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ADVANCING DEMOCRACY WORLDWIDE

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ELECTION OBSERVATION MISSION FINAL REPORT

Tunisia Constituent Assembly Elections October 23, 2011

Election Observation Mission Final Report



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Executive Summary

On October 23, 2011, more than four million Tunisian voters cast ballots in the country's first ever open and transparent elections. Less than one year after former strongman President Zine El Abidine Ben Ali fled the country amid national protests, the Tunisian people chose a democratically-elected National Constituent Assembly (NCA) on a day characterized by high registered-voter turnout following campaigns by a wide variety of political parties and independent lists.

Tunisia's October 23 elections marked a historic achievement in the country's transition to democracy after decades of autocratic rule. That Tunisia organized national elections only nine months after a dramatic revolution is itself an accomplishment. To observe Tunisia's NCA elections, the International Republican Institute (IRI) sponsored a 37-member delegation. Active in Tunisia since January 2011, IRI is a nonpartisan, nonprofit organization based in Washington, DC that has worked in more than 100 countries worldwide to advance freedom and democracy by developing political parties, civic institutions, open elections, good governance and the rule of law. Since 1983, IRI has monitored more than 150 elections in 46 countries.

The findings and recommendations presented in this report are drawn from the observations of IRI's five long-term observers (LTO) deployed to the field three weeks prior to Election Day and 14 teams of short-term observers (STO) deployed immediately before Election Day. LTOs witnessed the campaign period, Election Day and the post-election period, meeting with a wide range of electoral stakeholders throughout the country. STOs arrived in Tunis four days before the elections, attended a comprehensive series of briefings in Tunis, and deployed to their assigned locations one to two days before voting began. On Election Day, IRI observers were present during all stages

of the voting process at 248 of the country's 7,213 polling stations. They observed the opening of polling centers, visited multiple polling stations and centers throughout Election Day and attended the closing of polling stations and portions of the ballot counting and results consolidation processes.

IRI's international observers found the elections to be conducted in a positive atmosphere of national pride, with enthusiastic voters waiting patiently to express their democratic will. High voter participation in an environment that was peaceful and orderly suggests that Tunisia has taken an important step toward a democratic future. IRI's delegation found polling station officials to be professional, knowledgeable about their duties and committed to conducting the elections according to established rules and procedures. This is especially notable given that they were administering Tunisia's first democratic elections.

The elections featured a new set of laws and procedures instituted during the interim period after President Ben Ali's departure. Election procedures were developed by the Independent Higher Authority for Elections (known by its French acronym, ISIE), which was appointed by the interim president on April 18, 2011. Due to a variety of factors, the ISIE announced election procedures less than one month before elections. As a consequence, the short time period meant the training of election workers and the dissemination of election materials was challenging. Likewise, the late announcement of procedures delayed voter education efforts that might have resulted in a better informed electorate. For future elections, IRI recommends the finalization and announcement of election procedures no later than 60 days prior to the date of elections. An enhanced effort to train larger numbers of election workers through a training-of-trainers model would strengthen the ability to conduct elections in an orderly and efficient manner, likely resulting in shorter lines for voters.

The widespread participation of Tunisian nonpartisan domestic observers and political party agents contributed to the elections' atmosphere of transparency. Domestic observers were present at almost every polling station IRI visited and were found to be well trained in election procedures, as well as serious and professional in conduct. Party agent monitoring was also commendably widespread. IRI did, however, note several instances of undue influence by party agents in some governorates, and therefore recommends that additional political party agent training be undertaken before the next election. IRI believes that a lack of understanding of electoral rules contributed to party agents not fully understanding their roles.

IRI's election observation mission found the results of the elections accurately reflected the collective will of the Tunisian people and were conducted in a competitive and fair electoral environment. The ISIE proved capable of administering nationwide elections under a new framework of laws using inexperienced personnel. Political parties played a supportive role in the construction of the election framework and upheld democratic principles by cooperating with election regulations.

IRI's delegation was encouraged by the vibrant political party campaigning that occurred in advance of elections. The delegation found the large number of electoral choices presented to voters to be consistent with first elections that have occurred in many countries in democratic transition. Tunisia's political forces must now find ways to work together constructively in a democratic context if the country's elected institutions are to respond to voter priorities. In addition to demands for freedom of assembly and expression, these include economic opportunity and improvements in the quality of life. Elections are an important step toward a democratic Tunisia, but they are still just one component of the democratic process. Tunisia's elected

leaders will have to cooperate to reform and govern effectively if Tunisian democracy is to flourish.

I. Election Background

At the invitation of the government of Tunisia, IRI sponsored a 37-member delegation to observe the nation's elections on October 23, 2011. IRI prepared this report based on the in-person observations of its delegation members and staff. This report contains IRI's detailed observations of the pre-election period, Election Day and the immediate post-election period, as well as recommendations to stakeholders to improve the electoral process for future elections.

IRI's delegation was led by the Honorable Tim Pawlenty, former governor of Minnesota, with His Excellency Emil Constantinescu, former president of Romania as co-leader (See Appendix B for a full list of the delegation).

The build-up to Tunisia's NCA elections was characterized by a mix of uncertainty, disarray, unprecedented levels of activism and intense campaigning by political entities and myriad civil society organizations. In years past, Tunisia's elections were calm affairs: elections were orderly and few options other than Ben Ali and his party, the Constitutional Democratic Rally (RCD), were presented. Many Tunisians would use the opportunity to go on vacation rather than vote, knowing prior to Election Day what results would yield. Ben Ali never obtained less than 90 percent of the vote for president (and often ran unopposed) and the RCD never dipped below 85 percent in parliament, always ensuring its control over Tunisia's political affairs.

This status quo was turned upside down after a popular uprising overthrew President Ben Ali on January 14, 2011, at which point Tunisia entered an uncertain transitional period. For the first time since the founding of the modern Tunisian state in 1956, political activity began to blossom – more than 100 political parties registered and a nascent civil society sector grew even faster.

Authoritarian laws governing freedom of association were immediately lifted, and elections for a new president, later switched to an NCA to draft a new constitution, were announced. Tunisia's political leaders and population have remained dedicated to this course of reform with only minor adjustments.

The NCA is responsible for drafting a new constitution, which will determine a political framework for a newly democratic Tunisia. Once the constitution is ratified, elections for a new government are expected. In addition to the task of organizing elections, the interim government inherited a continuing economic crisis, one of the principal causes of the uprising against the old regime. A sudden deterioration in domestic security added to the urgency of establishing a stable and capable government.

II. Pre-Election Period

A. Transitional Authorities

During the pre-election period Tunisia was governed by the interim National Unity Government, an executive cabinet that was first appointed in January 2011 but underwent several subsequent reshufflings. The government was headed by interim President Fouad Mbazaa and interim Prime Minister Beji Caid Essebsi, a former senior official in the cabinet of Habib Bourguiba, Tunisia's first president. Tunisia's parliament was disbanded after it gave the National Unity Government constitutional authority to rule by decree.

To manage political reform in Tunisia, the interim National Unity Government appointed an independent commission of legal experts, political party representatives and civil society leaders called the High Commission for Achievement of the Goals of the Revolution, Political Reform, and Democratic Transition. Known as the Ben Achour Commission after its chairman Iyadh Ben Achour, the body was given the power to reform the laws governing political participation during the transitional period, culminating in democratic elections. On March 3, 2011, interim Prime Minister Essebsi called elections for an NCA, which would have the power to write a new constitution. Originally scheduled for July 24, 2011, elections were postponed until October 23 in order to provide sufficient time to set a budget for elections, conduct voter registration, determine the number and location of polling stations, create standard voting procedures, and to hire and train personnel.

To prepare the elections, design rules for the electoral process and campaign period, and supervise the conduct of electoral procedures, interim President Mbazaa established the ISIE by decree on April 18, 2011. A national committee of 16 members was elected by the Ben Achour Commission over a period of several weeks. In the absence of a satisfactory regulatory framework for democratic

elections, the ISIE had to develop a new election law which was adopted on May 10. Due to disputes over personnel and the resulting deadlock, the ISIE made little substantive progress toward finalizing the procedural rules and logistics of the elections until June. On July 11, voter registration opened and dates were set for observer accreditation, candidate registration and campaigning.

Delegates for the NCA were elected by proportional closed list. Candidates from 81 of the 116 official parties filed a total of 830 party lists in Tunisia's domestic constituencies (all but seven of these parties were licensed for the first time in the spring of 2011). In addition, 655 lists were submitted for independent candidates and 34 for coalition lists. The vast majority of candidates running for election had no previous involvement in Tunisian government or political parties.

In order to consolidate a full break from the old system, the Tunisian election law prohibited former regime officials and RCD members involved in party duties in the last 10 years from running for office. In a nation of 10 million people, the RCD boasted approximately two million members. As part of the party's dissolution, no official in the current Tunisian government is allowed to have been a member of President Ben Ali's cabinet, and all major party officials have been officially excluded from public life. Still, some old regime elements managed to form new political parties that did receive a limited number of seats in the NCA elections. These and other parties with connections to the RCD remain active with no more restriction on their operations than any other political party.

The new election law continued Tunisia's legacy of commitment to securing and protecting the rights of women. As part of the proportional closed list system, ISIE mandated that candidate lists alternate male and female candidates and that half of all

candidates on a list be women. While this constitutes a serious attempt at gender parity in the constituent assembly, the fact that only seven percent of lists had a woman as the first name meant that after the final results were released on November 14 only 49 of the 217 members, or 22.6 percent, were women. Currently there are 51 women in the NCA, after two delegates were appointed to cabinet ministries and their seats filled by women. However, this is still well below the 50/50 threshold set by ISIE. Ultimately, the low placement of female candidates on party lists resulted in disappointing representation for women in the assembly. Ennahda, the only party to consistently win more than one seat per electoral list, came closest to achieving gender parity with 42 women out of 89 total NCA delegates.

B. Voter Registration

The ISIE was able to complete all necessary preparations in time for the October 23 elections. However, certain shortcomings of the preparatory process may have contributed to notable difficulties during the elections. Tunisia's anemic voter registration is an instructive example, hindered by poor preparation, ineffective communication and insufficient efforts to correct misinformation. Originally scheduled from July 11 to August 2, participation rates during the registration process were low due to unfamiliarity and insufficient explanation by ISIE regarding its purpose. Registrations plummeted after it became clear that any adult Tunisian with a valid national identification card could vote. An extension of the registration period until August 14 made it possible for more than 50 percent of eligible voters to register, but ISIE failed to resolve confusion over the distinction between actively and passively registered voters until the week of the elections. The overall effect of these missteps on voter turnout is difficult to estimate, but it directly contributed to the lackluster level of voter registration and frustration on Election Day as many voters went to the wrong polling station

and had to be redirected.

It is important to note the steps ISIE took to distribute accurate and consistent information on the elections. Approximately 1,000 registration centers were set up to accommodate voters and voter lists were published in late August for public scrutiny. An SMS-based system made it possible for voters to verify their registration and the location of their respective polling stations; the same service was also available on the ISIE website. However, these arrangements proved inadequate to distribute crucial information for the elections. In the future, registration must be more intensely promoted to raise awareness and managed meticulously to ensure they provide voters with accurate information.

C. Voter Education

Only in September, weeks prior to Election Day, did voter education become a priority for civil society and the Tunisian public. Education efforts suffered the same defects as voter registration – vague, often contradictory messages on voting procedures and a general lack of information on the responsibilities of the constituent assembly complicated the drive to educate Tunisian voters and fueled disillusion among many over the process in general. The slow pace of voter education was a result of several factors, including the month of Ramadan occurring in August and ISIE’s delay in establishing the actual rules for voting (many details of voting procedures were not made public until early October).

Voter education efforts were undertaken both by the Tunisian government and activist groups. ISIE conducted nationwide outreach to provide voters with rudimentary information on the electoral process. In addition, Tunisia’s nascent civil society, often with international assistance, produced an array of

initiatives to educate the voting public on elections and explain the importance of voting. Voter education programs addressed the questions of how to vote and the significance of the constituent assembly to a democratic transition in Tunisia. Campaigns in traditional and social media encouraged all Tunisians to vote regardless of registration status.

During July and August, IRI began to develop a voter education strategy in cooperation with civil society partners using community forums, public town hall meetings and broadcast media to distribute information to voters. IRI's voter education campaign was launched in September after the Ramadan holiday and the delayed announcement of the voting procedures. The campaign targeted citizens through direct personal outreach and mass media to distribute information about the constituent assembly elections and to encourage citizens to vote. IRI worked closely with three civil society partners to implement these activities. The first, I-Watch, with its large membership and nationwide network, was tapped to organize town halls and to be a partner in IRI's broadcast media campaign. Two other groups, Touensa and Esprit Citoyen, both active civil society organizations whose specialty is hosting community lectures and discussions, organized conferences and lecture groups called Cafés Citoyens, which featured themes including voter education, constitutional law and Tunisian politics. These venues featured a town hall format for events that allowed participants to ask questions and featured speakers or moderators leading group discussions.

These efforts served to raise awareness of the elections and educate members of the voting population, yet it is important to note they cannot replace a comprehensive long-term voter education campaign undertaken by ISIE or another Tunisian authority. While they were an important supplement to ISIE's own campaign, efforts by Tunisian civil society were limited by

poor coordination and inadequate resources. A longer period for voter education will ensure that information is delivered nationwide. Closer coordination would also reduce the number of conflicting messages that complicated voter education initiatives.

D. Election Campaigning

From January to October 2011, more than 100 new political parties entered Tunisia's burgeoning political arena. Nearly 12,000 candidates, running on 1,598 candidate lists, entered the constituent assembly elections, competing for only 217 seats. Parties were joined in the election campaign by a flood of independent candidate lists and coalitions with party candidates actively organizing as early as February to build constituencies and establish national organizations. In this interim period, IRI provided training in grassroots outreach and organizational development to 1,230 members of eight different political parties representing the full political spectrum in Tunisia. Participants were trained in door-to-door campaigning, messaging and communications, public speaking and campaign management.

Previously unknown parties had the difficult task of introducing themselves to the public, recruiting volunteers, nominating candidates and mounting campaigns in an extremely short period of time. In order to ensure that each candidate list had an opportunity to convey its message to the public, ISIE allocated three minutes of free airtime on public television or radio for a representative of each list. ISIE also sought to mitigate the financial advantages enjoyed by some parties through numerous regulations on spending and party financing. The most visible of these regulations was a ban on all political advertising from September 12 to October 1, 2011. Unfortunately, ISIE was unable to adequately enforce the ban, and political advertising continued in earnest well into the ban period. In many cases

parties did not remove advertising from public areas until the last few days of the ban. In addition, ISIE did not enforce the ban with proper penalties, in part because its own powers were vaguely defined and because ISIE officials appeared to fear being accused of supporting one party over another in enforcing the ban.

ISIE placed heavy restrictions on party spending in order to ensure that parties had equal public exposure regardless of their resources. While the notion of allowing each party to compete solely on the merits of their respective platforms was admirable, in Tunisia's unique circumstances it may have been counterproductive. Tunisians routinely expressed frustration that they did not know enough about political parties and needed additional information about candidates in their district. A more worrisome complaint was that campaign regulations were not evenly enforced by ISIE. Discrepancies in what constituted political advertising and lackadaisical enforcement made ISIE seem inconsistent and resulted in overt political advertising for some parties until the final days of the ban.

The official campaign period from October 2 to 21, 2011, was peaceful, with no major incidents. Candidates were free to conduct campaign activities and get-out-the-vote initiatives throughout the period. A number of allegations of campaign violations were raised, but were handled according to Tunisian law and did not constitute any threat to the overall integrity of the elections. Media coverage of the campaigns was monitored by ISIE's media center to ensure fair and unbiased reporting on electoral candidates. Direct speech by candidates in the media was limited to ensure that no list was given preferential treatment.

III. Election Period

A. Pre-Election Meetings

In order to provide impartial observation of Tunisia's electoral processes, IRI's international delegation arrived in Tunis on October 19 to begin preparations for deployment on Election Day. Over the week leading up to the elections, IRI's delegation held extensive meetings with political party representatives, public opinion experts, civil society leaders and election law experts from Tunisia and international organizations. In Tunis, delegation members received briefings on the political situation in Tunisia, the unique aspects of Tunisia's electoral codes, and the progress of the campaign period. In addition, delegation members held meetings with ISIE leadership and U.S. Embassy staff for additional perspectives on the political context of the elections and the effect of the transitional process and election preparations.

Two days prior to Election Day, IRI observers deployed to their assigned regions to meet with municipal and regional ISIE officials, candidates, civil society representatives and other international observer teams. IRI observer teams interviewed these groups, along with local citizens, to identify the issues of specific local concern for Election Day. In general, local authorities, candidates and other stakeholders expressed confidence for successful elections and high turnout. The most common concerns expressed to IRI observers were the potential for confusion raised by having two different types of polling centers – one for actively registered voters and one for passively registered voters – and that the lack of voter education would hinder the voting process.

Throughout Tunisia the pre-election environment was calm. Observers noted that in most areas business continued as usual

and political activity was minimal after campaigning officially ended. While IRI observers did not witness any significant campaign activity, campaign materials were still present in public areas throughout the country. Most of these materials were posters displaying party names and ballot symbols.

Outfitting of the polling centers went smoothly, and security forces were observed guarding entryways to polling areas. IRI did not witness or hear reports of any attempt to tamper with voting materials prior to the elections or to gain unauthorized access to polling areas. In visits with local ISIE offices, IRI noted that citizens were permitted to visit their ISIE branch with any questions or concerns regarding issues such as their registration, use of the national identification card or the meaning of ballot symbols.

B. Election Day

On October 23, 2011, IRI's 14 short-term observation teams and five long-term observers visited 248 polling stations within 147 polling centers throughout 15 of Tunisia's 24 governorates. Each team observed the opening of voting at one polling station, voting procedures at multiple polling stations, and the closing and vote counting procedures at one polling station. At each station they visited, observers conducted interviews with the local polling officials, party representatives and other observers present at the time. Observers completed a detailed written checklist and filed a comprehensive report after departing each polling station.

Based on observer reports, IRI's delegation found the elections to be conducted in a positive atmosphere with enthusiastic voters waiting patiently to express their democratic will. IRI's delegation noted voting proceeded according to the election law and in keeping with international standards. Polling station

officials were professional, knowledgeable about their duties and committed to conducting the elections according to established procedures. This is especially notable given that they were new to electoral administration and were under pressure to perform. Although a few irregularities were observed, these did not constitute a systemic pattern of violations nor did they have any significant effect on the integrity of the elections or the results.

Opening Procedures

IRI observers were present for opening procedures at 20 polling stations nationwide. While there were some irregularities noted, the opening of the polls passed with no major incidents and observers found no pattern of irregularities or violations that would have affected election results in their assigned areas. Procedures were observed closely by polling station staff and other stakeholders such as the police and national army. In every location they observed, IRI delegates and staff were welcomed into the polling station and all procedures were conducted in their full view. IRI also noted the presence of local civil society monitors and party representatives in many polling stations; police and security permitted entry to any visitor with official credentials to observe the voting.

Overall, IRI's observers were impressed by the level of preparation exhibited by ISIE regional and local staff. Polling centers and stations were fully staffed and members of the local commission were familiar with election procedures. All staff encountered by IRI observers in polling centers and stations had been well trained by ISIE for their specific roles.

However, some problems were noted. ISIE staff at several polling stations found they were issued an insufficient number of ballots. In Monastir, extra ballots were delivered before the opening procedures by military vehicle. In Gabes, IRI visited a polling center consisting of two polling stations. Ballots for

each station were only collected in one ballot box, and only 1,000 ballots had been issued for 4,676 registered voters. The polling center staff informed IRI observers that they did not anticipate a need to request additional ballots, but were aware that they were available from ISIE if necessary.

Several issues became apparent during opening procedures that would become regular impediments to voting throughout the day. Even as early as the opening of polling, long lines of voters had begun to form outside polling stations. Wait times would only increase as the day went on, exacerbated by a ballot-casting process that was slowed by perhaps unnecessarily cumbersome voting procedures, described in greater detail later.



At Bourguiba primary school in Gabes, ballots for two polling stations (501 51 091 03 and 510 51 091 04) were combined in one.

Among these issues, the most consistently troublesome and the most ubiquitous in areas where IRI’s observer teams were deployed were inconsistencies in the voter registry. Actively registered voters – those who registered with ISIE prior to Election Day – often arrived at a polling station with a paper receipt authorizing them to vote at that location, only to find their names absent from the voter rolls. This problem became apparent within minutes of opening at stations throughout the country. Polling center staff instructed voters to use ISIE’s SMS-based system, in which voters could receive the location of their polling station by submitting their national identification number to cross-check their paper receipt and verify they were at the correct location. In cases when the SMS message confirmed the voter was at the correct station, voters were allowed to cast a ballot even if their name did not appear in the registry.

More commonly, the SMS message would not match the paper receipt, and the voter would be sent to a different polling station.

In spite of these issues, ISIE staff adhered closely to opening procedures. Furthermore, in no polling station or center did IRI observe third parties attempting to interfere in the process of opening. Police and security filled their roles with a high degree of professionalism, as did civil society and political party representatives. Overall, opening procedures went smoothly and election officials were well prepared to perform their duties throughout the day.

Voting

At the vast majority of polling centers visited, IRI observers rated the level of organization and security positively. Observers were impressed with the consistency with which polling stations were set up and voting procedures were conducted. Polling stations were uniformly organized according to specifications from ISIE's procedural manual. Staff were familiar with the voting procedures and performed their duties competently and in strict adherence to the law. Security arrangements were consistent at polling stations throughout the country. With no notable exceptions, security personnel were located at the entrance of the polling center and nowhere near the polling stations themselves.

For the most part, oversight of voting was conducted in an orderly manner by informed commissioners. Access to the polling places was well regulated. Candidate observers had visible credentials that appeared to be checked by the commission before they were allowed in the room. Typically voters' identifications were not checked by police prior to entering the polling centers, in keeping with the election law. In some regions this was not the case, and police and military officials asked to see identification for citizens seeking to enter the polling center. On no occasion did this appear to be malicious, rather security personnel wanted

to help accelerate voter check-in. IRI observers did not witness any undue denial of entry to polling centers, and a designated ISIE official continued to verify identification for all voters and observers.

IRI observers were impressed with the widespread deployment of political party agent observers and nonpartisan domestic observers. IRI's observer teams noted the presence of domestic observers in nearly every polling station they visited. Domestic observers were well-trained and knowledgeable of the election procedures, and generally performed their roles proficiently. However, isolated incidents did occur in which domestic observers attempted to interfere in the voting process. In those cases witnessed by IRI observers, the violation did not appear to be intentional but rather the result of a genuine misunderstanding of their role in observing the electoral procedures. In no instance did IRI witness domestic observers holding an undue influence over voting, and generally polling center staff and other observers in the area were able to correct any improper conduct.

Observers also witnessed isolated instances of campaign activity and electioneering. In one case in Gabes governorate, IRI encountered a group of people distributing sample ballots outside a polling center that instructed voters to select a particular candidate list. In other areas, observers noted that campaign materials were still present in public areas. However, campaign materials were not found in any polling center or adjacent spaces, and incidents of campaign activity were minimal, isolated and handled professionally by ISIE staff or security personnel in accordance with the law.

In addition to these minor issues, IRI noted several near-ubiquitous elements of the election procedures that made the voting process needlessly cumbersome. While none of these problems were enough to threaten the integrity of election

results, they did limit efficiency at the polls and may have hurt effective voter participation. Moreover, IRI believes that minor adjustments to voting procedures could reduce or eliminate many of them.

The most prominent of these issues was confusion caused by an unclear and unreliable voter registry. In all governorates where observers were deployed, the most problematic irregularity witnessed was that voters frequently received misinformation about where they could vote. One clear source of confusion was the two-tiered voter registration system used by ISIE. Polling centers exclusively served either actively registered voters or passively registered voters, and citizens were frequently directed to centers where they were unable to cast their ballots. While ISIE is to be commended for making additional efforts to enfranchise voters by allowing for passive registration through the use of the national identification card, this provision resulted in voter confusion about where and how to vote.

If this system of active and passive registration is preserved for the next elections, authorities will need to go to greater lengths to explain the differences. IRI observers noted that many passively registered voters would arrive at actively registered polling centers and would then be sent away. Conversely, actively registered voters were occasionally sent to passively registered centers if their names could not be located on the voter registry. It was apparent that though ISIE officials clearly understood the distinction between active and passive polling centers, voters and media did not. In one case, local radio broadcast inaccurate instructions which told all voters whose names could not be located on the voter registry to report to a polling center for passively registered voters. This resulted in further delays as many actively registered voters who had simply gone to the wrong polling center were sent to another center where they could not vote. ISIE officials and IRI observers both noted that

this problem could have been prevented by a centralized voter database. The confusion resulted from the fact that each polling station only had a list of voters authorized to cast ballots at that singular location, but if every station had access to a regional or national voter registry, the correct station for each voter could be verified on the spot.

The number of polling centers for passively registered voters was also insufficient to serve the large number of prospective voters who turned out on Election Day. Passively registered polling centers were frequently assigned 10 times the number of voters as actively registered centers. The number of voters assigned to each passively registered station was typically between 2,000 and 2,500, compared to no more than 1,000 for actively registered centers. With as many as 10 polling stations per center, it was not uncommon for passively registered centers to have up to 27,000 voters assigned to them. Even though turnout for passively registered voters was dismally low at 14 percent, passive-registered centers were full to capacity. Also due to the low number of polling centers, passively registered voters often had to travel quite far to vote, a further discouragement to participation.

Many of the paper receipts given to voters by ISIE turned out to be inaccurate, as voters would arrive at the designated station to find their name absent from the rolls. Further confusion was caused by voters who registered in a constituency where they did not reside. The most common of these cases were students and workers whose business was conducted outside their home district – often these individuals were registered to vote in the wrong area, and discovered on Election Day that they were unable to vote in their neighborhoods.

ISIE's SMS message-based system – in which voters could send their national identification number and receive the location of

their respective polling center – was quickly overloaded, and remained unavailable for long periods throughout the day. Many voters received different information from the SMS system than they had on their paper receipts, but the SMS message was recognized everywhere as the official verification of ISIE. In addition, voters were frequently frustrated and delayed by slow responses from ISIE. Some who had gone to the wrong station were assigned to distant polling stations that they could not reach in time to vote.

The voter registry also seemed to exclude many young voters who became eligible to vote within 12 months of the elections. IRI encountered many young voters who reported that they had actively registered to vote but their identification numbers did not appear in the voter register. Because they had already registered, their names were also absent from the rolls at polling centers for passively registered voters, rendering them unable to vote.

IRI observers noted long lines outside nearly every polling center they visited throughout the course of Election Day. While nationwide turnout was approximately 54 percent, turnout was much higher in some areas; polling stations for actively registered voters commonly had a turnout of more than 70 percent, and many even experienced turnout higher than 90 percent. Voters displayed impressive patience and dedication, often waiting in line for more than four hours to cast their ballots. However, such lines indicate preventable inefficiencies in the voter check-in and exit process. . Election officials commendably avoided overcrowding in the polling stations, but IRI observers noted that it was relatively common for two of the three voting booths in each station to be empty during their visits. There were rarely more than two voters in a station at once, making the voting process significantly slower and extending lines outside. The provision requiring election officials to hold the voter's

identification card until after the voter had cast a ballot resulted in quite a few voters leaving without their documents, which in turn caused further delays and confusion when they returned to retrieve them. Many election officials complained to IRI observers about the voter register, saying that the lack of alphabetical organization created delays in finding voters in the register. These procedural and organizational problems caused unnecessary delays that could have easily been avoided.

The length of lines was also exacerbated by an uneven distribution of voters among polling stations. IRI observers noted large discrepancies in the number of voters assigned to each polling station within a given center. For example, one polling center IRI observed in Kasserine had three polling stations of 150, 500 and 900 voters respectively. This made lines unnecessarily long at some polling stations and greatly increased wait times. Within the same polling center, it was not uncommon for one polling station to have a wait time of several hours, while another station next to it would have a wait time of 30 minutes or less. A more even distribution of voters from station to station is a simple way to reduce delays and make the voting process more efficient.

In addition to the confusion and inefficiencies caused by the voter registry, IRI observers noted that restrictions on assisting voters were problematic for illiterate and elderly voters who had difficulty understanding the ballots. IRI teams witnessed a high number of elderly or illiterate members calling out for assistance while inside the voting booth. In nearly every circumstance, polling station chiefs told the voter he or she could not be assisted. This was especially frequent in rural areas where literacy levels are lower and where a higher proportion of the electorate is elderly. Illiterate voters had trouble understanding how to mark the ballot, and also how to complete the voting process by putting their ballot into the ballot box. Many voters were denied assistance in such simple tasks as folding the ballot

so that it would not show outward. IRI noted in several instances that voters who could not understand the ballot cast unmarked or wrongly marked ballots. ISIE officials were commendably dedicated to observing procedures, but there were some occasions when strict adherence to the rules resulted in preventable delays. Polling station officials acknowledged that the rigid procedures to assist voters caused difficulty with illiterate, elderly and vision-impaired voters. The length and complexity of the ballot often made it necessary for these individuals to receive some assistance, which was not provided because it would have technically violated the voting procedures.

IRI observed a large number of people with disabilities voting on Election Day. In one instance, a group of voters waiting in line carried a man in a wheelchair up the steps into his polling center, and carried him down the steps after he voted. In most regions, people with disabilities did not have to wait in line to vote; they were immediately instructed to move to the front. The polling station officials handled each situation involving people with disabilities with professionalism. Voting for anyone with limited mobility was often a challenge as few polling centers and stations were handicapped-accessible, especially in some rural areas where schools were located on hills with only stairs for access. Even in cities and towns, disabled access was limited – while schools might have handicap access to the main entrance, the classrooms used for polling were generally less accessible. However, there was no pattern of disfranchisement for disabled voters, who were helped by collaborative community effort with voters and the army taking turns to assist the handicapped through station entrances.

IRI's delegation was pleased to see that women were active and important participants in ISIE commissions. In addition to their participation in the elections as candidates, women were frequently given leadership positions within local polling

commissions. Throughout Tunisia, some confusion occurred regarding gender-segregation of polling stations. In the morning hours, IRI observers frequently observed mixed-gender lines of voters, in accordance with the official election procedures. By mid-day and into the evening, polling stations were almost entirely segregated by gender. Although lines of women voters progressed at the same speed as men, several women approached IRI observers to question the segregation and to express their dismay at the practice, noting it is outside written procedure. IRI observers also reported that many ISIE officials were young, a welcome sign of inclusion of Tunisia's large youth population.

Closing and Counting

While the closing of the polls and sorting and counting of ballots passed with no critical errors, IRI found that election commissioners were less confident of their knowledge of the counting procedures laid out in the electoral law than they had been about voting procedure throughout the day. Counting proceeded slowly as officials undertook their roles with great care and often had to stop because they had to ensure they were adhering to procedure. In spite of a few minor hitches, closing and counting were still conducted properly and in accordance with the election law, giving IRI observers no reason to doubt the accuracy of the final results.

Most polling stations were closed on schedule at 7:00 pm; voters who arrived before 7:00 pm but had to wait in line were allowed to cast a ballot, with closing occurring no later than 8:00 pm in these cases. In one polling center, IRI observed two voters who were allowed into a polling station to cast ballots after 9:00 pm, for which the station commissioner had to unseal the ballot box – domestic observers present at the time filed a complaint with ISIE describing the incident. Though generally they remained impartial, IRI also noted that nonpartisan domestic observers occasionally tried to assert a role in guiding the ballot

counting – in these instances the polling station commissioner corrected the observers and proceeded according to the election law. In one station IRI observers witnessed another observer take an active role in sorting ballots; this interference was done in full view of the election commission, IRI observers and other observers present at the time, and the election officials did not appear to understand it was a violation of the sorting and counting procedures.

IRI observers found that polling station officials usually went to painstaking lengths to ensure that counting was conducted precisely and accurately. In all stations IRI observed, sorting and counting of ballots was performed in full view of observers and election commission staff. Adherence to procedures was not as strict as it had been throughout the day, due in part to fatigue among the election commission staff and apparently a less comprehensive understanding of the counting process. For instance, in several polling stations the ballot counting room was not sealed and staff members and observers were allowed to come and go throughout the counting. In another case, polling station staff sealed the ballot box and refused to begin counting until it had been opened by the regional ISIE president. After this was challenged by a political party observer, the polling center manager called the local ISIE chapter and confirmed that they could proceed on their own. Ultimately, these irregularities were minor and the counting process overall was characterized by a rigorous attention to detail and meticulous observance of election rules.

The lack of clear procedure on how to correct errors caused some delays in counting. Occasionally, ISIE staff would make a mistake but did not know the legally appropriate way to rectify it. For example, IRI observed one polling commissioner accidentally seal all three copies of the station's minutes in the ballot box. The commissioner realized his mistake, but there

was no clear procedure in the ISIE guidelines to unseal the box and reorganize the materials in the correct fashion. In the end, the local staff had to contact their regional director and ISIE national headquarters to determine an appropriate course of action. This caused more than an hour delay to the conclusion of counting.

The counting protocols were also extremely time-consuming. The large sheets containing space for every party list were blank, forcing ISIE staff to write each candidate list by hand. With more than 60 candidate lists in most constituencies, this process proved unnecessarily difficult. Pre-printed protocols with list names would have saved considerable time and protected further against human error in recording the information.

IV. Findings and Recommendations

As stated in IRI's initial press statement released on October 24, 2011, IRI's delegation found polling station officials to be professional and knowledgeable about their duties and committed to conducting the elections according to established rules and procedures. The technical success on Election Day belied a difficult registration process and delayed confirmation and release of Election Day procedures to the public. Based on the observations of IRI during the pre-election period and on Election Day, IRI offers the following recommendations to improve future elections:

1) Extend the official campaign period and allow candidates greater freedom to conduct voter outreach. An extremely short, heavily regulated campaign period imposed unnecessary limitations on voter education and legitimate party activities. In a country where speech and political activity were heavily censored – and where more than 100 new political parties were registered in less than one year – candidates were officially allowed only 22 days to introduce themselves to the electorate. The abridged campaign period inhibited parties' efforts to introduce their candidates and programs to voters. IRI noted frequent complaints from voters throughout the pre-election period that they did not have sufficient knowledge about political parties or their candidates to make informed decisions. Future elections should provide adequate time for candidates to campaign, especially in the coming years when constitutional reforms take effect and elections are held for newly established institutions.

2) Further clarify regulations on campaign financing and provide adequate resources to investigate and punish violations. Article 52 of Decree Law Number 35 on Election of the National Constituent Assembly prohibits both foreign

funding of campaigns and the use of private assets, but fails to define what constitutes a violation of these proscriptions. This ambiguity led to widespread accusations of foul play by parties, which, in turn, threatened the integrity of the electoral process. Moreover, it contributed to the irregular and imprecise enforcement of the election law. IRI observed uneven and weak enforcement of a ban on political advertising from September 12 to October 1, 2011, which was resisted by parties. For future elections, Tunisia's election authority must communicate its interpretation of the election law more clearly to parties and must have the organizational capacity to investigate all alleged violations of campaign financing and enforce penalties when appropriate.

3) Initiate a comprehensive, centrally administered voter education campaign from the beginning of the voter registration process. The Tunisian media and authorities were quick to claim an impressively high turnout, based on the rate of turnout among registered voters – approximately 75 percent. Among non-registered voters, that number was an abysmal 14 percent. The total turnout among all eligible voters for the elections was approximately 54 percent – quite low considering Tunisia's small size and educated electorate. This turnout rate was primarily attributable to two causes: the low level of voter education about the NCA and its functions and ISIE's late announcement of election procedures (less than one month prior to Election Day). Failure to adequately educate the electorate on how and why to vote likely contributed to a mediocre level of participation. Future elections would be improved by a comprehensive and long-term voter education effort by Tunisia's election authority beginning with an extensive voter education undertaking on voter registration.

4) Simplify the rules for voter registration. ISIE is to be commended for making additional efforts to enfranchise

voters by allowing for passive registration through the use of the national identification card. However, this change in voter eligibility and the use of both active and passive registration systems late in the process resulted in confusion about where and how to vote. ISIE's registration effort would have been strengthened by a clear and simple process for voter registration. Additional efforts must also be made to ensure higher registration of young voters.

5) Announce election procedures at least 60 days in advance of elections. IRI recommends the finalization and announcement of elections procedures well ahead of the date of elections. Confusion over procedures posed an obstacle to fuller voter participation and slowed the pace of voting at polling stations. An enhanced effort to train larger numbers of election workers through a training-of-trainers model would strengthen the ability to conduct elections in an orderly and efficient manner, likely resulting in less wait time for voters. Tunisia's constitution, which will determine the new system of government and elections, has not yet been ratified, and it is likely that elections will be called shortly after its announcement. Still, sufficient time – no less than 60 days – should be allowed for publication of election procedures to allow the public time to become familiar with the system and to properly train election commissioners.

6) Streamline the voter check-in process. A specific weakness noted by IRI was the length of time required by election workers to locate names on the voter registry in each polling station. Combined with long lines at many stations, this contributed to a lengthy wait time required to cast votes. Although Tunisians patiently stood in line, sometimes for hours, to cast a ballot, IRI strongly recommends that electoral authorities consider more election workers to check in voters in future elections. Additionally, improvements to the voter registry could greatly improve the efficiency of the voting process. IRI observers

noted the voter registry was not in alphabetical order, which lengthened the time required to locate each voter in the registry. IRI suggests the creation of a centralized voter registry organized by name in order to guarantee nationwide consistency in the registry and optimum efficiency.

7) Improve voter information services and hedge against technology failures. A significant number of voters had difficulty locating their respective polling stations on Election Day. ISIE's SMS-based system to inform voters of their polling stations exhibited several shortcomings. Information was not always accurate, sending voters to the wrong stations. Messages were sent only in French and some voters complained to IRI observers that they could not understand them. The SMS message system quickly became overloaded on Election Day and stopped working altogether for long periods throughout the country. Tunisian election authorities could make future elections smoother by designing a more accurate and user-friendly system. Furthermore, a backup voter information system should be made available in case the primary system encounters technical difficulties, as it did on October 23.

8) Increase the number of polling centers for passively registered voters. If Tunisia maintains the hybrid system of both actively and passively registered voters, additional provisions must be made to ensure all passively registered voters the opportunity to participate. IRI observers noted that polling centers for passively registered voters were consistently more crowded than centers for the actively registered. In part, this is because many more voters were assigned to passively registered stations. While increasing active voter registration should be the ultimate priority, Tunisian election authorities should also reduce the number of voters assigned to each passively registered station.

9) Reduce discrepancies between the numbers of voters assigned to each polling station. IRI observers consistently reported uneven assignment of voters to polling stations as a potentially unnecessary cause of long lines. Often within the same polling center, station assignments varied by as many as 500 voters. More even distribution of voters among polling stations would reduce waiting time and maximize election commission resources.

10) Improve training of political party agent observers on election procedures. IRI noted a widespread participation of Tunisian nonpartisan domestic observers and political party agents in nearly all polling stations delegates visited. IRI found most domestic observers to be well trained about election procedures and serious and professional in conduct. IRI did however note several instances of undue influence by party agents in some governorates and therefore recommends that additional political party agent training be undertaken before the next elections. IRI believes that a lack of understanding about electoral rules contributed to party agents not fully understanding their roles.

11) Provide assistance to illiterate, disabled and elderly voters. While election officials are to be commended for respecting the letter of the law, some provisions should be made for illiterate, disabled and elderly voters who need assistance to cast ballots. Allowing voters to designate someone to assist them, as is done for blind voters, would reduce confusion and improve participation. IRI noted that illiterate voters faced acute challenges in casting ballots and strongly recommends that future elections include targeted education initiatives for illiterate voters. Procedures to assist illiterate and disabled voters must also be clarified for future elections and made an integral part of election worker training.

12) Strengthen measures to prevent illegal campaigning on Election Day. IRI noted isolated instances of improper campaigning by political party supporters on Election Day, including the distribution of sample ballots and electioneering inside polling centers. Improved understanding of election rules by parties would help decrease instances of improper campaigning in future elections. Likewise, future elections would be strengthened by increased organizational capacity in Tunisia's election authority to aggressively investigate alleged campaign violations concerning vote buying and electioneering. Strict enforcement of rules must be accompanied by well-established and strictly enforced penalties for proven violations.

13) Improve communication regarding seat allocation and announcement of election results. The allocation of seats and official announcement of election results became a flashpoint for several instances of violence and social unrest. The preliminary announcement of election results while campaign violations were being disputed through the administrative court may have led to unnecessary rioting in several regions of Tunisia. Protests against the disqualification of eight seats won by the Aridha Chaabia list led to violent clashes with police and attacks on government buildings. The subsequent restoration of seven seats to Aridha Chaabia suggests that more caution should have been taken, at least in communicating the process of verifying violations and enforcing the law. In future elections, authorities should strive to provide clearer explanation of the appropriate penalty for violations and a clear explanation of the appeals process.

Upon successfully completing elections for its NCA, Tunisia has clearly moved forward in its transition toward democracy, and has emerged as a leader of reform in the Arab world. However, the transition process is far from complete. After a moment of national unity during the elections, the NCA must develop

consensus on complex issues including a system of shared powers, an electoral system, provisions for civil and human rights, and institutional reforms. Meanwhile, the transitional government must meet the challenges of a stagnant economy and an uncertain future. These daunting issues are far from a resolution, but the NCA elections have given Tunisian leaders the advantage of popular legitimacy, a historic precedent and first step toward a prosperous and democratic Tunisia.

V. Appendix

A. IRI's Preliminary Election Observation Statement

Tunisian Elections Historic Step Forward October 24, 2011

Tunis, Tunisia – Tunisia's October 23 election of a National Constituent Assembly marks an historic achievement in the country's transition to democracy after decades of autocratic rule. That Tunisia organized national elections only nine months after a dramatic revolution is itself an accomplishment.

IRI's international observer delegation found the elections to be conducted in a positive atmosphere of national pride, with enthusiastic voters waiting patiently to express their democratic will. High voter participation in an environment that was peaceful and orderly suggests that Tunisia has taken an important step toward a democratic future.

IRI's delegation found polling station officials to be professional, knowledgeable about their duties and committed to conducting the elections according to established rules and procedures. This is especially notable given that they were administering Tunisia's first democratic election.

Due to a variety of factors the Independent Higher Authority for Elections (ISIE) announced elections procedures less than one month before elections. As a consequence, the training of election workers and the dissemination of election materials was complicated. Likewise, the late announcement of procedures delayed voter education efforts that might have resulted in a better informed electorate. For future elections, IRI recommends the finalization and announcement of elections procedures no later than 60 days prior to the date of elections. An enhanced

effort to train larger numbers of election workers through a training-of-trainers model would strengthen the ability to conduct elections in an orderly and efficient manner, likely resulting in less waiting time for voters.

A specific weakness noted by IRI was the length of time required by election workers to locate names on the voter registry. Combined with high voter turnout, this contributed to a lengthy wait time required to cast votes. Although Tunisians patiently stood in line sometimes for hours to cast a ballot, IRI strongly recommends that electoral authorities consider more election workers to check in voters in future elections.

The ISIE's registration effort would have been strengthened by clearer guidance on the mechanics of voter registration and on the reasoning behind the choice of a closed list proportional representation system.

IRI noted that illiterate voters faced acute challenges in casting ballots and strongly recommends that future elections include targeted education initiatives for illiterate voters. Procedures for assisting illiterate and disabled voters must also be clarified for future elections.

The ISIE is to be commended for making additional efforts to enfranchise voters by allowing for passive registration through the use of the national identification card. However, this change in voter eligibility and the use of both active and passive registration systems late in the process resulted in voter confusion about where and how to vote. Future elections must attempt to provide more straightforward guidance on passive registration, or improve active voter registration efforts. Problems with passive registration voters unable to find polling locations due to technology failures must be addressed well before the next election.

IRI's delegation is encouraged by vibrant political party campaigning that occurred in advance of elections. The delegation found the large number of electoral choices presented to voters to be consistent with first elections that have occurred in many countries in democratic transition. Tunisia's political forces must find ways to work together constructively in a democratic context if the country's elected institutions are to respond to voter priorities. In addition to demands for freedom of assembly and expression, these include economic opportunity and improvements in the quality of life.

The widespread participation of Tunisian nonpartisan domestic observers and political party agents contributed to the election's atmosphere of transparency. Domestic observers were present at almost every polling station visited by IRI. IRI found most domestic observers to be well trained about election procedures, and serious and professional in conduct. Party agent monitoring was also commendably widespread. IRI did however note several instances of undue influence by party agents in some governorates, and therefore recommends that additional political party agent training be undertaken before the next elections. IRI believes that a lack of understanding about electoral rules contributed to party agents not fully understanding their roles.

IRI also noted isolated instances of improper campaigning by political party supporters on Election Day, including the distribution of sample ballots and electioneering inside polling centers. Improved understanding of election rules by parties would help decrease instances of improper campaigning in future elections. Reports of money and other handouts influencing votes should be further investigated.

Women were active and important participants in ISIE commissions and as candidates and should be provided further opportunities for leadership during elections. In addition,

women's voter participation should continue to feature prominently in voter education efforts. Gender balance on candidate lists represents a serious attempt at inclusivity for women but their placement on party lists may result in disappointing representation for women in the assembly.

IRI's delegation included 28 international and five long-term local Tunisian observers. Egyptian, French, Jordanian, Palestinian, Polish, Romanian and American representatives observed voting and ballot counting in more than 200 polling stations in Bizerte, Beja, Gabes, Kairouan, Kasserine, Kef, Monastir, Nabeul, Sfax, Sidi Bouzid, Sousse and Tunis. IRI's long-term observers, who visited more than 50 polling stations, augmented the efforts of the international observers.

IRI's delegation was led by The Honorable Tim Pawlenty, former Governor of Minnesota, with His Excellency Emil Constantinescu, former President of Romania as co-leader.

Governor Pawlenty served two terms as governor of Minnesota from 2003-2011. During that period, he made five trips to Iraq, three trips to Afghanistan, and led trade missions around the world to, among other countries, China, India, Israel, Chile, Canada, Japan, Brazil, Poland and the Czech Republic.

President Constantinescu served as president of Romania from 1996-2000. After the fall of Nicolae Ceaușescu in 1989, Constantinescu became a founding member of the Civic Alliance, the most important civil society organization which joined the democratic opposition parties and created the Democratic Convention of Romania.

Other delegates were:

- Hossam El Din Ali, Chairman of the Egyptian Democracy Academy;
- Judy Black, Policy Director at Brownstein Hyatt Farber Schreck, LLP;
- Barbara Haig, Deputy to the President for Policy and Strategy at the National Endowment for Democracy;
- Brian Haley, former National Finance Director for Pawlenty for President;
- Eman al-Hussein, member of the Arab Women's Leadership Institute's Board of Directors and Assistant Professor at Al-balqa' Applied University in Jordan;
- Pierre Prévôt-Leygonie, strategic and campaign communications consultant and former Director of Fundraising and Communications for Mobilisation Directe in France;
- Krzysztof Lisek, member of the European Parliament from Poland;
- Tami Longaberger, Chief Executive Officer of the Longaberger Company and Chair of the Arab Women's Leadership Institute's Board of Directors;
- Nader Said, President of the Arab World for Research and Development, an independent research center in the West Bank;
- Amanda W. Schnetzer, Director for Human Freedom at the George W. Bush Institute;
- Charity N. Wallace, Director for the Women's Issues at the George W. Bush Institute; and
- Richard S. Williamson, Vice Chairman of IRI's Board of Directors, former United Nations Ambassador and Presidential Special Envoy for Sudan.

IRI staff also served as observers and assisted in the mission. IRI staff were led by Lorne W. Craner, President of IRI; Thomas Garrett, IRI's Vice President for Programs; Scott Mastic, IRI's Regional Director for Middle East and North Africa programs; and Djordje Todorovic, IRI's Resident Country Director in Tunisia.

Upon arrival in Tunisia, delegates were briefed by representatives from the U.S. Embassy, ISIE, international and Tunisian nongovernmental organizations, political parties and representatives of the media. They were also briefed on Tunisian election law, and the rights and responsibilities of international observers.

Delegates were then deployed throughout the country where they observed polling stations and identified and evaluated strengths and weaknesses in Tunisia's election system, including campaign regulations, the balloting process, vote tabulation and reporting.

IRI also deployed long-term observers throughout the country to observe election related activities such as political campaigns and rallies. These efforts gave IRI observers a better understanding of the election environment.

Since 1983, IRI has monitored 135 elections in 43 countries.

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B. IRI's Delegation **Delegates**

1. **Tim Pawlenty**, former Governor of Minnesota
2. **Emil Constantinescu**, former President of Romania
3. **Hossam El Din Ali**, Chairman of the Egyptian Democracy Academy
4. **Judy Black**, Policy Director at Brownstein Hyatt Farber Schreck, LLP
5. **Barbara Haig**, Deputy to the President for Policy and Strategy at the National Endowment for Democracy
6. **Brian Haley**, former National Finance Director for Pawlenty for President
7. **Eman al-Hussein**, member of the Arab Women's Leadership Institute's Board of Directors and Assistant Professor at Al-balqa' Applied University in Jordan
8. **Pierre Prévôt-Leygonie**, strategic and campaign communications consultant and former Director of Fundraising and Communications for Mobilisation Directe in France
9. **Krzysztof Lisek**, member of the European Parliament from Poland
10. **Tami Longaberger**, Chief Executive Officer of the Longaberger Company and Chair of the Arab Women's Leadership Institute's Board of Directors
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12. **Amanda W. Schnetzer**, Director for Human Freedom at the George W. Bush Institute
13. **Charity N. Wallace**, Director for the Women's Issues at the George W. Bush Institute
14. **Richard S. Williamson**, Vice Chairman of IRI's Board of Directors, former United Nations Ambassador and Presidential Special Envoy for Sudan

IRI Staff

1. **Lorne Craner**, President
2. **Thomas Garrett**, Vice President for Programs
3. **Scott Mastic**, Regional Program Director, Middle East and North Africa
4. **Mohieddine Abdellaoui**, Resident Program Officer, Tunisia
5. **Megan Badasch**, Resident Program Officer, Middle East and North Africa
6. **Kareina Bakleh**, Program Officer, Middle East and North Africa
7. **Michelle Bekkering**, Director, Women's Democracy Network
8. **Barbara Broomell**, Deputy Regional Program Director, Middle East and North Africa
9. **Matthew Carter**, Program Officer, Middle East and North Africa
10. **Steve Cima**, Resident Country Director, Indonesia
11. **Lisa Gates**, Director of Communications
12. **Bon van Duker**, Systems Administrator
13. **Johanna Kao**, Resident Country Director, China
14. **Lindsey Lloyd**, Senior Advisor for Policy
15. **Derek Luyten**, Program Officer, Middle East and North Africa
16. **Alex Nisetich**, Program Assistant, Middle East and North Africa
17. **Jeffrey Phillips**, Program Officer, Asia
18. **Liz Reudy**, Director, Office of Monitoring and Evaluation
19. **Leo Siebert**, Program Assistant, Africa
20. **Belma Sisic**, Resident Program Officer, Tunisia
21. **Jan Surotchak**, Regional Director, Europe
22. **Alex Sutton**, Regional Program Director, Latin America and the Caribbean
23. **Djordje Todorovic**, Resident Country Director, Tunisia

C. Tunisia Pre-Election Watch: October 2011 Constitutional Assembly

October 18, 2011

Since a popular uprising overthrew President Zine el Abidine Ben Ali on January 14 of this year, Tunisia has entered an uncertain transitional period. For the first time since the founding of the modern Tunisian state in 1956, political activity has blossomed—more than 100 political parties have been registered and a nascent civil society sector has grown even faster. Authoritarian laws governing freedom of association have been lifted, and elections have been called for a National Constituent Assembly to draft a new constitution. At the same time, newfound freedom has exposed deep political rifts and contentious debate over the conduct of the political transition. Moreover, a continuing economic crisis – one of the principal causes of the uprising against the old regime – adds to the urgency of establishing a stable and capable government.

Tunisia is currently governed by the interim National Unity Government, an executive cabinet which was first appointed in January but has since undergone several reshufflings. The government is headed by interim President Fouad Mbazaa and interim Prime Minister Beji Caid Essebsi, a former senior official in the cabinet of Habib Bourguiba, Tunisia's first president. Tunisia's parliament was disbanded after it gave the National Unity Government constitutional authority to rule by decree. An appointed Higher Committee for Achievement of the Goals of the Revolution, Political Reform, and Democratic Transition has been entrusted with reforming laws that govern political participation and to allow for a free, fair and legal constituent assembly elections on October 23. Another appointed committee, the Independent Higher Authority for Elections (ISIE), oversees the logistical organization of the election, including voter

registration, ballot printing, and management of polling stations.

Candidates from approximately 80 of the 116 official parties have filed party lists to compete in 33 electoral districts both in Tunisia and abroad for 217 total seats. Interim President Fouad Mbazaa issued a decree that the constituent assembly will have a one-year mandate to draft a new constitution. However, it is unclear whether this rule will be upheld considering ambiguities about the extent of the assembly's powers. In addition to writing a new constitution, the constituent assembly will have the power to appoint a new interim government, but it could also assume executive power for itself. The body will need to develop mechanisms to extend the transitional government before conversations begin on the constitution itself; given the large number of parties and lack of any decisive political force, this process could become quite time-consuming. The Tunisian political landscape is made up of a plethora of weak and disparate parties, and coalition forming will be essential to progress in the assembly. While Tunisians generally agree on the principles of a democratic state, political divisions run deep and there are numerous opportunities for deadlock along ideological lines. The question of the role of religion in the state is the most obvious of these, given the stark divide between secularists and Islamists in Tunisia.

The current election law mandates that all candidate lists must be 50 percent women in order to ensure gender parity in the constituent assembly. Although ambitious, this system does not guarantee women will hold half the seats in the assembly because many parties will only win one seat, and are thus not compelled to seat a woman. Women do enjoy greater legal equality in Tunisia than in most other Middle Eastern countries, a legacy that all factions profess to support. The single greatest challenge to gender parity is a shortage of female candidates – without sufficient number of women running in the elections,

the likelihood of an assembly with 50 percent women's representation is small.

Tunisian electoral law prohibited parties from officially using media and advertising for their campaigns until the official start of the campaign period on October 1. The law also prohibits former regime officials and members of the now banned Constitutional Democratic Rally (RCD), Tunisia's former ruling party, from running for election. In a nation of 10 million people, the old RCD boasted approximately two million members. However, no official in the current interim government was a member of President Ben Ali's cabinet, and all major party officials have been excluded from public life for the time being while the RCD has been formally disbanded, although some old regime elements have formed new political parties.

Challenges Facing Tunisia

Tunisia is facing multiple problems in the interim period before elections. The Tunisian people, though believers in the potential of democracy, lack experience with democratic political participation and do not fully understand the constituent assembly's mandate. The ISIE has been sometimes ineffective in communications, producing vague and contradictory instructions for voters. Compounding the situation have been administrative challenges the ISIE has had difficulty in surmounting such as lackluster voter registration, the delayed announcement of electoral procedures, and an exceedingly large number of candidate lists presented for election.

Since January, Tunisian political parties have improved their organizational capabilities and have begun to develop grassroots constituencies. This is certainly a positive development, yet the parties still exhibit shortcomings that continue to diminish public faith in the transition process. Parties have engaged in contentious public debates, mainly about their legal rights. They

have yet to produce substantive platforms that offer solutions to Tunisia's most pressing problems in Tunisia – namely, high unemployment, security and economic underdevelopment. As a result, Tunisians perceive parties as self-interested, quarrelsome, and detached from the realities of the street. Parties have come far in a short amount of time, but they must continue to improve and start to win bases of loyalty if they are to continue to progress.

A combination of high unemployment, economic inequality and highly visible corruption was the primary driving force behind the popular anger that unseated President Ben Ali, and this year's instability has been damaging to the country's already difficult economic situation. While certain sectors of the Tunisian economy have actually expanded over the past two quarters, growth has not kept pace with public expectations for economic improvements and is not vibrant enough to reduce Tunisia's crippling rate of unemployment.

In some regions, unemployed youth and other disenchanting groups have attacked police stations and army units to vent their frustrations with the slow pace of change. Continued instability aggravates economic problems as it drives away foreign direct investment and the tourists who used to flock to Tunisia, providing important seasonal jobs and a source of international exchange. Furthermore, the threat of greater upheaval has paralyzed the interim government, which, keenly aware of its thin legitimacy and low credibility among the public, is wary to undertake large reform initiatives.

Difficulties in organizing free and fair elections, political parties and economic growth are perhaps expected in a country emerging from years of corrupt, authoritarian rule. Still, it would be unwise to assume that all challenges to Tunisia's transition are merely growing pains. Youth inclusion, for example, remains a significant hindrance to political progress. While the Ben Ali

family and its closest allies have been arrested or driven into exile, the centers of political and financial power in Tunisia have not changed significantly. It is universally acknowledged that youth inclusion in the political process will be critical to the success of democracy in Tunisia, but progress in this regard is elusive. Young Tunisians have been uninterested in direct involvement in politics, and the older generation has been reluctant to relinquish any influence. With nearly half of its population younger than the age of 30, youth integration in the formal political process will continue to be vital to a democratic Tunisia.

IRI in Tunisia

The International Republican Institute (IRI) explored opportunities to work in Tunisia as early as 2004. The Tunisian government repeatedly rebuffed proposals to open an office in Tunis, and after 2005 direct contact with Tunisian political dissidents was outside the country. Although the Ben Ali regime made it impossible to work inside Tunisia, IRI's quiet efforts to assist Tunisians was not lost on reformers. During initial IRI visits to Tunisia during 2011, representatives from the political opposition and from independent civil society expressed a strong interest in IRI assistance.

Since January 2011, IRI assistance has focused on the development of democratic political parties at the national and regional levels. IRI also works with Tunisian civil society organizations to assist them in capacity building and organizational development. In March 2011, IRI conducted the first independent political public opinion survey allowed in Tunisia. In cooperation with the Institute for War and Peace Reporting, IRI has supported training for scores of Tunisian journalists from print, broadcast and new media in political reporting.

In advance of elections, IRI is conducting a series of programs to strengthen the connection between candidates and voters in the

form of grassroots campaigning and door-to-door direct voter contact. Recognizing that an informed electorate is essential to a successful election, IRI is also sponsoring voter education efforts to disseminate crucial information about the elections, the role of the constituent assembly and the importance of voting. IRI will field an international delegation of election observers to assess the conduct of constituent assembly elections on October 23.

D. Official Election Results

Following are the official election results as of November 14, 2011. Seat allocations have since changed in the NCA – a table of the current assembly as of June 2012, is included below.

Total seats in the assembly – 217

Seats representing domestic constituencies – 199

Seats representing international constituencies – 18

Part	Ennahda	Congress for the Republic (CPR)	Aridha Chaabia (Popular Petition)	Ettakatol	Progressive Democratic Party (PDP)
Seats	89	29	26	20	16
Party	Democratic Modernist Pole (PDM)	Afek Tounes	Mouvement Patriotes Democrates (MPD)	Al Moubadara	Tunisian Workers' Communist Party (PCOT)
Seats	5	4	2	5	3
Party	Sawt Al Mostakol (Independent Voice, Sfax II)	Social Struggle (Jendouba)	Wafa (Loyalty, Kasserine)	List For a National Tunisian Front (Gabes)	Free Patriotic Union (UPL, Siliana)
Seats	1	1	1	1	1
Party	Loyalty to the Martyrs (Tozeur)	Al Adala (Gafsa)	Party of the Cultural Unionist Nation (Monastir)	Neo-Destour (Manouba)	Independent List (Sidi Bouzid)
Seats	1	1	1	1	2
Party	Mouvement du Peuple (Sidi Bouzid & Bizerte)	Democratic Socialist Movement (MDS, Kasserine & Sidi Bouzid)	Justice and Equality (Mahdia)	Liberal Maghrebin Party (PLM, Ariana)	Social Democrat Nation Party (Ben Arous)
Seats	2	2	1	1	1
Party	Hope (Kef)	Progressive Struggle (Tunis 1)			
Seats	1	1			

Domestic Constituencies**Ariana – 8 Seats**

Party	Ennahda	Ettakatol	CPR	PDP	PDM
Votes	71,170	27,570	17,801	13,717	9,869
Seats	3	1	1	1	1
Party	Liberal Maghrebin Party (PLM)	Other Lists			Total
Votes	6,621	50,246			196,994
Seats	1	0			8

Beja – 6 Seats

Party	Ennahda	Aridha Chaabia	PDP	Ettakatol	CPR
Votes	30,870	8,281	7,519	6,912	6,834
Seats	2	1	1	1	1
Party	Other Lists				Total
Votes	38,841				99,257
Seats	0				6

Ben Arous – 10 Seats

Party	Ennahda	Ettakatol	CPR	PDP	PDM
Votes	99,489	30,242	26,104	11,257	6,277
Seats	4	2	1	1	1
Party	Democratic Nation Party	Other Lists			Total
Votes	5,697	55,905			234,971
Seats	1	0			10

Bizerte – 9 Seats

Party	Ennahda	CPR	Ettakatol	Mouvement du Peuple	PDP
Votes	80,576	15,532	13,174	10,353	10,262
Seats	4	1	1	1	1
Party	Aridha Chaabia	Other Lists			Total
Votes	9,970	56,703			196,570
Seats	1	0			9

Gabes – 7 Seats

Party	Ennahda	CPR	Independent List “For a National Tunisian Front”	Aridha Chaabia	Other Lists
Votes	73,388	13,776	7,436	7,331	36,358
Seats	4	1	1	1	0
Party					Total
Votes					138,239
Seats					7

Gafsa – 7 Seats

Party	Ennahda	CPR	Aridha Chaabia	Al Adala	PDP
Votes	48,692	9,294	6,452	4,225	3,354
Seats	3	1	1	1	1
Party	Other Lists				Total
Votes	48,558				120,575
Seats	0				7

Jendouba – 8 Seats

Party	Ennahda	Aridha Chaabia	Ettakatol	PDP	CPR
Votes	33,150	12,455	8,258	56,378	5,602
Seats	2	1	1	1	1
Party	Social Struggle	Movement of Natinalist Democrats	Other Lists		Total
Votes	4,739	3,606	43,831		118,019
Seats	1	1	0		8

Kairouan – 9 Seats

Party	Ennahda	Aridha Chaabia	CPR	Ettakatol	PCOT
Votes	70,391	30,210	7,581	3,739	2,753
Seats	4	2	1	1	1
Party	Other Lists				Total
Votes	49,314				163,988
Seats	0				9

Kasserine – 8 Seats

Party	Ennahda	Aridha Chaabia	CPR	Socialist Democratic Movement	PDP	Al Wafa
Votes	40,971	12,304	8,196	5,758	5,587	5,070
Seats	3	1	1	1	1	1
Party	Other Lists					Total
Votes	50,788					128,674
Seats	0					8

Kebili – 5 Seats

Party	Ennahda	CPR	Aridha Chaabia	Other Lists	Total
Votes	27,417	18,093	2,782	19,439	67,731
Seats	2	2	1	0	5

Kef – 6 Seats

Party	Ennahda	Aridha Chaabia	Independent List: Hope	CPR	Ettakatol
Votes	23,013	6,951	6,021	5,346	4,420
Seats	2	1	1	1	1
Party	Other Lists				Total
Votes	40,388				86,139
Seats	0				6

Mahdia – 8 Seats

Party	Ennahda	Aridha Chaabia	Moubadara	CPR	Afek Tounes
Votes	40,738	9,707	8,881	8,352	8,096
Seats	3	1	1	1	1
Party	Justice et Equité	Other Lists			Total
Votes	6,098	49,203			131,065
Seats	1	0			8

Manouba – 7 Seats

Party	Ennahda	CPR	Ettakatol	Neo-Destour	Aridha Chaabia
Votes	53,457	12,288	10,432	5,826	5,310
Seats	3	1	1	1	1
Party	Other Lists				Total
Votes	44,107				131,420
Seats	0				7

Medenine – 9 Seats

Party	Ennahda	CPR	Afek Tounes	Chems list of Aridha Chaabia	PDP
Votes	73,316	15,038	8,834	6,324	5,686
Seats	5	1	1	1	1
Party	Other Lists				Total
Votes	44,407				153,605
Seats	0				9

Monastir – 9 Seats

Party	Ennahda	Moubadara (Initiative)	CPR	Ettakatol	Aridha Chaabia
Votes	65,800	36,085	8,833	7,862	6,736
Seats	3	2	1	1	1
Party	Party of the Cultural Unionist Nation	Other Lists			Total
Votes	5,219	72,167			202,702
Seats	1	0			9

Nabeul 1 – 7 Seats

Party	Ennahda	CPR	Ettakatol	Aridha Chaabia	Afek Tounes
Votes	53,332	21,030	16,577	13,284	7,173
Seats	2	1	1	1	1
Party	PDP	Other Lists			Total
Votes	6,108	52,999			170,503
Seats	1	0			7

Nabeul 2 – 6 Seats

Party	Ennahda	CPR	Ettakatol	Aridha	PDP
Votes	37,050	17,763	10,006	7,081	5,619
Seats	2	1	1	1	1
Party	Other Lists				Total
Votes	47,636				125,155
Seats	0				6

Sfax 1 – 7 Seats

Party	Ennahda	CPR	Aridha Chaabia	Ettakatol	PCOT
Votes	66,321	14,191	11,166	6,833	5,333
Seats	4	1	1	1	1
Party	Other Lists				Total
Votes	46,449				142,582
Seats	0				7

Sfax 2 – 9 Seats

Party	Ennahda	CPR	Aridha Chaabia	Sawt Al Mostakol	Ettakatol
Votes	81,702	28,099	19,107	13,320	13,028
Seats	4	1	1	1	1
Party	Afek Tounes	Other Lists			Total
Votes	5,303	55,288			218,944
Seats	1	0			9

Sidi Bouzid – 9 Seats

Party	Aridha Chaabia	Ennahda	Independent List	Mouvement du Peuple	Democratic Socialist Movement
Votes	48,665	19,850	12,172	3,717	2,503
Seats	3	2	2	1	1
Party	Other Lists				Total
Votes	40,479				127,386
Seats	0				9

Siliana – 6 Seats

Party	Ennahda	Aridha Chaabia	Free Patriotic Union (UPL)	Revolutionary Alternatie (PCOT)	PDP
Votes	20,135	6,229	4,456	3,854	3,505
Seats	2	1	1	1	1
Party	Other Lists				Total
Votes	32,545				70,724
Seats	0				6

Sousse – 10 Seats

Party	Ennahda	Moubadara	CPR	Aridha Chaabia	Ettakatol
Votes	86,590	52,573	12,926	12,160	10,057
Seats	4	2	1	1	1
Party	PDP	Other Lists			Total
Votes	7,519	59,730			241,555
Seats	1	0			10

Tataouine – 4 Seats

Party	Ennahda	Aridha Chaabia	Other Lists		Total
Votes	24,954	1,415	15,656		42,025
Seats	3	1	0		4

Tozeur – 4 Seats

Party	Ennahda	Loyalty to the Martyrs	CPR	Other Lists	Total
Votes	18,944	2,540	2,217	20,266	43,967
Seats	2	1	1	0	4

Tunis 1 – 9 Seats

Party	Ennahda	Ettakatol	CPR	PDP	Progressive Struggle
Votes	94,834	27,227	18,293	6,971	5,871
Seats	4	1	1	1	1
Party	PDM	Other Lists			Total
Votes	4,946	47,246			205,388
Seats	1	0			9

Tunis 2 – 8 Seats

Party	Ennahda	Ettakatol	CPR	PDM	PDP
Votes	68,131	43,060	24,296	18,717	13,211
Seats	3	2	1	1	1
Party	Other Lists				Total
Votes	56,833				224,248
Seats	0				8

Zaghouan – 5 Seats

Party	Ennahda	Aridha Chaabia	PDP	CPR	Other Lists
Votes	21,285	5,561	3,702	3,099	27,664
Seats	2	1	1	1	0
Party					Total
Votes					61,311
Seats					5

International Districts

France 1 (North) – 5 Seats

Party	Ennahda	CPR	Ettakatol	PDM	Total
Votes	22,672	8,445	7,571	5,555	67,640
Seats	2	1	1	1	5

France 2 (South) – 5 Seats

Party	Ennahda	CPR	Ettakatol	PDP	Total
Votes	17,103	5,006	4,149	4,022	57,573
Seats	2	1	1	1	5

Italy – 3 Seats

Party	Ennahda	Aridha	Other Lists		Total
Votes	11,627	2,683	9,418		23,728
Seats	2	1	0		3

Germany – 1 Seat

Party	Ennahda	Other Lists			Total
Votes	5,707	7,635			13,342
Seats	1	0			1

Arab World and Other – 2 Seats

Party	Ennahda	CPR	Other Lists		Total
Votes	8,849	2,762	7,785		19,396
Seats	1	1	0		2

Americas and Rest of Europe – 2 Seats

Party	Ennahda	CPR	Other Lists		Total
Votes	10,218	5,411	12,128		27,757
Seats	1	1	0		2

Distribution of Seats as of June 2012

Party	Seats
Ennahda Movement	89
Ettakatol	20
Republican Party	20
CPR	17
Independent Democratic Congress	12
Popular Petition	11
Moubadara	5
PDM	5
PCOT	3
People's Movement	2
Movement of Socialist Democrats	2
UPL	1
Democratic Patriots' Movement	1
Maghrebin Liberal Party	1
Democratic Social Nation Party	1
New Destour Party	1
Progressive Stuggle Party	1
Equity and Equality Party	1
Cultural Unionist Nation Party	1
Independent Lists	20
Total Members	217



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