



Doc. 12795

24 November 2011

Observation of the election of a National Constituent Assembly in Tunisia (23 October 2011)

Report

Bureau of the Assembly

Rapporteur: Mr Andreas Gross, Switzerland, Socialist Group

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1. Introduction

1. In response to the invitation sent by the Tunisian authorities on 12 May 2011, and forwarded to the Parliamentary Assembly by the Consul of Tunisia in Strasbourg, the Bureau of the Assembly decided, at its meeting on 26 May 2011, to set up a 20-member ad hoc committee to observe the elections to the National Constituent Assembly on 23 October 2011. The Bureau also authorised a pre-electoral mission made up of five members who are also members of the ad hoc committee, one from each political group. The Bureau appointed me Chairperson of this ad hoc committee.

2. On 4 October 2004, a co-operation agreement was signed between the Parliamentary Assembly and the European Commission for Democracy through Law (Venice Commission). Pursuant to Article 15 of this agreement ("When the Bureau of the Assembly decides to observe an election in a country in which electoral legislation was previously examined by the Venice Commission, one of the rapporteurs of the Venice Commission on this issue may be invited to join the Assembly's election observation mission as legal adviser"), the Bureau of the Assembly invited a member of the Venice Commission to join the ad hoc committee as an adviser.

3. Based on the proposals by the political groups in the Assembly, the ad hoc committee was composed as follows:

Mr Andreas GROSS* (SOC), Head of Delegation Switzerland

Group of the European People's Party (EPP/CD)

Jean-Charles GARDETTO*	Monaco
Joachim HÖRSTER	Germany
José MENDES BOTA	Portugal
Yves POZZO di BORGO	France
Mehmet TEKELIOĞLU	Turkey
Stefaan VERCAMER	Belgium

Socialist Group (SOC)

Lennart AXELSSON	Sweden
Maryvonne BLONDIN	France
Viola von CRAMON-TAUBADEL	Germany
Pietro MARCENARO	Italy

European Democrat Group (EDG)

Christopher CHOPE*	United Kingdom
Paata DAVITAIA	Georgia
Roger GALE	United Kingdom

Alliance of Liberals and Democrats for Europe (ALDE)

Anne BRASSEUR*	Luxembourg
Nursuna MEMECAN	Turkey
Marina SCHUSTER	Germany

Group of the Unified European Left (UEL)

Jean-Paul LECOQ*	France
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Venice Commission

Jean-Claude COLLIARD, member of the Venice Commission

Gaël MARTIN-MICALLEF, member of the secretariat of the Venice Commission

Secretariat

Chemavon CHAHBAZIAN, Deputy Head of Secretariat, Interparliamentary Co-operation and Election Observation Unit

Franck DAESCHLER, Principal Administrative Assistant, Interparliamentary Co-operation and Election Observation Unit

Nathalie BARGELLINI, Press Officer, Parliamentary Assembly Communication Unit

Naouelle TEFIFEHA, Assistant, secretariat of the Parliamentary Assembly

4. The ad hoc committee was in Tunis from 20 to 24 October 2011 and held meetings with, *inter alia*, the leaders of the political parties, Mr Ridha Belhadj, Minister Delegate to the Prime Minister, Mr Kamel Jendoubi, Chair of the Independent High Authority for the Elections (ISIE), Mr Michael Gahler, Head of the European Union Electoral Observation Mission, representatives of the international community present in Tunis and representatives of civil society. The programme of the ad hoc committee's meetings is reproduced in Appendix 1.

5. On polling day, the ad hoc committee was split into 13 teams which visited 164 polling stations and observed the elections in the towns and regions of Bizerte, Mateur, Nefza, Tabarka, Beja, TébourSouk, Medjez el-Bab, El Fahs, Zaghuan, Le Cap Bon, Hammamet, Nabeul, Enfidha, Sousse, Mahdia, El Djem, Sfax, Gabes, Kairouan, Sbeitla and Sidi Bouzid as well as in and around Tunis.

6. The ad hoc committee concluded that "the election day was calm and peaceful" and that "the people of Tunisia expressed their will freely and in a dignified manner". Congratulating them on achieving this "rendez-vous with history", it noted that "For the first time, they have freely elected their National Constituent Assembly, laying the foundations of their democracy. They have thus transformed the revolutionary dynamic into a legal and legitimate institution, thereby setting an example for the entire region". The press release issued after the elections is reproduced in Appendix 2.

* Pre-electoral mission from 14 to 17 September 2011.

2. Political background and legal framework

7. The election of a National Constituent Assembly was originally scheduled for 24 July 2011, but were postponed until 23 October 2011 owing to the delay in setting up the Independent High Authority for the Elections (ISIE) and the resulting disruption of the electoral timetable.

8. A pre-electoral mission of the Parliamentary Assembly went to Tunisia from 14 to 17 September 2011 in order to assess the political climate and preparations in the run-up to the National Constituent Assembly elections on 23 October 2011.

9. The mission met with Mr Mouldi Kefi, Minister of Foreign Affairs, Mr Ridha Bellhadj, Minister Delegate to the Prime Minister, Mr Yadh Ben Achour, Chair of the Higher Authority for Realisation of the Objectives of the Revolution, Political Reform and Democratic Transition, the leaders and representatives of political parties participating in the elections and the Secretary General of the Independent High Authority for the Elections, as well as representatives of the international community and non-governmental organisations (NGOs).

10. The pre-electoral mission underlined “the crucial importance of democratically electing a National Constituent Assembly to ensure the legitimacy of its power. That legitimacy is absolutely vital for forming the institutions of a democratic and functional State so that the efforts of the public authorities may then focus on resolving the urgent problems facing the citizens of Tunisia”.

11. The legal framework for the National Constituent Assembly elections is provided by Legislative Decree No. 2011-35 of 10 May 2011 on the election of a National Constituent Assembly. Article 1 of the decree states that “members of the National Constituent Assembly shall be elected by universal, free, direct and secret suffrage, according to the principles of democracy, equality, pluralism, fairness and transparency”.

12. The number of seats to be filled in the National Constituent Assembly is 217, including 18 seats for constituencies outside the country. Seats are allocated to constituencies according to population, with one representative per 60 000 inhabitants, subject to a maximum of 10 seats per constituency. An extra seat is assigned to a constituency if, after calculating the number of seats to be allocated thereto, it is found that the remaining number of inhabitants is greater than 30 000.

13. All Tunisian nationals who are at least 18 years of age on the eve of the elections have the right to vote if they are in full possession of their civil and political rights, except in the cases of incapacity provided for in the legislative decree. Military personnel, young recruits doing military service and internal security forces personnel may not be entered in the electoral rolls.

14. As regards registering candidates from the political parties, coalitions and lists of independent candidates, Article 15 of Legislative Decree No. 2011-35 of 10 May 2011 on the election of a National Constituent Assembly states that “any voter aged at least 23 years on the day he or she files his or her candidacy shall have the right to stand for election to the National Constituent Assembly”.

15. On a proposal from the Higher Authority for Realisation of the Objectives of the Revolution, Political Reform and Democratic Transition, known as the “Ben Achour Commission”, a legislative decree was adopted which disqualified a number of Tunisian citizens. Under the terms of this decree, anyone who had held senior office in government during the time of the deposed president, except for members who did not belong to the “Constitutional Democratic Rally” party (RCD), and anyone who had held senior office in the RCD during the time of the deposed president was barred from standing for election.

16. The legislative decree also disqualified anyone who had urged the deposed president to stand for a further term in 2014. To this end, a list was drawn up by the Higher Authority for Realisation of the Objectives of the Revolution.

17. Some representatives of the political parties with whom the pre-electoral mission spoke said they were unhappy about the application of Article 15 of Legislative Decree No. 2011-35 which prohibits thousands of Tunisians from standing for election. They further alleged that because the names of the persons barred from standing for election were confidential, some lists containing names of barred candidates were rejected, thereby penalising the other candidates on the list.

3. Election administration

18. The Independent High Authority for the Elections was set up by Legislative Decree No. 2011-27 of 19 April 2011, but it was only formed on 18 May 2011 and did not actually begin operating until after 8 June. The ISIE has functioned in a neutral and independent manner. Legislative Decree No. 2011-27 set the ISIE the goal of “ensuring democratic, fair, transparent and pluralistic elections”.

19. The ISIE consists of 16 members appointed by decree and chosen from among the members of the High Council of the Judiciary, the Bar Council of Tunisia, the National Chamber of Notaries, representatives of human rights NGOs and representatives of the media. The Independent High Authority for Elections comprises a central commission based in Tunis and sub-commissions at the level of electoral constituencies whose seats are situated in the main towns of the governorates and in the head offices of diplomatic missions. The central commission determines the composition and structure of the sub-commissions.

20. Tunisia has 24 governorates (a governorate is equivalent to a region) which are divided into 264 delegations. Each governorate constitutes one or more constituencies and voting takes place by constituency. There are 33 constituencies, six of them located in other countries: France (10 seats), Italy (3 seats), Germany (1 seat), Arab Emirates (2 seats) and Canada (2 seats). In each of the 33 constituencies, a regional authority for elections (ISRI) was set up.

21. The electoral system adopted for the National Constituent Assembly elections is the proportional ballot, with distribution of the largest remainder. Voters must choose a list from among the candidate lists without crossing out any candidates or changing their rankings. Each list must ensure that its candidates in the same electoral constituency come from different delegations and that at least one of them is under the age of 30. This system, based on proportional representation, generally favours small parties and allows voters to choose an independent candidate if they so wish.

22. The polling stations consist of four members: the presiding officer and three other members. A total of 7 213 polling stations were established in Tunisia and 479 abroad. Some 50 000 staff were deployed in the polling stations.

23. Despite the fact that the ISIE did not have all the operational facilities as an electoral administration that would allow it to be more effective in implementing its decisions, it performed remarkably well with a tight electoral timetable. The ISIE managed to put in place the technical conditions needed to ensure a free choice for voters, while the transitional authorities provided the ISIE with the necessary material resources and deployed over 42 000 military personnel and police officers to ensure security on polling day.

24. The ad hoc election observation committee praised the remarkable work done by the thousands of electoral officials, dedicated to ensuring the proper conduct of the elections. It also noted, however, that with better co-ordination of the activities of the ISIE, and also with the international partners present in Tunisia, certain technical problems, both in the run-up to the elections and on polling day itself, could have been avoided.

4. Electoral rolls and candidate registration

25. While in Tunisia, from 14 to 17 September 2011, members of the pre-electoral delegation learnt of certain difficulties connected with the compilation of the electoral rolls, including in Tunisian diplomatic missions and consular offices abroad.

26. In a legitimate attempt to avoid the kind of fraudulent practices seen in the past, the ISIE decided to compile new electoral rolls virtually from scratch, with no reference to the databases set up by municipalities under the former regime.

27. The electoral rolls were drawn up in each municipality and in each delegation in the case of areas not established as municipalities, under the supervision of the ISIE and using information contained in the database of national identity cards. Voters were allocated to polling stations according to the residency address indicated in their voluntary registration request.

28. The most difficult stage was registering voters in the electoral rolls in over 800 registration centres, an operation that took place between 11 July and 2 August. By the end of this “active” stage of the registration process, according to the ISIE, some 3 860 000 voters had turned out to register. The ISIE then launched an exceptional second voter registration campaign which ran until 12 October. The purpose of this so-called

“passive” stage was to register the remaining 3 million voters and to choose their polling stations. Despite the two campaigns, however, the task of assigning all the voters to polling stations was not able to be completed.

29. By polling day, 4 439 527 voters had been registered in the electoral rolls, including 338 715 abroad. The total number of Tunisian nationals entitled to vote was around 6.1 million. Special voting centres were set up for people whose names did not appear on the electoral rolls and who had therefore not been assigned to polling stations, to enable them to vote on election day.

30. As regards Tunisian nationals living abroad, the ISIE set up six regional bodies in other countries (two in France, one in Italy, one in Germany, one in America and one in Abu Dhabi). The process of compiling the electoral rolls in foreign countries and submitting them to the *Centre National de l'Informatique* (CNI) was somewhat delayed as many of the lists in the consular offices were handwritten.

31. As regards registering the lists of candidates from the political parties, coalitions and lists of independent candidates, Article 15 of Legislative Decree No. 2011-35 on the election of a National Constituent Assembly states that “any voter aged at least 23 years on the day he or she files his or her candidacy may stand for election”. The law prohibits any one person from standing for election on more than one list and in more than one constituency.

32. A special feature of this election was the dramatic rise in the number of independent lists. The explanations given by the various people with whom the committee spoke were complex: political spectrum just beginning to take shape, local conditions, use of certain independent lists by political parties for their own ends, expression of democratic pluralism, the ease with which lists could be formed, since it was simply a case of submitting a declaration signed by at least six candidates (the minimum number required for registering a list) and, lastly, financial reasons, since each list received an advance from the state budget.

33. According to the official figures supplied by the ISIE, 828 lists of political parties, 655 lists of independent candidates and 34 lists of coalitions were registered to contest the election on 23 October, namely on average 35 lists per constituency. The total number of candidates participating in the election was 11 618. The members of the ad hoc committee noted that, on polling day, despite the large number of lists on the ballot papers, voters generally knew how to vote. The fact that there was only a negligible number of spoilt ballots is proof of this.

34. Another important issue relating to the lists of candidates is gender parity. Article 16 of Legislative Decree No. 2011-35 requires that nominations be submitted on the basis of the principle of gender parity, with lists including alternating male and female candidates. Any lists which failed to comply with this rule would be rejected, except in cases where the number of seats allocated to the relevant constituency was uneven.

35. All the lists complied with the parity rule, but only 7% of women candidates appeared at the top of a list. While welcoming the parity rule, therefore, the ad hoc committee was concerned that this parity might not be reflected in the composition of the future National Constituent Assembly. According to various estimates, there are approximately 2 million illiterate voters, some 70% of them women. During the election campaign, various civil society actors mentioned the risk of influence peddling directed at illiterate voters. In the event, however, these fears proved groundless.

5. Election campaign and media environment

36. The election campaign officially began 22 days before polling day, on 1 October 2011. Members of the pre-electoral mission did nevertheless notice election campaign posters promoting various political parties during the pre-election visit from 14 to 17 September. On 12 September 2011, the ISIE decided to ban advertising of political parties and lists of candidates in the media, because not all of the lists had yet been announced and registered and there was a need to ensure equal treatment so that the election campaign could get under way.

37. Election campaigns are governed by the following legal principles:

- neutral status of the Administration, places of worship, workplaces, schools, universities and the national media;
- transparency of the election campaign in terms of sources of financing and methods of using campaign funds;
- equal treatment of candidates;
- respect for the physical integrity and honour of candidates and voters;

- election campaigning is prohibited in places of worship, workplaces, schools and universities;
- prohibition during the election campaign of any propaganda inciting hate, intolerance or discrimination on religious, regional or tribal grounds.

38. The election campaign was peaceful and calm. The European Union long-term observers noted a few minor problems: ripped posters; posters displayed in non-authorised locations; election events of which the ISIE was not informed in time; inadequate civic education; lack of transparency in campaign financing.

39. During his meeting with the pre-electoral mission, the Foreign Affairs Minister, Mr Mouldi Kefi, noted that Tunisia could model itself on Turkey's political system, in particular as regarded the separation of politics and religion, creating a sort of Muslim version of Christian democracy. The high level of education of the population, the active role of women and the well-developed network of NGOs in the country were some of the factors that could help to safeguard the Tunisians' democratic choice. The minister also referred to the risk of secret funding of elections and new parties.

40. The election campaign was marked by an agreement on the "Declaration of Transition Process" signed on 15 September by the leaders of 11 political parties represented on the "Ben Achour Commission". The twelfth party, which is also represented on the "Ben Achour Commission", Mr Moncef Marzouki's CPR party, withdrew at the last minute even though it had attended all the meetings: the 11 remaining parties agreed that the National Constituent Assembly should have a maximum term of 12 months, whereas the CRP had called for a two or three-year term if necessary.

41. The pre-electoral mission praised the "considerable efforts made by the Commission chaired by Mr Yadh Ben Achour and the agreement signed on 15 September by the leaders of 11 political parties with a view to guaranteeing a democratic transition of power after the elections of 23 October 2011". This agreement is a roadmap that commits all the parties which signed it to ensuring the smooth functioning of the electoral process and, after the election of the National Constituent Assembly, the country's transition to democracy. The 11 parties pledged:

- to keep to the proposed election date, namely 23 October;
- to comply with the ISIE's code of ethics of political parties and candidates throughout the transitional stage in order to ensure mutual respect among candidates in the election and guarantee neutrality, in election advertising, of places of worship, educational and administrative institutions and workplaces;
- that the term of the Constituent Assembly would not exceed one year so that the country could focus on urgent fundamental issues, in particular social and economic ones;
- to continue the consultation process in the new transition phase and to develop a comprehensive and flexible approach for the peaceful transfer of power immediately after the election of the Constituent Assembly;
- to draw up a simple roadmap for the transfer of power, under which the current acting President and interim government would continue performing their duties pending the election of a new President of the Republic and the formation of a new government by the Constituent Assembly.

42. The declaration further stated that:

- after the election results were announced, the acting President would convene the Constituent Assembly for an initial meeting;
- the Constituent Assembly would then elect the speaker of the Assembly to oversee its work, organise its sittings and set up a commission tasked with drafting its rules of procedure;
- the Constituent Assembly would establish the new rules on public powers under which a new President of the Republic would be elected;
- the new Head of State would appoint a prominent figure to form a government after consultation with the groups in the Constituent Assembly. Management of state affairs would be the responsibility of the interim government until a new government was formed;
- the prime minister would submit the composition of his or her government team and its programme to the Constituent Assembly for approval;
- The Constituent Assembly, the new President of the Republic and the government would carry out their tasks until lasting institutions were set up, in accordance with the new constitution drafted by the Constituent Assembly.

43. Media coverage of the election was mainly governed by Legislative Decree No. 2011-27 of 18 April 2011 on the establishment of the ISIE. Article 45 of the legislative decree allows the ISIE to make more detailed arrangements regarding media coverage of the election. It deals with the issue of fair access by candidates to the media, determines the "technical criteria and rules on programmes concerning election

campaigns and by which information and communication organisations in the public and private sectors are bound”.

44. On 7 October, Nessma TV broadcast the animation “Persepolis” (which won the Jury Prize at the 2007 Cannes Festival), followed by a debate on the relationship between religion and politics and the need to separate the two spheres of activity. The following day, Nessma TV was accused of blasphemy and of insulting Islam. During demonstrations in front of Nessma’s headquarters, attempts were made to set fire to the offices, triggering clashes between protesters and the police.

45. A complaint was lodged against Nessma TV by 144 lawyers, a political party and a number of private citizens, calling for Nessma’s broadcasts to be suspended until after the elections on 23 October. On 21 October, the complaint was dismissed by the Tunis Court of First Instance.

46. On 21 October the ISIE presented its report on media coverage of the election campaign over the period from 1 to 13 October 2011. Monitoring was carried out across a large number of different media: 9 daily newspapers, 3 electronic newspapers, 9 public and private TV stations, 13 national and regional radio stations and the foreign TV stations Al Jazeera, France 24, Al Moustakilla, Attounissia and TV5.

47. The report emphasises the unbiased nature of the coverage of politicians and parties, with the exception of Al Moustakilla which campaigned for its owner, Hechmi Haadmi, who headed the “Popular Petition” list. The report notes the virtual absence of women politicians in the media, despite the fact that 50% of the candidates were female. Only Nessma TV devoted 25% of its airtime to women candidates. A similar picture could be observed in the print media.

48. As regards airtime in the broadcast media, some media outlets were biased, there was a lack of news reports and in many cases broadcasts merely provided information, without any discussion. Private broadcasters were better at encouraging debate than the state-owned media.

49. There was little coverage of the election by the foreign media, possibly due to the fact that the ISIE prohibited candidates from giving interviews to foreign media in an attempt to ensure fair treatment of the national media.

50. The ad hoc committee welcomed the emergence of a large number of different media outlets since 14 January 2011. There were, however, some reports of breaches of journalistic ethics, owing to the politically oriented nature of numerous media, thus serving the interests of a particular group of people or parties.

6. Polling day

51. Polling day was peaceful and calm and the Tunisians voted with dignity and enthusiasm. The polling stations operated in a highly organised fashion, and were often run by dedicated young people. Members of the ad hoc committee were pleased to note the presence of national observers and representatives of the political parties in many of the polling stations visited. They noted the presence of military personnel and police officers, including young women in uniform, posted outside polling stations. This presence was perceived as being discreet and soothing. Members of the ad hoc committee considered that the voting went very smoothly, including the tabulation of results.

52. Shortcomings noted by members of the ad hoc committee included:

- long queues, from the morning onwards, outside polling stations, with some voters having to wait three to four hours to vote;
- lengthy searches for voters’ names in the electoral rolls due to the fact that the rolls were not compiled alphabetically;
- separate queues for men and women in around 50% of the polling stations visited by members of the ad hoc committee;
- the fact that it was difficult for illiterate persons, mostly women in rural areas, to vote without assistance, since the law made no provision for such assistance;
- difficulties encountered by voters in receiving, according to the procedure prescribed by the ISIE, text messages indicating their number on the electoral roll and the address of their designated polling station due to the large number of voters texting at the same time on polling day;
- low number of voters who managed to vote in special polling centres compared to the number of voters on these centres’ lists.

53. The publication of partial results on several occasions between 24 and 27 October created some confusion. According to the ISIE's final results announced on 14 November 2011, voter turnout was 54,1%. The Ennahdha party won 89 seats; the Congress for the Republic (CPR) – 29 seats; the independent list "the Popular Petition" led by Tunisian businessman, Hechmi Haadmi, – 26 seats; the Ettakatol party – 20 seats; the Progressive Democratic Party (PDP) – 16 seats; Al Moubadara (Initiative) – 5 seats ; Afek Tounes – 4 seats ; the Communist Party (PCOT) – 3 seats; the People's movement (Sidi Bouzid et Bizert) – 2 seats; the Socialist democratic movement – 2 seats; others – 16 seats.

7. Conclusions

54. The Parliamentary Assembly's ad hoc committee for observing the National Constituent Assembly election on 23 October 2011 concluded that the citizens of Tunisia had achieved this rendez-vous with history. For the first time, they have freely elected their National Constituent Assembly, laying the foundations of their democracy. They have thus transformed the revolutionary dynamic into a legal and legitimate institution, thereby setting an example for the entire region.

55. Polling day was peaceful and calm and people voted with dignity and enthusiasm. The voting went very smoothly, including the tabulation of the results. Despite some problems with managing the electoral rolls and assigning polling stations to voters, which caused delays on polling day, citizens displayed an exemplary maturity and sense of responsibility, patiently waiting outside polling stations for their turn to vote.

56. The numerous lists of political parties and the dramatic rise in the number of independent lists did not prevent voters from having a real choice among many different political tendencies.

57. While welcoming the compliance with the gender-parity rule in the lists of candidates, the ad hoc committee was disappointed to note that the main political players were guided merely by the letter of the law, and not the spirit, and put only 7% of the women candidates at the top of the lists.

58. As regards media coverage of the election campaign, the ad hoc committee welcomes the emergence of a large number of different media outlets since 14 January 2011. Generally speaking, fair and equal access by the main political players to the various media was ensured. The ad hoc committee believes that the role of the media is to keep voters properly informed about the political parties' programmes and to promote debate between participants, including on issues of such relevance for Tunisian society as the separation between religion and politics, while at the same time respecting journalistic ethics.

59. The ad hoc committee considers that the Independent High Authority for the Elections operated in a fully independent and neutral manner and succeeded in fostering fair conditions for the participants in the elections. It wishes to acknowledge the remarkable work done by the thousands of electoral officials dedicated to ensuring the proper conduct of the elections. It also noted, however, that with better co-ordination of the activities of ISIE members, and also with the international partners present in Tunisia, certain technical problems, both in the run-up to the elections and on polling day itself, could have been avoided.

60. The ad hoc committee considers that the Tunisian authorities should carry out an in-depth review of the experience of holding Tunisia's first free elections on 23 October 2011. Given that Tunisia is a member of the Council of Europe's Venice Commission, the ad hoc committee believes that this exercise could be carried out in close co-operation with the Venice Commission in order to improve, if necessary, the electoral legislation, various practical aspects of organising the ballot and, broadly speaking, the entire electoral process before the next elections.

61. Lastly, the ad hoc committee asks the Parliamentary Assembly to place its wealth of experience at the disposal of Tunisia's newly elected National Constituent Assembly, if the latter so wishes.

Appendix 1**Programme****Thursday 20 October 2011**

- 18.15 – 19.30 Meeting of the ad hoc committee:
- Opening of the meeting and presentation of the pre-electoral mission by Andreas Gross, Head of Delegation
 - Statements by other members of the pre-electoral mission
 - Exchange of views with Mr Michael Gahler, Chief Observer of the European Union Election Observation Mission to Tunisia
 - Recent developments in the field of electoral legislation and the activities of the Venice Commission in Tunisia, by the Venice Commission secretariat
 - Practical arrangements and logistics, secretariat

Friday 21 October 2011

Joint meetings of the Parliamentary Assembly of the Council of Europe and OSCE Parliamentary Assembly delegations

- 10.00 – 11.00 Introductory remarks
Mr Riccardo Migliori, Head of the OSCE Parliamentary Assembly Election Observation Mission
Mr Andreas Gross, Head of the Parliamentary Assembly delegation
Remarks by the representative of Mr Taieb Baccouche, Minister of Education
- 11.00 – 11.30 Presentation by Mr Michael Gahler, Chief Observer of the EU Election Observation Mission to Tunisia
- 11.30 – 12.00 Presentation by Mr Nicolas Kaczorowski, Director of the office of the International Foundation for Electoral Systems in Tunisia
- 12.00 – 12.30 Mr Ridha Belhadj, Minister Delegate to the Prime Minister
- 12.30 – 13.00 Mr Kamel Jendoubi, Chair of the Independent High Authority for the Elections
- 13.00 – 14.30 Lunch break
- 14.30 – 15.00 Mr Mahmoud Mezoughi, Progressive Democratic Party (PDP)
- 15.30 – 16.00 Mr Mohamed Bennour, ETTAKATOL party
- 16.00 – 16.30 Mr Yussef Chahed, representing Ettajdid
- 16.30 – 17.00 Ms Lilia Laabid, representing the Ministry responsible for Equality
Mr Kamel Labidi, Chair of the National Authority for the Reform of Information and Communication
- 18.00 – 20.00 Reception hosted by Mr Pietro Benassi, Italian Ambassador in Tunisia and Mr Riccardo Migliori, Vice-President of the OSCE Parliamentary Assembly

Saturday 22 October 2011

- 9.30 – 11.00 Meeting with drivers and interpreters for the ad hoc committee teams

Deployment

Sunday 23 October 2011

Election observation

Monday 24 October 2011

- 8.30 – 9.30 Debriefing of the ad hoc committee
- 11.00 Press conference

Appendix 2

Statement by the PACE mission to observe the election of the National Constituent Assembly of Tunisia on 23 October 2011

The observer delegation from the Parliamentary Assembly of the Council of Europe (PACE) congratulates the citizens of Tunisia for having achieved this rendez-vous with history. For the first time, they have freely elected their National Constituent Assembly, laying the foundations of their democracy. They have thus transformed the revolutionary dynamic into a legal and legitimate institution, thereby setting an example for the entire region.

The PACE delegation thanks the Tunisian transitional authorities for having guaranteed the free expression of citizens' will and congratulates them on their commitment. The election day was calm and peaceful. The people of Tunisia expressed their will freely and in a dignified manner.

The delegation hails the excellent work done by the High Commission for the Fulfilment of Revolutionary Goals, chaired by Mr Yadh Ben Achour, which made it possible to reinforce the confidence of political players and citizens in the electoral process.

The Independent High Authority for the Elections (ISIE) operated in a fully independent and neutral manner. It fostered conditions conducive to the fair and equal treatment of participants in the elections. The delegation wishes to acknowledge the remarkable work done by the thousands of electoral officials, dedicated to ensuring the proper conduct of the elections.

Tunisian voters were able to have a real choice among many political tendencies. However, in view of the legitimate concern to ensure equality of opportunity for candidates, the election campaign was strictly regulated, attracting criticism from some political circles.

Certain weaknesses nonetheless came to light on polling day. In particular, problems were encountered with the management of electoral registers and with voters' allocation to polling stations, which caused delays. Faced with these constraints, the people showed an exemplary maturity and sense of responsibility, patiently waiting outside the polling stations for their turn to vote.

The PACE delegation welcomes the application of the gender parity rule to the lists, but regrets that this parity may not be reflected in the composition of the future National Constituent Assembly.

It calls on the country's key political players to recognise the results of the elections and rapidly begin work within the National Constituent Assembly. The legitimacy acquired by this Assembly and its sovereign power should enable it to meet the urgent essential needs of the country and of its citizens. The Parliamentary Assembly is ready to place its wealth of experience at the disposal of the newly elected constituent National Assembly, if it so wishes.

The Parliamentary Assembly of the Council of Europe will adopt its final report on observation of the elections to the Tunisian National Constituent Assembly at the meeting of the Standing Committee to be held on 25 November 2011 in Edinburgh