

**BURUNDI
PARLIAMENTARY ELECTION
JULY 2005**

Report
by
Arild Stenberg

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Preface

With the aim of observing the legislative elections in Burundi on 4 July the European Union established an Election Observer Mission. The Head of mission was Mr Alain Hutchinson, European Parliamentarian and former Belgian member of government.

The mission was established in Bujumbura on 13 June and remained in the country until the middle of July. 12 Long Time Observers (LTOs) were deployed by 06 June who were later joined by 64 Short Time Observers (STOs) on 2 July, in order to observe the process on election day and the counting.

367 polling stations were visited on election day, covering all 17 provinces.

NORDEM, The Norwegian Resource Bank for Democracy and Human Rights was asked by the Norwegian Ministry for Foreign Affairs to identify one long-term observer and two short-term observers (STOs). Arild Stenberg was identified as LTO and was deployed in the province of Ngozi, being responsible for the regions of Ngozi and Kayanza. Tove Gravdal and Annie Lise Mjaatvedt was identified as STOs and were respectively deployed in the province of Ruyigi, and Bururi.

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Map of Country



Summary

In most provinces the election campaign was peaceful. However, some isolated violent incidents caused a tense atmosphere between members of different parties.

Election day was largely calm and orderly and voters seemed to be able to express their franchise freely.

The election was efficiently administered by the National Independent Election Committee (CENI).

The procedures were in general respected, exception made for the control of the identity of voters.

The election was conducted under a legislative framework which provided for the conduct of democratic elections, although it can be improved, as mentioned in the preliminary report.

The media played an active and important role in the election process.

The report is based on the observations of the Norwegian observers. It is the observers impression that the result reflects the opinion of the voters. The winner, CNDD- FDD has expressed awareness of the responsibility the voters have given them, and they say they will not let the people down.

Political background

Since independence in 1961 Burundi has been plagued by tension between the dominant Tutsi minority and the Hutu majority and has been the scene of one of Africa's most intractable conflicts.

Most of the country is now beginning to reap the dividends of the peace process, with only one rebel group remaining active in the countryside around the capital.

In 1993 Burundi seemed poised to enter a new era when, in their first democratic elections, Burundians chose their first Hutu Head of state, Melchior Ndadaye, and a parliament dominated by the Hutu FRODEBU party (Front de Démocratie au Burundi). Within months however, Ndadaye had been assassinated, setting the scene for years of Hutu-Tutsi violence in which an estimated 300.000 people, most of them civilians, have been killed.

In early 1994, parliament elected another Hutu, Cyprien Ntaryamira, as president, but he was killed in April alongside the president of neighboring Rwanda when the plane they were traveling in was shot down over Kigali.

Another Hutu, Sylvestre Ntibantunganya, was appointed president in October 1994. Within months, the mainly Tutsi UPRONA party (Union pour le Progrès National) withdrew from the government and parliament, sparking a new wave of ethnic violence. In 1996 Pierre Buyoya seized power in a coup. He co-opted FRODEBU into the government, but inter-party talks failed to agree on crucial issues.

Following long-running talks, mediated by South Africa, a transitional government was set up on 1 November 2001 when most of the rebel groups agreed to a cease-fire.

Domitien Ndayizeye, a Hutu, succeeded Buyoya as Head of the transitional government on 30 April 2003. Mr. Ndayizeye served as vice-president during Mr. Buyoya's 18 month term in office.

Mr. Ndayizeye has faced the formidable challenge of maintaining good relations with the Tutsi-led government army while persuading Hutu rebels to stop fighting.

The two interim presidents were barred from running for office.

The Arusha Agreement was supposed to last for three years, with elections in 2004. The transition period has been prolonged twice, each time with six months, consequently changing the election calendar as well. The Referendum on the Constitution was held on 28 February this year, and the Communal elections took place on 3 June. The communal representatives elected 18 senators (two from each province, one Hutu and one Tutsi) on 29 July. The senate and the National Assembly indirectly elected the president on 19 August.

The results from the communal elections in June were as follows:

| | | | |
|----|----------|----------------------------------|--------|
| 1. | CNDD-FDD | Leader: Pierre Nkurunziza | 62,6 % |
| 2. | FRODEBO | Leader: Jean Minani | 20,9 % |
| 3. | UPRONA | Leader: Jean Baptiste Manwangari | 5,2 % |
| 4. | CNDD | Leader: Leonard Nyangoma | 4,1 % |

Several factors were deemed as risk factors in advance of the parliamentary elections. Among those were:

Violence, like for the communal elections.

FNL actions, especially in Bujumbura Rural and Bubanza.

An increasing rivalry between FRODEBU and CNDD-FDD, FRODEBU threatened to boycott the elections.

The Legislative Framework

In accordance with Election Law of 1993, the new Constitution was accepted in the Referendum 28 February 2005. The new constitution opened for a series of elections in 2005: the communal elections on 3 June, the parliamentary elections on 4 July and finally the collines elections on 23 September.

The elections are regulated in these laws:

The Constitution of the Republic of Burundi
The Election Code (20 April 2005)
The Organization of the Constitutional High Court (19 December 2002)
The Organization of the Political Parties (26 June 2003)

Presidential decrees:

Decree 102 of 5 August 2004 on the organization of the Independent National Elections Commission (CENI)
Decree 100/059 on the convocation of the people of Burundi for the communal and the parliamentary elections.
Decree on the Election Campaign.

In addition some decisions are made by the CENI.

In the Parliamentary elections 100 members of parliament are elected. The Election law states that the repartition of seats between Hutus and Tutsis is to be 60 – 40. Also, 30 % of the members of parliament shall be women.

This result was not likely to appear after the elections, even with the regulations on the composition of the lists. A process of co-opting must take place, where more members are added to the National Assembly, in order to fulfil the required percentages. This process is hardly described in the Election law, and might be a source of dissention and discord.

The Electoral Administration

In accordance with the Constitution, two institutions have been given an important role to play in order to guarantee free and fair elections.

1) The CENI (Commission Electorale Nationale Indépendante) organize the elections, it guarantees the integrity of the election process and finally decides in cases of election fraud. The CENI has five members who all enjoy the same immunity as members of the parliament.

On the provincial level the elections are carried out by the CEPIs, (Commission Electorale Provinciale Indépendante). Normally the CEPI has as many members as the number of communes in the province, in addition to three permanent members: the leader, the deputy and one responsible for the election material. All members are nominated by the CENI.

Each commune has a CECI (Commission Electorale Communale Indépendante) with five members, none of which are supposed to be politically active. These are appointed by the CEPI.

2) The Constitutional High Court makes the final decisions on irregularities in the elections, should there occur any dispute.

The Electoral Unit of the ONUB (United Nations Operations in Burundi) has given valuable electoral assistance in terms of organization, transport and distribution of election material all over the country.

Voter and Civic Education

The parliamentary elections took place only one month after the communal elections, and four months after the referendum on the Constitution. People were well informed, especially through the radio, but also by posters focusing on the secrecy of the election. The ONUB Electoral Unit also provided information to the voters. The formalities in the polling station became more and more familiar to the voters as they got the habit of voting, the parliamentary election being the third election in relatively short time.

Some regulations were changed from the communal election to the parliamentary one, but most of the changes made it easier for the electors to vote.

The high rate of analphabetism made it necessary to produce information material and election material that could be useful also to people who could not read and write.

Voter Registration

All Burundian citizens above 18 years of age on the day of the election have the right to vote, with few exceptions. To be able to vote, everybody must register. The first registration was done between 20 and 30 November 2004, resulting in a list of 3.150.000 electors. The list was later modified, and an voter's card was issued to all. The quality of the voter's list was never questioned by any party.

Candidate registration

Any elector of more than 25 years of age had the right to present himself as a candidate at the parliamentary election. In addition, some other conditions had to be fulfilled, e.g. that the candidate had to live in the province where he was a candidate.

As for the question of ethnical belonging, each list had to have a mixture of candidates from the two groups, i.e. for every three candidates on the list, at least one should belong to one ethnical group, and accordingly two from the other group. If the two first candidates on a list were Hutus, the third one must be a Tutsi, or vice versa.

For every four candidates there had to be a woman.

The lists had to be presented to the CENI between 27 April and 12 May, whereupon the CENI checked the conditions and approved the lists that satisfied the conditions. In case of rejections, the party in question had the right to make a complaint to the Constitutional Court, where a final decision was made within 8 days.

Each party/list had to pay a deposit of 200.000 FBU, half of which was refunded if the list achieved more than 2% of the votes on a national basis.

The Election campaign

- The election campaign started on 19 June and ended on 1 July.
- All campaign activities before or after this period were banned.
- Special areas were pointed out for putting up posters.
- Posters and leaflets had to be signed.
- Only political parties were allowed to organize meetings.
- Any meeting must be approved by the communal administration 24 hours in advance.
- All candidates had access to state media, for a certain period of time.

Broadly speaking the atmosphere was good during the election campaign. In general, there was no noticeable tension between the political adversaries, or between the two ethnic groups.

The parties that had received good results in the communal elections were the parties with the highest level of activities in the parliamentary campaign. They were also the ones that were sufficiently organized to be able to produce a list of activities and to have it approved in due time.

Early in the pre-electoral period the parties arranged meetings, preferably in each commune. The biggest parties of course had the meetings with the biggest audience, with processions before the meeting and entertainment in between the speeches.

People seemed happy to express their support for the party, and not at all afraid of showing it. The biggest parties had their own flag and their logo with the colors to identify the party. They had their own way of saluting each other and to show their support for the party.

The political program was mentioned in the meetings, especially the CNDD-FDD meetings. The message from CNDD-FDD was that it was the unifying party, the party that brings together the two ethnic groups.

CNDD-FDD also presented itself as the party that brought peace to Burundi. The other parties seemed to accept this without discussion, and the population shared this view. It is the LTOs impression that people felt that there was no alternative to the CNDD-FDD; without CNDD-FDD there would be no peace. The general opinion seemed to be that if the CNDD-FDD did not win the election they would go back to the forest, and the war would go on. This could be seen as a threat, but the population did however not consider it that way. The old parties had had their chance of showing what they could accomplish, and they had not been able to convince the population that they represented the change that the population wanted. People wanted a change, and they voted for CNDD-FDD for positive reasons.

Other parties were just as interested in reminding the voters what they had achieved in the period that they had been in power, very often little things like getting water supply to a village or a health centre to a commune. Later the parties worked more locally with colline meetings, especially FRODEBU which also used the method of "Door-to Door ". The other big parties, CNDD-FDD and UPRONA officially rejected this method, stating that a proper program should be pronounced openly. If things could not be told in public, it should better be left untold.

The general attitude of the competitors, the official candidates, was polite and decent, even friendly in some situations. The candidates met occasionally, most often informally, and exchanged opinions. It was unusual that the parties met in separate bars or restaurants.

Open meetings with representatives from different parties and discussions between the candidates were not common. To the knowledge of the LTO, such events did not take place.

Threats / intimidations / fraud

Before the communal elections, it was alleged that most cases of intimidation were linked to FRODEBU / CNDD-FDD / FNL, and most fraud attempts were connected to FRODEBU. This was reported by the ONUB Election Unit

Some supporters with a lighter affiliation to a party were on given occasions reported to threaten their opponents and to behave in an intimidating way. One problem that was mentioned several times was that people were asked to bring out the non-used ballot papers of the other parties to prove that the elector had not voted for the competitor, despite the fact that voters were not allowed to bring the non-used ballot papers out of the premises. In most cases this was connected to the FRODEBU party, their partisans could use the carrot or the whip: some people were promised 2.000

FBU (2 US\$) for each non-used UPRONA and CNDD-FDD ballot paper, others were told that if they could not show the non-used ballot papers for the other parties, they would be punished. However, no such punishment was ever reported.

Before election day this was considered a problem, so CENI emphasized the clause that the responsible persons on each polling station should see to it that everybody threw the non-used papers in the bin, and even search a person who was suspected of bringing the papers. This was done to prevent people from bringing papers out, but also to give them an excuse for not having brought the papers out, thus avoiding any punishment.

The question of ethnicity was an issue, of course, being partially decisive for the ranking on the lists, but never an overwhelming issue. Not even the fact that two Hutus in the Muyinga province had suddenly become Tutsies in order to present themselves on the list, caused much commotion.

Young militant supporters, especially from the FRODEBU party, were sent from the capital to help in the districts. This was not always welcome, the provincial leader of the FRODEBU in Ngozi put it this way: "I didn't ask for them to come". The question of geographical belonging was important; CNDD-FDD stressed it in the election campaign, demanding all deputies elected to keep their residence in their home province. A candidate with only a vague affiliation to the province could never be elected.

People told the LTOs in Ngozi that CNDD-FDD had started the election campaign long ago, even before they became a political party, when they were still a political movement. At that time they lived close to the population, under the same conditions, and they felt the intimidation from the government army and the threats from the authorities. That was when the foundation was laid for the success that CNDD-FDD obtained in both elections.

Non-political groups were not very visible. "Les Gardiens de la Paix" blocked the road on some occasions, to show their dissatisfaction after the disarmament, but they were never able to ruin the election campaign.

The FNL warned people that they would be in the surroundings of the polling stations, not only in the morning as was done on the day of the communal elections, but throughout the whole day. They would keep an eye on the voters and shoot in the air to remind them that there is not yet peace in the country, as the CNDD-FDD keep saying.

There were no reports on such incidents on election day.

The Media

The LTOs impression can be summarized as follows:

- The media showed initiative and played an active and important role in the election campaign. The different media collaborated well and organized a synergy which enabled the press to cover all important activities and phases of the election campaign.
- The parties were not proactive towards the media and made little use of the access to the media that they were guaranteed.
- On some occasions the media, both state media and private ones, did not ensure the equal access to the media. The FRODEBU party had an overwhelming appearance in the press, perhaps also because they are in government and have several ministries as well as the president of the republic.

Observation on the Polling Day

Election Observation Report from STO Tove Gravdal, Norway Burundi 28 June – 8 July 2005. Parliamentary elections 4 July 2005

General information

After 3 days of briefings and introductions in the capital Bujumbura, the Norwegian STO was deployed in the easternmost province of Ruyigi in Burundi to observe the elections under the supervision of the LTO team based in the town of Gitega. She was teamed up with a Belgian observer, and the team was based in the town of Ruyigi together with the team deployed to observe the elections in the province of Cankuzo.

Ruyigi province has seven municipalities (communes) and 157 collines, which is the lowest administrative level in Burundi. The province has 355 384 inhabitants, among them 142 574 registered voters. Among the 100 members of parliament to be elected in the country, 5 of them were to be elected from the Ruyigi province. 268 polling stations were in the province.

The six teams under the supervision of the Gitega LTOs left Bujumbura with their police escorts in the morning on July 2nd.

On 3 July the team started preparatory observations by visiting CEPI, the election board on the province level. Its president, Abbé Thadolée Nyabuhoro, informed the team about the procedures and the work of CEPI. At this point CEPI had not yet completed distributing the ballots to the polling stations in the province.

The abbed also informed the team about rumours that the FNL militia was present in two hillsides in the province. The president of CEPI was clearly concerned that there could be intimidations on election day. He confirmed that armed guards would be

present at all the polling stations, and most of them were already deployed in order to guard the election material. Mr. Nyabuhoro also underlined that Ruyigi is a province where the party CNDD-FDD has a strong support.

Observation of opening on election day

The team had planned to go back to the Kigamba polling station to observe the opening, since nothing was ready there when they visited in the morning the day before.

At 6 am the doors were still locked at Ruyigi Lycée polling station. Only after 35 minutes had the local committee set up everything for the voting. All happened outdoors, with the polling booths placed towards a fence. The fence was such that it would have been possible for somebody to stand behind it and see which party people were voting for.

Only two persons were there to vote at the opening of the polling station. What the team learned during the day was that most people voted in the afternoon because they would work in the fields in the morning.

The opening was otherwise performed according to the election law.

Observation of polling

The team visited altogether six polling centres in four communes on election day. Each centre included three to five polling stations.

Two of these centres were near the area where rumours said the FNL was located. The team expected the atmosphere to be tense, but everywhere the team went, people seemed relaxed and the atmosphere was good. The performance of the organizers at the polling stations was good. It was also registered a high participation of women, both in the local election committees and among voters.

The polling booths in around one third of the polling stations were placed so that secrecy of vote could be violated, but the team saw no examples of violations. Hardly any voters brought an ID card, but most voters had their election card. Those without ID cards were supposed to be recognized by at least three members of the committee at the polling station before being allowed to vote. The team never saw this was done in a formalized way, but the polling stations were small, and people knew each other well. Despite the evident breach of procedure, the team saw no reason to conclude that there was fraud going on concerning the identity of the voters.

Armed military personnel was present at the polling stations, but in a very discreet way, and as far as the team could observe, did not disturb the voting.

Observation of counting

Polling stations closed at 4 pm, but those in line for voting at that time, would be allowed to vote, according to the election law. The team followed closing and counting in a polling station in Muriza in the Butaganzwa commune. It closed at 4.40 pm when everybody in line had voted.

Formal procedures, like sealing the non-used ballots, were not followed. Also, the mandataires - the proxies from the parties - were the ones doing the counting of the votes. Despite several irregularities, no fraud was observed. The counting happened in a very transparent way, and all votes were counted correctly, and all observers and proxies confirmed the correctness of the counting.

The result was then transferred by the president of the polling station to CECI, the election committee on the communal level.

Observation at the communal level

The team went to the CECI office to follow the counting of the preliminary results to be reported to the CEPI level that same night. CECI in Butaganzwa only had a very small office, where ballot boxes and voting results were piled up in a very confusing manner with only 3-4 candle lights to light up the office. There would have been many possibilities of rigging the result under these rather disorganized circumstances, the team did however follow the reconstruction of results closely for a while, and could again confirm that no fraud was being committed. Despite the apparent chaotic situation, the results were correctly reported in the papers to be sent to CEPI.

The team arrived back in Ruyigi at around 10 pm. The team went to CECI in the town, where they had gotten all the results from the polling stations and were about to conclude the report to CEPI. Also here it could be registered that the results from the different polling stations were reported correctly.

Overall assessment:

Election day was calm and the number of voters high. All in all the team could conclude that the elections in Ruyigi had been successful. As expected, the CNDD-FDD won a large majority of votes in the province.

Election Observation Report from STO Annie-Lise Mjåtvedt, Norway

Burundi 28 June – 8 July 2005. Parliamentary elections 4 July 2005

STO team 0304 Bururi.

The STO team was deployed in Bururi which had 4 voting centres, located in Kiremba, Buta and Munini, 14 polling stations and 7135 voters. This is a rural area with mostly small villages.

The team spent the day before the polling day familiarising itself with the AoR, visiting 11 of the polling stations. In 5 of the polling stations members of the Polling Station Commission were present and the team was able to observe the preparations in front of Election Day.

Observation of opening:

The team visited the polling station chosen for observing the opening of the poll at 0540 to be able to observe the preparations before the opening of the poll at 0600. All the members of the Election commission were present at that time. The commission had received all the prescribed material and seemed well prepared.

Observation of the polling:

During Election Day the team visited all the 14 polling stations in the AoR. In all the polling stations all the 5 members of the Polling Station Commission (PSC) were

present. 2-5 of the members were women. The team talked to voters, party observers (mandatories) and PSC members. There were no crowds inside the polling stations and all was calm both outside and inside.

A few isolated incidents were however noticed. Among those were : In one instance the PSC members made a mistake about what ink to use for the marking of the finger of those that had voted and so used the ink for the stamp for this purpose. This mistake was pointed out by one of the observers and the practice was corrected. In one polling station military personnel was carrying their guns inside the polling station while voting. Military personnel were standing close (less than 50 metres) to the polling stations. A majority of the voters did not have an identity card but were all allowed to vote. The explanation from the PSC was that in this rural area the PSC members would recognise all the voters and could identify them.

Observation of the count:

One of the polling stations in Kiremba was chosen for observation of the closing and counting. The closing was conducted according to the provisions in the Election Law. At 4 PM the voter cards of all the voters waiting outside the polling station was collected and all these persons were allowed to vote.

The counting was transparent and in addition to the EU team 5 party observers were present. The result of the counting was telephoned to CEPI and the ballots were locked up in the polling station for the night. The transport to CEPI was to be the next morning and the team was therefore not able to observe the transport and the delivering of the ballots to the next level.

Overall Impressions:

No interference and no intimidation were observed. The PSC members were well organised and prepared. They seemed to do their best to conduct their work in a correct manner and to keep order both inside and outside the polling station.

Observation on the Polling Day - general remarks

Election day was characterized by an impression of quiet and tranquility. Very little agitation was reported, intimidating actions that had been announced and warned against did not occur in the AOR of the LTO.

Observation of the opening

In the AOR of the LTO, the opening session in general was characterized as fully satisfactory. Most of the formalities were taken care of, not always when they were supposed to be taken care of, but it is nevertheless the observers impression that the irregularities never interfered with the accomplishment of the task.

Rarely was any polling station open at 0600. At its best, the president of the station was there, preparing the opening. The other members came little by little, and by 0630 most polling stations had opened. They all got their task to attend to, and they carried out their duty very conscientiously.

In some cases the ballot box was not properly sealed until the president had been advised to do so, and the transparent ballot box was so obviously empty that it was not necessary to show to those present.

Voters were present at all stations from the very beginning. Very often several polling offices were located in polling centres. Then voters lined up in front of what they hoped was their polling office. The marking of each polling office was poor, and if there had been a change since the communal elections, which was often the case, people could find themselves in the wrong line.

All necessary election material was present in the polling stations at the opening. Propaganda material was not to be seen.

Observation of the polling

The general impression is that the polling also was carried out in a satisfactory way. Some irregularities were observed, but it seemed to be more a question of negligence, than fraud.

The big question was the identification of the voters. According to the election law, voters had to show the national identity card and the voter's card. If they were on the elector's list, they were allowed to vote. If they failed to produce one or even both these ID items, they could still be allowed to vote, provided three of the responsible members of the polling station could affirm their identity. This regulation was changed by the CENI only a few days before the election, it was accepted that also three persons present in the polling station could confirm the identity of the voter. However, the voter still had to be on the list.

Practice in many polling stations was even more liberal. Very often it was sufficient that the voter was known to the person who checked that the name was on the list. In that case the person was allowed to vote. This question was raised in a meeting with the CEPI in Ngozi later, and the explanation was that everybody knows each other well enough to be sure that the person has the right to vote. Each polling office had a list of ca 600 persons, and it would not be possible to vote unrightfully, the president of the CEPI told the LTO team.

Another irregularity that was reported was the presence of armed soldiers and policemen close to the polling station. This was very common. No voter seemed to be troubled by their presence, if it mattered at all, people looked upon the presence of the policemen as an effort to secure the polling station, and never regarded it as a case of intimidation.

Also, it was difficult to define what the boundaries of the polling station were. Very often the polling station was outdoors, with benches, tables and chairs put up to serve the purpose. The only things that were put up inside the class room, were the voting cubicle and the bin for the non-used ballot papers. With armed policemen in a distance of 5 meters from the ballot box, it could easily have been described as an armed policeman inside the polling station, which was not allowed according to the election laws, but nobody seemed to mind their presence.

Other irregularities were noticed, e.g. the distribution of ballot papers to voters who had not yet been registered, not even accepted as voters with the right to vote in that particular polling station. This too, seemed to be a minor problem which was never exploited in attempts of fraud.

People were never observed bringing out non-used ballot papers from the voting cubicle. Neither was anyone observed being checked for this irregularity.

The political parties were allowed to have a maximum of two mandataries in each polling station. The biggest parties made use of this opportunity. These representatives kept an eye on what was going on, and they had the right to write their comments in the official minutes after the closing.

Observation of the closing and counting

The polling stations closed at 1600. The voters who were still in line were allowed to vote. The latest decision by the CENI which said that the president of the polling station was to collect the voter's cards from those present at closing time was most often not implemented.

Very often the counting was carried out in a most professional way, not always by the persons who were supposed to take care of this, but highly competent persons among the spectators, be it the mandataries or others. The responsible persons would always check that all went according to rules.

Observation of the tabulation

The routines connected to the tabulation could nevertheless be improved.

The strict rules of sealing the non-used ballot papers, putting them aside before the opening of the ballot box, the counting and sealing of the used ballot papers for later control counting, all this seemed to be neglected. However, the tabulation in itself was carried out in a most trustworthy way, the results were carefully written down, not only by the president of the polling station, but also by the journalist who was present. The journalist immediately reported back to her news centre. If anyone had tried to change the official result, it would be possible to double-check any questioned results against the results reported by the journalist.

All the members of the polling station team signed the minutes with the results for that polling station, and the president brought the results to the CECI. Here the results were collected and reported to the next level, the CEPI. This worked very well, the Ngozi LTO team went to the CECI the next day to check the results the observers had reported to them, and nothing had been changed.

Nevertheless, the possibility of control counting would in many cases be difficult and even impossible, as the used ballot papers had very often been burned with the envelopes and the non-used papers. The only way of checking the results would be to compare the results written down by the journalist who was present, although these results would obviously be very unofficial.

This way of doing it was not according to the regulations in the election laws. Could it have been possible to change the result? The LTOs impression is negative, the transparency of the tabulation process left it an impossible task to get any result other than the correct one.

The review of Complaints Process

The election law establishes the regulations for complaints. The independent election commission has the mandate to settle complaints. The level above the local election administration is capable of determining a final decision.

The election law also states the level of the punishment for election offence: A penalty from 10.000 FBU to 200.000 FBU and up to 10 years of imprisonment for the most serious offences is possible.

Conclusions and recommendations

The LTOs conclusions

- The election took place under calm circumstances. There was no noticeable tension on election day.
- The totality of the logistics preparations: the distribution of the material, the establishment and training of election workers, as well as the voter information is evaluated in a positive way.
- The women's participation, both as voters and as election administrators, is especially positive.
- Voter participation is a little lower than at the referendum in February and the communal elections in June.
- The practical accomplishment of the election was efficiently handled by the CENI. Most of the regulations were observed and followed, with the exception of the inadequate identification of the voters.
- Some essential regulations were not precisely defined by the CENI until only a few days before election day, leaving too little time to inform sufficiently. Consequently, the regulations were implemented differently.
- In 62 % of the polling stations observed the identity of the voters was not checked properly, despite the easier terms introduced the last days before the election..
- The counting and tabulation was done in a transparent way.

Recommendations

- The electoral law needs to be revised thoroughly before the next elections. Practical dispositions must be integrated in the law text in order to develop a uniform and accessible framework.

- Political questions, e.g. concerning the co-optation after the election, should not be dealt with by the CENI. This will reinforce the impartiality of the CENI and ease the political pressure.
- The CENI should be established on a more permanent basis in order to profit by the experience gained in these elections.
- The problems revealed in the use of multiple ballot papers should lead to a new assessment on the question with a close investigation into the advantages of using a unique ballot paper.
- The political mandataries in the polling stations should have access to a copy of the minutes with the final results from each polling station. This would reinforce the confidence in all parties as to the validity of the results.
- The situation of the media should be strengthened, especially the written press. Adequate structures should be created in order to develop the necessary human resources.
- The Burundian media should cultivate and reinforce the cooperation already in function.

The organization and accomplishment of the Parliamentary election in Burundi has permitted the people to express themselves in a transparent and democratic atmosphere.

Comments on the election observation mission

Time aspect

The Core Team was established in Bujumbura less than a week before the first LTOs arrived. The Core Team was overloaded with work, practical tasks and management problems that had to be solved within a short period of time. Considering the limitations and difficult working conditions, the Core Team managed very well, much thanks to competent persons who knew their work and were able to take responsibility.

Security

The security situation was under constant judgement. It is a good thing that this question is emphasized and appropriate measures taken. The Core Team managed to reach an agreement with the ONUB on security for the observers, and with the National Police. The implications for the LTOs varied, according to the UN definitions on security zones, leaving some provinces in UN Phase 4 with limited access to the field and limited working hours, whereas most provinces were Phase 3, which allowed field access between 0800 and 1700.

VHF radios in the cars was a condition to go anywhere outside the capital, and the drivers were used to handle the radio. However, there were lots of white holes on the map where radio contact was impossible, and Sat. Phones was the only solution. These were obtained in limited numbers, and other solutions had to be invented.

On election day all the STO teams had to report to their LTO team every two hours, either by radio or by Sat. Phone, or mobile phone if possible. This limited the working range for the teams, but they all found satisfactory solutions, so that the security aspect was taken care of.

Some teams found that the security limits were exaggerated. This is however easy to say later, when all is well and no incidents have taken place. The limitations caused by security consideration caused some irritation for people who were eager to do a good job as observers, and who were to some degree, used to working conditions similar to those in Burundi, but all things considered, the security was taken good care of.

Logistics

The logistics situation was difficult and it must be underlined that the logistics expert did what was possible under the circumstances. Lack of equipment led to some delays, but all in all little things that never jeopardized the mission.

General management

In a stressed situation it is crucial to have a management in the Core Team that can handle the problems and give preference to what is important. The Norwegian observers have expressed some frustration over the leadership which were felt distant, and did not pay sufficient attention to the organization and coordination of the work. It was however noticed that the Observer Coordinator worked day and night to keep things together, and succeeded.

However, the conclusion is that the mission was successful, considering the mandate to observe the election, and analyze the process, and be able to give to the Burundian government a number of recommendations to improve their future elections. Even the aspect of giving the political parties and the voters some reinforced confidence in the democratic development in Burundi, was to some degree fulfilled. The most important reason for this was probably the competent and experienced persons who participated in the mission and with their positive attitude contributed to the success.

Appendices

Observing organisation's statement/preliminary report



Union Européenne
Mission d'Observation Électorale
Élections Législatives
Burundi 2005

Déclaration Préliminaire
Bujumbura, le 6 juillet 2005

Un long processus de démocratisation, une campagne sous tension, un peuple déterminé à retrouver paix et liberté : les ingrédients d'un scrutin réussi, marginalement perturbé mais résolument organisé pour permettre l'expression du suffrage universel

"S'il est une chose que l'on retiendra de ce scrutin législatif au Burundi, c'est certainement la réussite d'une collaboration déterminée entre les autorités burundaises, la communauté internationale, en particulier les Nations unies et l'Union européenne, soutenue par une volonté populaire sans commune mesure par la nécessité, comprise par la grande majorité, que l'issue de ce scrutin était capitale pour l'avenir de ce pays et de son peuple. Des années de guerre civile, de souffrances, de tragédies humaines ont précipité ce petit pays d'Afrique centrale dans la plus grande des misères et dans l'indifférence de l'opinion publique internationale. La réussite du processus, enjamé à Arusha, représente indubitablement la dernière chance pour le Burundi de se sortir des drames dans lesquels il a trop vécu."

Résumé

- Le scrutin s'est généralement déroulé dans le calme, en contraste au climat de tension qui a marqué la campagne électorale, en particulier dans certaines régions ;
- L'ensemble des opérations de vote a été administré avec efficacité par la Commission nationale électorale indépendante (CENI), et les procédures dans l'ensemble respectées - à l'exception d'un contrôle d'identité généralement défailant ;
- La MOE UE déplore les nombreux incidents, et les attentats, souvent ciblés, qui ont coûté la vie à de nombreux civils, sympathisants, militants et candidats issus de plusieurs partis en compétition. Les autorités compétentes ont insuffisamment, ou très tardivement, assumé leur rôle régulateur ;
- Le cadre juridique gouvernant ce cycle d'élections satisfait aux exigences démocratiques des principaux instruments universel et régionaux, mais constitue un système insuffisamment structuré et accessible, porteur de nombreuses lacunes ;
- Les insuffisances du cadre juridique ont parfois étendu - de facto - le domaine d'intervention de la Commission électorale nationale indépendante (CENI) à des décisions de nature politique, encourageant ainsi l'exercice de pressions à son égard ;
- Au travers d'initiatives diverses, les médias ont manifesté la volonté et la capacité de jouer un rôle actif et significatif dans le processus électoral. Concernant le respect du principe de l'égalité d'accès aux médias pour tous les candidats, certains déséquilibres ont été observés ;
- Dans le cadre de ce scrutin, la mission respecte la décision prise concernant l'utilisation du bulletin multiple. Certaines interrogations légitimes soulevées - quant au potentiel d'intimidation ou de manipulation - devraient néanmoins encourager une réflexion approfondie sur les possibilités d'utilisation future d'un système de bulletin unique.

Introduction

Sur invitation de la Commission Electorale Nationale Indépendante (CENI) la Mission d'Observation Electorale de l'Union Européenne (MOE-UE), conduite par Alain Hutchinson, membre du Parlement Européen, est arrivée au Burundi le 11 juin 2005 à l'occasion des élections législatives du 4 juillet 2005. La mission compte une équipe cadre de 7 membres et de 12 observateurs long terme, déployés dans toutes les provinces du pays depuis le 15 juin. 64 observateurs court terme se sont rajoutés à la mission le 29 juin afin de suivre le déroulement du scrutin. Le 30 juin la Mission a été rejointe par Johan Van Hecke, membre du Parlement Européen. Ses observations recueillies à l'occasion du scrutin du 4 juillet sont incluses dans cette déclaration préliminaire.

La MOE-UE représente la mission d'observation internationale la plus importante au Burundi. Des observateurs de l'Union Africaine, Afrique du Sud, Francophonie et AWEPA sont arrivés dans le pays à la veille du scrutin. La société civile burundaise a également observé le processus électoral. L'opération des Nations Unies au Burundi (ONUB) a joué un rôle déterminant dans la préparation du cycle des élections:

Cadre juridique

Les élections législatives du 4 juillet interviennent douze ans après les élections de 1993 qui ont plongé le pays dans une guerre civile interminable. Initié par l'Accord d'Arusha, le processus de transition complexe doit se terminer par l'achèvement d'un cycle électoral de six scrutins successifs : étape clé, les élections législatives doivent désigner une nouvelle assemblée d'au moins 100 députés (comptant 60% de Hutu, 40% de Tutsi, et un minimum de 30% de femmes) au suffrage universel direct sur base de listes bloquées dans 17 provinces. Afin de parvenir aux équilibres visés, le cadre juridique établit la mixité des listes, et prévoit la cooptation éventuelle de députés supplémentaires.

Le cadre juridique gouvernant les élections législatives satisfait aux exigences démocratiques des instruments universel et régionaux auxquels le Burundi a adhéré, et s'inscrit dans l'esprit de réconciliation d'Arusha. Hérité d'un processus de négociations longues et difficile, ce cadre comporte néanmoins un nombre significatif d'imprécisions et de lacunes compliquant l'administration du processus électoral – parmi lesquelles :

- Le cadre juridique dans son ensemble constitue un système insuffisamment structuré et peu accessible, un grand nombre de décrets et d'arrêtés successifs venant pallier de façon souvent tardive et incomplète aux insuffisances des lois organiques ;
- Les dispositions légales relatives au contentieux électoral confèrent à la CENI la responsabilité de garantir le respect des règles, d'entendre les plaintes et d'y donner suite, mais n'apportent aucune précision sur la nature des sanctions qu'elle peut prononcer. Critiquée pour son inaction égard aux infractions relevées depuis les élections communales, la CENI n'a publié que le 27 juin un arrêté clarifiant son pouvoir de sanction et de dénonciation ;
- Institutionnaliser l'appartenance ethnique sur les listes de candidats soulève certaines difficultés d'application, en l'absence de critères objectifs permettant de confirmer ou d'infirmer cette qualité. La CENI n'a pas été en mesure de trancher définitivement la question lors de la validation des listes. L'examen approfondi de certaines contestations a ainsi été reporté au traitement du contentieux post électoral.
- L'absence de précision sur les modalités de la cooptation constitue une source de différend post électoral sérieux, tout en donnant à la CENI une lourde responsabilité politique quant au choix de l'affiliation politiques des députés cooptés ;
- Plus généralement, les insuffisances du cadre juridique étendent de facto le domaine d'intervention de la CENI de la stricte interprétation de la loi à des décisions plus politiques – qui ont sans doute encouragé l'exercice de pressions à son égard.

Période pré-électorale

L'enchaînement immédiat des deux scrutins et surtout les résultats du premier ont eu une incidence directe sur la campagne législative, à l'occasion de laquelle l'attention s'est davantage portée sur les six premiers partis, et plus particulièrement sur le CNDD-FDD et le Frodebu, perçus dans le schéma gagnant-perdant.

Dans la plupart des provinces, la campagne s'est déroulée dans un calme relatif. Néanmoins, la mission a pu observer que la campagne s'est aussi caractérisée dans de nombreux endroits par :

- Des actes de violence : sans qu'il soit toujours possible de démêler la criminalité de droit commun de la violence politique, la mission déplore les incidents et les attentats, souvent ciblés, qui ont coûté la vie à de nombreux civils, militants et candidats issus de plusieurs partis en compétition. La province de Bujumbura rural et certaines communes de la province de Bubanza se sont caractérisées par un climat d'angoisse perceptible au sein de la population et des agents électoraux, lié aux résultats des élections communales qui ont fait de cette province un enjeu entre les partis Frodebu et Conseil National pour la défense de la Démocratie – Forces pour la Défense de la Démocratie CNDD-FDD mais aussi à la présence intimidante du FNL et aux opérations militaires des Forces de Défense Nationales qui ont parfois provoqué le déplacement de plusieurs milliers de civils.
- Une certaine opacité et un manque de transparence : Après un démarrage timide, voire morose, les partis politiques ont pratiquement tous adopté la stratégie de la campagne de proximité, dite de « porte à porte », soit en complément, soit en remplacement des meetings publics dont le calendrier n'a pas toujours été communiqué ni respecté. Par son caractère discret et confidentiel, qui l'a rendue plus difficile à observer, cette stratégie a suscité des interrogations et des inquiétudes.
- Un climat de méfiance entre les formations politiques et de nombreux écarts de la part de celles-ci au code de conduite liant les partis politiques : La mission est préoccupée par le fait que l'opposition politique s'est parfois accompagnée d'une rhétorique ethnique, xénophobe et historique, qui, en plus de constituer des écarts graves au code de conduite sur lequel s'étaient engagés tous les partis en compétition, ont bénéficié d'une large diffusion.

En même temps que s'accroissaient les tensions entre les deux grands partis en compétition pour la première place, ce climat a pesé lourdement sur la campagne, tandis que les autorités, tardaient à jouer leur rôle régulateur.

Administration électorale

La Constitution post-transition a assigné à deux institutions indépendantes, la Commission Electorale Nationale Indépendante et la Cour Constitutionnelle, un rôle essentiel en vue de garantir des élections libres, transparentes et honnêtes.

Etablie par décret présidentiel en août 2004, comme un « bureau temporaire », dont les membres sont issus de la société civile, la CENI manque de mémoire institutionnelle en matière électorale.

L'indépendance de la CENI, émancipée des partis politiques et de l'administration communale constitue une nouveauté estimable au Burundi. La MOE UE a pu constater que dans de nombreuses provinces, les commissions électorales jouissaient de la confiance de l'ensemble des acteurs, à quelques exceptions près. Une disposition clé du décret établissant la CENI est l'attribution aux commissaires de « l'immunité de poursuite reconnue aux parlementaires ».

Dans le contexte d'une défaite amèrement ressentie par le parti présidentiel, la CENI a néanmoins été soumise à des pressions croissantes de l'Exécutif.

- A plusieurs reprises, la CENI s'est illustrée en réaffirmant son indépendance : en dépit de l'insistance de l'Exécutif, qui s'inquiétait légitimement du potentiel d'intimidation généré par l'utilisation du bulletin multiple, elle a écarté le décompte systématique de tous les bulletins déposés dans la poubelle par les électeurs. Un contrôle raisonnablement applicable a finalement été retenu.
- La CENI s'est en revanche montrée plus conciliante envers l'intervention de l'Exécutif dans le processus de nomination de ses commissions provinciales (CEPI) qui a engendré une certaine confusion dans leur fonctionnement. Au prix de fortes dissensions en son sein, le Président de la CENI a statué très tardivement, en privilégiant le compromis.

Sur les plans techniques, en dépit des difficultés occasionnées par la dégradation du climat politique et sécuritaire, l'ensemble des préparatifs logistiques ont été conduits efficacement, avec l'assistance technique et un soutien logistique considérable de l'ONUB, UNOPS et International Foundation for Election System.

L'administration électorale mène à bien ce processus dans un contexte difficile : l'absence de mémoire institutionnelle, la surcharge d'un calendrier électoral imposé par les gouvernements de *l'Initiative Régionale*, ainsi que les pressions parfois contradictoires de l'Exécutif et de ses partenaires internationaux ont nettement contribué à retarder la prise de décision. La Commission électorale nationale indépendante a ainsi accusé de nombreux retards par rapport aux délais prévus par la loi ou fixés dans ses propres arrêtés.

En vue d'éviter le rejet d'un nombre trop important de listes de candidats, la CENI a adopté une attitude conciliante, reportant d'une semaine la date limite de dépôt, et acceptant jusque tard, les corrections nécessaires à leur validation dans une relative confusion. Ceci a contribué à une relative opacité sur la nature des modifications effectuées. Publiées avec retard, les listes validées ne satisfont pas toutes pleinement aux exigences légales en terme d'équilibres ethnique et de genre ;

Médias

- Les médias ont fait preuve d'initiative et revêtu un rôle actif et significatif dans le processus électoral. En particulier la mise en place de la synergie des médias a permis d'assurer la couverture des phases cruciales du processus électoral, de décourager les fraudes et d'augmenter la transparence du scrutin ;
- Les partis ont très peu exploité le temps d'antenne et les tranches spéciales qui leur était réglementairement assuré pour diffuser leur message ou le contenu de leur programme ;
- Les règles fixées par le Conseil National de la Communication afin de garantir le pluralisme et l'équilibre de l'information n'ont pas toujours été respectées. Sur base de l'échantillon analysé, certains médias étatiques et privés ont négligé de garantir l'égalité de l'accès aux médias à tous les partis politiques ;

Déroulement du scrutin

Les observateurs de l'Union européenne ont visité 367 bureaux de vote répartis dans les 17 provinces.

- Le scrutin s'est généralement déroulé dans le calme, en contraste au climat de tension qui a marqué la campagne électorale, en particulier dans certaines régions ;
- L'ensemble des préparatifs logistiques, la distribution du matériel, le recrutement et la formation des membres des bureaux de vote, ainsi que le niveau d'information des électeurs ont été évalués de façon très positive ;
- La MOE-UE note positivement la participation des femmes au vote, ainsi que dans la composition des bureaux de vote, comme mandataires et comme observateurs ;
- Le taux de participation est inférieur à celui enregistré lors des dernières consultations ;
- Les opérations de vote ont été administrées avec efficacité par la CENI, l'ensemble des procédures respectées – à l'exception d'un contrôle d'identité généralement défaillant ;
- Certaines procédures essentielles n'ont été clarifiées par arrêté de la CENI que dans les tous derniers jours précédant le scrutin, menant à une application inégale ;
- Dans 62% des bureaux de vote visités, l'identité des électeurs n'était pas contrôlée – en dépit des dispositions assouplies en dernière minute ;
- Les procédures de dépouillement ont été conduites de façon transparente ; la MOE UE regrette néanmoins qu'une copie certifiée du procès verbal des résultats n'ait pas été mise à la disposition de chaque mandataire ;

Recommandations

- Le Code électoral a besoin d'être substantiellement révisé avant de futures consultations électorales, en prenant compte de l'expérience des scrutins successifs de 2005. Il devra intégrer dans une partie réglementaire les dispositions pratiques indispensables à l'élaboration d'un cadre électoral uniforme et accessible ;
- Les questions de nature politique, telles que la définition des modalités, et le choix de la cooptation devront être tranchées par le législateur. Ceci contribuerait à renforcer l'indépendance de la CENI en la soustrayant aux pressions politiques ;

- La nécessaire pérennisation de la CENI devra intervenir rapidement afin de ne pas perdre le bénéfice de l'expérience acquise en 2005, prévoyant – le cas échéant – un fonctionnement plus restreint en dehors des périodes électorales ;
- Les problèmes soulevés par l'utilisation du vote à bulletin multiples, doivent amener à une réflexion approfondie sur les possibilités d'envisager l'utilisation future du bulletin unique ;
- La mise à la disposition des mandataires de copies certifiées des procès verbaux de résultats, dès l'achèvement du dépouillement, renforcerait la confiance de toutes les parties dans l'intégrité du processus d'agrégation des résultats.
- Le secteur médias demande des ressources matérielles et humaines. Un effort des pouvoirs publics serait opportun afin de renforcer les médias publics, notamment la presse écrite, et de créer des structures adéquates pour la formation de ressources humaines qualifiées.
- Il est urgent que le Conseil National de la Communication (CNC), instance de régulation de la communication, soit doté des moyens nécessaires pour accomplir ses tâches avec efficacité.
- Il est souhaitable que les médias burundais cultivent et renforcent les formes de coopération déjà expérimentées, avec des résultats fort intéressants, lors des derniers scrutins et qui peuvent aider aussi bien le pluralisme des points de vue que la recherche d'une information exhaustive et objective.

A ce stade de son observation, la MOE UE constate que l'organisation du scrutin a permis l'expression du suffrage universel.

La mission d'Observation Électorale de l'Union Européenne présentera une analyse détaillée et ses recommandations dans son rapport final sur les Élections Législatives 2005 dans un proche avenir.

Chef de mission Alain Hutchinson, membre du Parlement Européen

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Overview over political parties – election results

- Party for the Restoration of Monarchy and Dialogue in Burundi (ABAHUZA)
- Burundi African Alliance for Salvation (ABASA)
- National Council for the Defense of Democracy (CNDD)
- National Council for the Defense of Democracy-Forces for the Defense of Democracy (CNDD-FDD)
- National Liberation Forces-Icanzo (FNL-Icanzo)
- Front for the Democracy in Burundi (FRODEBU)
- National Liberation Front (FROLINA)
- Kaze-Forces for the Defense of Democracy (KAZE-FDD)
- Movement for the Rehabilitation of Citizens-Rurenzangemero (MRC-Rurenzangemero)
- Pan Africanist Socialist Movement-Inkinzo (MSP-Inkinzo)
- Party for National Recovery (PARENA)
- Party for the Integral Renewal of Burundi-Intahemana (PARIBU-Intahemana)

- People's Party (PP)
- Party for Peace, Democracy, Reconciliation, and Reconstruction (PPDRR)
- Social Democratic Party-Dusabikanye (PSD-Dusabikanye)
- Rally for the People of Burundi (RPB)
- Union for National Progress (UPRONA)
- Green Party-Intwari (VERT-Intwari)
- Burundi Workers' Party (UBU)

Final results:

| | Party name: | Votes - % | Seats | Co-opted | Total |
|----|--------------------|------------------|--------------|-----------------|--------------|
| 1. | CNDD-FDD | 58,23 | 59 | 5 | 64 |
| 2. | FRODEBO | 22,33 | 24 | 5 | 29 |
| 3. | UPRONA | 7,3 | 10 | 5 | 15 |
| 4. | CNDD | | 5 | | 5 |
| 5 | MRC | | 2 | | 2 |
| | Batwa | | | 3 | 3 |

Copy of observers' reporting form

A. OBSERVATION DE L'OUVERTURE DU VOTE

| ENVIRONNEMENT | | | | |
|---|-----|--|---------|--|
| 1. Avez-vous observé des activités ou matériel de campagne aux alentours du bureau de vote ? | OUI | | | |
| 2. Des troubles sérieux sont-ils survenus à l'intérieur ou aux alentours du bureau de vote ? | OUI | | | |
| MATERIEL ET DOCUMENTATION | | | | |
| 3. L'enseigne comportant le nom et le numéro du bureau de vote a-t-elle été affichée ? | OUI | | | |
| 4. Tout le matériel électoral essentiel est-il disponible ? (<i>urnes, isolements, listes électorales, encre indélébile, etc</i>) | OUI | | | |
| 5. Le « Procès-verbal des opérations électorales » est-il disponible ? | OUI | | | |
| PERSONNES PRESENTES | | | | |
| 6. Les 5 membres du bureau sont-ils tous présents à l'ouverture ? | OUI | | | |
| 7. Combien de femmes y a-t-il parmi les membres du bureau ? | | | | |
| 8. Combien d'électeurs font déjà la queue à l'ouverture du scrutin ? | | | | |
| 9. Y a-t-il du personnel armé à l'intérieur ou aux abords immédiats du bureau de vote ? | OUI | | | |
| 10. Les observateurs domestiques sont-ils présents ? | OUI | | | |
| 11. Quels partis sont représentés parmi les mandataires présents ? | | | | |
| OUVERTURE DU VOTE | | | | |
| 12. Le scrutin a-t-il ouvert à l'heure (6h00-6h20) ? | OUI | | | |
| 13. L'heure d'ouverture du scrutin a-t-elle été consignée dans le Procès-verbal ? | OUI | | | |
| 14. Le président a-t-il présenté l'urne vide aux personnes présentes ? | OUI | | | |
| 15. Le président a-t-il correctement posé les scellés sur l'urne ? | OUI | | | |
| APPRECIATION DE L'OBSERVATEUR | | | | |
| 16. APPRECIATION D'ENSEMBLE | A | | C | |
| 32. Dans les cas B, C et D, précisez la nature des irrégularités: | | | NEGLIG. | |
| <p>(A) Très bon aucune irrégularité significative n'a été observé</p> <p>(B) Bon quelques irrégularités ont été observé, sans impact sur l'intégrité du processus</p> <p>(C) Moyen un nombre important d'irrégularités ont été observé, sans impact significatif sur l'intégrité du processus</p> <p>(D) Mauvais les irrégularités ou incidents observés ont, ou sont susceptibles d'affecter de manière significative l'intégrité du processus – voire la crédibilité des résultats.</p> | | | | |

B. OBSERVATION DES OPERATIONS DE VOTE

| ENVIRONNEMENT | | | | |
|---|---------|--|---|--|
| 17. Avez-vous observé des activités ou matériel de campagne aux alentours du bureau de vote ? | OUI | | | |
| 18. Avez-vous été témoin de situations d'intimidation à l'intérieur ou aux alentours du bureau de vote ? | OUI | | | |
| 19. Des troubles sérieux sont-ils survenus à l'intérieur ou aux alentours du bureau de vote ? | OUI | | | |
| 20. Les opérations de vote ont-elles été interrompues ? | OUI | | | |
| MATERIEL ET DOCUMENTATION | | | | |
| 21. Le matériel électoral essentiel est-il disponible ? (<i>urnes, isolements, listes électorales, encre indélébile, etc</i>) | OUI | | | |
| 22. Les bulletins de vote sont-ils disponibles en nombre suffisant pour chaque liste candidate ? | OUI | | | |
| 23. Le « Procès verbal des opérations électorales » est-il disponible ? | OUI | | | |
| 24. Des objections ont-elles été inscrites au procès-verbal des opérations de vote ? | OUI | | | |
| 25. <i>Si oui, par les mandataires de quel parti ?</i> | | | | |
| PERSONNES PRESENTES | | | | |
| 26. Les 5 membres du bureau sont-ils présents ? | OUI | | | |
| 27. Combien de femmes y a-t-il parmi les membres du bureau ? | | | | |
| 28. Approximativement combien d'électeurs ont voté pendant la durée de votre observation ? | | | | |
| 29. Y a-t-il du personnel armé à l'intérieur ou aux abords immédiats du bureau de vote ? | OUI | | | |
| 30. Les observateurs domestiques sont-ils présents ? | OUI | | | |
| 31. Quels partis sont représentés parmi les mandataires présents ? | | | | |
| CONTROLES, IDENTITE ET ELIGIBILITE | | | | |
| 32. Les membres du bureau contrôlent-ils l'identité de chaque électeur ? | OUI | | | |
| 33. L'extrait du registre électoral est-il dûment émargé pour chaque électeur ? | OUI | | | |
| 34. Combien d'électeurs inscrits, avec carte d'identité mais sans carte d'électeur, ont été admis à voter ? | | | | |
| 35. Combien d'électeurs inscrits, avec carte d'électeur mais sans carte d'identité, ont été admis à voter ? | | | | |
| 36. Combien d'électeurs non inscrit, ou sans carte d'identité ni carte d'électeur, ont été admis à voter ? | | | | |
| 37. L'urne est-elle correctement scellée et disposée de façon à être visible de tous ? | OUI | | | |
| 38. Le cachet « A VOTE » est-il appliqué sur la carte d'électeur de chaque votant ? | OUI | | | |
| 39. L'encre indélébile est-elle correctement appliquée sur le doigts de chaque votant ? | OUI | | | |
| LIBERTE ET SECRET DU VOTE | | | | |
| 40. Les électeurs reçoivent-ils les bulletins de vote de toutes les listes en compétition ? | OUI | | | |
| 41. L'emplacement de l'isoloir et les comportements garantissent-ils le secret du vote ? | OUI | | | |
| 42. Avez-vous observé des cas de vote « groupé » ou « par procuration » ? | OUI | | | |
| 43. L'emplacement de la poubelle permet-il de voir que l'électeur jette les bulletins non utilisés ? | OUI | | | |
| 44. <i>Si oui, combien de fois cela a-t-il remis en question le secret du vote ?</i> | | | | |
| 45. Combien de fois avez-vous vu un électeur être fouillé ? | | | | |
| APPRECIATION DE L'OBSERVATEUR | | | | |
| 46. CONTROLES, IDENTITE ET ELIGIBILITE DES VOTANTS | A | | C | |
| 47. LIBERTE ET SECRET DU VOTE | A | | C | |
| 48. APPRECIATION D'ENSEMBLE | A | | C | |
| 32. Dans les cas C et D, précisez la nature des irrégularités: | NEGLIG. | | | |
| <p>(A) Très bon aucune irrégularité significative n'a été observé</p> <p>(B) Bon quelques irrégularités ont été observé, sans impact sur l'intégrité du processus</p> <p>(C) Moyen un nombre important d'irrégularités ont été observé, sans impact significatif sur l'intégrité du processus</p> <p>(D) Mauvais les irrégularités ou incidents observés sont susceptibles d'affecter de manière significative l'intégrité du processus – voire la crédibilité des résultats.</p> | | | | |

C. OBSERVATION DU DEPOUILLEMENT

| CLOTURE DU VOTE | | | | | | |
|--|-----|--|---|--|---------|--|
| 49. Les électeurs qui se trouvaient dans la file à 16h ont-ils été admis à voter ? | OUI | | | | | |
| 50. Le vote a-t-il été clos juste après que ceux-ci aient voté ? | OUI | | | | | |
| 51. Le président a-t-il compté et placé sous scellé les enveloppes et bulletins non utilisés ? | OUI | | | | | |
| 52. Que fait-on des bulletins déposés dans la poubelle ? Sont-ils placés sous scellé séparément ? | OUI | | | | | |
| 53. Le bureau et mandataires présents ont-ils tous contresigné le procès Verbal des opérations de vote? | OUI | | | | | |
| 54. Un incident ou des tensions ont-t-ils interrompu ou sérieusement perturbé le dépouillement ? | OUI | | | | | |
| PERSONNES PRESENTES | | | | | | |
| 55. Les 5 membres du bureau sont-ils présents ? | OUI | | | | | |
| 56. Combien de femmes y a-t-il parmi les membres du bureau ? | | | | | | |
| 57. Y a-t-il du personnel armé à l'intérieur du bureau de vote ? | OUI | | | | | |
| 58. Les observateurs domestiques sont-ils présents ? | OUI | | | | | |
| 59. Quels partis sont représentés parmi les mandataires présents ? | | | | | | |
| DECOMPTE | | | | | | |
| 60. Le dépouillement a-t-il commencé dans un délai raisonnable après la fermeture du bureau de vote ? | OUI | | | | | |
| 61. Le dépouillement est-il ouvert au public ? | OUI | | | | | |
| <i>62. Si oui, à combien de personnes estimez-vous le public ?</i> | | | | | | |
| 63. Le décompte respecte-t-il les étapes décrites à l'article 64 du Code électoral ? (cf.notes) | OUI | | | | | |
| 64. Le décompte des bulletins est-il effectué de façon transparente ? | OUI | | | | | |
| 65. La détermination des bulletins à considérer comme « nuls » est-elle source de contestation ? | OUI | | | | | |
| 66. Les bulletins nuls sont-ils placés sous scellés portant la mention « nuls » et leur nombre ? | OUI | | | | | |
| 67. Les bulletins correspondant aux suffrages exprimés sont-ils placés sous plis scellés ? | OUI | | | | | |
| PROCES VERBAUX | | | | | | |
| 68. Le procès-verbal de dépouillement (F2) est-il établi dès la fin du décompte ? | OUI | | | | | |
| 69. Le bureau et les mandataires présents ont-ils tous contresigné le procès-verbal de dépouillement ? | | | | | | |
| 70. Tous les mandataires présents qui le demandent reçoivent-ils une copie certifiée du procès-verbal ? | OUI | | | | | |
| 71. Sinon, un arrangement satisfaisant a-t-il été trouvé ? | OUI | | | | | |
| 72. Nombre de bulletins nuls : | | | | | | |
| 73. Nombre de suffrages exprimés : | | | | | | |
| 74. Suffrages exprimés pour le CNDD FDD : | | | | | | |
| 75. Suffrages exprimés pour le PARENA : | | | | | | |
| 76. Les résultats et le matériel sont-ils acheminés à la CECI dans un délai raisonnable ? | OUI | | | | | |
| 77. Des objections ont-elles été inscrite au procès-verbal des opérations de vote ? | OUI | | | | | |
| 78. Si oui, par les mandataires de quel parti ? | | | | | | |
| APPRECIATION DE L'OBSERVATEUR | | | | | | |
| 79. DECOMPTE DES BULLETINS | A | | C | | | |
| 80. AUTRES PROCEDURES | A | | C | | | |
| 81. APPRECIATION D'ENSEMBLE | A | | C | | | |
| <p style="text-align: right; margin-right: 20px;">32. Dans les cas B, C et D, précisez la nature des irrégularités:</p> <table border="1" style="float: right; border-collapse: collapse;"> <tr> <td style="padding: 2px;">NEGLIG.</td> <td style="width: 50px;"></td> </tr> </table> <p style="clear: both; margin-top: 10px;"> (A) Très bon aucune irrégularité significative n'a été observé (B) Bon quelques irrégularités ont été observé, sans impact sur l'intégrité du processus (C) Moyen un nombre important d'irrégularités ont été observé, sans impact significatif sur l'intégrité du processus (D) Mauvais les irrégularités ou incidents observés ont, ou sont susceptibles d'affecter de manière significative l'intégrité du processus – voire la crédibilité des résultats. </p> | | | | | NEGLIG. | |
| NEGLIG. | | | | | | |