



AFRICA AND NEAR EAST



August 2000

Transition to Democracy: Congolese and Beninese Civil Society Share Their Experiences

Democratic Republic of Congo

In June, as part of the IFES program in the Democratic Republic of Congo (DRC), “Supporting the Transition to Peaceful Democratic Governance in the Democratic Republic of Congo” funded by USAID, 13 Congolese were exposed to the democratic institutions of Benin and the peaceful transition to democracy that this small West African country has been undergoing since 1990. The participants, representing a broad spectrum of Congolese political parties and civil society groups traveled to Benin on 19 June for a two-week study tour (see full list of participants below). They were selected from Western, Central and Eastern Congo to participate in the study tour organized by IFES and the “Campagne Nationale pour une Paix Durable” (CNDP), in collaboration with the National Democratic Institute (NDI) of the U.S.. Francis Oké, an IFES consultant based in Cotonou, facilitated the stay of the group in Cotonou and arranged all meetings with the authorities, political parties and NGOs.

While in Benin, the participants met with representatives from a broad range of institutions and organizations, including the Ministry for



Photo 1: Opening remarks to study tour participants by Beninese Minister for relations with civil society, Mr. Akendis.

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Photo 2: Group of Congolese study mission participants with judges from the Constitutional Court of Benin.

Relations with Civil Society, the Ministry for Social Security and Family, the Ministry of

Finance, the Decentralization Commission, the House of Local Administrations, the Constitutional Court, the Supreme Court, the Federal Media Commission, the Economic and Social Council, the Centre Afrika Obota, the Party of Democratic Renewal, Renaissance du Benin (political party), and USAID Cotonou. The Congolese group also had the opportunity to exchange views with individuals who played a significant role in the transition.

The themes discussed in these meetings were the role and impact of the National Conference on Benin's democratization, the role political parties played and continue to play in Benin's democratic transition, the role of local officials

and decentralization, and Benin's electoral framework and institutions. Participants had the unique opportunity to learn about and discuss the influence and impact civil society had on the National Conference and the transition that followed.

The tour enabled the Congolese participants to bring back important knowledge and insights to share with their colleagues and fellow citizens as they continue their efforts to promote a peaceful transition to democracy. On July 10-11, the participants held a two-day workshop in Kinshasa for this purpose. One-hundred and fifty civil society leaders, academics, politicians and researchers attended the workshop, which was organized along four themes:



LIST OF PARTICIPANTS TO THE BENIN STUDY TOUR

June 19 – July 1st 2000

- Elysée Dimandja, Assistant to the Peace and Democracy program, IFES/DRC, Kinshasa
- Françoise Kat, Member from the Katanga civil society, Lubumbashi
- Ed Kiely, Program officer for DRC, IFES
- Jacques Kinkela, Member of the party MDD (Mouvement pour la démocratie et le développement), Kinshasa
- Joseph Kyalangilwa, President of the South Kivu Civil Society, Bukavu
- Bob Lagamma, NDI consultant, Washington
- Sinayasi Mbandwa, President of the NGO “Paix durable et développement”, Butembo, North Kivu
- Véronique Mbwebwe, ASADHO leader, representative from the “Campagne nationale pour une paix durable”, Kinshasa
- Michel Mpoto, Member of the political section of the PDSC (Parti démocrate social chrétien), Kinshasa
- Caroline Mukendi, UDPS (Union pour la démocratie et le progrès social), Kinshasa
- Modeste Mutinga, President of the NGO “Média pour la paix”, Kinshasa
- Vincent Mzuzi Mulamba, Member of the political section of the MPR, (Mouvement populaire de la révolution), Kinshasa
- Gertrude Ndaya, President of the Kasai Oriental civil society, Mbuji-Mayi
- Francis Oké, IFES consultant in democracy and governance, Cotonou
- Nelson Sana, Head of the NGO umbrella from Boma, Bas Congo
- Sosthene Issenghe, Deputy director of programs, IFES/DRC, Kinshasa
- Caroline Vuillemin, Senior Program Assistant for the DRC. IFES/Washington

- **The Beninese Democratization Process**, emphasizing the National conference, the constitutional framework and the elections
- **Peace and Peaceful Coexistence**, emphasizing the strong respect for consensus and tolerance among the Beninese people
- **Fundamental Liberties and Human Rights**, emphasizing the role of the constitutional court and the other checks and balances of power
- **Beninese Civil Society**, emphasizing its development in the last ten years and its crucial role in today’s society

Two themes were presented each day, followed by extensive debate, focusing on comparisons to the Congolese experience and ideas to restart the peace and democratization process in the DRC. Raga television, a private Congolese channel reported favorably in an extensive news piece, and several newspapers carried the story.

The workshop was accompanied by an exposition of materials and photographs in an adjoining room.

The two participants from North and South Kivu, who did not return to Kinshasa with their colleagues, organized “report-back” events as well. On July 9, 2000 in Butembo, North Kivu, fifty people from the academic, legal, church, private, public and association spheres attended the one-day workshop presented by Mbandwa Sinayasi from the NGO “Paix durable et développement social.” The participants from the other provinces (Bas-Congo, Kasai Oriental and Katanga), who were in Kinshasa for the July 10-11 event, also returned to their bases and started to present their experience and animate debates on the issues.



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The study tour was a rare opportunity to have Congolese from various provinces share the same experience and think collectively about strategies to improve and revitalize the existing peace and transitional processes under way in the

Political Background

The past two months have witnessed a general downturn in the prospects for peace and for an inclusive Inter-Congolese Dialogue in the Democratic Republic of the Congo. In June, fighting between Ugandan and Rwandan troops in Kisangani reached the worst level yet with 760 people killed, over 3000 wounded, some 5,000 homes destroyed, and tens of thousands of people displaced. The UN Security Council met for two days in mid-June of talks on the crisis in the DRC. The Council said that the 1.7 million victims of the conflict had either died in massacres, while trying to flee the violence, or as a result of the lack of humanitarian aid due to insecurity. The Council concluded by adopting Resolution 1304 which among other things: reiterates its support for the Inter-Congolese dialogue calling on all parties to fully engage – especially the government; strongly condemns Uganda and Rwanda for the fighting in Kisangani; demands that Uganda and Rwanda withdraw their troops from DRC without further delay.

Progress toward an Inter-Congolese Dialogue as called for in the Lusaka accord was equally frustrated. The meeting of the preparatory committee for the Dialogue planned by facilitator (former Botswanan President) Ketumile Masire for the first week of June in Cotonou, Benin, never took place as the government not only refused to send its own representatives, but also blocked civil society and unarmed opposition members from traveling. Shortly thereafter, following the battles in Kisangani, the

government announced that it disavowed Masire as the facilitator, reproaching him for not condemning the violence in Kisangani and calling on the OAU to designate someone else.

Meanwhile, President Kabila went ahead with plans to establish a new Constituent Assembly by appointing 240 members of parliament by decree. He also announced that the Assembly would be installed in Lubumbashi rather than Kinshasa. Inauguration is set for early August. In late July, Foreign Minister Yerodia Ndombasi publicly stated that the Constituent Assembly would be the precursor to an elected parliament and would be the appropriate place for a national dialogue. Civil society and unarmed opposition continued to denounce the Assembly as a government attempt to undermine the Dialogue process.

IFES Program Activities

In this difficult context, the IFES programs continued its support to civil society with numerous activities. The highlight of the last two months was the study tour to Benin described in some detail below. Some of the other major activities included the following:

- The Resource Center for Democracy, Elections, and the Rule of Law continued to successfully execute its critical mission of increasing access to information for the Congolese. The Center welcomed over 110 visitors per day, trained 37 people per week in Internet use, provided free access to over 200 persons to conduct independent Internet-based research, conducted four outreach activities, and added over 300 volumes to its collection.
- The IFES/DRC Rule of Law program sponsored a three-day workshop on the interface between the media and the justice system. Lecturers included former and present



professionals in the court system, respected law professors, and experienced attorneys. Participants were introduced to various legal terms and procedures, the workings of the court system and the role of the media in making that system work. A final list of actions and recommendations of the participants included, among others, closing the Military Court in DRC, seeking changes in laws that limit the freedom of the press, and more actively seeking freedom of information.

- The Working Group for Institutional Reforms – another Rule of Law initiative – drafted two legal texts – a law dealing with the nationality question, and a constitution for the republic – that were subsequently the focus of workshops drawing in a wider circle of experts to refine the documents. Both workshops were sponsored by IFES’ Rule of Law consortium partner, the International Human Rights Law Group.

AAEA

Production of Newsletter

The Association of African Election Authorities (AAEA) newsletter # 2 is set to be published in August. It will feature articles on electoral law revision projects in Burkina Faso; the organization of the Ugandan referendum; the Zimbabwean parliamentary elections; and an interview with Dr. Abdel Goubadia, the new chairman of the Independent National Electoral Commission (INEC) of Nigeria. AAEA Executive Secretary Dr. Afari-Gyan is also working on a member profile questionnaire, aimed at compiling a central register recording the institutional capacities of each AAEA member electoral authority. The questionnaire will be sent out together with the second edition of the newsletter during the month of August.

AAEA Advisory Board members agreed to postpone this year’s Advisory Board meeting to a point in time after the Ghanaian elections on December 8, 2000. A new date for the meeting, probably in January 2000, will be chosen in the next several months.

Burundi

Rule of Law: Fora on Women and the Peace Process

From June 12-14 former South African president Nelson Mandela visited Burundi for the second time in two months. During his visit he met with President Buyoya, government officials and political prisoners. He also visited several regroupment camps and spoke to civil society groups to encourage their support for the peace agreement.

Following his visit to Burundi, Mandela traveled to Arusha, Tanzania on July 19 to participate in the latest round of peace talks. August 28 was set as the new target date to sign a peace agreement. The latest round of talks included, for the first time, the participation of an armed rebel group—the *Conseil National pour la Défense de la Démocratie—Forces pour la Défense de la Démocratie (CNDD-FDD)*. Their participation is significant given the fact that their two preconditions—dismantling the regroupment camps and freeing political prisoners—have not been fully met. Burundi’s other main rebel group, the *Forces Nationales de Libération (FNL)* remains outside the talks.

During June and July, the IFES/Burundi team engaged in dialogue with a broad array of representatives from civil society, the Burundian government, and the international community on how best to engage civil society in order to obtain their input and support for the implementation of a peace agreement. As a result of this dialogue, IFES/Burundi will

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organize a series of meetings with women and youth to discuss issues relating to the peace agreement.

The series of meetings with women will include business/political leaders, repatriated women, women who have lost children in the war and women active in civil society. Topics will include: the role of security forces, amnesty, transitional institutions and socio-economic issues. A similar series of fora will be held with youth.

Côte
d'Ivoire

**IFES Supports Voter
Education Prior to July
Referendum**

From June 27-28, program officer Lori Yamamoto visited Abidjan order to assess the status of preparations for the July 23 referendum on the draft constitution and the follow-on elections. While in Abidjan, Ms. Yamamoto participated in a series of meetings with representatives from the Ivoirian government, international community, and local non-governmental organizations. Following her visit, IFES received funding from USAID for a 3-month program in support of the national referendum and follow-on elections. IFES' program will seek to mitigate the potential for political and social crises; strengthen the Ivoirian population's access to unbiased information about the referendum and elections; and enhance civil society's ability to address pivotal transition and election issues. On July 8, IFES technical election specialist Elizabeth Cote arrived in Abidjan to work on these programs.

In support of the referendum, IFES produced and distributed 5,000 posters to familiarize the electorate on the use of the single ballot (the first time it has been used in Côte d'Ivoire) and

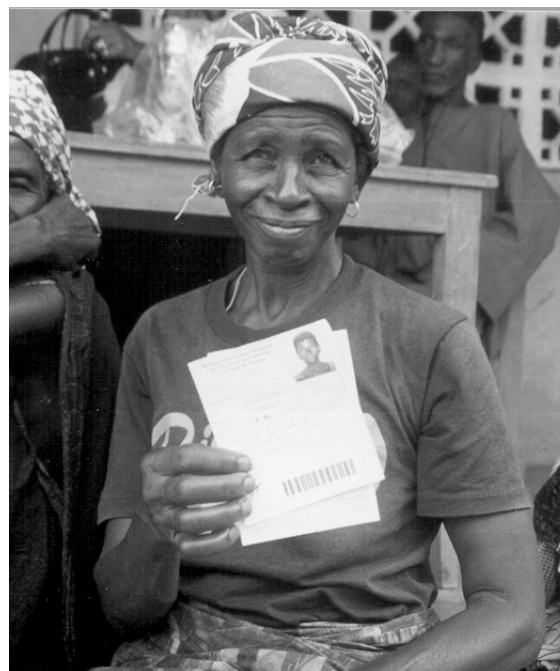


Photo 3: In line at a polling station in the Ivorian town of Longo, Région "Les Savanes," a women presents her voter ID card.

30,000 brochures explaining the referendum, the draft constitution and the electoral code.

In addition, IFES supported the activities of six civil society organizations whose representatives traveled throughout Côte d'Ivoire to mobilize and sensitize the population on the referendum via conferences, local radio and civic education campaigns. IFES was the only organization that provided "official" civic education material approved by the referendum organizing body, the *Commission de Supervision de l'Organisation du Référendum (COSUR)* on the single ballot and referendum.

On July 23-24, the national referendum was held under a state of emergency with increased stepped up at key installations. Final results indicated the majority of voters cast their ballots in favor of the draft constitution. The country's military-led government extended the poll



because of “organizational difficulties” and declared Monday a public holiday.

Due to the success of IFES-supported activities, IFES has received high praise by the *COSUR*, the Ivoirian government, civil society and the international community. IFES is currently participating in a number of post-referendum and international donor meetings in an effort to coordinate a larger civic education campaign in support of the September 17 presidential election.

Ghana

Preparations for the December 2000 Elections

The Electoral Commission (EC) of Ghana held the first two of the five IFES-funded planning meetings for regional directors and other Electoral Commission personnel in June and July. The June meeting reviewed the Commission’s performance during the revision of voters’ exercise that took place nationwide in May. 1.35 million new voters were added to the voters register and 94,204 unqualified voters were removed during the revision exercise. Due to concerns about the competence of some temporary field staff, following the meeting the Electoral Commission announced to the public its new policy to appoint new returning officers through an application and interview process. Old returning officers will be eligible to apply, but will receive no preferential consideration. The interview process will include the political parties. The names of proposed returning officers will be publicized to permit voters to know (and object to) proposed returning officers.

The July EC meeting reviewed the exhibition of the voters register that took place between July 10 and 17 and concluded plans for the issuance of photo voter cards to replace the thumbprint cards. In addition, the Commission started

planning for the nomination process of the presidential and parliamentary candidates.

Two Inter-Party Advisory Committee (IPAC) meetings were held in June and July to inform the political parties of the outcome of the revision and exhibition exercises and the preparation for the issuance of photo voter cards to all voters. Political parties and the Electoral Commission meet regularly through the IPAC mechanism to discuss the electoral process.

Promoting Fair and Equal Access to the State-Owned Media

Under a sub-grant from IFES, the Center for Democracy and Development (CDD) in Accra is monitoring the state-owned media for fairness and equality of its coverage of the opposition political parties and candidates. The right to fair and equal access to the state-owned media for all opinions, political parties and presidential candidates is enshrined in the Ghanaian Constitution. CDD organized a forum in June for the media and the political party representatives to discuss the first media monitoring report it produced.

Support to Ghana’s Local-Level Civil Society

In June, IFES completed the second cycle of approval and disbursement of grants to civic groups in support of civic advocacy, civic-government collaboration and/or civic capacity building. In all 54 grants were released, bringing the total of grants awarded under Project ECSELL to 78. Project ECSELL is working in 20 of Ghana’s 110 districts.

In July, IFES prepared for a workshop to train leaders of 17 district civic unions representing a total of 118 civil society organizations to prepare the civic unions for sponsoring debates for



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candidates who will be contesting the parliamentary elections to be held on December 8, 2000. IFES will provide grants to the civic unions to organize debates for parliamentary candidates in 28 constituencies in October and November.

Guinea

Observation of Municipal Elections

In June, IFES worked with the Ministry of the Interior and Decentralization, political parties, civil society and the international community to improve communications on issues relating to the conduct of Guinea's June 25 municipal elections.

IFES' technical expertise on electoral issues and prior experience from Guinea's 1998 presidential elections facilitated its work with key election stakeholders to draft a decree to establish the *Haut Conseil Electoral (HCE)*, an autonomous elections supervisory body. Despite progress on the language of the decree, the HCE was not established prior to the June 25 elections.

On June 18, Program Officer Lori Yamamoto traveled to Conakry to observe the conduct of the municipal elections held in 38 communes. While there were no official international or national observers, IFES was able to observe the conduct of the elections and visited 5 of the 38 communes where opposition political parties presented a list of candidates. For the majority of the communes, only the ruling political party, the *Parti de l'Unité et le Progrès (PUP)*, was present.

In the 5 communes visited by IFES, the climate was calm though the presence of the military, strong supporters of the *PUP*, was evident. Official election results indicated a clear victory for the *PUP* in 32 of Guinea's 38 communes. However, numerous problems were reported

including the non-distribution of electoral cards, rejection of candidate lists, presence of police and military outside every polling station and weak participation by the electorate.

Following the conduct of the June 25 elections, IFES organized a number of post-election meetings with the Ministry of the Interior and Decentralization, political parties, international non-governmental organizations and representatives from the international donor community to discuss lessons learned and options for preparing for the November 26 legislative elections. In August, IFES will issue a final technical report.

Liberia

STAR Radio's Future Remains Uncertain

On July 20, 2000, the Liberian Minister of Post and Telecommunications ordered STAR Radio "to dismantle the station within 48 hours." Already ordered to cease broadcasting on March 15, 2000, STAR Radio had through its Liberian management remained hopeful that the government would reverse its decision to close the station. With this new Liberian government directive, STAR Radio was given until 5:00 pm July 22, 2000, to have the entire radio station dismantled. However, following intense international criticism, the Minister of Post and Telecommunications rescinded his order. Although the station was already dismantled when the new directive was issued, STAR Radio's Liberian management remained hopeful that the Liberian government would eventually allow the station to resume broadcasting in the near future.



STAR Radio's operations are funded in part by the U.S. Agency for International Development, through IFES and Fondation Hironnelle.

Morocco

Regional Rule of Law: Training of Judges

A majority of the evaluations completed by the judges that participated in the first judicial training seminar on May 20-21 were enthusiastic about the format of the seminar presentations, the relevance of the topics and the skills of the presenters. The judges were impressed with the presentations on English common law and the overall descriptions of the US court system and its operation. Several responses dealt with the different way cases are analyzed and presented, and the role of the judge in applying the law.

At the conclusion of the seminar, IFES' relationship with the Moroccan Ministry of Justice and the courts was enhanced by the formal establishment of a six-member working group. IFES will rely on its interaction with this group to suggest topics and methods for future seminars, as well as to assist with actual seminar preparations.

To facilitate accurate follow-up to the judicial training seminar, IFES consultants Sandra Shuster and David Gruning, Professor of Law at Loyola University of New Orleans, returned to Morocco in June to meet with the working group and make plans for the next two seminars, now scheduled for September and October. Consultants have been selected for these seminars, and topics have been agreed upon with the working group.

Nigeria

INEC Gives Nigeria's Citizens Voice in Design of Election Process

On Thursday, 27 July 2000, Nigeria's Independent National Electoral Commission (INEC) kicked off a series of nationwide public fora designed to seek political stakeholder, civil society and public comment on its draft electoral law and plans for voter registration. The kick off forum, held in Abjua, the nation's capital, was the first of 37 to be held throughout Nigeria in every state of the Federation. In his opening remarks at this meeting, Commission Chairman Dr. Abel Guobadia, noted, "we [INEC] have committed ourselves to an ambitious programme calculated to improve both the election process and its management." He urged participants to subject the draft electoral law and INEC's voter registration plans to intensive and in-depth analysis.

In addition to inviting the public to attend the fora series, INEC sent special invitations to more than 3000 political leaders and civil society organizations throughout the country, providing them with advance copies of the draft electoral law and a question and answer fact sheet on its voter registration plans. The voter registration fact sheet was also published in newspapers throughout the country.

Nigeria's 1998 and 1999 transition elections were governed by a series of decrees issued by the military government. INEC is in the process of developing a universal election law that has broad based public support and is expected to compile a new computerized voters register next year, prior to the 2002 local government elections.

Scores of civil society organizations attended the kick-off forum and offered sometimes pointed



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and heated comments on improvements needed to make the electoral process and voter registration more credible. Women's organizations were especially vocal in demanding that the electoral law include provisions that promoted the role of women in the electoral process.

In a message to INEC on the opening of the fora series, Nigerian President Olusegun Obasanjo stated, "the novelty of the forum in the nation's political history lay in its being the first broad based consultative gathering by an electoral body reviewing the electoral process." President Obasanjo also commended the International Foundation for Election Systems (which provided organizational and financial support for the fora) for its continued support to the election commission and democracy in Nigeria and noted that IFES has assisted INEC since the beginning of the transition to democracy and hoped the support would continue. Thomas Hobgood, USAID Mission Director in Nigeria delivered a goodwill message on behalf of the US government. Mr Hobgood noted that "few election authorities in the world have gone to INEC's lengths in seeking out the opinion of the electorate in crafting the design of the election process." He encouraged all Nigerians to attend the forum in their respective state and provide INEC with their views on how the election and voter registration process can be improved.

Uganda

Referendum Preparations and Execution

The weeks before the referendum on whether Uganda should keep the National Resistance Movement (NRM), i.e. no-party system or adopt a multi-party system were marked by confusion. Voters received no information from official or nonpartisan sources about the referendum after

April, since both the government-sponsored civic education and voter education projects had ended by that time.

On June 29, the referendum was conducted. Voting took place nearly throughout the country, with the exception of districts in the far west that did not receive voting materials until the afternoon of the 29th. The cited districts voted on Friday, the 30th of June. In response to continued confusion regarding voter registration cards, the Electoral Commission announced on June 29th that voters who arrived at the polling stations, who were listed on the register but not in possession of a card, would be allowed to vote. By the evening of July 1, the Electoral Commission announced that the NRM political system had won 95% of the votes cast, with approximately 3% spoiled ballots. Overall turnout was 51% of registered voters.

Programmatic Activities

The IFES-supported monitoring cluster, led by the Uganda Joint Christian Council (UJCC), continued to publish monthly reports in English and in local languages on the referendum campaign in April, May and June. By the tenth of each month, the reports were printed in the government-owned *New Vision*, the opposition *Monitor*, the regional *EastAfrican*, and four regional-language newspapers simultaneously. The reports received positive comments from many sectors of government and civil society. Rev. Canon Grace Kaiso, Director of the UJCC, appeared on several television and radio shows to discuss the reports.

On Referendum Day, the monitoring cluster deployed 6,750 monitors to cover voting in approximately 15,000 polling stations. In addition to filling out regular checklists, they completed special checklists for 1500 polling



stations. These checklists were forwarded to the UJCC headquarters office, where a parallel vote tabulation and results analysis was completed. This information was integrated in the referendum day statement, which was released on July 1. The statement noted that administratively, the process was conducted with few errors, but that the campaign and preparations fell short of meeting standards of freedom and fairness. The donor community, in a statement also released on July 1, warned against the consolidation of a one-party state.

IFES senior program officer Laurie Cooper joined IFES project manager Bob Brandstetter in Uganda on June 27 to witness the referendum and participate in post-referendum discussions with the monitoring cluster.

Yemen

Training Activities for Supreme Election Committee Staff

At the request of IFES, the Dutch Embassy in Sana'a agreed to underwrite the provision of English language skills training to 15 Supreme Election Committee (SEC) staff members. 13 SEC staff members completed the first phase of their training in personal computer networking skills in June. The training was provided through the Oracle Institute in Sana'a. The trainees have demonstrated a marked increase in skills, to which the SEC management has reacted positively. They are now able to make much improved use of the computer equipment that has been provided to the SEC by the European Union. The next scheduled training course in information technology will focus on the use of the Internet. Sixteen poll worker trainers completed training in late June. These trainers will serve as the master trainers, managing the eventual training of poll workers nationwide in advance of the 2001 elections.

Management Assessment Study

The Arabic language version of the Management Assessment Study for the SEC was completed in June 2000. This will be printed and distributed by the end of the next quarter. Among those slated to receive the report apart from the SEC are key representatives of the Yemeni government and representatives of international organizations and the donor community. The English language version, translated from the original Arabic, will receive final edits and be distributed in the fall.

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Africa/Near East Staff News

Lorraine Marundula joined the IFES ANE team in July as Program Assistant for Middle East and North Africa. Lorraine is a recent graduate of American University and has previously worked with the Overseas Development Council.

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