ivorian political forces and was hampered by an active boycott by a segment of the population and a volatile security environment. Several candidates ultimately did not contest the election and broad sectors of the Ivorian population did not participate; these issues now threaten the acceptance of the results and the country's cohesion.

The mission expressed serious concerns about restrictions on civil liberties, freedom of expression, and the right to vote and be elected, which run counter to Côte d'Ivoire's regional and international commitments to democratic elections. This situation threatens the democratic advances consolidated by the country over the past decade. In addition, these problems increase the risk of conflict and violence and may lead to a decline in democracy that could extend beyond the country's borders.

EISA and The Carter Center join the international community in once again urging President Alassane Ouattara and opposition leaders to address their political and electoral differences through an inclusive dialogue. In addition, the observer mission urges all Ivorians to maintain their commitment to peace throughout the remaining part of the electoral process and to use legal channels, as provided by Ivorian laws, to deal with election-related appeals and disputes.

The tense and polarized political environment that surrounded this election was fueled by President Ouattara's decision to run for a third term and the Constitutional Council's validation of his candidacy. This ruling, which was the center of various debates, was not based on clear and justified legal foundations and served only to reinforce the recurrent perception of a lack of impartiality on the part of Ivorian judicial and electoral institutions. Insufficient efforts were made to foster dialogue among key political actors in the run-up to the elections. Late-stage government proposals to include opposition figures in the election administration did little to address longstanding grievances in the short time remaining before the elections.

The preelection period was further disrupted by government and opposition actions aimed at undermining the democratic rights of Ivorians. The use of the state of emergency as a legal basis to restrict the

rights of expression and assembly did not allow citizens to exercise their fundamental freedoms during such a critical period, and these freedoms continued to be restricted even after the state of emergency was lifted.

Opposition party leaders responded, calling on their supporters to engage in civil disobedience to obstruct the preparation and conduct of the election. Although they called for legal action, these calls, made in a polarized and tense preelection environment, significantly increased violence. EISA and The Carter Center deplore the deaths of at least 40 people and the injury of several hundred throughout the election process, including on polling day.

The IEOM deployed 16 observer teams, which were able to observe voting operations in 213 polling stations in 17 of the country's 33 regions and autonomous districts. Although officials generally adhered to voting procedures in the majority of the polling stations visited, voting processes took place amid a highly problematic context. Election day was marked by an active boycott, causing a large number of incidents and a volatile security environment. In six of the 17 regions, observers noted that the organization of the vote was heavily impacted. At least 1,052 polling stations were never able to operate.

Observers also noted that the turnout at the polls showed strong disparities across the country, with relatively high rates in the north and lower rates in the center and west, and were very variable in the south of the country.

The audit of the electoral roll, which took place in 2020, significantly increased the number of registered voters, accounting for approximately 71% of potential eligible voters. However, a general lack of transparency regarding the actions taken to clean the registry has still not reassured all actors that the list is accurate. There are particular concerns about territorial representation, the comprehensiveness of voter data, the de-registration of deceased voters, and the possibility of duplications on this list. The election commission should therefore conduct an external audit to ensure all politicians that the electoral roll meets international standards.

Given the increased risk of conflict, it behooves on all Ivorian leaders to refrain from any rhetoric likely to fuel violence. The mission calls on them to denounce any violation of the code of good conduct and encourages the Independent Electoral Commission and other stakeholders to call to order those who have allegedly violated the code of good conduct.



International Election Observation Mission (IEOM) Côte D’Ivoire 2020

Preliminary Statement

Abidjan, November 2, 2020

Non-Inclusive Ivorian Election is Boycotted, Leaving Country Fractured

EISA and The Carter Center again urge political leaders to pursue inclusive dialogue

This statement from the joint EISA-Carter Center International Election Observation Mission (IEOM) is preliminary and covers aspects of the electoral process through Nov. 2 only, as the electoral process is ongoing. Essential phases are outstanding, including the announcement of preliminary results by the Independent Electoral Commission (known by its French acronym, CEI) and the resolution of disputes before the announcement of final results by the Constitutional Council (CC). The IEOM is only able to comment on its observations up to this stage of the process and will subsequently publish a final report, including a comprehensive analysis of the process and recommendations for future elections. The IEOM may also issue further statements or press releases on the progress of the ongoing process if as appropriate.

the acceptance of the results and the country’s cohesion.

- The decision of outgoing President Alassane Ouattara to run for a third term, after having pledged not to be a candidate, increased tension within the political class and the population.
- The validation of his candidacy, by the Constitutional Council, was challenged. The reasoning for this decision has no clear or substantiated legal basis. This alarming trend echoes a tendency observed on the African continent to change or amend the Constitution to allow incumbent Presidents to run for a third term.
- Forty out of 44 candidates were disqualified without being entitled to an effective remedy, as the decision rejecting their candidacy was final.
- Out of the four qualified candidates, only Alassane Ouattara and Kouadio Konan Bertin campaigned, while the two opposition candidates called for an active boycott of the electoral process.
- These factors combined to drag the country into an unbalanced and lackluster campaign period marked by civil disobedience and violence, which

Executive Summary

- The overall context and process of the polls did not allow for a genuinely competitive election. It was hampered by an active boycott by a segment of the population and a volatile security environment. Several candidates ultimately did not contest the election and broad sectors of the Ivorian population did not participate. Calls by the opposition to commit civil disobedience, and the violence that subsequently occurred, also impacted the vote. These issues now threaten

left more than 40 people dead and hundreds of people injured.

- The obligation to respect the official campaign period and the ban on the use of government assets were widely flouted. Political party and campaign financing were only partially enforced; the legal framework does not specify a ceiling for campaign finance, nor their monitoring.
- Both the COVID 19 pandemic and the state of emergency were used as the basis for amending the electoral code by executive order six months prior to the elections without the consensus of Ivorian political forces.
- The Republic of Côte d'Ivoire should be aware of the need to abide by the rulings of international judicial bodies and, in particular, the recent judgments of the African Court of Human and Peoples' Rights, whose decisions are binding on Côte d'Ivoire.
- The use of the state of emergency as a legal basis to restrict the rights of expression and assembly did not allow citizens to exercise their fundamental freedoms during such a critical period, and these freedoms continued to be restricted even after the state of emergency was lifted. State authorities should not exert discretionary powers to restrict these freedoms during an election period.
- The composition of the election management body should ensure that the full spectrum of political forces are represented. However, this political diversity has been blurred by various political reversals and a persistent efforts to block the opposition from nominating members, resulting in their withdrawal from the institution.
- This situation prompted the Independent Electoral Commission (CEI) to operate with 13 rather than 16 members while its local branches operated with five out of eight statutory representatives. In effect, these institutions were largely dominated by the presidential majority; 95% local CEI branches presidents with whom our observers met were members the ruling party, RHDP.
- Côte d'Ivoire's electoral roll was revised in 2020, which led to a significant increase in the number of registered voters, reaching today about 71% of the target population. However, the relative lack of transparency by Ivorian institutions regarding the voter registry does not guarantee its territorial representation, the comprehensiveness of its data or the uniqueness of voters. In addition, the de-registration of deceased voters reported by the CEI accounts for only 5% of those who have potentially died since the last revision in 2018; a large number of deceased voters therefore remain in the database. Given the political tensions observed around the condition of the voter registry, which was established 10 years ago, the CEI should reassure all actors by conducting an external audit to ensure that the registry meets international standards.
- Voter card distribution suffered from the opposition's active boycott, and only 41.15 percent of cards were delivered in advance of the polls. However, because the Independent Electoral Commission made the voting cards available on election day and the Electoral Code allows the voting with a national identity card, the impact of the boycott was minimized.
- Faced with politicized media, the opposition took advantage of social media and used it as a highly influential media platform during the electoral process.
- The IEOM deployed 16 observer teams, which were able to observe voting operations in 213 polling stations in 17 of the country's 33 regions and autonomous districts.
- Observers also noted that the turnout at the polls showed strong disparities across the country, with relatively high rates in the north and lower rates in the center and west, and were variable in the south of the country.
- Election day was marked by an active boycott, causing a large number of incidents and a volatile security environment. In six of the 17 regions, observers noted that the organization of the

vote was heavily impacted. At least 1,052 polling stations were never able to operate.

- In light of the deteriorated security situation, only 54% of the polling stations were able to open on time and the opening operations were assessed positively in 66% of cases, with staff rushing to start voting as soon as possible, without respecting procedures.
- Although officials generally adhered to voting procedures in the majority of the polling stations visited, voting processes took place amid a highly problematic context.
- Election materials were readily available in the polling stations that opened, although the use of polling booths and touchscreen tablets should be enhanced. Shortcomings in the verification of voters' fingerprints, the biometric control provided for by the CEI, and the display of the voters' roll occurred in 20 percent of the polling stations.
- The CEI distributed voter cards in 89% of the observed polling stations in accordance with existing procedures and without interference in 82% of the cases.
- Political party representatives were present in 99% of the polling stations, mainly RHDP (83%). The opposition boycotted the election and did not deploy party agents.

At the invitation of the Ivorian authorities, the Electoral Institute for Sustainable Democracy in Africa (EISA) and the Carter Center (the Center) deployed a long-term International Election Observation Mission (IEOM) to Côte d'Ivoire in August 2020 to observe the Oct. 31 presidential election and the anticipated parliamentary elections. The mission consists of an Abidjan-based core team of election experts from EISA and the Carter Center, 12 international long-term observers (LTOs) deployed in six teams across the country and 24 short-term observers (STOs) who joined the mission on October 25. The short-term observer delegation is led by Denis Kadima, the Executive Director of EISA.

The IEOM's overall objective is to assess independently, objectively and impartially the integrity, credibility, and transparency of the Oct. 31 Ivorian presidential election. The mission is evaluating the election in accordance with the national legal framework governing the organization of elections in Côte d'Ivoire and sub-regional, regional and international instruments governing elections including the United Nations Charter, the Universal Declaration of Human Rights, the African Charter of Democracy, Elections and Governance of 2012, the Declaration of the Organization of African Unity/African Union (OAU/AU) on the principles governing democratic elections in Africa, and the Principles for Election Management, Monitoring and Observation (PEMMO) and the Additional Protocol of ECOWAS.

EISA and the Carter Center deployed 50 international observers from 28 African and European countries across the country on election day to assess the Oct. 31 poll. Observers, equipped with touchscreen tablets, observed the opening and voting in 213 polling stations. The IEOM will remain in Côte d'Ivoire to observe post-election developments, including tabulation and centralization of results, electoral challenges and the announcement of final results. The IEOM is independent in its conclusions and adheres to the Declaration of Principles for International Election Observation signed at the United Nations in October 2005.

This statement is available in French and English; please refer to the official French version if variations in translation exist.

Political and Security Context

The Oct. 31 presidential election represented a crucial opportunity to consolidate democracy in Côte d'Ivoire and an occasion for its citizens to assess the country's progress on the road to stability, peace and democracy. The presidential election, held every five years, is an opportunity for every Ivorian voter to evaluate the candidates' programs and their commitment to democracy, the rule of law, human rights and development.

The International Election Observation Mission (IEOM), deployed by the Electoral Institute for Sustainable Democracy in Africa (EISA) and The

Carter Center, notes that the Oct. 31 presidential election was held in a highly polarized political environment. The pre-election climate was marked by a profound lack of consensus between political forces and a media landscape damaged by hate speech, thus inciting violence and exacerbating regional divisions. Some political actors advocated for a postponement of the vote in favor of dialogue to achieve consensus and remove key obstacles to a peaceful electoral process.

The overall context and process did not allow for a genuinely competitive election. The process excluded a number of Ivorian political forces and was hampered by an active boycott by a segment of the population and a volatile security environment. Several candidates ultimately did not contest the election and broad sectors of the Ivorian population did not participate; these issues now threaten the acceptance of the results and the country's cohesion.

President Alassane Ouattara's decision to run for a third term in office, after promising that he would not be a candidate in the election, caused strong friction within the political class and heightened tension dramatically in the population. Opposition leaders questioned the constitutionality of his candidacy, announced on Aug. 6 and validated by the Constitutional Council (CC) on Sept. 14. These concerns resulted in a pre-election crisis, which was further strained by differences over the composition of the CC and the Independent Electoral Commission (known by its French acronym, CEI), as well as the rejection of 40 of the 44 candidate applications in the presidential election.

The opposition's call for civil disobedience and for an active boycott of the electoral process weighed heavily on the pre-election environment and, in particular, on the distribution of voter cards. The IEOM notes that the opposition's stance affected the peaceful conduct of the vote due to a volatile

security environment, which hindered the opening of an important number of polling stations.

The tense electoral environment in Côte d'Ivoire has prompted worries from a large number of international organizations, including the Economic Community of West African States (ECOWAS), the African Union (AU) and the United Nations (UN), and concerns the entire sub-region. In fact, a deep political crisis in this strategic and central country could destabilize the region, due to the fragile and degraded security environment and a strong inter-twined nature of the countries of the sub-region.

Candidate Registration

The candidacy registration process did not protect one's right to an effective legal recourse

The submission period for candidates for the presidential election took place from July 16–Aug 31, 2020. Forty-four candidates registered. Within 72 hours, the CEI forwarded these nominations to the CC, which immediately published a list comprising the same 44 contenders, paving the way for the period of electoral challenges. The CC rejected 40 of these nominations, for failing to meet eligibility criteria¹²⁵ or the constitutional requirements for the office¹²⁶, and allowed only four contenders to run for the presidency. Thus, the CC rejected the candidacies of Guillaume Soro and Laurent Gbagbo, as they had been removed from the voter registry following the final decisions of the Korhogo and Abidjan Tribunals, respectively.

Concerning the case of Guillaume Soro, the African Court of Human and People's Rights (ACPHR) ordered the State of Côte d'Ivoire, on Sept. 15, 2020, to take all necessary steps to remove major obstacles preventing him from enjoying his rights to vote and stand as a candidate. In a second decision, concerning Laurent Gbagbo, issued on Sept. 25, 2020, the ACPHR ordered that the reference to a criminal sentence in the criminal record must be

¹²⁵ The submission of a candidacy for the election of President of the Republic requires, among other administrative documents: a copy of one's birth certificate, proof of citizenship, an extract from the criminal record, a certificate of fiscal regularity, a copy of the bond receipt for filing fees, a letter of investiture from a political party or group, if necessary, and a petition from a number of registered voters across regions who have agreed to sponsor the candidacy.

¹²⁶ Article 50 of the Electoral code defines certain restrictions for candidature running for President of the Republic.

suspended and that all necessary actions should be taken immediately to remove all obstacles preventing him from registering on the voter registry. Although the decisions of the ACHPR are legally binding, the State of Côte d'Ivoire has not enforced them (*see legal framework*).

Although Article 127 of the Constitution requires it, the CEI did not publish an interim list of candidates, nor did it verify their eligibility criteria.¹²⁷ Thus, the CC, under Article 56 of the Electoral Code, was obligated to publish the candidate list without verifying their eligibility at this stage. The timeline set out in the Election Code (45 days in advance of the election) contradicts that of the Constitution, which requires the CC to publish the final list of candidates only 15 days in advance.

While the candidacy of the four applicants who were accepted by the CC could be challenged, unsuccessful applicants (apart from those who had an opportunity to finalize their sponsorship lists) had no legal recourse, as CC decisions cannot be appealed. The process failed to guarantee the right to effective legal recourse, as set out by international standards for democratic elections, for unsuccessful candidates.¹²⁸

The CC approved four candidate applications, including those of current president Alassane Ouattara of the Rally of Houphouëtistes for Democracy and Peace (RHDP), Henri Konan Bédié of the Democratic Party of Côte d'Ivoire-African Democratic Rally (PDCI-RDA), Pascal Affi N'Guessan of the Ivorian Popular Front (FPI), and Kouadio Konan Bertin (KKB), an independent candidate and dissident of the PDCI. Of the 40 files rejected, 31 were rejected on the basis of ineligibility; or missing, incomplete or non-compliant documents.¹²⁹ Nine were disqualified for lack of the appropriate number of supporting voter signatures.

Five potential candidates appealed the council's decision. All were aimed at the candidacy of President Alassane Ouattara and were rejected for lack of standing. The council has yet to publish its legal reasoning on these cases. According to the CC's interpretation, only applicants who were confirmed as candidates have legal standing to contest the results, and thus be a party to the case. The CC's interpretation is restrictive and objectionable. Article 56 of the Electoral Code allows all candidates, rather than the final roster of eligible candidates, the right to appeal. The paradox of this interpretation has led the CC to judge both the ineligibility of the candidates and their standing in a potential appeal, and their eligibility in parallel.

Sponsorship of candidates: an opaque procedure

The CC rejected the applications of nine candidates for a failure to meet voter sponsorship requirements. Only six of the nine had an opportunity to rectify their application file by supplying additional lists of sponsors, while two were not even notified. One female candidate was automatically rejected. The requirement for voter sponsorship was introduced in 2020 in the Electoral Code, and the majority of candidates struggled with this new process in this electoral process. While the CEI conducted the first stage of the process to collect the sponsorship files transparently, the CC's validation of the lists of voter signatures proved opaque and, in two cases, inaccessible to candidates.¹³⁰ The major stakeholders in the process (potential candidates or political parties that invested them, the national and international observers) were not allowed to attend the counting, the consolidation and the validation of the voter signatures by the CC, which was done by an ad hoc technical support committee. As a consequence, the transparency of the process could not be evaluated.

127 Art. 127 « [...] The Constitutional Council decides and publishes the final list of candidates for the presidential election a fortnight before the first round of voting, after the Independent Electoral Commission conducted verification of the files of the various candidates and published the provisional list of candidates ».

128 Article 2.3 of the International Covenant on Civil and Political Rights (IPDCP).

129 In particular the tax certificate and/or payment of the bond of 50 million CFA francs (approximately USD 90,000).

130 The cases of Marcel Benoit Amon Tanoh and Serge Franck Aimé Djibré, who have not been notified by the CC of the need to replace some sponsors even if the sponsors' filing slips with the CIE clearly show that they had filed sponsorship lists in 17 or more regions and with a percentage of 1% or more.

Contrary to its own internal regulations, as defined in the organic law determining the CC's organization and operations, the CC did not justify its verdict. If candidates lacked the minimum number of sponsors in at least 17 regions and autonomous districts, the CC provided them with a 48-hour window to submit the missing voter signatures. The council did not provide detailed information as to which regions or districts lacked the required number of signatures. It was only while updating their file at the end of the 48-hour period, that the Council informed candidates of the categories, the overall number of sponsors and/or the regions that failed to meet the requirements.

The CC failed to ask candidates Marcel Amon-Tanoh and Serge Djibré to complete their voter sponsorship file or to schedule a follow-up session with them. They were unable to update their file or challenge the CC's decision. The CC's shortcoming in this regard has yet to be explained. Serge Djibré sent a letter to the CC on Sept. 15 asking it to remedy the error and validate his candidacy. The CC rejected his request on the basis that its decision is irrevocable. One candidate's file was rejected because she only provided sponsorship in the district of Abidjan. The remaining six candidates were rejected, and given an opportunity to present additional voter signatures to the CC. According to the Counsel, independent candidates Mamadou Koulibaly and Olivier Dje-Bi-Dje, for example, collected the required signatures in only 15 of the required 17 regions, while the candidate Albert Mabri Toikeusse (UDPCI) did not submit the required number of signatures in six regions until advised by the CC of the status of his submission. Without reviewing the Council's justification, it is difficult to analyze these decisions, as rejected candidates claimed to have submitted the required number of sponsorships.

The controversy surrounding President Alassane Ouattara's eligibility to the supreme office

The issue of President Ouattara's eligibility dominated the two months preceding the elections. The arguments for and against his right to stand for re-election revolve around the CC's interpretation of the 2000 and 2016 Constitution. President Ouattara was elected for his first five-year term in 2010. He was then re-elected in 2015 on the basis of Article 35, paragraph 1 of the 2000 Constitution, which stipulated: "*The President of the Republic is elected for five years by direct universal suffrage. He is only eligible for re-election once...* ». Under Article 35, which became Article 55 in the Constitution of Nov. 8, 2016, the President of the Republic is entitled to two five-year terms. After his re-election in 2015, President Ouattara proposed an amendment to the Constitution, which was later approved through a referendum, itself the subject of controversy. Its adoption, on Nov. 8, 2016, enshrines, according to the CC's decision, the beginning of the Third Republic.¹³¹ This interpretation triggered a legal debate, as the entry into force of a new Constitution does not necessarily lead to the establishment of a new Republic.

In justifying the start of a new "social pact," the CC referred to Article 184 of the Constitution, which establishes the constitution's entry into force from the day of the enactment by the President of the Republic. According to the CC, the new Constitution created a clean slate and a new beginning. Since the Constitution does not expressly state that the mandates exercised under the 2000 Constitution must be taken into account, the Council concluded that the Constitutional revision reset the number of terms served by the incumbent president, thus renewing his eligibility to run for the country's supreme office.

This justification fails to consider the legal continuity of the Constitution.¹³² Article 184 of the

¹³¹ According to the Council, "it follows, both from the explanatory statement and from the legal framework of the 2016 Constitution that the impulsive and decisive motivation of the initiators of this new fundamental law was to establish a new Republic."

¹³² Art.127 "the Constitutional Council ends and publishes the definitive list of candidates for the presidential election 15 days before the first round of elections, after the independent electoral commission has carried out the verification of the files of the various candidates and published the provisional list of candidates"

Constitution cannot be separated from Article 183, which defines legislative continuity.¹³³ This point was one of the main arguments put forward to challenge the President's eligibility. The same court did not mention its own jurisprudence from 2018, which applied the principle of legislative continuity set out in Article 183,¹³⁴ thus reviving a provision of the 2000 Constitution.¹³⁵

Both the 2000 and 2016 Constitution limit presidential mandates to two terms. Given the identical nature of the language, it is very difficult to assert that these two texts are contradictory. The Constitutional Council's justifications provided no clear or substantiated legal grounds.¹³⁶ This venture echoes a worrying trend, observed across the African continent, to change or amend the Constitutions allowing incumbent Presidents to run for a third term.

Election Campaign and Financing of Political Parties

Pre-electoral campaign banned, but favored by an incomplete legal framework

The Electoral Code foresees a 15-day presidential election campaign, which took place from Oct. 15-29, 2020. Although the Article 32 of the Electoral Code states that *"all electoral meetings and*

electoral propaganda shall be prohibited, outside the regulatory duration of the election campaign."

The IEOM directly observed "pre-election" campaign activities, organized mainly on the margins of the candidates' nominations¹³⁷, for candidates of all political tendencies, but also through state visits by the President of the Republic, official ceremonies and ribbon cuttings to inaugurate infrastructure projects.¹³⁸ The opposition also held a large rally in Abidjan on Oct. 10, before the start of the legal campaign period.

Although the Electoral Code stipulates that the use of state resources is prohibited during campaigning, EISA-Carter Center observers noted precampaign activities including the distribution of materials by the RHDP in the presence of ministers and party officials.¹³⁹ These campaigning events monopolized the state media and, to a lesser extent, the private media. These activities are contrary to the principles of fairness and equality. The legal framework, which is silent on these issues, should be strengthened with a clear regulatory framework banning the use of state resources and introducing fines commensurate with the gravity of any violations.

133 Article 183: «The current legislation In Côte d'Ivoire remains applicable, except intervention of new texts in that it is not contrary to the present Constitution ». Art.184 "The present Constitution enters into force on the day of its promulgation by the President of the Republic".

134 The Decision No. CI 2018-008 / DCC / 23-08 / CC / SG of 23 August 2018 of the CC relating to the request of the President of the National Assembly. In this decision, the Council, was requested by the President of the National Assembly to rule on the conformity of its regulation with the Constitution before its implementation. In doing so, the Council relied on article 183 of the Constitution of 2016 to rule on the applicant's standing in the light of article 95 of the Constitution of August 1, 2000, clearly "reviving" a previous constitutional provision.

135 According to the CC, the new Constitution has "erga omnes" effects that "allow everyone, in terms of design, to draw the consequences of a new beginning".

136 In an unusual step, the CC relied, in particular, on a text of Professor Martin Bleou who proposed to introduce a specific provision: "to remove any ambiguity, to provide in the final provisions that the principle according to which the President of the Republic is only eligible for re-election once and applies to situations arising under the Constitution of August 1, 2000". On the basis of these conclusions, which moreover have no legal value, the CC affirmed that neither the Ivorian constituent, nor the transitional provisions, nor the new article 55 of the Constitution, have raised the ambiguity raised by Professor Bleou and therefore, that for this reason "one cannot maintain that a new candidacy of the President in office is not possible". The IEOM recalls that Professor Bleou's words as taken up by the CC are only a partial extrapolation of his reasoning which was first of all based on the permanence and continuity of the principle by virtue of which the President of the Republic does not is eligible for re-election only once. The CC also relied on statements by Pascal Affi N'Guessan, declaring that "nothing in the new Constitution [...] prevents President Alassane Ouattara from being a candidate for his own succession".

137 President Alassane Ouattara was sworn in as the RHDP candidate at a major campaign rally in Abidjan on Aug. 22, ahead of the Constitutional Council (CC) decision on Sept. 14 on the final list of presidential candidates. Henri Konan Bédié was nominated on Sept. 12 in Yamoussoukro for the PDCI-GDR. Konan Kouadio Bertin (KKB) was publicly nominated on Oct. 4. Pascal Affi N'Guessan decided to suspend sine die his nomination ceremony, which was scheduled for Sept. 26.

138 Two visits to the region of the Moronou, from Sept. 9-12, and in Marahoué region from Sept. 23-26.

139 La IEOM has observed, among other things, a ceremony organized by the HRDP, October 4, at the town hall of Man, in the presence of two ministers and the mayor, bringing together more than 1,000 people, including the delivery of 10 vehicles, motorcycles, 18 buses and six trucks. On Oct 4, the IEOM attended the ceremony for the delivery, on behalf of the RHDP and in the presence of a minister and party officials, 11 vehicles and 88 motorcycles in preparation for the election.

A tepid campaign marked by violence and civil disobedience

The election campaign was characterized by a general lack of enthusiasm, reinforced by the opposition's call, from Sept. 20, for "civil disobedience," followed by an active boycott. Thus, only the incumbent President, Alassane Ouattara, and the independent candidate Kouadio Konan Bertin (KKB), campaigned actively.

Alassane Ouattara's campaign benefited from significant human and material resources across the national territory, while KKB's campaign was very scarce and primarily focused in target areas. The other two candidates, Henri Konan Bédié of PDCI and Pascal Affi N'Guessan of FPI, did not campaign. They communicated widely with the public, however, calling on supporters to prevent the electoral process from moving forward by all legal means.

However, the mission deplores that their calls for civil disobedience have led to acts of violence and destruction. The IEOM also regrets that the electoral management body has been targeted by violence and destruction, aimed at preventing the CEI from distributing voter cards¹⁴⁰ and condemns the incidents and the violence that characterized the electoral process, causing at least 30 deaths (namely in Dabou, Bongouanou, Bonoua, Daoukro, Divo, Gagnoa) and many injured.

Party and campaign funding: lack of transparency and weak enforcement of provisions

Laws governing political party financing and electoral campaigns are weak and not well enforced due to gaps in the legal framework and implementing institutions. The Law No. 2004-494 of September 10, 2004 addresses political party financing, which to date, has been largely unregulated. Nevertheless, its application remains limited, due to deficiencies in the traceability of funds, the absence of spending

limits, weak measures to sanction violations of the regulations and an after-the-fact reimbursement a posteriori of campaign expenses. These shortcomings lead to a disparate treatment of public and private campaign funding.

The annual subsidy allocated to political parties and groups during their five-year term is based on the number of votes a party garners in the polls, the number of seats awarded and the number of members of each parliamentary group. However, the IEOM notes that, for the year 2020, the parties received funding only on the basis of the number of votes obtained, without further clarification, due to the failure to establish a commission intended to define these financing arrangements and that of the election campaign. In addition, a law outlining its application was never passed. Although the law provides for political parties and groups to submit an annual report to the Court of Auditors, this provision is not applied, making the use of these funds opaque. The same applies to the private financing of political parties.

Presidential candidates receive additional campaign subsidies, which were supposed to have been enshrined in the Finance Act 2020; this was not the case. In addition, campaign expenses, eligible for reimbursement, are not capped and the law restricts neither the origin nor the nature of such funding.

The weakness of these provisions and their non-enforcement leads the IEOM to question the ability of the State to ensure equal opportunities to be provided to all candidates and the origin of the funds used, despite clear international obligations in this area.¹⁴¹

Presidential Election Legal Framework

The legal framework for the presidential election is governed by the 2016 Constitution, as amended on March 19, 2020, and the 2020 Electoral Code.¹⁴² It is supplemented by other texts, such as the

¹⁴⁰ Attacks against the election administration branches in Iboguhé, Bouaflé, Didiévi, Yamoussoukro, Tiebissou, Daoukro, Sikensi and Yakasse Attobrou.

¹⁴¹ Art. 25C of the International Covenant on Civil and Political Rights (PIDCP). Art. 7 of Convention des Nations-United Nations Against Corruption.

¹⁴² The 2020 Electoral Code, Ordinance No. 2020-356 of April 8, 2020, introduced other modifications.

Political Parties Act of 1993 and the 2004 Law on the Financing of Political Parties and Groups and the Election Campaign. The legal framework is also completed by various presidential decrees and regulations issued by the Independent Electoral Commission (CEI).

Despite the numerous legal texts regulating the elections, the legal framework still suffers from various shortcomings. Additionally, provisions within the Constitution and the Electoral Code have not been harmonized. In particular, the regulations fail to specify the modalities to establish the final list of candidates and the related dispute resolution measures. Several aspects concerning the electoral process and the campaign are insufficiently regulated or are completely absent, such as the regulation of precampaign activities, the prohibition of the use of state resources, the control of public and private financing, the control of the election campaign, the procedures relating to the order of candidates on the ballot paper or the procedures for candidate withdrawal from the final list.

Adoption of the Electoral Code 2020 by ordinance

Since the advent of the Second Republic, marked by the entry into force of the 2000 Constitution, the adoption and revision of the Electoral Code was within the purview of the law by the parliament. However, the Code was amended in 2018 and 2020 by executive order. Although the 2016 Constitution grants the president the power to issue executive orders, the Ivorian legal framework requires the parliament to first adopt enabling laws. The preamble to the executive order amending the Electoral Code covers the State of Emergency and the 2020 State Budget, respectively. For the first, there is no provision to authorize regulation by ordinance; The State Budgeting Act, on the other hand, authorizes the President use an executive order, only in economic and financial matters. The COVID-19 pandemic and the state of emergency to contain it, served as a basis to change the electoral law by

executive ordinance.¹⁴³ According to the Protocol on Democracy and Good Governance of the Economic Community of the West African States (ECOWAS), any change to an electoral law, in the six months preceding an election, should obtain the prior consent of a large majority of political actors). This consensus did not occur.

Standards and international obligations and respect for international justice

The Ivorian legal framework for the organization of elections meets universal and regional commitments. In addition, Côte d'Ivoire has ratified almost all applicable treaties and legal texts.

Nevertheless, the Republic of Côte d'Ivoire should be particularly sensitive to respect the decisions of international judicial bodies and, in particular, the recent rulings of the African Court of Human and Peoples' Rights (ACHPR) relating to the composition of the electoral management body and the right to vote and be elected. Although Côte d'Ivoire signaled its intent to withdraw from the ACHPR on April 29, 2020, the court is competent to receive requests from individuals or non-governmental organizations (NGOs) through April 30, 2020 when the instrument of withdrawal takes effect. The ACHPR confirmed its jurisdiction in the *Suy Bi Gohore Émile case against the Republic of Côte d'Ivoire* in 2020.¹⁴⁴ Indeed, this withdrawal will only become effective on Apr. 30, 2020. Therefore, the Court's rulings are still binding on Côte d'Ivoire, which has an obligation to implement them.

Regardless of constitutional safeguards, civil liberties were hampered by restrictions

Article 20 of the Constitution guarantees freedom assembly and demonstration. However, the government banned marches, sit-ins and demonstrations across the entire territory, from Aug. 19–Oct. 14, 2020, on the basis of three inter-ministerial decrees. These decrees were based on the state of emergency that came into force on March 23, 2020 and which

143 Statement of the Ministerial Council of April 8, 2020: <https://www.presidence.ci/wp-content/uploads/2020/04/CCM-du-08-04-2020.pdf>.

144 <https://fr.african-court.org/images/Cases/Judgment/Apl.%20044%20-2019%20-%20Suy%20Be%20Gohore%20-%20French.pdf>

has not been renewed since May 13, 2020. The obligation to inform the state of one's intention to organize demonstrations cannot be subject to the discretion of the state authority. Therefore, such restrictions did not allow the opposition to fully enjoy the above-mentioned fundamental freedoms.

In the same spirit, these bans were subsequently extended until Nov. 1, 2020, with the exception of the events organized as part of the election campaign. The IEOM notes that the reference to the state of emergency is no longer mentioned in the published decrees, therefore putting its legality into question. Finally, these provisions do not designate the authorities competent to authorize demonstrations and on which grounds requests can be denied.

Electoral Administration

An electoral administration in the midst of a credibility crisis

The Independent Electoral Commission (CEI) is a permanent administrative authority that enjoys legal individual status and financial independence. Its composition, organization, functions, characteristics, and operation are derived from the Constitution, the electoral code, and the law. It enjoys wide-reaching regulatory powers, allowing it to determine the scope of the application of the law, establish clear operational instructions, and to report on each stage of the electoral process, including registration records, the distribution of voter cards, or the latest operations implemented before elections.

The CEI's composition should guarantee representation of the various political actors to ensure its political and administrative balance.¹⁴⁵ However, the law on the composition, organization, functions and operation of the CEI¹⁴⁶ is constantly changing, with the last revision taking place as recently as April 2020.

The political balance enshrined in its legal framework is a gray area. For example, some opposition members who joined the presidential majority,¹⁴⁷ are still considered part of the opposition. In addition, the opposition proposed four personalities to the Ministry de Territorial Administration and Decentralization, which establishes the final list of candidates the Council of Ministers to validate.¹⁴⁸ Their recommendation resulted in the opposition refusing to take the oath of office for a member put forth by the PDCI. Finally, more recently, the call to boycott the opposition's initiatives led to the withdrawal of AFD and MP representatives from the plenary of the CEI.

The lack of trust in the institution is worsened by constant accusations of political biases, especially regarding the CEI's president and the decisive role given to the vice president, who is appointed by the Head of State. The ACHPR, leveraging this situation, ordered the CEI to expand the opposition's representation and to hold new elections at the level of the local CEI branches. Although partially implemented, this decision did not address the issue of political obstructionism within the CEI.

There are 576 decentralized electoral commissions, temporary bodies, distributed throughout all administrative and territorial districts, in the regions (31), departments (82), sub-prefectures (387), municipalities (58) and in the 18 diplomatic representations. Each consists of eight members, including one recommended by the decentralized territorial administration, four by the opposition parties and three by the majority. Hence, the local branches suffer from similar partisan representation challenges and the lack of participation of the different political parties, just as the CEI. The latter operate, to date, with five members. The remaining three from the opposition parties (PDCI, AFD and MP) having not participated in pre-election and electoral activities. The IEOM observers met the presidents

¹⁴⁵ The Commissioners are proposed by the Head of State (1), the Minister of Territory Administration and Decentralization (1), the Supreme Council of the Judiciary (1), the majority (3), the opposition (4) and civil society (6).

¹⁴⁶ Law n°2004-462 from 14 December 2004 modified.

¹⁴⁷ Although the RPC-Paix joined RHDP in March 2018, it is still counted as a representative of the opposition in the CEI.

¹⁴⁸ Law n°2004-462 from 14 December 2004 modified.

of 273 local CEI branches in 17 of the country's 33 regions and autonomous districts. Among these, it is worth noting the over-representation of presidents proposed by RHDP, accounting for 97% of officials. Only 1% of the presidents were proposed by the LMP and 2% from the RDGP-Paix. The mission notes that the PDCI and UPDCI are not represented within local CEI branches as president.

Recruitment and training of election officials

The CEI has access to a pool of state employees, mostly comprised of elementary and secondary teachers. Depending on their duty stations, they are responsible for conducting cascading training for regional and departmental trainers, and trickling down to polling stations supervisors.

A total of 66,405 polling station members participated in cascading trainings from October 19-30, 2020, in the regions and then at the level of the local electoral commissions (CEL). The mission noted difficulties in training polling stations members, in particular on closing, counting and centralizing results. However, these deficiencies were generally addressed because of the high level of competencies of polling stations supervisors and officials. Although the voting processes took place amid a highly problematic context, observers reported that officials generally adhered to voting procedures in the majority of the open polling stations visited.

Polling centers and stations

The election map foresees 10,815 polling centers, of which 10,759 polling centers nationwide and 56 abroad, and a total of 22,381 polling stations, i.e. 22,135 polling stations across the national territory and 246 abroad. This territorial coverage allows all registered voters to be assigned to an accessible polling station. Although the electoral code requires fewer than 600 voters per polling station, in practice the CEI has tried to limit each polling station to 450 voters, making it easier to carry out polling activities.

Awareness, civic education and communication

A communications campaign was carried out with visible posters on major traffic zones and spots on national and local radio stations, raising awareness among voters about their participation in the election and the need to maintain a calm electoral environment. The CEI organized a nationwide civic education campaign through a network of civil society organizations (CSOs) that first conducted voter outreach during voter registration, and later for 15 days in October 2020, with the same objectives of encouraging participation and peaceful elections. The establishment by the CEI, with the support of UNDP, of a media center with the aim of maintaining a media pool relaying electoral information, never materialized.

Voter Registration

The CEI's mission is, in particular, to maintain an up-to-date national voter registry via the implementation of annual audits. Based on the recommendations of the Ouagadougou Political Agreement (OPA) signed on March 7, 2007, the voter registry was completed in 2010, following a complex process of foreign audits, reconstruction of civil registers, biometric voter registration, and cross-checking with a dozen national registries. This exercise resulted in the initial confirmation of 5,277,392 voters, or approximately 65% of the target population in 2010.

Although the law provides for an annual audit, the CEI has faced budgetary constraints, as the government does not allow to conduct it during non-election years. Audits to the voter registry took place in 2015, 2016, 2018 and finally 2020.

Between 2010 and 2018, irrespective of the aforementioned budget constraints, the CEI managed to maintain a voter registration rate of around 60-65% of the target population. These audits have helped to achieve a relatively consistent registration rate from one election process to another one, thereby making it possible to regularly keep up with the annual target population growth rate estimated at 2.6%.

The 2020 audit operations began on June 10 and continued until July 5, 2020, after two extensions. As a result, 1,711,855 people applied for registration throughout the territory and 18 diplomatic representations abroad. The CEI subsequently worked clearly to ensure (i) the uniqueness of voters, followed by the removal of 52,534 duplicates from the 2018 lists (ii) the eligibility of voters, resulting in 763 voters stripped of their civil and political rights. In addition, 7,779 applicants were denied voter cards because they did not meet the requirements. With regard to the deletion of deceased voters, the CEI relied on data provided by the Ministry of Territorial Administration and Decentralization, resulting in the deletion of 8,073 of 34,380 voters.

The IEOM notes that the removal of deceased voters by the CEI remains very low, accounting for less than 5% of voters who have potentially died since 2018. Some 95% would therefore still be present in the electoral roll.

The quality of the electoral registry cannot be assessed without comparing the disaggregated data against that of the target electoral population. To date, CEI is unwilling to report on the detailed data in the electoral roll and the National Statistics Office (INS) has not published detailed data about target population aged 18 and above, per age and sex and per region. This does not help to compare the electoral roll with the target population figures. The IEOM noted mixed experiences in the transparency of data when working with local institutions in this area. In addition, it was not possible to analyze the quality of the biometric and alphanumeric data collected. The completeness of voter information, the guarantee that each voter is registered only once, or the work of deleting deceased voters could be evaluated. Despite requests from the political class, the CEI still refuses to have an external audit of the file conducted and did not disclose detailed data of the electoral rolls.

Complaints regarding the voter lists allowed a large number of applicants to assert their rights. Thus, 13,307 requests were processed first or last resort, with an acceptance rate of 70.69%. These requests concerned requests for corrections of the personal

voter data (6,709), statements of omission (5,969), and finally, requests for removing voters based on the nationality of an unduly registered voter, but also in the context of reporting the death of a voter (629).

Ultimately, the 2020 updated voter registration record contains 7,495,082 registered voters. The work performed by the CEI shows the strongest growth observed on the electoral rolls since the generation of the file in 2010, thus reaching today 70.40% of the target electoral population.

The electoral roll comprises 48.65% of female voters and 51.35% voters (7,397,413 in Côte d'Ivoire/97,669 abroad). It is perfectly consistent with the official trend as highlighted in the 2014 General Census of Population and Housing (RGPH), which identified a ratio of 48.65% women to 41.7% men. The RGPH includes many migrant workers, around 6 million people, who distort the gender ratio, which should always give a slight predominance to the representation of women. The male-female ratio reached by the electoral roll is therefore consistent, compared to 105 against 107 as officially reported for 2014 in the last RGPH.

Compared to the last revisions, the 2020 revision increased the electoral population by 1.14%, one of the strongest growth rates since 2010, still below the 2.6% annual population growth rate. In view of these factors, the opposition's recurrent request for the conduct of an international audit of the Ivorian electoral roll would effectively allow to accurately determine whether the electoral lists are representative of the populations of each department, the female/male ratio in the population or the age brackets of the target voters.

Distribution of voter cards

The CEI committed itself to printing all voter cards for all 7,495,082 registered voters. Indeed, voter cards have a lifetime of an election cycle and therefore all must be reprinted before each election. The distribution was planned, in all polling centers, from Oct. 14-25. In view of the political tensions observed and the "active boycott" against the distribution of voter cards, this phase proved complex

for the branches of the CEI. The final issuance rate presented by the CEI was 41.15%.

Though low, the boycott of this process has had relatively no impact on voters' participation in the election, given that they had the opportunity to pick up their registration cards at their respective polling stations on polling day. In the absence of the voting card, voters were allowed to exercise their right to vote by producing their national identity card (CNI), as allowed by the law. Difficulties in distributing the voters' cards did not impact adversely on voting operations on polling day. Voter cards were thus distributed, either at the polling stations, in 69% of cases, or in the polling centers in 20% of cases. It should be noted that the use of the national ID card to confirm the voter's status has been well applied, for voters who did not hold their voting cards.

The Media and Social Networks

The Ivorian media space is vastly diverse. Communication is mainly structured around the press (print and digital), and the radio and television stations (public and private). The audiovisual space that was once the monopoly of the Ivorian Radio and Television Broadcasting (RTI) has since been expanded. A number of private television channels have been authorized to broadcast (A+ Ivoire, Life TV, 7 Info and the Nouvelle Chaîne Ivoirienne).

For many media space observers, these newly created television channels remain under the control of prominent personalities close to the ruling party. Law N° 2017-867 of Dec. 27, 2017 on the legal status of the press regulates the press community, decriminalizes press crimes and regulates the practice of the journalist profession. Generally, in Côte d'Ivoire, media outlets are linked to parties or politicians. From 2017 to 2020, a dozen of journalists were arrested in Côte d'Ivoire and ordered to pay financial penalties that were very powerful coercion instruments.

The HACA (High Authority for Audiovisual Communication) is responsible for regulating the audiovisual sectors (radio and television broadcasting). The National Press Authority (ANP) is

tasked with regulating the print media and online press. The HACA and the ANP should ensure equal access of candidates to the media during elections. The State media however remain under the control of the ruling party.

Political stakeholders and Ivorian people in general are increasingly interacting through online media, which are becoming a power issue and for the opposition is the main propaganda tool. Indeed, throughout the electoral process, both the opposition and the ruling party used this channel to inform and propagate instructions and slogans to their supporters.

The Mission notes that all political parties organize the widespread dissemination of hateful or harmful information using networks of cyber activists and that on the online media, the pages of some political party activists spread many dangerous and hateful messages. According to the mission's findings, such messages fuel tension in the political climate and incite people to violence.

The IEOM team monitored more than 9,000 Facebook posts. This analysis revealed a clear polarization on social media with, on the one hand, the supporters of the RHDP for the holding of the presidential election on Oct. 31, 2020, and on the other hand Internet users close to the political opposition objecting to the holding of the voting process. The mission observed hate speech and dangerous speech as well as a disinformation campaign on social media. The mission has not observed the official pages of parties and candidates broadcast any hate speech.

Hate speech and dangerous speech, observed by the mission, have, in most cases, dealt with issues related to ethnicity and nationality. The publications, usually published by avatars in groups, have aroused very highly politicized reactions. In addition, disinformation campaigns have focused on comments attributed to political figures. Often unverifiable information was shared, notably by avatar Chris Yapi, which remains closely viewed.

Women's Participation

Despite the ratification of the main international instruments on women's rights, women struggle to find a seat for themselves in the decision-making and political spheres in Côte d'Ivoire. Of the 44 presidential candidates, only three were women (6.81%) and none were retained by the CC.

The preamble of the 2016 Constitution outlines the principle of gender equality for the first time and its decline in various areas (parity in the labor market, political participation and the fight against violence against women). Another step forward, although still needing improvement, is represented by the adoption of Law 2019-870 introducing a quota of 30% women in parliament and the introduction of alternate party lists¹⁴⁹ beginning in the next elections.

Different from the international target quota of least 30% for women's representation, only 12% of the members of the National Assembly and 19.2% of the Senate are women.¹⁵⁰ Women represent only 3% of the regional councils with only one as president and women sit on 7% of municipal councils. Within the CEI, there are 25% women (4 of 16 members). Although diverse, their presence is rather small in local electoral commissions and party governing bodies. Few political parties prioritize gender in their statutes and women are rarely included in decision-making bodies. The MIOE observers noted that XX% of polling stations did not have female representation, while 77% of polling stations had one woman only 7,6 % of the presidents of the polling stations were women.

Participation of People With Disabilities

Côte d'Ivoire ratified the United Nations Convention on the Rights of Persons with Disabilities (CRPD) in 2014. The voter status of persons with disabilities is a protected right and they should be included in the electoral process. The coordinators of the associations of persons with

disabilities (CAPH-VB) which has nine associations, received training on election observation from Sept. 8-12, 2020.¹⁵¹ According to Section 37 of the electoral code, voters with a physical disability can be assisted by any person of his choice. According to IEOM observations, this procedure was generally followed on polling day. However, voters did not have the option to request a tactile-Braille ballot. Unfortunately, only 70% of the polling stations visited were accessible to people with reduced mobility.

National and International Observation

National and international observation is not provided for by the Electoral Code. However, the CEI has established the criteria and the accreditation procedure, which turned out to be cumbersome and bureaucratic. The CEI granted accreditations that relate to specific phases of the electoral process (for example a type of accreditation only allowing to cover the period of voter registration, or the campaign period until the publication of the final results, etc.). Unfortunately, these limitations have made for the work of IEOM observers difficult: a few CEI local branches refused to allow them to observe; in the San Pedro region, for example, the collection of information was slowed down significantly by the reluctance of the polling officials to collaborate. In the interests of transparency, the IEOM encourages the CEI to set clear guidelines to ensure that all stages of the process are open for scrutiny, without hindrance, in accordance with international commitments and best practices regarding democratic elections to which Côte d'Ivoire has adhered.

According to the CEI statements, more than 10,000 observers have been accredited. Several national platforms have been accredited by the CEI such as the Programme of Organizations of the School for the Observation of Electoral Control in Côte d'Ivoire (POECI); the Transition and Political Inclusion

¹⁴⁹ The elective positions are: MPs, Senators, Regional Councils, District Councils and Municipal Councils.

¹⁵⁰ UN Women in Politics 2020 <https://www.unwomen.org/-/media/headquarters/attachments/sections/library/publications/2020/women-in-politics-map-2020-fr.pdf?la=fr&vs=828>

¹⁵¹ According to the 2014 General Population Census, there are 453,000 people with disabilities in Côte d'Ivoire.

Programme (PTI); the Research and Education Initiative for Peace (INDIGO); the Coalition of Civil Society for Peace and Democratic Development in Côte d'Ivoire (COSOPCI), the Human Rights National Council (CNDH), the West Africa Network for Peacebuilding (WANEP) to follow the various stages of the process. On polling day, IEOM observers met with national observers in XX% of the polling stations observed.

The CEI has also accredited several short-term international election observation missions and, notably, the Economic Community of West African States (ECOWAS) with 90 observers, the 11-member International Organization of Francophonie (OIF), the African Union (AU), which has deployed 40 observers, and the four-person European Union (EU EEM) team of experts. The EISA-Carter Center IEOM was the only long-term international mission to Côte d'Ivoire.

Election Day Observation

EISA and the Carter Center deployed a total 17 observation teams, 16 of which were able to lead proper field observation during election day. These teams observed the opening and vote in 213 polling stations (« PS » below) in 17 out of the 33 regions and districts.

Although officials generally adhered to voting procedures in the majority of the polling stations visited, voting processes took place amid a highly problematic context that did not allow for a fully competitive election.

Election day was been affected by protests and a so-called « active boycott » over a large portion of the country, impacting the polls in differently in each region considered. In the regions where the IEOM was able to observe, a minimum of 1052 polling stations did not open.

Regions in which the security situation had little impact on the polling

In 11 of the 17 regions where observers were deployed (namely Poro, Loh-Djiboua, San-Pedro,

Cavally, Tchologo, Agneby-Tiassa, Hambol, Tonkpi, Haut-Sassandra, Abidjan and Guémon), voting activities were conducted in a calm manner. Voting in these areas was not been impacted significantly, though sporadic events were reported.

- In the regions of Poro and Tchologo, electoral authorities confirmed that 100% of PS were able to open during e-day;
- In the Tonkpi region (District of Sipilou), an armed attack (machete) occurred in two PS and ballot boxes were stolen. In the Man district (west of the country), voting booths were set on fire within the premises of the Local Electoral Commission. The Commission was thus compelled to use improvised booths;
- In the Cavally region, the electoral process has been impacted by various security events, which prevented 53 PS to open on e-day;
- In the region of Loh-Djiboua (District of Lakota) roadblocks that were set up in the morning slowed down the opening of PS, without fully impeding the voting process;
- In the Autonomous District of Abidjan, sporadic events have been observed. Most of them were roadblocks or involved groups local youth, in particular in Blockhaus, Bingerville and Yopougon (where 9 PS could not open on e-day);
- In the region of Agneby-Tiassa, security events impeded the polling to take place in 17 PS spread across the whole district, thus limiting their overall impact;
- In the Haut-Sassandra region (District of Daloa), while downtown remained rather calm and allowed voting, surrounding rural areas suffered from a degraded security situation. This was the case in Sapia, Bouali, Boludughé and Boguedia, where voting was prevented in a limited number of PS (4 out of 84 observed). The electoral administration refused to communicate on consolidated figures for the entire region.

Regions in which the security situation impacted the voting process

EISA/Carter Center observers were deployed in six regions where the security context had a large impact on the voting process and voter participation. These regions were : Sud-Comoé, Gbèkè, Yamoussoukro, Béliér, Marahoué et la Mé.

- In the Sud Comoé region (Bonoua district), 13 polling centers out of 28 were still not open at midday. A strongly degraded security context prevailed throughout e-day. Ten PS never opened, seven of which had never received electoral equipment and three of them had been ransacked. A total 59 PS out of 119 PS never opened in the Bonoua district. In other « Départements » of the Sud Comoé region, 42 PS could not open;
- In the Gbèkè region (District of Sakassou) voting was only possible downtown. Some 128 rural PS were not able to open due to incidents. In the same region, in the District of Béoumi (« Sous-Préfectures » of Bodokro, Kondrobo, Sakasou and Andokekrenou), 131 out of 187 PS never opened. In the Bouaké district (« Sous-Préfectures » of Botro and Bouaké), a vast majority of PS did open. The precise figure is still unknown;

- In the Autonomous District of Yamoussoukro (political capital), the security situation remained very tense the day before elections and throughout e-day. Events encompassed roadblocks, firearm shootings, and intimidations by local youngsters on motorcycles holding machetes. This environment impeded 276 out of 359 PS to open (77% of the whole district);
- In the Béliér region (Tiébissous District) 113 out of 139 PS remained closed throughout e-day. Additionally, only 22 out of the 26 PS that remained open were later able to centralize and consolidate results. The 4 other PS had been ransacked in the meantime;
- In the Marahoué region (District of Bouaflé), a PS opening occurred late due to roadblocks. By the end of e-day, 119 PS never opened, mainly in rural areas;

In the Mé region, the degraded security situation prevented voting in 97 out of 236 PS.

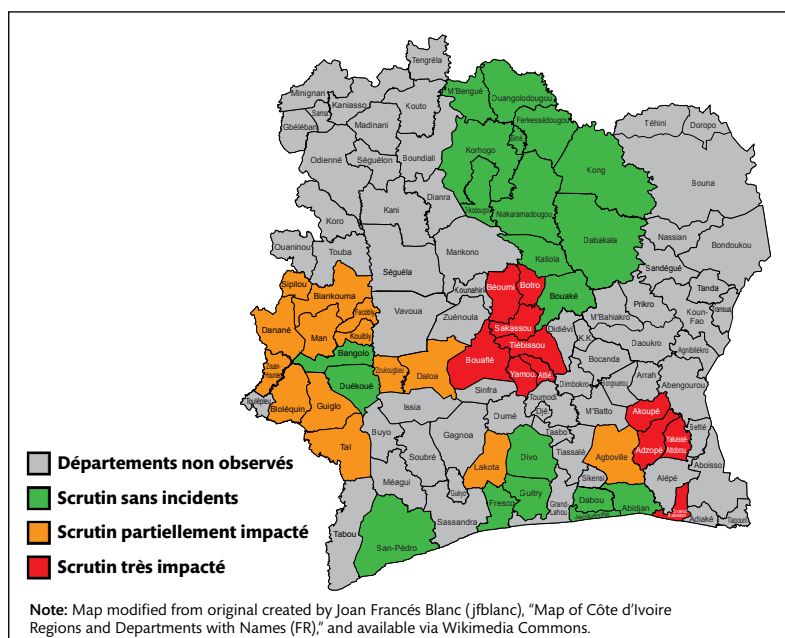
Opening of the Polling Stations

IEOM observers attended opening operations in 15 of the 33 regions and autonomous districts of the country. The very tense situation in Yamoussoukro did not allow a proper observation of in the morning of election day. From a larger standpoint, the prevailing security situation led numerous delays in the opening of PS. This caused the frequent breaching of processes (set forth by the Central Independent Electoral Commission) by PS staff attempting to quickly open the PS to voters.

Delays observed in the opening of PS

In 10 of the 15 regions observed, observers noted moderate delays in the opening of PS, caused by the necessity for security forces to assist PS staff and secure the operations. Only 54 % of PS opened on time (08AM), 26% within 30 minutes, 11% after 1 hour, and 9 % more than 1 hour later. These figures encompass only PS that opened and were observed during e-day.

General environment, as observed by MIOEÀ– impact on polling



General environment

Delays results in lines during the opening period in 66.6 % of PS observed. However, the general environment surrounding the PS allowed the opening in fair conditions, in all cases. Security forces were always present, outside the PS. They positively contributed to the safe unrolling of electoral operations in the majority of cases.

Opening procedures

The process set forth by the electoral commission implied that PS staff was supposed to be in place from 7 AM. Due to prevailing security conditions, a large number of staff preferred to wait for the arrival of the security forces. Hence, only 66,6% of PS staff members arrived on time.

Opening procedures were largely respected and occurred as follows: i) random draw for the location of the hologram, was respected in 73% of cases, ii) the empty ballot box was presented to all people present in 80% of PS, iii) the ballot box was properly sealed in 86% of cases and iv) the seal reference has been written in the minutes in 73% of PS observed. The PS opening procedures has not been respected that strictly for PS that opened late, due to time pressure caused by delays.

Voting Operations

Sixteen IEOM teams observed the voting operations in 17 of the 33 Regions and Autonomous Districts of Côte d'Ivoire, and the voting process in 198 PS throughout the country, during e-day.

General organization of Polling Stations

IOEM observers were able to freely access 95% of open PS. Although officials generally adhered to voting procedures in the majority of the polling stations visited, voting processes took place amid a highly problematic context. The number of voters registered in the PS corresponded to the numbers imposed by the CEI (Central Independent Electoral Commission), varying from 98 to 465 voters, far below the maximum 600 voters, a figure set as a ceiling in the electoral regulations. In 97% of PS

visited, the general atmosphere was positive for the voting process Security forces were present in 97 % of PS visited, with a largely positive impact. In only 2,5% of PS, they were not present. In 3% of cases, observers noticed difficulties in order management.

Three PS staff members were present—as requested by the rule—in 94% of PS observed. In all other cases, at least 2 members were present at all times, allowing the vote to take place even in the 6 % remaining cases. At least 1 woman was present in 77% of PS, but only in 7,6% of cases she presided. 30% of PS were not accessible to people with reduced mobility.

Distribution of Voter cards

In 89% of PS observed, the CEI facilitated the distribution of voter cards. In 82% of cases, this distribution has been completed according to regulation. In only 2 cases, members of political parties were observed interfering with the process. Voter cards were available: i) at the PS (89%), or ii) at the polling center (20%) as planned by the IEC (who decided that in the polling centers where at least 50% of cards had been distributed on October 25, the remaining cards would be delivered directly at the polling center on e-day). However, the IEOM underlines that in 11% of PS observed, no voter card distribution could be done. In such case, voters were still been allowed to cast their vote if they presented their national ID card.

Voting process

Voting operations have been largely respected in the PS that were observed. Fingerprint checks (voter finger to be placed on the tablet) were found to be less systematic. Thus : i) the voter card or national ID card has been checked in 93% of cases, ii) fingerprints checked with the tablet (74%), iii) the visual check of absence of permanent ink on the voter fingers (82%), iv) check of the name of voter against the nominative list (attendance list) (93%), v) the delivery of a unique ballot with hologram and signature (92%), vi) secrecy of vote respected (90%) vii) voter signature on the list (93%) and viii) the voter finger marking with permanent ink in 94%of cases.

Voting Continuity

Voting process was interrupted in 4% of PS observed. IEOM observers were unable to access the 1052 PS that never opened on e-day.

Involvement of political parties' representatives

Representatives of President Ouattara were present in 83% of PS. Supporters of Bertin Kouadio Konan were present in 16% of PS. No representatives of PDCI candidate Henri Konan Bédié nor of FPI frontrunner Pascal Affi N'Guessan were observed, in line with the active boycott strategy line of these two competitors. Observers noted that

representatives of the candidates only interfered with the voting process in 3% of PS visited.

Observation of voting operations by national organizations

National observers were noticed in 26% of PS visited. These encompassed people from CNDH (9%), PTI (5%) and various other NGOs (12%).

Closing, counting and centralization

IEOM observers were unable to observe any step of the closing, the counting or centralization of results processes due to security reasons.

Abidjan, November 2, 2020

Denis KADIMA

Head of Mission

Presidential Election Results

Provisional results published by the CEI on Nov. 10, 2020 (presidential election)

REPUBLIQUE DE CÔTE D'IVOIRE
Union - Discipline - Travail

ELECTION DU PRESIDENT DE LA REPUBLIQUE
SCRUTIN DU 31 OCTOBRE 2020

RESULTATS

OÙ LE SCRUTIN A EU LIEU



Nombre de bureaux de vote	17 601	DIX-SEPT MILLE SIX CENT UN
Inscrits	6 066 441	SIX MILLIONS SOIXANTE-SIX MILLE QUATRE CENT QUARANTE ET UN
Votants	3 269 813	TROIS MILLIONS DEUX CENT SOIXANTE-NEUF MILLE HUIT CENT TREIZE
Taux de participation	53,90%	
Bulletins nuls	53 904	CINQUANTE-TROIS MILLE NEUF CENT QUATRE
	1,65%	
Suffrages exprimés	3 215 909	TROIS MILLIONS DEUX CENT QUINZE MILLE NEUF CENT NEUF

CANDIDATS	SCORE (chiffres / lettres)	POURCENTAGE
RHDP	3 031 483	94,27%
FPI	31 986	0,99%
PDCI-RDA	53 330	1,66%
INDEPENDANT	64 011	1,99%
BULLETINS BLANCS	35 099	1,09%

ELECTION DU PRESIDENT DE LA REPUBLIQUE
SCRUTIN DU 31 OCTOBRE 2020
RESULTATS

OÙ LE SCRUTIN A EU LIEU												
REGION / DISTRICT AUTONOME / DEPARTEMENT / PAYS / COMMUNE / SOUS-PREFECTURE	NB BV	INSCRITS	PERSONNEL D'ASTREINTE	VOTANTS	TAUX DE PARTICIPATION	BULLETINS NULS	BULLETINS BLANCS	SUFFRAGES EXPRIMES	RHDP	CANDIDATS		
										AFFIQUSSAN PASCAL	BEDIE KONAN AIME HENRI	POCI-RDA
TOTAL	17 601	6 066 441	16 918	3 269 813		53 904	35 099	3 215 909	3 031 483	31 986	53 330	64 011
POURCENTAGE					53,90%	1,65%	1,09%		94,27%	0,99%	1,66%	1,99%
AGNEBY-TIASSA	362	125 950	21	47 746	37,89%	777	302	46 969	44 971	348	739	609
♦ AGBOVILLE	171	61 289	10	15 438	25,17%	559	231	14 879	13 840	193	378	237
♦ TAABO	28	10 509	0	352	3,35%	10	3	342	314	4	17	4
♦ TIASSALE	163	54 152	11	31 956	58,99%	208	68	31 748	30 817	151	344	368
BAFING	325	69 491	235	64 880	93,03%	394	397	64 486	63 333	163	246	347
♦ KORO	104	24 016	79	23 180	96,19%	85	135	23 095	22 816	31	53	60
♦ OUANINOU	97	19 857	78	19 380	97,21%	94	51	19 286	19 111	25	61	38
♦ TOUBA	124	25 618	78	22 320	86,82%	215	211	22 105	21 406	107	132	249
BAGOUE	356	115 866	235	106 097	91,37%	784	575	105 313	103 107	317	459	855
♦ BOUNDIALI	135	42 406	119	38 798	91,21%	204	156	38 594	37 707	71	155	505
♦ KOUTO	125	43 428	90	41 401	95,13%	425	169	40 976	40 380	117	146	164
♦ TENGRELA	96	30 032	26	25 898	86,15%	155	250	25 743	25 020	129	158	186
BELIER	159	46 519	46	28 623	61,43%	217	151	28 406	25 750	229	1 614	662
♦ DIDIEVI	57	16 757	25	12 185	72,57%	108	36	12 077	9 992	180	1 409	460
♦ TIEBISSOU	43	8 061	0	5 319	65,98%	8	0	5 311	5 177	11	40	83
♦ TOUMODI	59	21 701	21	11 119	51,14%	101	115	11 018	10 581	38	165	119
BERE	352	95 686	472	85 079	88,42%	591	463	84 488	83 022	252	393	358
♦ DIANRA	73	20 442	51	19 074	93,06%	113	84	18 961	18 741	33	56	47
♦ KOUNAHIRI	72	19 754	72	12 670	63,77%	150	160	12 520	11 782	162	234	182
♦ MANKONO	207	55 490	349	53 335	95,49%	328	219	53 007	52 499	57	103	129

RESULTATS

OÙ LE SCRUTIN A EU LIEU													CANDIDATS				
REGION / DISTRICT AUTONOME / DEPARTEMENT / PAYS / COMMUNE / SOUS-PREFECTURE	NB BV	INSCRITS	PERSONNEL D'ASTREINTE	VOTANTS	TAUX DE PARTICIPATION	BULLETINS NULS	BULLETINS BLANCS	SUFFRAGES EXPRIMES	RHDP	FPI	PDC-RDA	INDEPENDANT					
BOUNKANI	230	62 842	234	50 630	80,19%	840	1 120	49 790	45 332	956	1 448	934					
♦ BOUNA	84	26 239	77	23 387	88,84%	288	425	23 099	21 314	397	588	395					
♦ DOROPO	50	13 788	97	10 482	75,32%	171	330	10 311	9 236	214	319	212					
♦ NASSIAN	59	14 824	35	9 674	65,02%	283	241	9 391	8 315	222	385	228					
♦ TEHINI	37	7 991	25	7 087	88,37%	98	124	6 989	6 467	123	176	99					
CAVALLY	301	92 653	173	32 187	34,55%	1 381	733	30 806	28 016	495	752	810					
♦ BLOLEQUIN	74	22 402	38	9 904	44,04%	406	187	9 498	8 590	104	201	416					
♦ GUIGLO	91	31 170	57	11 377	36,32%	422	210	10 955	10 150	159	233	203					
♦ TAI	60	19 452	22	3 261	16,65%	205	103	3 056	2 723	66	99	65					
♦ TOULEPLEU	76	19 629	56	7 645	38,66%	348	233	7 297	6 553	166	219	126					
DIASPORA (PAYS)	238	94 753	157	39 634	41,66%	831	428	38 803	36 996	360	500	519					
♦ AFRIQUE DU SUD	3	764	0	553	72,38%	7	1	546	527	2	4	12					
♦ ALLEMAGNE	1	395	3	203	50,63%	9	5	194	186	0	3	0					
♦ BELGQUE	5	1 809	0	795	43,95%	21	11	774	740	4	10	9					
♦ BURKINA FASO	7	3 051	0	764	25,04%	85	24	679	564	29	34	28					
♦ CANADA	4	1 016	0	379	37,30%	7	11	372	336	5	8	12					
♦ ESPAGNE	3	1 104	0	316	28,62%	6	3	310	294	7	3	3					
♦ ETATS-UNIS	16	6 394	0	2 523	39,46%	47	11	2 476	2 408	16	17	24					
♦ FRANCE	88	36 820	0	19 026	51,67%	141	73	18 885	18 491	38	103	180					
♦ GABON	13	5 280	2	3 251	61,53%	79	31	3 172	3 085	12	16	28					
♦ GHANA , TOGO , BENIN	10	3 518	0	915	26,01%	35	11	880	753	33	58	25					
♦ GRANDE-BRETAGNE	9	3 744	14	864	22,70%	11	11	853	830	2	3	7					
♦ GUINEE	7	2 580	0	1 015	39,34%	90	0	925	796	45	48	36					
♦ ITALIE	23	8 869	104	2 977	32,39%	78	21	2 899	2 835	15	14	14					
♦ MALI	11	4 488	5	2 473	54,99%	94	32	2 379	2 227	32	35	53					
♦ MAROC	13	4 870	9	1 361	27,76%	21	121	1 340	1 094	43	52	30					

OÙ LE SCRUTIN A EU LIEU												CANDIDATS				
REGION / DISTRICT AUTONOME / DEPARTEMENT / PAYS / COMMUNE / SOUS-PREFECTURE	NB BV	INSCRITS	PERSONNEL D'ASTREINTE	VOTANTS	TAUX DE PARTICIPATION	BULLETINS NULS	BULLETINS BLANCS	SUFFRAGES EXPRIMES	RHDP	FPI	PDCI-RDA	INDEPENDANT				
♦ SENEGAL , MAURITANIE	12	4 974	12	1 015	20,16%	53	35	962	806	34	51	36				
♦ SUISSE	3	1 208	0	180	14,90%	11	14	169	130	6	13	6				
♦ TUNISIE	10	3 869	8	1 024	26,26%	36	13	988	894	37	28	16				
DISTRICT AUTONOME D'ABIDJAN	4 859	2 008 211	6 520	959 203	47,44%	17 723	8 914	941 480	882 137	8 103	15 297	27 029				
♦ ABOBO (Commune)	976	397 677	1 515	226 828	56,66%	4 707	2 477	222 121	210 913	1 442	2 890	4 399				
♦ ADJAME (Commune)	284	117 482	382	59 679	50,47%	1 252	534	58 427	56 493	246	513	641				
♦ ATTECOUBE (Commune)	238	98 929	297	71 242	71,71%	998	530	70 244	66 672	469	647	2 926				
♦ COCODY (Commune)	604	252 579	674	61 245	23,98%	1 291	610	59 954	54 507	583	1 594	2 660				
♦ KOUMASSI (Commune)	389	162 352	716	56 853	34,58%	1 233	651	55 620	52 343	441	1 005	1 180				
♦ MARCORY (Commune)	234	97 251	262	27 380	27,88%	634	315	26 746	25 040	222	521	648				
♦ PLATEAU (Commune)	152	66 210	379	43 715	65,45%	791	473	42 924	34 689	1 179	2 441	4 142				
♦ PORT-BOUJET (Commune)	325	133 961	497	96 634	71,76%	1 728	930	94 906	87 877	804	1 550	3 745				
♦ TREICHVILLE (Commune)	142	59 886	273	23 454	38,71%	540	213	22 914	21 700	108	355	538				
♦ YOPOUGON (Commune)	1 138	477 226	1 091	206 240	42,99%	3 169	1 517	203 071	191 388	2 032	2 915	5 219				
♦ ANYAMA (Commune et Sous-Préfecture)	157	62 812	241	48 510	76,85%	693	287	47 817	46 606	205	308	411				
♦ BINGERVILLE (Commune et Sous-Préfecture)	122	47 928	83	10 265	21,24%	438	219	9 827	8 917	174	295	222				
♦ BROFODOUME (Sous-Préfecture)	6	1 904	3	909	47,58%	8	11	901	843	11	25	11				
♦ SONGON (Commune et Sous-Préfecture)	92	32 014	107	26 249	81,66%	241	147	26 008	25 149	187	238	287				
DISTRICT AUTONOME DE YAMOUSSOUKRO	95	39 312	0	24 684	62,79%	479	182	24 205	23 655	79	92	197				
♦ YAMOUSSOUKRO	95	39 312	0	24 684	62,79%	479	182	24 205	23 655	79	92	197				
FOLON	123	36 693	35	36 414	99,14%	54	34	36 360	36 279	12	13	22				
♦ KANIASSO	69	20 809	10	20 683	99,35%	22	11	20 661	20 636	5	5	4				
♦ MINIGNAN	54	15 884	25	15 731	98,88%	32	23	15 699	15 643	7	8	18				

RESULTATS

OÙ LE SCRUTIN A EU LIEU													CANDIDATS				
REGION / DISTRICT AUTONOME / DEPARTEMENT / PAYS / COMMUNE / SOUS-PREFECTURE	NB BV	INSCRITS	PERSONNEL D'ASTREINTE	VOTANTS	TAUX DE PARTICIPATION	BULLETINS NULS	BULLETINS BLANCS	SUFFRAGES EXPRIMES	RHPD	FPI	PDC-RDA	INDEPENDANT					
GBEKE	719	259 779	1 174	160 762	61,43%	2 787	1 778	157 975	151 645	587	1 887	2 078					
	♦ BEOUMI	76	23 512	37	4 267	17,99%	70	56	4 090	7	22	22					
	♦ BOUAKE	583	220 288	1 137	154 527	69,63%	2 684	1 650	145 790	573	1 832	1 998					
	♦ SAKASSOU	60	15 979	0	1 968	12,32%	33	72	1 935	1 765	7	33	58				
GBOKLE	238	61 563	140	43 599	70,59%	671	673	42 928	39 979	489	850	937					
	♦ FRESCO	80	18 268	46	10 390	56,62%	200	169	9 220	156	318	327					
GOH	158	43 295	94	33 209	76,49%	471	504	32 738	30 759	333	532	610					
	446	148 139	203	44 764	30,08%	783	503	43 981	41 964	249	515	750					
	♦ GAGNOA	257	92 292	196	32 915	35,45%	611	409	32 304	31 284	125	220	266				
	♦ OUME	189	55 847	7	11 849	21,20%	172	94	11 677	10 680	124	295	484				
GONTOUGO	510	148 262	251	84 074	56,54%	2 291	1 743	81 783	73 854	1 390	2 812	1 984					
	♦ BONDOUKOU	312	92 210	173	52 223	56,45%	1 475	1 085	50 748	45 587	982	1 837	1 257				
	♦ KOUN-FAO	36	8 811	19	3 435	38,77%	82	162	3 353	2 696	79	263	153				
	♦ SANDEGUE	47	14 286	8	10 602	74,16%	155	180	10 447	9 904	67	131	165				
TANDA	81	23 017	37	13 800	59,79%	382	214	13 418	12 397	166	352	289					
	♦ TRANSUA	34	9 938	14	4 014	40,25%	197	102	3 817	3 270	96	229	120				
	GRANDS PONTS	248	86 215	172	37 923	43,79%	915	927	37 008	33 587	581	1 083	830				
	♦ DABOU	97	40 280	66	22 673	56,12%	292	538	22 381	20 824	232	332	455				
GRAND-LAHOUE	85	24 730	64	5 549	22,18%	246	154	5 303	4 614	90	304	141					
	♦ JACQUEVILLE	66	21 205	42	9 701	45,55%	377	235	9 324	8 149	259	447	234				
	GUEMON	351	105 331	164	47 370	44,82%	1 340	783	46 030	42 753	643	939	912				
	♦ BANGOLO	59	5 070	20	4 652	91,36%	105	10	4 547	4 448	22	22	45				
DUEKOUÉ	152	53 699	123	29 387	54,50%	677	462	28 710	27 171	239	402	436					
	♦ FACOBLY	70	22 654	11	8 928	39,36%	277	159	8 651	7 694	234	326	238				
	♦ KOUBLY	70	23 908	10	4 403	18,37%	281	152	4 122	3 440	148	189	193				

RESULTATS

OÙ LE SCRUTIN A EU LIEU													CANDIDATS				
REGION / DISTRICT AUTONOME / DEPARTEMENT / PAYS / COMMUNE / SOUS-PREFECTURE	NB BV	INSCRITS	PERSONNEL D'ASTREINTE	VOTANTS	TAUX DE PARTICIPATION	BULLETINS NULS	BULLETINS BLANCS	SUFFRAGES EXPRIMES	RHDP ALASSANE OUATTARA	FPI AFFINGUESSAN PASCAL	PD-CI-RDA BEDIÉ KONAN AIME HENRI	INDEPENDANT KOUADIO KONAN BERTIN					
HAMBOL	439	131 145	386	99 443	75,53%	1 632	1 858	97 811	92 068	833	1 879	1 173					
♦ DABAKALA	206	54 009	156	44 413	81,94%	669	682	43 744	42 053	230	408	371					
♦ KATIOLA	105	36 991	104	21 941	59,03%	536	779	21 405	18 745	350	1 068	463					
♦ NIAKARAMADOUYOU	128	40 145	126	33 089	82,11%	427	397	32 662	31 270	253	403	339					
HAUT-SASSANDRA	1 013	312 540	702	134 185	42,71%	1 470	1 894	132 715	126 681	1 108	1 334	1 698					
♦ DALOA	467	156 434	494	88 995	56,57%	875	1 145	88 120	83 989	915	945	1 126					
♦ ISSIA	323	97 241	51	10 244	10,48%	219	148	10 025	9 688	42	78	69					
♦ VAVOUSA	223	58 865	157	34 946	59,10%	376	601	34 570	33 004	151	311	503					
INDENIE-DJUAUBLIN	168	62 040	158	21 707	34,73%	770	423	20 937	19 291	269	629	325					
♦ ABENGOUROU	104	38 894	101	12 187	31,07%	378	216	11 809	11 073	97	263	160					
♦ AGNIBILEKROU	64	23 146	57	9 520	40,88%	392	207	9 128	8 218	172	366	165					
KABADOUGOU	287	84 068	187	82 592	98,02%	364	158	82 228	81 822	45	34	169					
♦ GBELEBAN	37	10 809	18	10 779	99,56%	2	2	10 777	10 772	1	1	1					
♦ MADINANI	45	13 261	17	12 651	95,27%	85	44	12 566	12 482	6	6	28					
♦ ODIENNE	149	43 338	136	42 616	98,02%	230	78	42 386	42 132	29	21	126					
♦ SAMATIGUILA	23	7 468	9	7 366	98,51%	13	14	7 353	7 320	6	4	9					
♦ SEGUELON	33	9 192	7	9 180	99,79%	34	20	9 146	9 116	3	2	5					
LA ME	467	175 865	563	75 745	42,75%	341	422	75 404	51 318	7 423	7 212	9 029					
♦ ADZOPE	183	70 949	288	37 368	52,26%	185	200	37 183	25 299	3 730	3 704	4 250					
♦ AKOUPÉ	91	34 400	36	6 142	17,75%	12	34	6 130	4 564	518	472	542					
♦ ALEPE	131	47 150	133	21 399	45,10%	111	112	21 288	14 406	1 867	1 923	2 980					
♦ YAKASSE-ATTOBROU	62	23 366	106	10 836	45,92%	33	76	10 803	7 049	1 308	1 113	1 257					

RESULTATS

OÙ LE SCRUTIN A EU LIEU													CANDIDATS				
REGION / DISTRICT AUTONOME / DEPARTEMENT / PAYS / COMMUNE / SOUS-PREFECTURE	NB BV	INSCRITS	PERSONNEL D'ASTREINTE	VOTANTS	TAUX DE PARTICIPATION	BULLETINS NULS	BULLETINS BLANCS	SUFFRAGES EXPRIMES	RHPD ALASSANE OUATTARA	FPI AFFI NGUESSAN PASCAL	PDCI-RDA BEDE KONAN AIME HENRI	INDEPENDANT KOUADIO KONAN BERTIN					
LOH-DJIBOUA	652	206 300	551	86 675	41,75%	1 478	1 102	85 197	80 597	632	1 092	1 774					
	♦ DIVO	381	128 531	281	44 617	34,49%	719	547	43 898	41 984	254	496					
	♦ GUITRY	146	36 199	156	17 677	48,40%	431	375	17 246	15 988	160	385					
	♦ LAKOTA	125	41 570	114	24 381	58,38%	328	180	24 053	22 625	218	211					
MARAHOUÉ	492	138 967	491	89 581	64,11%	1 356	747	88 225	84 094	821	1 115	1 448					
	♦ BOUAFLE	173	52 690	159	39 838	75,31%	334	167	39 504	38 257	239	352					
	♦ SINTRA	207	53 816	159	28 945	53,49%	591	353	28 354	27 003	167	360					
	♦ ZUENOULA	112	32 461	173	20 798	63,54%	431	227	20 367	18 834	415	403					
MORONOU	65	24 064	27	4 532	18,72%	336	48	4 196	3 343	339	324	142					
	♦ ARRAH	65	24 064	27	4 532	18,72%	336	48	4 196	3 343	339	324					
NAWA	336	106 665	316	33 419	31,03%	995	970	32 424	29 560	360	822	712					
	♦ BUYO	26	7 596	18	2 488	32,52%	51	50	2 437	2 071	20	30					
	♦ GUEYO	27	8 534	61	3 142	36,10%	114	76	3 028	2 848	20	49					
	♦ MEAGUI	95	28 548	100	10 283	35,67%	241	500	10 042	8 778	136	430					
N'ZI	188	61 987	137	17 506	28,02%	589	344	16 917	15 863	184	313	213					
	75	27 073	67	4 627	16,84%	225	118	4 402	3 912	59	209	104					
	♦ DIMBOKRO	75	27 073	67	4 627	16,84%	225	118	4 402	3 912	59	209					
	PORO	916	303 839	1 075	276 107	90,52%	2 165	1 372	273 942	270 210	509	867	984				
82		24 247	111	23 249	95,43%	164	140	23 085	22 715	53	78	99					
♦ DIKODUGOU		650	222 444	790	196 979	88,20%	1 784	997	195 195	192 483	354	603					
♦ KORHOGO		98	30 442	65	30 501	99,98%	1	0	30 500	30 499	0	0					
SAN-PEDRO	86	26 706	109	25 378	94,62%	216	235	25 162	24 513	102	186	126					
	522	169 581	415	57 402	33,60%	2 279	1 059	55 123	49 502	919	1 776	1 867					
	♦ SAN-PEDRO	398	135 597	362	47 883	35,05%	1 719	744	46 164	41 993	678	1 194					
	♦ TABOU	124	33 984	53	9 519	27,85%	560	315	8 959	7 509	241	582					

OÙ LE SCRUTIN A EU LIEU												CANDIDATS				
REGION / DISTRICT AUTONOME / DEPARTEMENT / PAYS / COMMUNE / SOUS-PREFECTURE	NB BV	INSCRITS	PERSONNEL D'ASTREINTE	VOTANTS	TAUX DE PARTICIPATION	BULLETINS NULS	BULLETINS BLANCS	SUFFRAGES EXPRIMES	RHDP	FPI	PCI-RDA	INDEPENDANT				
SUD-COMOE		222 681	365	79 226	35,41%	2 428	1 389	76 798	70 769	1 107	2 212	1 321				
	♦ ABOISSO	81 980	110	34 022	41,37%	1 122	511	32 900	30 690	401	818	480				
	♦ ADIAKE	25 002	23	9 141	36,47%	411	251	8 730	7 706	188	386	199				
	♦ GRAND-BASSAM	102 047	224	30 253	29,43%	621	466	29 632	27 446	419	792	509				
	♦ TIAPOUM	13 652	8	5 810	42,50%	274	161	5 536	4 927	99	216	133				
TCHOLOGO	413	130 246	319	111 669	85,49%	1 286	1 064	110 383	107 500	451	810	558				
	♦ FERKESSEDOUGOU	51 886	151	40 362	77,50%	747	390	39 615	38 421	152	439	213				
	♦ KONG	20 970	52	20 623	98,10%	75	146	20 548	20 378	2	5	17				
	♦ OUANGOLODOUGOU	57 390	116	50 684	88,11%	464	528	50 220	48 701	297	366	328				
TONKPI	949	289 835	840	136 552	46,82%	3 625	2 598	132 927	122 562	1 792	3 231	2 744				
	♦ BIANKOUIMA	40 689	24	24 449	60,03%	555	471	23 894	22 056	313	680	374				
	♦ DANANE	75 489	341	28 481	37,28%	983	802	27 498	24 598	481	976	641				
	♦ MAN	106 894	460	61 771	57,36%	1 514	995	60 257	55 866	833	1 242	1 321				
	♦ SIPILOU	12 682	0	9 346	73,70%	207	110	9 139	8 801	30	49	149				
WORDODOUGOU	181	54 081	15	12 505	23,09%	366	220	12 139	11 241	135	284	259				
	289	84 267	224	82 682	97,85%	296	171	82 386	81 874	66	145	130				
	86	26 590	35	26 499	99,53%	36	6	26 463	26 386	12	21	38				
	♦ KANI	57 677	189	56 183	97,08%	260	165	55 923	55 488	54	124	92				



RESULTATS

OÙ LE SCRUTIN A EU LIEU

Nombre de bureaux de vote	17 601	DIX-SEPT MILLE SIX CENT UN
Inscrits	6 066 441	SIX MILLIONS SOIXANTE-SIX MILLE QUATRE CENT QUARANTE ET UN
Votants	3 269 813	TROIS MILLIONS DEUX CENT SOIXANTE-NEUF MILLE HUIT CENT TREIZE
Taux de participation	53,90%	
Bulletins nuls	Nombre	CINQUANTE-TROIS MILLE NEUF CENT QUATRE
	Pourcentage	1,65%
Suffrages exprimés	3 215 909	TROIS MILLIONS DEUX CENT QUINZE MILLE NEUF CENT NEUF

CANDIDATS	SCORE (chiffres / lettres)		POURCENTAGE
RHDP	ALASSANE OUATTARA	3 031 483	TROIS MILLIONS TRENTE ET UN MILLE QUATRE CENT QUATRE-VINGT-TROIS 94,27%
FPI	AFFI N'GUESSAN PASCAL	31 986	TRENTE ET UN MILLE NEUF CENT QUATRE-VINGT-SIX 0,99%
PDCI-RDA	BEDIE KONAN AIME HENRI	53 330	CINQUANTE-TROIS MILLE TROIS CENT TRENTE 1,66%
INDEPENDANT	KOUADIO KONAN BERTIN	64 011	SOIXANTE-QUATRE MILLE ONZE 1,99%
BULLETINS BLANCS		35 099	TRENTE-CINQ MILLE QUATRE-VINGT-DIX-NEUF 1,09%

Social Media Monitoring and Analysis

Pro-election and Anti-election Fronts

Social networks have become essential tools for communication in Côte d'Ivoire for both the pro- and anti-election fronts. Stakeholders who did not have access to state-owned media used social networks to develop their visibility and mobilize activists. Thus, the IEOM's Social Media Monitoring Unit was able to observe an information cycle in which the combined effects of the operating modes of social networks and mass media promoted

a substantial flow of information related to the electoral process, as seen in Figures 6 and 7.

One of the IEOM's major findings regarding the pro-election front's core communication strategy was the use of official communication channels such as the president's Facebook page and the Facebook pages of state-owned media. Information on campaign activities initially was relayed mostly on official state channels before being taken up on the official RHDP pages and their networks.

Many members of the anti-election front have been exiled from the country or are engaged in

Figure 6: Communication Dynamics of the Pro-Election Front

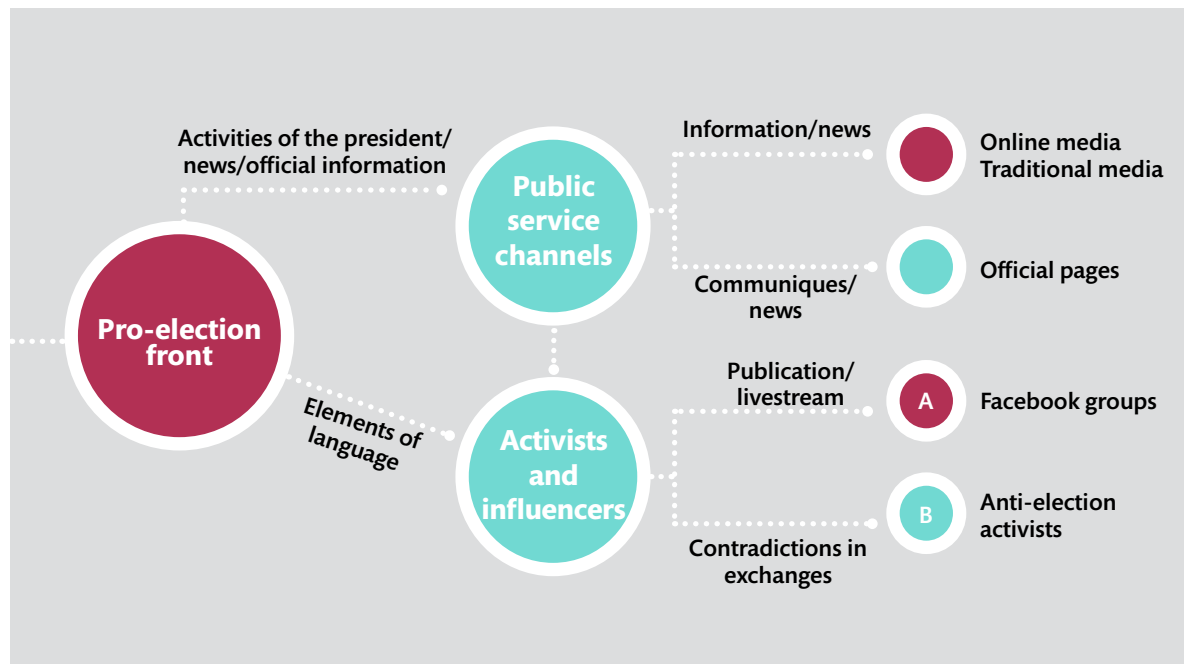


Figure 7: Communication Dynamics of the Anti-Election Front

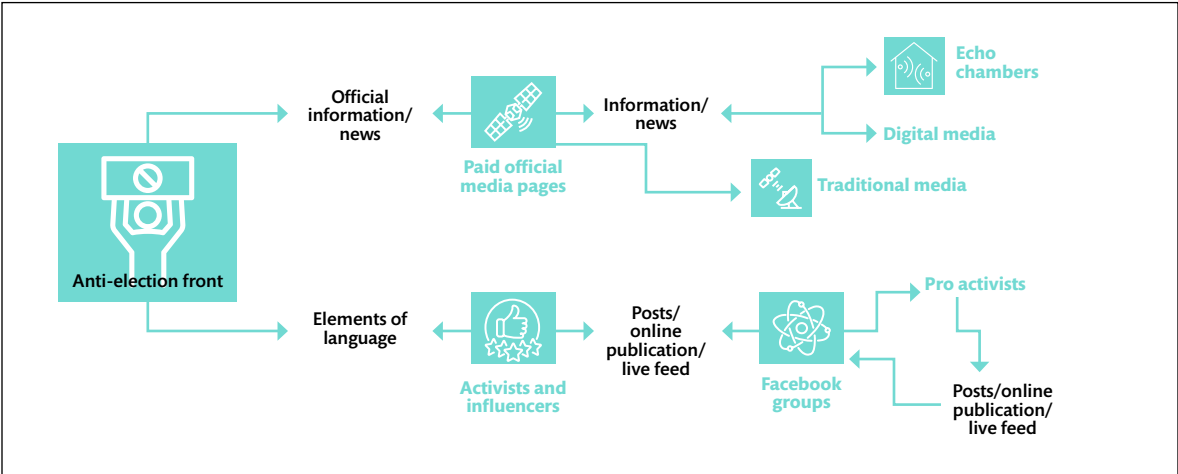


Figure 8: Rate of Online Interactions with Pro-election and Anti-election Content

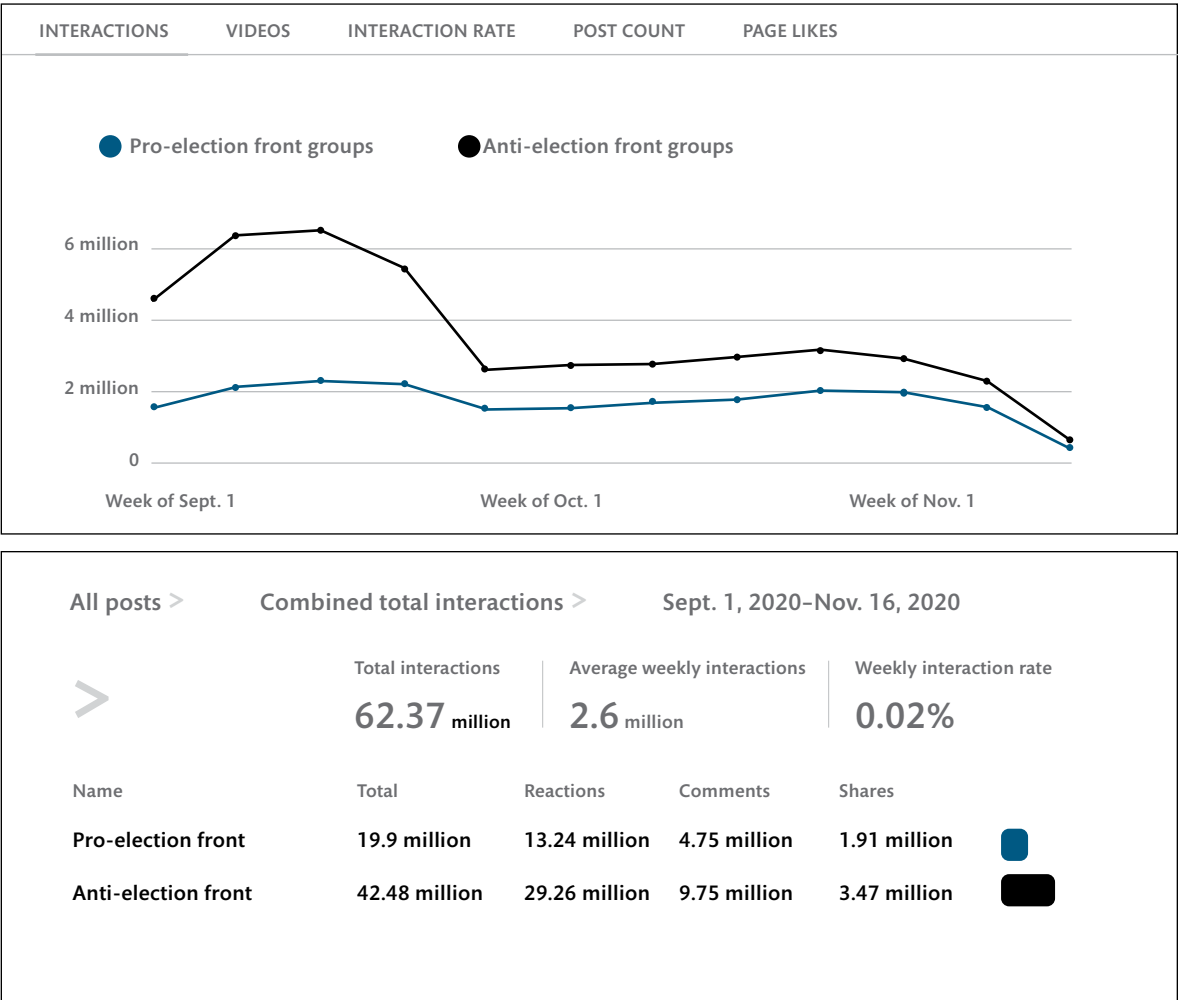
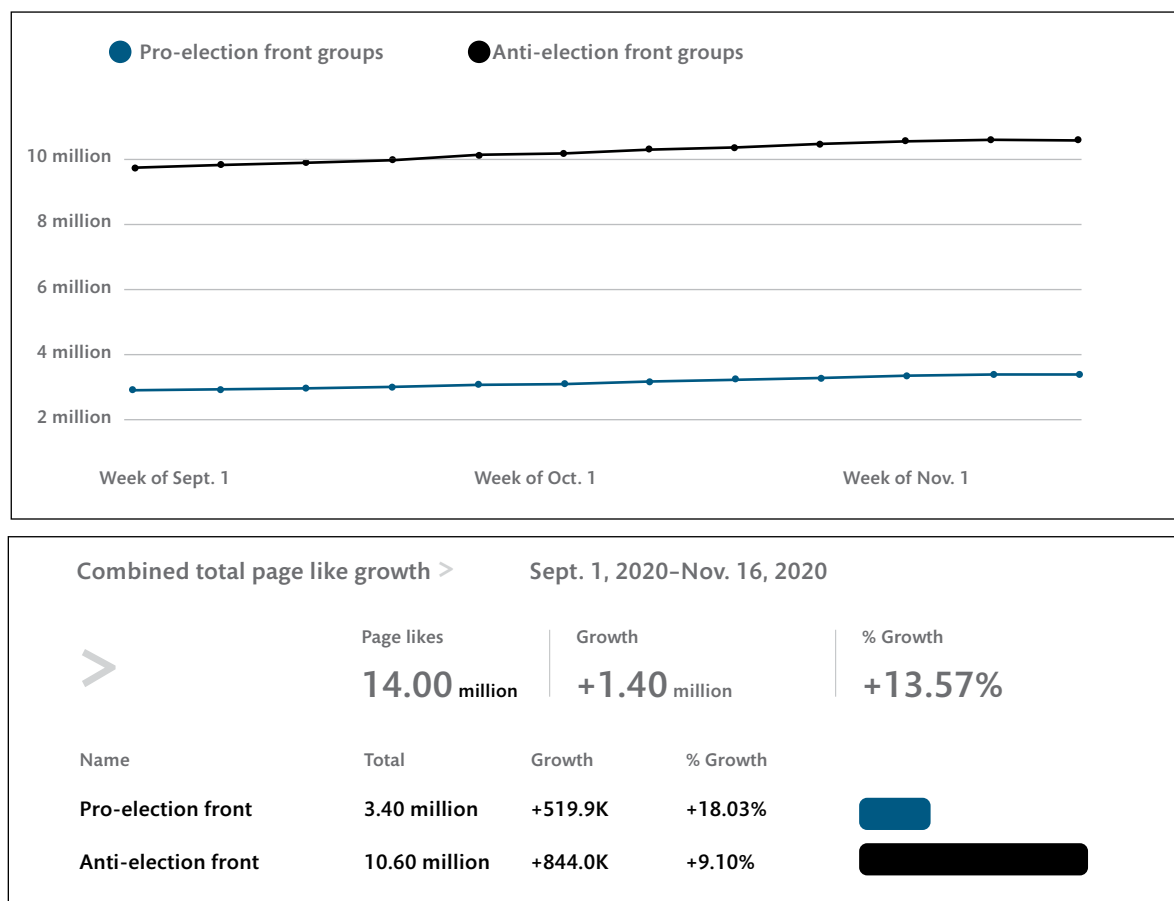


Figure 9: Rates of Interactions on Social Media



activities that are currently illegal in Côte d'Ivoire, thereby preventing their use of traditional media outlets. As a consequence, Facebook played a key role in their communications strategies, with official communications relayed through live feeds and written press releases shared on the platform. Their activists and influencers—for the most part in exile—have been very prolific and acerbic.

Online Activity and Interaction Rates

Figure 8 shows the evolution of internet users' interactions with content produced by the pro-election and anti-election fronts in the discussion forums. Overall, the anti-election front generated more interaction. However, the IEOM observed a significant decline in the level of interactions over the months, and more precisely during the month of October.

The pro-election front, which maintained a relatively low level of interactions, continued to improve its rate of interactions with internet users throughout the observation period.

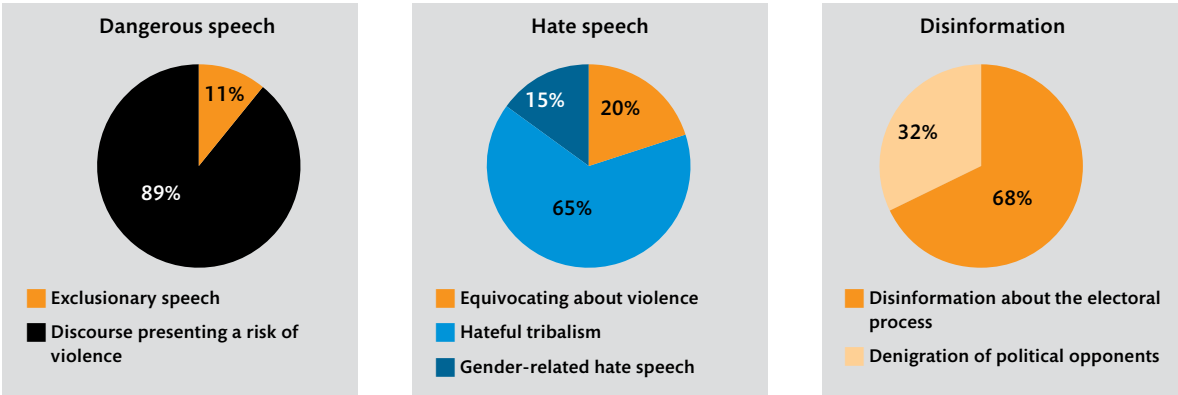
Followers

As seen in Figure 9, from September to November 2020, the pro-election front had a growth rate of more than 18%, double the number of likes on the anti-election front pages.

Dangerous Speech, Hate Speech, and Disinformation

As detailed in Figure 10, the most common type of hate speech observed in Côte d'Ivoire was focused on ethnicity. This is explained by the strong ties between political parties and specific ethnicities

Figure 10: Rates of Dangerous Speech, Hate Speech, and Disinformation

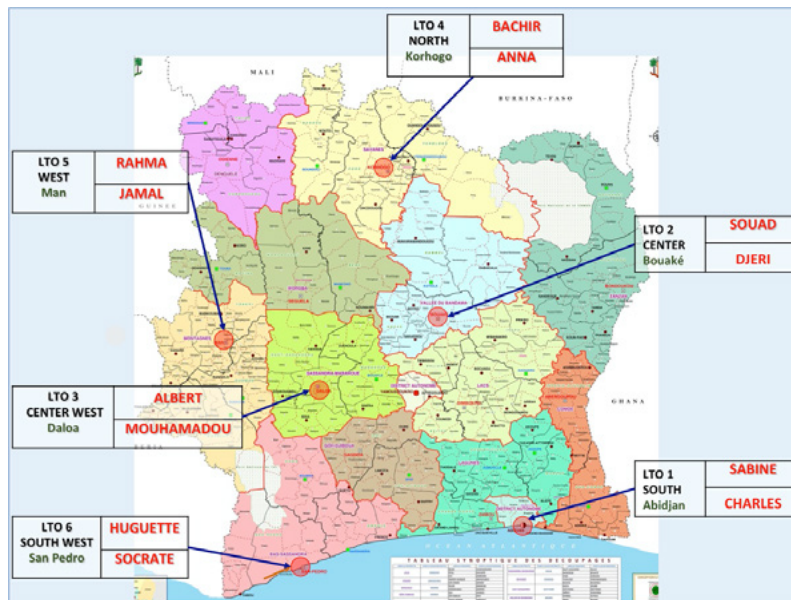


in the country. Additionally, ethnicity-centric hate speech often leads to the deliberate exclusion of particular groups during public debates about citizenship and nationality. Moreover, vilifying opponents is the main type of disinformation observed

during this election period. The various parties on the political scene produced and propagated false information without hesitation, most aimed at disparaging their opponents.

Annex H

Map of Long-Term Observer Deployments



About EISA and The Carter Center

EISA

Since its inception in July 1996, EISA has built a reputation as a pioneering institution and influential player in addressing election and democracy issues on the African continent. It envisions a continent where democratic governance, human rights, and citizen participation are preserved in a climate of peace. The institute's vision is achieved through the pursuit of excellence in the promotion of credible elections, participatory democracy, the culture of human rights, and the strengthening of governance institutions.

Having supported or observed more than 70 electoral processes in Africa, EISA has extensive experience in the formulation, structuring, and implementation of projects related to democracy and electoral issues. EISA has established an internationally recognized policy, research, and information center. It offers this service to electoral management bodies, political parties, and civil society organizations in various areas, such as civic and voter education and electoral assistance and observation. In addition to expanding its geographic reach, the institute increasingly has been working in new areas between elections and throughout the electoral and parliamentary cycle, including constitution and law-making, parliamentary strengthening, conflict management, political party development, the African Peer Review Mechanism, local governance, and decentralization. Since 2017, EISA has supported political and electoral processes in fragile democracies through its multi-year project Support to Transitions and Political Processes (STEP).

EISA provides support to intergovernmental institutions such as the African Union and the Pan-African Parliament to strengthen their capacity in elections and democracy. The institute also has signed technical support protocols with the Southern African Development Community, the Economic Community of West African States, the Economic Community of Central African States, the East African Community, the International Conference on the Great Lakes Region, and the Common Market for Eastern and Southern Africa.

In addition to its headquarters in Johannesburg, South Africa, EISA has a regional office in Abidjan, Côte d'Ivoire, a regional liaison office at the ECCAS secretariat in Libreville, Gabon, and country offices across Africa.

The Carter Center

The Carter Center was founded in 1982 by former U.S. President Jimmy Carter and his wife, Rosalynn, in partnership with Emory University, to advance peace and health worldwide. A nongovernmental organization, the Center has helped improve life for people in 80 countries by resolving conflicts; advancing democracy, human rights, and economic opportunity; preventing diseases; teaching farmers to increase crop production; and improving mental health care.

The Carter Center (www.cartercenter.org) has its headquarters in a 35-acre park about 1.5 miles east of downtown Atlanta, Georgia. The Center is a 501(c)(3) charitable organization, financed by private donations from individuals, foundations,

corporations, and international development assistance agencies.

The Center's Democracy Program works globally to support democratic elections and strengthen participatory democracy, consistent with human rights. The Carter Center has observed 113 elections in 39 countries in Africa, Latin America, and Asia, impartially assessing electoral integrity and providing recommendations to improve processes. The Center played a leading role in drafting

and establishing the Declaration of Principles for International Observation, a set of guiding principles for election observation, in cooperation with the U.N. Electoral Assistance Division and the National Democratic Institute. The Center also works to strengthen local civil society organizations, believing that the credibility and efficacy of democratic governmental institutions relies on the participation of strong nonpartisan civil society observation organizations.

| The Carter Center at a Glance

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