

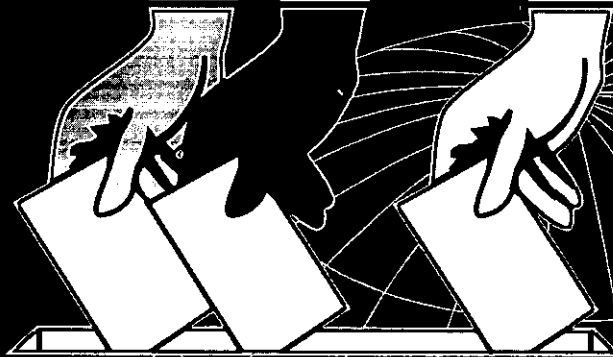
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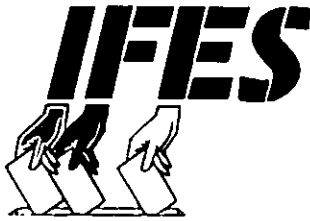
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GUINEA

Presidential Elections

December 14, 1998

June 7 – December 21, 1998
Mission for Technical Assistance
and Facilitation among the Various
Actors Involved

IFES Advisor/Elections Specialist
Dominique THIRIET

(Report translated from its initial French version)

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I. INTRODUCTION

1. Origin of the Mission

At the request of USAID/GUINEA, in the context of its "Strategic Objective – Democracy and Governance" program, two experts from IFES were sent on a mission to the Republic of Guinea in December 1997, in order to, among other things:

- assess the legal framework for the 1998 Presidential elections;
- propose recommendations for the pre-electoral, electoral and post-electoral periods in terms of support for the activities involved;
- submit an electoral technical assistance plan.

In light of the report submitted by these experts, USAID decided to support a major electoral assistance program focusing on the following main areas:

- providing technical assistance to the Ministry of the Interior and Decentralization in the form of consulting services for all matters relating to preparing and conducting the electoral process and everything relating to the elections;
- coordinating international assistance;
- facilitating communication among all the parties involved in the electoral process;
- helping to implement a national civic education and voter education campaign.

The first three items above were delegated to IFES, which sent an Electoral Expert on June 7, 1998.

The last item was delegated to the National Democratic Institute (NDI).

2. The IFES Advisor/Elections Specialist

To conduct this mission, IFES appointed Mr. Dominique THIRIET, Territorial Administrator, and International Electoral Expert who participated in several missions in Cambodia, Togo and Malawi.

After spending a week preparing in Accra, Ghana with Mr. Cary Johnson, Program Officer with IFES Washington, the Advisor/Specialist arrived in Guinea on June 13, 1998. Mr. Cary Johnson accompanied the Advisor/Specialist to Conakry and remained there until June 24 for the mission opening.

3. Terms of Reference of the Mission

The Advisor/Elections Specialist shall work primarily with the Ministry of the Interior and Decentralization. Within the Ministry of Interior and Decentralization, IFES shall work primarily with the Election Coordination Commission (CCE).

The IFES Advisor/Election Specialist shall be available to the interested parties in order to:

1. *Provide direct technical consulting services to the Ministry of the Interior and Decentralization through the intervention of the appropriate CCE sub-committees. These services may include the following:*
 - a. *improving the planning, budgeting and logistics of the elections;*
 - b. *studying and reviewing the election procedures in order to facilitate fair implementation and increase transparency;*
 - c. *improving the training material and the quality of training for all those who work with organizing the elections;*
 - d. *facilitating dialogue during the period leading up to the elections between the Ministry of the Interior and Decentralization on the one hand, and political parties, civic organizations and international donors on the other hand;*
 - e. *coordinating a compendium of all the administrative procedures and the lessons learned, which will serve as an institutional memoir for future elections in Guinea.*
2. *Assist the CCE in establishing a national civic education and voter education campaign, which shall take place in cooperation with the Guinean political parties and civic organizations.*

The consequence of an effective educational campaign would be to:

 - a. *make the Guinean citizens more aware of their voter rights;*
 - b. *inform the public about the reasons for the Presidential election and the necessary steps to take in order to participate in the December ballot;*
 - c. *motivate the Guinean voters to participate in the Presidential elections;*
3. *Improve cooperation between the Ministry of the Interior and Decentralization, political parties and civic organizations.*
4. *Provide help in coordinating international assistance in the election process.*

5. *Facilitate the procedures designed to improve communication between the election organizers, the participants in the elections, and national and international NGOs and other aid organizations.*

II. BRIEF OVERVIEW

1. General Information

Guinea is one of the coastal countries on the Atlantic side of West Africa. It is divided into four natural regions: Low-Guinea, Mid-Guinea, High-Guinea and Forest-Guinea. Guinea's total area is of 245,857 Km². According to the results of the December 1996 General Population and Housing Census, Guinea's population is of 7,165,000 inhabitants. The population in Conakry, Guinea's capital, exceeds 1,100,000 inhabitants. In addition to Conakry commune, Guinea has 5 administrative regions, 33 prefectures, 38 communes, 302 sub-prefectures and 303 rural development communities.

2. The Constitution and the Election of the President of the Republic

Pursuant to the Basic Law published in the March 1992 Official Gazette of the Republic of Guinea, under Part III, the President of the Republic shall be elected by direct, universal suffrage for a five-year term. He may be re-elected only once.

The election is held between the 45th and the 30th day prior to the date of the term when the incumbent President of the Republic of Guinea expires. As we shall see later, the President of the Republic chose December 14, 1998 as the date.

Thus, the elections were to be held between December 15 and 30, 1998 since General Lansana Conté was inaugurated January 29, 1994.

3. Political Situation

Following Guinea's independence in 1958, Ahmed Sékou TOURÉ became the first President of Guinea. He declared the *Parti Démocratique de Guinée (PDG)* (Democratic Party of Guinea) to be the only party. During his presidency, political discourse was restricted.

After the death of Ahmed Sékou TOURÉ in 1984, the military took power through a coup d'état led by Colonel Lansana Conté.

President Lansana Conté thwarted an attempted coup in 1985 and an army mutiny in 1996. He ruled as President, Head of the Government and Party Leader of the *Parti pour l'Unité et le Progrès (PUP)* (Party for Unity and Progress).

4. Steps Towards Democratization

Guinea's efforts to achieve democratization materialized in the December 23, 1990 Referendum. 99% of the voters approved the new Constitution.

President Lansana Conté legalized the establishment of political parties in 1992 and the first multi-party presidential elections were scheduled for 1993. General Lansana Conté won the election with 51.7% of the votes.

Initially planned for 1993, the first multi-party legislative elections were held in June 1995. The PUP won with 71 of the 114 seats in the National Assembly. In addition to the 71 National Assembly seats, three parties under the President's sphere of influence, gained 4 more seats including:

- UNPG – *Union Nationale pour la Prospérité de Guinée* (National Union for Prosperity in Guinea)
- PDG/RDA – *Parti Démocratique de Guinée* (Democratic Party of Guinea)
- DYAMA – *Parti Dyama* (Dyama Party)

Although the audiovisual media remains under control of the Government, several independent newspapers publish regularly including: "*L'Indépendant*", "*L'Oeil*", and "*Le Lynx*".

However, the journalists who write for these independent newspapers live in constant fear of harassment when they publish information that ruffles the Government offensively and un-offensively, even if the information is not offensive. Therefore, the independent press censors itself.

Since the country does have a National Communications Council (CNC), this body should be able to have the necessary means and latitude to exercise a disciplinary role over the press in the first place.

5. Political Parties

In 1993, 8 political parties presented candidates in the presidential elections.

In 1995, 21 political parties submitted candidates for the legislative elections, of which 9 parties maintained proportional representation and the basis of a single-member, and 12 maintained single-member.

In 1998, 46 political parties were counted and officially approved.

The National Assembly is comprised of 114 members, elected for five-year terms. Within the National Assembly:

- 76 are elected in a ballot of national lists on a proportional representation basis;
- 38 are elected in a single-member ballot in one round.

Representation at the National Assembly includes:

Parties*	Group	Representation		Total
		Proportional	Single-Member	
- PUP	-Presidential majority	41	30	71 seats
- RPG	-Opposition	15	4	19 seats
- PRP	-Opposition	7	2	9 seats
- UNR	-Opposition	7	2	9 seats
- UNPG	-Presidential majority	2	0	2 seats
- PDG/RDA	-Presidential majority	1	0	1 seat
- PDG/A.T.	-Opposition	1	0	1 seat
- UPG	-Opposition	1	0	1 seat
- DYMA	-Presidential majority	<u>1</u>	<u>0</u>	<u>1 seat</u>
Total:		76	38	114 seats

Six opposition parties, five of which are represented in the National Assembly, formed the “*Coordination de l’Opposition Démocratique*” (Coordination of Democratic Opposition), CODEM.

* Reminder of the names of the political parties listed above by their acronyms:

- PUP: *Parti de l’Unité et du Progrès* (Party for Unity and Progress)
- RPG: *Rassemblement du Peuple de Guinée* (Assembly of the People of Guinea)
- PRP: *Parti du Renouveau et du Progrès* (Party for Renewal and Progress)
- UNR: *Union pour la Nouvelle République* (Party for a New Republic)
- UNPG: *Union Nationale pour la Prospérité de la Guinée* (Party for the Prosperity of Guinea)
- PDG/RDA: *Parti Démocratique de Guinée* (E.I. Ghussein) (Democratic Party of Guinea)
- PDG/AT: *Parti Démocratique de Guinée* (Democratic Party of Guinea)
- UPG: *Union pour le Progrès de la Guinée* (Union for the Progress of Guinea)
- PD: *Parti Dyama* (Dyama Party)

6. Composition of the Electorate

The number of registered voters and the number of voters in previous elections can be broken down as follows (Source: Ministry of the Interior and Decentralization):

- 1993 Presidential elections
- registered voters: 2,850,403 - voters: 2,236,426
- 1995 legislative elections
- registered voters: 3,049,262 - voters: 1,887,902

For the 1998 Presidential elections, the voter registration list was completed. After revisions, the number of voters registered included:

- registered in Guinea:	3,608,704
- registered in the Embassies:	229,600
- Total registered	3,838,304

7. Electoral Environment in the First Half of 1998

Guinea is pursuing its democratization efforts in a particularly sensitive regional environment. In fact, three neighboring countries are engaged in armed conflicts (Guinea-Bissau, Liberia and Sierra Leone). Many refugees continue to come to Guinea.

During the December 1996 General Census of the Population and Housing, the number of refugees was 659,538. In the opinion of international observers, this number was over-inflated. The actual number has been somewhat revised downward. However, the situation in Sierra Leone remains a concern and many refugees from this country are living in Guinea or are crossing the border into Guinea to seek safety or aid.

The recent conflict in Guinea-Bissau has only aggravated the situation, but it cannot be compared to the magnitude of the problem of refugees from Liberia or Sierra Leone. The number of refugees from Guinea-Bissau is clearly more limited. Only a few thousand of Guinea-Bissau nationals have crossed the border.

The 1998 presidential elections are the third case of multi-party elections since the democratization process began in 1990. This ballot is considered to be a major indicator of how strongly rooted democracy is in Guinea.

At the prospect of these elections, CODEM sent a memorandum to the Ministry of the Interior and Decentralization and the international community.

The 30-point memorandum primarily focused on:

- the establishment of a neutral and independent body to organize the elections;
- the right of political parties to act freely throughout the entire country;

- equal access to State media at all times;
- correcting and publicizing the voter registration lists;
- various practical points concerning the electoral process.

The events related to the Kaporo-Rail affair were also the source of a peculiar tension, and left a number of uncertainties hanging over the electoral process.

The Kaporo-Rail affair originated on March 20, 1998 when the Government began destroying homes built illegally in the Kaporo-Rail district, causing several thousand people and voters to leave.

During the violent confrontation that arose between the army and the people who refused the "forced abandonment" of their homes, 9 people died, approximately 50 were wounded and 58 were arrested. Among the arrested were three Members of Parliament who went to the site to voice their opposition to the forced abandonment. Members of Parliament usually enjoy parliamentary immunity, but Mr. Mamadou B. Ba, President of CODEM, was also jailed.

Mr. Mamadou B. Ba was brought to trial and given a two-month prison sentence. He finished his sentence and was released only a few days before the arrival of the IFES Advisor/Specialist.

This conviction raised the momentary fear that Mr. Mamadou B. Ba would not be able to run for the presidential elections. Should that have been the case, the already-tense political atmosphere would have been polluted.

III. THE AUTHORITIES AND THE ELECTIONS

1. The Government of Guinea and the Administration of the Elections

Under Guinean law, the Ministry of the Interior and Decentralization is responsible for organizing the elections. In previous election years, a National Electoral Commission was established. However, the National Electoral Commission was criticized for not being effective. President Lansana Conté did not want to use such an Electoral Commission again for the 1998 presidential elections.

It should be noted that the wish of numerous parties interested in the electoral process, (donors and political parties) was conveyed by the decision of the European Commission to include in its budget 144,200 ECU in order to participate in the operation of a "National Electoral Commission." As of June 1998, this sum was included in the budget drawn up by the Preparatory Committee for the 1998 Presidential Election under the Ministry of the Interior and Decentralization.

2. The Electoral Commissions under the Ministry of the Interior and Decentralization

In 1993, when the first multi-party presidential elections were organized, an Election Coordination Committee was set up within the Ministry of the Interior and Decentralization to prepare the ballot.

At the end of 1997, this structure was reactivated in the form of an Inter-Ministerial Election Coordination Committee. A reshuffling of the Ministry in 1996 dissolved the Interior Security department.

Consequently, the Inter-Ministerial Election Coordination Committee was comprised of:

- President: Mr. Zaïnoul Abidine SANOUSSY, Minister of the Interior and Decentralization
- Vice-President: Mr. Cheik Fantamadi CONDÉ, Secretary-General of the Ministry of the Interior and Decentralization
- Rapporteur: Mr. Kiridi BANGOURA, Chief of Staff for the Minister of the Interior and Decentralization
- Members: All the Chairmen of the six commissions

Name of the Commission:	Chairman:
- Secretariat Commission	Mr. Patrice THOREZ
- Rules/Training Commission	Mr. A. Baïlo DIALLO
- Logistics Commission	Mr. Kader SANGARÉ
- Finance Commission	Mr. M. Oury BARRY
- Communications Commission	Mrs. Ballou FOFANA
- Security Commission	Mr. F. Chapo TOURÉ

The roles of these commissions can be briefly summarized as follows:

- *Secretariat Commission*: to provide secretarial services for the Inter-Ministerial Election Coordination Commission.

- *Rules/Training Commission*:

-to handle all legal and regulatory aspects of the elections: revision and establishment of voter registration lists, distribution of polling sites, printing and distribution of voter registration cards, drafting of electoral guides and documents and distribution to everyone involved, drafting Presidential Decrees and Ministerial Decisions;

-to provide training for the administrative staff and the polling station administrators;

-Logistics Commission: to order the necessary election materials, track donor contributions, and organize distribution of these materials throughout the country.

-Finance Commission: to write and track the general electoral operations budget including the donors and the other commissions to ensure overall funding for the entire process.

-Communications Commission: to organize and implement, directly or in conjunction with the media, a communications plan to broadcast messages and other information, both civic and practical education, throughout the country to all levels of the population. The budget for the communications plan was drawn up with the European Commission's delegation.

-Security Commission: to work with the Ministry in charge of security, to make provisions for the safety of the persons involved and the various infrastructures used in organizing and conducting electoral operations.

These commissions are made up of civil servants working under the Ministry of the Interior and Decentralization. They all accomplished the various missions assigned to them on a technical level by gradually copying past operations using hindsight to better plan and perfect the process.

It should be noted that, as Mr. K. BANGOURA and the other leaders of these commissions liked to say, the civil servants of the Ministry of the Interior and Decentralization were beginning to get the hang of the process and to master it.

3. Assistance from the International Community

As is the practice in many countries engaged in democratization, the international community invested in the process by supplying material or technical assistance to the Guinean Government for the organization of the presidential elections.

International Aid

<i>Donor</i>	<i>Assistance Given</i>
Canada	- Election Material Kits -paper for ballots
USA	- Support for the Ministry of the Interior and Decentralization - Operation of the High Council for Electoral Affairs - Civic and voter education

Egypt	- two computer units
Germany	- 3,000 supplementary ballot boxes - Communications campaign
European Union	- Operation of the High Council for Electoral Affairs - Public awareness campaign - Communications campaign - Personnel and staff training
China	- Small supplies
UNDP	- Technical assistance to the High Council for Electoral Affairs - Support for an information and liaison medium for the presidential elections
France	- Various supplies and equipment - Ink for annotation - Typewriters and photocopiers
<i>Agence de la Francophonie</i>	- Allocation of equipment to the National Communication Council for its operations
Libya	- Allocation of an open account on credit.

4. Material Preparation for the Elections

Until the High Council for Electoral Affairs was set up, the IFES expert was able to observe and participate in much of the preparatory work for the presidential elections.

The preparatory work was prepared or monitored by the commissions of the Ministry of the Interior and Decentralization under satisfactory conditions. The unexpressed fear was whether it was imminently preferable to carry out this work in close coordination with a dialogue unit, yet to be created, in order to avoid future disputes and a lack of confidence in the process.

At the end of August, the voter registration lists, voter registration cards and the distribution of polling sites were complete.

The Ministry of the Interior and Decentralization did not wish to encounter the same difficulties as the ones in the past that resulted from delays in the preparation. Consequently, it scrupulously adhered to the timetable that has been set at the end of

1997. This feat that was perhaps made easier because the timetable took adequate account of all the operations and allowed a realistic amount of time to complete them.

Throughout this first period, the IFES expert also helped proofread the various user guides for the different actors in the elections. This work was rather fastidious and left him with a feeling of incompleteness because there were countless errors caused by a lack of precision that can be attributed to the printer and some of the civil servants.

For example, errors that did not appear in the first document submitted for proofreading were created in the "corrected" document.

However, in the end, spelling mistakes were essentially all that remained and the documents could therefore be used.

5. The High Council for Electoral Affairs

Much effort and preparation was required for the establishment of the High Council for Electoral Affairs, which occurred at the end of September via a Presidential decree. All the parties appreciated the facilitator role played by the IFES expert. This was not an easy exercise because in the beginning certain members of the Government and the presidential majority were opposed in principle and because CODEM had definite positions.

Basing itself on the objections that it had raised during the previous elections, CODEM expressed utter distrust in the services of the Ministry of the Interior and Decentralization. At the beginning of 1998, it drew up a long list of its demands including the issue of establishing an Independent Electoral Commission.

As we shall see later, this list was reduced to ten points as soon as the negotiations were concluded and before the Decree establishing the High Council for Electoral Affairs was promulgated. CODEM thereby intended to reaffirm that the establishment of the High Council for Electoral Affairs was not a sufficient guarantee of transparency and solutions had to be adopted for the essential points raised in order for a climate of relative trust to begin to settle in.

Discrete preparatory work and a willingness on the part of the Ministry of the Interior and Decentralization, to realize how useful such a body would be, finally led to the establishment of the High Council for Electoral Affairs on a consensual basis. This followed several meetings between representatives of the Ministry of the Interior and Decentralization, the presidential majority and CODEM.

However, once the High Council was established, it had to be given an operational structure in the form of rules of procedure.

This is the task that the IFES Advisor/Specialist set out to do, accompanied by the Legal Advisor of the Ministry of the Interior and Decentralization, the Assistant to the European Commission and certain suggestions from the United Nations expert.

The draft rules of procedure then had to be submitted to the High Council for Electoral Affairs for discussion and approval.

The main provisions of the Presidential Decree establishing the High Council for Electoral Affairs:

- OBJECTIVES

The High Council for Electoral Affairs is a body for discussing, supervising and monitoring the electoral process in order to encourage all the concerned parties to become more involved so as to have transparent elections, in which the results are accepted by all. Within the High Council for Electoral Affairs, decisions are made by consensus and not by a vote so as to maintain the spirit of consensus that prevailed when it was established.

- ATTRIBUTIONS

The mission of the High Council for Electoral Affairs is to:

- Supervise and monitor the electoral process and all related operations, ranging from revising the voter registration lists to proclaiming the preliminary results of the vote;
- Ensure that the provisions of the Electoral Code, the consensus and the Decree establishing the High Council for Electoral Affairs are properly enforced in the field;
- Work with the Ministry of the Interior and Decentralization to write a “Code of Conduct” for Administration employees and political leaders and ensure that it is respected in order to have credible elections in the spirit of national peace, tranquility and unity.
- Consider the questions submitted by the Ministry of the Interior and Decentralization and/or the political parties with a view to finding a consensual solution.

The High Council for Electoral Affairs is co-responsible along with the Ministry of the Interior and Decentralization for the transparency and credibility of the elections.

- COMPOSITION

The composition of the High Council for Electoral Affairs is as follows:

- 18 representatives of the PUP/PCN Parliamentary group
- 18 representatives of the CODEM Parliamentary group
- 5 representatives of the Ministry of the Interior and Decentralization
- 6 representatives of the concerned Ministries
- 11 representatives of the civilian society
- 10 persons known for their wisdom, integrity and patriotism.

The Ministry of the Interior and Decentralization chooses the ten people from a list of twenty proposed by the two Parliamentary groups, which submit ten names each.

- BUREAU

The Bureau of the High Council for Electoral Affairs is comprised of six members appointed from among the sixty-eight advisors:

- a President
- two Vice-Presidents
- a Rapporteur
- an Administrative Secretary
- a Treasurer

The Ministry of the Interior and Decentralization chooses the President from among the members of the High Council for Electoral Affairs.

Each Parliamentary group appoints a Vice-President from among its delegates to the High Council for Electoral Affairs.

The Rapporteur is a representative of the Ministry of the Interior and Decentralization to the High Council for Electoral Affairs.

The PUP/PCN Parliamentary group appoints the Administrative Secretary.

The CODEM Parliamentary group appoints the Treasurer.

- DECENTRALIZED STRUCTURES OF THE HIGH COUNCIL FOR ELECTORAL AFFAIRS

In order to carry out its mission in the communities, the High Council for Electoral Affairs is represented in the 5 communes of Conakry and in the 33 prefectures by a seven-member commission.

- The President, appointed from the High Council for Electoral Affairs.

Six others appointed at the local level:

- Two representatives of the Ministry of the Interior and Decentralization
- Two representatives of the PUP/PNC Parliamentary group
- Two representatives of the CODEM Parliamentary group

- COMMITTEE OF EXPERTS

The High Council for Electoral Affairs may seek the assistance of a committee of national and international experts to study the questions submitted to it.

- DURATION

The mission of the High Council for Electoral Affairs ends once the Supreme Court has officially proclaimed the results of the 1998 presidential election.

Although this provision clearly defines the duration of the mission of the High Council for Electoral Affairs, it is nonetheless true that in the minds of the persons who worked to establish it and in particular within the Ministry of the Interior and Decentralization, the hope was that this body would prove itself so that it could be given a more stable and lasting foundation.

Of course, two main motivations can be seen in this hypothesis:

- first, those considered hoped to justify their pro-High Council for Electoral Affairs stance. This was a position they often had to defend bitterly in the face of numerous adversaries within the Government and the PUP.

- second, these same people were convinced that the High Council for Electoral Affairs was a relatively innovative and indispensable formula for implementing and maintaining the atmosphere of trust that was so necessary for the political parties and especially for the Ministry of the Interior and Decentralization, which is responsible for managing the voter registration lists and organizing the elections.

6. Setting the Election Date

December 14, 1998 was set as the date for the election of the President of the Republic by General Lansana Conté by Decree number 205/PRG/SGG/98 of October 14, 1998.

Following this decree, we, along with the Rules-Training Commission of the Ministry of the Interior and Decentralization immediately updated the electoral timetable.

7. Electoral Disputes

Pursuant to Organic Law No. 91/012/CTRN, which sets forth the Electoral Code amended by Organic Law No. L93/038/CTRN of August 20, 1993, the following articles combined determine the conditions for counting the votes and the electoral dispute practice applicable to the presidential election:

Article L 151: - The Minister of the Interior shall conduct the general count, which shall go on all records of the Central Administrative Commissions .../...
At the end of this general count, the Minister of the Interior shall draft a report and send it without delay to the Supreme Court.

Article L 170: - The general count of the votes and transmission of the report of the results to the Supreme Court by the Minister of the Interior shall be performed pursuant to the provisions of Article L 151.

Article L 171: - The Minister of the Interior shall publicly announce the overall total of the results within a maximum of forty-eight hours.

Article L 172: - If none of the candidates have filed a dispute concerning the regularity of the electoral operations with the Supreme Court Registry within eight days after the day when the first totals were made public, the Supreme Court shall proclaim the President of the Republic elected.../...

In the event of a dispute, the results shall be proclaimed in accordance with the conditions prescribed by Article L176 of the present law.

Article L 173: - Any candidate may contest the regularity of the electoral operations in the form of a motion addressed to the First President of the Supreme Court according to the conditions and the timeframes set forth under Article 30, sub-paragraph 1 of the Basic Law.

Article L 174: - The request shall be filed with the Supreme Court Registry. The Chief Registrar shall provide official acknowledgement of the motion.../...

Article L 175: - The Chief Registrar of the Supreme Court shall send the motion to the other interested candidates, who have a maximum of twenty-four hours to file a brief in reply. The Chief Registrar shall provide an acknowledgement of receipt of the filed briefs.

Article L 176: - The Supreme Court shall make a ruling within three days after the dispute has been brought before it. Its ruling shall constitute a definitive proclamation or annulment of the election.

In the event of an annulment, new elections shall be organized within sixty days.

Except for the Supreme Court, no other body shall hear complaints lodged by persons permitted and authorized to do so.

IV. WORK OF THE HIGH COUNCIL FOR ELECTORAL AFFAIRS

1. Establishment of the High Council for Electoral Affairs

The members of the High Council for Electoral Affairs were sworn in before the Conakry Court of Appeals on Wednesday, October 28, 1998 at 10:00 a.m. during a solemn hearing.

The Minister of the Interior and Decentralization announced the installation of the members of the High Council for Electoral Affairs on Thursday, October 29, 1998 at 4:00 p.m. From that moment, the work of the High Council could officially begin.

2. Operational Requirements of the High Council for Electoral Affairs

Due to internal procedural delays in the European Commission, payment of the funding was delayed. In order to allow the High Council for Electoral Affairs to begin working immediately, an additional contribution of \$80,000 US was allocated by the United States, at the proposal USAID Director, Mr. Harry Bimholz, to fund the urgent needs of the High Council, effectively bridging the loan from the European Commission.

These urgent needs amounted to the most essential elements that the High Council for Electoral Affairs needed in order to begin operating while waiting for the European Commission funds, namely:

- renting the building it needed for its set up;
- office furniture and equipment (computers, printers, photocopier, typewriter);
- office and paper supplies;
- fuel, mission and operational costs;
- writing and publishing the Code of Conduct and the newsletter;
- training members of the High Council for Electoral Affairs.

This contribution was paid to IFES and the Advisor/Specialist was put in charge of placing orders and settling the various expenditures incurred by the High Council for Electoral Affairs until the funds expected from the European Commission delegation arrived.

Since the Ministry of the Interior and Decentralization did not make efforts soon enough to research and locate a building, and in order not to slow down the work of the High Council for Electoral Affairs, the IFES Advisor/Specialist proposed that the High Council occupy certain offices of the *Palais du Peuple*, until definitive offices could be found. To this end, he rented the said offices starting on October 26, 1998, date of the first plenary meeting of the High Council for Electoral Affairs.

The Legal Advisor to the Ministry of the Interior and Decentralization, who was Rapporteur for the High Council for Electoral Affairs, proposed that another site be researched, mentioning that the political parties had rejected the proposed site of the

National Assembly. After a complex process, the office of the BIAG, a former bank that had gone bankrupt, was retained. Soon thereafter, however, the High Council for Electoral Affairs refused to accept them and unanimously contended that the best choice from a practical and symbolic point of view was the *Palais du Peuple*.

Both the European Commission funding and the United States contribution caused some problems that complicated the rapid implementation of the material resources that the High Council for Electoral Affairs needed in order to operate.

Indeed, some of the advisors considered the European Commission's accounting procedures, as well as those of USAID, to be an attack on their sovereignty. USAID placed the orders and paid the supplier invoices directly rather than handing over the funds.

3. Rules of Procedure of the High Council for Electoral Affairs

Very soon after it was established, the High Council for Electoral Affairs proceeded to set up and appoint members of a Special Commission responsible for drafting the Rules of Procedure. Rules of procedure were based on the preliminary document written by the experts and the Ministry of the Interior and Decentralization, which was to be submitted for approval by a plenary session of the High Council for Electoral Affairs.

The draft written by the Commission was almost exactly the same as the one prepared by the experts and the Ministry of the Interior and Decentralization, and the High Council for Electoral Affairs adopted it with only slight modifications. During the adoption process, a lengthy discussion brought to the forefront the precise notion of consensus, which does not necessarily mean unanimity.

4. Work of the High Council for Electoral Affairs

The work of the High Council for Electoral Affairs was delayed somewhat due to material contingencies, which caused a good deal of concern for several of its members. This in turn created a further delay and caused a number of problems of every nature. Of course, if the High Council for Electoral Affairs had been established and set up sooner, the material problems related to its set up could have been solved more calmly.

However, given that the European Commission aid was reduced and given the delay in freeing up the funds, the fact that the High Council for Electoral Affairs was set up late actually meant that its budget was sufficient.

It should be specified that the European Commission based its funding on the budget that the Ministry of the Interior and Decentralization had drawn up in the first quarter of 1998. After discussions with the Ministry of the Interior and Decentralization, the budget was markedly reduced by the Guinea Delegation, then sent to Brussels for approval.

In the end, Brussels did not approve the funds until the beginning of November. Taking into consideration the time that remained for the High Council for Electoral Affairs to conduct its work, it then took over from USAID to fund office furniture.

As soon as the Rules of Procedure were adopted, the High Council for Electoral Affairs proceeded to appoint another special commission that was responsible for studying CODEM's "ten points."

These "ten points" involved:

- political party representation in:
 - the polling stations;
 - the Central Administrative Commissions responsible for tabulating the election returns at the prefectoral level;
 - the National Results Consolidation Commission.
- delivery of the reports and results sheets at each of the above-mentioned levels;
- security in transmitting the results;
- neutrality of the police;
- free delivery of residence certificates, identity and consular cards;
- distribution of constituencies that would entail less travel for voters;
- timely distribution of voter registration cards to all voters;
- ability of displaced persons to vote after revision of the voter registration lists;
- ability of the political party leaders to circulate freely on election day;
- equal treatment of the candidates by the State-run media.

This commission quickly wrote a proposal for each of the most urgent of the ten points, which was approved by the High Council for Electoral Affairs sitting in a plenary session. This proposal in its entirety, was the subject of a decision by the Ministry of the Interior and Decentralization and taken in the form of a decree.

Although this calls for congratulations, it should be nonetheless noted that rather than respecting the Electoral Law like the various other actors had been committed to doing, the proposal diverged from the law somewhat and it therefore ran the risk of not being fully applied.

Indeed, with respect to the official totals, the law provides that three reports shall be drafted and sent to the Vote Counting Commission, the Ministry of the Interior and Decentralization and the sub-prefecture or the prefecture, respectively.

The decision, however, stipulates that a copy of the report shall be given to each polling station administrator. In other words, a total of eight copies of the report must be made.

Thus, the decision did not comply with the law, but moreover, it raised a technical and financial problem. In order to apply it, the number of additional documents needed would have had to be printed sufficiently early to be able to send them to the polling stations along with the election materials.

Such was not the case. When civil servants within the Ministry of the Interior and Decentralization were questioned in this regard, they stated that they would work within the context of the law and that the results sheets would be sent to the polling station administrators and to the party delegates in accordance with the law.

In the opinion of the IFES Advisor/Specialist, another point concerning the reports could have caused problems, including the fact that making any corrections or deletions on these documents was not permitted. CODEM strongly supported this dictate so as to prevent the Administration from making corrections during prior election consultations because CODEM accuses the Administration of not simply correcting errors, but of actually falsifying the results.

This request demonstrates either ignorance of the law or a complete lack of trust, in the role played by the High Council for Electoral Affairs, since Article 88 of the said law was amended by Organic Law no. L/93/038/CTRN of August 20, 1993, which provides: *The results obtained at each polling station and the attached documents may not be modified in any way.*

The IFES Advisor/Specialist drew the attention of the High Council for Electoral Affairs to the fact that it was not physically possible that with 8,000 polling stations there would not be any errors requiring rectification, especially since producing eight copies of the report would mean that at least two copies would have to be made manually.

In spite of this warning about the risk that any report of the results that contained a deletion would have to be annulled, CODEM stood its ground, arguing that if care was taken, the reports could be produced without any errors...

A third special commission was established in order to draw up a Code of Conduct pursuant to the Decree establishing the High Council for Electoral Affairs. The Code of Conduct is intended for members of the Council, the parties, staff members and agents of the Administration, polling station administrators, foreign observers, and generally speaking, to all the actors involved in the elections.

The draft presented by the special commission to the High Council for Electoral Affairs was easily adopted with a few additions or corrections.

Once this work was complete, the High Council for Electoral Affairs still had to deploy advisors in charge of the decentralized structures in the prefectures and the communes of Conakry.

In order to do this, the High Council for Electoral Affairs proceeded to nominate 38 advisors and at the same time, to appoint the Council members who would form the four commissions provided for in the Rules of Procedure, namely:

- the commission responsible for verifying the voter registration lists;
- the commission responsible for overseeing civic education and voter information;
- the logistics commission
- the commission responsible for the electoral campaign and election operations.

The advisors were sent out during the last week of November, after undergoing three days of training for the entire staff. This training was provided by the heads of the Ministry of the Interior and Decentralization commissions, who used that time to review voter registration lists, voter registration cards and the distribution of election materials, all of which was essential information for the advisors assigned to the prefectures.

V. ORGANIZATION OF THE ELECTIONS

1. Voter Registration Lists

The voter registration lists, which were drawn up on the basis of the revision made at the end of 1997/beginning of 1998 and divided into polling sites in July, indicate the following figures¹:

- number of polling stations in Guinea: 8,001
- number of registered voters in Guinea: 3,608,704
- number of polling stations at Diplomatic Missions: 105
- number of voters registered at Diplomatic Missions: 229,600

thus:

- total number of polling stations:	8,106
- total number of registered voters:	3,838,304

¹ Source: Ministry of the Interior and Decentralization

2. Voter Registration Cards

Distribution of the cards began on the date required by law: November 13.

Some complaints were lodged with regards to the fact that it was impossible for some citizens to obtain their card because their name did not appear on the voter registration list.

And yet, these persons declared that they had reported to the commission during registration. However, this information is nearly impossible to verify since people are not given a receipt when they come to register.

Other complaints lodged by opposition candidates included the non-distribution of voter registration cards to their supporters. This problem could not be cleared up and in order to cut this criticism short, the Ministry of the Interior and Decentralization allowed the High Council for Electoral Affairs to publish a communiqué three days before the ballot.

This communiqué informed concerned voters and the various authorities that it was possible for voters who did not have a registration card, but who were listed on the registration sheet at the polling station in question to vote.

This information, which was widely distributed by the mass of media, seems to have reached the polling station administrators and the voters in a satisfactory manner.

3. Election Materials

On the date set by the Ministry of the Interior and Decentralization, all the materials were available and distribution and eventual delivery could be carried out in two stages.

- The first stage involved the more voluminous materials and the guides and documents that were easy to prepare in advance.
- The second stage involved the ballots, the kits provided by Canada and indelible ink.

4. Election Documents

The main documents are:

- Guides. After the Ministry of the Interior and Decentralization made several corrections, with the help of the IFES Advisor/Specialist, a sufficient number of guides were printed with only material errors or spelling mistakes, which were reintroduced by the printer after the corrections had been made.

They were used for the various training sessions led by the Ministry of the Interior and Decentralization and the National Democratic Institute (NDI), and were given to the High Council for Electoral Affairs advisors.

- Reports, results sheets and other documents. The various actors paid a lot of attention to these documents, especially the reports. Indeed, the reports make it possible to follow the results from the polling station to general centralization. They are the official record of each polling station and are used in hearing disputes. The reports are among the essential elements for transparent elections.

5. Electoral Campaign

The electoral campaign was marked by a tragic event that occurred on Saturday, November 28 in the Bagnan sub-prefecture of Faranah prefecture. The Sub-Prefect of Bagnan shot an RPG militant to death during a skirmish between the police and the RPG demonstrators.

Following this act, the demonstrators chased after the Sub-Prefect and caught up with him in Faranah, where they beat him to death.

Despite a few other minor incidents, the overall conditions of the electoral campaign were good, the candidates were able to freely organize their political meetings and the media, including the private press, was free to cover these gatherings.

Mention should be made here of the role played by the donors, and in particular, Canada, who financially supported the private press so as to enable it to cover candidates' meetings. The Ministry of Communication had only mobilized material resources for the government press.

6. Polling Stations

Overall, the polling stations were well manned. Based on observer comments, it would seem that the polling station administrators were properly trained since with a few exceptions, no disparities were noted in the way in which the voting operations were conducted and the election material was used at the polling stations.

The polling stations were well indicated and for the most part, they were located in accessible and neutral areas. Doubling the number of polling stations shortened travel distance for voters. Nevertheless, it is quite clear that some of the voters still had to travel great distances, walking for many hours, but this is a problem everywhere. Even though some homes are far away, it is not possible to systematically create polling stations for a handful of voters.

The polling stations were not equipped with polling booths, but each one was set up with an isolated space, either in a small adjacent room or constructed from local material such as wattle fences.

7. Electoral Staff: Administrative Personnel and Polling Station Administrators

Overall, the administrative personnel of the Ministry of the Interior and Decentralization rose to the challenge of their tasks and completed them within the deadlines indicated in the timetable that was set one year in advance.

In their own words, they learned from past experience so as to organize these presidential elections in entirely satisfactory technical conditions.

As previously mentioned, the agents at the polling stations on the whole received homogenous training throughout the country, and the election material and documents were properly used.

The most noteworthy fact in the 1998 presidential elections was that the political parties appointed poll watchers.

The proposal by the High Council for Electoral Affairs, which was accepted by the Ministry of the Interior and Decentralization involved having:

- a representative of both the PUP and CODEM as poll watchers;
- a representative of candidate C.P. TOLNO to serve as secretary, if he so desired, since he did not have the advantage of being from either a presidential party or an opposition party.

The new option offered to the political parties was largely used by the PUP and CODEM, which were able thereby to participate directly in the work of almost all the polling stations, which is essential for monitoring the conduct of the election, thus for transparency.

The training NDI provided for the party delegates was also beneficial since it allowed them to undergo this training together, before they met up again at the polling stations.

There was a strong presence of delegates from the presidential majority and the opposition in spite of a few uncertainties in some of the prefectures such as Dubréka. These uncertainties were often attributed to the Prefects' desire to adhere more closely to the Electoral Law.

8. Electoral Calendar

As was stated previously, the electoral calendar was adhered to scrupulously and the process on the whole did not suffer any real delays.

VI. VOTER EXPRESSION

The voters did not appear to be subjected to any pressure or blatant influence.

The communication campaign organized by the Ministry of the Interior and Decentralization largely and amply informed the population that each voter was free to make his own choice.

However, this does not entirely rule out the possibility that party militants may have attempted to exert pressure on certain categories of voters, but on the whole, this was not the impression.

The presence of *friendly* policemen near some of the polling sites and even inside, was not perceived as any sort of pressure.

VII. COUNTING THE VOTES AND PROCLAIMING THE RESULTS

1. Transmitting the Results

The Sub-Prefects collected the official totals and the attached documents contained in secure envelopes, to transport them from the prefectures to the headquarters of the Vote Counting and Results Centralization Commission.

Although party appointees were not able to follow the transportation, they were able to verify at various levels the results of polling sites, the condition of the secure envelopes and their contents upon arrival at the Central Administrative Commission, the tabulations made, etc...

2. Counting by the Central Administrative Commissions

The counting was done in the presence of the political party appointees. Any abnormalities on this level were not reported until the provisional results were announced.

Each prefecture was equipped with a fax machine, as the IFES Advisor/Specialist had suggested in June 1998 shortly after his arrival. The Ministry of the Interior and Decentralization made every effort to ensure that this equipment was operational just before election day.

We had feared that the telephone network would not accommodate this wager, but to our great satisfaction, everything was ready for polling day and the results could be transmitted as planned.

3. General Count by the Ministry of the Interior and Decentralization

A central headquarters and a reception room for officials and the press were set up on the ground floor of the Ministry of the Interior and Decentralization.

The IFES Advisor/Specialist was granted access to these rooms in order to follow the work of the National Results Counting Commission.

Starting on December 15, the consolidated results established by the commissions at each prefecture and in the communes of Conakry began to arrive by fax on the various machines in the central headquarters.

Civil servants of the Ministry of the Interior and Decentralization transcribed and tabulated the returns as they came in, but did not communicate them to the press so as to avoid the type of speculation that had occurred during the previous elections, speculation which would have caused trouble.

So as to avoid too much suspicion, this lack of communication had to be compensated for by rapid consolidation, which the Ministry of the Interior and Decentralization pledged to do. The Ministry of the Interior and Decentralization announced the first round of results on Wednesday, December 16.

4. Proclamation of the Results

On Thursday, December 17, at 5:00 p.m., the Ministry of the Interior and Decentralization was in a position to announce all the provisional results and it was the Minister who officially read and announced them before the Ambassadors and the press.

According to the results, as can be seen below, the incumbent President won the absolute majority in the first round.

Registered voters:	3,796,293
Voters:	2,650,790
Spoiled ballots:	43,392
Ballots cast:	2,592,859
Voter turnout:	69.82%

(Source: Ministry of the Interior and Decentralization)

VOTES WON BY THE CANDIDATES

<u>Candidates</u>	<u>Political Parties</u>	<u>N. of Votes</u>	<u>Percentage</u>
Charles Pascal TOLNO	PPG	24,771	0.96%
Jean Marie DORÉ	UPG	44,746	1.73%
Lansana CONTÉ	PUP	1,455,007	56.12%
Alpha CONDÉ	RPG	429,770	16.58%
Mamadou Bhoie BA	PRP	638,563	24.63%

Since no appeal was filed, these results were confirmed and made official on December 31, 1998 by the Supreme Court, which proclaimed Mr. Lansana Conté elected as President of the Republic.

VIII. ELECTION OBSERVATION

1. National Observers

GERDDES Guinea (Study and Research Group for Democracy and Economic and Social Development) was the only national organization to have sought and obtained accreditation to send national observers.

This accreditation covered 80 observers.

Nevertheless, since GERDDES Guinea did not obtain enough funding from GERDDES Africa to cover the costs involved with sending 80 observers, the number was eventually reduced to 25.

GERDDES Guinea joined with the coordinated effort of the international observers to report the results of its observation in the "joint statement."

2. International Observation

Representatives from the following States and organizations conducted the observation:

- *Agence de la Francophonie* (Agency of the French-speaking Community)

- Organization of African Unity (OAU)
- Africa, Caribbean and Pacific (ACP)
- Economic Community of West African States (ECOWAS)
- *Observatoire International des Libertés et des Médias* (International Observatory of Liberty and the Media) (OILM)
- Pan-African Permanent Conference on Democracy and the Mastery of Transition in Africa (CPPDMTA)
- Republic of Côte d'Ivoire
- Arab Republic of Egypt
- Islamic Republic of Mauritania
- Republic of Senegal
- Republic of Togo

It should be noted that none of the major donors had planned to send observers except for Canada, through the *Agence de la Francophonie*, and Egypt.

Thus the observation was essentially conducted by about 30 observers from allied countries or organizations such as OILM, which is known for offering its services to countries organizing elections.

It seems useful to note here that a proposal was made to exclude the representative of the OILM from the Observer group because he gave a separate statement to the press after the Chairman, E.D. ZINSOU, a representative of the *Francophonie* group, had done so. Mr. Zinsou, however, had the observer group's permission to do so.

These statements to the press are often the doing of certain observers, including those of the OILM, and contradict the observers' "code of ethics."

This situation gave rise to the fear that there would be a lack of objectivity if the polls showed any abnormalities, especially since the observers did not want to travel outside Conakry.

After the UN Electoral Assistance Division pulled out at the last minute, *Agence de la Francophonie*, the European Commission, IFES and UNDP stepped in with their experts and a few resources to prepare for the arrival of the observers and to organize their mission.

Although the observers gladly accepted the material assistance, they preferred to remain completely autonomous in preparing and drafting their joint statement.

All that remained was the NDI mission. Its representatives had come to assess the effectiveness of the training program for the party appointees led by two of its staff three months before.

Since this mission was to be conducted on election day in order to see the party appointees "in situation," the Ministry of the Interior and Decentralization required that

the NDI representatives perform their mission cloaked as an observation mission in order to be granted access to the polling stations.

3. The Observers' Report

For the reasons just described, it is puzzling that the observers drafted their joint statement without carrying out an overall analysis of the observation reports or even looking at the reports from the NDI representatives who were deployed to all regions of the country. Consequently, there is not enough information to verify the accusations made by the opposition candidates.

Not until the end of the week did the NDI representative met up again in Conakry and provide a verbal report of their observations to the donors.

This report confirmed that the polling sites were well run and that there were representatives of the political parties involved present at all levels with a few exceptions, which is an essential element for trust in the process and acceptance of the results.

IX. CONCLUSION

1. On the transparency of the process

The first declarations of intent to have transparency made to the IFES Advisor/Specialist upon arrival by both the Chief of Staff for the Minister of the Interior and Decentralization and various Ministry staff members were never contradicted in neither word or action.

Although it seemed at times that the Ministry of the Interior and Decentralization was not choosing the most obvious ways to demonstrate a willingness to have transparency, the reasons lie more in the issue of relations between Guineans and the African nature of these relations, than in any sort of opaque intentions.

On the contrary, the reciprocal lack of trust between the Ministry of the Interior and Decentralization and the opposition parties, and even the majority presidential parties, sometimes pushed those involved to the extreme in finding solutions that would guarantee transparency.

This desire, which was constantly kept alive, was beneficial to the electoral process. Although the pre-electoral and electoral operations were sometimes criticized for reasons of political strategy, on the whole, they were well run both in terms of the timetable and material preparation.

2. On the conduct and the sincerity of the election

With a few exceptions, the election was conducted in very good conditions and the sincerity of the ballot can be said to be particularly satisfactory. These exceptions were always due to excessive zeal on the part of certain actors, despite the instructions endorsed and repeatedly given by the Ministry of the Interior and Decentralization.

In the opinion of several specialists, the practical organization was well done and was undeniably of superior quality to that observed in other countries.

This high-caliber organization is not simply a matter of competence, but above all, a matter of will.

It is also useful to note that the training of party appointees organized by NDI led to a significant decrease in tension by bringing the party activists together for common training sessions before they came together at the polling sites to perform their duties.

3. On the Mission of the IFES Advisor/ Specialist

The mission of the IFES Advisor/Specialist was carried out in excellent conditions and generally speaking, in an atmosphere of trust. This allowed him to be informed of all the objectives of the Ministry of the Interior and Decentralization and to make suggestions or proposals without suspicion.

Contacts with the political parties and in particular, with the opposition, were fruitful. Yet the parties were naturally more concerned with guarantees of transparency and equality and consequently, more demanding in this respect.

The IFES Advisor/Specialist would like to thank all those with whom he worked at the Ministry of the Interior and Decentralization and in the parties for such high quality relations.

He also wishes to extend thanks to His Excellency, the Ambassador of the United States, to the Director of USAID and to all the Ambassadors and the staff of the Diplomatic Missions who facilitated his mission.

In this respect, it should be noted that the quality of the relations was largely responsible for the success of this mission, which was for the benefit of all of Guinea.

Donor coordination meetings were a model of efficiency. It would be helpful to reuse this model in other operations, making any specific adaptations necessary, including the usefulness of organizing these meetings from the onset of the process and following a progressive rhythm.

X. PROPOSALS FOR THE FUTURE

Based on both verbal and written reports on past elections, Guinea has undeniably made remarkable and real progress, which has enabled voters to freely express themselves in better organized elections.

The ability to rapidly transmit the reports and consolidate the results in such a short amount of time - proof of this improved organization - was above all, a guarantee of greater transparency, as was the participation of party representatives at various levels especially at the polling stations.

In order to maximize the experience gained through the work done by the offices of the Ministry of the Interior and Decentralization and all the technical partners who contributed to the smooth functioning of the electoral process, it is important to establish a permanent elections management division within that Ministry.

One of the missions of this division would be to ensure continuity of the voter registration lists by regularly updating them through revisions performed either annually or at other intervals to be determined.

Of course these revisions will have to be performed in conjunction with the political parties, so that the parties will maintain utmost confidence in the voter registration lists, which could be used at any time for regularly scheduled elections or for exceptional circumstances.

Should the Ministry of the Interior and Decentralization so desire, an advisory mission could be offered to help establish this division. This mission could help in particular with the ongoing management of voter registration lists, not to mention the financial aspect that will have to be considered in the context of decentralization and thus, a strengthening of the local government.

Strengthening the local government would have to take into account the need to set up a registry office and to organize a general population census. This would allow all the administrative structures to have essential information in terms of schooling, health, elections, equipment needs, etc.

Of course, due to both organizational and staff training constraints and finances, these suggestions would necessitate the establishment of a pluri-annual program. With respect to the *Dialogue Body* (Structure de Concertation), the fact that the next electoral deadline is a long way off, should allow the National Assembly to enact legislation on the creation of such a unit, making it permanent in nature, yet still allowing for a certain number of useful adaptations.

These adaptations could relate to the following considerations:

- To run efficiently, the number of members should be close to the one that all the specialists hoped to see chosen. At most, this number should be close to fifteen and should include for example, five members of the Presidential majority, five members of the opposition, four members of civilian society representing organizations working in the field of democracy or which have public notoriety in the general sense of the term and are recognized as such, and a high-ranking magistrate known for his integrity.

- The Ministry of the Interior and Decentralization would administer this unit and the senior staff of the election management division would participate in the work as consultants and advisors.

- The office of the *Dialogue Body*, limited to a staff of five, could operate part-time on an ongoing basis, so as to monitor the work of the election management division within the Ministry of the Interior and Decentralization whenever necessary.

- The high-ranking magistrate would serve as chairman. Because of his training and the nature of his duties, a magistrate has the following advantages:

- knowledge of law and ability to analyze each situation within the framework of the law;
- experience in leading debates and necessary authority to do so;

- The *Dialogue Body*, in its entirety, would be activated and possibly "reconstituted" at the earliest, 45-60 days before each election.

- Five-member decentralized units patterned after the national unit and chaired by a local magistrate would be set up thirty days before each election, following a two-day training session.

The same logic prevails in the proposal to have a magistrate chair these units. Moreover, it would not be judicious to see a party representative chairing such a structure.

In conclusion, subject to these gradual changes, and no matter what it is called, this unit could become not only a stable and lasting structure, but also a reference model from which other countries would probably draw inspiration.

Indeed, several of the Independent Electoral Commission formulas have proven to be limited with respect to objectives that are sometimes beyond their scope.

What matters most is that this unit work on a consensual basis. To this end, there must be balanced representation between the political parties in power and the opposition.

The HCEA was truly autonomous by virtue of its attributions and the ways in which it exercised them. Its form of decision-making is what gave it its power of proposal over the Ministry of the Interior and Decentralization, the organizer of the elections.

The High Council for Electoral Affairs was able to play its role of monitoring and supervising the electoral operations with complete independence because its method was undoubtedly more akin to the culture and sociology of this region.

XI. POST-ELECTORAL THOUGHTS AND RECOMMENDATIONS

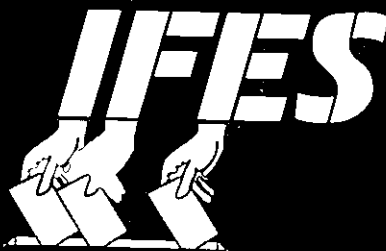
At the time of completion of this report, the news from Guinea indicates that candidate Alpha Condé is being held in detention.

It should be recalled that the situation in Conakry was very tense in the days preceding and following the election, sometimes causing serious disorder and leading one to fear the worst.

Although fortunately this detention has not yet in itself caused any of the kind of trouble that inevitably leads to injuries and tragic loss of human life. It would be preferable for the reasons for this candidate's detention to be quickly and clearly defined so that the progress that has been made in terms of democracy does not end up reduced to nothing.

Furthermore, some of the candidates' positions could at times be interpreted as playing up ethnic differences. The many tragic examples of this in African countries should encourage and lead political leaders to avoid such incitement.

On the contrary, a sense of political responsibility should lead these men to play a formative role vis-à-vis their fellow citizens, along the lines of greater national unity and solidarity, by offering the people and Guinea the opportunity to walk the path of development and progress in peace.



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