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MALI
A Pre-Election Technical Assessment Report
of Capabilities and Needs

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I. EXECUTIVE SUMMARY

In January 1991, after 23 years of dictatorship and growing popular dissent, Mali's capital city revolted. Two months later, a group of military officers took over the country to quell escalating insurrection, vowing to set up a democracy with a multiparty system and free elections within nine months. Interim President Amadou Toumani Toure, and all the other military leaders of the temporary government plan to march back to their barracks on Army Day, January 20, 1992, with a freely elected President and a democratic government system in place.

To accomplish this, they have set up a provisional government called the Transitional People's Salvation Committee (Comite du Transition pour le Salut du Peuple, or CTSP), and have called for a national conference to adopt a new constitution, electoral law, and multi-party system. Then they must hold a national referendum on the constitution; divide the country into legislative districts if they adopt a single member district system; hold legislative, municipal, and presidential elections; and runoff elections, all in the next six months. Their credibility is high because they are working rapidly, and have appointed former Finance Minister Soumana Sako, "the incorruptible," to act as interim Prime Minister.

Mali's commitment to democratization is evident and the country probably has the capability of succeeding. The team believes that Mali's efforts merit support from the outside world as it could demonstrate successful political reform to other emerging nations. The success of democratization in Mali will depend not only on good systems, but on openness and fair play in the conduct of elections and the public trust that will be developed.

Current election systems, while adequate for a single party election, are unwieldy for multi-candidate elections. There are three most urgent needs: a nationwide immediate communications and reporting system; simplified balloting and printing systems; and supplemental, trained staff to assure civic education, census taking, and election worker training.

Supplemental radio equipment and a regional FAX network would be very useful. The most cost effective, labor saving simplification would be that of using a single ballot with symbols to identify candidates, so that both literate and illiterate voters could identify their choice among the candidates. Several key advisors to work with elections officials will be invaluable to the process.

The final election calendar should be based upon careful analysis of the administrative exigencies of each event. If events are too closely scheduled, slippage will occur and confusion and errors will ensue. To prevent this, three elections (constitutional referendum; combined legislative, municipal and

presidential; candidate runoffs) with single (multi-candidate) ballots are recommended, rather than the five separate election days currently envisioned.

Due to time limitations, supplies should be preordered and advance planning of simplified processes should be undertaken as soon as possible. It is crucial that ministers at all levels coordinate their operations and empower their staffs to act upon need.

International observers should be invited to visit polls and certify election probity. Candidates' representatives, by their presence, can also assure fair election practices at all polls, but some assistance in coverage will be needed if all polling places are to have candidates' representatives.

Computerized voting lists and processes will be useful in the future, but are not feasible at this time. On the other hand, computers and other office equipment can be used productively now at commission secretariats, National Conference offices and elections headquarters at the Ministry of Territorial Administration.

The provisional government is encouraged not to hesitate in soliciting the international community both for material and human assistance. Particular areas warranting support include equipment and supplies for the CTSP Working Committees and National Conference; communications and other equipment for the Ministries of Communications and Culture, and Territorial Administration; printing of single ballots and other basic forms; polling booth equipment; and four experts plus support staff for several projects. The experts would include a technical advisor to the National Conference to proceed to Mali on or about July 20 for four weeks; a media expert to design public information and education programs and assure that public broadcast messages match those of election workers; also a systems and operations expert to assist the Director of Elections. A final staff training expert would design and advise on election worker training, streamlined census and voter list preparations, election day activities, and would help train and supervise 300 unemployed college graduates to act as temporary assistants to Chefs d'Arrondissement to carry out local elections. This would provide jobs for some of the many qualified graduates and perhaps lead to eventual permanent government or private sector employment.

Mali has chosen a big job for itself, but nothing could be more worthwhile than self determination in the search for legitimized political stability for nine million of the people of Africa.

II. INTRODUCTION

On April 20th, Prime Minister Sako wrote to the U.S. Ambassador to Mali, Donald Gelber, outlining aspirations for democratization and asking for technical, material and financial assistance, specifically:

- advisors on democratic society, politics, journalism, organizing political parties, multiparty campaigning, elections, and relevant radio and TV public education programs; advisors to the CTSP on legislative drafting, and to the CTSP staff on organizing and supervising the elections process;
- technical materials and equipment for the preparations committee, the secretariat of the National Conference, as well as its administrative structures; technical equipment for election administration, for press organizations, especially radio and TV; transport to cover election events; and support to private media that are important to democratic systems;
- reference materials -- texts of laws, constitutions, codes, studies of democratic processes in other countries, regulations and political party materials;
- finances for supplies and furnishings, gasoline, National Conference participant and election staff travel and support; and
- training of legislators, court judges and staff, and civil administrators either in Mali or in America.

The U.S. Embassy responded by contracting with the International Foundation for Electoral Systems (IFES) to send four persons with expert knowledge of Malian government and culture; comparative constitutional, electoral and multiparty codes and strategies; international elections practices and systems; and successful election practices in geographically challenging areas with multilingual and often illiterate populations, on a ten day assessment visit to Mali. (See team description in Appendix A)

The IFES team was requested to conduct an indepth analysis of Mali's progress in developing a new electoral system and drafting a new constitution, to assess the CTSP's ability to administer free, fair and open elections, and to make specific recommendations for consideration by the U.S. Embassy and U.S. Agency for International Development toward furthering Mali's democratization process, as well as suggestions for the provisional government's implementation.

Because the CTSP is in the unusual position of designing its electoral laws as it simultaneously prepares for an election, the team was also asked to make recommendations for the Malians to consider in drafting a democratic constitution, election laws and multi-party charter, as well as establishing a fair election process.

The team met in Washington, D.C. on June 7th for briefings with IFES, the Department of State and the Malian Ambassador to the United States, His Excellency Mohamed A. Toure. Two members of the team had previously met with the Malian Ambassador to Canada, His Excellency Ousmane Dembele. These briefings established several parameters affecting the Mission's scope of inquiry:

- Due to time and financial constraints, the team was to look for ways to build on existing systems and familiar resources, recommending the minimum necessary to start an ongoing Malian democratic process. These constraints are that Mali has only 6½ months to establish a constitution and electoral code and hold elections, and Mali is one of the poorest countries in the world with few resources and little organizational flexibility;
- According to our briefers, Mali did not undergo just another coup by a military despot. The military intervened to quell a revolution that was losing control. Progress toward democratization must ensue promptly if impatient students, labor unions and military who instigated the revolution are not to rise again demanding increased stipends and wages. This underlines the urgency of the January 19 inauguration deadline for a new president, and the need for substantive public information and civic education programs. In addition to multiparty and voting information, the civic education program must show democracy as an orderly way to dissent without bloodshed and to achieve political, social and economic progress as a nation;
- Tuareg uprisings in the north over demands for the creation of a separate region and the infrastructure to support it which Mali cannot afford threaten to destabilize as much as a third of Mali's voting population, jeopardizing the fledgling democracy;
- 80% of Mali is rural, but most of the driving force toward democracy is in the urban south. The rural peasantry must be represented in all aspects of the democratization process;
- Many parties are forming – sixteen as of early June, and more are emerging. (During the team's visit, the number of parties rose to 34, according to registrations with the Ministry of Territorial Administration.) Assistance in organization, platform articulation and coalescence will be needed if a strong party system is to emerge;
- Since October, 1990, many associations and organizations with single issue agendas, in addition to syndicates, have emerged and will need to learn how to function productively in a democratic system. The team was asked to assess the potential and roles of such nongovernmental organizations in Mali.

Upon arrival in Mali, the team met with U.S. Ambassador Gelber, the Deputy Chief of Mission John Boardman, Political Officer Mary Curtin, USIS Director Linda Buggeln, the USAID Director Dennis Brennan, and Program Officer George Thompson; then with Minister Delegate to the Prime Minister Amadou Mody Diall, who is charged with overseeing constitutional reform. He assigned liaison officer Boubacar Sow to the team to facilitate the rest of its schedule.

The IFES team conducted intensive meetings in Mali June 10-20 with officials of both the CTSP and provisional government; representatives of syndicates, associations, and working committees. A Cercle (subregional) headquarters was also visited, as were two villages to sample local attitudes

regarding elections and voting. (See Appendix B for a list of persons interviewed.) Malian officials generally welcomed and were eager to meet with the team. It is evident that the officials have a clear goal and are intent on achieving it.

Prior to leaving Mali, debriefings were held with the U.S. Ambassador and Political Officer, the USAID Program Officer, and with Prime Minister Sako and Minister Delegate Diall, at which time general findings and recommendations were exchanged.

BACKGROUND

Political History

Mali has a history dating from the 11th century, when the Malinke Kingdom of Mali originated from the Soninke Ghana Empire. Mali expanded rapidly under Soundiata Keita, conqueror of Timbuktu and Gao, then declined under the Songhai Empire and the subsequent Moroccan invasion. French colonization began in the late 19th century. Since independence from French colonial rule in 1960, Mali has undergone two republics and three political regimes. Under the first Republic, the "Union Soudanaise RDA" (USRDA) led by President Modibo Keita, instituted socialism, put down all opposition and created a one party system.

In 1968, a military faction under Lt. Moussa Traore, the "Comite Militaire de Liberation Nationale" (CMLN) declared liberty from the USRDA, banned political activity for 10 years and created another repressive regime marked by human rights violations. Its constitution called for a single party system to reinstate stability within the government. Accordingly, the Union Democratique du Peuple Malien (UDPM) was created in 1979, succeeding the CMLN, but continued single party repression and dictatorship. President Traore was also Secretary General of this Party.

During the next decade, an independent press and group associations organized and began demanding an open political system, human rights and democracy, but the UDPM was slow to recognize the import of their determination. This led to growing popular demonstrations, and riots broke out in January, 1991, escalating to insurrection and revolution. On March 26, a group within the Army organized as the Comite de Reconciliation Nationale (CRN), overthrew the UDPM and created the CTSP, a coalition representing the broad range of group associations within Mali. They professed a firm intention to create a multiparty democracy adhering to the 1948 Universal Declaration of Human Rights. (See Appendix C for representative news stories.)

Elections in Mali: The Historical Record

Mali has some early experience with elections. It had multiparty elections for about 15 years, the last taking place in 1959; then conducted single-party or single-candidate elections until the Revolution of last March 26. Since 1945, Malians have taken part in at least five referenda, five French Assembly elections, nine legislative elections and two presidential elections. About half of those events were held in a multiparty context. Prior to 1945, there were no elections in Mali, then known as the territory of French Soudan, a French colony of French West Africa. Malians voted for the first time on October 21, 1945, when they took part in the referendum on the constitutional future of the country and elected Members to the French Constituent Assembly. They later voted at the referendum of May 5, 1946, which resulted in the rejection of the draft Constitution, thus necessitating the election of a second Constituent Assembly on June 2, 1946. The draft Constitution adopted by this Assembly was ratified at a referendum held October 13, 1946.

Elections to the two Constituent Assemblies were held under the system known as "double colleges", whereby electors within the territory were segregated as to race. The first college included the tiny minority of European "Citizens", the second the much more numerous African "subjects". For example, in October 1945, the first college had only 3,243 electors, while the second had 33,626. Irrespective of their size, however, each college elected one Member each for the territory of Soudan-Niger.

Under the 1946 Constitution, Malians elected two sets of representatives. First, the territory of Soudan, as a distinct electoral district, elected Members to sit in the French National Assembly in Paris, under a system of proportional representation. Double colleges were discarded for that purpose, and the territory had three (later four, and ultimately five) Members to be elected on a common roll. For those elections, each elector had one vote, irrespective of the community or race to which he belonged. Enfranchisement was originally restricted to a minority, but was substantially enlarged in 1951. However, Soudan, like all other overseas territories, was under-represented in the French Assembly as it had one Member for 800,000 inhabitants, while in Metropolitan France the ratio was one for 75,000. Such elections were held on November 10, 1946, on June 17, 1951, and on January 2, 1956.

Second, there was a Territorial Assembly for Soudan, for which the system of "double colleges" was retained. The first college elected 20 Members, while the other 30 (later 40) were elected by the second college. Elections to that Assembly were held in 1947 and on March 30, 1952. The powers of the Territorial Assembly were quite limited; it played no role in the selection of the Executive, which remained firmly in the hands of French Governors.

The Loi Cadre Defferre of 1956 did away with double colleges for territorial elections and gave equal weight to each vote. Further, the Assembly was granted increased powers and the right to elect the Ministers, though the territorial cabinet was still headed by the French Governor. Under this system, elections were held on March 31, 1957. The National Assembly now included 70 members, to be elected within multi-member districts, all seats within each district going to the list winning a plurality of the vote.

On September 28, 1958, the people of Soudan voted together with all other French people at the referendum where the Constitution of the Vth Republic was approved. Under that Constitution, Soudan became a State Member of the French Community, and the Territorial Assembly became known as the Legislative Assembly. Under a law adopted in January 1959, the Assembly was to have 80 Members elected in five electoral districts. In each district, as before, the list having a plurality of votes won all the seats. Members were elected for five year terms. On March 8, 1959, elections to the Legislative Assembly gave all seats to the Union Soudanaise (RDA), led by Modibo Keita. That election, in which the other party received a quarter of the vote, was the last multiparty election to be held in Mali to this day. Thereafter, the country became independent and was declared a single-party State.

Under the Electoral Code of 1963, Mali (as Soudan has been known since September 1960) was to be a single electoral district. The list having a plurality of the vote got all seats in Parliament. Single-party elections under that Code were held in 1964. The Assembly was suspended shortly before the 1968 coup d'etat, which did away for a decade with any elective assembly. The 1963 system was reestablished for the election of the National Assembly under the 1974 Constitution (which was adopted by referendum in June 1974). Single-list elections to that body were held in June 1979, June 1982, June 1985 and June 1988. The Constitution of 1974 also provided for the direct election by the people of the President of the Republic; single-candidate elections were held in June 1979 and June 1985. This is further described in The Voting Process portion of section VI.

III: THE TRANSITIONAL GOVERNMENT

STRUCTURE

When President Moussa Traore was arrested by military officers, the Constitution of 1974 was "suspended"; the existing political institutions were dissolved and power was assumed by a military junta (the CRN, Comite de Reconciliation Nationale) headed by Lt. Col. Amadou Toumani Toure. The CRN widened the basis of its support by reorganizing itself into the CTSP (Comite du Transition pour le Salut du Peuple, or People's Salvation Committee), also chaired by Lt. Col. Toure, which now includes 15 civilians representing the various democratic organizations which organized the demonstrations that led

to the downfall of the Traore dictatorship, in addition to 10 former members of the CRN. (See Appendix C.) The organizations are:

The Union nationale des travailleurs du Mali (UNTM), the single legal labor union.

The Alliance pour la démocratie au Mali (ADEMA), a movement which has recently evolved into a political party.

The Comité national d'initiative démocratique (CNID), another movement which has recently evolved, as the Centre national d'initiative démocratique, into a political party.

The Association malienne des droits de l'Homme (AMDH), a human rights organization.

The Association des élèves et étudiants du Mali, (AEEM), an organization grouping elementary and university students.

The Association des jeunes pour la démocratie et le progrès (AJDP).

The Association des diplômés initiateurs et demandeurs d'emploi (ADIDE), which groups unemployed graduates.

The Jeunesse libre démocratique (JLD).

The Mouvement populaire de l'Azaouad (MPA), an organization representing the Tuareg minority.

The Front islamique arabe de l'Azaouad (FIAA), another Tuareg organization.

The first eight organizations were all previously united within a loose alliance which coordinated the demonstrations against the Traore regime. The latter two were invited to join the CTSP to insure the representation of the Tuareg minority in the transitional government.

The Acte Fondamental no 1/C.T.S.P., adopted by the CTSP on March 31, 1991 (see Appendix D), makes this basic civilian-military political compact official and will be the country's constitutional framework for the interim period. During the team's stay in Mali, no significant criticism of either the interim constitutional structure or of the composition of the CTSP was heard, which would buttress the view that this body broadly represents the most significant political forces of the country.

ACTE FONDAMENTAL

The Acte Fondamental is a pointedly interim constitution, scheduled to lapse when the institutions created by the new Constitution are installed. Its preamble reaffirms the determination of the people of Mali to build a government based on the rule of law (Etat de Droit) and a pluralist democracy. In sharp contrast to the earlier 1968 "interim" constitution, also drawn up after a military coup, it includes a 21-section Bill of Rights which affirms the basic rights, freedoms and duties of citizens, including freedom of thought and expression (s. 4), freedom of association (s. 5), freedom of the press (s. 7). Section 26

guarantees the free creation of political parties, provided they respect the principles of national sovereignty, of democracy, of the integrity of the national territory and national unity, and the secular character of the State.

The 25-member CTSP will act as a Parliament for the interim period. Its chairman, Lt. Col. Toure, is Head of State. In this capacity, he appoints the Prime Minister and the ministers who are accountable to the CTSP as a whole. Membership of the CTSP and of the government are incompatible, though the Head of State also chairs the Council of Ministers. In order to reinforce the credibility of the ministers who will govern the country during the interim period, section 60 provides that no member of the interim government may be a candidate at elections organized by the CTSP.

Mali is divided into 8 administrative Regions; the seventh, Gao, was recently split into two Regions in response to Tuareg separatist demands. Each Region is headed by a Governor who supervises local government and coordinates regional offices of selected national ministries. Each Region is divided into five to seven Cercles, or sub-regions, headed by a Commandant de Cercle whose council consists of Cercle level heads of agencies. Representatives of parastatal development agencies such as the Comite Malien de Textiles (CMDT) in Region III, or the Office de Niger or Operation Riz Segou, largely in Region IV, and private development agencies' representatives are active in local development councils, though officially not in politics.

Forty six Commandants de Cercle each oversee from 4 to 10 Arrondissements (counties), headed in turn by a Chef d'Arrondissement, of which there are 282. Each Chef has a council of local agency representatives, usually post office, agriculture, health, police, school principal, and representative local village chiefs. There is an average of around forty villages in each Arrondissement.

Chefs, Commandants, agency officials and Governors are all appointed civil servants, often military officers. They are moved from post to post around the country, the higher echelons enjoying government quarters and other perks such as staff vehicles. They come from all ethnic groups, some competent and trusted, some not, and vie for plum posts and are punished with hardship posts as in most bureaucracies. Chefs d'Arrondissement are the key local election functionaries, dependent upon strong support from their Commandants de Cercle, who, in turn, depend on their Governors and they on Bamako.

ORDINANCE ON POLITICAL PARTIES

As if it wished to dispel any doubts concerning its commitment to returning to constitutional normalcy and pluralism, the CTSP adopted on April 5 a law on political parties (Ordonnance no 2/CTSP relative aux Partis Politiques) (see Appendix D, page VII). This Ordinance provides for the registration

of political parties well before the adoption of the Constitution and the opening of the electoral campaigns. It specifies the various documents a party must submit before being recognized by the State.

Section 5 of the Ordinance imposes restrictions on the free creation of political parties. Parties are prohibited from basing their creation and their action on alliances including sectarianism, nepotism, religious affiliation, common linguistic group or region, gender, ethnic origin or professional status. This may seem, to a Westerner, a serious restriction on the formation of parties since mature democracies have religious, regional, or even separatist parties that are represented in Parliament or even in Cabinet. This restriction, however, should be examined in a broader perspective in order to understand its meaning and to ascertain its real importance.

Section 5 has equivalents in Benin and Burkina Faso, which have not provoked major criticisms. In those countries, as in Mali, fundamentalist, purely ethnic or regional political parties are viewed as one of the major threats to the survival of democracy, insofar as they raise the specter of the break-up of the State or its transformation into a religious republic which would not tolerate dissent. Another precedent would be Section 21 2) of the Basic Law of Germany, which empowers the Federal Constitutional Court to ban parties which challenge the basic liberal democratic framework of the Republic.

A restriction of the same nature is most likely to be included in the future Constitution and Charter of Political Parties.

Discussions with the official in charge of registering parties within the Ministry of Territorial Administration established that recognition may not be refused by that official because prima facie the party would be prohibited under Section 5. Rather, any party which satisfies the formal procedural requirements set out by the Ordinance must be granted a receipt and therefore will become a legal entity. Only thereafter may the official, should he hold serious doubts as to whether a party complies with Section 5, ask a tribunal to rule on that issue and eventually deprive the organization of its status as a political party. There is no evidence that this provision has significantly hampered the creation of new parties. According to a member of the CTSP, only two parties have been disallowed under Section 5, one being a Hezbollah party. Again, no less than 34 parties had registered three months after the adoption of the Ordinance.

IV: THE NATIONAL CONFERENCE

Under Sections 28 and 29 of the Acte Fondamental, the CTSP must convene a National Conference, which will prepare a draft Constitution, to be adopted by referendum, as well as a draft

Electoral Code and Charter of Political Parties. The concept of a National Conference was given credibility on the African continent after such a meeting was convened in Benin in February 1990 and paved the way for the successful elections in that country. Since then, the holding of a National Conference has become a rallying cry for all movements committed to multiparty democracy on the African continent. Incidentally, with the help of a grant from USAID two Malians recently went to Benin to inquire and report on the proceedings of its National Conference (see appendix E).

The IFES team's visit took place between the adoption of the Acte Fondamental and the meeting of the National Conference. This particular context created a double-edged sword for the team. On one hand, it provided the opportunity to have some useful input into the drafting of the new constitution, electoral code and party charter. On the other hand, it meant also that none of the three documents constituting the legal infrastructure of the Malian electoral process was in its final form on our departure, thus impairing assessment of the process. The reader must therefore keep in mind that the discussion that follows covers the legal documents and the practices they will regulate, which are liable to be altered before and during the National Conference. The comments that follow have been shared with the Committees working on the documents.

ORGANIZATION AND POTENTIAL PITFALLS

A decree of April 27 has created, under the authority of the Prime Minister, a Commission de Reflexion Préparatoire de la Conférence Nationale (see appendix F) chaired by M. Amadou Mody Diall, Minister Delegate to the Prime Minister, Chargé de Mission. This committee was to advise the Prime Minister on the organization and composition of the National Conference.

Further, the CTSP itself has set up two committees to deal with constitutional issues: the Commission Politique, chaired by Professor Mamadou Lamine Traore, and the Commission des Affaires Institutionnelles et Juridiques, chaired by prominent lawyer Demba Diallo. Both committees have been working together, with technical advisors. They have been outlining the National Conference process and have prepared or will prepare drafts of the Constitution, Electoral Code and Charter of Parties. The IFES team had two very informative meetings with the members of those two committees.

The National Conference introduces a certain dose of uncertainty into the constitutional process, although its large number of projected attendees provides an excellent means to ensure broader legitimacy to the new institutions. Pitfalls can be identified, and precautionary measures must be taken.

Time Frame and Mandate of the Conference

The first pitfall would be for the National Conference to drag on for months, thus delaying the holding of elections and orderly transfer of power. Calls in some circles for a "sovereign" Conference, which might decide topics well beyond its limited terms of reference, increase the possibility of such a scenario. On June 13, the day of the team's first meeting with representatives of both committees, the CTSP announced that the National Conference would start on July 29 and would end on August 12. This should ensure reasonably long proceedings, provided of course the Conference agrees to abide with this deadline. The persistence of some uncertainty on this issue explains why the government's financial estimates are based on the assumption that the Conference might last up to 30 days.

In addition, the Conference is intended to be "relatively" sovereign, which in Malian political language means that in addition to adopting the three legal documents, it could only debate other issues. In order to streamline the workings of the Conference, the CTSP is drafting standing orders, agenda, Constitution, Electoral Code and Charter of Parties. Prior to the Conference, those drafts will be submitted for comment to a Commission Préparatoire including representatives of parties, associations and professional corporations, allowing for last-minute alterations before scrutiny by the full Conference. Finally, in an effort to discourage the delegates from dragging their heels for financial benefit, the government intends to provide per diem only to delegates from outside Bamako (60% of the total) who do not represent political parties, as the latter are expected to finance their own appointees.

Representation and Participation

Another pitfall would be for the Conference to represent only a narrow, educated, French-speaking, Bamako-based sector of the population, to the detriment of the rural element, which is largely illiterate and speaks one of the National languages. The Conference would include some 800 members and observers. The document outlining the financial aspects of the electoral process, however, envisages 500 participants, of which 300 would come from outside Bamako and 200 from the capital. There would be socio-professional, political party and territorial representation. French and national languages would be used throughout with speeches made in national languages followed by a French translation. This latter rule, coupled with the requirement that voting at the Conference be by secret ballot, is likely to increase the length of the proceedings of the Conference, whose decisions will be final and will not be reviewed by the CTSP.

At the time of the team's visit, the publication of a decree providing for the composition of the Conference was scheduled for the end of June. No official document describing the composition of the Conference was filed with the team during its stay, apart from the government's estimate of financial needs which suggests that the Conference would cost over US\$ 550,000.

V: CONSTITUTIONAL AND LEGAL FRAMEWORK

The draft Constitution prepared by the two committees of the CTSP was summarized in general terms at a meeting held on June 13. Two days later, drafts of the Constitution and of the Charter of Political Parties were provided.

THE DRAFT CONSTITUTION

The draft Constitution (see Appendix G) is closely patterned on the French Constitution of 1958, but also derives some inspiration from the more recent Constitutions of Benin (1990) and Burkina Faso (1991) as well as from the earlier Mali Constitutions of 1960 and 1974. Executive power would be entrusted for a term of five years to a directly elected President, who would appoint a government composed of a Prime Minister and of Ministers. The government would be responsible to the National Assembly which would be directly elected by the people for a term of five years, subject to earlier dissolution by the President. The President could fill up to two terms only, which may or may not be consecutive. Parliament would include a second chamber, known as the High Territorial Council, with purely advisory powers limited to territorial issues. The draft is silent on the composition of this Council, though indirect election of its members by regional assemblies was envisaged. Subsequent discussion established that in the final version, the High Territorial Council might be deprived of its status as a House of Parliament, and would be simply another advisory body. The National Assembly could legislate regarding a limited range of topics, while all others could be settled by executive decree.

The draft also provides for judicial review of statutes, prior to promulgation only, by a Constitutional Council, acting at the request of the President, Prime Minister or Speaker of either House. This would allow the Council to determine whether or not the basic rights and duties of citizens listed in the Bill of Rights were infringed upon by the provisions of a statute. The Constitution could be amended by a two-thirds vote of the Assembly, followed by a compulsory referendum.

This draft freely adapts one of the classical schemes of democratic government, known as the French "semi-presidential" system. Mali is a former French colony and almost all the country's lawyers have been trained in the French legal tradition. The only unusual provision for a Western observer is the latest edition of the above quoted Section 26 of the Acte Fondamental: clause 27 would oblige parties to respect the principles of national sovereignty, democracy, the integrity of the national territory, national unity and the secular character of the State.

The IFES team and the Committee members studied this draft together. Detailed comments and suggestions were then offered by one team member concerning some 30 sections of the draft

Constitution. Challenging the basic structure of the draft was avoided and comments were kept to the technical level. Comments were made about the following issues:

- reconciliation of clause 107 "La forme républicaine de l'État ne peut être contestée" (The republican character of the State cannot be challenged) with the right to freedom of thought, opinion and expression guaranteed by clause 4;
- the advisability of specifying how many candidates may take part in the presidential election run-off;
- the impossibility under proposed clause 35 for an interim President who would have assumed office following the triple assassination of the President, the Prime Minister and the Minister of the Interior, to appoint a new Prime Minister and a new Minister of the Interior, as well as to take measures required by the situation;
- a possible conflict between clause 40, which would allow the President to call a binding referendum on "l'organisation des pouvoirs publics" (organization of public powers?) and the procedure for constitutional amendment prescribed by clause 103;
- the necessity to clarify the composition, status and powers of the envisaged second Chamber;
- the advisability of specifying the electoral system for the National Assembly in the Constitution to prevent too frequent changes in this vital area;
- the advisability of extending from five to nine or ten years the term of the members of the Constitutional Court, and of including former Presidents as members thereof;
- the advisability of extending the right to request judicial review of a statute for constitutionality to a sizeable parliamentary minority;
- the advisability of specifying the type of majority that would be required in the High Court of Justice for impeaching a President.
- though this was not formally recommended while meeting with the members of the constitutional committees, the team recommends that the draft would be improved if the possibility were given to citizens to challenge the constitutionality of a statute or regulation even after its promulgation.

THE CHARTER OF POLITICAL PARTIES

The second document submitted to us was the draft Charter of political parties (see appendix H). This 63-clause law would establish a detailed legal framework for the creation, organization, activities, financing, external relations, fusion and dissolution of parties. Clause 52 b. provides that "Aucun parti ne doit s'organiser sur la base de choix à caractère ethnique, religieux, linguistique, régionaliste, sexiste ou professionnel" (No party shall be organized on the basis of ethnic origin, religious affiliation, regionalism, gender or professional group). How a provision of that kind would be implemented remains to be seen.

The team's general comment on the draft Charter was that it was unusually detailed and would possibly hamper the creation of parties by political forces less generously endowed with the legal resources necessary for successful compliance with its numerous requirements. It might lead to either (1) a rigorous implementation of the Charter, followed by strong negative reactions among most parties, or (2) a law implementation which would in the long run transform the Charter into a legal shell with little relation to reality. Compliance would more likely be fully and willingly obtained within a more modest framework of rules. It was the understanding of the members of the two committees that parties already registered under Ordinance 2 on Political Parties would be deemed to be automatically registered under the Charter, thus qualifying somewhat the stringent nature of the Charter.

THE ELECTORAL CODE

No draft Electoral Code was provided, as the team was told that such a document was still in the process of being prepared. The Mali Electoral Code of 1963, devised for a multiparty context though in an era when only one party was tolerated, was presented to us as a prime source of inspiration for legislators, but there is no guarantee that the final document will be identical to it. For example, it is unlikely that members will be elected as a single slate for the whole territory with all seats going to the party having a plurality of votes in the country, as the former Code provided.

No final decision has yet been made as to which type of electoral system - plurality, majority or proportional - will be used for legislative elections. Proportional representation would guarantee seats in the National Assembly to each political party of some strength, and as such tends to be backed by smaller political parties. Many Malians, however, worry at the prospect of the instability that a multitude of small parties could create and perpetuate. They prefer a plurality or majority (run-off) system with single-member districts. Either system would be easier for the average voter to understand and would facilitate the establishment of close personal relationships between members and their constituents, a feature which in the views of many would correspond to the Malian social context. During a public meeting held shortly before our departure, one of us delicately hinted some sympathy for the latter view, while emphasizing that final decision on the issue rested with Malians themselves and that we did not intend to be directive in relation to electoral and constitutional issues.

The technical evaluation of the election process found below must be understood to be based not on hard legal data but on the expectations of the Malian policymakers interviewed, and by their tentative estimate of financial needs.

VI: ELECTION OPERATIONS AND CONSTRAINTS

GENERAL ADMINISTRATION

The Ministry of Territorial Administration directs the entire election process in Mali. It is akin to France's Interior Ministry with prefects and deputy prefects. The Ministry's Director of Territorial Administration, a senior civil servant reporting to the Minister, usually acts as the Director of Elections who coordinates a representative council among the pertinent ministries. The formation, organization and coordination of an elections council is to be determined at the National Conference. Presumably, the Director of Territorial Administration will coordinate elections planning, implementation and reporting, using the Ministry administrative structure, but this could be changed during the Conference.

The Director of Territorial Administration is in touch with all Governors and Commandants de Cercle and most Arrondissement Chefs by radio units maintained by the Ministry. The radio system is called *reseau administratif de commandement*, or "RAC." Directives are sent to Regions, then to Cercles, then by a network of radio, local telephone or couriers to Arrondissements. Directives tend to be abrupt, sometimes garbled in transmission, and leave a great deal to local interpretation, so systems and procedures tend to be individualized, though amazingly similar in outcome. Procedural election errors and creative corrections will probably be far more prevalent than fraud.

The process for carrying out directions adheres strictly to hierarchical traditions. Bureaucrats at each level will not ask counterpart bureaucrats in other agencies for assistance unless the other agencies have been so directed. The Director of Elections must receive substantive field reports via radio or fax, assess situation needs, identify available resources, and ask his Minister to intercede with other ministries or private associations through the Prime Minister to solve his problems. Bottlenecks in the preparation for and conduct of elections will occur unless cooperative interministry procedures are established and followed throughout the process.

Few civil servants remember the last multi-candidate election over three decades ago. To alleviate undue confusion, new election systems should be built as closely as possible upon familiar elements of the previous system. Step-by-step training in new procedures must be provided so that election workers can function smoothly and efficiently before election day.

THE MALIAN ELECTORATE

The Land and its Peoples

Slightly smaller than Alaska, Mali is a landlocked country of about 500,000 square miles (1,240,278 sq. km.) of desert and arid savanna bordering the Sahara in central West Africa. Mali's people are a mix of ethnic groups, of which 90% have been converted to the Moslem faith. About half its 8+ million people are Mande (Bambara, Malinke, Sarakole tribes). The rest are Peulh shepherds, Voltaic, Songhai, Dogon cliff dwellers, Bozo fishermen in the south and central regions, and Tuaregs, Moors and their Bella slaves in the desert north. The Bambara are the most numerous, comprising about one quarter of the population and are concentrated around Bamako, often employed in civil service jobs. The Tuaregs are known as the "blue men of the desert" from their indigo cloth turbans, face shields and robes that tinge their skin. They concentrate in the north around Timbuktu and Gao and are fiercely proud. The Dogon are noted subsistence farmers on the rocky cliffs and escarpments east of Mopti. They are also renowned as artisans of cloth, pottery and animist carvings. The Peulh are tent dwelling shepherds and farmers in central and northern Mali. Most of these diverse sub Saharan ethnic groups share similar historic, cultural and religious traditions. The Tuaregs and Moors, desert nomads related to the North African Berbers, traditionally have opposed the central government.

Each ethnic group traditionally holds a specific occupation, all working within close proximity. Although each group speaks a separate language, nearly 80% communicate in Bambara, the common market language. Although French is the official language, it is spoken widely only among bureaucrats and businesspeople. This legacy of relative interethnic harmony is unique among African states. Population estimates appear in Appendix I.

Urban and Rural Characteristics

Most Malians live in small towns and villages; only about 16% live in communities of more than 5,000 inhabitants. The principal towns are Bamako (the capital) with 800,000 citizens; Ségou (Region IV) with 85,000; Koulikoro (Region II) of 83,000; Mopti (Region V) with a population of 80,000; Kayes (Region I), 75,000; Sikasso (Region III), 78,000; Timbuctou (Region VI) with 27,000; and Gao (Region VII) with a population of 39,000. There are three principal zones: the northern desert, the agricultural south and intermediate arid zone. The northern part contains 11% of the population, mainly nomads, who occupy about 60% of the total area of the country; the intermediate zone, somewhat more populated, is still underpopulated in relation to its size. The agricultural zone of the south is a densely populated area particularly in the areas of Sikasso and Ségou. The average number of inhabitants per square kilometer is 6.8. The diagram shown as appendix J illustrates the differences in density of

population amongst the various regions. Approximately 20-25% of the population is urban, the rest rural.

Paved roads linking all Regional capitals except Kayes (Region I) and Kidal (Region VIII, not yet formalized) to Bamako have recently been completed, but very few secondary roads exist, only foot hardened dust tracks. During the rainy season, much of central Mali is flooded by the Niger delta and impassible. Tracks in the south are also muck or awash. In the north, guides are needed to cross the desert and dry season sun hardened lakebeds. Few villagers have draft or pack animals, so most never venture beyond their local market town.

Some young people migrate to the cities and try to send money home if they find work, but most Malians are subsistence farmers. Bright children lucky enough to have relatives who can support them in town continue their education. Jobs are heavily dependent on grades completed; family influence provides opportunities for the few jobs that are available. Students are an elite sector, a major force in the recent revolution. In the cities, many people are unemployed; few can read or write, and housing is severely congested. The urban element of the country, particularly in Bamako, has had the greatest influence in the conduct of the affairs of the country since its independence, even though in numbers it represents only about 10% of the population. A way must be found to correct this imbalance in power to ensure that basic democratic values are adhered to in running the affairs of the country.

The Village and the Family

In village Mali, rainfall, the harvest, birth, death and marriage are the compelling interests. According to long term residents in Mali, villagers give little thought to politics. Most peasants distrust government officials who frequently fine or harass them. Villagers lead traditional lives, farming in the same way their ancestors did, leaving decisions to the hereditary chief and his council or elder family heads. Women are often one of several wives, working long, hard hours at home and in the fields. Education is rote and children are taught to obey, not to question.

The essential element of social life is the "extended family circle". This could be referred to as a natural parental grouping which spreads its influence over a larger grouping, related by blood to the same ancestor, and having the same patronymic name. It is this so called "famille étendue" (extended family) which is the real productive unit. All members of the family work together in a collective field from which they all derive their livelihood. Malian culture is a cooperative system in which family ties are directly related to the productivity of the nation.

The "doyen-chef de famille" (the dean-head of family) symbolizes the unity of the group. The IFES team had the opportunity to meet with two of these gentlemen and their families in their own

village. The dean-head is the exclusive representative of his community to the outside world, deciding on everything which concerns the family community from the distribution of parcels of land to the marriages of the pubescent members of the family. Given that polygamy is widely practiced, the influence of the chef de famille is extensive.

The typical household includes orphans or children of absent relatives, and genealogies are imprecise. Only in the last decade has much progress been made at recording births at local maternity and health centers, so census records and the voting lists prepared depend upon certifications of heads of families to civil authorities at the Arrondissement level. In many families, the male head makes decisions for everyone including who is to be declared for tax purposes and if and how they should vote, ~~or votes for them~~. A similar type of organization is found among nomadic tribes.

The family plays a most important role in terms of productivity and consumption, whether with sedentary agricultural people or with nomadic or semi-nomadic shepherds and fishermen. This element is critical to the development of revised electoral procedures and systems. The Malian people will not accept change in a way which ignores its traditions. Some basic components of the liberal democratic system such as "one elector one vote" and the concept of the "secret" ballot will constitute very important changes to what this population has known over the last quarter of a century.

The Establishment of Electoral Boundaries

In order to correct the imbalance in representation between the urban and rural population it will be necessary to examine closely the population and its deployment over the whole territory. The principle of representation by population should be observed as closely as possible. The size of the population living in a given territory should determine its representation, not its area.

In some more densely populated areas, exclusively urban type electoral districts are found. In others, a mix of urban and rural or even exclusively rural districts occurs. The electoral system and procedures might be somewhat different in rural areas. An average figure of 60,000 citizens per district might serve to establish the number of districts. For a population of 8,300,000 this would mean 138 districts. This is somewhat generous; thus the team recommends an average of 75,000 which, allowing for a divergence of 10% above or below that figure, would require 110 districts in the assembly. The boundaries of these districts could be established by a special committee or commission presided over by a prominent member of the judiciary, possibly assisted by a person knowledgeable on electoral matters and a person versed in demography and/or cartography.

Boundaries could be drawn during August this year at which time the National Conference will have completed its work. This is premised on the assumption that the National Conference will create

single-member districts and the revised electoral system will be known. At the time of the IFES visit, no decision had been made within the CTSP. It is suggested that this subject be brought up during the Conference so that the participants become aware of this important new concept in representation.

Development of Reliable Electoral Maps

Good maps that are reliable and meaningful would be useful, first for the whole country, then one for each of the eight regions, one for each large town with more than one district, and one map for each district; this would make a total of about 125 different maps which could be distributed at election time to all interested parties. Detailed maps can be of great value not only for electoral purposes but all sorts of other applications. Probably not possible this year, they should be drawn for future elections and other territorial management.

Need for Census and Preparation of Complete List of Electors

There seems to be a great amount of doubt about an accurate figure for the population of Mali. Initially, two references gave 9 million as the current estimate; however, others quoted figures as low as 7.5 million. Evidently, these estimates are at different dates which are often not mentioned. It was also found that a linear population increase of 3% per year had been projected for some years, but slower growth and some emigration have slowed down the increase. We have come up with an estimate of 8,300,000 as cited in Appendix I which also includes statistics from the Ministry of Territorial Administration on the number of electors. These figures total 4,117,069 electors or about 49.6% of the total population, when the voting age is 21. If the voting age is dropped to 18, an estimated 365,000 names would be added.

The process for compiling lists of electors was explained by the Commandant de Cercle in Kati. This process relies heavily on the head of family whose duties include compiling and updating a family registry card (carnet de famille). This register lists the name and date of birth of each member of the family, their status within the family, and other data. For fiscal purposes, the mayors convene the family heads and enter the information from each family registry card into a census registry known as the cahier de recensement. This document amounts to an assessment roll and includes information on the property of each family member. These census registries are in turn used by local officials to compile lists of electors who are of voting age and not otherwise disqualified.

For each person on the list of electors, the administration issues a voters card (carte d'électeur) listing the elector's full name, date and place of birth, residence, profession, and sequential number on the list of electors. In order to be allowed to vote, electors must be registered on the list as well as show his or her voter's card. After they vote, a notation is made on their card in one of eight spaces

provided for such notation, stating they voted at that particular election. The voter's card may be used for up to eight elections or referenda. Election law has required the annual updating of lists of electors, but in practice that is not done until needed.

The team was generally impressed with the registration procedure and did not recommend any major changes as the system relies upon compilation by knowledgeable persons and does not place the burden of registration on the elector. However, two problems were raised. First, some persons qualified to vote may be omitted from the list because they or their head of family did not wish them to appear on the tax rolls. Local officials told the team that perhaps 5% of eligible voters have been omitted from the rolls. Comparatively speaking, this is an acceptable loss as all electoral registers in all countries are admittedly incorrect.

Second, during the insurrection last spring, it appears that some administrative offices were vandalized and an unknown number of census registries were destroyed. The registers must be reconstructed; a process which according to local officials should take about 15 days to compile; then it will take another 10 days to transcribe qualified names onto the list of electors. There was some disagreement about the extent of damage to the census and voter lists, some counterparts dismissing it as minor, while others estimated that up to one-third of administrative rolls may have been destroyed.

Lack of sufficient quantities of some forms, like electoral lists, has sometimes obliged local officials to use whatever paper they could find and to write again and again the title of each column. This underlines the necessity of external assistance to the Mali electoral process.

A period of two weeks of revision to the list should be provided during which additions, deletions and corrections would be possible. These revision sessions should be chaired by a senior official probably at the Arrondissement level. People would come in person to have corrections made or could authorize a relative to submit a change in their name, provided they satisfy the requirements of the chairperson. The possibility of "recenseurs itinérants," or mobile census units, should be explored for remote and sparsely populated areas so as to insure that all potential voters are placed on the list. During the census update process, emphasis should be placed on the coming referendum and elections, not on the head count for tax purposes. The media should be kept informed about the reasons for the census, the expectations and results so that the population as well as the CTSP may be informed.

THE VOTING PROCESS

The Ballot

The ballot paper is the specific instrument used by the individual voter to register his/her decision on the electoral choices being offered. Its use culminates a campaign during which political parties and candidates have made themselves known to the electorate and described how they can best serve the voters' interests.

Various countries use different methods for presenting the ballot to prospective electors. In general, paper is used; sometimes machines are used to register ballots, which avoids having to mark the ballot by hand. Machine ballots are tabulated as they are cast, thus they render results immediately at the closure of the poll. This process is used mainly when many posts are being filled at the same time.

To be effective, a ballot needs to be simple and readily understandable by the voter. The team spent considerable time discussing ballot design and preparation with Malian officials because the ballot is the single most important instrument in the election process. Through the discussions, it became apparent that officials are currently leaning toward selecting a ballot type based on the French model. In that system, each presidential candidate, for example, appears on his or her own separate ballot paper rather than being listed on the same ballot with other presidential candidates. Upon arrival at the polling place, the voter may be issued a packet of separate ballots, one for each of the presidential candidates running for election, and an envelope. Depending on the local setup, the arriving voter may also find piles of ballots stacked by candidate on a table outside the voting booth, and he or she then picks up one of each ballot and an envelope and proceeds to the booth. A third method is the placement of stacked ballots inside the voting booth where the voter selects the single ballot desired. This last method could enable fraud were any voter to purloin or destroy all or many of the uncast ballots of a rival candidate so that later voters could not cast a ballot for that candidate.

Whichever method is used to issue ballots, the voter goes into the polling booth, selects the desired ballot from the stack or packet for his or her preferred candidate, and places that ballot in the envelope. The voter then discards the rest of the unused ballots, and deposits the envelope containing his or her selection in the ballot box.

The team is sensitive to the concerns raised by Malian officials which prompt their interest in utilizing this kind of balloting system. First, it is the system which was used in the past. Voters and officials who participated in elections before are familiar with the procedure. Second, officials believe that this voting system is necessary because of the high rate of illiteracy in Mali. For example, officials

indicated that this method would allow each party's or candidate's ballot to be printed on a different color paper stock. Each separate ballot would also include a graphic symbol identifying the candidate or party. These features, officials believe, make it easier for illiterate voters to make their selections.

The team appreciates the merits of this approach. This system, however, also has some pitfalls which deserve review. At the time of the team's visit there were 34 registered parties. It is possible that by the time the actual elections are held, some parties will have merged or withdrawn; however, if the election had been held at that time, it would have meant that each voter would have been given 34 ballots of various colors and hues from which to choose. It might be difficult to secure enough paper stock in noticeably different colors to accommodate this many parties. In addition, it would require printing a set of 34 different ballots for each of Mali's 4,500,000 to 5,00,000 voters, or a total of 153,000,000 to 170,000,000 ballots. The voter would ultimately throw 33 of the 34 ballots in each set away. Even if the ultimate number of parties is reduced through mergers or attrition, this system would be extremely costly and wasteful. The manipulation of many pieces of paper should be avoided when not necessary, not only to save costs, but to avoid errors and confusion.

The team recommends this alternative. The ballot should contain:

- the name of candidates;
- their political affiliation;
- a symbol which is unique to each party and serves as an identifier;
- a circle or square to mark the ballot;
- the possibility of assigning a number to each candidate as an additional identifier.

An example of such a ballot for Mali follows on the next page.

While some objection to the use of the pencil or pen in marking the ballot might exist, the voter could also place the print mark of his or her thumb at the place where s/he would ordinarily place his/her mark. If the back of the ballot were all white, or some other color (possibly a different color should be used for each type of election) there would be no need to place it in a separate envelope before depositing it in the ballot box. Thus, the use of envelopes is superfluous, serves no useful purpose, and is unnecessarily costly.

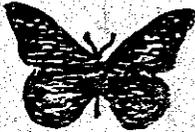
The format of the ballot will have to be made known to the population through an intensive information campaign. Models of sample ballots used in other countries appear in Appendix K. These particular ballots were used in recent elections in countries where there is significant illiteracy among voters.

ELECTIONS MALI
1991
ELECTION PRESIDENTIELLE



(sample ballot)

↓
VOTE HERE
(5)

(1)	(2)	(3)	(4)	(5)
1	Mamadou Keita ...L'alliance pour la nouvelle démocratie...	A N D		
2	Daba Maiga ...Le ralliement des jeunes maliens...	R J M		
3	Tiécoura Bamba ...Le parti des bâtisseurs du Mali...	P B M		

Explanatory notes:

- (1) numbering — this is for ease of reference by illiterate electors; the numbers should be drawn
- (2) this box contains the name of candidates and their political affiliation
- (3) these are the party initials (acronyms) for ready reference
- (4) these are the party symbols
- (5) is for the elector to indicate his choice

Secrecy of vote

In recent years, Malians have participated in an electoral exercise for which the result was known in advance. A single party identified all candidates and there was no choice between parties or candidates. Given the importance of the heads of families, the team was advised that the family heads were often handed most individual voters' cards and they voted for all family members.

These elections gave the kind of results found in Appendix L. It cites that 97.98% of qualified electors voted and that 99.92% voted for the same candidates. This shows the elector had no decision to make -- it had been made for him or her.

Under the democratic multiparty system, a completely different approach is used. The elector, as an individual person, not as a member of a family, is given the choice between various options as to who he/she believes should represent them in parliament. Each elector must consider the issues at stake, the candidates, the parties, the head of the parties and make up his or her mind as to who is the best qualified to defend his or her interests.

The secrecy of the ballot protects the voter from the sanctions of employers, superiors, officials, or from members of the family or fellow workers. Indeed, such is the value put on voting in most democracies that failure to vote is as likely to precipitate recrimination from those to whom it becomes known, especially in the voter's immediate circles of family, neighborhood, and work (this is even more true in some countries where severe sanctions against nonvoters are sometimes imposed). Voting is simultaneously a peculiarly individual act.

To ensure that the secrecy of the ballot is observed, it is recommended that measures be taken to facilitate voting privately, with no one being able to see the voter making his/her mark. The placement of the marked ballot in the ballot box should be possible in a manner ensuring that the witnesses do not see for whom the elector voted.

Given the importance of this democratic election under the multiparty system, it is of the utmost importance that concrete measures be taken to ensure that secrecy at the poll will be guaranteed. It is recommended that inexpensive cardboard or curtained voting compartments be provided at each poll, where voters will be able to mark their ballot in secret. This is fundamental to the success of a well run democratic election.

Local observers at all polls

Officially registered parties or nominated presidential candidates should be able to appoint representatives to observe election day activities at all polls. They are paid by the party or candidate they represent, not by the government. No more than two representatives should be present at a poll at any given time. This does not eliminate the candidate's right to be present at any poll. Agents should have a written appointment form signed by the candidate himself. A representative should swear an oath upon being admitted to the poll.

The candidates and their representatives may observe the proceedings, examine the poll documents from time to time, and require electors to take oaths. However, they do not have the right to question an elector. Those in charge at the poll should be instructed to report any interference. Appendix M lists what a candidate representative's duties might be.

The new election code should set guidelines for determining how to appoint representatives and how to limit the number of representatives who may be present at a poll at any given time.

All officials consulted, including Prime Minister Sako, showed great sympathy for the idea of allowing foreign delegations to observe the upcoming elections, an attitude the team interprets as evidence of their intention to hold a ~~proper~~ election. It is suggested that such delegations arrive in Mali at least five days prior to the poll in order to study the applicable legislation and to become familiar with the country. It is also suggested that the people to be invited as observers be knowledgeable about elections and, if possible, about Mali. A suggestion based on the 1990 Bulgarian election was made to Malian officials concerning "national" observers, such as members of the Mali Human Rights Association, or similar democracy concerned groups like GERDDES in Benin, performing the same duties as international observers. No interest was expressed for that idea by anyone addressed.

Counting Process at the Polls

There are two ways to count votes. One way is to count votes locally at the polling station, immediately after the close of the poll. This option is generally favored by experts, as it minimizes the risk of fraud and reduces the length of the counting process. In the Mali context, it might require some additional precautions. For example, if polls are closed at six p.m., at least part of the counting will take place in the dark; thus lighting equipment such as flashlights and oil lamps will be needed. Should counting be done locally, it would be advisable to locate polling stations within public buildings like schools, rather than in open places, as in the latter it would be easier for brawlers to disrupt proceedings.

A second counting method that the National Conference might explore is that of counting in Arrondissement headquarters. Ballot boxes would be sealed after polling and carried to a central counting place in the arrondissement town, such as a school. There, in relatively well-lighted rooms equipped with chairs and blackboards, with policemen controlling access to the rooms, and in the presence of party representatives, the ballot boxes for each commune and polling area would be opened and counted. On the basis of two team members' experience in Benin where that procedure was used, the team recommends that the following precautions be taken if counting is centralized in Malian local capitals.

First, ballot boxes should be stronger than the one shown to the team, and should have a piece of wood that covers and seals the slot after the polls close. This would prevent any insertions after the termination of voting. Second, boxes should be made so that it be impossible to insert an envelope therein through the slit between the box and its cover. Third, boxes should be carried by police under the supervision of party representatives who should be allowed to sit in the vehicle carrying the box and thus monitor the ballot container throughout the entire process.

Reporting Results

The results made public on polling night are generally referred to as preliminary results. They are generally communicated through the territorial RAC network, FAX, telephone, or other means that ensures as quick and reliable a message as possible. In general, when this operation is well planned these preliminary results are made public within 24 to 48 hours following the election, depending on the reliability of the communications network.

These preliminary results are followed by the official results, which should follow not more than seven to ten days after election day. These results will have been verified against the documents prepared by poll officials.

It is most important that the above operation be well planned and known to the public. Any delay in reporting results must be explained immediately.

Contest and challenges/judicial review

A third counting of the ballots (after the preliminary and the official counts) can be carried out when the official count is not satisfactory to one of the candidates, or in some cases when the result is so narrow that the rejected and spoiled ballots, if counted, could make a difference. In this case, every ballot box and election document should be brought before a judge who makes a judicial recount or final

addition. He then issues a certificate of result and the candidate so certified is declared elected. These important procedures and legal safeguards ensure fair and accurate tabulation of the peoples' verdict.

The political rights of citizens and the election procedures carefully devised to ensure an accurate and unsullied expression of the popular will at the polls can alike become meaningless charades if corruption and illegal election practices are prevalent during elections. Hence, the election of members by improper means is always a matter of concern to the legislative assembly whose members are involved. When an election involves irregularities or corrupt practices, it may result in the election being declared void and the candidate who had been declared elected losing his seat. Election disputes of this kind in one sense represent a continuation of the battle between the partisans which normally concludes on polling day, since controverted election proceedings are generally initiated by a petition signed by voters or by one of the defeated candidates, alleging wrongdoing in connection with the election of the apparently victorious candidate, seeking to overturn his election, and possibly having another candidate declared elected instead.

The Electoral Code will need to specify a mechanism for judicial recounts that includes procedures for handling contested elections in the proper manner.

ELECTION PREPARATION

The team was left with no doubts about the sincerity and degree of commitment on the part of the transitional government to ensure that it meets its self-imposed January 20th deadline to transfer the country's leadership to a democratically elected president and legislative body. If the public trust is to be preserved, there can be no question of delay, in spite of the tremendous burden the limited time frame will impose on election administrators. Meeting this strenuous schedule will require careful planning and rigorous adherence to a demanding timetable.

With so much resting on the decisions made at the National Conference with regard to the specifics of the new Constitution, the development of the Election Code and Charter on Political Parties, some election plans cannot be implemented until after the Conference has completed its work. Assuming that the Conference is successful in meeting the August 12 date planned for its adjournment, election administrators will be expected to conduct 4 to 6 elections (including 2nd round elections which may be required under the new Constitution,) within a four month period. It is imperative that an actual strategy be formulated, and that preparatory steps begin immediately.

It is important to note that officials expressed grave concern that at the moment financial resources are simply not available to begin much of the purchase and acquisition of materials and supplies which should already be underway. The team recommended that the Malians make their

needs known to the international community as soon as possible. In fact, the team informally advised some international organization representatives of some of the outstanding needs during the visit. The critical nature of the deadlines imposed for accomplishing the transition to a multiparty democracy requires urgent and immediate attention.

Preplanning

While there may be an inclination by election planners to await the outcome of the Conference, it will be important for election administrators to evaluate and identify those tasks and objectives which can be initiated and/or accomplished prior to the adjournment of the Conference. Basic election materials are required and certain initial steps that must be taken in preparation for elections regardless of the method of election ultimately selected, or the particulars of the electoral code enacted.

Needs Assessment: Government officials have already developed a preliminary needs assessment, discussed in Section IX of this report. In this initial phase of their preplanning strategy, they have identified the materials, equipment and supplies which will be needed for each phase of operation. They have also estimated quantities and costs associated with each element. The preliminary assessment reflects some careful thought. However, it is in no way final. The list must be reevaluated and adjustments made as decisions are confirmed and new information becomes available.

Identification of Available Resources: Another critical component in the development of a feasible strategy for implementing these elections is the identification of available resources for manpower, equipment, materials and supplies which will be needed. The assessments should include not only those maintained and available through government sources, but also those available through the private sector. The team was not able to determine the degree to which government officials had begun to identify, chart and evaluate available resources which can be tapped, other than resources known through previous use. If not already underway, efforts should be initiated to prepare listings and flow charts providing administrators a comprehensive picture of what is readily available and where deficiencies exist. Examples of the areas of endeavor for which lists and charts could prove useful include:

- **Transportation Resources:** Planning for the timely distribution and delivery of ballots and election materials will be particularly difficult in view of Mali's large geographic area, harsh terrain and weather. A transportation work plan should chart the modes of transportation available, the number and types of vehicles which will be required, their capacity, status of readiness, source of availability and location.
- **Communications:** An adequate communications network will be critical in terms of the chief election official's ability to provide direction, resolve problems as they arise, communicate new information and report election returns. A chart would clearly identify where there are direct phone lines in place for communication between the Ministry and

Regions, Cercles and Arrondissements, and which locations can only be reached by radio or messenger. It should further identify the locations between which FAX transmissions are needed.

- **Temporary Manpower:** Officials will have to consider where and for what functions temporary manpower will be required. A flow chart could assist in identifying the sources where workers can be recruited, who will be responsible for their recruitment, training and supervision, and where they will be assigned. Several charts may be required covering the different types of workers needed, such as laborers hired to handle the packaging, loading and unloading of election ballots and materials for distribution, poll workers appointed to assist voters at the poll and count ballots, census assistants, trainers, and drivers.
- **Vendors:** Preparing charts which identify the various vendors from whom materials, supplies and equipment can be purchased or otherwise acquired and track costs will assist officials in making procurement decisions and in determining timelines for delivery.
- **Coordination:** Election administrators will have to be able to mobilize all available forces quickly and efficiently to meet the complex and challenging timetable imposed by the January deadline. It will require the integrated efforts of several government agencies and private organizations also. There may be inadequate lines of communication for pooling interagency resources efficiently. Given the hierarchical structure of the Ministries, it will be important that appropriate authorities be formally delegated to election administrators to solicit and obtain cooperation, and to recruit and mobilize manpower, facilities and equipment of agencies not normally under their direct supervision.

Advance Purchase of Standard Forms, Equipment and Supplies:

There are certain standard forms and supplies which will be needed regardless of the outcome of the Conference. Every attempt should be made to see that these items are purchased and available as soon as possible. The importance of these steps cannot be overemphasized. With these materials purchased and already on hand, officials will be free to dedicate their efforts to the actual printing and distribution of ballots and election day activities when the time arrives.

Forms: These items include voter cards, census books, voter list forms, family cards, tally sheets for the counting of ballots, forms on which the final count of the votes are certified or authenticated. An assessment needs to be made to determine how many of these materials are already on hand and how many need to be printed and purchased.

A number of the items identified are needed for the enumeration and voter registration process. While the former election code provided for this process to occur in September, it is imperative that officials be assigned to begin this major task in the very near future. Election preparation steps such as division of the territory into election districts and selection of polling sites cannot be begun until this task is completed. Delay in the purchase of census materials could seriously impair the administration's ability to conduct the elections on time.

Ballot Boxes: Regardless of the type of election procedure formally adopted by the Conference, ballot boxes and voting booths will be required. A decision must be made as to whether ballot boxes will be imported ready made or whether they will be built by local tradesmen. If they are to be constructed locally, materials should be acquired so that work can begin on the construction. It is anticipated that in at least one instance two elections may be held simultaneously. That means that two ballot boxes will be needed at each polling bureau for that election. If three candidate elections occur simultaneously, three ballot boxes would be needed unless single (multi-candidate) color coded ballots are used for easy sorting when counting begins. According to officials, one local craftsman could build about 10 ballot boxes in a day. Considering the number of boxes which would be needed, a schedule for their construction should be developed to ensure they are ready for distribution in time for the first election. Procurement of appropriate locks or tamper-proof sealing devices should be initiated simultaneously.

Voting Booths: Another commodity which can be included in advance acquisition plans are materials for private voting booths. Whether a type of secret voting compartment selected is a simple cardboard collapsible version, a prefabricated booth, or locally constructed enclosure, there is no need to wait for the closure of the National Conference to begin acquisition. Officials will also have to determine how many voting booths will be required. At voting places accommodating large numbers of voters, it might be advisable to provide more than one voting booth so that more than one voter can actually be voting at a time.

Miscellaneous Supplies: A number of other supply items should be ordered well in advance. These items include appropriate lamps needed for polling places, pencils, envelopes, paper products and packaging materials needed for the distribution of election materials and ballots.

Selection of Voting Sites

It is estimated that there will be 3,000 voting places involved for each of the scheduled elections. Each site will be selected to accommodate approximately 1,500 voters. While the election code has not yet been published or enacted, it is anticipated that, as provided in the former election code, polling places will be open from 8:00 a.m. to 6:00 p.m. Polls will be open for just one day.

While the location and number of polling sites can be roughly estimated, final lists cannot be determined until after the census and enumeration of voters is accomplished. Only then can a formal list be published and the actual number of ballots needed at each polling place be determined. Based on this information administrators can ensure that adequate paper stock is available for the printing of ballots, and that sufficient quantities of ballots are available at each site to ensure that every voter

assigned to that site can be accommodated. That is why it is critical that the census activities are not delayed. Additionally, the confirmation of the selection of sites will be necessary in planning for the recruitment of poll workers.

In remote areas, it is possible that the polling sites will be separated by considerable distances, especially in sparsely populated areas. To the extent possible and depending on the dates selected for each election, polls should be set up at market places since they are the common center of activity even for people who must travel a long way.

Mobile Voting Bureaus

Another issue was raised relating to poll access in areas of the country where populations are nomadic. Under the former code, provision was made to allow for mobile voting bureaus which would travel throughout a specific area for one week prior to election day. The team recommends that this practice be considered for the upcoming elections. This kind of polling bureau could also be considered for those areas where populations may be away from their villages for harvesting. The mobile voting bureau could be useful in boosting voter participation in farming areas during peak harvest periods when voter turnout is expected to be low.

Recruitment and Training of Election Workers

The conduct of any election is labor intensive. From the team's overview of Mali's election plans, it is evident that as many as 10,000 temporary workers will have to be recruited, hired, trained, supervised and paid, above and beyond regular permanent staffing levels. As is the case with most governments, activities related to the conduct of elections in Mali will be imposed on regular government workers in addition to their regular duties. The role of temporary workers, therefore, is a significant one.

Poll Workers: Over 9,000 of the temporary workers will be needed to serve as poll workers, with at least 3 workers assigned to each polling place. In precincts with more dense populations, it might be advisable to increase the number of polling place workers to facilitate the processing of voters on election day. (In addition to the paid poll workers, officials indicate that representatives of political parties will be authorized to observe the operations on election day, but that they will serve only as observers and will be silent on general administrative activity. Nevertheless, they will need space and working tools.)

In the former Election Code, the law did not stipulate the qualifications for poll workers, however, officials indicated that as a matter of public policy, poll workers were recruited on the basis

of their ability to read and write, and were expected to be "of good moral character." These requirements will continue to be important because of the nature of the work that poll workers will be required to perform on election day. They must be able to verify the identity of each voter, ensure that the voter's name is included on the voters' list, write the voter's name on the poll register, explain voting procedures, and provide basic instructions while remaining totally neutral with regard to candidates and parties. These poll workers will also be responsible for the actual counting of ballots and reporting of election results after the polls close.

Recruitment of this many individuals will be a lengthy process which should be begun not later than early to mid-August, assuming that the Referendum will be scheduled for the last week in September, or the first week in October. The team estimates that once these workers are recruited, actual training for all areas of the country will take at least one month to six weeks to complete nationwide. This assumption is based on the understanding that poll worker teams will be called together at centralized sites for training in the majority of cases, rather than each polling board being trained individually at their separate locations. It is expected that poll workers will be recruited from the area in which the polling place will be located. It will be particularly important to ensure that the same workers will be available to work during all elections within the cycle. This continuity is critical in ensuring that procedures are fulfilled accurately and consistently. Repetition will be the best teacher. Consistency in election board staffing can serve to build voter confidence, generate a sense of "local ownership" of the election process, and elevate the status of the election workers in the local community encouraging their continued willingness to serve in the future.

The team also supports the recommendation that election workers be paid for their services. The receipt of a paycheck lends an air of professional status to the role of poll worker. It also serves to establish the chain of authority and clarify the entity to whom the worker is accountable.

Temporary Support Staff: It is estimated that overall, 500 temporary workers will be necessary to serve as administrative support staff at all levels of government where responsibility for elections will be placed, from the Ministries down through the Arrondissements. The team would suggest that at least 300 of these workers be dedicated to three important missions: 1) the enumeration of voters and preparation of the voter lists; 2) local civic education in villages; and 3) training of polling place workers. Based on the team's findings, it is recommended that these staff aides and trainers be recruited, trained and hired for the full six month period covering the entire election cycle. Depending on the care given to the scheduling of each mission, most of these workers serving directly at the Arrondissement level could participate in all three missions. In consultation with government officials with whom this concept was discussed, the team determined that these staff aides could be recruited from a corps of young college graduates for whom there is no permanent work. Their formal education and desire for professional experience would serve the purposes of these missions well.

The thoroughness of the training that the election workers receive is of critical importance in ensuring the successful contribution of these workers. The training programs for this group will have to prepare them to conduct village meetings at the local level for the public's education about democratization, voter eligibility and registration, and the election process. Separate programs and training materials will have to prepare trainers to train the poll workers who will actually facilitate voting at the polls on election day. In both cases, great care will have to be taken to ensure that the information being imparted is expressed without partisanship and in a consistent manner. Regardless of the region, and regardless of the target audience, every voter must be getting the same information presented in a consistent way.

Preparation of an Administrative Calendar

In view of the severe time crunch imposed on administrators for conduct of the several elections required by the transition, there is a critical need for a comprehensive and detailed administrative calendar. This calendar will be the most important management tool election administrators have. All key election functions should identified with their administrative deadlines, including:

- deadlines for candidate and party filings;
- deadlines for recruiting and hiring election workers;
- deadlines for ordering materials and supplies;
- travel and training schedules for civic education and employee training;
- delivery dates for receipt of ballots and materials;
- mobile bureau voting dates;
- deadlines for reporting of election returns;
- dates of scheduled press releases;
- census schedule and dates by which voter lists will be completed; and
- date by which all voter cards will be issued.

The more complete the administrative calendar, the more useful the management tool will be. Development of a detailed election calendar will be fundamental in seeing that various activities are properly interfaced, that crucial deadlines are met and that there is a clear road map to follow along the way.

Through analysis of the information given by many officials, labor unions and associations, the team has pieced together a very general picture of the time needed for the preparation, conduct and close out of a single election in Mali. In general, the team believes that for each election, even as an extremely conservative estimate, government officials will need at least six weeks between the date the actual ballot printing begins and Election Day. Additionally, at least one week should be allowed after Election Day for the formal announcement of official election returns. These estimates are based on the following findings:

Ballot Printing and Delivery - 13 Days: The team was left with conflicting impressions as to the availability and capacity of the printing industry in Mali. One report indicated that ballots could be printed within one week, but other input implied that there were limited facilities on which to rely. The team acknowledges that government officials may be planning on international sources for the printing of the ballots. The decision as to the actual type of ballots to be utilized has not been made. Based on the options discussed earlier in this report, if the single ballot format is selected, the election would require between 4,500,000 and 5,000,000 ballots to be printed. However, if the French model is utilized whereby each party has its own ballot, and assuming that by the time the registration deadline has arrived, there are ten parties remaining, the election would require ten times that number, or 45,000,000 to 50,000,000 ballots to be printed.

For the purposes of this overview, the team suggests that no less than ten days be set aside for ballot printing. Additionally, if the ballots are shipped air freight from a source outside Mali, three days should be allowed for delivery to Bamako.

Packaging and Preparation for Transport - 7 Days: Once ballots have arrived in Bamako, they will have to be sorted, organized and packaged for transport to the various regions, circles and arrondissements. With a full crew hired to accomplish this task, the team estimates that the packaging and loading would take about one week.

Transport to Arrondissements - 14 to 21 Days: One of the major logistic issues to be dealt with relates to the actual transportation of election materials from Bamako out through the arrondissements to the actual voting bureaus. The most optimistic reports offered the team indicated that this endeavor could be accomplished within two weeks. Transportation association members indicated that it could take about one month. For the purposes of the team's general assessment, the team assumes that transport activities will take between two and three weeks.

Reporting of Official Results - 7 Days: Upon closing of the polls, a count of the votes will be accomplished immediately at each voting bureau. Officials intend to make preliminary, unofficial announcements of the returns that same night. However, not all villages will be able to report immediately. In Kati, for example, officials indicated that it would be at least two days before some of their remote villages could hand deliver returns to the arrondissement, since there are no other communications systems in those areas. The team suggests that two to three days will be required for reporting from the most distant villages and it may take another day or two for regional summaries to be completed and forwarded to the Territorial Minister. At the Ministry, time will be needed to review summaries, resolve mathematical discrepancies and formalize the official returns. With these circumstances in mind, the team suggests that officials plan for a one week delay between election night report of preliminary results and the final announcement of certified official returns.

Time Frame

In coming to its general conclusions about the time it would take to prepare and conduct each election, the team also reviewed other vital parameters. Two critical dates set the time limit in which all election activities must be completed: August 12, 1991, the date on which the National Conference is to end, and January 20, 1992, the holiday by which the military is scheduled to return to the barracks. The Constitution and Electoral Code have not been completed. However, officials understand that depending on the outcome of the National Conference, they should be prepared to conduct as many as five elections between August 12 and January 20: the Referendum, Legislative and Municipal Election, Second Round Legislative and Municipal Election, Presidential Election, and Second Round Presidential Election. Since this regimen would be the "worst case scenario" for election administrators, the team envisioned an election calendar based on this expectation.

Officials projected that a second round election would be held within two weeks of the certification of the first election. The team suggests this is probably not feasible unless some extraordinary measures are taken. As a general rule, ballots for the second round are not printed until the results of the first round are known. Once ballot printing begins, all the tasks of packaging and transport would have to be repeated. Since there would be fewer candidates involved, and therefore fewer ballots required if Mali chooses to prepare a separate ballot for each candidate, or each party, perhaps a few days could be shaved off the six week schedule, but at least five weeks would be needed between the two elections to ensure that the second election could be run as smoothly as the first. The electoral code must allow some flexibility to the executive as to the timing of the second round.

There may be some options to explore which could make it possible to conduct the second round elections within two weeks instead of five. For example, a reasonable amount of extra ballots could be printed at the same time as the ballots for the first election and stored for use in the second round. The extra ballots combined with any unused first round ballots would save printing time. Also, if ballots and materials could be retained at the polling places between the two rounds, transport time could be saved. There are some difficulties, however, which would have to be addressed.

Since extra ballots would have to be prepared for all parties and candidates, it is obvious that including the names of those parties or candidates who do not make it to the second round would result in waste of materials and extra expense. Officials would also have to make sure that only the correct ballots for runoff parties and candidates were issued for the second round and that all other ballots were properly destroyed. Any errors in this regard would have devastating results. Extra measures would also have to be taken to secure ballots and election materials between election days. Officials indicated, however, that storage and security of materials at the voting bureaus might be unreliable. It was their intention to have everything returned to the Arrondissement after each election to make sure it is available

and in good condition for the next election. For these reasons, the two week plan between first and second round elections may not be the optimum choice.

With these conditions in mind, the team has developed a very superficial outline of how a calendar might look with the administration of 5 separate elections between August 12, and January 20. While it is not intended as a formal recommendation, the chart of dates that follows serves to illustrate a general idea as to what timing might be required.

SAMPLE ELECTION CALENDAR
Based on 5 Elections Between August 12 & January 20

ELECTION FUNCTION	REFERENDUM	LEG/MUNI	LEG/MUNI 2ND RND	PRESIDENT	2ND RND
NATIONAL CONF. ENDS AUGUST 12					
Deadline Party Reg./Local Offc.	-	8/19	-	10/14	
Party Reg. Rcvd At Ministry		10/22		10/17	
Ballot Layout Final	8/17	8/23	10/11	10/18	12/6
Ballot Printing Begins	8/18	8/24	10/12	10/19	12/7
Ballots Printed Shipped Bamako	8/28	9/3	10/19	10/29	12/14
Ballots Rcvd Bamako	8/31	9/6	10/21	11/1	12/16
Ballots Pkgd for Transport to Arrnd	9/7	9/13	10/26	11/8	12/21
Arrond. Rcvd Ballots for Dist.	9/12	9/18	10/31	11/15	12/26
Mobile Bureau Voting Begins	9/21	9/28	11/9	11/23	1/4
Ballots on Hand Voting Bureaus	9/26	10/3	11/14	11/28	1/9
ELECTION DAY	9/28	10/5	11/16	12/30	1/11
Last Village Reports to Arrond	10/1	10/8	11/19	12/3	1/14
Arrond. Report Results To Region	10/2	10/9	11/20	12/4	1/15
Regions Report Results to Minis.	10/3	10/10	11/21	12/5	1/16
Official Results Certified	10/5	10/12	11/23	12/7	1/18

OFFICIALS SWORN IN JANUARY 19

MONTH JULY YEAR 1991

SUNDAY	MONDAY	TUESDAY	WEDNESDAY	THURSDAY	FRIDAY	SATURDAY
	1	2	3	4	5	6
7	8	9	10	11	12	13
	14	15	16	17	18	19
	20	21	22	23	24	25
	26	27	28	29	30	31

1. NEEDS ASSESSMENT STUDIES BEGIN

- A. Budget Needs
- B. Communications Network Assessment
- C. Transportation Resources Assessment
- D. Manpower Needs Assessed, Resources Determined
- E. Vendor Selection Process Underway

2. ADVANCE PURCHASE OF STANDARD FORMS AND SUPPLIES

- A. Census Forms
- B. Voter Cards
- C. Family Cards
- D. Voter List Forms
- E. Tally Sheets/Vote Authentication Forms
- F. Voting Booths
- G. Polling Place Lamps and Supplies
- H. Ballot Box and/or Construction Materials

3. RECRUITMENT OF JUNIOR DIPLOME WORKERS

CENSUS ACTIVITY BEGINS

NATIONAL CONFERENCE BEGINS

R = Referendum Election
 L = Legislative/Municipal Election
 L2 = Legislative/Municipal 2nd Round Election
 P = President Election
 P2 = Presidential 2nd Round

MONTH _____ AUGUST

YEAR _____ 1991

SUNDAY MONDAY TUESDAY WEDNESDAY THURSDAY FRIDAY SATURDAY

				1 Preliminary Census Completed	2 Preliminary Polling Place Lists Drafted	3 Ballot Qty Estimates Made
				Voter List Prep. Begins	Recruitment of Poll Workers Begins	Ballot Stock Ordered by Printer
4	5 Drafting of Training Material Poll Worker Begin	6	7	8	9 Final Orders Placed: Polling Booths, Supplies	10 Ballot Paper On Hand at Printer
1	12 CONFERENCE ENDS	13 Formal Mapping of Election Dist. Begins	14 Voter List Preparation Cont. Underway	15 Ballot Box Const. Materials Rcvd at Arrond.	16 Training of Jeune Diplome Begins: Civic Education	17 R - Ballot Layout Finalized
18 R - Ballot Printing Begins	19 L - Party/Candidate Regis. Deadline at Local	20 Polling Place Lists Finalized	21 Final Edit Training Material Completed. Printing Begins	22 L - Party/Candidate Regis. Received at Minis	23 L - Ballot Layout Finalized	24 L - Ballot Printing Begins
25	26 Training of Jeune Diplome Begins: Poll Worker Training	27	28 R - Ballots Printed/Shipped to Bamako	29 Assignment & Travel Arrangement for Jeune Diplome Completed	30	31 R - Ballots Received at Bamako

L = Legislative /Municipal Election
 L2= Legislative/Municipal 2nd Round Election
 P = Presidential Election
 P2= Presidential 2nd Round Election

SEPTEMBER

YEAR 1991

SUNDAY	MONDAY	TUESDAY	WEDNESDAY	THURSDAY	FRIDAY	SATURDAY
1	2 Training Materials Printed	3 Poll Worker Training Begins L - Ballots Printed & Shipped To Bamako	4 Supplies & Materials Shipped to Arrond. Cont.	5 Ballot Box Construction Complete at Arrond.	6 L - Ballots Rcvd at Bamako	7 R - Ballots Pkgd at Bamako & Ready To Ship to Arrond.
8	9 Voter Lists Finalized	10	11 All Supplies & Materials On Hand at Arrond.	12 R - Ballots Rcvd at Arrond. For Distribution	13 L - Ballots Pkgd at Bamako Shipped to Arrond.	14
15	16 Voter Cards Delivered to Village Chiefs For Distribution	17	18 L - Ballots Rcvd at Arrond. For Distribution	19	20	21 R - Mobile Voting Begins
22	23 Poll Worker Training Complete	24	25	26 R - Ballots On Hand at All Voting Bureaus	27	28 L - Mobile Bureau Voting Begins R - ELECTION DAY
29	30					

R = Referendum Election
 L = Legislative/Municipal Election
 L2 = Legislative/Municipal 2nd Round
 P = Presidential Election
 P2 = Presidential 2nd Round

MONTH OCTOBER

YEAR 1991

SUNDAY MONDAY TUESDAY WEDNESDAY THURSDAY FRIDAY SATURDAY

		1 R - Last Vllg Reports to Arrond.	2 Arrond. Reprt . Results to Region	3 R - Region Reports Results to Ministry	4	5 R - Official Results Certified
6	7	8 L - Last Vllg Reports Results to Arrond.	9 L - Arrond. Reports Results To Regions	10 L - Regions Reports Results To Ministry	11 L2 - Ballot Layout Finalized	12 L - Official Results Certified L2 - Ballot Printing Begins
13	14 P - Party/ Candidate Regis Deadline at Local Offices	15	16	17 P - Party/ Candidate Regis. Received at Ministry	18 P - Ballot Layout Finalized	19 L2- Ballots Printed & Shipped to Bamako
20	21 L2 - Ballots Rcvd at Bamako	22	23	24	25	26 L2 - Ballots Pkgd at Bamako & Ready to Ship to Arrond.
27	28	29 P - Ballots Printed & Shipped To Bamako	30	31 L2 - Arrond. Rcvd Ballots for Dist. to Bureaus		

L2= Legislative/Municipal 2nd Round

P = Presidential Election

P2= Presidential 2nd Round

MONTH _____ NOVEMBER

YEAR 1991

SUNDAY MONDAY TUESDAY WEDNESDAY THURSDAY FRIDAY SATURDAY

3	4	5	6	7	8	9
		P - Ballot Printed & Shipped to Bamako			P - Ballots Pkgd at Bamako Ready to Ship To Arrond.	L2 - Mobile Bureau Voting Begins
10	11	12	13	14	15	16
				L2 - Ballots On Hand at Voting Bureaus	P - Ballots Rcvd at Arrond. for Distribution to Voting Bureaus	L2- ELECTION DAY
17	18	19	20	21	22	23
		L2 - Last Village Reports Results to Arron.	L2 - Arrond. Reports Results to Regions	L2 - Regions Report Results to Ministry		L2 - Official Results Certified P - Mobile Bureau Voting Begins
24	25	26	27	28	29	30
				P - Ballots On Hand at All Voting Bureaus		P - ELECTION DAY

P = Presidential Election
 P2 = Presidential 2nd Round

MONTH _____ YEAR _____

SUNDAY	MONDAY	TUESDAY	WEDNESDAY	THURSDAY	FRIDAY	SATURDAY
1	2	3	4	5	6	7
		P - Last Village Reports to Arrond.	P - Arrond. Reports Results to Regions	P - Regions Reports Results to Ministry	P2 - Ballot Layout Finalized	P2 - Ballot Printing Begins P - Official Results Certified
8	9	10	11	12	13	14
						P2 - Ballots Printed & Shipped to Bamako
15	16	17	18	19	20	21
	P2 - Ballots Rcvd at Bamako					P2 - Ballots Pkgd at Bamako & Ready to Ship to Arrond.
22	23	24	25	26	27	28
				P2 - Ballots Rcvd at Arrond. for Distribution to Voting Bureaus		
29	30	31				

MONTH _____ YEAR _____

JANUARY 1992

45

SUNDAY	MONDAY	TUESDAY	WEDNESDAY	THURSDAY	FRIDAY	SATURDAY
			1	2	3	4 P2 - Mobile Bureau Voting Begins
5	6	7	8	9 P2 - Ballots On Hand at all Voting Bureaus	10	11 P2 - ELECTION DAY
12	13	14 P2 - Last Village Reports to Arrond.	15 P2 - Arrond. Report Results to Regions	16 P2 - Regions Report Results to Ministry	17	18 P2 - Official Results Certified
19 OFFICIAL SWORN IN	20	21	22	23	24	25
26	27	28	29	30	31	

Upon review of the charts, the flaws and potential pitfalls are obvious. One of the major concerns of the assessment team is that election events will fall so close to one another that there will be no time to bring closure to one election before work on the next election begins. Throughout the five to six month period, activities related to the various elections will overlap each other, dividing the attention of administrators in several directions at once. Additionally, because each election will fall so closely on the heels of the prior election, there will be virtually no breathing room to make adjustments for unavoidable delays, emergencies, or unanticipated problems that might occur at any juncture. Even under optimal conditions, the schedule proposed by government officials will require the total commitment, concentration and management expertise of the administrators responsible for carrying out the mission. In addition, this kind of schedule has the potential to totally confuse the voter, resulting in lower turnout. In the United States, even when elections are separated by reasonable time frames, turnout in 2nd round or run-off elections is significantly lower.

The team is sensitive to the concerns of the election administrators and government officials with whom it met. However, given the very short time in which all elections must be conducted, the team believes that serious consideration should be given to utilizing a single ballot.

Simplified printing and voting: After due attention to the importance of preserving known systems, the team believes that the time is ripe for change. With proper public information, all voters can understand and use a single ballot with all parties and/or candidates listed on the same page. Voters would mark their preference. This method would result in a dramatic reduction in printing costs and time needed for printing ballots. In addition, because only about 1/10 of the currently projected number of ballots would be required, transportation efforts would be simplified.

Consolidation of Elections: The team acknowledges that the conduct of five separate elections this fall could be very beneficial in instilling voter confidence in the process, creating the habit of voting, and reinforcing an understanding of the procedures in voters and election officials; however, the single ballot method affords another benefit which deserves consideration. It would allow Mali to consider the consolidation of its elections. In view of the severe time constraints, for example, the administrative burden might be eased by the conduct of three elections instead of five: the referendum, a candidate election for all offices (legislative, municipal, and presidential), and a second round candidate election. At the candidate elections, voters would only be given 3 ballots, one for each type of race. With only three ballots being printed and distributed at the same time, total quantities needed would be cut to about one-third of the number which would be required for a single race under the French model. Of course, scheduling three rather than five elections would result in more time between each event.

It may also be remembered that Malian farmers, who comprise 80% of the voters, will be busy in the fields in the fall and few have transport of any kind to ease travel to the polls. In addition, mud

flats, flooding and desert sands also impede easy travel over much of Mali in the fall. All of these factors could discourage farmers' return to their polling places on five separate occasions.

If the consolidation of elections is not considered for the initial election this fall, it might be worth considering for the future, especially in the context of the five year terms for the offices of president, and legislature proposed under the draft constitution. Assuming that no dissolution of Parliament occurs, requiring a special election, the consolidation of candidate elections at the end of the normal term is a concept worthy of serious consideration as a cost saving measure and in the interests of administrative efficiency.

The team has prepared another chart which illustrates how the three elections might be scheduled for this fall.

SAMPLE ELECTION CALENDAR
Based on 3 Elections Between August 12 & January 20

ELECTION FUNCTION	REFERENDUM	CANDIDATE	CANDIDATE 2ND RND
NATIONAL CONFRNCE ENDS AUGUST 12			
Deadline Party Reg./Local Offc.		10/2	
Party Reg. Rcvd. at Ministry		10/5	
Ballot Layout Final	8/18	10/6	11/26
Ballot Printing Begins	8/19	10/7	11/27
Ballots Printed Shipped Bamako	8/31	10/19	12/7
Ballots Rcvd Bamako	9/7	10/26	12/14
Ballots <u>Pdgk</u> for Transport to Arrond.	9/14	11/2	12/21
Arrond. Rcvd Ballots for Dist.	9/19	11/7	12/26
Mobile Bureau Voting Begins	9/28	11/16	1/4
Ballots On Hand Voting Bureaus	10/3	11/21	1/9
ELECTION DAY	10/5	11/23	1/11
Last Village Reports to Arrond.	10/8	11/26	1/14
Arrond. Report Results to Region	10/9	11/27	1/15
Regions Report Results to Minis.	10/10	11/28	1/16
Official Results Certified	10/12	11/30	1/18

OFFICIALS SWORN
IN JANUARY 19

25

VII: CIVIC EDUCATION AND MASS MEDIA

How the new Malian government fulfills its obligation to citizens' right to know is of fundamental importance in the overall success of the new multiparty democratic election system. At virtually every meeting in which the team participated, it was evident that the issue of public education about democratization and the election process was viewed as one of the most critical challenges facing government officials, political parties and candidates.

ISSUES AND OBSTACLES

In formalizing plans for civic education and mass media publicity, specific attention will have to be given to resolving some of the unique problems which could hamper their efforts.

Lack of Experience

It is widely acknowledged that Mali has virtually no recent experience from which to draw in planning its national voter education program. Officials repeated the fact that the population simply does not have any experience with open, multiparty elections. Indeed, among the government officials, party members, student groups, media representatives and associations with whom the team met, some had never experienced any kind of election. Those who had participated in elections in the past had experienced a single party system in which no real choices existed, and in which the outcome was generally known in advance. Because of the nature of these elections, the need for comprehensive education of each individual voter was less critical. The fundamental concept of the importance of each individual's private vote was not always practiced.

Mali will be starting its civic education program from scratch. The difficulties in undertaking such a challenge will be compounded by virtue of the very short time frame in which the transition to a democratic, multiparty election system is to be accomplished.

Dispersed Rural Majority Population

Over 80% of Mali's population is scattered over its vast rural territory. Methods of mass communication that normally reach urban centers and only portions of the rural majority are not currently capable of reaching 100% of the populace.

National Illiteracy

Between 80% and 90% of Mali's population is illiterate. While the percentage of children regularly attending school has reportedly increased to approximately 25% in recent years, among the adult or voting age population illiteracy is still extremely high. This fact severely limits the use of print media and written materials as a means of distributing election information, except to the degree that graphic visuals and illustrations can be exploited to convey meaningful information.

Ethnic Diversity and Language Barriers

While French is the official language of Mali, the country's population includes more than a dozen major ethnic groups, each with its own language. In addition, even in rural areas where French may be fairly widely understood, a major portion of the rural population making up the various language groups are not able to speak French. All public information must be prepared not only in French, but also adequately and accurately translated into the various national languages. In the team's discussions with the officials who will be involved in the preparation, broadcast or distribution of public education materials, one of the concerns expressed was that for some of the vocabulary generally associated to election systems there may not be comparable words available in the National languages. For example, words like "referendum" or "registration" may not have appropriate complements in Tuareg, Songhai or Dogon. Extra care will have to be taken that translations are prepared in a manner which ensures that to the degree possible, information is presented in as thorough and consistent a context as possible even though language limitations may prevail.

DIVISION OF CIVIC EDUCATION RESPONSIBILITIES

Separation of Public Information Components

The focus of Malian officials' public education and mass media efforts appears to be divided into two distinctive and separate avenues, each with its own defined boundaries, objectives and strategies. They include:

- general public education about the election process disseminated by the government from a totally neutral position, designed to inform and motivate participation;
- political education promulgated by the parties and candidates, expressing their partisan views, and intending to influence voter opinion.

Administrative Responsibility

The team was informed that the responsibility for the preparation of text designed to convey general information about democratization and the election process itself would fall under the Ministry of Territorial Administration. This agency would formalize the procedures and write the scripts for broadcasting information about dates of elections, voting procedures, voter eligibility requirements, voter registration and polling place information. Broadcasters indicated that while they were attempting to draft policies regarding media access, a special Commission of Communication is expected to be organized under the auspices of the National Conference to develop the guidelines and establish the policies for media access by the various political parties and candidates. The Commission is expected to define the terms and conditions, as well as schedule and frequency limitations for fair and equal access to the broadcast media by which the parties and candidates can advertise their campaign messages.

The Ministry of Communication will be responsible for the actual broadcast of the information and promotional text provided. The Ministry of Communication will also implement the broadcast schedule and enforce the terms and conditions established by the Commission for party and candidate access to the airwaves. It will plan and schedule educational discussion programs, candidate debates and forums for indepth discussions regarding the new Constitution, Election Code, Party Charter and election events.

EXISTING MEDIA

Most of the country's mass media network is controlled and operated by the government. Only one radio station and one television station exists in the country, and both are government owned and operated under Radio/Television of Mali (RTM). In addition, there is only one daily newspaper, the ESSOR, which is published by the state. Until recently there was no opportunity for airing or publishing dissenting or adversarial viewpoints; however, there appears to be a commitment on the part of the government to introduce new freedoms to the media.

Several privately owned newspapers which are published with less frequency have emerged. They include Les Echos, Alternance, Dembe, Scorpion, Aurore and l'Opinion, Le Miroir, and Cauris Hebdo. As recently as last May, journalists convened an assembly to create a new Union of Journalists made up of about 80 members. A concerted effort appears to be underway to expand the role of the media in the new democracy. Journalists with whom the team met expressed their belief that in view of the new freedoms, the media will play an expanded role in informing the public about the upcoming elections and the new multiparty system. Significantly, they also expressed a view that they would be instrumental in "securing democracy". They voiced their desire and commitment to fulfill what they perceived as a crucial dual role: first, as an education medium informing the public of neutral

information about the general election administration and procedures; and secondly, as a forum for partisan information about the candidates and parties. Journalists were enthusiastic and optimistic about the objectives of the upcoming National Conference, and the subsequent elections.

Radio

Radio is the most widespread medium in Mali. It is important to point out, however, that the single broadcast station reaches only about 62% of the geographic territory of the country and only about 73% of the population. The broadcast day is divided into segments in which information is aired in each National language broadcast at the same time each day. In the areas reached by radio, the team was informed that virtually all families have their own radio receivers. (During the team's visits to two villages outside Bamako, we observed that in each case the radio was on and being listened to by the village chief and his family.) Therefore, radio will be the most important medium of mass communication in the dissemination of voter education information and political campaign messages.

Television

Television broadcasting has only been available in Mali since 1983, at which time the broadcasts were only received in Bamako. Since then, extension of broadcast services allows for the simultaneous color broadcast signal to be transmitted to the towns of Segou, Sikasso and Kayes. Not everyone owns a television, and outside these specific communities, television is not available at all.

A series of talk show programs about the transition to the multiparty democratic system has already begun on television. One of the major concerns expressed to the team by a number of officials, association members and private individuals is that these forums have tended to be long, very technical in nature, and beyond the understanding of the general public. This was specifically mentioned in relation to a two-hour television program aired during the team's visit which focused on the drafting of the new constitution.

Newspapers

Two circumstances have limited the power of newspaper as a source of mass media information: the high illiteracy rate and the obstacles of wide, timely distribution. Until recently with new freedoms afforded the press, newspapers tended only to reiterate news which had been aired on the radio. Additionally, with transportation and postal service in Mali severely limited, distribution of newspapers was delayed, diminishing their newsworthiness.

Journalists appear to be interested in expanding their horizons in view of the new freedoms anticipated. They recognize that newspaper affords opportunities to give indepth news of election and

political events not possible in the broadcast media. They therefore believe that there will be more interest in newspapers because there will be more news to report, and increased opportunity to tell the news from different points of view. However, as a medium for mass distribution of election information, newspapers will most likely remain behind radio. Newspapers could be utilized in increasing the popular recognition of visual images and representation associated with the campaigns and elections. For example, repeated publication of such images as party symbols could be beneficial in assisting voters in identifying their choices on the ballots when they cast their votes on election day.

Officials expressed concern that there were limited printing facilities for the publication of newspapers on a daily basis. Additionally, financial resources are limited, making frequent publication difficult. Malian media has not traditionally exploited the concept of paid advertising, although they acknowledge that revenue from advertising could benefit them greatly.

Postal Services

In established democracies, there is often a strong reliance on the postal service for the dissemination of election information and materials. However, this is a resource which will most likely have to be developed for future elections, and not relied upon in the elections planned six months from now. The current postal system does not appear to be on a strict delivery schedule, nor does it appear to have consistent widespread service to all areas of the country. Even at the Arrondissement level, there may be no central postal station for the posting or delivery of area mail. Rather, there is heavy reliance on word-of-mouth news that mail may be waiting to be picked up by individuals from the villages. When and if someone from a village visits the Arrondissement, they will often hand carry mail back to the village and personally deliver it to the individual to whom it is addressed. Occasionally, the Chef of the Arrondissement may hire someone to take mail to a village chief for distribution. More frequently, mail is distributed at the public market on market day. It is unlikely that it would be feasible to utilize the postal service with dependability for elections in the near future.

Posters and Print Outreach

Although the team acknowledges the limitations that may exist in the use of printed media as a primary means of communication, there may be certain applications which may prove beneficial. Well designed and well placed posters could be used to convey a variety of messages while serving to keep the elections prominently in the public's mind. Some could be developed to familiarize voters with names and symbols of political parties. Posters could be developed for display in voting booths, using strips of illustrations to instruct voters on the procedures for casting a ballot. Others could boldly display dates of elections or locations of polling places. These kinds of materials could be circulated and posted as training of election workers takes place, or during village meetings as government officials

conduct civic education programs throughout the country. Pictorial messages could easily be copied on flyers or brochures to be passed out to citizens during census activities or as voter cards are distributed. Some graphics could also be made into slides for broadcast on television.

Communications officials expressed interest in these types of visual aids and their uses; however, they also indicated that they would be receptive to some technical assistance in developing these types of materials.

GENERAL ELECTION INFORMATION

Several issues challenge officials in providing the civic education programs necessary to the successful conduct of these elections.

Scope of Information

There is a vast variety of information which must be imparted in a relatively short period. This range of information includes education about the philosophical concepts surrounding democratization and the development of the Constitution and Election Code, procedural information on how to register and how to cast ballots, and factual information as to voter eligibility, dates of elections and polling places. Officials are already working on a draft policy which will guide the manner in which subjects are prioritized, which subjects will require more broadcast time and which will receive less exposure.

Officials will have to consider the type of approach which will most effectively match the kind of information covered. When asked for suggestions on this subject, the team pointed out that as a general rule, people need to hear or see a message several times before it is absorbed. While the longer discussion type programs may be useful in covering concepts in depth, consideration might also be given to developing a series of concise messages which can be repeated frequently. These kinds of messages, for example, would be most effective in reminding voters of election dates.

Neutrality and Consistency

The officials with whom the team met were very sensitive to the importance of civic education messages conveyed in a neutral fashion. They clearly recognized that regardless of the medium, election information must be consistent. There will be considerable reliance on the Ministry of Territorial Administration to design the public information scripts which will be broadcast as written.

Field Education

Civic education in Mali simply cannot rely on mass media alone. One of the key elements in the program will be onsite visits and training in villages throughout the country. One-on-one communication is integral to the social structure of Mali. Malians maintain a fundamental respect for authority and social order. Whether in government, business or social matters, there is heavy reliance on the one-on-one personal exchange. Officials agreed that the mobilization of a corps of trainers and educators who will be deployed to visit every village will be extremely important. The village chiefs will be key players in this endeavor, very influential in ensuring that the people in their villages learn about the election process. They will also be influential in motivating their people to participate. There was a general feeling among officials that, although the chiefs had played a partisan role in influencing how their families voted in the past, they will support the new concepts of freedom and secrecy of choice if they are instructed to do so. Great care will have to be taken to ensure that the training in the villages provides the proper context in which the concepts of a free democracy are clearly stated and accurately understood.

POLITICAL EDUCATION

The other side of the civic education coin relates to the dissemination of partisan information. The development of an official policy directing equal access to the media by candidates and parties is a top priority. A draft of such guidelines was being developed but it is anticipated that the final policies will be adopted at the National Conference. Several issues will be considered:

Equal Access

Officials agree that all parties and candidates should have equal access to the media. There is concern that with so many parties it will be difficult to cover them all adequately and that the major parties will end up getting more coverage. This issue will be extremely important in view of the limited time available overall, and particularly in programming produced in national languages.

Free Access

While the formal code has not yet been adopted, media representatives indicated that they hoped to avoid a policy which would allow parties and candidates to buy air time. Their concern is that some parties and candidates will have more funds with which to work and therefore would have more access to the airwaves. Among the ranks there has been some discussion that there should be freedom of parties and candidates to promote themselves to any extent they are creatively and financially capable, but the general tone is that for the time being, all parties should have equal access.

Time Limits

Media representatives indicated that information about parties and candidates will come directly from those entities and the broadcast media will "read" verbatim from the text provided. In the interests of providing uniform access, there has been some thought given to limiting political messages to two minutes in length. Further, it is anticipated that restrictions will apply to political advertising during certain periods.

Candidate Travel Support

As in the case of general election education, government officials and party officials alike believe that parties and candidates will have to make on-site visits to rural villages if they are to make themselves known. Not all parties will have the means to develop such campaigns, which would result in an unfair advantage for the stronger parties. A few officials indicated that the government may choose to play a role in providing assistance in this regard, but only if such assistance could be allocated equally. This concept did not appear to be subject to serious consideration at this point.

SPECIAL EVENTS AND MEDIA RELATIONS

National Conference Coverage

There is an interest in arranging for live coverage of the National Conference. Since this will have such a major influence on the future of Mali's political and government structure, prompt and comprehensive coverage of the progress of the Conference will be important. There is some question as to whether the broadcast media are adequately equipped to provide this kind of live coverage or whether the facilities in which the Conference will be held are adequately wired to accommodate such coverage. Officials have outlined some equipment which will be required in their preliminary planning. The IFES team is also making some formal recommendations in this regard which are discussed in Section IX of this report.

Field Reporting

Throughout discussions with election administrators, the team encouraged government openness and transparency throughout the election period. There will be many opportunities during the election cycle for the government to capitalize on a positive public image that can be enhanced through proper use of the media. This will be important in maintaining the public confidence in the system.

Advance Notice to Media: It will be advantageous for officials to prepare media releases to give the press and broadcast media advance notice as to what to expect, how activities will be carried out, and in what time frame. For example, with regard to the announcement of election night returns, administrators advised the team that not all results will be reported right away. Some villages may not be able to report for a day or two. The media should be given an advance schedule which outlines how reports of the vote count will be submitted, and the time table in which officials will be able to announce results. If the media and public are given advance warning of the schedule, it will reduce the public's anxiety and distrust if some final official report of results must be delayed.

Building Public Confidence: Another opportunity where the press can be utilized to foster public confidence is via the preparation of releases which alert the country regarding general administrative expectations. For example, it is anticipated that during an election conducted at peak harvest time, much of the rural population may be away from their villages and unable to go to the polls, resulting in lower turnout. If the press and the public are advised of this possibility in advance, it can help to avoid a misconception that there is insufficient interest in the elections or that there is a lack of public support for democratization.

Candor: Finally, the team encourages candor in responding to questions or potentially adversarial challenges as to how administrators are performing in conducting the elections. Since any election is a very human process, mistakes can happen and problems can arise beyond anyone's control. In these instances, the team encourages candor in responding to questions and open disclosure about how government is going to see that the problems are resolved. Such openness can only augment the public's confidence in the system and in the administrators with the responsibilities of carrying out the elections.

VIII: GENERAL FINDINGS AND RECOMMENDATIONS

A PROJECT WORTHY OF SUPPORT

The team found unalloyed dedication of both provisional government and the people of Mali to the concept of immediate free elections and a democratic government to be inaugurated no later than January 19, 1992. Leaders of the military coup d'etat and the popular demonstrations have already taken constructive steps to quell fears that power might simply pass to another single party military junta. They reconstituted the temporary ruling committee to include representatives of all sectors of society. The temporary Prime Minister stands as a symbol of incorruptibility, and is favored by the people. Whereas it is regrettable that several members of the CTSP appear to have bolted the provisional government and a minor coup attempt in July took place, their lack of popular support bespeaks the legitimacy of the CTSP's transitional government.

If Mali is to achieve its goal of democracy by January, 1992, international assistance will be needed. For a relatively small investment of human, technological and financial assistance, the democratic world can send a powerful signal to African leaders and citizens recognizing the will of the people and rejecting dictatorships. The events in Mali have become front page news in Africa, Europe and Asia and have become a symbol of courage and hope across the African continent to the millions of disenfranchised citizens struggling for a vote in their future.

PUBLIC TRANSPARENCY

An essential element in democratic evolution was the establishment of the secret ballot and the formulation of acceptable rules for the conduct of the polling and the counting of votes. Democratic elections demand popular acceptance. If the voters do not feel that the candidates have had a fair chance to put their case or that votes have not been cast freely and counted honestly, the legislature or government that results can hardly trade on its legitimacy.

Each country has devised rules to prevent intimidation, corruption, and ballot fraud. Nevertheless, fair elections depend much more on a nation's general character than on any enforceable regulations. The electoral system can make an enormous difference, but not so much as the spirit in which the democratic process is carried out and the rules of the game applied equitably and fairly to all members of a society.

NEED FOR PUBLIC EDUCATION OF WHAT DEMOCRACY MEANS

It is important that everyone involved in the democratization process remember that it cannot happen overnight and must be nurtured patiently over time. Even after systems and laws are enacted, they will be difficult to interpret and administer. Democracy is not a panacea for economic or social crises, nor does it guarantee complete freedom or economic expansion. Rather, it is an orderly way to make and to challenge decisions as a nation through the will of the majority, while protecting the rights of the minority. It is vital that the volatile groups and associations who participated in the revolution understand this concept and that everyone rededicate themselves to the democratization process and assure that progress is achieved in the face of continued economic and social obstacles. Public education programs using all possible forms of communication can do much to pave the way for lasting democracy in Mali.

INTERNATIONAL OBSERVERS

The question of international observers was discussed on a number of occasions, including with the Prime Minister. The team was advised that international observers would be invited to the National Conference and for the elections between October and December 1991.

MERGED ELECTIONS WITH SINGLE BALLOTS

Given time constraints as well as Mali's unwieldy and costly multiple balloting system, the IFES team recommends that three, rather than five elections with a single ballot system be adopted. The elections would be a referendum in October; candidates' election in November with three (legislative, municipal and presidential) single (multi-candidate) ballots; and a second round candidate election in December.

To avoid election day confusion, the new election system should be built as closely as possible on familiar elements of the previous system. Changes required by multiple candidates and fair elections practices should be well emphasized and publicized in advance.

DISTRICTING

One hundred ten or fewer electoral districts are recommended to avoid undue bureaucracy and cost of government while assuring adequate popular representation.

ELECTION CODE

The new election code to be adopted at the national conference should provide a mechanism for judicial recounts that includes steps for handling contested elections. It should also include guidelines for appointing and limiting the number of candidates' observers at polling places, along with their role and authority and limitations.

MANAGEMENT TOOLS

Good, clear, accurate maps of election districts are useful tools of a free election system and should be made available to all candidates. Comprehensive electoral lists are needed before the September or October referendum, and for ensuing elections. Replacement of those lists destroyed during the insurrection and updating of the rest can and should be undertaken immediately. Another critically needed tool is an administrative calendar of key election functions and their deadline dates.

All systems must be applied to implement the calendar on schedule. Any slippage must be immediately reported and revisions or adjustments made to achieve end goals without undue compromise.

COMMUNICATION

The Ministry of Territorial Administration's principal equipment need is for a reliable communications network which will allow for timely decision making at the various levels of organization. Based on the team's understanding, a good FAX network should be provided to the Ministry. This would be more reliable, easily operated, and less costly than computerization at this point, to assure communication of election results, though it would not match the tabulation verification and cross-tabulation potentials of computerization.

FEASIBILITY OF COMPUTERIZATION

Before embarking upon significant computerization activity, it is necessary to define the Malian electoral situation. Following such an assessment, a detailed user requirement study should be conducted. The team's ten day stint did not allow for indepth analysis to judge the overall situation in relation to computerization.

The computerization of the list of electors to be used at the poll could also be envisaged, but this could entail entering over 150 million characters (names and addresses of all electors). This is a labor intensive and expensive assignment which should not be undertaken at this time. The team recommends that the existing manual system continue at least for the coming election. The objective is to have the most complete and correct list and not necessarily the most technically sophisticated.

Some computer installations would be used to tabulate election results. This could consist of a network between headquarters in Bamako, and the seven regional capitals which would obtain results by radio, phone or fax from the local levels. This would enable regional cross-checking and verifications better accomplished at the local level rather than in Bamako. Such installation could be considered only after a more in-depth analysis. The question of the irregularity of the power supply is critical to any computerized system.

UPDATE ADMINISTRATIVE PROCEDURES

The IFES team recommends that Chefs d'Arrondissement be directed immediately to update their administrative censuses and replace the records that were burned and destroyed. Officials reported that possibly a third of the local census and voter record files were destroyed during the revolution.

Printers' stocks of available paper and their equipment capabilities must be investigated in order to determine what printing options exist in Mali for multi-color, multi-symbol and/or multi-election forms. This would save valuable planning and procurement time.

All the CTSP associations and syndicates should be analyzed in terms of resources and capabilities they have which would supplement those of the Ministry of Territorial Administration. Contributions that organizations are willing to make to the electoral process, as well as necessary costs of tapping such resources should be compiled, so that the Elections Council will be able to make constructive decisions as unforeseen needs arise. The National Union of Road Transporters and other boat and bus and truck unions could supplement election materials deliveries and transport election workers and voters to the polling sites.

USE OF MALIAN RESOURCES

IFES recommends using Malian resources and local labor whenever possible. In virtually all democracies, elections usually mean a growth in the economy, new temporary jobs, and extra income for private business. While government carries the heaviest burden in administering elections, the private sector should be utilized as frequently as possible. If the magnitude of the ballot printing precludes using local printers, perhaps they can be used for printing election forms and educational materials.

It is likely that within the governmental ministries there are transportation resources (trucks, land rovers, boats, etc.) which will be deployed for the transport of ballots and election supplies and materials. However, election officials may wish to consider using private contractors. One resource is the National Union of Road Transporters whose membership includes 2000 potential contractors. These members are spread throughout the country, know their regions well and may be able to assist in the massive job of distributing ballots and materials. Government officials could solicit bids and proposals from the union, thereby reducing their own burden, while at the same time boosting the private economy. The greater degree to which Mali can capitalize on resources within its own borders, the sooner and more able it will be to sustain its own election system internally and independently.

SOLICIT BROAD FOREIGN ASSISTANCE IMMEDIATELY

The Provisional Government is reluctant to publish an official list of needs for the donor community until multiparty election contingencies and costs are analyzed. National Conference decisions, in August 1991, may well change support needs. Time constraints dictate, however, that assistance be obligated and furnished as soon as possible, if an orderly election process is to be achieved.

For this reason, IFES recommends that a preliminary list of elections commodities and technical assistance be circulated immediately to the international community to solicit contributions.

The list may be expanded from suggestions detailed in this report, from other analyses and from National Conference decision implications.

IX: RECOMMENDATIONS FOR USA ASSISTANCE

PRELIMINARY REQUESTS FROM MALI'S PROVISIONAL GOVERNMENT

Due to the IFES team's schedule and USAID's request that it make preliminary support recommendations before its departure from Bamako, Malian officials advised the team of their support needs as envisioned at that time. Their election materials and equipment needs are summarized on page 66.

The IFES team found that these election assistance requests reflect the French election system, but that system becomes unwieldy when accommodating large multi-party demands. The requests from the Provisional Government are generally modest and free of unneeded equipment. Where prices of equipment may seem high at first glance, they are not when costs of materials, fuel and/or operators for them are included. Whereas printing and paper needs may be reduced if a single rather than multiple ballot system is adopted, additional costs in transport and election booth assistance will probably arise. A viable accounting system allowing line item election expenditure shifts and protection should be adopted.

During the June visit of the IFES team, the Provisional Government's requested assistance totalling \$4.9 million. This request focussed on the PGOM's material needs for implementing the electoral process as well as for supporting the Working Committees and the National Conference. Based on the team's judgement of Mali's immediate needs and of the assistance most supportive of the democratization process, the team recommends funding of \$1,250,000 for the items marked with a (*) on the summary. Justifications are noted in following sections.

Beyond these high-priority material resources, the team identified additional areas where the United States could provide important assistance. These include the provision of technical advisors for one to five months in each of the following four areas: National Conference technical advice, public education through media and field communications, elections operations, and field training and support. A further important initiative is the funding of 300 Arrondissement elections assistants, relevant staff and logistic support, and comprehensive supplies. The estimated cost of this proposed technical assistance with material support is \$1,800,000.

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Summary of Provisional Government of Mali Requests for Assistance
(in US\$ Estimated at 300 CFA = \$1)

	Working Cate/ National Conf	Constitutional Referendum	Municipal/Leg Elections I/II	Presidential Election I/II	TOTAL
Vehicle Rentals	37,500	0			37,500
Gasoline	4,500				4,500
80 Commissioners' Exp	5,350				5,350
Conf Participants Exp	225,000				225,000
Transport. Exp	30,000	100,000			130,000
Housing	79,000				79,000
Office Supplies	48,298 *	275,383			323,681
Voter List Production		7,700 *			7,700
Voter ID Cards		35,000 *			35,000
Ballots		48,000 *	552,000	443,334 **	1,043,334
Envelopes		110,000	264,000	220,000	594,000
Feuilles de Depouillement (Vote Counting Sheets)		2,592	6,394	5,184	14,170
PV Operations Electorales (Poll Proceedings Forms)		3,600	8,880	7,200	19,680
Feuille de Recensement (Enumerators' Sheets)		2,304 *	5,684	4,608	12,596
Feuille Resultats Oper. (Vote Count Analysis Forms)		3,600	8,880	7,200	19,680
Feuille d'Emergement (Poll Books)		9,000	21,600	18,000	48,600
Notifications Sommaires (Candidate Representative Forms)		250	1,000	500	1,750
Workers Salaries		90,000	222,000	180,000	492,000
Packaging		6,667	160,000	213,400	380,067
Ballot Boxes/Curtains		83,300 *			83,300
Hurricane Lamps		60,000			60,000
Equipment and Furniture	91,025 *	70,000 *			161,025
Computer Equipment/ Computer Training		153,333			153,333
FAX Equipment/Supplies	27,860 *				27,860
Vehicles, parts, gasoline/ chauffeur	95,000 *				95,000
Broadcast exp	222,757 *				222,757
Publicity exp	540,823				540,823
	66,667				66,667
RAC Expenses		3,667 *	7,333 *	7,334 *	18,334
TOTAL PGOM REQUEST 6/20/91	\$1,473,780	\$1,064,396	\$1,257,771	\$1,106,760	\$4,902,707
Recommended USA Contribution(*)	484,940 *	249,971 *	7,333 *	7,334 *	749,578
(**500,000 if single ballot used)				507,334 **	1,249,578

USA

SPECIFIC RECOMMENDATIONS FOR USA ASSISTANCE

The IFES team finds Mali able to make maximum use of the following types of specific assistance totalling just over \$3 million. This combines the material assistance and the technical assistance briefly described above. The team sees four priority areas toward which this material and technical support should be directed. It further recommends, in each of the four areas, a combining of funding for material needs with the provision of supporting technical assistance. The accompanying dollar figures are based on Ministry estimates and U.S. Government and IFES team assessments.

Material and Technical Support for Working Committees and National Conference

The Working Committees consist of 80 individuals who have no equipment for their secretariat at the National Assembly building. To facilitate their important work and alleviate having to send secretaries to other offices to solicit support, we recommend the immediate provision of a computer and photocopier.

The National Conference Secretariat will also need a broad range of equipment and supplies that could readily be obtained and provided. Meeting and office space at the Palais de Culture in Bamako is adequate for 800 participants and staff, but it has no furnishings or equipment for this type of meeting.

During the IFES team visit, Louis Massicote held productive work sessions with the Constitutional and Multiparty Charter Committees, but the draft Electoral Code was not far enough along to critique, nor was there time. We recommend that Mr. Massicote, or another election code expert, consult with PGOM officials for one month before and during the National Conference regarding all three documents to be adopted and procedural implications under discussion. He should be prepared to provide oral or written advice, either privately or publicly. He would also summarize the final text of the constitution and electoral codes for IFES in order that its continuing assistance may be altered as be appropriate.

It is estimated that the material needs in this category, primarily for office equipment and supplies to support the work of the Working Committees and the National Conference, amount to approximately \$138,000. The budget for a National Conference Technical Advisor is approximately \$20,000, including fees, travel, and per diem.

Technical and Material Support for Elections Process

To facilitate the immediate acquisition of basic election supplies that will not be affected by the National Conference, assistance will be required for printing needs and for the provision of ballot boxes and security curtains. The bulk of the expense for election supplies will go to paper and printing costs for the ballots for the referendum and Presidential elections. If single ballots are used, it is estimated that \$500,000 will be necessary for their production.

A further need for assistance to the election process is in the up-grading of communication capabilities. The team has identified three priority needs in this area. As noted in the body of the report, the team feels that the provision of FAX machines for the elections office in Bamako and in each of the eight regional capitals would greatly facilitate communications, especially in the reporting of election results. To ensure reliable communication between vote counting locations, the provision of batteries to maintain the RAC system will be important. Finally, the purchase of two all-terrain vehicles is recommended, along with adequate funding for parts, gas and drivers, for the use of election officers during census registrations, field training and elections.

The Director of Administration at Territorial Administration who expects to be responsible for all election operations readily expresses confidence in his knowledge of single party election procedures, but would welcome continuing advice in multiparty elections needs. We recommend an expert with fluent French, good problem solving and motivational skills as well as flexibility, patience and extensive, preferably multi-country or multi-state elections experience, to spend five months (August through December), as special assistant to the elections director, at the cost of approximately \$120,000.

Technical and Material Support for Civic Education Through the Malian Media

In order to upgrade the field capacity of Malian radio and television, in its coverage of the preparations for elections and its education of the public regarding the electoral process, the team recommends the provision of funds for additional audio and video equipment. A further major expense will be for the printing and distribution of printed educational materials, primarily posters.

The Director General of Radio-diffusion Television Mali (RTM) is keenly interested in the assistance of a radio-TV and press expert who can facilitate the development of substantive non-partisan radio, press and TV (in that order of priority) programs and releases geared to educate the public, especially rural population on democracy and the multiparty system voting process. This expert would also liaise with the election administration team at the Ministry of Territorial Administration. He or she would also travel in the field to monitor and assess public education processes and refine practices.

also liaise with the election administration team at the Ministry of Territorial Administration. He or she would also travel in the field to monitor and assess public education processes and refine practices.

The team estimates the total cost for material and technical assistance to the Malian media for civic education to be approximately \$600,000.

Technical and Material Support for Jeune Diplomé Project

The Elections Director has requested a training expert who would establish procedures for, train and monitor 300 unemployed college graduates to act as assistants to Chefs d'Arondissement for 6 months. The graduates would coordinate and assist replacement and updating activities, voter list preparations, election worker training and election day activities. They should be chosen for their organizational, local language and communications skills matching Arondissement needs. Total costs for the Training Expert, salaries for the 300 young graduates, training materials, and transportation and other expenses are estimated at approximately \$850,000.

Total Recommendations for USA Assistance

Technical and Material Support for Working Committee and National Conference	158,000	
Technical and Material Support for Elections Process	850,000	
Technical and Material Support for Civic Education Through the Malian Media	600,000	
Technical and Material Support for Jeune Diplomé Project	<u>850,000</u>	
	Sub-total	2,458,000
U.S. Office Support		900,000
	TOTAL	3,358,000