

2019 Presidential and Parliamentary Elections in Tunisia

Final Report



THE
CARTER CENTER



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Map of Tunisia



Source: Ezilon Maps, ezilon.com

| Executive Summary

The 2019 presidential and parliamentary elections represent Tunisia's first peaceful transfer of power from one democratically elected president to another, and from the country's first democratically elected parliament under the Second Republic to its second. Although democratic transition and key reforms have stagnated since the country's 2014 elections, Tunisians reconfirmed their commitment to the country's fledgling democracy by voting in

three well-organized elections in less than one month: a presidential election on Sept. 15, a parliamentary election on Oct. 6, and a presidential runoff on Oct. 13.

Tunisia's electoral authorities should be commended for successfully managing the 2019 elections within a compressed timeline caused by the untimely death of President Beji Caïd Essebsi. All three polls were orderly and peaceful, with



Observers Tidiani Togola (left) of Mali and Anitra Jankevica of Latvia use the Center's ELMO technology to assess electoral processes in a polling station during the first round of Tunisia's presidential election. Their translator is at right.

only minor irregularities. The High Independent Authority for the Elections (known by its French acronym, the ISIE) carried out a successful voter registration drive that added 1,455,898 new voters. Candidate registration was conducted in a professional and efficient manner by the election administration. It suffered, however, from a lack of transparency about the reasons for denying candidate applications and endorsements for presidential candidates.

The electoral process was marred by last-minute attempts to restrict the right to stand in the presidential race. In June, parliament voted to amend the electoral law and retroactively restrict the heads of charitable organizations and owners of media organizations from running. Although the measure passed and was deemed constitutional by interim judicial authorities, the president did not sign the legislation into law and the restrictions were not applied in the election.

Presidential candidate and media owner Nabil Karoui, a presumed target of the amendments, was detained in August 2019, shortly before the campaign period began. The timing of Karoui's detention on charges that had been pending since 2016 raised questions of political interference in the judicial system, given that a lower court had allowed him to remain free while the investigation was ongoing.

Voters, young people especially, overwhelmingly placed their hope in nonconventional political actors, including the new president, to reinvigorate the country's political transition and economic recovery.

While voter turnout in the Sept. 15 and Oct. 6 elections was lower than in other recent elections, voter participation increased for the Oct. 13 runoff. Voters, young people especially, overwhelmingly placed their hope in nonconventional political actors, including the new president, to reinvigorate the country's political transition and economic recovery. The outcome of the elections in many ways reflected the disillusionment of the

Tunisian people with the existing political institutions and establishment and popular impatience with a failure of the state to produce tangible economic improvements, protect the fundamental rights of citizens, and tackle corruption on all levels.

Tunisians are rightly proud of their role in catalyzing the Arab Spring and for continuing to serve as a beacon for democracy across the region. In order to strengthen their democratic transition and institutions, Tunisia's new leaders must take concrete steps to demonstrate that democracy can and should benefit the people by strengthening the country's institutions, introducing economic reforms that improve the daily lives of ordinary Tunisians, and ensuring that essential institutions such as the constitutional court are put in place without further delay to guarantee their freedoms.

The urgent need for a constitutional court also became evident with Essebsi's death, as it is the only institution with the authority under the constitution to declare a permanent presidential vacancy. Nevertheless, a constitutional crisis was averted when the Interim Authority for the Constitutionality of Draft Laws (IPPCPL) stepped in and effected a peaceful transfer of power to the parliamentary speaker, who became interim president the day Essebsi died.

Background

Since the 2014 elections, Tunisia has made some progress in its democratic transition, but because of a lack of political will, many essential reforms needed to break away from the old regime and fulfill the aspirations of the Tunisian people after the transition to democracy have stalled. The Nidaa-Ennahda partnership that characterized political life under the first legislature was seen by many to have been ineffective. Their governing coalition eventually weakened, and they lost the trust of many of their supporters.

The first parliament was unable to put in place essential institutions that would guarantee the individual rights and freedoms for which Tunisians had fought, such as the Constitutional Court and

independent constitutional bodies.¹ Tunisians grew disillusioned with political parties, and politics in general, as they did not see any tangible benefits emerge. Many hoped that the 2019 elections would kick-start long-awaited reforms.

The sudden death in office of President Essebsi in July 2019 dramatically altered the contest for president. Amendments to the electoral law that would have retroactively banned certain candidates from competing were not enacted because the president did not sign them before his death. The electoral timeline was advanced considerably, and the presidential election took place two months earlier than originally scheduled. This change in sequence—coupled with a political environment fraught with intraparty conflicts, including internal divisions within Nidaa Tounes, an internal identity crisis in Ennahda over increasing conservatism within portions of its base, and the weakening of the leftist parties—set the context for the 2019 general elections.

Legal Framework

Tunisia's electoral process is governed by the 2014 Constitution, the 2014 electoral law, the law on the ISIE, and the law related to the freedom of audiovisual communication that created the Independent High Authority for Audiovisual Communication (HAICA). The country's legal framework for presidential and legislative elections is generally in alignment with international standards and provides an adequate basis for the conduct of elections in line with international instruments ratified by Tunisia as well as with international best practices. Nevertheless, certain aspects of the legal framework could be improved, including the establishment of definitive and adequate time frames for the different stages of the electoral process; review of campaign regulations, including campaign finance ceilings and overly restrictive campaign provisions; clarification of the provisions of the electoral law that grant the ISIE authority to change the preliminary election results

based on reported violations; and review of the boundary delimitation process and the use of voter endorsements in the candidate registration process for presidential elections. Last-minute efforts by the parliament to amend the electoral law and restrict the right to be a candidate in the presidential election were thwarted when the president did not sign the legislation. The proposed amendments were not in alignment with Tunisia's international obligations for democratic elections and would have severely restricted a core right of political participation, the right of Tunisian citizens to run for office.²

Election Management

In spite of the shortened time period for holding elections, the ISIE and its subsidiary bodies, the Independent Regional Electoral Authorities (IRIEs), carried out their duties to manage the overall process efficiently. In particular, the management of the operational aspects of the election were handled in a professional manner.

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The electoral process, however, was tainted by a lack of transparency and failure by the ISIE to communicate effectively. The ISIE held no public meetings, did not publish minutes that reflected their internal deliberations and decision-making processes in a timely fashion, and, at times, made conflicting announcements to the public. Although the ISIE managed most aspects of the process competently, its failure to inform the public and electoral stakeholders of the details and

1 The National Authority on Good Governance and Fight Against Corruption, the Authority for Sustainable Development and the Rights of Future Generations, Human Rights Authority, and the Audiovisual Communication Authority.

2 Article 74 of the Tunisian 2014 Constitution. Article 40 of the electoral law.

reasoning for many of its decisions reduced the public's confidence in the electoral process.

This included its failures to give details as to why it rejected several candidates for president, to release information on campaign violations and the steps it took to address these infractions, to release detailed minutes of its meetings, or to explain how decisions were made. Its lack of a comprehensive communication strategy sometimes resulted in ISIE Council members airing conflicting messages.

Voter Registration

Voter registration efforts were conducted in accordance with the law and in an efficient manner. The ISIE conducted a vigorous and successful voter registration campaign in the run-up to the 2019 elections, which resulted in the registration of 1,455,898 new voters out of an estimated 3.5 million potential voters, bringing the total number of registered voters to 7,074,565. The ISIE provided adequate time for voter registration, including posting the preliminary list for public inspection. The public was able to ask for any corrections or make challenges. The ISIE informed The Carter Center that an insignificant number of requests for correction were filed and that no

appeals related to voter registration were filed with the courts of first instance.³

Voter Education

The ISIE's voter education activities were sufficient but not comprehensive. Although the IRIEs conducted significant voter education during the voter registration period, the ISIE's voter education campaign was limited to informing registered voters about the voting procedures and explaining the importance of voter participation. Campaign activities relied on the use of electronic and broadcast media as well as print media. Civil society organizations (CSOs) reported that they lacked funds to conduct a comprehensive voter education campaign leading up to election day.

Citizen Observation

Overall, Tunisian civil society organizations took an active part in observing the 2019 electoral processes, although not as extensively as they did for the 2014 elections. Many suffered from a lack of funding, as the early presidential elections and compressed time frame for the three elections prevented them from mobilizing funds quickly.⁴ However, they carried out their work professionally with the resources at their disposal.

Candidate Registration

Presidential Election

Candidate registration was conducted in a timely and professional manner; however, the ISIE's failure to inform the public of the reasons for excluding some candidates from registering diminished the transparency of the process. Candidate nominations for the presidential elections took place Aug. 2-9, just seven days after Essebsi's death. Despite the quick time frame, ISIE staff implemented the registration procedures and informed potential candidates of any deficiencies in their application papers in a professional manner. Ninety-seven candidates applied, 11 of whom were

Voters queue to vote cast their ballots for the first round of the presidential election on Sept. 15. Voters were assigned polling stations according to age during all rounds of elections, with many polling stations assigned to elderly voters.



³ On June 26, the operation director of the ISIE informed The Carter Center that there were no more than 10 requests for corrections.

⁴ The ISIE accredited approximately 13,000 citizen observers for the first round of the presidential election. This number increased to 17,500 for the parliamentary election and more than 17,500 for the runoff.

women. Twenty-six candidates were approved, and 71 were rejected. The ISIE published the final list of candidates on Aug. 31, just two days before the start of the electoral campaign. The final list included two women.

The ISIE never provided a detailed justification for rejecting three-quarters of the potential candidates, even those who had submitted the required number of endorsements. The failure of the ISIE to fully inform the public of the reasons for excluding potential candidates led to public speculation that the rejections were based on considerations other than a strict application of the law and undermined public confidence in the administration of the elections.

After civil society organizations urged it to do so, the ISIE introduced an SMS service for voters to check whether their names had appeared on any of the lists of voter endorsements. This service resulted in more than 245 complaints from voters who said their signatures were used without their knowledge.⁵

Parliamentary Elections

The Independent Regional Electoral Authorities (IRIEs) conducted candidate registration for the parliamentary election July 22-29. IRIE staff were well-prepared, and all stakeholders praised their professionalism and hard work. While the law requires that all lists must alternate male and female candidates, regrettably, women were placed at the top of only 217 of the 1,506 lists. The candidate registration process was inclusive and handled in an efficient, professional manner.

Campaign

The rights of freedom of speech and assembly were respected throughout the country during the presidential and parliamentary campaign periods. With the exception of presidential candidate Nabil Karoui, who remained in detention until Oct. 9 and thus was unable to conduct a personal campaign, candidates in all three rounds were allowed to campaign freely within the somewhat

restrictive limits of Tunisian law. Social media played a significant role in the campaign; however, the lack of accountability concerning the financing of the campaigns on social media marred the process. Also, the lack of clarity in the law on the use of social media as a campaign tool and the lack of definition of the rules guaranteeing equal opportunities for all candidates negatively impacted the campaign.

Presidential Election, First Round

Although the death of the president resulted in a shortened campaign period of two weeks, all candidates had the opportunity to make themselves and their electoral programs known to Tunisians.

The official campaign for the presidential elections began on Sept. 2; some contestants were well-known figures, whereas others were relative newcomers. The campaign was marked by the absence of one candidate, Nabil Karoui, a businessman and media owner who was imprisoned on tax evasion and money laundering charges on Aug. 23. Although Karoui was not able to campaign personally because of his imprisonment, he remained a prominent public figure on social and traditional media, and surrogates campaigned on his behalf. The most popular candidate during the first round was Kaïs Saïed, a constitutional lawyer and independent politician with no political party.

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The campaign began slowly throughout the country, with mostly billboards and ads on social media appearing on the first day. In the second week, the campaign intensified. Most frequently, candidates held rallies, erected campaign tents, and distributed leaflets. Parties and candidates also

⁵ The ISIE announced that it would address these complaints; however, it has not taken any action to date. According to media reports, an investigative judge called several candidates in for questioning about alleged fraudulent endorsements.

used other campaign strategies, including posters, door-to-door activities, and social media (mainly Facebook). Candidates addressed questions of national security and foreign policy, which are within the prerogatives of the presidency. However, some candidates also campaigned on issues that exceed the president's purview.

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The ISIE identified about 440 violations and received over 20 complaints regarding campaign infringements. The violations focused mainly on early campaigning, undeclared campaign activities, placing posters outside designated areas, and using children in campaigns. Carter Center long-term observers confirmed that a positive atmosphere existed among the main political parties in different regions of the country, even when they were holding campaign events on the same day in the same area. No major security incidents were reported.

Parliamentary Election on Oct. 6

The campaign for the legislative election began on Sept. 14, the day of silence for the presidential campaign, and lasted for 22 days. It was overshadowed by the results of the first round of the presidential elections, as voters focused more on the results of the first round of voting and the conduct of the second round of the presidential elections. Many candidates, both independents and those belonging to political parties, violated restrictions on early campaigning.

Most established political parties were slow to begin their campaigns for the legislative election as they assessed their strategies, while independent lists were quick to campaign to take advantage of the anti-establishment momentum that emerged during the first round of the presidential election. Established parties re-evaluated their strategy of holding big rallies and staging public events, which appeared to have been unsuccessful in influencing voters in the presidential campaign. The Carter Center's long-term observers reported that most parties ran low-key campaigns, handing out leaflets and conducting door-to-door activities.

Some parties focused on reaching out through social media to voters who supported presidential candidate Kaïs Saïed. In general, independent lists and some parties found it difficult to finance their campaigns and used personal funds.

Presidential Runoff

The campaign for the second round officially began on Oct. 3, the day after the ISIE announced the final results of the first round. Saïed announced that he would not personally campaign as it would create an unfair advantage over his opponent, who remained in detention until his release on Oct. 9, saying it was the "ethical" thing to do. Because of Karoui's detention and the novelty of Saïed's nontraditional campaign, both presidential candidates were constantly in the news and media coverage never really stopped. Saïed's supporters continued to campaign for him in the field and on social media.

Carter Center long-term observers reported that although neither candidate held large campaign events in the regions, volunteers for both candidates handed out leaflets and engaged in door-to-door campaigning. Most campaigning took place on social media. The supporters of both candidates held final rallies in Tunis on Oct. 11 on Avenue Habib Bourguiba. Although the two groups mixed with each other, no altercations were reported.

On Oct. 11, the public television network organized a historic debate between Saïed and Karoui. Moderators selected four topics for the



A man dips his index finger in ink before voting in the presidential election, in line with the voting procedures established by the ISIE.

debate—defense and national security, foreign policy, the president's relationship with parliament and the head of government, and public affairs. For each topic, they asked the candidates to respond to three questions. The candidates were allotted time at the end of each topic to elaborate on their electoral promises. Despite efforts by the moderators to encourage the candidates to interact with each other, they mostly refrained from doing so.

Voting and Counting

All three election days were well-administered, and voting took place in a peaceful and calm environment. Voting and counting were assessed by Carter Center observers as reasonable or very good in all observed polling stations for all three elections. Only minor irregularities were reported, including the failure of polling staff to instruct voters on how to cast a ballot as required by the regulations during the first round of presidential elections. Voters, especially the elderly, had difficulty voting

in the parliamentary election because of the number of lists and large ballots.

Secrecy of the vote was respected in the overwhelming number of polling stations visited. Carter Center observers reported no interference in the counting process by any candidate agents or citizen observers. No official complaints were filed at the polling stations where The Carter Center observed.

Candidate representatives were present in nearly all—309 of the 317—polling stations observed during the September presidential election. Representatives for Abdelfattah Mourou of Ennahda, Youssef Chahed of Tahya Tounes, and Nabil Karoui of Qalb Tounes were present in the majority of polling stations observed. Party agents were present in 373 of the 392 polling stations observed during the parliamentary election, mainly from the larger political parties. Carter Center observers noted a reduced presence of candidate agents and citizen observers in the runoff election.

Tabulation

The tabulation process for the first two election days was hindered by the late arrival of electoral material from the polling centers, which caused significant delays. In addition, observers were not given the opportunity to conduct meaningful observation at the tabulation centers because the location where they were forced to observe from was far from the activities being conducted,

than in the previous two elections. Tally centers received the electoral materials from the polling centers more quickly and, consequently, were able to compile the results in a timelier manner. International observers were afforded a greater level of access to the process and were better able to conduct a meaningful observation of the process in most tally centers.⁶

Throughout the electoral cycle, Carter Center observers noted that tally centers differed in their procedures for receiving material, conducting recounts, and granting access to observers. The ISIE's failure to issue detailed regulations on tabulation procedures was partially responsible for these inconsistencies.

Electoral Dispute Resolution

Despite the short time limits provided by the law, the Administrative Court in Tunis addressed all pre-election complaints and appeals in a timely fashion. The tribunal demonstrated impartiality and respect for due process in its decisions. Although the hearings were conducted in an orderly manner and lawyers were given the opportunity to present their cases, both the judiciary and the litigants criticized the time constraints as threatening the right to seek redress and judicial review.⁷ Lawyers complained that it was impossible to collect enough evidence to prove to the court that the violations significantly affected the results within the shortened time limits for filing cases.

Although Article 124 of the electoral law allows candidate representatives and observers to record remarks about the voting process in the polling station minutes, the electoral law does not allow voters to file complaints about potential malpractice or irregularities, thus denying their right to an effective remedy.⁸ Voters are not allowed to challenge the election results in the courts.⁹



Baby and Tunisian flag in hand, a man deposits his parliamentary election ballot. The ISIE conducted a vigorous and successful voter registration campaign in the run-up to the 2019 elections, resulting in the registration of 1,455,898 new voters.

and they were not afforded access to tabulation staff to ask questions. The tabulation process improved significantly for the runoff presidential election after the ISIE conducted an assessment for presidents, coordinators, legal officers, and administrators of the 33 IRIEs and addressed these shortcomings.

Staff received additional training on the use of a software application that calculated the results automatically at the tally-center level. The military also changed the routes it used to collect and deliver election material to the tally centers. With these changes, staff conducted the tabulation process more efficiently and transparently

6 The same was not true for national observers, who continued to face obstacles because of a lack of sufficient access to conduct meaningful observation.

7 UNHRC, General Comment 32, para. 19.

8 ICCPR, General Comment 25, para. 20 and African Union Declaration on the Principles Governing Democratic Elections in Africa, Section IV, Article 7.

9 U.N., ICCPR, Article 2, and African Charter on Democracy, Elections and Governance, Article 17 (2).

The courts of first instance did not allow Carter Center observers to fully observe the election dispute resolution processes in the majority of cases. Despite several official written requests, observers were not given information about electoral disputes, allowed to attend public hearings, or given copies of judgments.¹⁰

In the same vein, the ISIE refused to provide the Center with information about electoral disputes or to share detailed information as to why several candidates were disqualified from the presidential race. In contrast, the Administrative Court allowed the Center to attend all hearings and occasionally supplied the Center with electronic copies of some decisions, albeit with some delay.

The ISIE's election dispute resolution process remains opaque. The ISIE did not share information collected by its 1,500 campaign monitors, nor did it publicly announce how it would resolve election complaints. Although the courts did not release complaints or decisions in a timely fashion, they provided litigants with the opportunity to be heard and made decisions within the short time frame allowed.

Results

Voter turnout for the 2019 elections was disappointing. Parliamentary polls registered at 42.8%, a drop of more than 26% from the 2014 parliamentary elections, while turnout in the first round of the presidential election dropped by seven points from 2014. Voter turnout for the second round increased to 56.3%; however, the turnout and voters' selection of two political newcomers to compete for the presidency in the runoff suggested that Tunisian voters were dissatisfied with the political parties representing them in parliament and their failure to realize the goals of the revolution and citizens' aspirations since the 2014 elections.

While the environment surrounding the elections was largely open and competitive, the



parliamentary election resulted in a fractured parliament where no party won enough seats to form a government on its own. In addition, several parties that had excelled in 2014 lost the majority of their seats, and some failed to win any seats.¹¹ With the election of a more politically diverse parliament and a new president, it is critical for Tunisian political leaders to work together to forge inclusive solutions to the country's difficult political and economic challenges that were the root cause of the 2011 revolution.

Presidential Election Sept. 15

Two political outsiders, Kaïs Saïed and Nabil Karoui, finished first and second, respectively, among the 26 candidates in the first round of the presidential election. Saïed placed first with 18.4% of the vote, and Karoui was second with 15.58%. Several veteran politicians failed to make it to the second round, including Ennahda's vice president and official nominee, Abdelfattah Mourou, who placed third with 12.88%. Defense Minister Abdelkarim Zbidi, an independent who was endorsed by Nidaa Tounes and Afek Tounes, came in fourth with 10.73%, and Youssef Chahed, president of Tahya Tounes and then prime minister,

Tunisians await the announcement of election results after selecting two political newcomers to compete for the presidency in the runoff.

¹⁰ The Tunisian Civil and Commercial Procedures Code, Article 252 gives the right to obtain copies of court decisions to any person who asks for them. The Center filed several official requests to the Supreme Judicial Council and the courts.

¹¹ Sixteen political parties, four coalitions, and 11 independent lists are now represented in parliament. Of the 16 political parties, seven were new.

placed fifth with 7.38%. Turnout was reported by the ISIE at 49.8%.

Parliamentary Election

Although Ennahda won the largest number of seats—52 out of a total of 217—this result represents a steady decline from the 89 seats the party won in the 2011 National Constituency Assembly election and the 69 seats it took in the 2014 parliamentary election. Its win was credited less to its popularity than to the divisions among the secular parties. Karoui's party, Qalb Tounes, placed second with 38 seats.

Nidaa Tounes, the party of former President Caïd Essebsi, virtually collapsed, mostly as a result of its continual fractures since 2014. It won only three seats. Moreover, the various parties that emerged from the division of Nidaa Tounes either obtained very few seats (Machrouu Tounes with four seats) or none at all (Amal Tounes). Tahya Tounes, the prime minister's party and an offshoot of Nidaa Tounes, won 14 seats.

Abir Moussi's Free Destourian Party greatly advanced, going from no seats in 2014 to winning 17 seats. The party's extreme anti-Ennahda rhetoric and praise for the socioeconomic situation under the Ben Ali regime appear to have attracted voters who are nostalgic for the country's past stability. Mohamed Abbou's Al Tayar Dimokrati (Democratic Current) won 22 seats, finishing third, compared to 2014, when it won only three seats.

The parliamentary polls also saw the rise of new political actors such as the Al-Karama coalition and the Pan-Arab Harakat Echaab. Sixteen political parties, of which three have only one seat; four coalitions, of which two have only one seat; and 11 independents were elected to parliament.

Presidential Runoff

Saïed and Karoui's advancement to the second round of the presidential election reflected the voters' rejection of Tunisia's traditional political parties. Both candidates were perceived as anti-establishment and nonpolitical. Saïed ran a

nontraditional campaign, and, at times, said that he would not campaign personally because his opponent was in detention until just before the polls. Karoui was released from prison on Oct. 9, the day of the announcement of the preliminary results of the parliamentary elections, and only two days before the end of the campaign period.

Saïed won a decisive victory in the second round, garnering 72.71% of the vote against Karoui's 27.29%. Voter turnout increased from 49.8% to 56.3% for the runoff.

Recommendations

In order to improve the electoral process for future elections, The Carter Center recommends the following actions to the parliament: (1) Move quickly to establish the constitutional court and the independent bodies mandated by the constitution; (2) Conduct a transparent and inclusive review of the electoral constituencies boundaries for all levels of elections, and (3) Review and harmonize the electoral law based on the lessons learned from the 2018 and 2019 elections.

The Center recommends that the ISIE: (1) Increase transparency in all aspects of its work; (2) Define in more detail the precise structure of the institution, including the responsibilities of the secretariat vis-à-vis the council; and (3) Increase voter education campaigns through better coordination and cooperation with civil society organizations.

In addition, the Center recommends that the judiciary: (1) Increase resources dedicated to election-related matters; (2) Be more transparent by making both election-related complaints and judgments public in a timely fashion; and (3) Reduce the number of cases dismissed on technical procedural grounds by providing guides and training to lawyers and creating templates for the filing of election complaints.

A detailed description of the Carter Center's recommendations can be found in the final section of this report.

The Carter Center in Tunisia

The Carter Center conducted an assessment in March 2011, a few months after the ouster of President Zine al-Abidine Ben Ali, and opened its offices in Tunisia shortly thereafter. Over an eight-year period, the Center has implemented a wide variety of programming, including conducting long-term political and electoral monitoring, assessing the constitution-drafting period, and providing technical assistance to key civil society partners on related issues. The Center's most recent work focused on assessing voter participation among women and youth in marginalized areas through qualitative research, developing recommendations for increased voter outreach, and engaging youth with the work of newly elected municipal councils in the regions.

The Center initiated its activities before the 2011 election for a National Constituent Assembly. The ISIE invited the Center to observe the polls and issued accreditation to its observer team. After the election, The Carter Center remained in Tunisia to follow the constitutional drafting process and developments related to establishing institutional and legal frameworks for subsequent elections. The Center assessed these processes against Tunisia's national laws and international treaty obligations and issued frequent public recommendations from 2012 until the adoption of the constitution in 2014 to help bring the constitution and electoral legislation into greater alignment with Tunisia's international obligations for civil and political rights.

The Center again deployed an international observer mission for the 2014 presidential and



parliamentary elections, monitoring voter registration and the legislative and presidential elections in October, November, and December. Despite minor irregularities and down-to-the-wire preparations, both the parliamentary and presidential elections were calm, orderly, and transparent. The mission issued several recommendations to parliament, the ISIE, and political parties. Two key recommendations were adopted for the municipal elections: granting the right of suffrage for military and security forces in municipal elections to promote universal franchise, and amending the electoral law to help promote women's representation through the candidate list nomination process, thus helping to support the constitution's aspirational goals for gender equity.

The Carter Center election observation delegation assembles prior to the presidential election. Since 2011, the Center has implemented a wide variety of programming in Tunisia.

In the interelection period, the Center continued to strengthen its partnerships with civil society organizations and promote key electoral reforms. The Center and its partners issued joint recommendations on implementing legislation for the municipal elections. Before the municipal elections, the Center provided technical assistance to domestic nongovernmental organizations to professionalize their capacity to conduct long-term election observation.

The Carter Center also conducted focus groups to understand electoral behavior and inform recommendations on how to improve voter outreach and turnout. This work was motivated by an unanticipated drop in voter participation in 2014. While potential voters took part in registration, which was voluntary and proactive, they later did not vote. As part of this activity, the Center trained members of partner CSOs in qualitative analysis, facilitation techniques, and focus group methodology. The Center's work offered in-depth

insight into the electoral behavior of women and youth and formed the basis for recommendations shared with the ISIE in December 2018 in advance of its voter registration campaign in April 2019. These recommendations were also shared directly with political parties.

The Carter Center's research findings, which highlighted a need for greater civic education and engagement in public life among youth, informed its follow-up programming. Last year, the Center supported the engagement of youth in the work of elected municipal councils in eight locations, encouraging greater civic involvement in public service.

Between elections, the Center continued to monitor the parliament's work to implement the 2014 Constitution. The Center issued public statements about important constitutional and electoral issues, including the need to establish the High Judicial Council and the Constitutional Court.

The Center supported the engagement of youth in the work of elected municipal councils in eight locations, encouraging greater civic involvement in public service.

| Election Observation Methodology

The objectives of the Center's observation missions in Tunisia were to provide an impartial assessment of the overall quality of the electoral process, promote an inclusive process for all Tunisians, and demonstrate support for its democratic transition. The electoral process was assessed against both the Tunisian legal framework and Tunisia's international obligations for genuine democratic elections. Carter Center observation missions are conducted in accordance with the Declaration of Principles for International Election Observation and Code of Conduct that was adopted in the United Nations in 2005 and is currently endorsed by 55 organizations.

Tunisia has signed and ratified a number of international and regional treaties whose provisions are relevant for the electoral process. These include the International Covenant on Civil and Political Rights (ICCPR), the International Covenant on Economic, Social, and Cultural Rights (ICESCR), the Convention on the Elimination of All Forms of Racial Discrimination (CERD), the Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW), the Convention Against Torture, Inhuman, or Degrading Treatment (CAT), the Convention on the Rights of Persons With Disabilities, and the African Charter on Human and Peoples' Rights (ACHPR).



Mission assistants Daniel Richardson (left) and Wyatt Schierman use the Center's open source data collection system, ELMO, to submit their observations.

Treaty/Declaration	Status	Year
International Covenant on Civil and Political Rights	Ratified	March 18, 1969
International Convention on the Elimination of All Forms of Racial Discrimination	Ratified	Jan. 13, 1967
International Covenant on Economic, Social, and Cultural Rights	Ratified	March 18, 1969
Convention on the Elimination of Discrimination against Women	Ratified	Sept. 20, 1985
Convention on the Political Rights of Women	Acceded	Jan. 24, 1968
Convention on the Rights of the Child	Ratified	Jan. 30, 1992
United Nations Convention Against Corruption	Ratified	Sept. 23, 2008
United Nations Convention on the Rights of Persons with Disabilities	Ratified	April 2, 2008
International Convention for the Protection of All Persons from Enforced Disappearance	Ratified	June 29, 2011
African Charter on Human and Peoples' Rights	Ratified	March 16, 1983
African Convention on Preventing and Combating Corruption	Signed	Jan. 27, 2013
Protocol to the African Charter on Human and Peoples' Rights on the Rights of Women in Africa	Ratified/Acceded	Jan. 30, 2015
African Charter on Democracy, Elections, and Governance	Signed	Jan. 27, 2013
Arab Charter on Human Rights	Signed	May 24, 2004
Vienna Convention on the Law of Treaties	Ratified/Acceded	June 23, 1971

The Carter Center's mission consisted of a core team of experts based in Tunis and was led by a mission director and country representative, who also served as political analysts for the mission. The core team consisted of a multinational staff of experts, including a security and operations manager, legal analyst, electoral analyst, observer coordinator, and two social media monitoring experts. In mid-July, they were joined by 16 long-term observers, who helped monitor preparations in 27 in-country electoral constituencies.

Long-term observers were deployed in teams of two throughout the country on July 22 after receiving three days of training on the current electoral, legal, and political environment in Tunisia; their roles and responsibilities; reporting requirements; international democratic election standards; the role of human rights in election observation; and security awareness. Teams were deployed to Sousse, Gafsa, Sfax, Bizerte, Tunis, Beja, Nabeul, and Medenine. Traveling from these hub locations, long-term observers covered an assigned area of responsibility that consisted of

three to four governorates per team. All long-term observers spoke either French or Arabic and were deployed with a translator/interpreter to support their work.

Long-term observers submitted written reports to the core team on a weekly basis as well as specialized reports on campaign rallies and other incidents as needed. The Center's core team and long-term observers met with election administration officials and technical staff at both the central and regional levels, as well as with political parties, civil society organizations, technical assistance providers, international election observation missions, and other key stakeholders in the electoral process to learn about electoral preparations and follow their progress. The team monitored political and electoral developments during the months leading up to the polls. Based on assessments from long-term observers and the analysis of the core team, the Center released a pre-election statement on Sept. 9 on voter and candidate registration as well as other aspects of the electoral preparations.



Long-term observers Laura Salich Di Francesca (back to camera) of Spain and Jean-Louis Ouraga (center) of Côte d'Ivoire brief short-term observers before deployment.

The Carter Center launched a series of three short-term observation missions to observe the legislative election and both rounds of the presidential election. Short-term observer delegations were composed of civil society activists, election officials, academic experts, electoral specialists, and others from the Middle East/North Africa region and beyond. Short-term observers received training before their deployment on the electoral, political, and security dynamics in Tunisia as well as the Carter Center's observation methodology, the observer code of conduct, electronic data collection tools, and security protocols. Observers utilized the Center's election monitoring open-source software (ELMO) to gather polling-station data in real time.

The Center deployed 90 observers for the first round of the presidential election. The observers visited 317 unique polling stations and all 27 tabulation centers in Tunisia. The mission was co-led by Salam Fayyed, former prime minister of Palestine, and Tana De Zulueta, a former Italian parliamentarian. More than 30 nationalities

were represented in the delegation. The Center presented its preliminary findings at a press conference on Sept. 17, 2019.

For the legislative election, the Center deployed 90 observers who visited 392 unique polling stations as well as all in-country tabulation centers. The mission was co-led by De Zulueta and Karen AbuZayd, a commissioner on the Independent Commission of Inquiry on the Syrian Arab Republic. The delegation represented more than 30 countries. The Center presented its preliminary findings on the legislative election at a press conference on Oct. 8, 2019.

For the second round of the presidential election held on Oct. 13, the Center deployed more than 80 observers who visited 337 unique polling stations as well as the 27 in-country tabulation centers. Salam Fayyed returned to lead the Center's delegation to assess the third and final stage of the electoral process. The Center presented its preliminary findings at a press conference on Oct. 10, 2019.

I Political Background

Nine years after the Jasmine revolution, Tunisia remains in a perpetual state of transition, which will likely take years to complete. The country's political institutions, which were reshaped under the 2014 Constitution to form a semipresidential representative democratic republic, are young, and the balance of power among the three branches of government remains fragile.

The 2019 presidential and parliamentary elections represent the country's first transfer of power from one democratically elected president to another, and from the first democratically elected parliament under the Second Republic to its second democratically elected parliament, the Assembly of the Representatives of the People (ARP).

The parliamentary and presidential elections took place against the backdrop of a turbulent

political landscape, characterized by five years of internal disputes within the main political parties, weak governing coalitions, and a halting transition process. There was no political consensus to implement much-needed reforms.

The Nidaa-Ennahda partnership that marked political life under the first democratically elected parliament was assessed by many to be ineffective. This alliance was one cause of the eventual implosion and disappearance of the party of President Caïd Essebsi, Nidaa Tounes, and also caused strains within Ennahda. Their alliance was also perceived by supporters of both parties as a betrayal, the effects of which are reflected in the results of the 2019 parliamentary elections.

The first parliament was unable to put in place the essential institutions intended to guarantee the

Timeline of Key Recent Political Events in Tunisia

Dec. 31, 2014	Beji Caïd Essebsi sworn in as president of the republic.
Jan. 5, 2015	President Essebsi appoints Habib Essid as head of government.
June 2, 2016	President Essebsi discusses the formation of a national unity government, leading to the Carthage 1 agreement.
July 30, 2016	Parliament withdraws confidence from Prime Minister Essid and his government.
Aug. 3, 2016	President Essebsi appoints Youssef Chahed to form a new government.
May 6, 2018	First democratic municipal elections.
Sept. 15, 2018	Prime Minister Chahed is suspended from the Nidaa Tounes party.
June 18, 2019	Parliament adopts controversial amendments to the electoral law.
July 25, 2019	President Essebsi dies. Speaker of the Parliament Mohamed Ennaceur sworn in as interim president.
Sept. 15, 2019	First round of presidential election.
Oct. 6, 2019	Parliamentary election.
Oct. 13, 2019	Second round of presidential election.
Oct. 23, 2019	Kaïs Saïed takes the oath of office as the second democratically elected president of Tunisia.

individual rights and freedoms for which Tunisians had fought in the revolution. The constitution stipulated the establishment of the Constitutional Court within one year of the legislative elections, but parliament was never able to agree on its four candidates. Five years later, the court has not yet been formed. Events in 2019, commencing with the death in office of the president, reflected the absolute necessity of putting such a structure in place. Similarly, Tunisia's first democratically elected parliament failed to operationalize several independent constitutional authorities.

Political practice under Tunisia's Second Republic reflected a desire for greater centralization of power in the office of the presidency than the constitution allows. The president repeatedly selected politicians who lacked strong political party support to serve as prime minister, which allowed him to maintain control over the affairs of the state. The executive branch controlled the parliamentary agenda by sending forward legislation for urgent consideration. There was hardly any time for parliamentarians to revise the myriad of old authoritarian laws to ensure that they conformed to the 2014 Constitution. Petty politics dominated statesmanship, and many urgent reforms—such as restructuring the administration, reforming the security sector, tackling corruption, and undertaking serious economic reform—were not addressed.

Tunisians grew disillusioned with political parties and politics in general because they did not see any tangible benefits from the new democratic system that they had first embraced. The freedom of speech that they had gained, and to which they were so attached in the few years following the revolution, felt less important than the need to find a job and feed their families. Tunisians in general, and youth in particular, hoped that the 2019 legislative and presidential elections would kick-start the changes for which they had waited.

Many of the political parties that dominated the 2014 political scene and elections suffered setbacks in the intervening years. Nidaa Tounes,

the victorious party in the 2014 legislative elections and party of the president, fractured. More than half of its parliamentarians chose to leave the party, depriving it of a parliamentary plurality. Some of its founding members left and formed their own parties, while other loyalists allied with other parties. The Popular Front Coalition, a main actor in the parliament, also split. This led to the creation of the Popular Front Party and, separately, the Front Coalition. In the immediate pre-election period, Ennahda also suffered from internal disputes over the selection of a presidential candidate and the party leader's intervention to place candidates who were closely affiliated with him on the top of its lists for the parliamentary election.

In June 2019, the government proposed an amendment to the electoral law that would have introduced a 3% threshold per constituency for each political party or independent list to accede to parliament and effectively prohibited heads of charitable organizations and owners of media organizations from running as candidates. In addition, the legislation mandated the ISIE to vet all candidates and to prohibit from running anyone who had made statements against democratic values or the rule of law, or those who spoke favorably about the former regime. Parliament passed the legislation on June 18 by a large margin.¹²

A Tunisian mother proudly shows off her inked finger with her daughter, passing on the importance of voting to a new generation of Tunisians.



12 Of 217 members, 172 participated in the vote for the bill: 128 voted for, 30 against, and 14 abstained. Those voting in favor were from Ennahda, the National Coalition Bloc (of Youssef Chahed), and Machrouu Tounes (of Mohsen Marzouk). Those voting against were from Nidaa Tounes (the two groups: that of Monastir and that of Hammamet) with certain deputies of the Democratic Bloc, in particular those of the Movement of the People.

Some political party representatives claimed that the amendment was intended to assure a level playing field among party contestants and independents. However, the timing and content of the amendments appeared to target specific prospective candidates and would have severely restricted a core right of political participation, the right of Tunisian citizens to run for office.¹³

The proposed amendment would have barred the candidacies of media owner Nabil Karoui of Qalb Tounes, Olfa Terras of Ich Tounsi (who would have been eliminated because of her organization's charitable work and the perceived benefit of political advertising), and Abir Moussi of the Free Destourian Party (who would have been eliminated for her favorable comments regarding the former regime). At the time the amendments were passed, Karoui, Terras, and Moussi had been steadily rising in public opinion polls.

Fifty-one members of parliament filed a petition with the Interim Authority on the Constitutionality of Draft Laws (IPPCPL) challenging the constitutionality of the amendments.¹⁴ The amendments were deemed constitutional by the IPPCPL, although it never released an official opinion explaining its reasoning.

According to Article 81 of the constitution, the president shall sign the laws and publish them in the official gazette within four days of an opinion on their constitutionality. He also has the option of returning a proposed law to parliament for reconsideration with an explanation of his objections. President Caïd Essebsi did not sign the proposed law nor return it to parliament for reconsideration. The president's political advisor, Nouredine Ben Ticha, released an official statement saying that "the president did not promulgate

the law because he rejects the logic of exclusion and amendments tailored to certain" candidates. He emphasized in this regard that the president of the republic is the guarantor of the 2014 Constitution and the organization of free and transparent elections.¹⁵ Consequently, the amendments never became law and were not applied in the 2019 elections.

Many legal scholars and political parties argued that the actions of the president were unconstitutional, as Article 81 states that the president "shall" either sign the law or return it to parliament for reconsideration.¹⁶ Therefore, they argued, the amendments should be considered law regardless of the refusal of the president to promulgate it. Interim President Mohamed Ennaceur ignored calls to promulgate the law after the death of Essebsi.

The 2019 presidential election was originally slated for Nov. 10, after the announcement of the final results of the legislative election, which was scheduled for Oct. 6. However, after Essebsi's death in office on July 25, the speaker of parliament was sworn in as interim president, and the date for an election for the highest office was advanced to Sept. 15 in line with the constitutionally mandated 90-day term for the interim president. Despite the absence of a constitutional court, the sole body with the constitutional mandate to acknowledge the presidential vacancy and to oversee the transfer of power to an interim president, a swift, peaceful, and orderly transfer of power was accomplished and a constitutional crisis was averted when the Interim Authority on the Constitutionality of Draft Laws (IPPCPL) stepped in and notified the speaker of parliament of the permanent vacancy of the office of the president.

13 Articles 34 and 74 of the 2014 Constitution; Article 40 of the electoral law.

14 Under Article 18 of the law relating to the Interim Authority on the Constitutionality of Draft Laws, 30 members of parliament can petition the Constitutional Court challenging the constitutionality of a proposed law before the president promulgates it. Of the 51 members who challenged the law, 21 were from Nidaa Tounes, five were from the Democratic Bloc, five were from the Bloc Allegiance for the Country, and 20 were unaffiliated.

15 <https://www.tap.info.tn/en/Portal-Politics/11657744--president-of>

16 <https://www.tap.info.tn/en/Portal-Politics/11660746-failure-to-pass>; <https://www.businessnews.com.tn/mohsen-marzouk--bce-a-viole-la-constitution-520,89504,3>; <https://www.tunisienumerique.com/tunisie-audio-ennahdha-appelle-a-adopter-la-nouvelle-loi-electoralesans-attendre-sa-promulgation-par-bce/>; <https://www.businessnews.com.tn/bce-loi-electorale--mohamed-abbou-demande-l'intervention-duprocurer-de-la-republique,520,89519,3> (all links accessed April 15, 2020)

| Legal Framework and Electoral System

Legal Framework

According to international best practices, an election's legal framework should be transparent and readily accessible to the public.¹⁷ It should also address all the components of an electoral system necessary to ensure democratic elections.¹⁸ Tunisia's electoral process is governed by the 2014 Constitution, the 2014 electoral law, the law on the ISIE, and the decree law related to the freedom of audiovisual communication that created the Independent High Authority for Audiovisual Communication (HAICA). Tunisia's legal framework for presidential and legislative elections is generally in alignment with international standards and provides an adequate basis for the conduct of elections in line with international instruments ratified by Tunisia as well as with international best practices.

Nevertheless, certain aspects of the legal framework could be improved, including by providing definitive time frames for the different stages of the electoral process; reconsidering overly restrictive campaign provisions; clarifying the provisions of Article 143 of the electoral law; reviewing campaign-finance ceilings and the use of voter endorsements; and reviewing the boundary delimitation process and legal framework.



The ISIE Authority to Change Results Under Article 143 of the Election Law

Article 143 of the electoral law introduces the concept of substantial effect, which gives the ISIE unlimited discretionary power to change the results of elections; however, the term is not defined in the law and lacks clear criteria for its application. As a result, its application could affect respect for the will of voters. The parliament or the ISIE should develop specific criteria for determining when a detected violation has affected the results to the extent that the ISIE is allowed to change them. The ISIE should also establish

A poll worker assists as a woman deposits her ballot. As a result of the ISIE's efforts, voter registration for the parliamentary election increased. The ISIE focused especially on unregistered women, youth, and Tunisians living abroad.

¹⁷ ICCPR, General Comment 25, para. 5.

¹⁸ OSCE/ODIHR, Guidelines for Reviewing a Legal Framework for Elections, p. 4.

The issue of equal opportunities for all candidates was prominent during the election period because of the detention of Nabil Karoui for most of the campaign period.

clear procedures that guarantee due process so that candidates' right to a fair and public hearing by a competent, impartial, and independent tribunal is respected.¹⁹ This problem was compounded in the recent elections by the ISIE's failure to release information on violations reported by their monitors and its failure to make this information available to those candidates and parties that challenged the results.

Endorsements

According to the electoral law, each presidential candidate must gather either 10 endorsements of members of parliament (MPs), 40 endorsements of chairpersons of locally elected councils, or 10,000 endorsements of registered voters, with at least 500 from each of 10 of Tunisia's 33 constituencies. In addition, voters are prohibited from endorsing more than one candidate. The ISIE's practice of not notifying candidates of discrepancies in their endorsements and allowing time to rectify any inconsistencies was a point of discussion raised in most candidacy challenges to the Administrative Court.

The ISIE also received several hundred complaints from voters about forged endorsements in their names. Over 70 criminal investigations are ongoing as a result of voter complaints. As a result, the judge in charge of the investigations called in several candidates.

To avoid the practical and legal problems of endorsements reoccurring in future presidential elections, many stakeholders suggested reducing the required number of endorsements and requiring that all signatures be notarized. Collection could

be conducted in the municipality offices in coordination with the IRIEs.

Equal Opportunities for all Candidates

International good practice and interpretative international legal sources state that all parties and candidates should enjoy equal opportunity. The state should be impartial and apply the law uniformly to all. Equality should be guaranteed for parties and candidates, and state authorities should have a neutral attitude toward the election campaign and coverage by the media.²⁰

The issue of equal opportunities for all candidates was prominent during the election period because of the detention of Nabil Karoui for most of the campaign period. Karoui argued that Article 52 of the electoral law guarantees "equal opportunities" for all candidates during the campaign and that his continued detention denied him of this right. The law on the ISIE mandates that the commission guarantee equal treatment of voters, candidates, and all stakeholders.²¹ The decree law on the HAICA requires equal opportunity in the exercise of the rights and liberties of audiovisual communication.²² However, there is no explicit definition of what equal opportunities or treatment means for the purpose of implementing the electoral law. The meaning of equal opportunities is not defined in any of these laws.

Online Media Campaign

A plain reading of Article 3 of the electoral law, which defines political publicity, leads one to understand that online media is included in the definition. Article 57 of the law prohibits the use of political publicity during the election period. It is not clear to many stakeholders whether using sponsored ads on social media is considered restricted political publicity. Social media, specifically Facebook, was used heavily throughout the election period. The ISIE did not comment publicly on this ambiguity even though

19 U.N., ICCPR, Article 14.

20 Venice Commission, CDL-PI (3016)006, Compilation Concerning Media and Elections, Equality of Opportunity, p. 8.

21 Article 3 of the law on the ISIE.

22 Article 5 of the decree on the HAICA.

it monitored social media for the first time during these elections.²³ The ISIE did, however, issue at least 10 warnings to candidates and political parties for advertising on their official Facebook pages, threatening to take action under Article 143 and to change the results if the candidate or party did not take down the mentioned ads.

Election-Related Crimes

Under Tunisian law, election-related crimes undergo the same court procedures as crimes that are not election-related, resulting in unwarranted delay in resolving election-related matters.²⁴ The absence of a fast-track procedure to adjudicate electoral criminal cases affects the right to an effective and timely remedy.²⁵

Conclusion

Although Tunisia's legal framework for presidential and legislative elections is generally in alignment with international standards and provides an adequate basis for the conduct of elections, certain aspects of the legal framework could be improved. The Carter Center recommends establishing definitive and adequate time frames for the different stages of the electoral process; regulating the actions of third parties in the campaign, including making a determination about whether their activities should be considered under campaign expense limits; reconsidering overly restrictive campaign provisions, including those that restrict the use of sponsored advertisement on social media, political advertising, and posters; clarifying the provisions of Article 143 of the electoral law that give the ISIE the authority to change the preliminary election results based on reported violations; reviewing

campaign-finance ceilings; reviewing the use of voter endorsements in the presidential registration process; and reviewing the boundary delimitation process.

Electoral System

The purpose of an electoral system is to translate the will of the people into a representative government. International standards do not prescribe a specific electoral system. Tunisia's electoral system respects the principles of genuine and periodic elections and guarantees universal suffrage, the secrecy of the vote, and freedom from intimidation, as well as equality of the vote and fair representation of all citizens.²⁶

The constitution guarantees the right to vote to all citizens who are 18 or older and who are not subject to any cases of disenfranchisement foreseen

(From left) Mission director Don Bisson and mission co-leaders Tana De Zulueta and Salam Fayyad participate in a meeting in Tunis with other international observation missions.



23 It is worth mentioning that the ISIE used Article 143 of the electoral law to partially cancel the results of the elections in France 2 constituency and deprive Ich Tounsi of 207 votes as a sanction for using ads on Facebook. Because the difference between Ich Tounsi and the second runner-up was around 120 votes, this sanction cost Ich Tounsi its seat.

24 Some endorsement forgery complaints from the 2014 elections are still pending.

25 AfCHPR, Article 7, "Every individual has the right... to be tried within a reasonable time..."; African Charter on Democracy, Elections and Governance, Article 17.2, "State Parties re-affirm their commitment to ... strengthen national mechanisms that redress election disputes in a timely manner." See also Venice Commission Code of Good Practice in Electoral Matters, 11.3.3.95 and OSCE/ODIHR Election Observation Handbook, p. 36.

26 The 2014 Constitution, articles 55, 56, and 75. U.N., International Covenant on Civil and Political Rights; Article 25(b); United Nations Human Rights Council, General Comment 25, para. 21, "Although the Covenant does not impose any particular electoral system, any system operating in a State party must be compatible with the rights protected by article 25 and must guarantee and give effect to the free expression of the will of the electors. The principle of one person, one vote, must apply, and within the framework of each State's electoral system, the vote of one elector should be equal to the vote of another. The drawing of electoral boundaries and the method of allocating votes should not distort the distribution of voters or discriminate against any group and should not exclude or restrict unreasonably the right of citizens to choose their representatives freely."

Despite measures in the constitution that call upon the state to take steps to guarantee equality between men and women, ... the number of women elected to parliament in 2019 decreased substantially from 2014.

under the electoral law.²⁷ The law was amended in 2017 to allow military and security personnel to vote in the municipal and regional elections, though it still prohibits them from voting in legislative and presidential elections, a restriction that is inconsistent with international standards.²⁸ Citizens in health care facilities, penitentiaries, and detention centers are still not able to exercise their right to vote, as no mechanism for doing so exists in the law, contrary to Tunisia's constitution and international commitments.²⁹

The results of the 2019 parliamentary election highlight the need to implement further changes to increase the representation of women in parliament. Despite measures in the constitution that call upon the state to take steps to guarantee equality between men and women, and a requirement in the electoral law mandating vertical parity on party lists between the genders, the number of women elected to parliament in 2019 decreased substantially from 2014.³⁰

Presidential Election

According to the constitution, the president is elected for five years, in line with international commitments and best practices.³¹ If no candidate

receives an absolute majority of valid votes cast in the first round, a second round between the two candidates who received the largest number of votes is held within two weeks of the announcement of the final results of the first round.

Parliamentary Election

According to the Tunisian Constitution, the parliament is elected for five years, in line with international commitments and best practices.³² There are a total of 217 seats in parliament, 199 elected inside the country and 18 overseas. There is no threshold required to win a seat.

In order to achieve more equitable participation of women in parliament, the electoral law requires political parties to maintain gender parity, alternating between male and female candidates on all electoral lists, although there is no requirement that a female candidate be first on the list.³³ The electoral law also calls for the inclusion of youth in candidate lists by requiring that at least one young candidate, defined as being 35 years old or younger, be among the first four nominees of all lists.

Conclusion

Tunisia's electoral system respects the general principles required by international commitments and standards. In order to fulfill the constitution's aspirational goals of gender equity and parity in elected bodies, the electoral law should be amended to include not only vertical parity (alternating between the genders) on lists, but also horizontal parity, guaranteeing the placement of women at the top of lists and promoting women's representation.

27 2014 Constitution, Article 54.

28 See ICCPR, Article 25: "Every citizen shall have the right and the opportunity [...] to vote and to be elected at genuine periodic elections..." Also, General Comment 25, para. 14: "The grounds for denying suffrage rights to citizens have to be objective and reasonable and must be prescribed by law."

29 Right to universal suffrage on the basis of equal treatment before the law: ICCPR, Article 25(b); African Charter on Democracy, Elections and Governance, Article 3(3).

30 2014 Constitution, Articles 34 and 46.

31 2014 Constitution, Article 75. ICCPR, Article 25(b), General Comment 25, paras. 9 and 19; Universal Declaration of Human Rights, Article 21(3); Council of Europe Code of Good Practice in Electoral Matters, Section I.1.6.

32 ICCPR, Article 25(b), General Comment 25, paras. 9 and 19; Universal Declaration of Human Rights, Article 21(3); Council of Europe Code of Good Practice in Electoral Matters, Section I.1.6.

33 Electoral Law, Article 25.

| Boundary Delimitation

International and regional treaties state that an election system must respect equal suffrage.³⁴ The drawing of electoral boundaries and the method of allocating votes should not distort the distribution of voters or discriminate against any group.³⁵ Tunisia's current boundary delimitation is set by the decree laws used for the 2011 election of the National Constituent Assembly. The circumstances have changed since 2011 as the population has continued to shift. These new circumstances call for a review of the current constituency boundaries to take into account the 2014 census and whether the discriminatory steps taken to increase representation of marginalized areas should continue.

Tunisian electoral boundary delimitation is based on multimember constituencies elected in a proportional system. According to international standards, a clear and balanced distribution of seats among constituencies on the basis of population, or number of registered voters, or an appropriate combination of these two criteria shall respect equal representation. While true equality in delimitation may not always be possible, the permissible departure from the norm should not exceed 10-15% except in special circumstances, such as the protection of a concentrated minority or sparsely populated administrative entity.³⁶



The country's electoral boundaries are governed by a decree law that was passed for the 2011 National Constituent Assembly election and has not been changed since. The decree law discriminates positively in favor of sparsely populated governorates in Tunisia's interior that were considered historically disadvantaged in order to increase their representation in parliament. Article 106 of the organic law on elections stipulates that boundaries of electoral constituencies and the number of seats allocated to each constituency shall be determined by legislation issued at least

Mission leader Karen AbuZayd answers journalists' questions outside a polling station in Tunis on parliamentary election day.

34 U.N., ICCPR, Article 25; OAS, ACHR, Article 23; CIS, Convention on Democratic Elections, Article 3(1)(a); U.N., UDHR, Article 21(3).

35 Article 25 of the ICCPR, General Comment 25, para. 21.

36 Venice Commission, Code of Good Practice in Electoral Matters, p.17.

one year before parliamentary elections are held. Although the government introduced a draft law to redraw Tunisia's electoral constituencies in September 2018, the Parliamentary Committee on Rules of Procedures, Immunity, and Electoral Law rejected the legislation in January 2019 because it failed to meet the legal deadlines.³⁷ Until a new law on boundary delimitation is passed, the 2011 boundaries remain in effect.

The parliament's failure to update the boundaries based on new population data resulted in wide differences in the electoral quotient used to allocate seats across the different in-country constituencies.

The parliament has a total of 217 seats, which are distributed within 33 constituencies; 199 seats are allocated to Tunisia's 27 in-country constituencies, home to 6,680,339 registered voters, and 18 seats represent six constituencies abroad, home to 385,546 registered voters.³⁸ The allocation of seats abroad is not proportional to the number of residents residing overseas or in each specific country in an equal manner as established in international standards. This is partially accounted for by the government's lack of accurate information about the number of citizens who live abroad.

According to Tunisia's last population census, conducted in 2014, its population continues to shift to the northeast from the south and northwest. Recent voter registration figures confirm this population shift as the number of registered voters in Tunisia's northern coastal areas has increased

compared to the other regions. Consequently, the distribution of seats in the 2019 elections does not respect the principle of equal representation; for example, six constituencies are overrepresented by one or more seats, and others were underrepresented.³⁹

The parliament's failure to update the boundaries based on new population data resulted in wide differences in the electoral quotient used to allocate seats across the different in-country constituencies. For example, a seat in Tunis II has a quotient of 20,947 while the quotient for Tataouine, which is in the deep south, was 9,057 votes. For the six constituencies abroad, the quotient varied between 1,933 and 4,800 votes.⁴⁰ This disparity in seat allocation undermines the principle of equality of votes and equal representation.

Conclusion

The current boundary delimitation is governed by the decree law used for the 2011 election of the National Constituent Assembly, which included positive discrimination to make up for underrepresentation of regions that were disadvantaged by the Ben Ali regime. The circumstances have changed since 2011, and the country is now electing a parliament that is meant to legislate rather than to draft a constitution. These new circumstances call for a review of the current constituency boundaries to take into account the 2014 census and changes in population growth, as well as to evaluate whether the discriminatory steps taken to increase representation of marginalized areas introduced in 2011 should continue.⁴¹

37 Electoral Law, Article 106.

38 Based on the numbers of registered voters, if everyone voted, the quotient to be elected for an in-country seat would be 33,569 votes and for out-of-country, 21,419 votes. See Annex B for details about the number of registered voters per constituency.

39 Tozeur has four seats instead of two; Tataouine has four instead of three; Kebili has five instead of three; Zaghouan has five instead of three; Siliana has six instead of four; Kef has six instead of four; Sousse has 10 instead of 12; Ben Arous has 10 instead of 11; Kairouan has nine instead of 10; Bizerte has nine instead of 10.

40 A candidate list in Italy won a seat with only 399 votes.

41 CoE (Venice Commission), Code of Good Practice, Section 1.2.b; See table in Annex B for a breakdown of the number of voters per constituency and the 2019 electoral quotient for each constituency.

I Election Management

An independent and impartial electoral authority, functioning transparently and professionally, is essential to ensure that citizens can participate in genuine democratic elections.⁴² State practice suggests that, when scheduling elections, adequate time should be allowed to successfully administer the electoral process.⁴³ According to the Tunisian Constitution, the ISIE is mandated to ensure the regularity, integrity, and transparency of the electoral process and to proclaim the results.⁴⁴

The ISIE met the challenge of organizing three elections in less than one month without major flaws. The operational aspects of the three elections were handled in a professional manner. The ISIE respected the constitutional and legal deadlines.⁴⁵ The ISIE's major failure throughout the election process was the lack of transparency in all aspects of its work.

The ISIE Council is composed of nine members with decision-making authority. They are elected by parliament by a two-thirds majority for a single period of six years. An executive body at the central and regional levels is charged with

administrative, financial, and technical management under the oversight of the president of the ISIE Council. Each council member's mandate is based on the date s/he was elected.⁴⁶

The ISIE created 33 regional branches, Independent Regional Authorities for Elections (IRIEs), to assist the central authority in the fulfillment of its mission and also coordinate with the regional administration of the ISIE.⁴⁷ Each IRIE was composed of a maximum of four people with different professional backgrounds.⁴⁸ The IRIEs carried out their responsibilities in a timely and professional manner and, along with the regional administrative staff, were instrumental in the efficient conduct of the three elections.

The ISIE met the challenge of organizing three elections in less than one month without major flaws. The operational aspects of the three elections were handled in a professional manner. The ISIE respected the constitutional and legal deadlines.

42 ICCPR, General Comment 25, para. 20.

43 U.N., Human Rights and Elections, para. 75.

44 2014 Tunisian Constitution, Article 126.

45 The ISIE also organized five municipal by-elections during 2019: Souk El Jdid on May 26, 2019; Bardo on July 14, 2019; and three by-elections on Aug. 18, 2019, in Thibar (Beja), El Ayoun (Kasserine), and Sers (Kef).

46 Nabil Baffoun (January 2014-January 2020), Farouk Bouasker (August 2017-January 2020), Mohamed Tlili Mansri (January 2017-January 2023), Hasna Ben Slimane (January 2019-January 2025), Anis Jarbouï (January 2017-January 2020), Belgacem Ayachi (January 2019-January 2025), Sofiene Abidi (January 2019-January 2025), Adel Brinsi (January 2017-January 2023) and Nabil Azizi (January 2017-January 2023).

47 Article 21 of the ISIE law created 27 in-country and six out-of-country IRIEs.

48 Article 3 of ISIE regulatory decision 5-2017 of April 11, 2017, on the conditions and procedures of IRIEs creation and their prerogatives and functioning methods.

Military members confer outside a polling station during Tunisia's parliamentary election. The Tunisian electoral law was amended in 2017 to allow military and security personnel to vote in the municipal and regional elections; however, they are still prohibited from voting in legislative and presidential elections.



The ISIE last updated its organizational chart in 2014; it does not reflect the current executive structure. The legal, training, and IT department head positions were vacant throughout the election period and remain unfilled as of the drafting of this report; the ISIE did not have a legal department head during the entire electoral period even though an announcement recruiting for the post had an application deadline of Sept. 20, 2019. The ISIE Council discussed the issue of recruitment of new staff on several occasions but never reached a decision on hiring for these positions.⁴⁹ These shortcomings in the recruitment of ISIE staff did not have a major impact on the conduct of the elections thanks mainly to the extra work of some ISIE Council members and other administrative staff. To better prepare for future polls, the ISIE should develop a long-term recruitment strategy

based on an updated organizational chart that reflects the true needs of the administration.

The ISIE Council and its executive body did not always work efficiently together during these elections. Sometimes, the council's late decision-making made it difficult for the executive body to implement decisions in a timely and consistent manner. This sometimes resulted in a lack of understanding of the regulations by poll workers and other stakeholders.⁵⁰

The ISIE suffered from a lack of transparency in all aspects of its work and, at times, inconsistent communication with the public. The ISIE often posted information on its Facebook page instead of its official website, thus reducing the effectiveness of the ISIE website as a primary source of information. In addition, the ISIE failed to publish minutes of its meetings in a timely fashion or the

49 ISIE Council meeting minutes note that recruitment of new staff was discussed on July 9 and 30.

50 ISIE Decision 22 to regulate electoral campaign was published on Aug. 22, 2019, just nine days before the start of electoral campaign on Sept. 1, 2019. The manual for poll workers was not adopted until Aug. 31, 2019.

results of votes taken by the council throughout the election period.

ISIE officials identified monitoring of the electoral campaign for violations of campaign rules as one of the commission's biggest challenges. It issued specific campaign regulations that detailed what parties and candidates could and could not do, and it prohibited the use of state resources. During the electoral campaign, the ISIE deployed 1,500 monitors to report on campaign violations on the constituency level. Carter Center long-term observers reported that the monitors' work was challenging because neither presidential candidates nor legislative candidates provided the IRIEs with the exact time and location of their intended campaign activities. They also sometimes canceled events without informing the IRIEs. The ISIE did not release reports based on the findings of their monitors until after the campaign period, nor did it offer a compilation of the violations filtered by party or candidate.

The ISIE did not manage its public communications in a consistent manner. Commissioners

The ISIE suffered from a lack of transparency throughout the electoral period, which negatively affected public perception of the process.

sometimes issued contradictory statements. The ISIE relieved the spokesperson of her duties on Sept. 1, stating that the regulations of the ISIE did not call for such a position and that each commissioner had the right to make public statements.⁵¹

Despite the compressed time frame for conducting the 2019 elections and the absence of several administrative staff, the ISIE rose to the challenge and managed the electoral process without major irregularities. However, the ISIE suffered from a lack of transparency throughout the electoral period, which negatively affected public perception of the process. The ISIE should conduct a thorough review of its staffing needs and organizational structure and develop a clear communication strategy for informing the public about its decisions and activities.

51 The ISIE did not publicly state whether members voted on this decision.

| Voter Registration

Voter registration and the establishment of a complete, current, and accurate voter list are recognized as important means to ensure that each citizen has the right to vote. According to the United Nations Human Rights Committee, “where registration of voters is required, it should be facilitated, and obstacles to such registration should not be imposed.”⁵² Tunisia’s voter registration procedures are broadly consistent with international and regional standards.⁵³

Tunisia has an active and continuous voter registration system.⁵⁴ The registration is implemented through an electoral register that is maintained by the ISIE, which is mandated to

keep a precise, transparent, complete, and updated electoral register. All administrative bodies have the obligation to provide the ISIE with updated data, including information on those people who have died and those who have lost their right to vote. For its part, the ISIE is required to maintain the confidentiality of personal data.

Voters who had already registered for the 2014 or 2018 elections were not required to register again for the 2019 elections. Previously registered voters who wanted to update their information by changing their electoral constituency or polling station where they voted were able to do so.

Observer coordinator Marie Allegret of France (left) discusses deployment details with observers Magdha Osman of Sudan (center) and Randa Yassir of Lebanon prior to the presidential election.



⁵² ICCPR, General Comment 25, “The right to participate in public affairs, voting rights and the right of equal access to public service,” para. 11.

⁵³ ICCPR, General Comment 25, para. 11.

⁵⁴ ISIE decision 6/2017 dated April 11, 2017.

Voter Registration for the 2019 Elections

As a result of the ISIE's voter registration efforts, voter registration for the parliamentary election increased. The ISIE deployed 600 fixed and 206 mobile centers in country and 106 registration centers abroad, focusing especially on unregistered women, youth, and those living abroad. As of the close of the registration process on June 15, there were 1,455,898 new registrants out of an estimated 3.5 million unregistered voters, bringing the total number of registered voters for the parliamentary election to 7,065,885. Of those, 6,680,339 voters were registered in Tunisia and 385,546 were registered abroad.

Voter registration for the presidential election closed on July 4, 2019. Apart from the IRIEs' premises, additional registration offices were set up mainly in the municipalities and delegations. As of July 4, there were 11,218 new registrations and 436 updates. Any voter who registered after the June 15 closing date for the parliamentary elections appeared only on the voter list for the presidential election.

The ISIE published the voter lists in the municipalities and voters were allowed to ask for corrections or updates June 26-28 for the parliamentary election in the 33 IRIEs and July 15-17 for the presidential election. Voters abroad were allowed to make requests by email.⁵⁵ The ISIE reported that it received an insignificant number of requests.

The ISIE announced that the voter list for the parliamentary election was 7,065,885 and for the presidential election 7,074,566.⁵⁶ The ISIE instituted a mobile application to allow voters to verify their registration and verify the address of their polling station by SMS.

The ISIE conducted an internal audit of the electoral register after the 2018 municipal elections. One of the tasks of this audit was to clean the database of double registers, ineligible voters, and deceased people. The report of this audit was never publicly released.

The ISIE increased the number of registered voters for the 2019 elections by deploying a new strategy to reach out to unregistered voters, which resulted in an increase of over 1.4 million voters from 2014. The registration process was carried out in a professional and inclusive manner. The ISIE

Timeline of the Voter Registration Process

April 10	Beginning of voter registration for parliamentary and presidential elections
May 22	Initial deadline for voter registration for parliamentary elections and decision to extend the deadline
June 15	New deadline for voter registration for parliamentary election
June 23, 24, 25	Preliminary voter list for parliamentary election available to the public
June 26, 27, 28	Presentations of appeals against the preliminary voter lists for parliamentary election
June 27	Initial deadline for voter registration for presidential election
July 4	New deadline for voter registration for presidential election (after modification of election date)
July 12, 13, 14	Preliminary voter list for presidential election available to the public
July 15, 16, 17	Presentations of appeals against the preliminary voter lists for presidential election
July 19	Deadline to announce the final voter list for the legislative election
Aug. 15	Deadline to announce the final voter list for the presidential election

⁵⁵ On July 11, 2019, the ISIE published an announcement to inform people that they can send complaints by mail for the voters lists for presidential elections.

⁵⁶ When the date of the presidential election was Nov. 17, the number of registered voters was 7,081,307. After the date was moved to Sept. 15, the ISIE deleted those registrants who would not turn 18 by the new date.

informed The Carter Center that there was an insignificant number of requests for correction filed and that no appeals were filed with the courts of first instance concerning voter registration.⁵⁷

⁵⁷ On June 26, 2020, the ISIE's operation director informed the Center that there were fewer than 10 requests for corrections.

I Voter Education

The fulfillment of the international obligation of universal suffrage is partially dependent on effective voter education.⁵⁸ In fact, voter education is an important element of an electoral process, as it is meant to ensure that voters are ready, willing, and able to participate in an electoral operation.⁵⁹

Voter education was particularly important for the 2019 elections, given the complexity of holding three separate elections in less than one month, in addition to the organization of several municipal by-elections. While it carried out a dedicated and well-organized voter-education campaign on voter registration, the ISIE's education efforts on voting were insufficient.

During the voter-registration phase, the ISIE conducted a vigorous education campaign encouraging voters to register. The ISIE deployed 350 local coordinators who were spread across the 27 in-country electoral constituencies and targeted marginalized groups such as women and youth. In addition, 3,000 registration agents were deployed across the country. During the campaign, the ISIE took advantage of tools such as social networks, billboards, stickers, posters, and videos. The Center commends the ISIE for its efforts to reach out to voters, including categories of the population that

have been excluded in past polls, and for its efforts to increase the inclusivity of the voter register.⁶⁰

During all three elections, the ISIE's get-out-the-vote awareness-raising campaigns mainly took the form of digital and media campaigns, along with billboards that it adapted to each new date and type of election. The ISIE produced several videos aimed at educating voters about key information on procedures, dates, and hours of voting in Tunisia and abroad, as well as required documents for voting. Other spots were aimed at encouraging people to vote and explaining the importance of one's vote.

Although these videos were well-made and contained useful and clear information, the campaigns were assessed as insufficient by the Center's long-term observers and other stakeholders, especially for people who don't have access to media and social networks.⁶¹ Unlike for

The Center commends the ISIE for its efforts to reach out to voters, including categories of the population that have been excluded in past polls, and for its efforts to increase the inclusivity of the voter register.

⁵⁸ ICCPR, Article 25.

⁵⁹ Article 3, Organic Law 23-2012 dated Dec. 20, 2012, relating to the ISIE includes "the electoral sensitization and education programs" and cooperates "in this field with all the Civil Society components that are active in election field at the national and international levels."

⁶⁰ Of the newly registered voters, 54% were women and 46% were men. Among the new registrants, 16.7% were 18-20 years old; 22.1% were 21-25 years old; and 24.2% were 26-35 years old.

⁶¹ Eight cars and four trucks were used during each campaign, both of which had red-and-white vehicle wrapping featuring the ISIE logo and information about the elections. During the campaign, the ISIE distributed outreach tools such as flyers, stickers, bracelets, and key rings in order to keep voters informed about the election dates, places, and hours; the polling steps; and the conditions required to be able to vote.

A voter dips his index finger in ink before voting in the presidential election. For the first time, the campaign period included live televised debates, which helped inform voters and prepare them to cast their ballots on election day.



voter registration, the ISIE did not conduct any field campaign to encourage citizens to go vote, apart from a small and limited street campaign for the first round of the presidential election and the legislative election.⁶²

The lack of a concerted voter-education effort by the ISIE or CSOs was partially caused by the compressed time frame for the elections and the reported lack of funding for CSOs. Carter Center observers reported that during the three elections, in some polling stations, many voters lacked knowledge about voting procedures. Some voters, especially the elderly and illiterate, had to be instructed on each step of the voting process.

Conclusion

Given the complexity of holding three separate elections in less than one month, the ISIE's voter education efforts were insufficient to ensure that voters were ready, willing, and able to participate in electoral operations. The ISIE should increase its voter education efforts for future elections and increase cooperation and coordination with CSOs and political parties. It should also ensure that the necessary resources are dedicated to these efforts.

⁶² The presidential campaign took place Sept. 1-15, and the parliamentary campaign took place Sept. 17-Oct. 6. For the campaign for the first round of the presidential election, there were constituencies where the campaign lasted only one day (in Tataouine, Tozeur, Sidi Bouzid, Kebili, Zaghouan, Siliana, Kef, and Monastir). The longest campaign lasted a total of five days in Tunis 1 and Tunis 2, which is insufficient.

I Candidate Registration

International and regional treaties protect the right and opportunity of every citizen to be elected.⁶³ The right to be elected may only be subject to objective and reasonable restrictions. Interpretative sources state that the suspension or exclusion of participatory rights is prohibited unless the suspension/exclusion is established by law and is objective and reasonable.⁶⁴ An attempt by parliament to restrict the participation of certain candidates on nonobjective and unreasonable grounds was unsuccessful when the president refused to sign the proposed law.⁶⁵ Candidate registration for both elections was handled in an efficient and professional manner by the election administration. However, the process was marked by a lack of transparency by the ISIE on the reasons candidates were rejected and on endorsements used by presidential candidates.

The requirements in the Tunisian Constitution to run for parliament comply with international

standards.⁶⁶ The continued constitutional requirement that presidential candidates be Muslim is a violation of international standards and should be reviewed.⁶⁷ The IRIEs were responsible for accepting the candidate nominations for the parliamentary elections and the ISIE for the presidential election.⁶⁸

Presidential Election

All candidates for president must be Tunisian by birth, at least 35 years old, and of the Islam religion. Candidates who possess a second nationality must give it up after being elected.⁶⁹ During the nomination period for president, between Aug. 2 and Aug. 9, the ISIE received 97 candidate applications. Candidates must present documents showing that they have been endorsed by either 10 members of parliament, 40 presidents of municipal councils, or 10,000 voters, with a minimum of

63 U.N., ICCPR, Article 25; AU, AfCHPR, Article 13; Arab Charter on Human Rights, Article 24; CIS, Convention on Democratic Elections, Article 3; OSCE, Copenhagen Document, para. 7, 5.

64 U.N. (ICCPR), General Comment 25, para. 4.

65 Parliament voted on June 18 to amend the electoral law to effectively prohibit heads of charitable organizations and owners of media organizations from running as candidates. In addition, the legislation mandated the ISIE to vet all candidates and to prohibit from running anyone who had made statements against democratic values or the rule of law, or those who continued to support or speak favorably about the former regime. The law would have barred several prominent would-be candidates from running in the presidential election. Contrary to the procedures outlined in the constitution to promulgate laws, President Caïd Essebsi did not sign the legislation into law or return it to parliament for reconsideration within the mandated time frame, and the measures were never applied.

66 Article 53 of the Tunisian Constitution.

67 ICCPR, articles 2 and 25; UNHRC General Comment 25, para. 15.

68 ISIE Decision 5, dated April 11, 2017, on the conditions and procedures for the creation of regional electoral bodies and setting out their prerogatives and operating procedures.

69 Article 74 of Tunisian Constitution.



Mission co-leaders (left to right) Karen AbuZayd and Tana De Zulueta and mission director Don Bisson address journalists at the Carter Center's press conference for the parliamentary elections. AbuZayd is a commissioner on the Independent Commission of Inquiry on the Syrian Arab Republic; De Zulueta is a former MP in Italy; Bisson is a consultant with the Center's Democracy Program.

500 signatures from at least 10 constituencies.⁷⁰ Candidates must also submit a deposit of 10,000 TND (about US\$3,570), refundable if the candidate secures at least 3% of the valid votes cast.

The ISIE decided on the validity of the 97 applications in two days and gave 48 hours to the candidates to correct or replace any necessary endorsements. Thirty-one candidates filed applications without the necessary endorsements or without the necessary deposit and were rejected by the ISIE.⁷¹ On Aug. 14, the ISIE published the preliminary list for the presidential elections; 26 of the 97 candidates were accepted, 24 men and two women.⁷²

The day after the announcement of the preliminary list of candidates and at the urging of CSOs, the ISIE introduced a phone application for voters to check whether their names appeared on the endorsement list of any of the candidates.⁷³

Approximately 500 voters complained to the ISIE that their names appeared on the list of a candidate without their authorization or signature.⁷⁴ On Aug. 17, the ISIE issued a statement in which it called on voters to report all cases of fraudulent endorsements to the competent penal judge. After the completion of the appeals process, the ISIE announced the final list of 26 presidential candidates on Aug. 31.

The ISIE failed to release detailed information about its basis for rejecting several aspiring presidential candidates, including those who did not meet the endorsement requirements. Despite the lack of transparency in the process of checking endorsements, the candidate registration process was conducted in an inclusive and competent manner by ISIE staff. In order to keep the public informed about how it is controlling the registration of candidates and especially the endorsement checking process, the ISIE needs to be fully transparent about this process.

Parliamentary Elections

The right to be a candidate for the parliament is granted to all voters who have had Tunisian nationality for at least 10 years, are at least 23 years old on the day of the presentation of their candidacy, and whose right to run for office has not been taken away by a court order. People holding certain positions are excluded from running for parliament unless they resign or are released from their functions before running for office.⁷⁵

Candidate lists are submitted to the relevant IRIE and must be composed of an original list with the number of candidates equal to the number of seats in the constituency and a supplementary list

70 Article 41 of Electoral Law 16 of May 26, 2014, relating to election and referendum amended by Law 7, dated Feb. 14, 2017, and Law 76, dated Aug. 30, 2019.

71 Eleven candidates included all of the necessary supporting documents and endorsement from MPs in their initial filings: Mongi Rahoui, Nabil Karoui, Hamadi Jebali, Mohamed Moncef Marzouki, Abdelkrim Zbidi, Abdelfattah Mourou, Youssef Chahed, Elyes Fakhfakh, Slim Riahi, Salma Elloumi, and Hatem Boulabiar. Fifteen candidates filed voter endorsements: Mohamed Abbou, Abir Moussi, Lotfi Meraïhi, Mehdi Jomaa, Hamma Hammami, Mohsen Marzouk, Mohamed Sghaier Nouri, Mohamed Hechemi Hamdi, Omar Mansour, Said Aidi, Neji Jalloul, Ahmed Safi Said, Abid Briki, Seif-Eddine Ben Makhlof, and Kais Saïed.

72 The ISIE rejected 71 candidates (62 men and nine women) without endorsements and financial guarantees.

73 This request was made by Mourakiboun the day after the closing date of candidates' registration process.

74 ISIE President Nabil Baffoun was interviewed in Almayadeen Channel on Aug. 28, 2019. <http://www.almayadeen.net/episodes/1335185/صباح-بروح> سنوت-يف-تباختن ال-اقتقار مل-ايل عل-اى-يل اس-ي-و --- وفاب-ل-ي-ين

75 Article 20 of electoral law.

composed of a minimum of two candidates and a maximum equal to the number of seats in the constituency.⁷⁶ All lists must respect the principle of gender parity by alternating between female and male candidates.⁷⁷ The law does not mandate which gender should be placed at the head of the list.

Candidate registration ran from July 22 to July 29. The 33 IRIEs received 1,581 applications. After examination by the IRIEs, the ISIE published the preliminary lists on Aug. 6; 1,340 lists were accepted by the 27 IRIEs in Tunisia and 163 lists by the six IRIEs abroad. In total, 1,503 lists were accepted, and 78 were rejected.⁷⁸ Four IRIEs (Zaghoun, Kef, Gafsa, and Tozeur) accepted all lists. The highest number of lists was in Sidi Bouzid with 73, Gafsa with 70, and Kasserine with 66. Gabes and Tataouine accepted the lowest number of lists with 31 each. Among the 1,341 accepted lists, 184 had women at the top (14%), and 1,147 were led by men (86%).

The ISIE published the final lists for the legislative elections on Aug. 30, after the conclusion of the challenge period. (See Annex C for details about candidate lists per constituency inside Tunisia.)

The candidate registration process was efficiently handled by the 33 IRIEs; however, the ISIE did not publish the names of aspirants who were rejected nor the reason for their rejection and never published the names of all candidates on each list.⁷⁹

Conclusion

The candidate registration process for both elections was efficiently and professionally administered by the election administration. However, the lack of transparency about the reasons for rejecting candidates and about the endorsements used by presidential candidates negatively impacted the process. The ISIE should make public its reasons for rejecting candidates and publish the voter endorsements for the presidential candidates. Last-minute efforts by the parliament to restrict the right to stand as a candidate marred the electoral process and were inconsistent with Tunisia's international obligations for democratic elections. The proposed amendments would have severely restricted a core right of political participation, the right of Tunisian citizens to run for office.⁸⁰

Constituency	Total lists accepted	Coalition		Party		Independent		Seats
		Total	%	Total	%	Total	%	
Total Tunisia (27 constituencies)	1,341	306	23%	579	43%	456	34%	199
Total Abroad (6 constituencies)	165	41	25%	85	51%	39	24%	18
Total Global (33 constituencies)	1,506	347	23%	664	44%	495	33%	217

76 The ISIE recommends in its candidate manual that all candidate lists submit a supplementary list with the same number of candidates as the primary list.

77 Article 24 of electoral law 16, dated May 26, 2014, relating to election and referendum amended by law 7, dated Feb. 14, 2017, and law 76, dated Aug. 30, 2019.

78 See Annex C for details regarding candidate lists filed and approved or rejected at the 27 in-country IRIEs.

79 The Carter Center mission requested this information on several occasions and was told by the ISIE that it would have to address each candidate individually as they had been notified of the reasons for rejection.

80 Article 74 of the 2014 Constitution, Article 40 of the electoral law.

The Independent High Authority for Audiovisual Communications

International treaties provide for freedom of expression, giving everyone—including political parties and candidates—the right to seek, receive, and impart ideas through any means of their choice, including, but not limited to, writing, speech, print, and art.⁸¹ Political commitments recommend that states take steps to ensure that the appointment and functioning of regulatory authorities are transparent.⁸² Such authorities should be independent and protected from interference.⁸³ The freedom of audiovisual communication for every citizen is exercised based on the respect of international conventions and covenants on human rights and public freedoms, freedom of expression, equality, pluralism of expression

of ideas and opinions, and objectivity and transparency.⁸⁴

The Independent High Authority for Audiovisual Communication (HAICA) is the independent public body charged with ensuring the freedom and pluralism of audiovisual communication. It is composed of nine members serving a six-year, nonrenewable mandate.⁸⁵ According to Article 148 of the 2014 Constitution, the HAICA will continue to exercise its functions until the election of an audiovisual communications commission, one of five independent bodies established by the constitution. According to the constitution, the first democratically elected parliament should have established the new commission after the 2014 election. However, to date this has not been done. The HAICA is finalizing a draft law to regulate the commission, which it hopes the government will introduce to the newly elected parliament.

The HAICA is responsible for monitoring audiovisual media during the electoral period. On Aug. 21, 2019, the ISIE and HAICA issued a joint decision setting the regulations for the use of audiovisual media and means of communication

The Independent High Authority for Audiovisual Communication (HAICA) is the independent public body charged with ensuring the freedom and pluralism of audiovisual communication. It is composed of nine members serving a six-year, nonrenewable mandate.

81 U.N., ICCPR, Article 19(2); AU, Principles of Freedom of Expression in Africa, Article 1(1); OAS, ACHR, Article 13(1); CoE, European Commission on Human Rights, Article 10(1); CIS, Convention on Human Rights, Article 11(1).

82 Article 7.2, AU, Principles of Freedom of Expression.

83 Article 7, AU, Principles of Freedom of Expression.

84 Article 5 of Law 2011-116 dated Nov. 2, 2011.

85 The 2013 law relating to the nomination of the HAICA members. The HAICA members are: Nouri Lajmi, president; Omar Oueslati vice president; Soukeina Abdessamad, Radhia Saidi, Hichem Snoussi, Habib Belaid, Salah Sersi, and Adel Bsili, members. One seat is vacant as the parliament has been unable to agree on a nominee.



Social media analyst Ghias Aljundi (center) and mission leader Karen AbuZayd (right) speak with a polling station agent in Tunis.

during the election period. This decision regulates the right of access to media, based on the principle of equitable treatment of all candidates. Media must also ensure diversity of opinion through the presence of different ideological and political currents.

During the electoral campaign, any official speech or media intervention by the president of the republic, the government, the parliament, the regional or municipal councils, or any other public authority containing direct or indirect electoral propaganda is prohibited. All media have the right to cover the electoral campaign. Paid political advertising in the media is prohibited during the electoral period. The HAICA is supposed to inform the ISIE of all violations committed and the sanctions it imposed within 24 hours of the time the decision was taken.⁸⁶

Conclusion

The HAICA monitored the campaign in a precise and well-organized manner and issued reports about the results of its monitoring. A team of 34 monitors and five IT specialists was responsible for the efforts. The HAICA issued warnings and sanctions to several stations. The HAICA informed the ISIE of all violations and the measures it took within 24 hours of its decisions. The Carter Center recommends better collaboration between the HAICA and the ISIE by sharing information about media monitoring daily, especially during the electoral campaign.

⁸⁶ Article 73, electoral law.

I Candidates, Parties, and Campaigns

Political pluralism and an open campaign environment that enables genuine choice for voters are critical aspects of democratic elections. Equitable treatment of candidates and parties during an election, as well as the maintenance of an open and transparent campaign environment, is important for ensuring the integrity of the democratic election process. A genuine choice of candidates, a free electoral environment, a level playing field for contestants, and an open, transparent campaign environment are all critical aspects of democracy. The equal treatment of candidates and parties is essential for ensuring the integrity of the democratic election process.⁸⁷

The untimely death of President Essebsi and the ensuing change in date and sequence of the elections forced candidates and parties to alter their political calculations. Several parties and independent candidates who were initially not considering nominating presidential candidates decided to run in order to take advantage of the opportunity to promote their parties or lists for the parliamentary election during the presidential election campaign period.

Campaigning in the First Round of the Presidential Election

The death of the president resulted in a shortened campaign period of two weeks for the first round of the presidential election. Some of the 26 contestants were well-known figures, whereas others were

relative newcomers. The campaign provided an opportunity for all candidates to make themselves and their electoral programs known to Tunisians.

The rights of freedom of speech and assembly were largely respected throughout the campaign periods. Long-term observers reported that ISIE campaign monitors were visible and active in all regions. Several campaign representatives complained about the active questioning by the ISIE monitors, claiming that they were intrusive.

On Aug. 23, 10 days before the campaign period for the first round of the election that began on Sept. 2, presidential candidate and prominent businessman Nabil Karoui was detained and jailed on a warrant issued by an appeals court. Karoui was one of the presumed targets of the failed amendments to the electoral law that would have effectively barred him from running. The charges, which alleged tax evasion and money laundering, originated in 2016 and remain under investigation. The timing of Karoui's detention raised questions of political interference in the judicial system, given that a lower court had allowed him to remain free while the investigation was ongoing. The original complaint was based on information supplied by I Watch, a domestic civil society organization, which also provided information targeting presidential candidate and Prime Minister Youssef Chahed and former Ennahda Shoura Council member and 2019 presidential candidate Hatem Boulabiar. Neither was detained. Karoui's arrest

⁸⁷ ICCPR, Article 25.

had no bearing on his official candidacy, and he remained on the ballot. His detention, however, meant that he was at a disadvantage because he could not campaign.

The campaign period was characterized mainly by its lack of luster. It began slowly throughout the country, with mostly billboards and ads on social media appearing on the first day, and intensified in the second week. Most frequently, candidates held rallies, erected campaign tents, distributed leaflets and fliers, put up posters, and engaged in door-to-door activities. Karoui and former Defense Minister Abdelakarim Zbidi also used large numbers of billboards, which, because of the costs involved, led to accusations by rival candidates that they had exceeded campaign finance limits.

Former constitutional law professor Kaïs Saïed adopted an entirely different strategy, conducting a low-key campaign of direct, one-on-one contact with voters through field visits to the regions. He was often unaccompanied by staff, and he often held small meetings in cafes. He relied on his circle of student supporters to spread the word of his campaign on social media. He refused to accept the public money to which he was entitled and did not engage in any efforts to gather contributions.

Many presidential candidates and their supporters used social media (mainly Facebook) to promote their campaigns. Outreach activities also took place on Twitter and Instagram to a lesser extent. On the day preceding the first round of the presidential election, The Carter Center observed sponsored ads supporting a number of candidates on Facebook, in breach of the 24-hour silence period.⁸⁸ Although Facebook took steps to make the purchase of political ads more transparent, a lack of clear and consistent criteria for defining political advertising reduced its effectiveness, resulting in a lack of transparency about who was sponsoring and paying for political ads.

For the first time, live televised debates were held. Three sets of debates were organized on three consecutive days, two of which featured nine contestants and one of which featured eight.

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A lottery was held to determine what day the candidates would appear in the debates. There was controversy, however, when three candidates who represented the three largest parties in parliament were allowed to choose which night they wished to debate. Two contestants did not participate. Karoui remained in detention, and Slim Riahi chose not to return to the country from abroad.

The debates proved to be very popular, as they were the first of their kind in the region, attracting a large audience both at home and abroad. The debates gave contestants the opportunity to make themselves known to the public and for the public to have a better understanding of the personalities behind the names.

The normalization of relations between Ennahda and progressive parties since 2014 led to a less confrontational and tense campaign environment. Carter Center long-term observers confirmed that a positive atmosphere existed between the main political parties in different regions of the country, even when campaign events were held on the same day in the same area. No major security incidents were reported.

The ISIE campaign monitors identified about 650 campaign violations. The violations were mainly about early campaigning, undeclared campaign activities, posters outside of undesignated areas, and using children in campaigns. According to the ISIE, none of the violations were severe enough to affect the results of the presidential election.

The HAICA banned two TV channels and one radio station (Nessma, Zeitouna, and Quran) from covering the presidential campaign for their lack of neutrality and support for specific parties and

⁸⁸ The Carter Center documented 83 sponsored ads running on Sept. 14 and 52 sponsored ads on Sept. 15.



Like others throughout the country during all three rounds of elections, Carter Center observers use ELMO to gather data on implementation of election procedures.

candidates.⁸⁹ The HAICA issued warnings and sanctions to several broadcasters. The sanctions ranged from 10,000 to 50,000 TND for specific candidates. TV channels that were subject to sanctions included Nessma TV, the state-owned Al Wataniya TV, Alhiwar Tounsi, and Telvza TV. The HAICA also sanctioned TV stations for having commented or published results of polls related to elections during the campaign period.⁹⁰

Nessma TV, co-owned by Karoui, was fined four times by the HAICA for broadcasting political advertising in favor of his candidacy and propaganda against Ennahda. The fines progressively increased for each violation, ranging from 20,000 TND (US\$7,000) to 160,000 TND (US\$56,000).

Some Carter Center long-term observers reported the use of state resources by candidates who were government officials, including the use of state cars and the use of state resources to bus participants to rallies.⁹¹

Conclusion

Voters had a genuine choice of candidates, and except for Karoui, who remained detained throughout the campaign period, candidates

enjoyed an open campaign environment and faced no obstructions to their right to campaign. Although Karoui's arrest had no bearing on his official candidacy and he remained on the ballot, his detention put him at a disadvantage because he could not campaign in person. In addition, the circumstances surrounding his detention raised questions about political interference in the judicial system and equal treatment of candidates. Partially for these reasons, his candidacy remained prominent in the social and traditional media. The heavy use of social media during the campaign was marked by a lack of transparency about who was sponsoring and paying for the ads.

Campaigning in the Parliamentary Election

The campaign for the parliamentary election began on Sept. 14, coinciding with the day of silence for the presidential campaign, and lasted for 22 days. The rights of freedom of speech and assembly were respected throughout the country. However, many candidates, both independents and those belonging to political parties, violated the restriction on early campaigning.⁹²

Even though the constitution gives parliament more powers and authority, the parliamentary campaign was overshadowed by the results of the first-round presidential election and the continued detention of Karoui. The campaign was low-key and, in some regions, nonexistent, resulting in the lack of a substantive debate on policy or party platforms. Media attention remained focused on the presidential election.

In the aftermath of the first round of the presidential election, most established political parties were slow to begin their campaigns as they assessed their campaign strategies, while independent lists were quick to campaign to take advantage of the anti-establishment momentum evident from the results of the first-round presidential election.

89 Nessma TV is partly owned by Nabil Karoui. The owner of Zeitouna is considered to be close to Ennahda, and the owner of Quran was the head of the Errahma Party list in Ben Arous.

90 Article 70 of the electoral law bans publishing or commenting on public opinion surveys during the campaign period.

91 Prime Minister Youssef Chahed (Tahya Tounes) and the interim speaker of parliament, Abdelfattah Mourou (Ennahda).

92 Article 154 of electoral law punishes early campaigning with fines of 5,000 to 10,000 TND (the equivalent of US\$1,722 to \$3,443).

Established parties re-evaluated their strategy of big rallies and public events, which did not appear to influence voters in the presidential campaign. The Carter Center's long-term observers reported that most parties decided to run low-key campaigns, handing out leaflets and conducting door-to-door activities for the legislative election.⁹³

Many parties informed the Carter Center mission that they would focus on reaching out through social media to voters who supported presidential candidate Saïed and that they would step up their traditional campaign activities in the five days preceding the election. In general, independent lists and some parties reported that they found it difficult to finance their campaigns given the new campaign-finance laws that operated on the basis of reimbursement rather than advances. Most independent candidates used personal funds to finance their campaign.

The parliamentary campaign was overshadowed by the continued detention of presidential candidate Nabil Karoui and the effect it could have on the second round of the presidential election. The media focused almost exclusively on this topic and any possible challenge to the results based on the denial of his equal opportunity to campaign, making it difficult for parliamentary candidates to communicate their messages to voters.

As was the case in the presidential election, contestants did not always abide by the requirement to notify electoral authorities of any campaign events 48 hours in advance, and many events that campaigns shared with the IRIE were not carried out. Moreover, candidates provided the name of the venue in which their activities were to take place, but not the address, making it difficult to find the exact location of their activities, especially in large constituencies. As a result, it was difficult for IRIEs, ISIE campaign monitors, and observers to monitor all campaign events.

The IRIEs and ISIE campaign monitors identified minor violations of campaign rules during the parliamentary campaign period. These mainly involved early campaigning, holding campaign activities without first declaring them, hanging posters outside of designated areas or over the posters of opponents, violating the regulations on political advertising, and using children in campaigns. According to the IRIEs, none of the violations were severe enough to affect the results of the election. Carter Center observers did not report any use of administrative resources during the campaign. Women who headed the Qalb Tounes lists in Sfax 1 and Sidi Bouzid reported that they experienced verbal violence. The candidates in question chose not to lodge formal complaints.

National television, in conjunction with The Munathara Initiative, organized three debates between candidate lists for the parliamentary contest. The debates took place on Sept. 30, Oct. 1, and Oct. 2. Twenty-seven representatives of the 1,340 lists took part.⁹⁴ Participants were chosen by lottery from the four categories set by the joint decision between ISIE and HAICA, which were based on the number of constituencies in which

Long-term observer Marie-Clémence Nodjan (left) of Côte d'Ivoire and short-term observer Christa Mueller (right) of Germany talk immediately before deploying to their presidential election day assignments.



93 Many parties said they lacked financial resources to conduct a large-scale campaign.

94 Nine list representatives participated in each debate.

parties or coalitions were running.⁹⁵ The debates were more interactive than those for the presidential election, as candidates asked questions of each other. The three main topics were development, the economy, and social issues.

El Badil, the party of former Prime Minister Mehdi Jomaa, which was not chosen to participate, challenged the debate process based on the legal requirement that all candidates be treated equally when it comes to media coverage and campaign opportunities. The Court of First Instance in Tunis 1 refused the challenge and allowed the debates to go forward.

Campaigning in the Second Round of the Presidential Election

The campaign for the second round of the presidential election officially began on Oct. 3, the day after the ISIE announced the final results from the first round. Saïed announced that he would not personally campaign as it would create an unfair advantage over his opponent, who remained in detention, saying it was the “ethical” thing to do. However, Saïed’s supporters continued to campaign for him in the field and on social media.⁹⁶ Because of Karoui’s detention and the novelty of Saïed’s nontraditional campaign, both presidential candidates were constantly in the news.

In the lead-up to election day, Carter Center long-term observers reported no large campaign events for either candidate in the regions. However, observers reported that volunteers for both handed out leaflets and engaged in door-to-door campaigning. Most campaigning took place on social media.

Before his release from detention on Oct. 9, Karoui’s lawyers filed a petition with the Administrative Court and the ISIE asking that the

election be delayed for one week to afford him the opportunity to campaign on an equal footing with Saïed. ISIE President Nabil Baffoun announced on Oct. 2, when the first-round results were finalized, that the ISIE had a constitutional obligation to complete the election process within the allowed time frame and had no authority to cancel or delay the second round. The Administrative Court dismissed the petition, stating that it had no authority to override the constitutional provision mandating that the second round take place within two weeks of the announcement of the final result of the first round.

Karoui received significant media coverage upon his release on Oct. 9 and afterward gave several interviews to the media. On Oct. 11, the public television network organized a debate with Saïed and Karoui. Moderators selected four topics for the debate—defense and national security, foreign policy, the president’s relationship with parliament and the head of government, and public affairs. For each topic, they asked the candidates to respond to three questions. The candidates were allotted time at the end of each topic to elaborate on their electoral promises. Despite efforts by the moderators to encourage the two candidates to interact with each other directly, they mostly refrained from doing so.

According to one of the organizers of the debate, The Munathara Initiative, 6.4 million citizens watched the debate, the largest audience in the history of Tunisian television.⁹⁷ This number does not include at least 1 million livestream viewers, or the radio audience, or viewers in countries across the Arab world.

The supporters of both candidates held final rallies in Tunis on Oct. 11 on Avenue Habib Bourguiba. Although the two groups mixed with each other, no altercations were reported.

95 The agreement calls for media coverage to be proportionate to the number of lists a given party or independent has across the country. The first category comprises those with lists in between 28 and 33 constituencies; this category should receive 30% to 40% of the media coverage. The second category includes those with lists in between 12 and 27 constituencies; they should receive 20% to 30% of the coverage. The third category includes those with lists in 2 to 11 constituencies; they should get 10% to 20% of the coverage. Finally, the fourth category is for the lists running in one constituency; they should get 10% of the coverage.

96 <https://www.aljazeera.com/news/2019/10/tunisia-presidential-hopeful-halts-campaign-ethical-reasons-191005143313410.html> (Accessed on March 24, 2020).

97 <https://www.tuniscopes.com/article/186211/culture/tv/debat-380419> (Accessed on May 4, 2020).

Campaign Finance

Democratic elections cannot be held without equitable rules for the financing of electoral campaigns. Electoral legislation should specifically provide for the transparency of donations to campaign activities of the candidates, the standardized presentation of campaign accounts, reasonable limits on campaign expenditure, regular reporting mechanisms, and effective and dissuasive sanctions.⁹⁸

The ceiling for spending on electoral campaigns was based on criteria that included the size of the constituency, the number of voters, and the cost of living in a given constituency. These were set by government decree after consultation with the ISIE.⁹⁹ The law prohibited contributions from foreign or unknown donors, as well as from corporations and people associated with the law. Political parties were not allowed to fund the campaign of their presidential candidates.¹⁰⁰

For the first round of the presidential election the ceiling was 1,768,500 TND (US\$620,520) with public funding set at 25 TND per 1,000 voters, totaling 176,850 TND per candidate (US\$62,052).¹⁰¹ For the legislative election, the overall ceiling and public funding varied

depending on the constituency. Public funding ranged from 5,500 TND (US\$1,925) in Tozeur to 16,484 TND (US\$5,769) in Sousse.¹⁰² Although parliament increased the ceiling before the 2019 elections, several stakeholders still considered it too low to conduct a meaningful and effective campaign, which encourages candidates to exceed the ceiling and to not fully report expenditures.

The Court of Auditors is charged with reviewing campaign-spending reports and has the power, within six months of the publication of the final results, to annul the election of every member of the newly elected assembly who ran on a list that exceeded the campaign spending limit by more than 75% or did not submit its financial statement according to the procedure required by the law.¹⁰³ Although the Court of Auditors has the

The ceiling for spending on electoral campaigns was based on criteria that included the size of the constituency, the number of voters, and the cost of living in a given constituency. These were set by government decree after consultation with the ISIE.

98 CoE (Committee of Ministers) Recommendations (2003)4, Article 3(b).

99 Electoral law, Article 81.

100 Article 9 of ISIE Regulation 20 of 2014 on campaign finance.

101 Decree 754 of Aug. 22, 2019, relating to the ceiling of expenditure for the electoral campaign, ceiling of private funding, and ceiling of public funding and their conditions and procedures for the presidential election of 2019.

102 Decree 755 of Aug. 22, 2019, relating to the ceiling of expenditure for the electoral campaign, ceiling of private funding, and ceiling of public funding and their conditions and procedures for the 2019 legislative election.

103 Article 98, electoral law.

The campaign finance system continues to suffer from a lack of transparency, as no interim reports are required and no mechanism exists to enable the public to review the spending of campaigns until after election day.

authority to deploy campaign monitors to calculate campaign spending and report on financial violations, the court does not have enough well-trained monitors to observe all campaign activities.

While the electoral law states that third-party activities supporting a candidate or a list are considered part of the campaign and such expenditures should be included in reports, there is no clear regulation on the acts of third parties or any

mechanisms to monitor them.¹⁰⁴ Furthermore, the law does not specify whether it makes a difference if the candidate or list agreed or approved the acts of third-party supporters.

The campaign finance system continues to suffer from a lack of transparency, as no interim reports are required and no mechanism exists to enable the public to review the spending of campaigns until after election day. The lack of pre-election day reporting requirements on campaign donations or spending makes it difficult for voters to evaluate the candidate's funding sources or potential conflicts of interest before voting. Also, as a result of the lack of an agreement between the ISIE and Facebook on information about who was sponsoring and paying for political ads, the information required under Tunisian law concerning campaign finance was not collected and made public.

¹⁰⁴ Article 3, electoral law.

I Social Media Monitoring

Legal Framework

The report of the U.N. special rapporteur on the promotion, protection, and enjoyment of human rights on the internet establishes that the same rights that people have offline must also be protected online. This applies in particular to freedom of expression in accordance with the ICCPR.¹⁰⁵ It includes the freedom to seek, receive, and impart information and ideas of all kinds, including on electronic and internet-based modes of expression.¹⁰⁶ International standards mention that free communication of information and ideas by voters and candidates, including on the internet, is essential to genuine elections.¹⁰⁷ This

includes freedom to campaign for election and to advertise political ideas.¹⁰⁸

The Tunisian Constitution guarantees freedom of opinion, thought, and expression.¹⁰⁹ Freedom of expression is also enshrined in the decree law on press, printing, and publishing.¹¹⁰ However, provisions on freedom of speech present in several laws, including the military justice code, the penal code, and the telecommunications code, criminalize defamation and are used to prosecute online speech, in violation of international standards.¹¹¹ According to Human Rights Watch, courts have sent at least six Tunisians to prison since 2017 for online comments criticizing security forces or government officials.¹¹² While the law provides professional journalists with protections against

105 The report of the special rapporteur on the promotion, protection, and enjoyment of human rights on the internet affirms that “the same rights that people have offline must also be protected online, in particular freedom of expression, which is applicable regardless of frontiers and through any media of one’s choice, in accordance with Article 19 of the Universal Declaration of Human Rights and of the International Covenant on Civil and Political Rights.” Human Rights Council, U.N. Doc. A/HRC/38/35 (April 6, 2018).

106 General Comment 34 to the ICCPR, para. 12. “Paragraph 2 protects all forms of expression and the means of their dissemination. [...] They include all forms of audio-visual as well as electronic and Internet-based modes of expression.”

107 General Comment 34 to the ICCPR, para. 12: “Free communication of information and ideas by voters and candidates is essential to genuine elections. It includes the right for everyone, including political parties, candidates, and their supporters, to seek, receive, and impart ideas through any means of their choice, including but not limited to writing, speech, print, art, or the Internet.” The CoE (Committee of Ministers) adopted a similar position in its Declaration on the Rule of Law in the Information Society, Article 1.

108 General Comment 25 to the ICCPR, para. 25, states that “in order to ensure the full enjoyment of rights protected by Article 25, the free communication of information and ideas about public and political issues between citizens, candidates and elected representatives is essential. [...] It requires the full enjoyment and respect for the rights guaranteed in articles 19, 21 and 22 of the Covenant, including freedom [...] to campaign for election and to advertise political ideas.”

109 2014 Constitution, Article 31.

110 Decree-law 2011-115 on Press, Printing, and Publishing, Article 1.

111 Defamation is liable to imprisonment according to the penal code, articles 245 to 248, and the military justice code, Article 91. Article 86 of the telecommunications code foresees up to a two-year imprisonment for anyone found guilty of “knowingly using public communication networks to insult or disturb others.”

112 “Tunisia: Prosecutions for Online Commentary: Repressive Laws Sap Free Expression,” <https://www.hrw.org/news/2019/10/15/tunisia-prosecutions-online-commentary>, accessed Feb. 20, 2020.

imprisonment, it does not apply to bloggers and citizen journalists, at odds with international standards.¹¹³ In practice, according to the National Syndicate of Tunisian Journalists, some bloggers benefited from the law to defend themselves against the legal actions taken against them.



Mission co-leaders Salam Fayyad (right), former prime minister of Palestine, and Tana De Zulueta, former Italian MP, respond to media questions in Tunis before the presidential election.

Methodology

The role of social media in campaigns in Tunisia has increased significantly since the 2014 elections. It is being used to shape voters' opinions and inform their choices. In Tunisia, social media was used widely during the three 2019 election campaigns.

The Carter Center's monitoring of the use of social media campaigning began in September 2019 and lasted until the announcement of final results. Monitoring social media provided a way to understand and analyze the public debate in the country before and during the elections. The Center's monitors focused on the most popular social media tools and activities in Tunisia and assessed their use during the election campaigns and overall impact on the elections.

The Center's social media monitoring focused on Facebook, as it is the most popular platform in Tunisia, and assessed both candidates' official and unofficial pages.¹¹⁴ It also observed, to a lesser extent, campaign activities on Twitter and Instagram. Unfortunately, it was impossible to tell who was running dozens of accounts supporting candidates because of lack of access or the lack of transparency by Facebook itself.

The Center monitored political advertising, disinformation, defamation, the treatment of women candidates, hate speech, and incitement to violence. It also monitored attacks and counterattacks among the candidates. Social media monitoring methodology included a combination of desk review, manual quantitative research, and qualitative research.

In addition to manual monitoring, the team used a digital tool called CrowdTangle to monitor the content of Facebook pages. This tool provides social media analytics and can track how content is shared and used across Facebook. It shows how many interactions specific links receive and which pages were most shared. The tool, which Facebook created in 2016, is accessible to researchers through Facebook. The Carter Center requested and was granted access to CrowdTangle from Facebook.

The team monitored presidential candidates' official and unofficial Facebook pages and also the official pages of several political parties during the parliamentary election. They were monitored daily for the themes mentioned above. The information gathered, including the number of ads and screenshots of all ads and related posts, was archived. This provided a snapshot of the use of social media in the election campaigns. The team monitored more than 200 Facebook pages.

The team also monitored coordinated behavior between Facebook pages to establish the connections between candidates' official and unofficial pages. Certain candidates and parties maintained

¹¹³ Article 7 of Decree-law 2011-115 on the freedom of the press defines "professional journalist" as someone with a degree whose main and regular activity is to gather and publish news, information, and ideas and to release it to the public in one or several enterprises of daily or periodic press, in news agencies, or communication enterprises. A professional journalist gets most of his/her revenues from this activity.

¹¹⁴ For example, there was a very active page owned by a hairdresser. During the elections, the Facebook page evolved into a campaign platform for a specific candidate.

closed groups, which the Center could not monitor. It did, however, collect data on information about the official names of these pages before or during the elections, the date of their creation, and where the pages' administrators were located. It also monitored the Twitter accounts of candidates and parties, and the interactions between these accounts, in addition to certain hashtags.

The Center analyzed the data collected from Facebook to assess the use of disinformation, hate speech, and defamation in political ads. It also assessed the level of coordination between Facebook pages to identify patterns on social media.

Presidential Election, First Round

The Carter Center monitored verified or supportive pages of the 26 presidential candidates and pages of unknown affiliations or origins using the names and profile pictures of each candidate. While Kais Saïed did not declare an official page to the ISIE, The Carter Center monitored several pages that used his name and image for their profiles. This practice created an impression that the pages were connected to his official campaign even if they appeared to be operating independently.

The Carter Center found that 23 of 26 candidate pages ran sponsored ads during the campaign for the first round of the election. Many also ran ads before the beginning of the campaign.¹¹⁵ Some candidates publicized more than 10 ads per day on their official pages in addition to ads that ran on unaffiliated pages.¹¹⁶ Toward the end of the campaign, the number of sponsored ads increased

Social media was used heavily during and after the presidential debates. The campaigns updated the candidates' social media pages in real time during the debate, posting the candidates' answers to debate questions.

significantly, as well as the number of candidates supported by sponsored ads.¹¹⁷

Social media was used heavily during and after the presidential debates. The campaigns updated the candidates' social media pages in real time during the debate, posting the candidates' answers to debate questions. Nabil Karoui, who was in detention during the debates, tweeted that he had been prevented from participating.

On the day preceding the election, The Carter Center observed sponsored ads supporting a number of candidates on Facebook, in breach of the 24-hour silence period.¹¹⁸ The Carter Center also observed breaches of the silence period by candidates on Instagram, and at least one campaign sent SMS messages on the day of silence calling on voters to support its candidate.

Parliamentary Election

The Carter Center monitored the Facebook pages of all 10 parties and coalition lists running in all 33 Tunisian constituencies for the parliamentary election, and also the supportive pages of those lists. The majority used social media to introduce their candidates, announce campaign events, report on campaign activities, or solicit voter support.¹¹⁹ In addition, most of the monitored

115 The Carter Center did not observe sponsored ads supporting Abir Moussi, Kais Saïed, or Seifeddine Makhoul. Ads supporting Nabil Karoui, Mehdi Jomaa, Hama Hammami, Mohsen Marzouk, Moncef Marzouki, Mohamed Nouri, Omar Mansour, Slim Riahi, and Abid Briki started running on Aug. 17, 30, 31 and Sept. 1. Facebook Ad Library doesn't keep archives of the sponsored ads in Tunisia (unlike in the U.S.), so only the sponsored ads that were still running when the Carter Center social media monitoring began have been noted.

116 Between 10 and 20 sponsored ads were run on the verified pages of Mohsen Marzouk, Mohamed Nouri, Mehdi Jomaa, Mohamed Abbou, Nabil Karoui, and Youssef Chahed during the campaign for the first round of the presidential election.

117 Sept. 2: 16 sponsored ads noticed, supporting 10 candidates: Nabil Karoui, Mehdi Jomaa, Hama Hammami, Mohamed Moncef Marzouki, Mohsen Marzouk, Mohamed Nouri, Omar Mansour, Elyes Fakhfakh, Slim Riahi and Abid Briki; Sept. 14: 101 sponsored ads noticed, supporting 17 candidates: Monji Rahoui, Mohamed Abbou, Nabil Karoui, Mehdi Jemaâ, Hama Hammami, Abdelkarim Zbidi, Mohsen Marzouk, Mohamed Nouri, Mohamed Hechmi Hamdi, Omar Mansour, Youssef Chahed, Elyes Fakhfakh, Slim Riahi, Salma Elloumi, Ahmed Safi Said, Hatem Boulabiar, and Abid Briki.

118 The Carter Center documented 83 sponsored ads running on Sept. 14 and 52 sponsored ads on Sept. 15.

119 Al Badil, Amal Tounes, Democratic Current, Ennahda, Free Destourian Party, Ich Tounsi, Nidaa Tounes, Popular Front Party, Qalb Tounes, and Tahya Tounes.

Carter Center intern Hannah Park handles an ELMO device at a polling station. Park was part of a team that conducted observer check-ins via phone, gathering data on the election day environment.



lists shared their campaign programs on national and regional Facebook pages, including the pages of their branches located abroad. The candidates demonstrated varying levels of activity and professionalism in their social media campaigns depending on strategy, analysis of the electorate, messages, and financial resources.

Of the 10 lists monitored, nine ran sponsored ads on their Facebook pages or on supportive pages.¹²⁰ Some also published the ads on party pages abroad. As election day approached, the number of sponsored ads on pages supporting Ich Tounsi, Ennahda, and, to a lesser extent, Tahya Tounes, grew significantly.¹²¹

Ich Tounsi removed its sponsored ads on Facebook and refrained from posting on its national and regional pages on the day of silence preceding the polls, but the majority of monitored pages published political ads during the silence period.

On various occasions, The Carter Center observed party or independent lists using the images of presidential candidates and their endorsements to advance their own online campaigns.¹²² The Center also observed several instances of smear campaigns and inflammatory language on pages that lacked clear affiliations with specific candidates.¹²³ Fake opinion polls

¹²⁰ Nidaa Tounes was not supported by sponsored ads.

¹²¹ The Carter Center observed 52 sponsored ads online on Ich Tounsi pages on Oct. 1, an increase from the two ads that appeared on Sept. 27 and the 37 ads published on Sept. 29; the Center observed 16 sponsored ads for Tahya Tounes on Oct. 4, an increase from five ads observed a week earlier. The Center documented 30 sponsored ads supporting Ennahda on Oct. 4, an increase from two ads observed on Sept. 25.

¹²² These parties included Qalb Tounes, Al-Karama, Ennahda, Tahya Tounes Sousse, and List 31 Tunis-1. Following Al-Karama's posting of pictures featuring Kais Saïed and Seifeddine Makhoul, a communiqué was published on Kais Saïed's website on Oct. 2 informing readers that Saïed had not announced his support for any lists and that the ISIE had been informed so that it could take appropriate measures. ISIE officials reported that the issue would be investigated after the elections.

¹²³ The online platform Sawaab Arrai released a documentary Sept. 27-29 on its Facebook account and broadcast it on the TV channel Al-Arabiya that alleged that Ennahda was involved in the assassination of the opposition leaders Chokri Belaid and Mohamed Brahmi in 2013 via its "secret services." The female candidate Olfa Terras, founder of Ich Tounsi, was also the target of repeated attacks related to her and her husband's activities.

bearing the logos of real Tunisian poll companies also circulated on Facebook and were misleading.

Presidential Election, Runoff

During the presidential runoff, Nabil Karoui's online support was less than that of Kaïs Saïed. The Center documented 55 unofficial campaign pages supporting Saïed and 20 pages supporting Karoui. The latter's online campaign was structured around his official Facebook page, those of his supporters, and the pages of his party, Qalb Tounes; content from these pages was also shared by supportive pages.

Besides highlighting campaign activities, Karoui's pages largely focused on his detention and called for his release; disparaged other parties and political figures, including Ennahda, Ich Tounsi, and Saïed; and denied rumors circulating on social media, including those alleging he planned to withdraw from the race.¹²⁴ Karoui's official page as well as pages supporting him ran sponsored ads on a continuous basis even though, according to the electoral law, campaigning for the second round is only allowed after the announcement of the results from the first round.¹²⁵ The campaign for the runoff officially started on Oct. 3.

Saïed's online campaign was composed of Facebook pages without apparent hierarchy or direct relation to the candidate. While the candidate did not declare any official page or account to the ISIE, The Carter Center monitored some 55 Facebook pages that focused explicitly on supporting his candidacy.¹²⁶ The number of pages supporting him grew after the first round, as did their number of followers.¹²⁷ The Center documented public groups supporting Saïed on Facebook that had as many as 200,000 members.

The sources and administrators of most of the pages supporting Saïed were unclear. A limited number of pages supporting Saïed published political ads.

The Carter Center observed smear campaigns and inflammatory language on several pages supporting both presidential candidates.¹²⁸ Some of these posts were widely shared online. On a few occasions, Saïed publicly distanced himself from inflammatory posts and called on his supporters to refrain from posting such messages.



Local Monitoring Efforts

Tunisian CSOs ATIDE and I Watch monitored social media platforms during the three elections. The organizations both developed specialized teams that monitored Facebook and other social media; their methodology focused on how social media use impacted the elections. They looked for

Fida Nasrallah, Carter Center country representative, is interviewed outside a polling station in Tunis.

¹²⁴ Karoui, his campaign, and supporters posted several documents online to deny that he was planning to withdraw from the race or that the ISIE had canceled his candidacy. These posts occurred against the backdrop of an online controversy that went viral a few days before the parliamentary election, in which Karoui was linked to a U.S.-based lobbying effort reportedly led by a former Mossad member.

¹²⁵ Electoral Law, Article 50.

¹²⁶ These pages appeared to be unaffiliated with the candidate, and the page administrators were not identified.

¹²⁷ While the number of Kaïs Saïed's followers grew by more than 750,000 on the 55 pages monitored by The Carter Center, the number of followers on the 20 Nabil Karoui pages monitored by the Center increased by 150,000 during the same period. Pages supporting Karoui had 756,716 followers and 754,201 likes, while those supporting Saïed had some 2 million followers and nearly the same number of likes (1,926,037) immediately preceding the polls.

¹²⁸ Some Facebook pages supporting Saïed repeatedly used inflammatory language calling those who opposed him "infidels," "homosexuals," "scumbags," or "corrupt" people.

disinformation, political manipulation, and incitement to violence.¹²⁹

Facebook

As previously noted, political parties and candidates used Facebook as their main tool for campaigning and communicating on social media. Although summary data on the use of Facebook for campaigning is available in other countries through agreements with Facebook, the ISIE did not have such an agreement to make this information accessible in Tunisia.

The role of social media in campaigns in Tunisia has increased significantly since the 2014 elections. It is being used to shape voters' opinions and inform their choices. The current legal framework for the use of social media in campaigns is unclear and inadequate and should be reviewed and updated to reflect the current reality of campaigning in Tunisia.

According to Facebook, candidates or advisors can run ads about elections when the ads meet “applicable laws and the authorization process required by Facebook.”¹³⁰ The ads must comply with Facebook’s community standards.¹³¹ Facebook, however, may restrict ads during elections. Because Facebook restricted access to its data, social media

monitors from Tunisian CSOs and international NGOs were unable to obtain detailed data about paid ads, including their cost. Also, Facebook allowed campaigns and supporters to continue to run ads during the silence period. Although Facebook took steps to make the purchase of political ads more transparent, the platform lacks clear and consistent criteria for identifying political advertisers or political issues on its platform, as well as criteria to publicly share the cost of those ads. This lessened the overall transparency of the campaign online.¹³²

Conclusion

The role of social media in campaigns in Tunisia has increased significantly since the 2014 elections. It is being used to shape voters’ opinions and inform their choices. The current legal framework for the use of social media in campaigns is unclear and inadequate and should be reviewed and updated to reflect the current reality of campaigning in Tunisia. The legal framework should give clear direction to parties and candidates on how and to what limit social media can be used for campaigning. Also, the ISIE should be more proactive with social media platforms, including Facebook, in order to ensure the information required under Tunisian law concerning campaign finance can be collected and made public. Facebook should also be more proactive and not allow campaign advertising during the silence period, as required by Tunisian law.

129 Political manipulation is the use of social media to influence one's political support for a specific candidate or party. This could occur through different methods, such as spreading disinformation or defamation about candidates.

130 <https://www.facebook.com/business/help/167836590566506?id=288762101909005>.

131 <https://www.facebook.com/communitystandards/>.

132 Controlling or restricting access to social media platforms’ search engines, including searches conducted during elections, violates international standards of freedom of expression, according to a document published by the United Nations special rapporteur on freedom of opinion and expression. “A transformative feature of the digital communications environment is the power of private companies, and particularly social media, search platforms and other intermediaries, over communications, with enormous power concentrated in the hands of just a few companies.” <https://www.osce.org/representative-on-freedom-of-media/425282?download=true>.

Civil Society

International and regional treaties recognize the role citizen participation plays in enhancing all aspects of the electoral process.¹³³ Sources of public international law recognize the right to take part in citizen observer organizations and to contribute to voter-education efforts.¹³⁴ Citizen observation is a critical manifestation of the right to participate in public affairs and to hold governments accountable.

Tunisian civil society observed the 2019 legislative and presidential electoral processes and contributed to the transparency and integrity of the electoral process. Most prominent civil society observer associations that observed the 2014 parliamentary and presidential elections remained active and continued to play an important role in the democratic process.¹³⁵ In addition, newly created organizations such as Observers Without Borders (OSF) and long-standing civil society groups, including the Tunisian General Labor Union (known by its French acronym, UGTT) and the Tunisian League for Human Rights, observed the 2019 elections. Although more CSO organizations engaged in electoral observation, a

lack of funds resulted in a general decrease in the overall number of national observers deployed, and national CSOs conducted significantly fewer observation-related activities than during the 2014 elections.¹³⁶

Like-minded organizations decided to collaborate to maximize their resources. Chahed Observatory, Ofiya Coalition, I Watch, *Jeunesse Sans Frontières* (Youth Without Borders), TU-MED, and Mourakiboun, which coordinated their efforts to observe the 2018 municipal elections, decided to coordinate their 2019 observer efforts.¹³⁷

Each CSO focused its efforts on a specific aspect or step of the electoral process. Mourakiboun conducted a parallel vote tabulation; Chahed observed all the steps of the electoral process with

Most prominent civil society observer associations that observed the 2014 parliamentary and presidential elections remained active and continued to play an important role in the democratic process.

133 ICCPR, Article 25; African Union, African Charter on Democracy, Elections, and Governance (ACDEG), articles 19–22; CIS, Convention on Democratic Elections, Article 1(2); OSCE, Copenhagen Document, para. 8; OAS, IADC, articles 23–25; OSCE/ ODIHR, Legal Framework (Ed. 1), p. 13.

134 EISA, Principles for Election Management, Monitoring and Observation in the SADC Region, p.19.

135 ATIDE, Mourakiboun, Chahed Observatory, I WATCH, Youth Without Borders (JSF), Ofiya Coalition, League of Tunisian Women Voters (LET), and TU-Med.

136 During the 2014 elections, the ISIE accredited 27,000 citizen observers for the first round of the presidential election, 14,000 for the parliamentary election, and 29,000 for the runoff. In 2019, these numbers decreased: There were 13,000 observers accredited to assess the first round of presidential elections, 17,500 observers for the parliamentary election, and more than 17,500 observers for the presidential runoff.

137 The six organizations published joint recommendations based on their collective findings following the municipal elections a few months before the 2019 polls.

Observers get ready to deploy to their areas of responsibility on presidential election day.



a concentration on voter registration and electoral dispute resolution. The Tunisian Mediterranean Center (TU-MED) observed the participation of women in rural areas in seven constituencies during the electoral campaign and on election day.¹³⁸ Ofiya monitored the media coverage of the electoral period, while ATIDE monitored the electoral campaign on social media and I Watch focused on campaign finance.

In addition, most of the CSOs deployed observers on the three election days. The ISIE accredited approximately 13,000 citizen observers for the first round of the presidential election. This number increased to 17,500 for the parliamentary election and more than 17,500 for the runoff.¹³⁹

Many prominent civil society organizations released their findings after each round of elections, making recommendations aimed at

improving the process and demonstrating the seriousness of their undertakings. These included Mourakiboun, ATIDE, Chahed Observatory, League of Tunisian Women Voters, Ofiya, JSF, I Watch, TU-MED, UGTT, and the Tunisian League for Human Rights. While electoral authorities generally supported the role of citizen observers and facilitated their access to polling stations, the ISIE had limited contact with civil society regarding the elections. The ISIE organized only one meeting with CSOs during the electoral period. The event was mainly dedicated to organizations for disabled individuals and focused on the ISIE's efforts to facilitate polling procedures for people with disabilities.

Most civil society organizations reported that the election administration improved successively for each round of voting and that polling and

¹³⁸ The seven constituencies were Gafsa, Kasserine, Sidi Bouzid, Kebili, Tozeur, Jendouba, Siliana.

¹³⁹ CSOs accredited the following numbers of observers for the three polls: first round presidential: ATIDE: 500, Chahed: 1,000, I Watch: 1,065; parliamentary election: ATIDE: 620, Chahed: 1,021, I Watch: 1,432; presidential runoff: ATIDE: 620, Chahed: 1,021, I Watch: 1,347. JSF deployed approximately 330 observers in each of the three elections, Mourakiboun deployed 3,000 observers in each election, TU-MED deployed 60-70 female observers for each election, and the General Union of Tunisian Workers (UGTT) deployed some 8,000 observers for the parliamentary election.

counting operations were carried out in accordance with international standards and good practices in terms of transparency and integrity of elections. Their reports noted the following common irregularities: attempts to influence voters in the polling centers, campaigning around polling centers, and the relative lack of training of some polling station and center staff.

The ISIE acted upon several of the recommendations offered by CSOs between the different elections. For example, the ISIE responded positively to ATIDE's request to publish the reports of ISIE campaign monitors in the three elections. Although the ISIE did not publish the reports from the two rounds of presidential voting, it released those focused on the parliamentary polls. Also, based on a CSO recommendation, the ISIE organized evaluation sessions for its staff a few weeks after the elections in order to improve their performance in future polls.

In addition, Mourakiboun and I Watch conducted parallel vote tabulation (PVT) exercises to bolster public confidence in the election results. Mourakiboun mobilized 3,000 observers to cover a representative sample of 1,001 polling stations across Tunisia for each of the three elections.

Mourakiboun reported voter turnout figures and national election results shortly after the closing of the polls for each.¹⁴⁰ I Watch deployed observers to a random, representative, and stratified sample of 662 polling stations across Tunisia for the presidential runoff. They prioritized data collection from a subsample of 374 polling stations, which they used to make their projection. The I Watch PVT results confirmed the integrity of the ISIE official results.

Overall, Tunisian civil society took an active part in observing the 2019 electoral processes, although not as extensively as for the 2014 elections.

Overall, Tunisian civil society took an active part in observing the 2019 electoral processes, although not as extensively as for the 2014 elections. Many suffered from a lack of funding, perhaps partly because of the compressed time frame for the three elections. However, they carried out their work professionally with the resources at their disposal.

140 In the first round of the presidential election, Mourakiboun's PVT estimated turnout was 51.1% and the ISIE's 49.8%, with a margin of error (MOE) of 1 percentage point. For the parliamentary election, the PVT estimated turnout was 43.7% and the ISIE's 42.8%, with an MOE of 1 percentage point. For the presidential runoff, the PVT estimated turnout was 57.1% and the ISIE's 56.3%, with an MOE of 0.9 percentage point. The PVT estimated results for first round had Saïed at 18.4% and Karoui at 15.5%, and the ISIE results were Saïed 18.4% and Karoui 15.58%. For the runoff, the PVT estimated results had Saïed at 70.9% and Karoui at 29.1%. The ISIE results were Saïed 72.71% and Karoui 27.29%.

I Electoral Dispute Resolution

Challenge and appeal procedures, and especially the powers and responsibilities of the various bodies involved, should be clearly regulated by law to avoid any conflicts of jurisdiction. In addition, the right to file such appeals must be granted as widely as possible and be open to every elector in the constituency and to every candidate running for election.¹⁴¹ The guarantee of a timely remedy is integral to the principle of effective means of redress.¹⁴²

Candidate Registration for the Presidential Election

In order to meet the constitutional 90-day requirement to elect a new president after the death of the incumbent, the parliament amended Article 49 of the electoral law to shorten the deadlines for handling electoral disputes. Challenges needed to be filed within two days from the declaration of ISIE decisions rejecting candidates and were lodged with the Appeals Circuit of the Administrative Court, headquartered in Tunis. The decisions of the Appeals Circuit could be appealed

to the General Assembly of the Administrative Court.¹⁴³ Despite these shortened deadlines, the Administrative Court was able to address all presidential nomination appeals in a timely fashion.

Fifteen candidates filed challenges at the Appeals Circuit of the Administrative Court to ISIE decisions rejecting their candidacy. The court overturned the ISIE decisions in four cases.¹⁴⁴ The ISIE and seven candidates appealed to the General Assembly of the Administrative Court. The court overturned the four decisions of the Appeals Circuit against the ISIE, upholding the ISIE's decision to reject the four candidacies. The seven appeals by candidates were rejected.

Although the court hearings were orderly and the parties were given the opportunity to present their cases, the shortened timeline caused by the death of the president did not allow enough time for lawyers to prepare their cases, which affected the parties' ability to support their claims with credible evidence and legal reasoning. Both the judiciary and the litigants criticized the time constraints to file a challenge as threatening the right to seek redress and judicial review.¹⁴⁵

141 European Commission for Democracy Through Law (Venice Commission), Code of Good Practice in Electoral Matters, CDL-AD (2002) 23.

142 ICCPR, Article 2(3), European Commission for Democracy Through Law (Venice Commission), and OSCE Office For Democratic Institutions and Human Rights (OSCE/ODIHR) Joint Opinion on The Electoral Legislation of Norway, para. 25.

143 Electoral law, articles 46 and 47.

144 Case 20192017, Bahri Djelassi v. ISIE, Circuit 8, decided on Aug. 22; Case 20192018, Sahbi Brahim v. ISIE, Circuit 8, decided on Aug. 22; Case 20192020 Mohammed Hedi Ben Hecine v. ISIE, Circuit 8, decided on Aug. 22; and Case 20192025, Marwen Ben Amor v. ISIE, Circuit 6, decided on Aug. 22.

145 UNHRC, General Comment 32, para. 19.

Candidate Registration for the Parliamentary Election

Challenges against the decision of IRIEs related to candidate registration for the parliamentary election can only be made by the president of the candidate list, one of its members, the political party representative, or any member of other candidate lists in the same constituency. Complainants lodge challenges with the judicial court of first instance in the jurisdiction where the concerned IRIE is located. Challenges must be filed within three days of the decision of the IRIE. The first instance decision is appealable to the Appeals Circuits of the Administrative Court in Tunis.¹⁴⁶

Few candidates lodged challenges at the judicial courts of first instance about decisions rejecting their candidate lists; some candidates challenged the candidacy of opponent lists.¹⁴⁷ Only four challenges at the courts of first instance resulted in the revocation of IRIE decisions. A total of 18 appeals were lodged at the Appeals Circuit of the



Administrative Court. The court overturned the IRIE rejection of candidates in three cases.¹⁴⁸

Carter Center observers were denied access to information about appeals to most of the judicial courts of first instance, including judgments of the court, despite an official request from the Center based on Tunisian law.¹⁴⁹ This lack of information hindered the Center's ability to analyze the pre-election dispute-resolution phase.

Mission leader Tana De Zulueta speaks to journalists outside a polling station in Tunis during parliamentary election day.

¹⁴⁶ Electoral law, articles 27 and 29.

¹⁴⁷ Reports mention that first instance judicial courts issued 43 court decisions on candidacies for legislative elections. (Chahed preliminary report on EDR 2019.)

¹⁴⁸ The Democratic Social Union coalition list for Tunis 2 constituency. (This appeal was rejected, but after that court decision, the appellant got a written document from the IRIE testifying that the irregularity that was the basis of the IRIE rejection was the IRIE's mistake. The appellant lodged at the same appeal circuit a request for reconsideration, and the court revoked the first instance decision and recognized the validity of candidacy.) The Democratic Party for Justice and Prosperity List for the Arab World and the rest of the world constituency; and The Democratic Party for Justice and Prosperity List for the American continent and the rest of Europe constituency.

¹⁴⁹ The Tunisian civil and commercial procedures code, Article 252: "...The abstract judgement copies shall be provided to whoever requests them."

I Election Day

The voting process is the cornerstone of the obligation to ensure that the will of the people is expressed through genuine, periodic elections.¹⁵⁰ The quality of voting operations on election day is crucial to determining whether an election was held according to democratic obligations. It is a core obligation under international law that elections be held by secret ballot, a recognized means of ensuring that the will of the people is expressed freely.¹⁵¹

All three election days proceeded smoothly, and election officials understood the procedures well. Voter lists were displayed in the majority of polling stations that Carter Center observers visited. The configuration of nearly all polling stations protected voter secrecy. Polling staff properly sealed ballot boxes and verified the seals. Polling staff closed polling stations on time; no voters were queuing to vote. The ISIE took steps between each election to address shortcomings and provide additional training. This resulted in more polling staff following procedures for each subsequent election.

Because of security concerns and at the recommendation of the Ministry of the Interior, three

days before the election, five IRIEs in the west and center west of the country (Kef, Kasserine, Jendouba, Gafsa, and Sidi Bouzid) announced on Facebook that certain polling centers would operate under shortened hours on election day. The voting in these areas was shortened by four hours, opening at 10 a.m. and closing at 4 p.m. The decision to shorten polling hours affected approximately 112,795 voters, which represents 1.59% of registered voters.¹⁵² Because of the ISIE's failure to communicate this change in polling hours, the shortened time frame reduced the opportunity for those voters to participate in the elections. The restrictions on voting hours in these areas were maintained for the parliamentary and second-round presidential election days.

Presidential Election, First Round, Sept. 15

The Carter Center deployed more than 90 observers, who visited 317 unique polling stations as well as the 27 tabulation centers for the first round of the presidential election.

The ISIE announced a change in the location of 28 polling centers in nine IRIEs on Sept. 11, four days before polling. Some 31,379 voters were

All three election days proceeded smoothly, and election officials understood the procedures well.

¹⁵⁰ ICCPR, articles 2, 25(a), and 9.

¹⁵¹ U.N., International Covenant on Civil and Political Rights, Article 25; U.N. Universal Declaration of Human Rights, Article 23. EISA and Electoral Commission Forum of SADC Countries, Principles for Election Management, Monitoring, and Observation in the SADC Region, p. 24.

¹⁵² Kasserine: 105 centers with 124 polling stations with 49,940 voters; Jendouba: 40 centers with 68 polling stations with 29,334 voters; Sidi Bouzid: 28 centers with 46 polling stations with 18,021 voters; Kef: 47 centers with 50 polling stations with 5,070 voters; Gafsa: 20 centers with 28 polling stations with 9,653 voters.

affected by this change.¹⁵³ The ISIE attributed the changes to poor infrastructure, unfinished construction, and difficulties in accessing certain polling centers because of recent flooding.

Opening and Polling

Carter Center observers described the opening process in all 34 of the polling stations visited during poll opening as calm and well-organized, with 100% of observer teams evaluating the implementation of procedures positively. In several stations, observers reported that queue management was deficient. In one polling center visited, all polling stations opened late because the ISIE did not deliver the election material on time and polling staff had arrived late.

Carter Center observers assessed 317 polling stations during election day. They assessed the overall election environment and implementation of procedures as positive in the overwhelming majority. A few minor irregularities were noted, including the failure of polling staff to instruct voters on how to cast a ballot as required by the regulations. The instruction was assessed as inadequate or not given at all in 24 observations (7.4%). In 5.2% of polling stations visited, the secrecy of the ballot was violated.

Candidate representatives were present in nearly all—309 of the 317—polling stations observed. Representatives for Mourou, Chahed, and Karoui were present in the majority of polling stations observed. Citizen observers were present in only 60 of the 317 polling stations observed, with Mourakiboun present in 53. Women made up 42% of the polling station presidents but only 9.7% of the polling center presidents.

Closing and Counting

The implementation of procedures and the overall election environment were assessed as very good or reasonable in 30 of the 31 polling stations observed for closing. All voters waiting in the queue when the polling stations closed at 6 p.m. were allowed to vote.

Counting was observed in 29 polling stations; implementation of procedures and the overall environment were assessed positively in all but one location. Overall, observers described the process as calm, professional, and detailed.

Parliamentary Elections, Oct. 6

The Carter Center deployed more than 90 observers, who visited 392 unique polling stations as well as the 27 tabulation centers. As for the presidential election, shortly before the election, the ISIE announced that 245 polling centers in five constituencies (Kef, Kasserine, Jendouba, Gafsa, and Sidi Bouzid) would operate under shortened hours on election day.

Opening and Polling

The opening process in all 38 polling stations observed by The Carter Center was described as calm, well-organized, and professional, with 100% of observer teams evaluating the implementation of procedures and the election environment positively.

Carter Center observers assessed 392 polling stations during voting. The overall election environment and implementation of procedures were assessed as positive in the overwhelming majority. In 11 polling stations, observers noted that voters, especially the elderly, had difficulty voting because of the number of lists and the length of the ballot. Secrecy of the vote was respected in 99% of polling stations visited. Observers reported that 49 of the visited polling stations were not accessible to physically challenged people. Sixty-seven percent of polling center presidents were men and 33% women. At the polling station level, 61% of polling station presidents were men and 39% were women.

Party agents were present in a large majority of polling stations observed (373 of 392). Agents for Ennahda were present in 33% of observed polling stations, Qalb Tounes in 19%, and Tahya Tounes in 9%. There were agents representing

153 Bizerte (three polling centers with 13,403 voters); Siliana (two polling centers with 1,216 voters); Kef (one polling center with 1,656 voters); Jendouba (seven polling centers with 5,101 voters); Monastir (two polling centers with 1,473 voters); Ben Arous (one polling center with 1,338 voters); Gafsa (seven polling centers with 2,241 voters); Medenine (three polling centers with 355 voters); Nabeul (two polling centers with 4,596 voters).



A school near downtown Tunis serves as a polling station on parliamentary election day. Voters who had registered for the 2014 or 2018 elections were not required to register again for the 2019 elections, enabling them to simply show up to vote on election day.

independent lists in 20% of visited polling stations. Citizen observers were present in 168 of the 392 polling stations observed, the highest number representing the UGTT labor union, present in 135 stations, and Mourakiboun, present in 25.

Closing and Counting

The implementation of procedures and the overall election environment were assessed as very good or reasonable in the 35 polling stations observed for closing and counting. All observers reported that there were no voters waiting in line to vote when the polls closed at 6 p.m. During the count, implementation of procedures was assessed positively in all 35 polling stations observed.

Presidential Election, Second Round, Oct. 13

The Carter Center deployed more than 80 observers, who visited 337 unique polling stations as well as the 27 tabulation centers.

Opening and Polling

Carter Center observers described the opening process in all 30 of the polling stations visited as professional and orderly, with all polling stations opening on time. Candidate agents were present in 15 of the 30 polling stations, while citizen observers were present in only 11.

Carter Center observers assessed the voting process at 337 polling stations during election day.

The overall election environment and implementation of procedures were assessed as positive in all of the polling stations visited. Carter Center observers reported only minor irregularities in a small number of polling stations visited. Although many voters still had dried ink on their fingers from voting in the parliamentary election, Carter Center observers did not report any instances of multiple voting and noted that that polling staff checked voter IDs and voters' signing of the voter list in all stations.

Candidate representatives were present in 67% of polling stations (227 of 337); 47% (160/337) of stations had agents for Saïed present, and 39% (130 of 337) had agents for Karoui. Citizen observers were present at 48% of polling stations (161 of 337); observers from UGTT were present in 27% (91 of 337), from Mourakiboun in 12 percent (41 of 337); and from I Watch in 5% (17 of 337). Polling center presidents were 14% female (47 of 337), while polling station presidents were 44% female (148 of 337).

Closing and Counting

Closing was assessed as very good or reasonable in 100% of the 30 polling stations observed, and all eligible voters waiting in line at closing were allowed to vote. The overall environment and the implementation of procedures at the counting process were assessed as very good or reasonable in all 30 polling stations observed. No official complaints were filed at the observed polling stations.

Carter Center observers noted a reduced presence of candidate agents and citizen observers from the legislative election. Officials signed the protocols and posted them at the entrance of polling stations before sending secured copies of the official minutes to the tabulation centers.

The Tabulation Process

According to international obligations, counting should be transparent and observable. International good practice establishes that observers, candidate representatives, and the media must be allowed to be present and have access to

records; results must be transmitted to higher levels in an open manner.¹⁵⁴

Throughout the electoral cycle, Carter Center observers noted that tally centers differed in their procedures for receiving material, conducting recounts, and granting access to observers. The ISIE's failure to issue detailed regulations on tabulation procedures was partially to blame for these inconsistencies, and at times led to a tabulation process that was not transparent and observable.

After the first-round presidential election, however, the ISIE conducted a two-day assessment for the presidents, coordinators, legal officers, and administrators of the 33 IRIEs and addressed several shortcomings at the tabulation stage. Staff received additional training on the use of a software application that calculates the results automatically at the tally-center level. The military also changed the routes it used to collect and deliver election material to the tabulation centers.

With these changes, the tabulation process for the presidential runoff was conducted more efficiently and transparently than in the previous two elections. Tally centers received the electoral materials from the polling centers more quickly and, consequently, were able to compile the results in a timelier manner. International observers were afforded a greater level of access to the process and were able to conduct a meaningful observation of the process in most tally centers.

Security Situation During the Electoral Period

As a result of terrorist attacks in 2015, President Caïd Essebsi declared a state of emergency in the country that remained in force for the entire electoral period. On June 27, 2019, two suicide attackers detonated their devices in downtown Tunis, one near the police patrol on Charles de

Gaulle Street and another at a building occupied by police in the Qarajani district.

Despite this incident, the security situation in Tunisia throughout the electoral period remained satisfactory and allowed candidates to campaign and The Carter Center to deploy its election observers.

Exceptions included the areas along the border with Libya and Algeria and certain mountainous areas in the country's west, which are classified as high or very high risk, including the governorates of Kasserine, next to the Algerian border, and Sidi Bouzid in central Tunisia, which periodically experience increased threat levels because of terrorist activity or social unrest. However, this did not prevent the Center's observers from conducting operations in these locations with appropriate mitigating measures in place.

Security manager Davor Čorluka (left) and security assistant Oussama Laajimi (right) go over a deployment plan with short-term observer Soulayma Jabi of Syria. Carter Center observation missions follow a prescribed security methodology.



¹⁵⁴ Council of Europe (Venice Commission), Code of Good Practice, Section 1.3.2.xiii and xiv.

I Postelection Developments

Resolution of Disputed Results

In general, the electoral law provides for a timely remedy for aggrieved parties challenging results and respects the right of judicial review, guaranteeing an independent oversight in accordance with international standards.¹⁵⁵ The courts conducted their responsibilities in a timely, if sometimes overly strict, manner in all three elections.

The Administrative Court in Tunis allowed the Center to attend all hearings, and after repeated requests, supplied the Center with some decisions. Court hearings attended by the Center were orderly, and the parties were given the opportunity to present their cases within the limited time allowed. However, the courts did not comply with international obligations aimed at ensuring a transparent dispute-resolution process, which requires that judgments, findings, and legal reasoning for the judgments be made public in all cases.¹⁵⁶

The ISIE election dispute resolution process remains opaque. The ISIE did not share all information collected by its campaign monitors nor did

it publicly announce how it would resolve election complaints. The courts did not release complaints or decisions in a timely fashion. They did, however, provide litigants with the opportunity to be heard and made decisions within the short time frame allowed.

The electoral law imposes many procedural requirements on filing electoral challenges that were criticized by many candidates and lawyers. The court also was very strict in applying the law and did not tolerate any procedural mistakes, regardless of the importance of the challenge substance.

Challenges to the Results of the Parliamentary Election

Results of parliamentary elections can be challenged at the Appeals Circuit of the Administrative Court, and then they can be appealed further to the General Assembly of the Administrative Court by the head of the candidate list, one of its members, or political party representatives. A total of 102 challenges were filed with the Appeals Circuit of the Administrative Court, which dismissed 40 challenges on procedural grounds and 59 on their merits. The court modified the results in three cases—it granted the Errahma party a seat in the Ben Arous constituency; it canceled a Nidaa Tounes seat in the constituency

A total of 102 challenges were filed with the Appeals Circuit of the Administrative Court, which dismissed 40 challenges on procedural grounds and 59 on their merits.

¹⁵⁵ ICCPR Article 14 (1); U.N., ICCPR, Article 2; AU, AfCHPR, Article 7; ICCPR, General Comment 32, para. 58.

¹⁵⁶ ICCPR, Article 14 (1); The Administrative Court provided to The Carter Center around 155 judgments only one week before the conclusion of the observation mission in mid-November 2019, which prohibited the mission from fully analyzing the election dispute resolution process.

of Kasserine and allocated it to the People's Movement; and it canceled the election results of the overseas constituency in Germany and ordered a new election there.

The General Assembly of the Administrative Court received 36 appeals. The court reversed the lower court decisions concerning the constituencies of Germany and Kasserine and reinstated the ISIE's original decisions. All other appeals were dismissed. The dispute process on preliminary results of the legislative election confirmed the ISIE decisions on results, except for the constituency of Ben Arous, where it awarded the seat to the Errahma Party.¹⁵⁷ The court completed reviewing all appeals on Nov. 6, 2019, within the legal deadline.¹⁵⁸ The full text of the decisions of the General Assembly of the Administrative Court are still not available.

Challenges to Results of the Presidential Election

The Appeals Circuits at the Administrative Court received a total of six challenges from candidates against the preliminary results of the first round of the presidential election.¹⁵⁹ Most of the challenges alleged that serious violations of the regulations on political advertisement had been committed in favor of the two candidates who advanced to the runoff. Most challenges claimed that the ISIE had failed to sanction candidates who had committed campaign violations.¹⁶⁰

Three of the six challenges were dismissed on the procedural ground that the notification minutes did not reflect that notification had been

given to the other party to answer in writing before the day of the oral hearing, as required by Article 145 of the 2014 Electoral Law.¹⁶¹ Therefore, the substantive arguments of those cases were not reviewed by the court. Five of these cases were appealed to the General Assembly of the Court. On Sept. 30, the General Assembly dismissed all five appeals, confirming the appeals circuits' decisions.

There were no challenges to the results of the second round of the election, as the losing candidate, Karoui, conceded and congratulated his opponent on Oct. 14, 2019.¹⁶²

Political Developments

The ISIE declared the final results of the parliamentary election on Nov. 8, 2019.¹⁶³ On Nov. 13, the new parliament met in plenary session and elected Rached Ghannouchi of Ennahda as speaker with 123 votes.¹⁶⁴ The first vice president of the parliament, Samira Chaouachi of Qalb Tounes, was elected the same day with 109 votes, and the second vice president, Tarek Ftiti of the National Reform bloc, was elected on Nov. 14 with 93 votes.

On Nov. 15, 2019, President Kaïs Saïed charged Habib Jemli, an independent politician designated by Ennahda, the political party with the largest number of seats within parliament, to form the government. Jemli failed to form a government in the first month and informed the president that he would require an additional month as allowed by the constitution.¹⁶⁵ After intense negotiations with those parties elected to parliament failed,

157 The ISIE applied Article 143 of the electoral law and deprived Errahma Party of its seat in Ben Arous based on the violations report provided by HAICA.

158 On Nov. 7, 2019, Ich Tounsi list in France 2 filed a petition for reconsideration to the General Assembly, which was dismissed on Nov. 8, 2019.

159 Youssef Chahed, Hatem Boulabiar, Neji Jalloul, Slim Riahi, Abdelkarim Zbidi, and Seif Eddine Makhoul.

160 Under Article 143 of the electoral law, the ISIE can annul in part or in whole electoral results before announcing preliminary results if campaign violations were deemed to have affected the results in a "substantial and decisive manner."

161 Including: Case 20194001, Seif Eddine Makhoul v. ISIE, Appeals Circuit 7, of Sept. 23, 2019; case 20194002, Abdelkarim Zbidi v. ISIE, Abdelfattah Mourou and Nabil Karoui, Appeals Circuit 7, of Sept. 23, 2019; and case 20194003, Slim Riahi v. ISIE, Abdelfattah Mourou and Nabil Karoui, Appeals Circuit 7, of Sept. 23, 2019.

162 <https://ara.reuters.com/article/topNews/idARAKBN1WT1SI>.

163 See Annex D for final results.

164 Three other contenders were in the running for the post: Abir Moussi (PDL), who received 21 votes; Ghazi Chaouachi (Democratic Current), who got 45 votes; and Marouene Falfel (Tahya Tounes), who got 18 votes. There were 207 votes in total and 10 blank ballots.

165 Article 89 of the constitution.

Posters promote candidates in Tunisia's 2019 elections. For each of the three rounds of elections, campaign posters could be placed only in designated locations. Parties and candidates also used billboards, door-to-door activities, leaflets, rallies, campaign tents, and social media (mainly Facebook).



Jemli submitted a new list of nonpartisan technical ministers to the president, who forwarded the list to the parliament on Jan. 2, 2020. On Jan. 10, parliament voted no confidence in the proposed government by a vote of 72 for, 134 against, and three abstentions.

Under the constitution the president should, within 10 days, consult with the political parties, coalitions, and parliamentary blocs “to entrust the person most capable of constituting a government within a period of no more than one month.”¹⁶⁶ On Jan. 20, the president nominated Elyes Fakhfakh, a former minister of tourism and finance during the governments of Ali La'rayyidh and Hammadi Jbali as prime minister.

The choice of Fakhfakh came as a surprise to some MPs and political parties, as he was not the consensus choice.¹⁶⁷ Initially, his list of proposed ministers was rejected by Ennahda, which insisted on certain ministries and the inclusion of Qalb Tounes in the government. Fakhfakh changed the names of a few ministers but refused to include Qalb Tounes. On Feb. 17, the president announced that if the parliament failed to give confidence to the Fakhfakh government, he would have no choice but to call for new elections.

On Feb. 26, parliament met in plenary to vote on the new Fakhfakh government, which gained a vote of confidence with 129 votes for, 77 against, and 1 abstention.

¹⁶⁶ Article 89 of the constitution.

¹⁶⁷ His name only appeared on the list of possible candidates submitted by Tahya Tounes and Democratic Current.

I Conclusions and Recommendations

The Carter Center congratulates the Tunisian election administration on the successful completion of the 2019 electoral cycle and commends the Tunisian people's deep commitment to the democratic process, which required them to cast ballots in three successive elections in less than a month.

In the spirit of collaboration and support for Tunisia's continued transition to democracy, The Carter Center offers the following recommendations for consideration by the Assembly of Representatives of the People, the ISIE, political parties, and other electoral actors.

To the Assembly of Representatives of the People

1. Draft and pass a law on electoral boundary delimitation and criteria for allocation of seats that relies on the latest available census data in order to more fully respect the principle of equality of the vote by addressing the large gap between electoral quotients for obtaining seats in small and large electoral constituencies.
2. Conduct a transparent and inclusive review of the electoral constituency boundaries for all levels of elections. Nationally, constituencies should accurately reflect the population density in both in-country and overseas constituencies. On all levels, boundaries should not be influenced by the desire to achieve specific electoral outcomes.
3. Move forward on electing the remaining members of the Constitutional Court and on establishing the necessary legal framework and appointing members of the independent bodies mandated by the constitution, including the National Authority on Good Governance and Fight Against Corruption, the Authority for Sustainable Development and the Rights of Future Generations, the Human Rights Authority, and the Audiovisual Communication Authority (HAICA).
4. The decree law on freedom of the press should be amended to ensure that bloggers and citizen journalists are guaranteed the same protections as professional journalists.
5. Review and harmonize the electoral law based on the experience of the 2019 elections, including in the following ways:
 - a. Facilitate the accessibility and application of the electoral legal framework by minimizing the use of ad hoc regulations in the next elections by incorporating into the law ISIE regulations adopted for the 2014 and 2019 legislative and presidential elections. This will alleviate the need to pass new regulations before each new election cycle.
 - b. Amend Article 143 of the electoral law, which gives the ISIE the authority to revise the preliminary results of an election before review by the judiciary, by creating and publishing detailed criteria for enacting such revisions based on alleged campaign violations.

-
- c. Consider reducing the number of required endorsements for presidential candidates so that the ISIE can conduct a more robust review of the signatures, as required.
 - d. Review the utility of requiring endorsements for presidential candidates and the mechanism by which they are collected, with a view to reducing the use of fraudulent signatures.
 - e. In order to promote universal franchise, grant the right of suffrage to military and security forces in all elections.
 - f. Consider introducing a method of mobile voting to enable eligible voters in prisons, hospitals, mental institutions, and nursing homes to exercise their constitutional right to vote.
 - g. Review the current campaign and finance provisions in the electoral law with a view toward making them less restrictive, so that candidates can effectively campaign and get their message to voters without having to violate current provisions, including those on placement of posters, political publicity, placement of ads in social media, and campaign finance ceilings.
 - h. Consider introducing regulation of third-party acts in favor of candidates to clearly define what should and should not be considered campaigning and what must be included in campaign finance reports.
 - i. Clarify provisions in the law on the use of children in political campaigns.
 - j. To fully guarantee the protection of electoral rights and the right to an effective remedy, expand voters' rights to file complaints about irregularities on election day and appeal decisions of the election administration concerning results.
 - k. Work to fulfill the constitution's aspirational goals of gender equity by amending the electoral law to include not only vertical but also horizontal parity of lists, guaranteeing the placement of women at the top of lists.
 - l. Revise the definitions of political publicity and propaganda to clearly state the difference.
 - m. Clearly state when the use of advertising on social media is and is not allowed.
 - n. Clarify what equal opportunities and treatment of all candidates mean in the context of the campaign, including if a candidate is in detention.
 - o. Consider changes to the constitution to extend the deadline for early presidential elections, in case of a permanent vacancy, beyond the current maximum 90-day period.

To the ISIE

1. Increase transparency in all aspects of the work of the ISIE, including by publishing the results of council votes and the reasons for taking decisions; posting information on the ISIE website, including the minutes of meetings, in a timely manner; explaining the checking of endorsements, and reasons for denying nomination papers; and publicly reporting the campaign violation information collected by ISIE monitors, including those monitoring social media.
2. Define in more detail the precise structure of the ISIE, which should reflect the actual needs of the institution and detail the roles and responsibilities of the council vis-à-vis the secretariat. This should include establishing a clear strategy for long-term recruitment and training of staff.
3. Clearly delineate responsibilities between the ISIE Council and the executive bodies charged with implementing the council's decisions. Their respective roles should be clearly articulated, and guidelines should be provided for all phases of the electoral process.
4. Work to increase voter education campaigns through better coordination and cooperation with civil society organizations.
5. Establish a close and solid collaboration with the HAICA during the electoral period, especially about the timing of sharing of information and release of reports on election violations.

-
6. Make contact with social media platforms, especially Facebook, before the next electoral cycle begins to establish a relationship to exchange information concerning the maintenance of a proper ads library for Tunisia; Tunisian electoral law as it relates to periods of silence and use of social media in campaigning; and a mechanism for the ISIE to access and publish information on the number and costs of political ads.

To the Judiciary

1. To increase public trust in the judiciary and to ensure the right to an effective remedy, the court should be more transparent in making both electoral complaints and judgments public.
2. To reduce the number of cases dismissed on technical procedural grounds, the court should consider providing a comprehensive guide on all of the required steps associated with filing electoral challenges; offering training to lawyers who work on electoral cases and a template for filing such challenges; and allocating additional resources, including judges and courtrooms.
3. Dedicate a specific judge or circuit in each court to swiftly handle electoral cases and allocate the necessary resources to hear the cases.

To the Government

1. Consider instituting a media and digital literacy awareness campaign on disinformation, in cooperation with the ISIE and CSOs, to foster users' ability to fact-check information and make informed decisions.
2. Condition a portion of public funding on parties' increasing the participation of women in their internal governing structures and supporting the inclusion of more women as candidates.

To Political Parties

1. Increase voter education efforts in order to increase voter turnout, especially among marginalized groups.
2. Improve internal party democracy and transparency, especially in the selection of candidates.

To Civil Society Organizations

1. Increase voter education efforts in order to increase voter turnout, especially among marginalized groups.

Acknowledgments

The Carter Center would like to express appreciation to several individuals and organizations for their efforts and dedication toward observing Tunisia's recent elections. The Center thanks the government of Tunisia and the Independent High Authority for Elections (ISIE) for accrediting the Center to observe the elections and for their collaboration and dedication throughout the process.

The Center is grateful for funding from the U.S. Agency for International Development and from the Embassy of Switzerland in Tunisia, whose support allowed the Center to deploy quickly and to observe the entire electoral process in Tunisia. The Center wishes to thank Salam Fayyad, former prime minister of Palestine; Tana De Zulueta, a former Italian parliamentarian; and Karen AbuZayd, a commissioner on the Independent Commission of Inquiry on the Syrian Arab Republic for leading the Carter Center's short-term observer delegations. The Center appreciates the hard work and dedication of these leaders, whose insights and experience strengthened the work of the Center's election observation mission. The Center is grateful to all Tunisian government institutions and civil society who graciously shared valuable information that informed our findings.

The Center is grateful to have had a talented and committed international field office staff, consisting of Adeline Marquis, social media analyst; Ahmed Farag, legal analyst; Baya Kara, electoral analyst; Davor Çorluka, operations security manager; Don Bisson, election observation mission director; Fida Nasrallah, country

representative and political analyst; Ghias Aljundi, social media analyst; and Marie Allegret, observer coordinator. The Carter Center wishes to express its gratitude to Tunisian field office staff: Abir Chitni, Amel Tayechi, Amen Abidi, Anouar Gaaloul, Belhassen Ennouri, Fadhel Blibech, Ihsen Sbabti, Jezia Labidi, Lamia Tira, Karim Alkadhady, Mohamed Kliti, Oussama Laajimi, Rahma Ben Mansour, Rhida Jebali, Saber El Missaoui, Wafa Ouahchi, Ziad Abaoub, and Zied Ayari for their essential roles in the mission. Special thanks are also extended to the drivers who assisted the field staff and long-term observers in the field and all the additional translators and drivers who worked during the short-term observer mission.

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Annex B

Population and Quotient Numbers

Constituency	Number of Population (2014 Census)	Number of Registered	Seats (Decree Law 2011)	Number of Votes (Parliamentary Elections)	Quotient
Sousse	674,971	369,688	10	176,603	17,660
Ben	631,843	360,434	10	168,423	16,842
Kairouan	570,559	330,301	9	116,109	12,901
Sfax 2	519,086	328,491	9	162,920	18,102
Monastir	548,828	324,410	9	155,876	17,319
Bizerte	568,221	323,471	9	136,914	15,212
Tunis 2	505,440	313,645	8	167,583	20,947
Ariana	576,088	307,786	8	149,389	18,673
Sidi Bouzid	429,913	300,270	8	101,374	12,671
Tunis 1	550,807	299,031	9	135,937	15,104
Medenine	479,518	290,167	9	116,263	12,918
Kasserine	439,244	289,376	8	111,096	13,887
Sfax 1	436,335	282,756	7	128,542	18,363
Jendouba	401,477	272,989	8	80,323	10,040
Nabeul 1	440,180	263,896	7	124,134	17,733
Mahdia	410,813	247,294	8	102,290	12,786
Gabes	374,300	230,511	7	93,884	13,412
Manouba	379,516	224,417	7	93,683	13,383
Gafsa	337,332	222,060	7	102,357	14,622
Nabeul 2	347,738	210,846	6	93,832	15,638
Beja	303,031	209,660	6	68,124	11,354
Le Kef	243,157	156,250	6	57,720	9,620
Siliana	223,088	136,955	6	53,901	8,983
Zaghouan	176,946	118,219	5	50,873	10,174

Constituency	Number of Population (2014 Census)	Number of Registered	Seats (Decree Law 2011)	Number of Votes (Parliamentary Elections)	Quotient
Kebili	156,961	104,182	5	51,338	10,267
Tataouine	149,452	87,624	4	32,481	8,120
Tozeur	107,911	75,610	4	36,230	9,057
Total Tunisia	10,982,755	6,680,339	199		
France 2	Not available	117,051	5	15,466	3,093
France 1	Not available	88,657	5	22,882	4,576
America and Rest of the World	Not available	57,775	2	9,715	4,857
Italy	Not available	57,669	3	5,801	1,933
MENA and Rest of Countries	Not available	35,820	2	7,818	3,909
Germany	Not available	28,574	1	4,418	4,418
Total Abroad		385,546	18		
Grand Total		7,065,885	217		

Annex C

Candidate Registration

IRIE*	Received	Approved	Rejected	Final List on August 30
Ariana	54	52	2	52
Bizerte	44	42	2	42
Manouba	61	57	4	57
Tunis	50	49	1	49
Tunis	60	55	5	56
Ben Arous	56	55	1	55
Nabeul 1	49	47	2	47
Nabeul 2	42	41	1	41
Kairouan	65	62	3	62
Zaghouan	53	53	0	53
Beja	48	46	2	46
Kef	51	51	0	51
Jendouba	52	50	2	50
Siliana	53	52	1	52
Sousse	57	49	8	49
Monastir	55	50	5	50
Mahdia	50	48	2	48
Sfax1	56	52	4	52
Sfax2	51	45	6	45
Sidi Bouzid	75	73	2	73
Kasserine	68	66	2	66
Gafsa	70	70	0	70
Tozeur	43	43	0	43
Kebili	36	34	2	34
Medenine	39	34	5	34
Gabes	34	32	2	32
Tataouine	33	32	1	32
Total	1,405	1,340	65	1,341

*Note: An IRIE is a regional office of the Independent High Authority for Elections (ISIE).

Annex D

Election Results

Official Results of the First Round of the 2019 Elections

Registered voters	7,074,566	100%
Number who voted	3,465,184	48.98%
Valid votes	3,372,973	47.67%
Invalid ballots	68,344	0.96%
Blank ballots	23,867	0.33%

Candidates	Votes	% of Valid Votes Cast
Kaïs Saïed	620,711	18.40%
Nabil Karoui	525,517	15.58%
Abdelfattah Mourou	434,530	12.88%
Abdelkarim Zbidi	361,864	10.73%
Youssef Chahed	249,049	7.38%
Safi Said	239,951	7.11%
Lotfi Meraihi	221,190	6.56%
Seifeddine Makhlouf	147,351	4.37%
Abir Moussi	135,461	4.02%
Mohamed Abbou	122,287	3.63%
Mohamed Moncef Marzouki	100,338	2.97%
Mehdi Jomaa	61,371	1.82%
Mongi Rahoui	27,355	0.81%
Mohamed Hechmi Hamdi	25,284	0.75%
Hamma Hammami	23,252	0.69%
Elyes Fakhfakh	11,532	0.34%
Said Aidi	10,198	0.30%
Omar Mansour	10,160	0.30%

continues

Continued

Candidates	Votes	% of Valid Votes Cast
Mohsen Marzouk	7,376	0.22%
Hamadi Jebali	7,364	0.22%
Neji Jalloul	7,166	0.21%
Abid Briki	5,799	0.17%
Salma Elloumi	5,093	0.15%
Mohamed Sghaier Nouri	4,598	0.14%
Slim Riahi	4,472	0.13%
Hatem Boulabiar	3,704	0.11%

Source: http://www.legislation.tn/detailtexte/Arr%C3%AAt%C3%A9-num-2019-3857-du----jort-2019-080__2019080038574?shorten=darn

Official Results of the Second Round of the 2019 Presidential Elections (Runoff)

Registered voters	7,074,566	100%
Number who voted	3,892,085	55.02%
Valid votes	3,820,825	54.01%
Invalid ballots	55,348	0.78%
Blank ballots	15,912	0.22%

Candidates	Votes	% of Valid Votes Cast
Kaïs Saïed	2,777,931	72.71%
Nabil Karoui	1,042,894	27.29%
Total	3,820,825	100%

Source: http://www.legislation.tn/detailtexte/Arr%C3%AAt%C3%A9-num-2019-4221-du----jort-2019-084__2019084042214?shorten=darn

Official Results of the 2019 Parliamentary Elections

Registered voters	7,065,885	100%
Number who voted	2,946,628	41.70%
Valid votes	2,870,314	40.62%
Invalid ballots	49,704	0.70%
Blank ballots	26,403	0.37%

Parties	Seats	Women MPs
Ennahda	52	21
Qalb Tounes	38	16
Democratic Current	22	3
Al-Karama Coalition	21	2
Free Destourian Party	17	5+1
Echaab Movement	15	1
Tahya Tounes	14	1
Machrouu Tounes	4	1
Errahma	4	1
Republican Popular Union	3	0
Al Badil	3	0
Nidaa Tounes	3	0
Afek Tounes	2	0
Amal wa Aamal	2	1
Ich Tounsi	1	1
Popular Front	1	0
Democratic and Social Union	1	0
Tayar Al Mahabba	1	0
Socialist Destourian Party	1	0
Farmers' Voice Party	1	0
Others/Independent lists	11	0

Source: <http://www.isie.tn/wp-content/uploads/2019/11/%D9%82%D8%B1%D8%A7%D8%B1-%D8%A7%D9%84%D9%87%D9%8A%D8%A6%D8%A9-%D8%B9%D8%AF%D8%AF-30-%D9%84%D8%B3%D9%86%D8%A9-2019.pdf>

Annex E

The Carter Center Delegation and Staff List

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Terms and Abbreviations

ACDEG	African Charter on Democracy, Elections, and Governance	ICESCR	International Covenant on Economic, Social, and Cultural Rights
ACHPR	African Charter on Human and Peoples' Rights	IPCCPL	<i>Instance Provisoire de Contrôle de la Constitutionnalité des Projets de Loi</i> Provisional Commission to Review the Constitutionality of Draft Laws
AfCHPR	African Court on Human and Peoples' Rights	IRIE	<i>Instance Régionale Indépendante pour les Elections</i> Regional Independent Authority for Elections
ARP	<i>Assemblée des Représentants du Peuple</i> Assembly of Representatives of the People	ISIE	<i>Instance Supérieure Indépendante pour les Elections</i> High Independent Authority for the Elections
ATIDE	<i>Association Tunisienne pour l'Intégrité et la Démocratie des Elections</i> Association for Transparency and Integrity of the Elections	JSF	<i>Jeunesse Sans Frontières</i> Youth Without Borders
AU	African Union	LTDH	<i>La Ligue Tunisienne des Droits de l'Homme</i> Tunisian League for Human Rights
CAT	Convention Against Torture, Inhuman, or Degrading Treatment	MOE	Margin of error
CEDAW	Convention on the Elimination of All Forms of Discrimination Against Women	MPs	Members of Parliament
CERD	Convention on the Elimination of All Forms of Racial Discrimination	OAS	Organization of American States
CSOs	Civil Society Organizations	OSCE	Organization for Security and Cooperation in Europe
HAICA	<i>Haute Autorité indépendante de la communication audiovisuelle</i> Independent High Authority for Audiovisual Communication	OSF	<i>Observateurs Sans Frontières</i> Observers Without Borders
ICCPR	International Covenant on Civil and Political Rights	PDL	<i>Parti Destourien Libre</i> Free Destourian Party

PVT	Parallel Vote Tabulation	TU-MED	Tunisian Mediterranean Center
RCD	<i>Rassemblement Constitutionnel Democratique</i> Democratic Constitutional Rally	UGTT	<i>Union Générale Tunisienne du Travail</i> General Union of Tunisian Workers
SADC	Southern African Development Community	UNHRC	United Nations Human Rights Council

Press Releases and Statements



NEWS RELEASE

Carter Center Deploys International Observation Mission to Assess Tunisia's Electoral Process

ATLANTA (Aug. 6, 2019) — The Carter Center has launched an election observation mission to observe the Sept. 15 presidential and Oct. 6 parliamentary elections in Tunisia.

The Center has monitored several legislative and political processes during the country's democratic transition following the revolution, starting with its observation of the 2011 National Constituent Assembly elections. The High Independent Authority for Elections (ISIE) has invited and accredited the Center to observe the national elections this year.

The Carter Center is partnering with the Electoral Institute for Sustainable Democracy in Africa (EISA) to integrate their long-term observer efforts, closely coordinating their plans to recruit, train, and deploy long-term observers to assess the electoral process according to a shared assessment methodology. The integrated long-term observation team is composed of 16 long-term observers. They were deployed in teams of two to eight locations around the country on July 22 to assess electoral preparations on the regional and local levels. The observers, who joined a core team of experts who have been based in Tunis since June 10, will work in each of Tunisia's 27 in-country electoral constituencies.

In addition to its collaboration with EISA, the Center will cooperate with key local stakeholders and other international and domestic citizen observer groups.

The mission will observe and examine key aspects of the electoral process, including the pre-electoral environment, voter registration, candidate registration, campaigning, and campaign finance. Teams of short-term observers and high-level leadership will join the Center's observation mission to observe voting, counting, and tabulation procedures during the Sept. 15 and Oct. 6 elections. The team also will follow the post-election process, including any legal challenges to the results.

Throughout election season, The Carter Center will issue periodic statements on key findings. At the end of the mission, the Center will provide an independent assessment of the parliamentary and presidential electoral process and its compliance with the country's international commitments, national law, and standards for democratic elections. All statements and reports will be available at www.cartercenter.org.

The Center's election observation missions are conducted in accordance with the Declaration of Principles for International Election Observation, which provides guidelines for professional and impartial international election observation. The declaration was adopted at the United Nations in 2005 and has been endorsed by more than 50 election observation groups.



NEWS RELEASE

Carter Center Calls for Increased Transparency in Electoral Process, Praises Smooth Transition After Death of President

TUNIS (Sept. 9, 2019) — The Carter Center today released a pre-election statement offering an assessment of the pre-election period for Tunisia's 2019 elections, which was marked by the death of President Beji Caïd Essebsi and the arrest of businessman and presidential candidate, Nabil Karoui. The statement looks at amendments to the electoral law as well as at voter registration and candidate nominations. It also offers preliminary recommendations to electoral stakeholders.

The Carter Center's election mission began in May and includes a core team and 16 long-term observers, who will be joined on Sept. 10 by Salam Fayyad, former prime minister of the Palestinian Authority, and Tana de Zulueta, a journalist and former member of the Italian parliament. Together, they will lead a delegation of over 50 short-term observers. The Carter Center and the Electoral Institute for Sustainable Democracy in Africa (EISA) are collaborating on the deployment of observers for the 2019 Tunisian elections.

The Center commends Tunisia's electoral authorities, civil society organizations, and political parties for their swift and efficient efforts to prepare for the upcoming presidential and parliamentary elections, especially considering the need to advance the date of the presidential election because of the untimely death of President Caïd Essebsi. The Center calls on Tunisian institutions involved in the electoral process to increase the transparency of their decision-making so that the public is fully informed of the reasons for judicial and administrative decisions and to increase public trust that the elections are being conducted in compliance with international standards and domestic law. As the election draws closer, it is even more important that the Independent High Authority for Elections (known by its French acronym, the ISIE) increase its communication efforts.

The lack of information offered by the ISIE for rejecting individual presidential candidates, along with the courts' failure to publish the reason for its decisions, led to speculation that they were driven by considerations other than strict compliance with the law.

The transition after the death of the president went smoothly despite the lack of a Constitutional Court, avoiding a potential constitutional crisis. The president's death forced the ISIE to move the date of the presidential election forward. With the cooperation of parliament, amendments to the electoral law were passed to accommodate the new date.

In a positive step, the ISIE's vigorous voter-registration campaign for these elections resulted in the registration of 1,455,898 new voters, 63 percent of whom are women or young voters.

The Center commends the ISIE and the High Authority for Audiovisual Communications for their efforts to encourage the media to be particularly vigilant in covering the activities of candidates who are also government officials or ministers. In addition, the ISIE has reinforced its campaign monitoring and warned government officials not to use state resources for any campaign activity.

The detention of presidential candidate Nabil Karoui one week before the start of the campaign based on an investigation that has been ongoing since 2017 has added to the speculation that the electoral process is being influenced by considerations other than strict compliance with the rule of law. This is especially true because

before Caid Essebsi's death, parliament passed amendments that appeared to target Karoui by effectively barring owners of media outlets from running for office. (The laws never took effect because the president didn't promulgate them before his death.) While Karoui will remain on the ballot, he is at a disadvantage because he is not be able to campaign while in detention. In addition, it is unclear how his detention will affect the status of his participation in the rest of the electoral process.

The Center's observation mission is conducted in accordance with the Declaration of Principles for International Election Observation. The Carter Center, as an independent observer organization, will immediately inform Tunisia's authorities and the Tunisian people of its findings through the release of a preliminary statement of findings and conclusions shortly after election day, followed by a final comprehensive report in the months following the polls.



Carter Center Pre-election Statement on Tunisia's 2019 Electoral Process *Sept. 9, 2019*

The Carter Center commends Tunisia's electoral actors for their swift and efficient efforts to prepare for the upcoming presidential and parliamentary elections, especially considering the need to advance the date of the presidential election following the untimely passing of the president.

Given the 90-day deadline for a new president to take office imposed by the constitution, parliament passed several amendments to the electoral law to accommodate the deadline. The new date has increased pressure on all electoral stakeholders to conduct polls within a compressed timeframe and in compliance with international standards for democratic elections and domestic law. Despite the lack of a functioning Constitutional Court, executive powers were transferred smoothly to the interim president, avoiding a potential constitutional crisis.

Before the death of President Caïd Essebsi, parliament passed several amendments that were perceived as targeting specific prospective candidates and would have been a severe restriction on the rights of Tunisian citizens to run for office. They had been sent to the president for signature but were not promulgated before his death.

In late August, authorities detained candidate Nabil Karoui, who was one of the presumed targets of the failed amendments to the electoral law, which would have effectively barred owners of media outlets and charity organizations from running for office. The Appeal Court ordered Karoui detained on charges stemming from an investigation that began in 2017. His appeal for release was denied, as was a request by the Carter Center observation mission to meet with him in prison. Although the High Independent Authority for the Elections (known by its French acronym, the ISIE) has announced that his detention will not endanger his place on the ballot, Karoui is unable to campaign. In addition, it is unclear how his detention will affect the status of his participation in the rest of the electoral process.

Electoral preparations are proceeding efficiently. The vigorous voter-registration campaign undertaken by the ISIE resulted in the registration of 1,455,898 new voters, of which 63 percent are women or young voters. The ISIE and the High Independent Authority for Audiovisual Communications (HAICA) have called on media to be particularly vigilant in covering the activities of candidates who are also government officials or ministers. The ISIE has reinforced its campaign monitoring and warned government officials against using state resources for any

This statement provides an assessment by the Carter Center’s international election observation mission of the pre-election period, including the voter-registration process and the candidate nomination process and offers preliminary recommendations to electoral stakeholders.

Death of President Caïd Essebsi and Possible Constitutional Crisis. President Beji Caïd Essebsi’s death in office provided a test of Tunisia’s political maturity and posed a potential constitutional crisis. Despite the absence of a Constitutional Court, the body with the constitutional mandate to acknowledge the vacancy of the presidency and to oversee the transfer of power to an interim president, a peaceful and orderly transfer of power was accomplished. A constitutional crisis was averted when the Interim Authority on the Constitutionality of Draft Laws stepped in to acknowledge the situation and notified Parliamentary Speaker Mohamed Ennaceur of the permanent vacancy, which resulted in his taking the oath of office as interim president on the same day as the death of Caïd Essebsi. Under the constitution, the interim president’s mandate can last no longer than 90 days.

The Carter Center commends the Tunisian people and its institutions for the seamless transition of power to the interim president and the actions of all political parties and state institutions to assure citizens that the death of the president would not cause any disruption to the normal functioning of the state. The smooth transition is a positive sign that democratic institutions are taking root in Tunisia and that despite the lack of a constitutional court, the state and its institutions can work together efficiently.

Although a constitutional crisis was averted, recent events highlight the urgent need for the next parliament to establish a functioning Constitutional Court. The 2014 Constitution mandated that the court be constituted within one year of the date of the first parliamentary elections, held in October 2014. The Center urges lawmakers to move quickly to fully constitute the court once in office.

Electoral amendments on new timeline for presidential elections. The need to elect a new president before the mandate of the interim president expires meant that the ISIE had to bring forward the date for the presidential election from Nov. 17 to Sept. 15. In order to meet the constitutional deadline, the ISIE also requested that parliament pass urgent amendments to the electoral law to shorten the legal timeframe for electoral challenges to the results of the first round of the presidential election. The parliament passed these amendments on Aug. 22. The Carter Center applauds these efforts as well as the steps taken by the ISIE to complete the candidate registration process in a timely fashion. At the same time, The Carter Center notes that the compressed timeframe for electoral challenges could compromise the right to an effective remedy, as potential complainants will have little time to collect the evidence necessary to prove their case, and the court may have to issue rulings without having adequate information to make a definitive ruling.

The amendments to the electoral law also highlight the need for parliament to conduct a thorough review of the electoral legal framework after the 2019 national elections to address gaps and inconsistencies, as recommended in previous Carter Center final election reports. The review should look at the legal framework for holding early elections and collecting endorsements to run for office. There is also a need to review the constitutional provisions relating to the death or incapacity of the president to ensure that the timeframes are reasonable and realistic.

Controversial Electoral Amendments. The death of President Caïd Essebsi also ended the possibility that controversial electoral amendments that were drafted by the government, passed by parliament, and declared constitutional by the interim authority mandated to review the constitutionality of laws, would be enacted in time for the upcoming elections. The president did not promulgate the amendments before his death, and the constitution is unclear about the legal status of amendments that are not signed by a president whose term comes to an unexpected end. The electoral amendments would have introduced a three-percent threshold for entry into parliament and would have effectively prohibited owners of television stations and heads of charitable organizations from running as candidates. In addition, they called for the ISIE to vet all candidates and to prohibit persons who made statements against democratic values or the rule of law or who lauded the former regime from running.

Some political party representatives told the Carter Center's election observation mission that the amendments were intended to assure a level-playing field among party contestants and independents. However, the timing and content of the amendments appeared to target specific prospective candidates and would have severely restricted a core right of political participation, the right of Tunisian citizens to run for office.¹ In addition, they also could have been used to introduce a never-ending set of challenges to successful presidential and legislative candidates.

One of the presumed targets of the proposed amendments, presidential candidate and prominent businessman Nabil Karoui, was detained and jailed on Aug. 23 on a warrant issued by an appeals court. The charges, which are based on corruption and money laundering, originated in 2016 and remain under investigation. Karoui is the owner of Nessma TV station.

The timing of the detention raises questions, given that a lower court had allowed him to remain free while the investigation was ongoing. The original complaint was based on information supplied by I Watch, a domestic civil society organization (CSO), which also provided information targeting presidential candidate and current prime minister, Youssef Chahed, and former Ennahda Shoura Council member and current presidential candidate Hatem Boulabiar. Neither of the latter have been detained. The arrest of Karoui has no bearing on his official candidature. He will remain on the ballot and can be elected, even if he remains imprisoned. But the timing of the arrest raises the perception of political motivations and casts a cloud over the process. His detention also means that, unlike all other candidates, Karoui will be at a disadvantage because he cannot take part in the campaign. In addition, it is unclear how his detention will affect the status of his participation in the rest of the electoral process.

Media and campaign rules regarding government officials and use of status resources. A recently signed memorandum of understanding between the ISIE and the HAICA detailing the rules for media during the campaign is a positive step. It calls on the media to be particularly vigilant in covering the activities of candidates who are also government officials or ministers. The number of government officials running for public office has greatly increased in this electoral cycle, which also increases the risk that state resources could be used in support of campaign activities.

¹ Article 74 of the Tunisian 2014 Constitution., Article 40 of the Electoral Law.

The ISIE also issued a specific regulation on campaigning that details what parties and candidates can and cannot do, which includes a prohibition on the use of state resources for campaigning. The ISIE issued a warning to candidates and strengthened its capacity to monitor the campaign through the hiring and deployment over 1,500 campaign monitors across the country.

Candidate Nomination. The ISIE announced candidate nominations for the presidential election from Aug. 2 to Aug. 9. While there was a lack of detailed information about some of ISIE's decisions, the candidate nomination and registration processes went smoothly. ISIE staff implemented the registration procedures and informed potential candidates of any deficiencies in their application papers in a professional manner. The ISIE received 97 candidate applications for president; 26 were approved and 71 rejected. The ISIE published the final list of 26 candidates on Aug. 31, 2019, just two days before the start of the electoral campaign.

However, the ISIE has not yet provided any public information or detailed justification for rejecting three-quarters of the potential candidates, even those who submitted the required number of endorsements. The ISIE informed The Carter Center that this information could only be obtained from the respective candidates, individually. Eventually, after civil society organizations urged them to do so, the ISIE introduced an SMS service for voters to check whether their names had appeared on any of the lists of voter endorsements. This service resulted in more than 245 complaints from voters who said that their signatures were used without their knowledge.² The failure of the ISIE to fully inform the public of the reasons candidates were rejected led to speculation that they were based on other considerations, rather than a strict application of the law. While the number of complaints filed is quite small compared to the overall number of voter endorsements, the lack of public information could undermine public confidence in the administration of the elections.

Although Administrative Court hearings on challenges to the ISIE's rejection of candidate applications were conducted publicly and candidates were afforded due process. To date, none of the court's decisions have been released publicly. The lack of transparency regarding the issue of candidate nomination fails to engender trust in the judiciary and has fueled speculation about the basis of the court's decisions.

The candidate nomination for the parliamentary election took place separately and was conducted by the Independent Regional Electoral Authority (IRIE) from July 22 to July 29. IRIE staff were well-prepared for this process, and all stakeholders praised their professionalism and hard work. Based on the IRIE-level processes, on Aug. 6 the ISIE published 1,340 accepted candidate lists from across Tunisia's 27 electoral districts in country and 163 lists for the six overseas constituencies.³

Voter Registration. Articles 34 and 54 of the 2014 Constitution guarantee all Tunisian citizens who are 18 or older the right to vote. Voter registration is an established best practice to help

² The ISIE announced that it will address these complaints, however it has not taken any action to date. According to media reports, several candidates were called in for questioning by an investigative judge concerning alleged fraudulent endorsements.

³ The appeal circuit of the Administrative Court heard 17 appeals on IRIE rejection of lists. Fourteen were denied and three accepted.

guarantee the right of citizens to participate in the public affairs of their country, and to determine one's eligibility to vote. In the context of voter registration, there is an international obligation of universal suffrage that requires that broad participation be promoted.⁴

The ISIE conducted a vigorous voter registration campaign in the run-up to the 2019 elections that resulted in the registration of 1,455,898 new voters, 63 percent of whom are women or young voters, bringing the total number of registered voters to 7,074,565. The ISIE used a combination of mobile and stationary voter registration centers and made a concerted effort to reach out to marginalized voters. The total number of registered voters is lower than that announced by the ISIE in July 2019, because moving up the presidential election directly impacted the number of eligible voters. The ISIE deleted all voters who would not be 18 years of age before election day. The Center commends the ISIE for its efforts to reach out to voters, including sectors of the population that have been excluded in past polls, and for increasing the inclusivity of the voter registry.

Together with the Tunisian Association for Integrity and Democratic Elections and the League of Tunisian Women Voters, The Carter Center conducted survey research in 2016-2018 that sought to understand the factors responsible for low levels of voter participation among youth and women in prior elections. Since Tunisia's first democratic elections of 2011, significant numbers of youth and women – notably from rural areas and marginalized regions of the country's northwest and southwest – have abstained from voting. The municipal elections held in May 2018 confirmed this trend, reflecting Tunisians' growing disaffection with the country's politics.⁵

The ISIE has made some efforts to address these problems and to increase the registration of youth and women. The Carter Center urges all electoral stakeholders, including political parties, CSOs, and the ISIE, to take further steps to increase the participation of marginalized groups in the 2019 electoral process.

Recommendations. The Carter Center offers the following recommendations in the spirit of cooperation with electoral stakeholders in Tunisia and in the hope that they will provide useful discussion points in advance of the elections and for future action:

- The ISIE should increase the transparency of its work, providing frequent public updates on the elections and posting detailed information on its website to inform the public and other electoral stakeholders about its preparations and any challenges to the overall process.
- The ISIE, civil society, and political parties should conduct vigorous voter-education campaigns to ensure that voters have the necessary information to make an informed choice on election day. The ISIE should conduct a targeted campaign to encourage newly

⁴ ICCPR, General Comment 25, para. 4 and 11.

⁵ The research findings suggest that there are opportunities for electoral stakeholders to increase the participation of women and youth. The study pointed to several steps that can be taken to improve voter turnout, including: the need to reinforce civic- and voter-education campaigns targeting youth and women; clarifying the link between registration and voting; strengthening control and sanction mechanisms against infringements by parties and candidates; promoting a new generation of leaders responsive to youth's expectations; and electoral programs that are workable, practical, and able to meet citizens' aspirations.

registered voters to vote, especially women and youth, and should facilitate the active involvement of appropriate CSOs to help voter education efforts.

- Political parties should take steps to address the electorate, especially marginalized groups, directly on those issues of most importance to the everyday lives of Tunisians.
- The Administrative Court and other judicial bodies should be forthcoming with information on any electoral challenges so that the public can assess their judicial deliberations and to avoid any hint of political influence in their work.

Background: The Carter Center in Tunisia. The Carter Center has maintained an office in Tunisia since 2011. The Center observed the 2011 National Constituent Assembly elections, the constitution-making process from 2012-2014, and the 2014 presidential and parliamentary polls.

For the 2019 elections, The Carter Center deployed a core team in May 2019 to launch its mission to observe the electoral process. In mid-July, the Center in collaboration with the Electoral Institute for Sustainable Democracy in Africa deployed 16 long-term observers to monitor in Tunisia's regions. The core team and long-term observers represent 18 different countries. Long-term observers will be reinforced by a larger delegation of short-term observers due to arrive on Sept. 10.

The Center wishes to thank Tunisian officials, political party members, civil society members, individuals, and representatives of the international community who have generously offered their time and energy to facilitate the Center's efforts to observe the parliamentary and presidential election process. The Carter Center assesses Tunisia's electoral process against the Tunisian constitution, the domestic electoral legal framework, and obligations derived from international treaties and international election standards.

The Center's observation mission is conducted in accordance with the Declaration of Principles for International Election Observation. The Carter Center, as an independent observer organization, will immediately inform Tunisia's authorities and the Tunisian people of its findings through the release of a preliminary statement of findings and conclusions shortly after election day, followed by a final comprehensive report in the months following the polls.



NEWS RELEASE

Despite Compressed Election Period, Carter Center Reports Organized, Effective Presidential Election in Tunisia

TUNIS (Sept. 17, 2019) — The Carter Center today released a preliminary statement about Tunisia's Sept. 15 presidential election, which provided Tunisia with an opportunity to reinvigorate the country's political transition, strengthen its democratic culture, and refocus on reforms that will improve the lives of its citizens.

Despite efforts by the country's independent election management body, known by its French acronym ISIE, to facilitate greater voter participation, turnout was reported as 45.02 percent, a disappointing drop that reflects Tunisians' disillusionment with the country's current political make-up and economic trajectory. Still, citizens should be proud that the election offered a broad array of candidates and that the ISIE successfully implemented the polls despite a condensed 90-day timeframe necessitated by the death of President Beji Caïd Essebsi in July.

The Carter Center's 90-plus observation mission was led by Salam Fayyad, former prime minister of the Palestinian Authority, and Tana de Zulueta, a former Italian parliamentarian. The observer team, which included citizens from more than 30 countries, visited 317 polling stations and all 27 tally centers in Tunisia on election day. Observers reported only minor irregularities in a limited number of the polling stations visited. Most problems related to giving voters insufficient instructions on how to cast a ballot.

Today's statement from The Carter Center provides a preliminary assessment, the key findings of which are outlined below. Several key aspects of the electoral process have yet to be completed, including tabulation, announcement of final results, and the resolution of any complaints or challenges. The Center will provide further assessments once the electoral process is concluded.

Pre-election Period

In June, parliament passed amendments to the electoral law that would have limited the fundamental right of citizens to stand in the election – most notably by effectively barring owners of media outlets and charitable organizations from running for office. President Essebsi refused to promulgate the law.

His sudden death dramatically altered the contest for president, significantly shortening the electoral timeline and increasing pressure on all stakeholders to meet new deadlines. Tunisia's constitution requires that a new president be sworn in within 90 days of the installation of the interim president. While parliament passed electoral amendments to shorten the complaints and appeals process, the new timeline still does not guarantee that Tunisia can meet the constitutional deadlines should there be a runoff.

In late August, authorities detained candidate Nabil Karoui, who had been leading opinion polls in mid-July and was a presumed target of the failed parliamentary amendments, on charges of money laundering and tax evasion. His ongoing detention raises the perception that he was arrested for political reasons and casts a cloud over the process. In addition, it is unclear how his detention will affect his participation in the rest of the electoral process.

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Key Conclusions

- **Legal framework:** Certain areas of the legal framework could be improved, including by establishing definitive and adequate timeframes for the different stages of the electoral process. Campaign provisions, including those on the use of advertising and posters, are restrictive and difficult for candidates to fully respect, thus encouraging their violation.
- **Election administration:** Although vacancies in staffing, particularly in the legal and training departments, pose challenges, the ISIE conducted the elections efficiently within a compressed timeline. It failed, however, to manage its public communications in a consistent manner, and commissioners sometimes made contradictory statements.
- **Candidate registration:** ISIE staff implemented the registration procedures in a professional and timely manner. Ninety-seven candidates applied; 26 were approved and 71 rejected, some for using fraudulent endorsements. The ISIE was not fully transparent in releasing details about its reasons for rejecting candidates. It published the final candidate list on Aug. 31, two days before the electoral campaign began.
- **Voter education:** The ISIE launched a voter-education campaign specifically focused on the presidential elections two weeks prior to the polls. Civil society organizations (CSOs) reported that they lacked funds to conduct a comprehensive voter-education campaign leading up to election day. CSOs have in general received less funding for election-related activities such as voter education and election observation. The early presidential elections affected their ability to obtain additional funds.
- **Campaign environment:** Carter Center long-term observers reported that a positive atmosphere existed between the main political parties in different regions of the country, even when they were holding campaign events on the same day in the same area. No major security incidents were reported. In a new development for the country and the region, candidates participated in live television debates, which were viewed by nearly half of the country's registered voters and televised across the Arab region.

The campaign started slowly but intensified in the second week, as candidates held rallies, used campaign tents and billboards, distributed leaflets, and went door-to-door. Candidates also made great use of social media networks (mainly Facebook), especially for campaign advertisements.

- **Campaign finance:** Public funding is distributed equitably among candidates based on the number of voters at the national level. Although the campaign spending ceiling was increased after the 2014 elections, stakeholders still considered it too low, which encouraged candidates to exceed the ceiling and to not fully report expenditures.
- **Electoral dispute resolution:** Despite the shortened timelines provided in Article 49 of the electoral law, the administrative tribunal was able to address all pre-election complaints and appeals in a timely fashion. However, both the judiciary and the litigants said the time constraints threaten the right to seek redress and judicial review. The tribunal demonstrated impartiality and respect for due process in its decisions but failed to publicly release details about complaints and decisions.
- **Social media monitoring:** To date, there is no specific legal framework for online media. Two-thirds of Tunisians are active social media users, and Facebook is widely used. Most candidates used Facebook for targeted paid advertising, with some candidates running up to a

dozen ads per day from their verified pages. On the eve of the election, The Carter Center observed paid ads supporting a number of candidates running on their verified Facebook pages, as well as on pages with unclear affiliations, in breach of the campaign silence period.

Background

The Carter Center was accredited by the ISIE to observe the elections and deployed more than 90 observers who visited 317 unique polling stations as well as the 27 tabulation centers.

It has had a presence in Tunisia since 2011. It observed the 2011 National Constituent Assembly elections and the 2014 presidential and legislative elections, as well as the constitution-making process that culminated in the adoption of the constitution in January 2014.

For these elections, The Carter Center deployed a core team in May 2019. In mid-July, the Center – in collaboration with the Electoral Institute for Sustainable Democracy in Africa – deployed 16 long-term observers. The core team and long-term observers represent 18 different countries.

The Center will remain in Tunisia to observe the final tabulation process and the resolution of electoral complaints. An observation mission will also be sent for the legislative elections, and, if necessary, a runoff election in October. The objective of the Center's observation mission is to provide an impartial assessment of the overall quality of the electoral process, promote an inclusive process for all Tunisians, and demonstrate support for its democratic transition.

The Carter Center assesses Tunisia's electoral process against the Tunisian constitution, the domestic electoral legal framework, and obligations derived from international treaties and international election standards. The Center's observation mission is conducted in accordance with the Declaration of Principles for International Election Observation.

The Center wishes to thank Tunisian officials, political party members, civil society members, individuals, and representatives of the international community who have generously offered their time and energy to facilitate the Center's efforts to observe the presidential election process.

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Carter Center Preliminary Statement on Tunisia's Presidential Elections

Sept. 17, 2019

This statement is preliminary and only covers aspects of the electoral process through Sept. 16. There also is a period for possible filing of challenges. The Carter Center will release additional assessments once the electoral process is concluded. In addition, a comprehensive final report with recommendations will be published four months after the end of the electoral process.

Statement of Preliminary Findings and Conclusions

Political Background

Headed into the October/November legislative and presidential elections, amendments by parliament to limit the fundamental rights of citizens to stand for office heightened political tensions around the elections in Tunisia. The sudden death in office of President Béji Caïd Essebsi in July 2019 dramatically altered the contest for president. Amendments to the electoral law that would have retroactively banned certain candidates from competing were not enacted because the president did not sign them before his death, and the electoral timeline was significantly shortened.

Before the president's death, parties planned to use the legislative elections to gain momentum for the presidential election. They were caught off-guard by the change in date, which altered their political calculations. Several parties and independent candidates who were initially not considering pursuing the presidency decided to run in order to prolong the campaign period and promote their parties or lists in the legislative elections.

Following the swift swearing-in of Parliamentary Speaker Mohamed Ennaceur as interim president after President Essebsi's death, the Independent High Authority for Elections (known by its French acronym, the ISIE) set the date of the presidential polls for Sept. 15. The ISIE accepted 26 of the 97 applications to contest the early presidential election.

Tunisia's electoral authorities were disheartened by low voter turnout in the 2018 municipal elections, in which independent candidates fared substantially better than the established political parties. The results foreshadowed the subdued interest of Tunisian voters in the country's current political contest. The low turnout in the presidential election was another sign of the disillusionment that most Tunisians feel toward the current political make-up of the country and the low public trust in the institution of government to improve their everyday lives.¹

The municipal and presidential elections took place against the backdrop of a turbulent political landscape over the last five years, characterized by internal disputes within the main political parties. Nidaa Tounes, the victorious party in the 2014 legislative elections and party of the president, fractured. More than half of its parliamentarians chose to leave the party, depriving it of a parliamentary plurality. Some of its founding members left and formed their own parties while other loyalists dispersed and allied with other parties. The Popular Front Coalition, a main actor in

¹ The national turnout in the first round of the presidential elections in 2019 was 45.02 percent (3,010,980 voters) and in 2014 it was 62.9 percent (3,339,666 voters).

the parliament, also split, leading to the creation of a political party and, separately, a reformulated coalition. In the immediate pre-election period, Ennahda also suffered from internal disputes over the selection of a presidential candidate and the excessive intervention by the party leader in the placement of candidates perceived to be affiliated closely to him on its lists for the legislative elections.

The death of the president put to rest controversial amendments to the electoral law that would have excluded certain rising popular candidates. The absence of a functioning Constitutional Court posed a potential crisis in managing the presidential transition. Although a crisis was averted, the president's death in office highlighted the necessity and urgency of establishing the court so that it can rule on such vacancies.

In late August, authorities detained candidate Nabil Karoui on charges of money laundering and tax evasion. Karoui was one of the presumed targets of failed amendments to the electoral law that would have effectively barred owners of media outlets and charity organizations from running for office. Karoui's appeal for release was rejected on the Friday before the election, and he was deprived an opportunity to cast a ballot in the polls. He announced a hunger strike following the court's decision. His ongoing detention raises the perception that he was arrested for political reasons and casts a cloud over the process. Although his arrest had no bearing on his official candidature, his detention meant that, unlike all other candidates, Karoui was unable to campaign actively. In addition, it is unclear how his detention will affect his participation in the rest of the electoral process.

Legal Framework

According to international best practices, an election's legal framework should be transparent and readily accessible to the public. It should also address all the components of an electoral system necessary to ensure democratic elections.² Tunisia's legal framework for presidential elections is generally in alignment with international standards.³

The electoral process is governed by the January 2014 constitution, the 2014 electoral law, the law on the ISIE, and the law related to the freedom of audiovisual communication that created the Independent High Authority for Audiovisual Communication.⁴ Certain areas of the legal framework could be improved, including by establishing definitive and adequate timeframes for the different stages of the electoral process. Campaign provisions, including those on the use of advertising and posters, are restrictive and difficult for candidates to fully respect, encouraging their violation. In some cases, the sanctions are not proportionate to the severity of the violation.⁵

² OSCE/ODIHR, *Guidelines for Reviewing a Legal Framework for Elections*, page 4.

³ These include: the International Covenant on Civil and Political Rights (ICCPR); the International Covenant on Economic, Social and Cultural Rights; the Convention on the Elimination of All Forms of Racial Discrimination (CERD); the Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW); the Convention against Torture, Inhuman or Degrading Treatment (CAT); the Convention on the Rights of Persons with Disabilities, and the African Charter on Human and Peoples' Rights (ACHPR).

⁴ The 2014 law related to elections and referenda as amended on February 14, 2017, and on August 30, 2019 (hereinafter: the electoral law), and the law on the Independent High Authority for Elections, as amended and supplemented on November 1, 2013 and December 28, 2013 (hereinafter: the ISIE law).

⁵ Campaigning during the silence period results in fines of 3000-20,000 TND (articles 69 and 155 of the electoral law). Announcing a toll-free phone number is sanctioned by 3000 TND (articles 58, and 158 of the electoral law);

Electoral system

The purpose of an electoral system is to translate the will of the people into a representative government. International standards do not prescribe a specific electoral system.⁶ Tunisia's electoral system respects the principles of genuine and periodic elections, and guarantees universal suffrage, the secrecy of the vote, and freedom from intimidation, as well as equality of the vote and fair representation of all citizens.

According to the constitution, the president is elected for five years, in line with international commitments and best practices.⁷ If no candidate receives an absolute majority of valid votes cast in the first round, a second round between the two candidates who received the largest number of votes will be held within two weeks of the announcement of the final results of the first round.

The constitution guarantees the right to vote to all citizens who are 18 or older and who are not subject to any cases of disenfranchisement foreseen under the electoral law. The law was amended in 2017 to allow military and security personnel to vote in the municipal elections, though it still prohibits them from voting in legislative and presidential elections, a restriction not in keeping with international standards.⁸ Citizens in health care facilities, penitentiaries, and detention centers were not able to exercise their right to vote, as no mechanism for doing so exists in the law, contrary to Tunisia's constitution and international commitments.⁹

Candidate Registration

The right of individuals to participate in public affairs is an obligation under international law.¹⁰ While the right to be elected is a widely recognized principle in both regional and international treaties, it is not an absolute right and may be limited on the basis of objective and reasonable criteria established by law.¹¹ The Tunisian legal framework allows for an inclusive candidate registration process and is generally in line with international and regional standards.¹² Presidential candidates must be Tunisian by birth, 35 years old, and Muslim. Constitutional requirements regarding the candidate's faith should be reviewed for conformity with international standards.¹³

All nominees are required to pay a deposit of 10,000 dinars (US\$3,508) refundable if the candidate secures at least three percent of the valid votes cast. Furthermore, in order to appear on the ballot,

Using the Tunisian flag or the emblem of the republic in electoral posters, is sanctioned by 500 to 1000 TND (articles 61 and 150 of the electoral law).

⁶ U.N., International Covenant on Civil and Political Rights; Art 25(b); United Nations Human Rights Council, General Comment 25, para. 21.

⁷ ICCPR, Article 25(b); General Comment 25, para. 9 and 19; Universal Declaration of Human Rights, Article 21(3); Council of Europe Code of Good Practice in Electoral Matters, sec. I.1.6.

⁸ See ICCPR, Article 25: "Every citizen shall have the right and the opportunity [...] to vote and to be elected at genuine periodic elections..." Also, General Comment 25, para. 14: "The grounds for denying suffrage rights to citizens have to be objective and reasonable and must be prescribed by law."

⁹ Right to universal suffrage on the basis of equal treatment before the law: ICCPR, Article 25(b); African Charter on Democracy, Elections and Governance, art.3(3).

¹⁰ ICCPR, Article 25(a); ICCPR, Article 21; UNHRC General Comment 25, para. 26.

¹¹ ICCPR, Article 25; AU, ACHPR, Article 13; Arab Charter on Human Rights, Article 24

¹² ICCPR, Article 25 "Every citizen shall have the right and the opportunity [...] to vote and to be elected at genuine periodic election." See also Article 13 of the African Charter of Human and Peoples' Rights.

¹³ ICCPR, articles 2 and 25; UNHRC General Comment 25, para. 15.

presidential candidates must be endorsed either by 10 members of the parliament (Assembly of People's Representatives), 40 presidents of elected local municipal councils, or at least 10,000 registered voters from at least 10 constituencies with at least 500 voters per constituency.¹⁴

Candidate nomination for this election took place from Aug. 2 to 9, just seven days after the death of the president. Despite the quick timeframe, ISIE staff implemented the registration procedures and informed potential candidates of any deficiencies in their application papers in a professional and timely manner. Ninety-seven candidates applied, 11 of them women. Twenty-six were approved, and 71 were rejected. Candidates who initially failed to submit the proper documentation had the opportunity to correct any deficiencies during the period of registration. Many applicants were not serious about running, as they neither paid the required deposit nor submitted the required endorsements or other documentation. The ISIE published the final list of 26 candidates on Aug. 31, just two days before the start of the electoral campaign. The final list included two women.

The ISIE has not yet provided a detailed justification for rejecting three-quarters of the potential candidates, even those who submitted the required number of endorsements. The ISIE informed The Carter Center that this information could only be obtained from the individual candidates. The failure of the ISIE to fully inform the public of the reasons for excluding potential candidates led to speculation that the rejections were based on considerations, other than a strict application of the law.

Eventually, after civil society organizations urged it to do so, the ISIE introduced an SMS service for voters to check whether their names had appeared on any of the lists of voter endorsements. This service resulted in more than 245 complaints from voters who said that their signatures were used without their knowledge.¹⁵ While the number of complaints filed was quite small compared to the overall number of voter endorsements, the lack of public information could undermine public confidence in the administration of the elections.

Election Administration

An independent and impartial electoral authority, functioning transparently and professionally, is the only effective means of ensuring that citizens are able to participate in genuine democratic elections.¹⁶ An election management body should have sufficient time to implement all parts of the electoral process. State practice suggests that, when scheduling elections, adequate time should be allowed to successfully administer the electoral process.¹⁷ According to the Tunisian constitution, the ISIE is the body that ensures the regularity, integrity and transparency of the electoral process and proclaims the results.¹⁸

¹⁴ The obligation to collect a certain number of signatures in order to stand conforms to the principle of universal suffrage according to the Council of Europe Code of Good Practice in Electoral Matters, which states that signatures required should not exceed 1 percent of voters in the constituency concerned.

¹⁵ The ISIE announced that it will address these complaints, however it has not taken any action to date. According to media reports, several candidates were called in for questioning by an investigative judge concerning alleged fraudulent endorsements.

¹⁶ UNHRC, General Comment 25, para. 20.

¹⁷ U.N., Human Rights and Elections, para. 75

¹⁸ 2014 Tunisian Constitution, Article 126.

Given that the president's death shortened the time period for holding elections, the ISIE carried out its duties to manage the overall process efficiently. In particular, the management of the operational aspects of the election were handled in a professional manner.

The ISIE council is composed of nine members elected by parliament for a single period of six years, and an executive body at the central and regional levels. The mandate of each member of the council is different, according to the date s/he has been elected.¹⁹ The law allows the ISIE to create regional branches, Independent Regional Authorities for Elections (known by their French acronym, IRIE) to assist the ISIE in the fulfillment of its mission. They also coordinate with the regional administrations of the ISIE.

The organizational chart of the ISIE has not been updated since 2014 and does not reflect the current structure. The legal and training department head positions are vacant; the ISIE did not have a head of the legal department during the entire electoral period.²⁰ The ISIE did not manage their public communications in a consistent manner, with commissioners sometimes making contradictory statements. The ISIE relieved the spokesperson of her duties on Sept. 1, stating that the regulations of the ISIE did not call for such a position and that it was the right of each commissioner to make public statements.²¹

The ISIE created 33 IRIEs (27 in country and six abroad), one in each electoral constituency made up of a maximum of four people with different backgrounds. The ISIE conducted the process of appointing IRIE members transparently and efficiently. There were not enough candidates to fill the vacancies, especially judges. As a result, several IRIEs have only two members and 16 IRIE have three members. Despite the fact that the majority of IRIEs did not have a full complement and were not constituted until two days before the candidate nomination process for the legislative elections began, they implemented their duties in a satisfactory manner.

The ISIE recruited and trained over 55,000 poll workers. Carter Center long-term observers evaluated the trainings and found them well-organized and of good quality.

The ISIE identified one of its biggest challenges as monitoring the electoral campaign for violations of campaign rules. They issued a specific regulation on campaigning that details what parties and candidates can and cannot do, which includes a prohibition on the use of state resources.²² Unlike in 2014, when the ISIE did not vigorously monitor campaign violations, the ISIE recruited and deployed 1,500 agents to monitor adherence to campaign and campaign

¹⁹ Nabil Baffoun (January 2014-January 2020), Farouk Bouasker (January 2017-January 2023), Mohamed Tlili Mansri (January 2017-January 2023), Hasna Ben Slimane (January 2019-January 2025), Anis Jarboui (January 2017-January 2023), Belgacem Ayachi (January 2019-January 2025), Sofiene Abidi (January 2019-January 2025), Adel Brinsi (January 2017-January 2023), and Nabil Azizi (January 2017-January 2023).

¹⁹ The regional administrations are under the supervision of the executive body, while the IRIEs are supervised by the ISIE Council

²⁰ The ISIE posted an announcement to recruit the head of the legal department with an application deadline of Sep. 20.

²¹ The ISIE did not publicly state whether or not they voted on this decision.

²² On Aug. 31, two days before start of the electoral campaign, the ISIE organized an event with representative of candidates and CSOs to explain the rules for the campaign. At the meeting the candidate representatives asked several questions about campaign finance rules.

finance rules. Carter Center long-term observers reported that these monitors were very active in the field.

Voter registration

Voter registration and the establishment of a complete, current, and accurate voter list are recognized as important means to ensure that each citizen has the right to vote. According to the United Nations Human Rights Committee (UNHRC), "Where registration of voters is required, it should be facilitated, and obstacles to such registration should not be imposed."²³ Tunisia's voter registration procedures are broadly consistent with international and regional standards.²⁴

Articles 34 and 54 of the 2014 Constitution guarantee all Tunisian citizens who are 18 or older the right to vote. Voter registration is an established best practice to help guarantee the right of citizens to participate in the public affairs of their country, and to determine one's eligibility to vote. There is an international obligation of universal suffrage that requires that broad participation be promoted.²⁵

The ISIE conducted a vigorous and successful voter registration campaign in the run-up to the 2019 elections, which resulted in the registration of 1,455,898 new voters out of a possible 3.5 million potential voters, bringing the total number of registered voters to 7,074,565. The ISIE used a combination of mobile and stationary voter registration centers and made a concerted effort to reach out to marginalized voters. The ISIE opened its voter registration campaign for these elections on April 10 and closed it on July 4. The ISIE provided adequate time for voter registration, including posting the preliminary list for public inspection.²⁶ The public was able to ask for any corrections or make challenges. The ISIE informed The Carter Center that there was an insignificant number of requests for correction filed and that no appeals were made to the Courts of First Instance concerning voter registration.²⁷

The total number of registered voters was lower than that announced by the ISIE in July 2019, as moving up the presidential election directly impacted the number of eligible voters. The ISIE deleted all voters who would not be 18 years of age before election day. The Center commends the ISIE for its efforts to reach out to voters, including sectors of the population that have been excluded in past polls, and for increasing the inclusivity of the voter registry.

No stakeholders raised concerns about the voter register and its accuracy to Carter Center observers.

Voter Education

The fulfillment of the international obligation of universal suffrage is partially dependent on effective voter education.²⁸ The ISIE launched a voter-education campaign specifically focused on the presidential elections two weeks prior to the polls. Although the IRIEs conducted significant voter education during the voter-registration period, civil society organizations (CSOs) reported

²³ UNHRC, General Comment 25, "The right to participate in public affairs, voting rights and the right of equal access to public service," para. 11.

²⁴ ICCPR, General Comment 25, para. 11.

²⁵ ICCPR, General Comment 25, para. 4 and 11.

²⁶ The list was published from July 12 to 14 in the IRIEs offices.

²⁷ The Operations director of the ISIE stated that there were no more than 10 requests for corrections.

²⁸ ICCPR, Article 25.

that they lacked funds to conduct a comprehensive voter-education campaign leading up to the election day. CSOs have in general received less funding for election-related activities such as voter-education and election observation, but the early presidential elections also prevented them from mobilizing additional funds quickly.

The limited ISIE campaign aimed to inform registered voters about the voting procedures and to explain the importance of voter participation. Campaign activities relied on the use of electronic and broadcast media as well as print media.

Campaign Environment

Political pluralism and an open campaign environment that enables genuine choice for voters are critical aspects of democratic elections. Equitable treatment of candidates and parties during an election, as well as the maintenance of an open and transparent campaign environment, are important for ensuring the integrity of the democratic election process. A genuine choice of candidates, a free electoral environment, a level-playing field for contestants, and an open, transparent campaign environment are all critical aspects of democracy. The equal treatment of candidates and parties are essential for ensuring the integrity of the democratic election process.²⁹

The death of the president resulted in a shortened campaign period of two weeks. Some contestants were well-known figures, whereas others were relative newcomers. The campaign provided an opportunity for all candidates to make themselves and their electoral programs known to Tunisians. Some presidential candidates ran in order to take advantage of the presidential election campaign period to build momentum for the upcoming legislative elections. The campaign for the legislative election, which will last for 22 days, began on Sept. 14, the day of silence for the presidential campaign. Many candidates, both independents and those belonging to political parties, violated the restriction on early campaigning.³⁰

The official campaign for the presidential elections began on Sept. 2, and the rights of freedom of speech and assembly were largely respected. As in previous elections, contestants did not always abide by the rule of notifying electoral authorities of their campaign events 48 hours in advance, and many events that campaigns shared with the IRIE were not carried out. As a result, it was difficult for both IRIEs and observers to monitor all campaign events. Moreover, often candidates provided too little detail about the exact location of their activities, making monitoring especially challenging in larger constituencies. Long-term observers reported that ISIE campaign monitors were visible and active in all regions. Several campaigns complained about the active questioning by these monitors, claiming that they were intrusive.

The campaign began slowly throughout the country, with mostly billboards and ads on social media appearing on the first day. In the second week, the campaign intensified. Most frequently, candidates held rallies, erected campaign tents, and distributed leaflets. Parties and candidates also used other campaign strategies, including posters, door-to-door activities, and social media (mainly Facebook). Candidates spoke mostly about questions of national security and foreign policy, which are within the prerogatives of the presidency. However, many candidates also campaigned on issues that are not within these prerogatives.

²⁹ ICCPR, Article 25.

³⁰ Article 154 punishes early campaigning with a fine of 5,000 to 10,000 TND.

For the first time, the campaign period included live television debates. Three sets of debates were organized on three consecutive days, two of which featured nine contestants and one of which featured eight. A lottery was held to determine what day the candidates would appear in the debates. There was controversy, however, over the fact that three candidates, who represented the three largest parties in parliament, got to choose the debate in which they wished to be included. Two contestants did not participate, as one of them was in detention (Nabil Karoui) and another chose not to return to the country (Slim Riahi).

The normalization of relations between Ennahda and progressive parties led to a less confrontational and tense campaign environment than in 2011 and 2014. Carter Center long-term observers confirmed that a positive atmosphere existed between the main political parties in different regions of the country, even when they were holding campaign events on the same day in the same area. No major security incidents were reported.

The ISIE identified about 440 violations and received around 22 complaints regarding campaign infringements. The violations were mainly about early campaigning, undeclared campaign activities, posting posters outside of undesignated areas, and using children in campaigns. Carter Center observers witnessed children distributing fliers for candidate Abdel Karim Zbidi in Ben Arous. According to the ISIE, to date, none of the violations are severe enough to affect the results of the elections.

The High Authority for Audio Visual Media (HAICA in French) monitored the national media coverage of the campaign to ensure respect of the principles of equitable time and neutrality. The HAICA banned three TV channels (Nessma, Zeitouna and Quran) from covering the presidential campaign for their lack of neutrality and support for specific parties and candidates.³¹ The HAICA monitored the campaign from its beginning and issued warnings and sanctions to several stations. The sanctions ranged from 10,000 to 50,000 TND for specific candidates. TV channels that were subject to sanctions included Nessma TV, the state-owned Al Wataniya TV, Alhiwar Tounsi, and Telvza TV. The HAICA also sanctioned TV stations for having commented or published results of polls related to elections.

Some Carter Center long-term observers reported the use of state resources by candidates who were government officials, including the use of state cars and the use of state resources to bus participants to rallies.³²

Campaign finance

Democratic elections cannot be held without equitable rules for the financing of electoral campaigns. Electoral legislation should specifically provide for the transparency of donations to campaign activities of the candidates, the standardized presentation of campaign accounts, reasonable limits on campaign expenditure, regular reporting mechanisms, and effective and dissuasive sanctions.³³ The 2014 electoral law expanded the powers of the Court of Auditors to

³¹ Nessma TV is partly owned by Nabil Karoui, the owner of Zeitouna is considered to be close to Ennahda and the owner of Quran is the head of Erahna Party list in Tunis 2.

³² The current Prime Minister Youssef Chahed (Tahya Tounes) and the interim speaker of parliament, Abdelfateh Mourou (Ennahdha).

³³ CoE (Committee of Ministers) Recommendations (2003)4, Art. 3(b).

conduct a review of the resources and expenses of political parties and included stricter and more proportionate sanctions against violations than what existed in 2011. Several shortcomings undermined the effectiveness of the legal campaign-funding provisions and should be reviewed, including the failure to require an interim campaign finance report.³⁴

The electoral law details expenditure and donation limits and allows private and public funding. According to the decree on campaign financing for the presidential elections, public funding is distributed equitably based on the number of voters at the national level. For the first round, the public funding is 25 TND per 1,000 voters totaling 176,850 TND per candidate (US \$62,052). The ceiling for the total expenditure for each candidate amounted to 1,768,500 TND (US\$620,520). Although the ceiling was increased after the 2014 elections, several stakeholders still considered the ceiling too low to conduct a meaningful and effective campaign, which encourages candidates to exceed the ceiling and to not fully report expenditures.³⁵ The law prohibits contributions from foreign or unknown donors, as well as from corporations and legal persons. In addition, political parties are not allowed to fund the campaign of their presidential candidates.³⁶

Changes in 2017 mean that candidates no longer receive some public funds up front, but instead are reimbursed for expenses after the elections if they obtain at least three percent of the vote. Although the change was motivated by a desire to discourage candidates from running simply to collect the public funding, it raises concerns that the public fund isn't effectively guaranteeing equal opportunities for all candidates.

Social Media Monitoring

The 2014 Constitution guarantees freedoms of opinion, expression, and publication as well as access to information and communication networks.³⁷ To date, there is no specific legal framework for online media. The decree law on the freedom of press, printing, and publishing lifted most of the criminal penalties for speech offenses. Provisions present in a series of laws, such as the Criminal Code, the Military Justice Code, the Telecommunications Code and the Anti-terrorism law are contradictory to the prevailing constitutional provision and the decree law, which creates uncertainty and hampers freedom of speech, including online speech.³⁸

About two-thirds of Tunisians are active social media users, especially on Facebook.³⁹ Candidates with verified pages on Facebook ran up to a dozen ads per day from their pages. But many other pages whose affiliations were unclear also actively supported candidates during the electoral period, forming a vivid shadow campaign.⁴⁰

The Carter Center observed that most candidates were supported by targeted paid advertising through shadow campaigns, blurring the lines between the sources of funding. Despite some steps

³⁴ United Nations Convention against Corruption, Article 7.

³⁵ Decree n° 3038 of August 29, 2014 relating to the ceiling of expenditure for the electoral campaign, ceiling of private funding and ceiling of public funding and their conditions and procedures for the presidential elections of 2014.

³⁶ Art. 76 of the electoral law and art.9 of the ISIE regulation no.20 on campaign finance.

³⁷ Articles 31 and 32.

³⁸ Defamation is liable to imprisonment according to the Penal code articles 245 to 248 and the Military justice code, article 91. According to Human Rights Watch, at least nine bloggers have faced criminal charges since 2017 for comments on social media platforms criticizing high public officials.

³⁹ According to the Afrobarometer 2018, 7,5 million Tunisians are active social media users. Some 6,96 million had Facebook accounts in August 2019, according to Naopoleon Cat.

⁴⁰ These include fan and unverified pages of the candidates, political party pages and unknown pages.

to increase the transparency of the purchase of political ads, Facebook lacks clear and consistent criteria for identifying political advertisers or political issues on its platform, leading to discrepancies and the lessening of the overall transparency of the campaign online.

Three presidential debates were held under the title “*The Road to Carthage, Tunisia Chooses.*” Social media was heavily used during and after the debates. The debates were broadcast live on TV and radio stations, and candidates’ social media pages were constantly updated with mostly the candidates’ answers to the questions. One candidate, Nabil Karoui, who was in detention during the debates, tweeted that he had been prevented from participating.

The Carter Center observed that on the day before the election, paid ads supporting a number of candidates were still running on candidates’ verified Facebook pages, as well as on pages with unclear affiliations, which breached the silence period. The Carter Center also observed breaches of the silence period by candidates on Instagram, while at least one campaign team sent SMS messages calling on recipients to vote for its candidate during that period.

The Carter Center and Mourakiboun observers reported some attacks or smear campaigns on the shadow campaign pages. The extent of this phenomenon remains to be established. This will require further attention during the campaign for the run-off and the legislative elections.

Citizen and Candidate Observation

Citizen observation is a critical manifestation of the right to participate in public affairs and to hold governments accountable. Sources of public international law recognize the right to take part in citizen observer organizations and to contribute to voter-education efforts.⁴¹ Both Tunisian civil society and political parties took an active part in observing the presidential electoral processes.

The ISIE accredited approximately 13,000 citizen observers for the presidential election.⁴² During the electoral process, many CSOs published reports about their observation of particular parts of the electoral process. Chahed Observatory published reports about voter registration, the League of Tunisian Women Voters (Ligue des Électrices Tunisienne) about the wariness of women to register and vote, especially in rural areas, and I WATCH about campaign and campaign-finance violations. Ofiya, Atide, and I WATCH all conducted projects to monitor social media in the electoral period. Mourakiboun conducted a PVT and published several statements about voter endorsements and their monitoring of the electoral campaign.

Electoral Dispute Resolution

Appeal procedures, and especially the powers and responsibilities of the various bodies involved, should be clearly regulated by law in order to avoid any positive or negative conflicts of jurisdiction. In addition, the right to file such appeals must be granted as widely as possible and be open to every elector in the constituency and to every candidate running in the election.⁴³

The guarantee of a timely remedy is integral to the principle of effective means of redress. Despite

⁴¹ EISA, Principles for Election Management, Monitoring and Observation in the SADC Region, p.19.

⁴² The total number of accredited citizen observers in 2014 for the presidential election was 20,610.

⁴³ European Commission for Democracy through Law (Venice Commission), Code of Good Practice in Electoral Matters, CDL-AD (2002) 23.

the shortened time limits provided by Article 49 of the electoral law, the administrative tribunal was able to address all complaints and appeals in a timely fashion. However, both the judiciary and the litigants criticized the time constraints as threatening the right to seek redress and judicial review.⁴⁴ The tribunal demonstrated impartiality and respect for due process in its decisions.

The electoral law does not allow voters to file complaints about potential malpractice or irregularities at the polling station, thus denying their right to an effective remedy.⁴⁵ Also, voters are not allowed to challenge the election results in the courts. Article 124 of the electoral law allows representatives of candidates and observers to record remarks on the voting process in a memo that must be attached to the protocol.

For the early presidential elections, 15 candidates filed appeals with the first level of the Administrative Court challenging ISIE decisions rejecting candidates. The court overturned the ISIE decision in four cases. The ISIE and seven candidates appealed to the General Assembly of the Administrative Court, which upheld the four ISIE decisions and denied all other appeals.

Although the court hearings were orderly and the parties were given the opportunity to represent their cases, the timeline did not allow enough time for lawyers to prepare the case, which affected the parties' ability to support their claims with credible evidence. This problem will be compounded if any challenges to the results of the presidential elections are made, especially because of the shortened timeline to meet the constitutional mandate of electing a new president in 90 days.

Election Day

The voting process is the cornerstone of the obligation to provide the free expression of the will of the people through genuine, periodic elections.⁴⁶ The quality of voting operations on election day is crucial to determining whether an election was held according to democratic obligations. It is a core obligation under international law that elections be held by secret ballot; a recognized means of ensuring that the will of the people is expressed freely.⁴⁷

Three days before the election, five IRIEs in the west and center west of the country (Kef, Kasserine, Jendouba, Gafsa, and Sidi Bouzid) announced on Facebook that certain polling centers would operate under shortened hours on election day. On the recommendation of the Ministry of the Interior, the ISIE shortened the voting in these areas by four hours because of security concerns, opening at 10 a.m. and closing at 4 p.m. The ISIE published the revised hours on the eve of the election on its website. After further consideration, the ISIE subsequently reversed its decision for some areas, reducing the number of polling centers and voters impacted. The polling centers that reverted back to the standard polling hours were primarily located in urban areas. Only the Kef IRIE published the revised information. The decision to shorten polling hours affected

⁴⁴ UNHRC, General Comment 32, para. 19.

⁴⁵ ICCPR, General Comment 25, para. 20 and African Union Declaration on the Principles Governing Democratic Elections in Africa, Section IV, Article 7.

⁴⁶ ICCPR, Articles 2, 25(a) and 9.

⁴⁷ U.N., International Covenant on Civil and Political Rights, art. 25; U.N. Universal Declaration of Human Rights, art. 23. EISA and Electoral Commission Forum of SADC Countries, Principles for Election Management, Monitoring, and Observation in the SADC Region, p. 24.

approximately 112,795 voters, which represents 1.59 percent of registered voters.⁴⁸ The shortened hours reduced the opportunity for voters to participate in the elections.

The ISIE also announced a change in the location of 28 polling centers in nine IRIEs on Sept. 11. Some 31,379 voters were affected by this change.⁴⁹ The ISIE attributed the changes to poor infrastructure, unfinished construction, and difficulties in accessing certain polling centers because of recent flooding. It is unknown whether voters were aware of the changes and could locate the new polling centers, despite the attempts of several IRIE to inform voters via Facebook.

Opening and Polling

Carter Center observers described the opening process in all 34 of the polling stations visited during poll opening as calm and well-organized, with 100 percent of observer teams evaluating the implementation of procedures positively. The overall assessment of the election environment was positive in 32 polling stations. In several stations, observers reported that queue management was deficient. In one polling center visited, all polling stations opened late because the ISIE did not deliver the election material on time. Furthermore, polling staff at that center had arrived late.

Carter Center observers assessed 317 polling stations during election day. They assessed the overall election environment and implementation of procedures as positive in the overwhelming majority of these. In all but nine places, observers assessed the voters' understanding of procedures as adequate.

Carter Center observers noted a few minor irregularities, including the failure of polling staff to instruct voters on how to cast a ballot as required by the regulations. The instruction was assessed as inadequate or not given at all in 24 observations (7.4 percent). In 94.8 percent of polling stations visited, voters were able to vote in secret.

Candidate representatives were present in nearly all - 309 of the 317 - polling stations observed. Representatives for Mourou, Chahed, and Karoui were present in the majority of polling stations observed. Citizen observers were present in only 60 of the 317 polling stations observed, with Mourakiboun present in 53.

Closing and Counting

The implementation of procedures and the overall election environment was assessed as very good or reasonable in 30 of the 31 polling stations observed for closing. Women made up 42 percent of the polling station presidents but only 9.7 percent of the polling center presidents. All voters waiting in the queue at 6pm when the polling stations closed were allowed to vote.

Counting was observed in 29 polling stations; implementation of procedures and the overall environment were assessed positively in all but one observation. Observers described the process as calm, professional and detailed.

⁴⁸ Kasserine: 105 centers with 124 PS with 49,940 voters, Jendouba: 40 centers with 68 PS with 29,334 voters, Sidi Bouzid: 28 centers with 46 PS with 18,021 voters, Kef: 47 centers with 50 PS with 5,070 voters, Gafsa: 20 centers with 28 PS with 9,653 voters.

⁴⁹ Bizerte (3 PC with 13,403 voters), Siliana (2 PC with 1,216 voters), Kef(1 PC, with 1,656), Jendouba (7 PC with 5101 voters), Monastir(2 PC with 1,473 voters), Ben Arous(1 PC, with 1338 voters), Gafsa (7 PC, with 2,241 voters), Medenine (3 PC with 355 voters), Nabeul1 (2 PC with 4,596 voters).

Tabulation

Carter center observers were present in all 27 tally centers. The tabulation process was significantly delayed by the late delivery of election material from the polling centers to the tally centers by the army. Some observers reported that tally center staff restricted their observation to locations that were too far away from the process. Nevertheless, the evaluation of the implementation of the procedures was positive in 26 of 27 observations and the overall assessment of the environment in the tally centers as positive in 25 observations.

Background: The Carter Center was accredited by the ISIE to observe the elections and deployed more than 90 observers who visited 317 unique polling stations as well as the 27 tabulation centers. The mission was co-led by Salam Fayyad, former Prime Minister of the Palestinian Authority and Tana de Zulueta, former Italian Parliamentarian. More than thirty nationalities were represented on the observation mission delegation.

The Center has had a presence in Tunisia since 2011. It observed the 2011 National Constituent Assembly elections and the 2014 Presidential and Legislative elections as well as the constitution-making process that culminated in the adoption of the constitution in January 2014.

For these elections, The Carter Center deployed a core team in May 2019 to launch its mission to observe the electoral process. In mid-July, the Center in collaboration with the Electoral Institute for Sustainable Democracy in Africa deployed 16 long-term observers to monitor throughout Tunisia. The core team and long-term observers represent 18 different countries.

The Center will remain in Tunisia to observe the final tabulation process and resolution of electoral complaints. An observation mission will also be sent for the legislative elections and a possible run-off election in October. The objective of the Center's observation mission in Tunisia is to provide an impartial assessment of the overall quality of the electoral process, promote an inclusive process for all Tunisians, and demonstrate support for its democratic transition.

The Carter Center assesses Tunisia's electoral process against the Tunisian constitution, the domestic electoral legal framework, and obligations derived from international treaties and international election standards. The Center's observation mission is conducted in accordance with the Declaration of Principles for International Election Observation.

The Center wishes to thank Tunisian officials, political party members, civil society members, individuals, and representatives of the international community who have generously offered their time and energy to facilitate the Center's efforts to observe the presidential election process.



NEWS RELEASE

Carter Center Short-Term Observers Arrive in Tunisia for Legislative Elections

TUNIS, TUNISIA (Oct. 3, 2019) — Dozens of short-term observers arrived in Tunis this week to join the Carter Center's international election observation mission for Tunisia's parliamentary election. Tana de Zulueta, a former member of Italy's parliament, and Karen AbuZayd, a commissioner on the Independent Commission of Inquiry on the Syrian Arab Republic, will co-lead the delegation of more than 90 observers.

The Carter Center, which has worked in Tunisia since 2011, received an invitation and accreditation to observe the presidential and parliamentary elections from the High Independent Authority for Elections. The mission launched in May 2019 with the deployment of a core team of experts in Tunis and 16 long-term observers throughout the country. In total, for both the presidential and parliamentary elections, the Center has accredited more than 90 observers from 25 countries.

Carter Center observers have met regularly with ISIE representatives, political parties, independent candidates, civil society organizations, members of the international community, and citizen election observers to assess preparations for the Oct. 6 election and the pre-electoral environment. The mission will offer an independent assessment of the process surrounding the parliamentary election while coordinating with other national and international election observers and key stakeholders.

The Carter Center's assessment will be based on Tunisia's constitution, national legal framework, and its various obligations for democratic elections under public international law, including relevant regional and international agreements. The Center's mission will be conducted in accordance with the Declaration of Principles for International Election Observation, which provides guidelines for professional and impartial election observation.

The Center issued a preliminary statement on the presidential election, noting that despite a compressed election timeframe, the election was well-organized.

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NEWS RELEASE

Carter Center Report: New Parliamentarians Must Move Quickly to Strengthen Tunisia's Democratic Institutions

TUNIS (Oct. 8, 2019) — In a preliminary statement released today, The Carter Center commended the Tunisian election administration for conducting a well-run parliamentary election and expressed concern about the low voter turnout and a perceived lack of public confidence in the institution of parliament to realize the goals of the 2011 revolution.

The 41 percent turnout – more than 20 percent lower than in 2014 – reflects the Tunisian people's dissatisfaction with how little the previous parliament has accomplished. The parties and independents elected on Sunday must put aside their differences and move quickly to consolidate Tunisia's new democratic institutions, improve the economy, and renew citizens' faith in the positive potential of the country's democratic transition.

The Carter Center's 90-plus observation mission was led by Tana de Zulueta, a former Italian parliamentarian, and Karen AbuZayd, a commissioner on the Independent Commission of Inquiry on the Syrian Arab Republic. The observer team, which included citizens from more than 30 countries, visited 392 polling stations and all 27 tally centers in Tunisia on election day. Observers reported only minor irregularities in a limited number of the polling stations they visited.

Today's statement from The Carter Center provides a preliminary assessment, the key findings of which are outlined below. Several important aspects of the electoral process have yet to be completed, including tabulation, announcement of final results, and the resolution of any complaints or challenges. AS A RESULT, THIS STATEMENT DOES NOT REPRESENT THE CENTER'S ASSESSMENT OF THE ELECTORAL PROCESS AS A WHOLE, BUT RATHER A PARTIAL PRELIMINARY ASSESSMENT OF THOSE PHASES THAT ARE COMPLETED. The Center will provide further assessments once the electoral process is concluded.

Key Conclusions

- **Pre-election period:** Many interlocutors informed Carter Center observers that the parliamentary campaign was overshadowed by the continued detention of Karoui and the effect his detention would have on the second round of the presidential election. The media focused almost exclusively on this topic and any possible challenge to the results based on the denial of his equal opportunity to campaign, making it difficult for parliamentary candidates to get their messages out to voters.
- **Legal framework:** As in the presidential election, campaign provisions, including those on the use of advertising and posters and on campaign-finance ceilings are restrictive and difficult for candidates to respect.
- **Election administration:** The ISIE failed to communicate effectively with the public about key electoral issues or to publish relevant information on its website. After the presidential election, the ISIE conducted a two-day assessment. Based on information from the Independent Regional Electoral Authorities (IRIEs), it decided to address shortcomings in the training of staff on an application that tallies results automatically on the tabulation-center level and in the routes that the military used to collect and deliver election material to the :

centers. This improved the tabulation process.

- **Candidate registration:** Candidate registration for the parliamentary election was conducted by the IRIEs from July 22 – 29. IRIE staff were well-prepared for this process, and all stakeholders praised their professionalism and hard work. The ISIE announced the final number of lists on Aug. 31, after legal challenges were resolved. A total of 1,506 candidate lists, including 1,341 in country and 165 abroad, were accepted.
- **Campaign environment:** In the aftermath of the first round of the presidential election, most established political parties were slow to begin their campaign for the legislative elections as they assessed their campaign strategies, while independent lists were quick to campaign to take advantage of the anti-establishment momentum. Carter Center's long-term observers reported that most parties decided to run low-key campaigns, handing out leaflets and conducting door-to-door activities.
- **Campaign finance:** Although campaign-finance ceilings for the parliamentary election have been raised since 2014, many stakeholders say they are too low to conduct an effective campaign. Ceilings range from a low of US\$11,550 in Tozeur to a high US\$34,616 in Sousse.
- **Electoral dispute resolution:** The courts of first instance did not allow Carter Center observers to observe fully the election dispute-resolution process in the majority of cases on the constituency level. Despite several official written requests, observers were not given information about electoral disputes, allowed to attend public hearings, or obtain copies of judgments.
- **Social media monitoring:** The Carter Center's monitoring of the Facebook pages of parties or independent lists as well as their supportive pages, revealed that the majority used social media as a platform to introduce their candidates, announce campaign events, or to call on voters to vote, rather than as a tool to engage with voters on the issues. Smear campaigns and inflammatory language were observed on several supportive pages of candidates for both the presidential and parliamentary elections, though the pages' affiliations were unclear. The majority of parties monitored by The Carter Center breached the silence period by running paid ads on party pages or on supportive pages on Saturday and election day.

Background

The Carter Center has had a presence in Tunisia since 2011. It observed the 2011 National Constituent Assembly elections and the 2014 presidential and legislative elections, as well as the constitution-making process that culminated in the adoption of the constitution in January 2014.

For these elections, The Carter Center deployed a core team in May 2019. In mid-July, the Center – in collaboration with the Electoral Institute for Sustainable Democracy in Africa – deployed 16 long-term observers. The core team and long-term observers represent 18 different countries.

The Center will remain in Tunisia to observe the final tabulation process and the resolution of electoral complaints. It also will observe the presidential runoff election on Oct. 13. The objectives of the Center's observation mission are to provide an impartial assessment of the overall quality of the electoral process, promote an inclusive process for all Tunisians, and demonstrate support for its democratic transition.

The Carter Center assesses Tunisia's electoral process against the Tunisian constitution, the domestic electoral legal framework, and obligations derived from international treaties and international election standards. The Center's observation mission is conducted in accordance with the Declaration of Principles for International Election Observation.

The Center wishes to thank Tunisian officials, political party members, civil society members, individuals, and representatives of the international community who have generously offered their time and energy to facilitate the Center's efforts to observe the presidential election process.

Carter Center Preliminary Statement on Tunisia's Parliamentary Elections

Oct. 8, 2019

This statement is preliminary and covers only aspects of the electoral process through Oct. 7. It does not cover the final tabulation of election results, nor the period for filing challenges. AS A RESULT, THIS STATEMENT DOES NOT REPRESENT THE CENTER'S ASSESSMENT OF THE ELECTORAL PROCESS AS A WHOLE, BUT RATHER A PARTIAL PRELIMINARY ASSESSMENT. The Carter Center will release additional assessments throughout the electoral process and at its conclusion. This statement should also be read in conjunction with the preliminary statement released by The Carter Center on Sept. 17 after the first round of the presidential election. In addition, a comprehensive final report with recommendations will be published in the months following the end of the electoral process.

Statement of Preliminary Findings and Conclusions

Political Background

The results of the early presidential elections held on Sept. 15 – two months earlier than originally scheduled following the death of President Beji Caïd Essebsi – had a profound effect on the Oct. 6 parliamentary elections. Independent candidates hoped to capitalize on the anti-establishment sentiment that attracted voters in the first round of the presidential election, while parties struggled to reenergize their supporters and encourage participation. Both felt compelled to change their campaign strategy in light of the electorate's rejection of the political establishment and the first-place finish of Kais Saïed, an independent who announced he would refuse public funding and ran an unorthodox campaign focused on speaking to voters one-on-one.

The results of the presidential poll, like those of the 2018 municipal elections, demonstrated the dynamic nature of Tunisia's political landscape. The 2011 National Constituent Assembly elections were marked by a large victory for Ennahda and parties that were historically opposed to the Ben Ali regime. These were followed by the 2014 elections, which were characterized by a struggle between Islamists and secularists, in which the secular party, Nidaa Tounes managed to emerge victorious in legislative and presidential elections. The 2018 municipal elections marked a key shift and signaled the waning influence of the major political parties and the rise of independent candidates, who collectively received the most votes across the country. Tunisia's electoral authorities were disheartened by low voter turnout in the municipal elections, which foreshadowed Tunisians' subdued interest in the country's 2019 political contests.

The High Independent Authority for Elections, known as the ISIE, announced that turnout in the parliamentary elections was 41 percent, lower than the 48 percent who voted in the first round of the presidential election and more than 20 percent lower than in the 2014 parliamentary elections. The poor turnout reflects the Tunisian people's continued dissatisfaction in the parliament as an institution capable of realizing the goals of the revolution and the aspirations of the citizens.

The Oct. 6 parliamentary elections were seen by many as an opportunity for the country to break its political inertia and for the parliament to take the lead in advancing the political and economic reforms that are necessary to realize greater benefit from the country's democratic gains. The parties and independents who are elected to parliament must now put aside their

differences and move quickly to solidify the country's institutions, improve the economy, and restore Tunisians' faith in their young democracy.

The 2019 elections reflect the disillusionment of the Tunisian people with the current political establishment and their frustration with the slow pace of reform since the 2011 revolution. The continued decline in the economy, the rising cost of living and ongoing corruption has encouraged voters to look for independent candidates whom they hope will bring radical change.

In the leadup to the parliamentary elections, the established political parties were fractured by internal disputes. Nidaa Tounes was crippled by the departure of more than half of its parliamentarians, depriving it of its plurality in the parliament.¹ The Popular Front Coalition, a main actor in the parliament, also split, leading to the creation of two separate political entities – a political party and a separate coalition.² In the immediate pre-election period, Ennahda also suffered from internal disputes over the selection of a presidential candidate and the excessive intervention by its party leader in the placement of candidates perceived to be affiliated closely to him on its lists for the legislative elections.

This disfunction among the parties represented in the parliament undermined the institution's performance, already weakened by its inability to control its legislative agenda. According to the constitution, legal drafts (*projets de loi*) emanating from the executive branch have precedence over those proposed by members of parliament (*propositions de loi*); most bills originated from the executive, and these legislative initiatives dominated the parliament's agenda.

In addition to these factors, the parliament was plagued by the absenteeism of its deputies, party-hopping by parliamentarians, and the informal and largely opaque “consensus committee” formed by the parliamentary bloc leaders who made the most crucial policy decisions. Combined, these factors limited the ability of parliament to exert the full scope of its powers. In addition, it failed to establish the Constitutional Court and other independent constitutional authorities, such as the National Authority on Good Governance and Fight Against Corruption, the Authority for Sustainable Development and the Rights of Future Generations, and the Audiovisual Communication Authority (ICA).

Legal Framework

According to international best practices, an election's legal framework should be transparent and readily accessible to the public. It should also address all the components of an electoral system necessary to ensure democratic elections.³ Tunisia's legal framework for parliamentary elections is generally in alignment with international standards.⁴

The electoral process is governed by the January 2014 constitution, the 2014 electoral law, the law on the ISIE, and the law related to the freedom of audiovisual communication that created the Independent High Authority for Audiovisual Communication (HAICA). Certain areas of

¹ The Nidaa Tounes bloc in parliament went from 86 seats in 2014 to 26 seats in 2019.

² The split emerged in April 2019 principally as a result of the announcement of one of the coalition's members that he would be the coalition's presidential nominee and not the coalition's spokesperson as used to be the case.

³ OSCE/ODIHR, Guidelines for Reviewing a Legal Framework for Elections, page 4.

⁴ These include: the International Covenant on Civil and Political Rights (ICCPR); the International Covenant on Economic, Social and Cultural Rights; the Convention on the Elimination of All Forms of Racial Discrimination (CERD); the Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW); the Convention against Torture, Inhuman or Degrading Treatment (CAT); the Convention on the Rights of Persons with Disabilities, and the African Charter on Human and Peoples' Rights (ACHPR).

the legal framework could be improved, including by establishing definitive and adequate timeframes for the different stages of the electoral process. As in the presidential election, campaign provisions, including those on the use of advertising and posters are restrictive. In addition, campaign-finance ceilings, although higher than in 2014 and intended to level the playing field between big and small parties, remain low and difficult for political-party candidate lists to respect.

The legal framework seeks to ensure equality between candidates during campaigns. Article 52 of the electoral law states that electoral campaigns need to respect the essential principles of equal opportunity for all candidates. Article 3 of the law on the ISIE mandates that the commission guarantee equal treatment of voters, candidates, and all stakeholders. Finally, Article 5 of the decree on the HAICA states that the exercise of the rights and liberties of audiovisual communication need to follow the principle of equality. However, given the high number of candidate lists – more than 1,500 – the ISIE and the HAICA struggled to achieve this principle. In order to address the challenges related to equal opportunities for candidates, the legal framework should be rewritten to provide more detailed guidance on how to ensure protection of the principle of equal opportunity in the current political environment.

Electoral System

The purpose of an electoral system is to translate the will of the people into a representative government. International standards do not prescribe a specific electoral system.⁵ Tunisia's electoral system respects the principles of genuine and periodic elections, and guarantees universal suffrage, the secrecy of the vote, and freedom from intimidation, as well as equality of the vote and fair representation of all citizens. According to the constitution, the parliament is elected for five years, in line with international commitments and best practices.⁶ There are a total of 217 seats in parliament, 199 in the country and 18 out of the country.

Boundary delimitation has not been changed since the 2011 National Constituent Assembly elections when a provision introducing a positive discrimination factor to increase representation in disadvantaged governorates where population density was low, and representation would have been minimal. Parliament introduced legislation in December 2018 to redraw the boundaries for these elections based on the census results of 2014. It was rejected in January 2019 as Article 106 of the electoral law does not allow for redrawing electoral boundaries within one year of an election.

The constitution guarantees the right to vote to all citizens who are 18 or older and who are not subject to any kind of restrictions foreseen under the electoral law. The law was amended in 2017 to allow military and security personnel to vote in the municipal elections, though it still prohibits them from voting in legislative and presidential elections, a restriction not in alignment with international standards.⁷ Citizens in health care facilities, penitentiaries, and detention centers were not able to exercise their right to vote, as no mechanism for doing so exists in the law, contrary to Tunisia's constitution and international commitments.⁸

⁵ U.N., International Covenant on Civil and Political Rights; Article 25(b); United Nations Human Rights Council, General Comment 25, para. 21.

⁶ ICCPR, Article 25(b); General Comment 25, paras. 9 and 19; Universal Declaration of Human Rights, Article 21(3); Council of Europe Code of Good Practice in Electoral Matters, sec. I.1.6.

⁷ See ICCPR, Article 25: "Every citizen shall have the right and the opportunity [...] to vote and to be elected at genuine periodic elections...." Also, General Comment 25, para. 14: "The grounds for denying suffrage rights to citizens have to be objective and reasonable and must be prescribed by law."

⁸ Right to universal suffrage on the basis of equal treatment before the law: ICCPR, Article 25(b); African Charter on Democracy, Elections and Governance, Article 3(3).

Candidate Registration

The right of individuals to participate in public affairs is an obligation under international law.⁹ While the right to be elected is a widely recognized principle in both regional and international treaties, it is not an absolute right and may be limited on the basis of objective and reasonable criteria established by law.¹⁰ The Tunisian legal framework allows for an inclusive candidate-registration process and is generally in line with international and regional standards.¹¹ Candidates for parliament must have been Tunisian citizens for at least 10 years and be 23 years old on the day of candidate registration.¹²

Candidate registration for the parliamentary election was conducted by the Independent Regional Electoral Authorities (IRIEs) from July 22 to July 29. IRIE staff were well-prepared for this process, and all stakeholders praised their professionalism and hard work. The IRIEs received 1,581 applications from political parties, coalitions, and independents – 1,405 inside Tunisia and 176 from the six IRIEs abroad. Each list must be composed of the same number of candidates as seats in the constituency and include a supplementary list with a minimum of two members. While the law requires that all lists must alternate male and female candidates, regrettably, women were placed at the top of only 13 percent of the lists. The ordering of the lists on the ballot was determined by the sequence in which the lists were submitted to the respective IRIE.

On Aug. 6, the ISIE published preliminary numbers of 1,340 accepted lists for the 27 constituencies inside Tunisia and 165 lists for the six overseas constituencies.¹³ Seventy-eight lists were rejected (65 in country and 13 abroad). The highest number of rejections was in Sousse, with eight rejected lists; four IRIEs (Zaghouan, Kef, Gafsa, and Tozeur) accepted all the candidates lists. The constituencies with the highest number of lists contesting the elections were in Sidi Bouzid (73 lists), Gafsa (70), and Kasserine (66). The lowest number of lists were registered in Gabes and Tataouine (31 each) and Kebili (34).

The ISIE announced the final number of 1,506 lists on Aug. 31, after legal challenges were resolved. The size of the ballot paper in each constituency was determined by the number of candidate lists. Each ballot contained vertical columns with the names of each party, coalition, or independent list, its logo, and the number corresponding to its placement on the ballot.

The candidate registration process was inclusive and handled in an efficient, professional manner by the IRIEs. However, the ISIE never published the names of all candidates on each list, depriving the voters of crucial information.

Election Administration

An independent and impartial electoral authority, functioning transparently and professionally, is the only effective means of ensuring that citizens can participate in genuine democratic elections.¹⁴ State practice suggests that, when scheduling elections, adequate time should be

⁹ ICCPR, Article 25(a); ICCPR, Article 21; ICCPR General Comment 25, para. 26.

¹⁰ ICCPR, Article 25; AU, ACHPR, Article 13; Arab Charter on Human Rights, Article 24

¹¹ ICCPR, Article 25: “Every citizen shall have the right and the opportunity [...] to vote and to be elected at genuine periodic election.” See also Article 13 of the African Charter of Human and Peoples’ Rights.

¹² Unlike for presidential candidates, parliamentary candidates aren’t required to be Muslim, nor are they required to put down deposits or collect endorsements.

¹³ The appeal circuit of the Administrative Court heard 17 appeals on IRIE rejection of lists. Fourteen were denied and three accepted.

¹⁴ ICCPR, General Comment 25, para. 20.

allowed to successfully administer the electoral process.¹⁵ According to the Tunisian constitution, the ISIE is the body that ensures the regularity, integrity, and transparency of the electoral process and proclaims the results.¹⁶

The ISIE created 33 IRIEs (27 in country and six abroad), one in each electoral constituency made up of a maximum of four people with different professional backgrounds. The ISIE conducted the process of appointing IRIE members transparently and efficiently. For the parliamentary election, the ISIE set up 13,830 polling stations – 13,446 in country and 384 abroad.

Five percent of approximately 55,000 poll workers from the presidential election were changed after IRIEs evaluated staff. Presidents of polling stations and polling centers, along with new poll workers, were trained by the IRIEs on Sept. 28 and 29.

After the presidential election, the ISIE conducted a two-day assessment for presidents, coordinators, legal officers, and administrators of the 33 IRIEs. The ISIE decided to address shortcomings in the training of staff on the use of an application that tallies the results automatically at the tally-center level and in the routes that the military used to collect and deliver election material to the tabulation centers. This improved the tabulation process.

The 1,500 campaign monitors recruited by the ISIE for the presidential election also monitored the parliamentary campaign for adherence to campaign and campaign-finance rules. Carter Center long-term observers reported that these monitors continued to be very active in the field.

Although the ISIE suffered from some internal strife and did not always communicate coherently to the public, it managed to efficiently organize two elections in a short timeframe with only minor flaws that did not impact the electoral process or the results.

Voter Registration

Voter registration and the establishment of a complete, current, and accurate voter list are recognized as important means to ensure that each citizen has the right to vote. According to the United Nations Human Rights Committee, "Where registration of voters is required, it should be facilitated, and obstacles to such registration should not be imposed."¹⁷ Tunisia's voter-registration procedures are broadly consistent with international and regional standards.¹⁸

The ISIE opened its voter registration campaign for these elections on April 10 and closed it on June 15. During this period, the ISIE registered 1,455,898 new voters out of a possible 3.5 million potential voters, bringing the total number of registered voters for the parliamentary elections to 7,065,885. Of those, 6,680,339 voters are registered in Tunisia and 385,546 abroad.

No stakeholders raised concerns about the voter register and its accuracy to Carter Center observers.

¹⁵ U.N., Human Rights and Elections, para. 75.

¹⁶ 2014 Tunisian Constitution, Article 126.

¹⁷ ICCPR, General Comment 25, "The right to participate in public affairs, voting rights and the right of equal access to public service," para. 11.

¹⁸ ICCPR, General Comment 25, para. 11.

Voter Education

The fulfillment of the international obligation of universal suffrage is partially dependent on effective voter education.¹⁹ The ISIE continued a limited voter-education campaign from the presidential election to provide basic voter information. Several CSOs informed Carter Center observers that they did not conduct a voter-education campaign for the parliamentary elections because of a lack of funding.

During the presidential and legislative campaigns, the ISIE distributed flyers and stickers in order to keep voters informed about the election dates. In addition, several videos were published on television and social media explaining the polling steps and reminding voters about the opening and closing hours of the polling stations and centers. For the legislative elections, the ISIE conducted a street campaign during which flyers, posters, stickers, bracelets, and key rings were distributed.

There was no concerted voter-education effort made by the ISIE or CSOs except during the voter-registration process. This was partially due to the compressed timeframe for the elections and lack of funding.

Campaign Environment

Political pluralism and an open campaign environment that enables genuine choice for voters are critical aspects of democratic elections. Equitable treatment of candidates and parties during an election is important for ensuring the integrity of the democratic election process. A genuine choice of candidates, a free electoral environment, a level playing field for contestants, and an open, transparent campaign environment are all critical aspects of democracy. The equal treatment of candidates and parties is essential for ensuring the integrity of the democratic election process.²⁰

The campaign for the legislative election began on Sept. 14, the day of silence for the presidential campaign, and lasted for 22 days. The rights of freedom of speech and assembly were respected throughout the country. However, many candidates, both independents and those belonging to political parties, violated the restriction on early campaigning.²¹

In the aftermath of the first round of the presidential election, most established political parties were slow to begin their campaign for the legislative elections as they assessed their campaign strategies, while independent lists were quick to campaign to take advantage of the anti-establishment momentum. Established parties re-evaluated their strategy of big rallies and public events, which did not appear to influence voters in the presidential campaign. The Carter Center's long-term observers reported that most parties decided to run low-key campaigns, handing out leaflets and conducting door-to-door activities for the legislative election.²²

Many parties informed the Carter Center mission that they would focus on reaching out through social media to voters who supported presidential candidate Saïed and that they would step up their traditional campaign activities in the five days preceding the election. In general, independent lists and some parties found it difficult to finance their campaigns given the new campaign-finance laws that operate on the basis of reimbursement rather than advances. Most were using personal funds to finance the campaign.

¹⁹ ICCPR, Article 25.

²⁰ ICCPR, Article 25.

²¹ Article 154 punishes early campaigning with fines of 5,000 to 10,000 TND.

²² Many parties said they lacked financial resources to conduct a large-scale campaign.

Many interlocutors informed Carter Center observers that the parliamentary campaign was overshadowed by the continued detention of presidential candidate Nabil Karoui and the effect it would have on the forthcoming second round of the presidential election. The media focused almost exclusively on this topic and any possible challenge to the results based on the denial of his equal opportunity to campaign, making it difficult for parliamentary candidates to communicate their messages to voters.

Nessma TV, co-owned by Karoui, has been fined four times by the HAICA for broadcasting political advertising in favor of his candidacy and propaganda against Ennahda. The fines have progressively increased for each violation, ranging from 20,000 TND (US\$ 7,000) to 160,000 TND (US\$ 56,000).

As was the case in the presidential election, contestants did not always abide by the rule of notifying electoral authorities of their campaign events 48 hours in advance, and many events that campaigns shared with the IRIE were not carried out. Moreover, candidates provided the name of the venue in which their activities were to take place, but not the address, making it difficult to find the exact location of their activities. As a result, it was difficult for IRIEs, ISIE campaign monitors, and observers to keep track of all campaign events.

The IRIEs and ISIE campaign monitors identified minor violations of campaign rules. These mainly involved early campaigning, undeclared campaign activities, hanging posters outside of designated areas or over the posters of opponents, and using children in campaigns. To date, according to the IRIEs, none of the violations are severe enough to affect the results of the elections. In addition, Carter Center observers have not reported any use of administrative resources during the campaign, probably because of the low-key nature of the campaign activities. Women who headed the Qalb Tounes lists in Sfax 1 and Sidi Bouzid reported that they experienced verbal violence. The candidates in question chose not to lodge any formal complaints.

National television, in conjunction with The Munathara Initiative, organized three debates between candidate lists. The debates took place on Sept. 30, Oct. 1, and Oct. 2. Twenty-seven representatives of the country's 1,340 lists took part.²³ Participants were chosen by lottery from the four categories set by the joint decision between ISIE and HAICA, which were based on the number of constituencies in which parties or coalitions were running lists.²⁴ The debates were more interactive than those for the presidential election, as candidates could ask questions of each other. The three main topics were development, the economy, and social issues.

El Badil, the party of former prime minister Mehdi Jomaa, which was not chosen to participate, challenged the debate process based on the legal requirement that all candidates be treated equally when it comes to media coverage and campaign opportunities. The Court of First Instance in Tunis 1 refused the challenge and allowed the debates to go forward.

Even though the constitution gives parliament more powers and authority, the parliamentary campaign was overshadowed by the results of the first-round presidential election and the continued detention of Karoui. The campaign was low-key and, in some regions, nonexistent,

²³ Nine list representatives participated in each debate.

²⁴ The agreement calls for media coverage to be proportionate to the number of lists a given party or independent has across the country. The first category includes those with lists with between 28 and 33 constituencies; this category should receive 30 to 40 percent of the media coverage. The second category includes those with lists in between 12 and 27 constituencies; they should receive 20 to 30 percent of the coverage. The third category includes those with lists in 2 to 11 constituencies; they should get 20 to 30 percent of the coverage. Finally, the fourth category is for the lists running in one constituency; they should get 10 percent of the coverage.

resulting in the lack of a substantive debate on policy or party platforms. Media attention remained focused on the presidential election.

Campaign Finance

Democratic elections cannot be held without equitable rules for the financing of electoral campaigns. According to international good practice, electoral legislation should specifically provide for the transparency of donations to the campaign activities of candidates, standardized presentation of campaign accounts, reasonable limits on campaign expenditure, regular reporting mechanisms, and effective and dissuasive sanctions.²⁵

The electoral law details expenditure and donation limits and allows private and public funding. Public funding is distributed equitably based on the number of voters at the constituency level as well as population density.²⁶ The total ceiling of campaign spending for each list was set at six times the amount of the public funding. The law prohibits contributions from foreign sources or unknown donors, as well as from corporations and legal persons. However, unlike for presidential candidates, political parties can fund the campaign of their parliamentary lists.

Although the campaign-finance ceilings were increased after the 2014 elections, they remain relatively low and ranged from \$11,550 USD in Tozeur to \$34,616 USD in Sousse. Several stakeholders said the ceiling is too low to conduct a meaningful and effective campaign, which encourages candidate lists to exceed the ceiling and to not report fully expenditures.

The 2017 amendment to the electoral law precludes candidate lists from receiving any public funds up front; instead, candidates are reimbursed for expenses after the elections if their list obtains at least three percent of the vote on a constituency level. This raised concerns that the public fund wasn't achieving its goal of effectively guaranteeing equal opportunities for all candidates.

The campaign-finance system suffers from a lack of transparency, as no interim reports are required. There is no real-time assessment of funding and expenditures, which deprives voters of important information. In addition, the legal process is not concluded in a timely manner, as cases from 2014 are still pending.

Social Media Monitoring

International election standards prescribe that everyone shall have the right to freedom of expression; this right shall include freedom to seek, receive, and impart information and ideas of all kinds.²⁷ The Tunisian constitution guarantees the freedom of opinion, thought, and expression and the right of access to information and communication networks.²⁸ To date, Tunisia has no specific legal framework regulating social media.

²⁵ Council of Europe (Committee of Ministers) Recommendations (2003)4, Article 3(b).

²⁶ The ceiling of public funding for each candidate list is calculated based on the number of voters registered in the constituency as follows: 73 dinars for every 1,000 voters up to 50,000; 50 dinars for each 1,000 voters in excess of 50,000 voters up to 100,000 voters; 42 dinars for each 1,000 voters in excess of 100,000 up to 150,000; 39 dinars for each 1,000 voters in excess of 150,000 up to 200,000; 36 dinars for each 1,000 voters in excess of 200,000. The amount of the grant is also increased according to the population density of the constituency.

²⁷ ICCPR, Article 19; in addition, General Comment 25 to the ICCPR specifies that "voters should be able to form opinions independently, free of violence or threat of violence, compulsion, inducement or manipulative interference of any kind."

²⁸ Articles 31 and 32.

The Carter Center's monitoring of the Facebook pages of the 10 parties or independents running in the all 33 constituencies, as well as the supportive pages of those lists, revealed that most of them used social media as a platform to introduce their candidates, announce campaign events, or to call on voters to vote, rather than as a tool to engage with voters on the issues. Most of the monitored lists shared their campaign programs through video, texts, or pictures on national and regional Facebook pages, including pages of their branches located abroad. The majority of the lists monitored by The Carter Center ran paid ads on their Facebook pages during the campaign.²⁹

Carter Center long-term observers reported that because of the results of the presidential election, candidates and parties increased their social-media efforts to target young supporters of Saïed.

Contestants showed varying levels of activity and professionalism in their social media campaigns, depending on strategy, electorate analysis, messages, and financial resources. Ich Tounsi ran a very structured campaign, with postings repeated on the different regional pages of the organization, including paid ads. Other campaigns showed a lower level of coordination between national and regional pages, posting less often or posting less-polished content. Notably, some of the political party ads were run by party pages abroad.

Even before the official start of the campaign for the second round of the presidential election, the number of pages and groups supporting or opposing one of the two presidential candidates increased, as have the number of publications and interactions, taking precedence over the parliamentary campaign. On various occasions, The Carter Center observed party or independent lists promoting their support of the two presidential runoff candidates and using their images to advance their own online campaign.³⁰

Smear campaigns and inflammatory language were observed on several pages supporting both presidential and parliamentary candidates, though the pages' affiliations weren't clear.³¹ Some of these posts were widely shared online. The Carter Center is not in a position to assess their impact on the electoral process.

The female candidate Olfa Terras, founder of Ich Tounsi, was the target of repetitive attacks on Facebook questioning her and her husband's activities.

Another inflammatory piece was a documentary that aired on the Facebook account of the online platform Sawaab Arraii on Sept. 27-29 and was also broadcast on Saudi Arabian TV channel Al-Arabiya. It alleges that Ennahdha was involved in the assassination of the opposition leaders Chokri Belaïd and Mohamed Brahmi in 2013 via its "secret services."³² In total, more than 350,000 people watched the documentary online. It was widely shared on Facebook, including by pages supporting parties running in the elections. Ennahdha's legal

²⁹ Al Badil, Amal Tounes, Democratic Current, Ennahdha, Free Destourian Party, Ich Tounsi, Popular Front Party, Qalb Tounes, Tahya Tounes.

³⁰ Qalb Tounes, Al-Karama, Ennahdha, Tahya Tounes Sousse, List 31 Tunis-1. Following the publication of Al-Karama pictures featuring Kais Saïed and Seifeddine Makhlouf, a communique was published on Kais Saïed's website on Oct. 2 reminding everyone that Saïed doesn't support any list and that the ISIE had been informed so that it can take appropriate measures. The ISIE declared it would look into it after the elections.

³¹ Among them, Olfa Terras, Kais Saïed, and the Free Destourian Party were targeted by smear campaign. Some Facebook pages supporting the presidential candidate Kais Saïed repeatedly used inflammatory language calling Nabil Karoui's supporters' "infidels," "homosexuals," "scumbags," or "corrupt" people.

³² "The Black Rooms" a documentary in three parts. The first part was released by the TV channel Al-Arabiya. Other TV channels are said to have refused to screen the documentary because of "inappropriate circumstances." The second and third parts were released on the Internet (Facebook and YouTube) by the platform Sawaab Arraii.

representative announced on Facebook that it initiated legal proceedings against the television station that broadcast the documentary.

Fake opinion polls bearing the logo of existing Tunisian poll companies also circulated on Facebook, potentially misleading voters.

Toward the end of the campaign, unauthenticated documents were published on social media claiming that Nabil Karoui, Olfa Terras, and Ennahdha contracted with lobbying and public relations agencies overseas to consolidate their position on the national political scene and seek support at the international level. After their release, pictures, videos, and comments alleging connections between Nabil Karoui and a former member of Israeli secret services as well as between Ennahdha and Qatar went viral, generating many critical comments on Facebook.

The majority of parties monitored by The Carter Center breached the silence period by running paid ads on party pages or on supportive pages on Saturday and election day. At least two parties, Qalb Tounes and Ennahdha, promoted both the presidential and parliamentary campaigns. Ennahdha released posters online with the picture of Kais Saïed that read "vote for us to fulfill his program," and Qalb Tounes used a picture of Nabil Karoui to promote its candidate lists. In contrast, Ich Tounsi was the only party running lists in all constituencies that took down the paid ads it was running on Facebook and refrained from posting on its national and regional pages during the silence period.

During the presidential campaign, the use of social media was more intense and passionate than during the parliamentary campaign. Social media remained focused on the presidential contest and the continued detention of Karoui. It reinforced the political and social polarization that was evident in the results of the first round of the presidential election.

Citizen and Candidate Observation

Citizen observation is a critical manifestation of the right to participate in public affairs and to hold governments accountable. Sources of public international law recognize the right to take part in citizen observer organizations and to contribute to voter-education efforts.³³

Civil society was active in monitoring various aspects of the electoral process. The Tunisian Mediterranean Center (TU-MED) organization focused its observation on the participation of women in rural areas of seven constituencies. According to its report, there was an absence of women involved in the campaign, even in places where the head of the list was a woman. On election day, TU-MED had 70 observers.

Mourakiboun deployed 4,000 observers on election day for a parallel vote tabulation and created an app where voters could get information that was not available on the ISIE website about the electoral process, including the total number of registered voters, polling stations, seats and lists detailing the candidate's names and their platform running in each constituency.

The Association for Transparency and the Integrity of the Elections (ATIDE) deployed 600 observers around the country on election day and focused on monitoring social media. Chahed Observatory deployed 1,000 observers, three in each municipality.

Both Tunisian civil society and political parties took an active part in observing the parliamentary electoral processes. The ISIE reported accrediting over 97,000 candidate representatives; 17,500 citizen observers; and 700 international observers for these elections.

³³ EISA, Principles for Election Management, Monitoring and Observation in the SADC Region, p.19.

Electoral Dispute Resolution

Appeal procedures, and especially the powers and responsibilities of the various bodies involved in them, should be clearly regulated by law in order to avoid any positive or negative conflicts of jurisdiction. In addition, the right to file such appeals must be granted as widely as possible, open to every elector in the constituency and to every candidate running in the election.³⁴ The guarantee of a timely remedy is integral to the principle of effective means of redress.

Despite the short time limits provided by the law, the administrative tribunal addressed all pre-election complaints and appeals in a timely fashion. The tribunal demonstrated impartiality and respect for due process in its decisions.

Although Article 124 of the electoral law allows representatives of candidates and observers to record remarks about the voting process in the polling-station minutes, the electoral law does not allow voters to file complaints about potential malpractice or irregularities, thus denying their right to an effective remedy.³⁵ Voters are not allowed to challenge the election results in the courts.³⁶

For the legislative elections, only a few candidates lodged complaints in the courts of first instance about decisions rejecting their candidate lists. Most were rejected. Only four resulted in the revocation of IRIE decisions. A total of 18 appeals were lodged with the Appeals Circuit of the Administrative Court. The administrative court upheld the IRIE decisions in the majority of cases and overturned three.³⁷

The Court of First Instance did not allow Carter Center observers to observe fully the election dispute-resolution process in the majority of cases.³⁸ Despite several official written requests, observers were not given information about electoral disputes, allowed to attend public hearings, or given copies of final judgements.³⁹

In the same vein, the ISIE refused to provide the Center's mission with information about electoral disputes or to share detailed information as to why candidates were disqualified from the presidential race. On the other hand, the Administrative Court in Tunis allowed the Center to attend all hearings and occasionally supplied the Center with some decisions, albeit with some delay. Court hearings attended by the Center were orderly, and the parties were given the opportunity to represent their cases.

³⁴ European Commission for Democracy through Law (Venice Commission), Code of Good Practice in Electoral Matters, CDL-AD (2002) 23.

³⁵ ICCPR, General Comment 25, para. 20 and African Union Declaration on the Principles Governing Democratic Elections in Africa, Section IV, Article 7.

³⁶ U.N., ICCPR, Article 2, and African Charter on Democracy, Elections and Governance Article 17 (2).

³⁷ Three overturned decision involved one lists in the USA and rest of Europe constituency, one in Arab world and the rest of the World constituency, and two in Tunis.

³⁸ Pursuant to Article 7 of Regulation 9 of 2014 issued by the ISIE on the conditions and procedures for the accreditation of local and foreign observers for elections and referenda. Local and foreign observers are entitled to "follow the various stages of the electoral process relating to ... candidacies ... and electoral disputes." Article 252 of Civil and Commercial Procedure Code gives the right to copies of court decisions to any person who asks for it.

³⁹ Article 55 of The Administrative Court Law 40 in 1972 gives the right to obtain copies of court decisions to any person ask for it. The Carter Center filled several official requests to the Supreme Judicial Council and the administrative courts.

The ISIE election dispute-resolution process remains opaque. The ISIE did not share information collected by its campaign monitors, nor did it publicly announce how it would resolve election complaints. The courts did not release complaints or decisions in a timely fashion. They did, however, provide litigants with the opportunity to be heard and made decisions within the short timeframe allowed.

Election Day

The voting process is the cornerstone of the obligation to provide the free expression of the will of the people through genuine, periodic elections.⁴⁰ The quality of voting operations on election day is crucial to determining whether an election was held according to democratic obligations. Holding elections by secret ballot is a core obligation under international law, and a recognized means of ensuring that the will of the people is expressed freely.⁴¹

As for the presidential elections, the ISIE announced that 245 polling centers in five constituencies (Kef, Kasserine, Jendouba, Gafsa, and Sidi Bouzid) would operate under shortened hours on election day, 10:00 to 4:00pm instead of 8:00 to 6:00 pm. This change in voting hour affected approximately 112,195 voters.

Opening and Polling

The opening process in all 38 polling stations observed by The Carter Center was described as calm, well-organized and professional, with 100 percent of observer teams evaluating the implementation of procedures and the election environment positively.

Carter Center observers assessed 392 polling stations during election day. The overall election environment and implementation of procedures was assessed as positive in the overwhelming majority. In 11 polling stations, observers noted voters, especially the elderly, had difficulty voting because of the number of lists and the length of the ballot. In 99 percent of polling stations visited, voters were able to vote in secret. Observers reported that 49 polling stations were not accessible to physically-challenged persons.

Eighty-four percent of polling center presidents were men and 16 percent woman. 53 percent of polling station presidents were men and 47 percent were women.

Party agents were present in 373 of the 392 polling stations observed. Agents for Ennahda were present in 33 percent of observed polling stations, Qalb Tounes in 19 percent and Tahya Tounes in 9 percent. There were agents representing independent lists in 20 percent of visited polling stations. Citizen observers were present in 168 of the 392 polling stations observed, the highest number representing the UGTT labor union, present in 135 polling stations and Mourakiboun present in 25.

Closing and Counting

The implementation of procedures and the overall election environment was assessed as very good or reasonable in the 35 polling stations observed for closing. All observers reported that there were no voters waiting in line to vote when the polls closed at 06:00 pm.

⁴⁰ ICCPR, articles 2, 25(a) and 9.

⁴¹ U.N., ICCPR, Article 25; Universal Declaration of Human Rights, Article 23. EISA and Electoral Commission Forum of SADC Countries, Principles for Election Management, Monitoring, and Observation in the SADC Region, p. 24.

During the count, implementation of procedures and the overall environment were assessed positively in all 35 polling stations observed; Observers described the process as calm, professional and detailed.

Tabulation

Tabulation is ongoing. To date, our observers have described the process as efficient, organized and detailed. In some tabulation centers, observers were placed too far away to effectively observe the process and not allowed to interact with the staff. In other centers, observers had access to the entire process and staff were cooperative in answering questions.

Background: The Carter Center was accredited by the ISIE to observe the elections and deployed more than 90 observers who visited 392 unique polling stations as well as the 27 tabulation centers. The mission was co-led by Tana de Zulueta, former Italian parliamentarian, and Karen AbuZayd, a commissioner on the Independent Commission of Inquiry on the Syrian Arab Republic. The delegation included representatives from more than 30 countries.

The Center has had a presence in Tunisia since 2011. It observed the 2011 National Constituent Assembly elections, the 2014 presidential and legislative elections, as well as the constitution-making process that culminated in the adoption of the constitution in January 2014.

For these elections, The Carter Center deployed a core team in May 2019. In mid-July, the Center, in collaboration with the Electoral Institute for Sustainable Democracy in Africa, deployed 16 long-term observers throughout Tunisia. The core team and long-term observers represent 18 countries.

The Center will remain in Tunisia to observe the final tabulation process and resolution of electoral complaints. It also will observe the presidential runoff election on Oct. 13.

The objectives of the Center's observation mission in Tunisia are to provide an impartial assessment of the overall quality of the electoral process, promote an inclusive process for all Tunisians, and demonstrate support for its democratic transition.

The Carter Center assesses Tunisia's electoral process against the Tunisian constitution, the domestic electoral legal framework, and obligations derived from international treaties and international election standards. The Center's observation mission is conducted in accordance with the Declaration of Principles for International Election Observation.⁴²

The Center wishes to thank Tunisian officials, political party members, civil society members, individuals, and representatives of the international community who have generously offered their time and energy to facilitate the Center's efforts to observe the parliamentary election process.

⁴² The Declaration of Principles for International Election Observation was commemorated on Oct. 27, 2005, at the U.N. and is now endorsed by 55 intergovernmental and international organizations, which are engaged in the process of improving international election observation.



NEWS RELEASE

Carter Center Encourages Tunisia's New Leadership to Prioritize Inclusive Approaches to Address Key Political and Economic Challenges

TUNIS (Oct. 15, 2019) — In a preliminary statement released today, The Carter Center commended the Tunisian people and its election administration on the successful completion of the 2019 electoral cycle and their deep commitment to the democratic process, which required them to cast ballots in three successive elections in less than a month.

While the environment surrounding the presidential elections was largely open and competitive – there were 26 candidates in the first round and a broadly open campaign environment – the process was undermined by what appeared to be politically motivated actions to detain Nabil Karoui, a leading candidate, during most of the process. The timing of his detention raised legitimate concerns about the right of candidates to enjoy equal opportunities.

Turnout was low in the first two polls but increased substantially for the runoff presidential elections. The presidential race overshadowed the legislative elections, despite parliament's relative importance over the executive under Tunisia's new constitution.

The election of a diverse parliament and a new and politically inexperienced president means it is critical for Tunisian political leaders to form a government that can help realize the goals of the revolution and the aspirations of the Tunisian people. Going forward, elected officials must find a way to set aside political and ideological differences for the good of Tunisia and its people. The formation of a Constitutional Court and other independent authorities should be an urgent priority and should be based on a broad political consensus. In addition, parliament and the president should work collaboratively to tackle the economic and political challenges that were the root causes of the 2011 revolution.

The Carter Center's 80-plus observation mission was led by Salam Fayyad, former prime minister of the Palestinian Authority. The observer team, which included citizens from more than 30 countries, visited 337 polling stations and all 27 tally centers in Tunisia on election day. Observers reported only minor irregularities in a small number of the polling stations visited.

Today's statement from The Carter Center provides a preliminary assessment, the key findings of which are outlined below. The announcement of final results and the resolution of any complaints or challenges have yet to be completed. As a result, this statement presents the Center's preliminary assessment but not the final assessment of the electoral process as a whole. The Carter Center may release additional assessments in the post-election period and at its conclusion.

Key Conclusions

- **Pre-election period:** Both of the top two candidates from the first round were perceived as anti-establishment outsiders. Kais Saïed is an independent with no political party who ran a non-traditional campaign. Karoui, who co-owns a major media outlet and maintains a charitable organization, created a political party in June 2019 shortly before the elections. He was detained just before the election and remained in detention throughout most of the process, despite

concerns raised by the High Independent Authority for Elections (known by its French acronym, ISIE) and most of the political establishment about the impact of his detention on his ability to campaign. He was released on Oct. 9 with only two days left in the presidential campaign period. The issue of equal opportunities between the two candidates dominated the pre-election period and the campaign.

- **Legal framework:** Article 52 of the electoral law guarantees equal opportunities for all candidates during the campaign, though it doesn't define the meaning of "equal opportunities." Good practice and interpretative sources state that equal opportunity for parties and candidates should be ensured and that state authorities should adopt a neutral attitude with regard to the election campaign and coverage by the media. Karoui was released on Oct. 9 by order of the Court of Cassation, which concluded that the appeals court had abused its power and violated basic procedural requirements when it ordered Karoui's pretrial detention. The court declared the detention warrant null and void.
- **Election administration:** The Carter Center commends the ISIE for administering three well-organized elections within a compressed timeline. All three elections were conducted without major flaws, and the ISIE took steps to improve the process between elections.

As the institution responsible for ensuring application of the electoral law, the ISIE took all steps within its authority to ensure that Karoui was given equal opportunity. It repeatedly raised concerns regarding his detention with other government institutions and officials and asked for his release to enable him to campaign. It also approached the prison administration to seek permission for media to have access to Karoui while in detention, which was denied. The ISIE did not have the authority to order his release, nor could it force the judiciary to do so.

- **Campaign environment:** The campaign for the runoff officially began on Oct. 3, the day after the ISIE announced the final results of the first round. The runoff campaigns of both candidates were relatively minimal. Most of the campaigning took place on social media. Karoui was in detention for most of the period, and Saïed pursued a non-traditional campaign. Nonetheless, both presidential candidates were constantly in the news.

Saïed announced that he would not personally campaign because his opponent could not do so from detention, saying that it was the "ethical" thing to do. However, his supporters continued to campaign for him in the field and on social media. In the lead-up to the second round, Carter Center long-term observers reported no large campaign events for either candidate in the regions. However, observers reported that volunteers handed out leaflets and engaged in door-to-door campaigning for both candidates. The supporters of both candidates held final rallies in Tunis on Oct. 11 on Avenue Habib Bourguiba. Although the two groups mixed with each other, there were no altercations reported.

On the last day of the campaign, after Karoui's release, the two candidates participated in a debate on national TV that covered issues such as defense and national security, foreign policy, the president's relationship with parliament and the head of government, and public affairs. For each topic, the candidates were asked to respond to three questions. Despite efforts by the moderators to encourage the candidates to interact with each other, they mostly refrained from doing so. The debate, which was viewed by over six million Tunisian viewers and in countries across the Arab world and beyond, was unprecedented in the Arab world.

- **Electoral dispute resolution:** The death of Beji Caïd Essebsi compressed the timeframe of the presidential race, shortening the complaints and appeals process. Because of this, the electoral dispute-resolution process for the presidential elections was marked by lawyers'

complaints that it was impossible to collect enough evidence to prove to the court that any alleged violations had significantly affected the results.

- **Social media monitoring:** The Carter Center monitored Facebook pages supporting and opposing both presidential candidates. Only Nabil Karoui has an official page on Facebook, which he used to promote his campaign. The pages of his political party, Qalb Tounes, and pages that were unaffiliated with the official campaign also supported both the candidate and the party. Although Kaïs Saïed did not have an official Facebook page, his candidacy was supported by multiple unaffiliated pages, to which he denied having any connection. Some of these pages spread rumors regarding his opponent's efforts to undermine the integrity of the polls. Instances of hate speech were also reported. Karoui's official page has run paid ads since the first round.

Going forward, parliament should consider how to regulate campaign spending on social media in the interest of increasing transparency and fairness in campaign processes.

Background

The Carter Center has had a presence in Tunisia since 2011. It observed the 2011 National Constituent Assembly elections and the 2014 presidential and legislative elections, as well as the constitution-making process that culminated in the adoption of the constitution in January 2014.

For these elections, The Carter Center deployed a core team in May 2019. In mid-July, the Center – in collaboration with the Electoral Institute for Sustainable Democracy in Africa – deployed 16 long-term observers. The core team and long-term observers are from 18 different countries.

The Center will remain in Tunisia to observe the resolution of any electoral complaints and announcement of final results. The objectives of the Center's observation mission are to provide an impartial assessment of the overall quality of the electoral process, promote an inclusive process for all Tunisians, and demonstrate support for its democratic transition. A final report will be released in the months following the elections that will cover the entire 2019 electoral process and include recommendations for improving the process for future elections.

The Carter Center assesses Tunisia's electoral process against the Tunisian constitution, the domestic electoral legal framework, and obligations derived from international treaties and international election standards. The Center's observation mission is conducted in accordance with the Declaration of Principles for International Election Observation.

The Center wishes to thank Tunisian officials, political party members, civil society members, individuals, and representatives of the international community who have generously offered their time and energy to facilitate the Center's efforts to observe the election process.

Carter Center Preliminary Statement on Tunisia's Presidential Election Second Round

Oct. 15, 2019

This statement is preliminary and covers only aspects of the electoral process through Oct. 14. It does not cover the final tabulation of election results, nor the period for filing challenges. As a result, this statement does not represent the Center's assessment of the electoral process as a whole, but rather a partial preliminary assessment of those phases that are completed. The Carter Center will release one or more additional assessments in the post-election period and at its conclusion. This statement should also be read in conjunction with the preliminary statements released by The Carter Center on Sept. 17 after the first round of the presidential election and on Oct. 8 after the parliamentary election. In addition, a comprehensive final report with recommendations will be published in the months following the end of the electoral process.

Statement of Preliminary Findings and Conclusions

The Tunisian people demonstrated their deep commitment to the democratic process by voting in three well-organized elections in less than one month: a presidential election on Sept. 15, parliamentary elections on Oct. 6, and a presidential runoff on Oct. 13. All three elections were orderly and peaceful, with only minor irregularities. While voter turnout in the Sept. 15 and Oct. 6 elections was lower than in recent elections, it increased markedly for the Oct. 13 runoff. Tunisia's electoral authorities should be commended for their management of the 2019 elections within a compressed timeline.

The elections in many ways reflected the disillusionment of the Tunisian people with the existing political institutions and establishment, and popular impatience with a failure of the state to produce tangible economic improvements, protect the fundamental rights of citizens, and tackle corruption on all levels. Both candidates who competed in the runoff are seen as outsiders: Nabil Karoui, a businessman with a large TV station and a nationwide charitable organization, and Kaïs Saïed, an independent constitutional lawyer with no political history.

While the environment surrounding the presidential elections was largely open and competitive – there were 26 candidates in the first round and a broadly open campaign environment – the process was undermined by what appeared to be politically motivated actions to detain Karoui during most of the process. Karoui was detained for approximately seven weeks and was released from detention shortly before election day.

The election of a more politically diverse parliament and a new and politically inexperienced president means it is critical for Tunisian political leaders to work together to forge inclusive solutions to the country's difficult political and economic challenges that were the root cause of the 2011 revolution.

Tunisians are rightly proud of the role they played in catalyzing the Arab Spring and for continuing to serve as a beacon for democracy across the region. In order to strengthen their democracy, Tunisia's new leaders must take concrete steps to demonstrate that democracy can and should benefit the people and not individual politicians.

Political Background

Kaïs Saïed and Nabil Karoui, two political outsiders, finished first and second among 26 candidates who competed in the first round of the presidential election and advanced to the second round. Saïed placed first with 18.4 percent of the vote and Karoui second with 15.58 percent. Several veteran politicians were defeated, including Ennahda's vice president and official nominee, Abdelfattah Mourou, who placed third with 12.88 percent. Defense Minister Abdelkarim Zbidi, an independent who was endorsed by Nidaa Tounes and Afek Tounes, came in fourth with 10.73 percent. Yousef Chahed, current prime minister and president of Tahya Tounes, placed fifth with 7.38 percent.

Saïed and Karoui's advancement to the second round reflected the voter's rejection of Tunisia's traditional political parties and presaged the outcome of the legislative election. Both candidates were perceived as anti-establishment and non-political. Saïed is a constitutional lawyer and independent with no political party. He ran a non-traditional campaign, and, at times, said that he would not campaign personally because his opponent was in detention until just before the polls.

Karoui, the co-owner of a major media outlet who maintains a charitable organization, formed his political party in June 2019. He had been under investigation since 2016 on charges of tax evasion and money laundering, but was never detained until Aug. 23, shortly before the start of the campaign. He remained in detention throughout the first-round and parliamentary campaigns, despite several calls for his release by the High Independent Authority for Elections and most of the political establishment. Karoui was released on Oct. 9, the day of the announcement of the preliminary results of the parliamentary elections, with only two days left in the presidential campaign period.

The timing of his arrest and release, combined with an attempt by parliament to enact amendments that would have effectively barred Karoui and his party from running, led to the perception among many stakeholders that his detention was politically motivated.

In its order releasing Karoui, the Court of Cassation concluded that although Karoui had lodged an appeal against the order freezing his assets and banning him from travelling, the court of appeals had abused its power and violated basic procedural requirements by issuing an additional order of pretrial detention even though the prosecutor had not requested his detention. Therefore, the Court of Cassation found that the court of appeals had violated Karoui's rights and declared the warrant null and void.

Because no candidate received an absolute majority of valid votes cast in the first round, the constitution requires that a second round between the two candidates with the largest number of votes be held within two weeks of the announcement of the final results of the first round. After the exhaustion of all legal challenges, the ISIE announced the final result of the first round on Oct. 2 and scheduled the second-round polls for Oct. 13.

According to the preliminary results of the parliamentary election, Ennahda won the largest share of seats – 52 out of a total of 217, which represents a steady decline from 89 seats in 2011 and 69 seats in 2014. Its win was credited less to its popularity than to the division of the secular parties. Qalb Tounes, the party of Karoui, placed second with 38 seats. Karoui's party's supporters are characterized as marginalized and apolitical citizens who believe he can help them economically

through his welfare association, Khalil Tounes. He promoted his public image as a self-made man who could help Tunisia.

Nidaa Tounes virtually collapsed, mostly as a result of its continuous fractures since 2014. It won only three seats. Moreover, the various parties that emerged from the division of Nidaa Tounes either obtained very few seats (El Machrouu, with four seats) or none at all (Amal Tounes). Tahya Tounes, the prime minister's party and an offshoot of Nidaa Tounes, won 14 seats, which allows it to form a parliamentary bloc.

Abir Moussi's Free Destourian Party greatly advanced, winning 17 seats in 2019. The party was created in 2013 with the intention of regrouping the Democratic Constitutional Rally (RCD), the party of the former regime. Former RCD members were barred from running for seats in the National Constituent Assembly and Moussi's party did not win any seats in parliament in 2014. Its extreme anti-Ennahda rhetoric and praise for the socio-economic situation under the Ben Ali regime appears to have attracted voters who are nostalgic for the country's past stability. Mohamed Abbou's Al Tayar Dimokrati (Democratic Current) won 22 seats, finishing third, compared to 2014, when it won only three seats.

The parliamentary polls also saw the rise of new political actors such as the El Karama movement, which supported presidential candidate Seif Eddine Makhlouf. It won 21 seats. The Pan-Arab party, Harakat Chaab, which supported the candidate Safi Said, won 16 seats. These two parties both have an aggressive anti-Western discourse. Sixteen political parties, two coalition, and 14 independents are now represented in parliament, and with the exception of nine political parties, all are new.

Legal Framework

According to international best practices, an election's legal framework should be transparent and readily accessible to the public. It should also address all the components of an electoral system necessary to ensure democratic elections.¹ The Tunisian electoral process is governed by the January 2014 constitution, the 2014 electoral law, the law on the ISIE, and the law related to the freedom of audiovisual communication that created the Independent High Authority for Audiovisual Communication (HAICA). The legal framework for presidential elections is generally in alignment with international standards and remained unchanged during the two rounds of the elections.²

Article 52 of the electoral law guarantees equal opportunities for all candidates during the campaign, although it never defines the meaning of "equal opportunities." The law on the ISIE mandates that the commission guarantee equal treatment of voters, candidates, and all stakeholders.³ The decree on the HAICA requires equal opportunity in the exercise of the rights and liberties of audiovisual communication.⁴ However, there is no explicit definition of what equal opportunities or treatment means for the purpose of implementing the law.

¹ OSCE/ODIHR, Guidelines for Reviewing a Legal Framework for Elections, page 4.

² These include: the International Covenant on Civil and Political Rights (ICCPR); the International Covenant on Economic, Social and Cultural Rights; the Convention on the Elimination of All Forms of Racial Discrimination (CERD); the Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW); the Convention against Torture, Inhuman or Degrading Treatment (CAT); the Convention on the Rights of Persons with Disabilities, and the African Charter on Human and Peoples' Rights (ACHPR).

³ Article 3 of the law on the ISIE.

⁴ Article 5 of the decree on the HAICA.

International good practice and interpretative international legal sources state that all parties and candidates should enjoy equal opportunity. The state should be impartial and apply the law uniformly to all. Equality should be guaranteed for parties and candidates, and state authorities should have a neutral attitude toward the election campaign and coverage by the media.⁵

Election Administration

According to international standards, there should be an independent and impartial electoral authority, functioning transparently and professionally, in order to ensure that citizens can participate in genuine democratic elections.⁶ State practice suggests that, when scheduling elections, adequate time be allowed to successfully administer the electoral process.⁷ According to the Tunisian constitution, the High Independent Authority for the Elections (known by its French acronym, the ISIE) is the body that ensures the regularity, integrity, and transparency of the electoral process and proclaims the results.⁸

The Carter Center commends the ISIE for administering three well-organized elections within a compressed timeline. All three elections were conducted without major flaws, and the ISIE took steps to improve the process between elections.

The ISIE, as the institution responsible for ensuring application of the electoral law, took all steps within its authority to ensure that Karoui was given equal opportunity. It repeatedly raised the issue with other government institutions and officials and asked that he be released in order to campaign. It did not have the authority to order his release, nor could it force the judiciary to do so.

The ISIE president, Nabil Baffoun, announced on several occasions that the ISIE had done everything within its power to ensure equal opportunities for both candidates. On Sept. 19, Baffoun discussed with interim president Mohammed Ennaceur the need to ensure equal opportunities between candidates and indicated that the ISIE had filed a request with the investigating judge in charge of Karoui's case to ask for his release to allow him to campaign. Baffoun declared on several occasions that he did not see how there could be equal opportunities between the candidates while Karoui remained in detention.⁹

On Sept. 30, the ISIE council met with candidate Saïed to discuss the electoral environment for the second round, and, on Oct. 3, Baffoun visited Karoui in detention to discuss how he could take advantage of equal opportunities while detained.

After Karoui's release on Oct. 9, four days before election day, Baffoun said that Karoui's release would allow for equal opportunities between the two candidates going forward. Karoui participated in a debate with his opponent and conducted a lengthy TV interview, similar to the one accorded to his opponent. These provided limited but significant opportunities to reach voters.

⁵ Venice Commission, CDL-PI (3016)006, Compilation Concerning Media and Elections, Equality of Opportunity, page 8.

⁶ UNHRC, General Comment 25, para. 20.

⁷ U.N., Human Rights and Elections, para. 75.

⁸ 2014 Tunisian Constitution, Article 126.

⁹ Baffoun interview by Sky News Arabic TV channel on Sept. 22, 2019.

The ISIE conducted a limited voter-education campaign, which provided basic information. Based on Carter Center observations, only a limited number of voters who cast a ballot on election day appeared to lack information or an understanding of the procedures.

Campaign Environment

Political pluralism and an open campaign environment that enables genuine choice for voters are critical aspects of democratic elections. Equitable treatment of candidates and parties during an election is important for ensuring the integrity of the democratic election process. A genuine choice of candidates, a free electoral environment, a level playing field for contestants, and an open, transparent campaign environment are all critical aspects of democracy. The equal treatment of candidates and parties is essential for ensuring the integrity of the democratic election process.¹⁰

The campaign for the second round officially began on Oct. 3, the day after the ISIE announced the final results from the first round. Saïed announced that he would not personally campaign as it would create an unfair advantage over his opponent, saying it was the “ethical” thing to do.¹¹ However, because of Karoui’s detention and the novelty of Saïed’s non-traditional campaign, both presidential candidates were constantly in the news, and the coverage in the media never really stopped. Saïed’s supporters continued to campaign for him in the field and on social media.

In the lead-up to the second round, Carter Center long-term observers reported no large campaign events for either candidate in the regions. However, observers reported that volunteers handed out leaflets and engaged in door-to-door campaigning for both candidates. Most of the campaigning took place on social media. The supporters of both candidates held final rallies in Tunis on Oct. 11 on Avenue Habib Bourguiba. Although the two groups mixed with each other, there were no altercations reported.

Nessma TV, co-owned by Karoui, was fined four times by the HAICA for broadcasting political advertising in favor of his candidacy and propaganda against Ennahda. The fines progressively increased for each violation, ranging from 20,000 TND (US\$ 7,000) to 320,000 TND (US\$ 112,000). It was also fined for publishing public opinion poll results, which is prohibited during the electoral period.

Before his release, Karoui’s lawyers filed a petition with the Administrative Court and the ISIE asking that the election be delayed for one week to afford him the opportunity to campaign on an equal footing with Saïed. ISIE president Nabil Baffoun announced on Oct. 2, when the first-round results were finalized, that the ISIE had a constitutional obligation to complete the election process within the allowed timeframe and had no authority to cancel or delay the second round. The Administrative Court dismissed the petition, stating that it had no authority to override the constitutional provision mandating that the second round take place within two weeks of the announcement of the final result of the first round.

¹⁰ ICCPR, Article 25.

¹¹ <https://www.aljazeera.com/news/2019/10/tunisia-presidential-hopeful-halts-campaign-ethical-reasons-191005143313410.html>.

Karoui received significant media coverage upon his release on Oct. 9 and afterward gave several interviews to the media. On Oct.11, the public television network organized a historic debate with Saïed and Karoui. Moderators selected four topics for the debate – defense and national security, foreign policy, the president’s relationship with parliament and the head of government, and public affairs. For each topic, they asked the candidates to respond to three questions. The candidates were allotted time at the end of each topic to elaborate on their electoral promises. Despite efforts by the moderators to encourage the candidates to interact with each other, they mostly refrained from doing so.

According to one of the organizers of the debate, The Munathara Initiative, some 6.4 million citizens watched Friday’s debate, the largest audience on record in the history of Tunisian television. This number does not include at least 1 million livestreaming viewers, or the radio audience, or viewers in countries across the Arab world.

Campaign Finance

Democratic elections cannot be held without equitable rules for the financing of electoral campaigns. According to international good practice, electoral legislation should specifically provide for the transparency of donations to the campaign activities of the candidates, the standardized presentation of campaign accounts, reasonable limits on campaign expenditure, regular reporting mechanisms, and effective and dissuasive sanctions.¹²

According to the decree issued by the government, each candidate who receives a minimum of three percent of the vote is entitled to receive 106,118 TND (US\$38,000) in public funding for the second-round presidential campaign.¹³ Saïed previously announced that he would not accept any public funding.

The ISIE assigned 1,500 campaign monitors to assess the second-round campaign for adherence to campaign and campaign-finance rules. However, the ISIE did not release statistics or information on their findings to the public.

The campaign-finance system suffers from a lack of transparency, as no interim reports are required. The lack of reporting requirements on campaign donations or spending makes it difficult for voters to evaluate the candidate’s funding sources or potential conflicts of interest before voting.

Social Media Monitoring

International election standards prescribe that everyone shall have the right to freedom of expression. This right includes the freedom to seek, receive, and impart information and ideas of all kinds.¹⁴ The Tunisian constitution guarantees the freedom of opinion, thought, and expression

¹² Council of Europe (Committee of Ministers) Recommendations (2003)4, Article 3(b).

¹³ Decree Number 3038 of Aug. 29, 2014, relating to the ceiling of expenditure for the electoral campaign, ceiling of private funding, and ceiling of public funding and their conditions and procedures for the presidential elections of 2014.

¹⁴ ICCPR, Article 19; in addition, General Comment 25 to the ICCPR specifies that “voters should be able to form opinions independently, free of violence or threat of violence, compulsion, inducement or manipulative interference of any kind.”

and the right of access to information and communication networks.¹⁵ To date, there is no specific legal framework in Tunisia regulating social media.¹⁶

The Carter Center monitored Facebook pages supporting and opposing both presidential candidates. Only Karoui maintained an official page on Facebook. Saïed did not, nor did he declare an official page to the ISIE.¹⁷

Karoui's online campaign consists of his official Facebook page, the pages of his party, Qalb Tounes, and pages supporting both the candidate and the party. This resulted in a blurring of the campaigns for Karoui and of his party's candidates for parliament.¹⁸

Besides highlighting campaign activities, pages supporting Karoui largely focused on his detention and called for his release; disparaged other parties and political figures, including Ennahda, Ich Tounsi, and Saïed; and denied rumors that had circulated on social media.¹⁹ Karoui's official page has run paid ads on a continuous basis since the first round.

About 55 Facebook pages monitored by The Carter Center focused explicitly on supporting Saïed. Some pages that supported Ennahda during the parliamentary elections called on their supporters to turn out in favor of Saïed, while others focused on opposing Karoui.

The number of pages and followers supporting Saïed grew after the first round.²⁰ The Center found online public groups supporting Saïed on Facebook that have as many as 200,000 members. The source and administrators of most of the pages supporting Saïed are unclear; it is difficult to identify his real supporters.²¹ A limited number of pages supporting Saïed have run paid ads; their affiliations also are unclear.

Saïed's online campaign was composed of Facebook pages without apparent hierarchy or direct relation to the candidate. Most of those pages had unclear affiliations. Pages supporting Saïed gathered a significantly larger number of followers and likes than those supporting Karoui.²²

¹⁵ Articles 31 and 32.

¹⁶ Defamation is liable to imprisonment according to the Penal Code, articles 245 to 248, and the Military Justice Code, Article 91. According to Human Rights Watch, at least nine bloggers have faced criminal charges since 2017 for comments on social media platforms criticizing high public officials.

¹⁷ ISIE decision 2019-22 dated Aug. 22 requires candidates to submit a list of their websites, electronic medium, and social media accounts that will be used in the campaign.

¹⁸ The joint decision between ISIE and HAICA (article Article 12) prevents the media from mixing between presidential and legislative programs and provides that each program has to be preceded by an audio or visual specific sign that identifies the election for which it is dedicated.

¹⁹ A number of publications were posted to deny rumors of the withdrawal of Nabil Karoui or of the cancellation of his candidacy against the backdrop of the lobbying controversy that went viral a few days before the parliamentary elections, according to which Nabil Karoui was linked to a former member of Israeli secret services.

²⁰ In the lead up to the second round, the number of followers grew by more than 750,000 in total on the 55 pages supporting Kaïs Saïed that were monitored by The Carter Center, the numbers of followers on Nabil Karoui's pages grew by 150,000 during the same period on the 20 pages monitored by The Carter Center.

²¹ One of the community managers of Kaïs Saïed's campaign team informed The Carter Center that only about 18 Facebook pages were administered by the team.

²² According to Carter Center monitors, pages supporting Karoui had 756,716 followers and 754,201 likes, while those supporting Saïed had 2,060,291 followers and 1,926,037 likes.

The number of pages supporting Karoui was limited compared to that of Saïed, 55 for Saïed and 20 for Karoui. Karoui's online campaign was structured around his official Facebook page, those of his friends, and the official page of his party, Qalb Tounes, content from these pages was frequently shared by supportive pages.

Smear campaigns and inflammatory language were observed on several pages supporting both presidential candidates.²³ Some of these posts were widely shared online. On a few occasions, Saïed publicly distanced himself from inflammatory posts and called on his supporters to refrain from posting such messages.

To fight disinformation, the Tunisian Television and Radio Establishments (ETT), together with the Tunis-Afrique-Press agency (TAP), launched an online platform on Oct. 6. The groups used the platform to debunk some of the viral rumors that spread during the campaign.²⁴

Overall, the use of social media was intense and passionate during the presidential campaign. While the two candidates adopted different strategies, the large number of pages administered by unknown or undeclared sources blurred the lines of the online campaign.

Citizen and Candidate Observation

Citizen observation is a critical manifestation of the right to participate in public affairs and to hold governments accountable.²⁵ Sources of public international law recognize the right to take part in citizen observer organizations and to contribute to voter-education efforts.²⁶ Both Tunisian civil society and political parties took an active part in observing the presidential electoral processes.

The ISIE accredited approximately 18,000 citizen observers for the presidential elections.²⁷ The General Union of Tunisian Workers (UGTT) deployed around 8,000 observers for these elections. The Tunisian League of Human Rights (LTDH) deployed 150 monitors during the electoral campaign. The LTDH monitored candidates' speeches for any violent rhetoric or human right violations.

Many civil society organizations (CSOs) published reports about their observation of particular parts of the electoral process. For the second round of presidential elections, most CSOs continued their observation activities in their respective fields of action. The citizen observer organization Mourakiboun deployed some 3,000 observers on election day and conducted a parallel vote tabulation. The Tunisian Mediterranean Center (TU-MED) continued to assess the participation of women living in rural areas in seven constituencies. On election day, TU-MED deployed around 60 observers. The Association for Transparency and the Integrity of the Elections (ATIDE) deployed 600 observers around the country on election day and also monitored social media. Chahed Observatory deployed 1,000 observers around the country, in addition to its observation of election disputes and challenges to the election results.

²³ Some Facebook pages supporting Saïed repeatedly used inflammatory language calling those who opposed him "infidels," "homosexuals," "scumbags," or "corrupt" people.

²⁴ <http://factchecking.watania1.tn/>.

²⁵ Declaration of Global Principles for Non-Partisan Observation and Monitoring of Elections by Citizen Organizations, GNDEM, 2012, Preamble.

²⁶ EISA, Principles for Election Management, Monitoring and Observation in the SADC Region, p.19.

²⁷ The total number of accredited citizen observers in 2014 for the presidential election was 20,610.

Overall, Tunisian civil society took an active part in observing the presidential electoral processes, although not as extensively as for the parliamentary elections. Many suffered from a lack of funding, perhaps partly because of the compressed timeframe for the three elections. There were 32,000 candidate agents accredited for the runoff. Of these, 19,000 assessed the process for Karoui and 13,000 for Saïed.

Electoral Dispute Resolution

The guarantee of a timely remedy is integral to the principle of effective means of redress.²⁸ Appeal procedures, and especially the powers and responsibilities of the various bodies involved in them, should be clearly regulated by law in order to avoid any conflicts of jurisdiction. In addition, the right to file such appeals must be granted as widely as possible, open to every elector in the constituency and to every candidate running in the election.²⁹ International treaties require that the judgment, findings, evidence of judicial proceedings and legal reasoning of the judgment be made public in all cases.³⁰

The ISIE announced that its monitors had reported 657 campaign violations during the first round of the presidential elections. Around 140 of them were serious violations, which the ISIE said it would refer to the relevant public prosecutor's office on the constituency level to investigate and to take appropriate legal measures. At the time of this statement, the ISIE had not published the campaign monitors' reports on campaign violations that affected the transparency of the process.³¹

The Carter Center observed the hearings for the six challenges filed with the Administrative Court against the results of the first-round presidential election. All of the challenges were denied. Five cases were appealed to the general assembly of the Administrative Court; all were denied.

Although the hearings were conducted in an orderly manner and lawyers had sufficient time to present their cases. The timeline for filing and hearing these cases was compressed in order to meet the deadline to elect a new president within 90 days after the death of former President Beji Caïd Essebi. Lawyers complained that it was impossible to collect enough evidence to prove to the court that the violations significantly affected the results.

Election Day

The voting process is the cornerstone of the obligation to ensure the will of the people is expressed through genuine, periodic elections and a secret ballot.³² ³³The quality of voting operations on election day is crucial to determining whether an election was held according to democratic obligations.

²⁸ U.N., ICCPR Article 2; AU, AfCHPR, Article 7.

²⁹ Para. 99 of European Commission for Democracy through Law (Venice Commission), Code of Good Practice in Electoral Matters, CDL-AD (2002) 23.

³⁰ U.N., ICCPR ; Article 14(1) ; CoE, ECHR Article (6)(1).

³¹ U.N., ICCPR; /Article 14(1); CoE, ECHR, Article (6)(1). U.N., ICCPR, Article 19(2); AU, Convention on Corruption, Article 9; OAS, ACHR, Article 13(1); CoE, ECHR, Article 10(1); CIS, Convention on Human Rights, Article 11(1).

³² ICCPR, articles 2, 25(a) and 9.

³³ U.N., ICCPR, Article 25; Universal Declaration of Human Rights, Article 23. EISA and Electoral Commission Forum of SADC Countries, Principles for Election Management, Monitoring, and Observation in the SADC Region, p. 24.

Election day proceeded smoothly, and election officials understood the procedures well. Voter lists were displayed in the majority of polling stations visited. The configuration of nearly all polling stations protected voter secrecy. Polling staff properly sealed ballot boxes and verified the seals. Polling staff closed polling stations on time; no voters were queuing to vote.

Opening and Polling

Carter Center observers described the opening process in all 30 of the polling stations visited as professional and orderly. The overall assessment of the election environment was positive in 100 percent of polling stations observed, with all polling stations opening on time. Candidate agents were present in 15 of the 30 polling stations, while citizen observers were present in only 11.

Carter Center observers assessed the voting process at 337 polling stations during election day. The overall election environment and implementation of procedures was assessed as positive in all of the polling stations visited. Observers reported that all electoral material was present in 100 percent of polling stations visited; that 86 percent of polling stations visited appeared to be accessible to physically challenged persons; and that no ineligible voters were allowed to vote.

Across the 337 polling stations visited, Carter Center observers reported only minor irregularities in a small number of polling stations. Although many voters still had dried ink on their fingers from voting in the parliamentary elections just a week ago (on Oct. 6), Carter Center observers did not report any instances of multiple voting, and noted that that polling staff checked voter IDs and voters' signing of the voter list in all stations.

According to reports from polling stations visited by Carter Center observers, candidate representatives were present in 67 percent of polling stations (227 of 337); 47 percent (160/337) of station had agents for Saïed present, and 39 percent (130 of 337) had agents for Karoui. Citizen observers were present at 48 percent of polling stations (161 of 337); observers from UGTT were present in 27 percent (91 of 337), from Mourakiboun in 12 percent (41 of 337); and from IWatch in 5 percent (17 of 337). Polling center presidents were 14 percent female (47 of 337), while polling station presidents were 44 percent female (148 of 337).

Closing and Counting

Closing was assessed as very good or reasonable in 100 percent of the 30 polling stations observed. All eligible voters waiting in the queue at closing were allowed to vote. The overall environment and the implementation of procedures at the counting process was assessed as very good or reasonable in all 30 polling stations observed. There were no reports from Carter Center observers about interference by any candidate agents or citizen observers in the counting process. No official complaints were filed at the observed polling stations.

Officials read out the ballot box seals, verifying them against the official minutes before emptying the ballot boxes. The presiding officer read each vote out loud and, in all cases, publicly displayed the ballot paper to those observers and party agents who were present. Carter Center observers noted a reduced presence of candidate agents and citizens observers compared to the legislative elections. Officials reconciled the number of used ballots against the total number of ballots received and recorded the count in the official minutes. Officials signed the protocols and posted them at the entrance of polling stations before sending secured copies of the official minutes to the tabulation centers.

Tabulation

Carter Center observers rated the implementation of procedures and overall aggregation process as very good or reasonable in all 27 tally centers. Observers reported that access to the process for international observers was much improved over the first round and parliamentary elections.

Background: The Carter Center was accredited by the ISIE to observe the elections and deployed more than 80 observers who visited 337 unique polling stations as well as the 27 tabulation centers. The mission was led by Salam Fayyad, former prime minister of the Palestinian Authority and included observers from more than 30 countries.

The Center has had a presence in Tunisia since 2011. It observed the 2011 National Constituent Assembly elections, the 2014 presidential and legislative elections, as well as the constitution-making process that culminated in the adoption of the constitution in January 2014.

For the 2019 elections, The Carter Center deployed a core team in May 2019. In mid-July, the Center, in collaboration with the Electoral Institute for Sustainable Democracy in Africa, deployed 16 long-term observers throughout Tunisia. The core team and long-term observers are from 18 different countries. The Center will remain in Tunisia to observe the final tabulation process and resolution of electoral complaints.

The objectives of the Center's observation mission in Tunisia are to provide an impartial assessment of the overall quality of the electoral process, promote an inclusive process for all Tunisians, and demonstrate support for its democratic transition.

The Carter Center assesses Tunisia's electoral process against the Tunisian constitution, the domestic electoral legal framework, and obligations and standards derived from international treaties, interpretive bodies and international state practice. The Center's observation mission is conducted in accordance with the Declaration of Principles for International Election Observation.³⁴

The Center wishes to thank Tunisian officials, political party members, civil society members, individuals, and representatives of the international community who have generously offered their time and energy to facilitate the Center's efforts to observe the election process.

³⁴ The Declaration of Principles for International Election Observation was commemorated on Oct. 27, 2005, at the U.N. and is now endorsed by 55 intergovernmental and international organizations, which are engaged in the process of improving international election observation.

Links to Citizen Observer Election Statements and Reports

Mourakiboun

First round: https://drive.google.com/file/d/1W0v5IBGr78cxsuXLsn1p_Tvi0Hf6T-y1/view?fbclid=IwAR3ibzrJK-yNJk_zMB6Jok_AQAVJAfeNls4iPtuWNSztbTVgHmsrERRMBRE

Parliamentary elections: https://drive.google.com/file/d/1n8azW3PzLN11-SbSJz8mySioFBqjHwDI/view?fbclid=IwAR3i4W8ASPqXkjYQiRodD8EGyp9Ocj_7AH6zmGWLUFHJtaiGXNMUJkG0MA

Runoff: https://drive.google.com/file/d/1SxwgRn8FDMtI5GPVizNzu_Os-qRjJswO/view?fbclid=IwAR2O2mQBxu864XDAQB4_0JUK0grvvVHNJmmjD1UZKXhpn2qQzVI7wnjh3aM

ATIDE

First round: <https://www.facebook.com/atideTunisie/photos/pcb.2675277089158517/2675276555825237/?type=3&theater>

Parliamentary elections: <https://www.facebook.com/atideTunisie/photos/pcb.2716664048353154/2716663855019840/?type=3&theater>

Runoff: https://drive.google.com/file/d/1I0IB0SZBAizZpCfvoRtThZDOqLvoug9n/view?fbclid=IwAR0_KRWlgtVELPgCkrxk65UMxBw-s219_DBQ8onceL_Cr061Zrs3091o8Q

CHAHED Observatory (available only in Arabic)

First round statement 1: <https://www.facebook.com/observatoire.chahed/photos/a.276399132383187/2711764532179956/?type=3&theater>

First round statement 2: <https://www.facebook.com/observatoire.chahed/photos/a.276399132383187/2712174365472306/?type=3&theater>

First round statement 3: <https://www.facebook.com/observatoire.chahed/photos/a.276399132383187/2712466068776469/?type=3&theater>

First round statement 4: <https://www.facebook.com/observatoire.chahed/photos/a.276399132383187/2712637955425947/?type=3&theater>

Parliamentary election: <https://www.facebook.com/observatoire.chahed/photos/pcb.2752861194736956/2752854928070916/?type=3&theater>

Runoff statement 1: <https://www.facebook.com/observatoire.chahed/photos/pcb.2766639390025803/2766638433359232/?type=3&theater>

Runoff statement 2: <https://www.facebook.com/observatoire.chahed/photos/pcb.2767158143307261/2767157056640703/?type=3&theater>

Runoff statement 3: <https://www.facebook.com/observatoire.chahed/photos/pcb.2767405259949216/2767398086616600/?type=3&theater>

Runoff statement 4: <https://www.facebook.com/observatoire.chahed/photos/pcb.2767495236606885/2767494243273651/?type=3&theater>

I-Watch (available only in Arabic)

First round: https://www.iwatch.tn/ar/article/721?fbclid=IwAR2mB3vyj5kXTIkAzzv-SzmXg-WheXyR_VKwXlb7ptVqtcHJzYToxwXIjges

Parliamentary elections: <https://www.iwatch.tn/ar/article/729?fbclid=IwAR3Vl1SW5DLpXfjWhQ6beL64eGYaLBHW9PBfXPcPtio6Vp7dMILWja36Fo>

Runoff: <https://www.iwatch.tn/ar/article/732?fbclid=IwAR3JGIFxx9XkrHfsKcbqxKMeWbEUt5-kfEUMUKfVKAgnGFoqAHVd5VwA1TE>

TU-Med

First round statement 1 (in Arabic): <https://www.facebook.com/centreTUMED/photos/a.1409522472662133/2403982666549437/?type=3&theater>

First round statement 2 (in Arabic): <https://www.facebook.com/centreTUMED/photos/a.1409522472662133/2404172333197137/?type=3&theater>

Parliamentary elections statement 1 (in Arabic): https://drive.google.com/file/d/1R3-IBoJYljgur5OUPjLPTwyab5VuGjpR/view?fbclid=IwAR1351pNjX1tlw39V90CkQYBRF66rCjhCK_kMwIcrQpe7Cow5ap_hidELW8

Parliamentary elections statement 2: <https://www.facebook.com/centreTUMED/photos/ms.c.eJwzMjEyNDM1MjQ0NDGxNDS11DOCCBibmZhbGJmYmQMAcIYGrQ~~-.bps.a.2421652084782495/2421652364782467/?type=3&theater>

Runoff statement 1: <https://www.facebook.com/centreTUMED/photos/pcb.2427588180855552/2427588994188804/?type=3&theater>

Runoff statement 2: <https://www.facebook.com/centreTUMED/photos/pcb.2427791600835210/2427791047501932/?type=3&theater>

JSF (available only in Arabic)

First round: https://www.facebook.com/JSF.TUNISIE/photos/ms.c.eJxFztkNA0EIA9COIg4bQ~;~_NRTNZNr9PNjgqUeXtGaDcP3EhLloai3wBJ1HdP5AjMgDRFrnx3IEXYEW1NRf4A~;0Bt2J4vqTljEeQC~;RTaW0CeYa1ZodJNwE~_CZndo1yoGZ2lPfwCUoUwNQ~~-.bps.a.2634661163245776/2634671423244750/?type=3&theater

Parliamentary elections: <https://www.facebook.com/TUNISIE/photos/pcb.2674016619310230/2674014859310406/?type=3&theater>

Runoff: <https://www.facebook.com/JSF.TUNISIE/photos/pcb.2688828657829026/2688827301162495/?type=3&theater>

Ofiya (only in Arabic)

Parliamentary elections: <http://coalition-ofiya.com/%D8%A7%D9%84%D8%A7%D9%82%D8%AA%D8%B1%D8%A7%D8%B9>

Runoff: <http://coalition-ofiya.com/%D8%A8%D9%8A%D8%A7%D9%86-709>

Annex I

Observer Checklists

The following checklists are an abbreviated version of the questions answered by short-term observers during the presidential first round. Full checklists

will be available in the online version of this report at www.cartercenter.org/news/publications/election_reports.html#tunisia.



PRESIDENTIAL 1st ROUND OPENING - Tunisia 2019

User/Team	
Observation Time	
1. Location Details	
1.1. IRIE	Select One: [Circscription] ☐ Tunis 1 ☐ Tunis 2 ☐ Ariana ☐ La Mannouba ☐ Ben Arous ☐ Bizerte ☐ Nabeul 1 ☐ Nabeul 2 ☐ Zaghouan ☐ Béja ☐ Le Kef ☐ Siliana ☐ Jendouba ☐ Kairouan ☐ Sousse ☐ Monastir ☐ Mahdia ☐ Kasserine ☐ Sidi Bouzid ☐ Gafsa ☐ Tozeur ☐ Sfax 1 ☐ Sfax 2 ☐ Gabès ☐ Medenine ☐ Tataouine ☐ Kebili
1.3. Is the center in an urban or rural area? <i>Urban: Rural: defined subjectively per mission. Could include distance to cities...</i>	Select One: [UrbanRural] ☐ Urban ☐ Rural
2. Number of stations at the center: <i>If the center and the station are the same, please answer "1".</i>	[StationCount]
3. Please indicate the polling center presiding officer's gender:	Select One: [PCPresidentGender] ☐ Female ☐ Male ☐ Mixed
4. Were there obstacles or barriers on the way to the center that could have inhibited general access? <i>Examples of barriers might include distance from villages or a dysfunctional bridge.</i>	Select One: [Barriers] ☐ Yes ☐ No
ANSWER ONLY IF Question #4 is equal to "Yes"	[BarriersDesc]
5. If "yes", please describe: <i>Describe the barriers to public access and to what extent it affected voter franchise.</i>	
6. Which, if any, of the following prohibited or disruptive circumstances did you observe OUTSIDE the CENTER? <i>If there is only one station per "center," then please answer this question as "OUTSIDE the STATION." Select "None" if you did not observe any prohibited or disruptive circumstances.</i>	Select Multiple: [DisruptOutCent] ☐ Prohibited campaigning ☐ Prohibited campaign material ☐ Ineffective queue management ☐ Intimidation ☐ Violence ☐ Significant disorder ☐ Security (beyond regulations) ☐ Bussing activities ☐ Other ☐ None
ANSWER ONLY IF Question #6 excludes "None"	[DisruptOutCentDesc]
7. If any issues, please describe: <i>What were the prohibited/disruptive circumstances and how did they affect the process?</i>	
ANSWER ONLY IF Question #2 is greater than 1	Select Multiple: [DisruptInCent] ☐ Prohibited campaigning ☐ Prohibited campaign material ☐ Ineffective queue management ☐ Intimidation ☐ Violence ☐ Significant disorder ☐ Security (beyond regulations) ☐ Other ☐ None
8. Which, if any, of the following prohibited or disruptive circumstances did you observe INSIDE the CENTER (but outside the stations)? <i>Select "None" if you did not observe any prohibited or disruptive circumstances.</i>	
ANSWER ONLY IF Question #8 excludes "None" AND Question #2 is greater than 1	[DisruptInCentDesc]
9. If any issues, please describe: <i>What were the prohibited/disruptive circumstances and how did they affect the process?</i>	
10. Polling Station ID: <i>10 or 11 digit number</i>	[StationID]
11. Start of Observation	[StartTime]
13. If present, please indicate the polling station presiding officer's gender: <i>If the presiding officer is not present now but appears before departure, please adjust this answer.</i>	Select One: [POGender] ☐ Female ☐ Male ☐ Not observed
14. Number of staff working at the polling station (excluding presiding officer):	[StaffCount]
15. Number of FEMALE staff present (excluding presiding officer):	[FemaleStaff]
16. Number of registered voters:	[RegVoterCount]
17. Which, if any, of the following prohibited or disruptive circumstances did you observe INSIDE the STATION? <i>Select "None" if you did not observe any prohibited or disruptive circumstances.</i>	Select Multiple: [DisruptInStat] ☐ Prohibited campaigning ☐ Prohibited campaign material ☐ Ineffective queue management ☐ Intimidation ☐ Violence ☐ Significant disorder ☐ Security (beyond regulations) ☐ Other ☐ None
ANSWER ONLY IF Question #17 excludes "None"	[DisruptInStatDesc]
18. If any issues, please describe: <i>What were the prohibited/disruptive circumstances and how did they affect the process?</i>	
19. Were any of the following materials missing, insufficient, or incorrect? <i>A = Present and correct;
B = Missing (entirely absent);
C = Insufficient (fewer than required, but some present);
D = Incorrect (wrong)</i>	
19.1. Indelible ink	Select One: [Ink] ☐ A ☐ B ☐ C ☐ D
19.2. Booths/screens	Select One: [Booths] ☐ A ☐ B ☐ C ☐ D
19.3. Ballot papers	Select One: [BallotPapers] ☐ A ☐ B ☐ C ☐ D
19.4. Ballot box(es)	Select One: [BallotBox] ☐ A ☐ B ☐ C ☐ D
19.5. Voter list(s)/FVR	Select One: [VoterList] ☐ A ☐ B ☐ C ☐ D
19.6. Stamps	Select One: [Stamps] ☐ A ☐ B ☐ C ☐ D
19.7. Seals/padlocks	Select One: [Seals] ☐ A ☐ B ☐ C ☐ D
19.8. Other	Select One: [OtherMat] ☐ A ☐ B ☐ C ☐ D
20. If materials are missing, insufficient, or incorrect, please describe, including any "other" materials noted:	[MissingMatDesc]
21. Does the station appear to be accessible to physically challenged persons, including the elderly? <i>The UN Convention on the Rights of People with Disabilities establishes an obligation for states to take measures to identify and eliminate obstacles and barriers to accessibility. This requires that people with disabilities will have an opportunity to participate on an equal basis in both rural and urban areas.</i>	Select One: [Accessibility] ☐ Yes ☐ No
ANSWER ONLY IF Question #21 is equal to "No"	

ANSWER ONLY IF Question #23 is equal to "No"		[OpeningObsDesc]
24. If "no", please describe: <i>Why did the polling station fail to open on time?</i>		
ANSWER ONLY IF Question #23 is equal to "Yes"		[OpeningTime]
25. At what time did the polling station open?		
26. If the polling station opened MORE THAN 30 MINUTES late, what are the reasons for delay? <i>If the polling station opened less than 30 minutes late, please select "Not applicable".</i>	Select Multiple: ☐ Missing materials ☐ Absent polling staff ☐ Unrest ☐ Other	[OpeningLateReasons] Not applicable
ANSWER ONLY IF Question #26 excludes "Not applicable"		[OpeningLateReasDesc]
27. If the polling station opened more than 30 minutes late, please describe the reasons, including any "other" reasons noted:		
SKIP TO Question #31 [How many agents representing each party/candidate were present?] if Question #23 [OpeningObs] is equal to "No"		
28. Before moving ahead, please review the following definitions regarding assessment of PROCEDURES. Mark the selection below to indicate that you understand the definitions and refer back to this page if needed. <i>FULLY — The procedure was always or almost always applied correctly. Any procedural errors observed were very minor.

 ADEQUATELY — The procedure was mostly applied correctly. Procedural errors observed did not appear to affect the integrity or transparency of the process.

 INADEQUATELY — The procedure was often not applied correctly; OR the procedural error may have compromised the integrity of the process (even if few instances were observed).

 NOT AT ALL — The procedure was omitted or was not followed meaningfully.

 NOT OBSERVED — Due to circumstances other than those described by the above, the observer was not able to assess the procedure.</i>		
29. How closely did each of the following procedures adhere to regulations? <i>A = Fully;
 B = Adequately;
 C = Inadequately;
 D = Not at all;
 E = Not observed</i>		[BeforeProcedures]
29.1. Ballot inventory	Select One: ☐ A ☐ B ☐ C ☐ D ☐ E	[BallotInventory]
29.2. Empty ballot box demonstration	Select One: ☐ A ☐ B ☐ C ☐ D ☐ E	[BallotBoxDemo]
29.3. Ballot box sealing	Select One: ☐ A ☐ B ☐ C ☐ D ☐ E	[OpeningBallotBoxSeal]
29.4. Reading of seal numbers	Select One: ☐ A ☐ B ☐ C ☐ D ☐ E	[SealNumReading]
29.5. Room configuration	Select One: ☐ A ☐ B ☐ C ☐ D ☐ E	[RoomConfig]
29.6. Ink preparation	Select One: ☐ A ☐ B ☐ C ☐ D ☐ E	[InkPrep]
29.7. Recording of seal numbers for reopening	Select One: ☐ A ☐ B ☐ C ☐ D ☐ E	[SealNumCheck]
30. Please describe the reasons for not choosing "Fully" or "Adequately", if you did so:		[OpenProcedDesc]
31. How many agents representing each party/candidate were present?		
31.1. Please note the gender and party/candidate of agents present		[AgentRepresentingEx]
32. How many observers from each election observation group were present?		
32.1. Please note the gender and name of observation group representatives present		[ObservationGroupEx]
33. What level of access did each of the following groups have? <i>A = Sufficient access;
 B = Deficient access (within regulations) — applied to one, some, or all;
 C = Deficient access (violation of regulations) — not able to participate as stipulated in regulations (not permitted entry; time limited in violation; applied to one, some, or all);
 D = Not present;
 E = Not observed</i>		
33.1. Candidate/party agents	Select One: ☐ A ☐ B ☐ C ☐ D ☐ E	[AccessAgents]
33.2. International observers	Select One: ☐ A ☐ B ☐ C ☐ D ☐ E	[AccessIntObs]
33.3. Citizen observers	Select One: ☐ A ☐ B ☐ C ☐ D ☐ E	[AccessCitObs]
33.4. Media	Select One: ☐ A ☐ B ☐ C ☐ D ☐ E	[AccessMedia]
33.5. Other	Select One: ☐ A ☐ B ☐ C ☐ D ☐ E	[AccessOther]
34. If any groups were not allowed sufficient access, please describe: <i>How were groups denied access and what was the impact?</i>		[AccessDesc]
35. Did you observe any interference in the election process? <i>Please indicate which group(s) interfered. Select "No interference observed" if no interference was observed.</i>		[Interference]
Select Multiple: ☐ Candidate/party agents ☐ International observers ☐ Citizen observers ☐ Media ☐ Voters ☐ Security ☐ Local officials ☐ Religious/traditional leaders ☐ Other ☐ No interference observed		
ANSWER ONLY IF Question #35 excludes "No interference observed"		[InterferenceDesc]
36. If any interference, please describe: <i>How were groups causing interference and what was the impact?</i>		
38. Were there any official complaints lodged? <i>If applicable, near the end of your observation, ask the Presiding Officer if present or ask observers from other organizations or party/candidate agents.</i>		[OfficialComp]
ANSWER ONLY IF Question #38 is equal to "Yes"		[OfficialCompDesc]
39. If "yes", please describe: <i>Who filed complaints? What were the reasons? How were they addressed?</i>		
40. Were there any problems reported to you by those present rather than those observed directly by you? <i>(Reported by e.g., agents, observers, voters)</i>		[ProbReport]
ANSWER ONLY IF Question #40 is equal to "Yes"		
41. If "yes", please describe: <i>Please note the actors involved, how it was resolved, the apparent impact, and any supporting evidentiary corroboration.</i>		
42. How would you evaluate party/candidate agents' performance?		[AgentsEval]
Select One: ☐ Adequate ☐ Inadequate ☐ Not Observed/Observable		
ANSWER ONLY IF Question #42 is not equal to "Adequate"		[AgentsEvalDesc]
43. Please describe the reasons for not choosing "Adequate":		

44. Before moving ahead, please review the following definitions regarding the overall assessment of IMPLEMENTATION OF PROCEDURES BY STAFF. Mark the selection below to indicate that you understand the definitions and refer back to this page if needed.

VERY GOOD — Procedures were always or almost always applied correctly. Any procedural errors observed were very minor and did not affect the integrity or transparency of the process.
 REASONABLE — Procedures were mostly applied correctly. Procedural errors observed did not appear to affect the integrity or transparency of the process.
 POOR — Procedures were not applied correctly; OR procedural errors significantly affected the transparency of the process and/or may have compromised the integrity of the process.
 NOT CREDIBLE — Important procedures were not followed correctly and these problems likely compromised the integrity of the process.

Select One: [BeforeProcedImp]

☐ I have read and understand the definitions.

45. What is your team's evaluation of the implementation of procedures by staff at this station? This evaluation should be based upon the procedures evaluated earlier in the checklist as well as any procedural factors that may have been omitted from the checklist. Please refer back to the answers provided to questions about procedures as needed to inform the overall evaluation.

Select One: [ProcedImpEval]

☐ Very Good ☐ Reasonable ☐ Poor ☐ Not Credible

ANSWER ONLY IF Question #45 is not equal to "Very Good" AND Question #45 is not equal to "Reasonable" [ProcedImpEvalDesc]

46. What were the main reasons for not choosing "Very Good" or "Reasonable"? [ProcedImpEvalDesc]

47. Before moving ahead, please review the following definitions regarding the overall assessment of the OPENING ENVIRONMENT AND PROCESS. Mark the selection below to indicate that you understand the definitions and refer back to this page if needed.

VERY GOOD — No significant problems were observed with the implementation of procedures or environment. The process was fully transparent.
 REASONABLE — Observed problems did not significantly affect the integrity or transparency of the opening process, but there is room for improvement.
 POOR — Significant problems with any of the following may have compromised the integrity of the process: errors in implementing opening procedures; polling staff subject to intimidation or interference; observers restricted.
 NOT CREDIBLE — Observed problems with the opening likely compromised the integrity of the process.

Select One: [BeforeOpenEnv]

☐ I have read and understand the definitions.

48. What is your team's overall assessment of the election environment and process at this station? [ElecEnv]

Select One: [ElecEnvDesc]

☐ Very Good ☐ Reasonable ☐ Poor ☐ Not Credible

ANSWER ONLY IF Question #48 is not equal to "Very Good" AND Question #48 is not equal to "Reasonable" [ElecEnvDesc]

49. What were the main reasons for not choosing "Very Good" or "Reasonable"? [ElecEnvDesc]

50. Any other comments? [AddComments]

51. End of Observation: [EndTime]



PRESIDENTIAL 1st ROUND POLLING - Tunisia 2019

User/Team	
Observation Time	
1. Location Details	
1.1. IRIE	Select One: [Circconscription] ☐ Tunis 1 ☐ Tunis 2 ☐ Ariana ☐ La Mannouba ☐ Ben Arous ☐ Bizerte ☐ Nabeul 1 ☐ Nabeul 2 ☐ Zaghouan ☐ Béja ☐ Le Kef ☐ Siliana ☐ Jendouba ☐ Kairouan ☐ Sousse ☐ Monastir ☐ Mahdia ☐ Kasserine ☐ Sidi Bouzid ☐ Gafsa ☐ Tozeur ☐ Sfax 1 ☐ Sfax 2 ☐ Gabès ☐ Medenine ☐ Tataouine ☐ Kebili
1.3. Is the center in an urban or rural area? <i>Urban: Rural: defined subjectively per mission. Could include distance to cities....</i>	Select One: [UrbanRural] ☐ Urban ☐ Rural
2. Number of stations at the center: <i>If the center and the station are the same, please answer "1".</i>	[StationCount]
3. Please indicate the polling center presiding officer's gender:	Select One: [PCPresidentGender] ☐ Female ☐ Male ☐ Mixed
4. Were there obstacles or barriers on the way to the center that could have inhibited general access? <i>Examples of barriers might include distance from villages or a dysfunctional bridge.</i>	Select One: [Barriers] ☐ Yes ☐ No
ANSWER ONLY IF Question #4 is equal to "Yes"	
5. If "yes", please describe: <i>Describe the barriers to public access and to what extent it affected voter franchise.</i>	[BarriersDesc]
6. Which, if any, of the following prohibited or disruptive circumstances did you observe OUTSIDE the CENTER? <i>If there is only one station per "center," then please answer this question as "OUTSIDE the STATION." Select "None" if you did not observe any prohibited or disruptive circumstances.</i>	Select Multiple: [DisruptOutCent] ☐ Prohibited campaigning ☐ Prohibited campaign material ☐ Ineffective queue management ☐ Intimidation ☐ Violence ☐ Significant disorder ☐ Security (beyond regulations) ☐ Bussing activities ☐ Other ☐ None
ANSWER ONLY IF Question #6 excludes "None"	
7. If any issues, please describe: <i>What were the prohibited/disruptive circumstances and how did they affect the process?</i>	[DisruptOutCentDesc]
ANSWER ONLY IF Question #2 is greater than 1	
8. Which, if any, of the following prohibited or disruptive circumstances did you observe INSIDE the CENTER (but outside the stations)? <i>Select "None" if you did not observe any prohibited or disruptive circumstances.</i>	Select Multiple: [DisruptInCent] ☐ Prohibited campaigning ☐ Prohibited campaign material ☐ Ineffective queue management ☐ Intimidation ☐ Violence ☐ Significant disorder ☐ Security (beyond regulations) ☐ Other ☐ None
ANSWER ONLY IF Question #8 excludes "None" AND Question #2 is greater than 1	
9. If any issues, please describe: <i>What were the prohibited/disruptive circumstances and how did they affect the process?</i>	[DisruptInCentDesc]
ANSWER ONLY IF Question #2 is greater than 1	
10. Polling Station ID: <i>10 or 11 digit number</i>	[StationID]
11. Start of Observation	[StartTime]
13. If present, please indicate the polling station presiding officer's gender: <i>If the presiding officer is not present now but appears before departure, please adjust this answer.</i>	Select One: [POGender] ☐ Female ☐ Male ☐ Not observed
14. Number of staff working at the polling station (excluding presiding officer):	[StaffCount]
15. Number of FEMALE staff present (excluding presiding officer):	[FemaleStaff]
16. Number of registered voters:	[RegVoterCount]
17. Approximate number of voters who have voted by time of arrival: <i>If the number of voters is not directly recorded by the polling staff, it may be necessary to ask the presiding officer or other staff to estimate the number of voters or calculate by other means.</i>	[VotedCount]
18. Which, if any, of the following prohibited or disruptive circumstances did you observe INSIDE the STATION? <i>Select "None" if you did not observe any prohibited or disruptive circumstances.</i>	Select Multiple: [DisruptInStat] ☐ Prohibited campaigning ☐ Prohibited campaign material ☐ Ineffective queue management ☐ Intimidation ☐ Violence ☐ Significant disorder ☐ Security (beyond regulations) ☐ Other ☐ None
ANSWER ONLY IF Question #18 excludes "None"	
19. If any issues, please describe: <i>What were the prohibited/disruptive circumstances and how did they affect the process?</i>	[DisruptInStatDesc]
20. Were any of the following materials missing, insufficient, or incorrect? <i>A = Present and correct;
B = Missing (entirely absent);
C = Insufficient (fewer than required, but some present);
D = Incorrect (wrong)</i>	
20.1. Indelible ink	Select One: [Ink] ☐ A ☐ B ☐ C ☐ D
20.2. Booths/screens	Select One: [Booths] ☐ A ☐ B ☐ C ☐ D
20.3. Ballot papers	Select One: [BallotPapers] ☐ A ☐ B ☐ C ☐ D
20.4. Ballot box(es)	Select One: [BallotBox] ☐ A ☐ B ☐ C ☐ D
20.5. Voter list(s)/FVR	Select One: [VoterList] ☐ A ☐ B ☐ C ☐ D
20.6. Stamps	Select One: [Stamps] ☐ A ☐ B ☐ C ☐ D
20.7. Seals/padlocks	Select One: [Seals] ☐ A ☐ B ☐ C ☐ D
20.8. Other	Select One: [OtherMat] ☐ A ☐ B ☐ C ☐ D
21. If materials are missing, insufficient, or incorrect, please describe, including any "other" materials noted:	[MissingMatDesc]
22. Does the station appear to be accessible to physically challenged persons, including the elderly? <i>The UN Convention on the Rights of People with Disabilities establishes an obligation for states to take measures to identify and eliminate obstacles and barriers to accessibility. This requires that people with disabilities will have an opportunity to participate on an equal basis in both rural and urban areas.</i>	Select One: [Accessibility] ☐ Yes ☐ No
ANSWER ONLY IF Question #22 is equal to "No"	
23. If "no", please describe the impediments as well as any efforts to overcome the impediments or assist the challenged persons:	[AccessibilityDesc]

24. Before moving ahead, please review the following definitions regarding assessment of PROCEDURES. Mark the selection below to indicate that you understand the definitions and refer back to this page if needed. FULLY — The procedure was always or almost always applied correctly. Any procedural errors observed were very minor.
 ADEQUATELY — The procedure was mostly applied correctly. Procedural errors observed did not appear to affect the integrity or transparency of the process.
 INADEQUATELY — The procedure was often not applied correctly; OR the procedural error may have compromised the integrity of the process (even if few instances were observed).
 NOT AT ALL — The procedure was omitted or was not followed meaningfully.
 NOT OBSERVED — Due to circumstances other than those described by the above, the observer was not able to assess the procedure. 25. How closely did each of the following procedures adhere to regulations? A = Fully;
 B = Adequately;
 C = Inadequately;
 D = Not at all;
 E = Not observed			Select One: ☐ I have read and understand the definitions.		[BeforeProcedures]
25.1. Checking for ink	Select One: ☐ A ☐ B ☐ C ☐ D ☐ E			[InkCheck]	
25.2. Voter identification	Select One: ☐ A ☐ B ☐ C ☐ D ☐ E			[VoterID]	
25.3. Crossing names out/signing voters list	Select One: ☐ A ☐ B ☐ C ☐ D ☐ E			[SigningList]	
25.4. Ballot issuing	Select One: ☐ A ☐ B ☐ C ☐ D ☐ E			[BallotIssue]	
25.5. Voter instruction	Select One: ☐ A ☐ B ☐ C ☐ D ☐ E			[VoterInstruc]	
25.6. Ballot stamping	Select One: ☐ A ☐ B ☐ C ☐ D ☐ E			[BallotStamp]	
25.7. Inking fingers	Select One: ☐ A ☐ B ☐ C ☐ D ☐ E			[Inking]	
25.8. Ballot casting	Select One: ☐ A ☐ B ☐ C ☐ D ☐ E			[BallotCasting]	
25.9. Checking under veils	Select One: ☐ A ☐ B ☐ C ☐ D ☐ E			[CheckVeils]	
25.10. Assisted voting	Select One: ☐ A ☐ B ☐ C ☐ D ☐ E			[AssistVote]	
26. Please describe the reasons for not choosing "Fully" or "Adequately", if you did so:					
27. Which, if any, of the following ineligible voters were allowed to vote?					
Select Multiple: ☐ Persons not on list — unauthorized ☐ Persons with unauthorized ID ☐ Persons without ID ☐ Voters already crossed off list ☐ Voters already inked ☐ Security personnel — unauthorized ☐ Voters by proxy (e.g. relatives) ☐ Voters improperly assisted ☐ Other ☐ Not observed					
ANSWER ONLY IF Question #27 excludes "Not observed"					
28. Please describe, including any "others" noted:					
29. Which, if any, of the following eligible voters were NOT allowed to vote?					
Select Multiple: ☐ Persons on list with ID ☐ Polling staff ☐ EMB members ☐ Citizen observers ☐ Party/candidate agents ☐ Journalists — national ☐ Other ☐ No eligible voters prevented					
ANSWER ONLY IF Question #29 excludes "No eligible voters prevented"					
30. Please describe, including any "others" noted:					
31. Are ballot boxes correctly sealed?					
Select One: ☐ Yes ☐ No					
All seals should be correctly applied, and ballot boxes should be secure from tampering.					
ANSWER ONLY IF Question #31 is equal to "No"					
32. If "no", please describe:					
33. Are additional polling materials secured from potential theft or misuse?					
Select One: ☐ Yes ☐ No					
Additional materials should be stored compactly and out of the way of traffic in the polling station. Disorganized or poorly stored materials are vulnerable to tampering.					
ANSWER ONLY IF Question #33 is equal to "No"					
34. If "no", please describe					
35. Is the polling station layout in accordance with regulations?					
Select One: ☐ Yes ☐ No					
ANSWER ONLY IF Question #35 is equal to "No"					
36. If "no", please describe:					
37. Does the polling station layout effectively facilitate the flow of voters?					
Select One: ☐ Yes ☐ No					
The layout should allow voters to move through the process without skipping steps or crossing paths with other parts of the queue.					
ANSWER ONLY IF Question #37 is equal to "No"					
38. If "no", please describe:					
39. Are voters able to cast their ballots in secret?					
Select One: ☐ Yes ☐ No					
Secrecy of the ballot should not be undermined or violated because of crowding or exposed booths.					
ANSWER ONLY IF Question #39 is equal to "No"					
40. If "no", please describe:					
41. Was the number of staff working in the polling station sufficient for an efficient and orderly process?					
Select One: ☐ Yes ☐ No					
42. If "no", please describe:					
43. How long did a typical voter have to wait in the queue before entering the polling station?					
If there is no queue, enter 0, otherwise, ask the second or third voter in line how long they have waited so far to inform your estimate.
 Provide your answer in minutes. For example, if a voter waited 1.5 hours, enter 90 (minutes).					
44. How long did it take a typical voter to complete the voting process once they entered the polling station?					
The voting process begins when the voter enters the polling station and ends when the voter has cast his or her ballot and is able to leave the polling station. Watch two or three voters carry out the voting process, and provide an estimate in minutes of how long the process took.					
45. Which, if any, of the following irregular processes did you observe?					
Select Multiple: ☐ Multiple voting ☐ Ballot stuffing ☐ Interruption of voting ☐ Voter intimidation ☐ Illicit assistance ☐ Family voting ☐ Possible vote buying/selling ☐ Violation of secrecy of the ballot ☐ Other ☐ No irregularities observed					

ANSWER ONLY IF Question #45 excludes "No irregularities observed"		
46. If any irregularities, please describe:	[IrregProcessDesc]	
Please comment on the frequency and severity of the irregularities, noting the extent of their impact on the voting process.		
47. How many agents representing each party/candidate were present?		
47.1. Please note the gender and party/candidate of agents present		[AgentRepresentingEx]
48. How many observers from each election observation group were present?		
48.1. Please note the gender and name of observation group representatives present		[ObservationGroupEx]
49. What level of access did each of the following groups have? A = Sufficient access; B = Deficient access (within regulations) — applied to one, some, or all; C = Deficient access (violation of regulations) — not able to participate as stipulated in regulations (not permitted entry; time limited in violation; applied to one, some, or all); D = Not present; E = Not observed		
49.1. Candidate/party agents	Select One: A B C D E	[AccessAgents]
49.2. International observers	Select One: A B C D E	[AccessIntObs]
49.3. Citizen observers	Select One: A B C D E	[AccessCitObs]
49.4. Polling staff	Select One: A B C D E	[AccessPollStaff]
49.5. Media	Select One: A B C D E	[AccessMedia]
49.6. Other	Select One: A B C D E	[AccessOther]
50. If any groups were not allowed sufficient access, please describe: How were groups denied access and what was the impact?		
[AccessDesc]		
51. Did you observe any interference in the election process? Please indicate which group(s) interfered. Select "No interference observed" if no interference was observed.	Select Multiple: Candidate/party agents International observers Citizen observers Media Voters Security Local officials Religious/traditional leaders Other No interference observed	[Interference]
ANSWER ONLY IF Question #51 excludes "No interference observed"		
52. If any interference, please describe: How were groups causing interference and what was the impact?	[InterferenceDesc]	
53. End of Observation:		
[EndTime]		
55. Were there any official complaints lodged? If applicable, near the end of your observation, ask the Presiding Officer if present or ask observers from other organizations or party/candidate agents.		
55. Were there any official complaints lodged?	Select One: Yes No	[OfficialComp]
ANSWER ONLY IF Question #55 is equal to "Yes"		
56. If "yes", please describe: Who filed complaints? What were the reasons? How were they addressed?	[OfficialCompDesc]	
57. Were there any problems reported to you by those present rather than those observed directly by you? (Reported by e.g., agents, observers, voters)		
57. Were there any problems reported to you by those present rather than those observed directly by you?	Select One: Yes No	[ProbReport]
ANSWER ONLY IF Question #57 is equal to "Yes"		
58. If "yes", please describe: Please note the actors involved, how it was resolved, the apparent impact, and any supporting evidentiary corroboration.	[ProbReportDesc]	
59. How would you evaluate voters' understanding of voting procedures?		
	Select One: Adequate Inadequate Not Observed/Observable	[VotUnderstd]
ANSWER ONLY IF Question #59 is not equal to "Adequate"		
60. Please describe the reasons for not choosing "Adequate":	[VotUnderstdDesc]	
61. How would you evaluate party/candidate agents' performance?		
	Select One: Adequate Inadequate Not Observed/Observable	[AgentsEval]
ANSWER ONLY IF Question #61 is not equal to "Adequate"		
62. Please describe the reasons for not choosing "Adequate":	[AgentsEvalDesc]	
63. Before moving ahead, please review the following definitions regarding the overall assessment of IMPLEMENTATION OF PROCEDURES BY STAFF. Mark the selection below to indicate that you understand the definitions and refer back to this page if needed. VERY GOOD — Procedures were always or almost always applied correctly. Any procedural errors observed were very minor and did not affect the integrity or transparency of the process. REASONABLE — Procedures were mostly applied correctly. Procedural errors observed did not appear to affect the integrity or transparency of the process. POOR — Procedures were not applied correctly; OR procedural errors significantly affected the transparency of the process and/or may have compromised the integrity of the process. NOT CREDIBLE — Important procedures were not followed correctly and these problems likely compromised the integrity of the process.		
63. Before moving ahead, please review the following definitions regarding the overall assessment of IMPLEMENTATION OF PROCEDURES BY STAFF. Mark the selection below to indicate that you understand the definitions and refer back to this page if needed.	Select One: I have read and understand the definitions.	[BeforeProcedImp]
64. What is your team's evaluation of the implementation of procedures by staff at this station? This evaluation should be based upon the procedures evaluated earlier in the checklist as well as any procedural factors that may have been omitted from the checklist. Please refer back to the answers provided to questions about procedures as needed to inform the overall evaluation.		
	Select One: Very Good Reasonable Poor Not Credible	[ProcedImpEval]
ANSWER ONLY IF Question #64 is not equal to "Very Good" AND Question #64 is not equal to "Reasonable"		
65. What were the main reasons for not choosing "Very Good" or "Reasonable"?	[ProcedImpEvalDesc]	
66. Before moving ahead, please review the following definitions regarding the overall assessment of the ELECTION ENVIRONMENT AND PROCESS. Mark the selection below to indicate that you understand the definitions and refer back to this page if needed. VERY GOOD — The environment and process fully allowed voters to freely exercise their right to vote. The process was fully transparent. REASONABLE — The environment and process were acceptable in ensuring that voters could freely exercise their right to vote. Any observed problems did not significantly affect the integrity or transparency of the process. POOR — For some voters, the environment or process was not conducive to the free exercise of the right to vote, equality, or transparency. Observed problems may have compromised the integrity of the process. NOT CREDIBLE — The environment or the process prevented voters from freely exercising their right to vote or affected the fairness of polling. Observed problems likely compromised the integrity of the polling process.		
66. Before moving ahead, please review the following definitions regarding the overall assessment of the ELECTION ENVIRONMENT AND PROCESS. Mark the selection below to indicate that you understand the definitions and refer back to this page if needed.	Select One: I have read and understand the definitions.	[BeforeElecEnv]
67. What is your team's overall assessment of the election environment and process at this station?		
	Select One: Very Good Reasonable Poor Not Credible	[ElecEnv]

ANSWER ONLY IF Question #67 is not equal to "Very Good" AND Question #67 is not equal to "Reasonable"

[ElecEnvDesc]

68. What were the main reasons for not choosing "Very Good" or "Reasonable"?

69. Any other comments?

[AddComments]



PRESIDENTIAL 1st ROUND CLOSING - Tunisia 2019

User/Team	
Observation Time	
1. Location Details	
1.1. IRIE	Select One: [Circconscription] ☐ Tunis 1 ☐ Tunis 2 ☐ Ariana ☐ La Mannouba ☐ Ben Arous ☐ Bizerte ☐ Nabeul 1 ☐ Nabeul 2 ☐ Zaghouan ☐ Béja ☐ Le Kef ☐ Siliana ☐ Jendouba ☐ Kairouan ☐ Sousse ☐ Monastir ☐ Mahdia ☐ Kasserine ☐ Sidi Bouzid ☐ Gafsa ☐ Tozeur ☐ Sfax 1 ☐ Sfax 2 ☐ Gabès ☐ Medenine ☐ Tataouine ☐ Kebili
1.3. Is the center in an urban or rural area?	Select One: [UrbanRural] ☐ Urban ☐ Rural
2. Number of stations at the center:	[StationCount]
3. Please indicate the polling center presiding officer's gender:	Select One: [PCPresidentGender] ☐ Female ☐ Male ☐ Mixed
ANSWER ONLY IF Question #2 is greater than 1	
4. Polling Station ID:	[StationID]
5. Start of Observation	[StartTime]
7. If present, please indicate the polling station presiding officer's gender:	Select One: [POGender] ☐ Female ☐ Male ☐ Not observed
8. Number of staff working at the polling station (excluding presiding officer):	[StaffCount]
9. Number of FEMALE staff present (excluding presiding officer):	[FemaleStaff]
10. Number of registered voters:	[RegVoterCount]
11. Did you observe the official closing of the polling station?	Select One: [ClosingObs] ☐ Yes ☐ No
ANSWER ONLY IF Question #11 is equal to "No"	
12. If "no", please describe:	[ClosingObsDesc]
13. At what time was the closing of the polling station announced?	[ClosingAnnounced]
14. Approximately how many voters were waiting in the queue at the time of closing?	Select One: [ClosingQueue] ☐ 0 ☐ 1-10 ☐ 11-25 ☐ 26-50 ☐ 51-100 ☐ More than 100
15. Did you observe the last vote at the polling station?	Select One: [LastVoteObs] ☐ Yes ☐ No
ANSWER ONLY IF Question #15 is equal to "Yes"	
16. If "yes", at what time did the last voter vote?	[LastVoteTime]
ANSWER ONLY IF Question #14 is not equal to "0"	
17. Were all eligible persons in the queue at the time of closing allowed to vote?	Select One: [ClosingQueueEligible] ☐ Yes ☐ No ☐ Not observed
ANSWER ONLY IF Question #14 is not equal to "0"	
18. Were any and all voters prevented from joining the queue after closing?	Select One: [ClosingQueuePrevent] ☐ Yes ☐ No ☐ Not observed
19. Before moving ahead, please review the following definitions regarding assessment of PROCEDURES. Mark the selection below to indicate that you understand the definitions and refer back to this page if needed.	
Select One: [BeforeProcedures] ☐ I have read and understand the definitions.	
20. How closely did each of the following procedures adhere to regulations?	
20.1. Closing announcement	Select One: [ClosingAnnouncement] ☐ A ☐ B ☐ C ☐ D ☐ E
20.2. Sealing of ballot boxes (incl. slot)	Select One: [BallotBoxSealing] ☐ A ☐ B ☐ C ☐ D ☐ E
20.3. Recording of seal numbers	Select One: [SealNumRecording] ☐ A ☐ B ☐ C ☐ D ☐ E
20.4. Securing of sensitive polling materials	Select One: [MaterialSecuring] ☐ A ☐ B ☐ C ☐ D ☐ E
20.5. Storage of materials	Select One: [MaterialStorage] ☐ A ☐ B ☐ C ☐ D ☐ E
20.6. Transfer of materials	Select One: [MaterialTransfer] ☐ A ☐ B ☐ C ☐ D ☐ E
21. Please describe the reasons for not choosing "Fully" or "Adequately", if you did so:	[ClosingProcedDesc]
22. How many agents representing each party/candidate were present?	
22.1. Please note the gender and party/candidate of agents present	[AgentRepresentingEx]
23. How many observers from each election observation group were present?	
23.1. Please note the gender and name of observation group representatives present	[ObservationGroupEx]
24. What level of access did each of the following groups have?	
24.1. Candidate/party agents	Select One: [AccessAgents] ☐ A ☐ B ☐ C ☐ D ☐ E

24.2. International observers	Select One: ☐ A ☐ B ☐ C ☐ D ☐ E	[AccessIntObs]
24.3. Citizen observers	Select One: ☐ A ☐ B ☐ C ☐ D ☐ E	[AccessCitObs]
24.4. Polling staff	Select One: ☐ A ☐ B ☐ C ☐ D ☐ E	[AccessPollStaff]
24.5. Media	Select One: ☐ A ☐ B ☐ C ☐ D ☐ E	[AccessMedia]
24.6. Other	Select One: ☐ A ☐ B ☐ C ☐ D ☐ E	[AccessOther]
25. If any groups were not allowed sufficient access, please describe:		[AccessDesc]
26. Did you observe any interference in the election process?	Select Multiple: ☐ Candidate/party agents ☐ International observers ☐ Citizen observers ☐ Media ☐ Voters ☐ Security ☐ Local officials ☐ Religious/traditional leaders ☐ Other ☐ No interference observed	[Interference]
ANSWER ONLY IF Question #26 excludes "No interference observed"		[InterferenceDesc]
27. If any interference, please describe:		
28. End of Observation:		[EndTime]
30. Were there any official complaints lodged ?	Select One: ☐ Yes ☐ No	[OfficialComp]
ANSWER ONLY IF Question #30 is equal to "Yes"		[OfficialCompDesc]
31. If "yes", please describe:		
32. Were there any problems reported to you by those present rather than those observed directly by you?	Select One: ☐ Yes ☐ No	[ProbReport]
ANSWER ONLY IF Question #32 is equal to "Yes"		[ProbReportDesc]
33. If "yes", please describe:		
34. How would you evaluate party/candidate agents' performance?	Select One: ☐ Adequate ☐ Inadequate ☐ Not Observed/Observable	[AgentsEval]
ANSWER ONLY IF Question #34 is not equal to "Adequate"		[AgentsEvalDesc]
35. Please describe the reasons for not choosing "Adequate":		
36. Before moving ahead, please review the following definitions regarding the overall assessment of IMPLEMENTATION OF PROCEDURES BY STAFF. Mark the selection below to indicate that you understand the definitions and refer back to this page if needed.	Select One: ☐ I have read and understand the definitions.	[BeforeProcedImp]
37. What is your team's evaluation of the implementation of procedures by staff at this station?	Select One: ☐ Very Good ☐ Reasonable ☐ Poor ☐ Not Credible	[ProcedImpEval]
ANSWER ONLY IF Question #37 is not equal to "Very Good" AND Question #37 is not equal to "Reasonable"		[ProcedImpEvalDesc]
38. What were the main reasons for not choosing "Very Good" or "Reasonable"?		
39. Before moving ahead, please review the following definitions regarding the overall assessment of the CLOSING ENVIRONMENT AND PROCESS. Mark the selection below to indicate that you understand the definitions and refer back to this page if needed.	Select One: ☐ I have read and understand the definitions.	[BeforeCloseEnv]
40. What is your team's overall assessment of the election environment and process at this station?	Select One: ☐ Very Good ☐ Reasonable ☐ Poor ☐ Not Credible	[ElecEnv]
ANSWER ONLY IF Question #40 is not equal to "Very Good" AND Question #40 is not equal to "Reasonable"		[ElecEnvDesc]
41. What were the main reasons for not choosing "Very Good" or "Reasonable"?		
42. Any other comments?		[AddComments]



PRESIDENTIAL 1st ROUND COUNTING Tunisia 2019

User/Team	
Observation Time	
1. Location Details	
1.1. IRIE	Select One: [Circconscription] ☐ Tunis 1 ☐ Tunis 2 ☐ Ariana ☐ La Mannouba ☐ Ben Arous ☐ Bizerte ☐ Nabeul 1 ☐ Nabeul 2 ☐ Zaghouan ☐ Béja ☐ Le Kef ☐ Siliana ☐ Jendouba ☐ Kairouan ☐ Sousse ☐ Monastir ☐ Mahdia ☐ Kasserine ☐ Sidi Bouzid ☐ Gafsa ☐ Tozeur ☐ Sfax 1 ☐ Sfax 2 ☐ Gabès ☐ Medenine ☐ Tataouine ☐ Kebili
1.3. Is the center in an urban or rural area? <i>Urban: Rural: defined subjectively per mission. Could include distance to cities....</i>	Select One: [UrbanRural] ☐ Urban ☐ Rural
2. Polling Station ID: 10 or 11 digit number	[StationID]
3. Start of Observation	[StartTime]
5. If present, please indicate the polling station presiding officer's gender: <i>If the presiding officer is not present now but appears before departure, please adjust this answer.</i>	Select One: [POGender] ☐ Female ☐ Male ☐ Not observed
6. Number of staff working at the polling station (excluding presiding officer):	[StaffCount]
7. Number of FEMALE staff present (excluding presiding officer):	[FemaleStaff]
8. Number of registered voters:	[RegVoterCount]
9. Please record the number of ballots in each of the following categories:	
9.1. Ballots received	[BallotsReceived]
9.2. Unused ballots	[BallotsUnused]
9.3. Ballots in box	[BallotsInBox]
9.4. Invalid ballots	[BallotsInvalid]
9.5. Blank ballots (if counted separately)	[BallotsBlank]
9.6. Valid ballots	[BallotsValid]
9.7. Spoiled ballots	[BallotsSpoiled]
9.8. Challenged ballots	[BallotsChallenged]
10. Please record the number of votes for the following parties/candidates:	
10.1. Please list the number of votes received by each party/candidate	[VotesParty]
11. Before moving ahead, please review the following definitions regarding assessment of PROCEDURES. Mark the selection below to indicate that you understand the definitions and refer back to this page if needed. FULLY — The procedure was always or almost always applied correctly. Any procedural errors observed were very minor. ADEQUATELY — The procedure was mostly applied correctly. Procedural errors observed did not appear to affect the integrity or transparency of the process. INADEQUATELY — The procedure was often not applied correctly; OR the procedural error may have compromised the integrity of the process (even if few instances were observed). NOT AT ALL — The procedure was omitted or was not followed meaningfully. NOT OBSERVED — Due to circumstances other than those described by the above, the observer was not able to assess the procedure.	
12. How closely did each of the following procedures adhere to regulations? A = Fully; B = Adequately; C = Inadequately; D = Not at all; E = Not observed	Select One: [BeforeProcedures] ☐ I have read and understand the definitions.
12.1. Ballot verification and sorting	Select One: [BallotVerifySort] ☐ A ☐ B ☐ C ☐ D ☐ E
12.2. Ballot counting	Select One: [BallotCounting] ☐ A ☐ B ☐ C ☐ D ☐ E
12.3. Reconciliation	Select One: [Reconciliation] ☐ A ☐ B ☐ C ☐ D ☐ E
12.4. Recounting of ballots	Select One: [BallotRecount] ☐ A ☐ B ☐ C ☐ D ☐ E
12.5. Contested ballots	Select One: [BallotContest] ☐ A ☐ B ☐ C ☐ D ☐ E
12.6. Special/provisional ballots	Select One: [BallotSpecProv] ☐ A ☐ B ☐ C ☐ D ☐ E
12.7. Completion of protocol form	Select One: [ProtocolForm] ☐ A ☐ B ☐ C ☐ D ☐ E
12.8. Announcement of results (verbal)	Select One: [ResultAnnounceVerbal] ☐ A ☐ B ☐ C ☐ D ☐ E
12.9. Posting of results (at station/center)	Select One: [ResultPosting] ☐ A ☐ B ☐ C ☐ D ☐ E
13. Please describe the reasons for not choosing "Fully" or "Adequately", if you did so:	[CountProcedDesc]
14. Did agents have an opportunity to sign the results?	Select One: [ResultSigning] ☐ Yes ☐ No ☐ Not observed
ANSWER ONLY IF Question #14 is not equal to "Yes"	
15. If "no" or "not observed", please describe:	[ResultSigningNoDesc]
ANSWER ONLY IF Question #14 is equal to "Yes"	
16. If "yes", did any observers elect not to sign the results?	Select One: [ResultSigningObsDec] ☐ Yes ☐ No

ANSWER ONLY IF Question #16 is equal to "Yes" AND Question #14 is equal to "Yes"		[ResultSignObsDecDesc]
17. If "yes", please describe:		
18. How many agents representing each party/candidate were present?		
18.1. Please note the gender and party/candidate of agents present		[AgentRepresentingEx]
19. How many observers from each election observation group were present?		
19.1. Please note the gender and name of observation group representatives present		[ObservationGroupEx]
20. What level of access did each of the following groups have? A = Sufficient access; B = Deficient access (within regulations) — applied to one, some, or all; C = Deficient access (violation of regulations) — not able to participate as stipulated in regulations (not permitted entry; time limited in violation; applied to one, some, or all); D = Not present; E = Not observed		
20.1. Candidate/party agents	Select One: A B C D E	[AccessAgents]
20.2. International observers	Select One: A B C D E	[AccessIntObs]
20.3. Citizen observers	Select One: A B C D E	[AccessCitObs]
20.4. Polling staff	Select One: A B C D E	[AccessPollStaff]
20.5. Media	Select One: A B C D E	[AccessMedia]
20.6. Other	Select One: A B C D E	[AccessOther]
21. If any groups were not allowed sufficient access, please describe: How were groups denied access and what was the impact?		
22. Did you observe any interference in the election process? Please indicate which group(s) interfered. Select "No interference observed" if no interference was observed.		
Select Multiple: ☐ Candidate/party agents ☐ International observers ☐ Citizen observers ☐ Media ☐ Voters ☐ Security ☐ Local officials ☐ Religious/traditional leaders ☐ Other ☐ No interference observed		[Interference]
ANSWER ONLY IF Question #22 excludes "No interference observed"		
23. If any interference, please describe: How were groups causing interference and what was the impact?		
24. End of Observation:		
26. Were there any official complaints lodged ? If applicable, near the end of your observation, ask the Presiding Officer if present or ask observers from other organizations or party/candidate agents.		
Select One: Yes No		[OfficialComp]
ANSWER ONLY IF Question #26 is equal to "Yes"		
27. If "yes", please describe: Who filed complaints? What were the reasons? How were they addressed?		
28. Were there any problems reported to you by those present rather than those observed directly by you? (Reported by e.g., agents, observers, voters)		
Select One: Yes No		[ProbReport]
ANSWER ONLY IF Question #28 is equal to "Yes"		
29. If "yes", please describe: Please note the actors involved, how it was resolved, the apparent impact, and any supporting evidentiary corroboration.		
30. How would you evaluate party/candidate agents' performance?		
Select One: Adequate Inadequate Not Observed/Observable		[AgentsEval]
ANSWER ONLY IF Question #30 is not equal to "Adequate"		
31. Please describe the reasons for not choosing "Adequate":		
32. Before moving ahead, please review the following definitions regarding the overall assessment of IMPLEMENTATION OF PROCEDURES BY STAFF. Mark the selection below to indicate that you understand the definitions and refer back to this page if needed. VERY GOOD — Procedures were always or almost always applied correctly. Any procedural errors observed were very minor and did not affect the integrity or transparency of the process. REASONABLE — Procedures were mostly applied correctly. Procedural errors observed did not appear to affect the integrity or transparency of the process. POOR — Procedures were not applied correctly; OR procedural errors significantly affected the transparency of the process and/or may have compromised the integrity of the process. NOT CREDIBLE — Important procedures were not followed correctly and these problems likely compromised the integrity of the process.		
Select One: ☐ I have read and understand the definitions.		[BeforeProcedImp]
33. What is your team's evaluation of the implementation of procedures by staff at this station? This evaluation should be based upon the procedures evaluated earlier in the checklist as well as any procedural factors that may have been omitted from the checklist. Please refer back to the answers provided to questions about procedures as needed to inform the overall evaluation.		
Select One: Very Good Reasonable Poor Not Credible		[ProcedImpEval]
ANSWER ONLY IF Question #33 is not equal to "Very Good" AND Question #33 is not equal to "Reasonable"		
34. What were the main reasons for not choosing "Very Good" or "Reasonable"?		
35. Before moving ahead, please review the following definitions regarding the overall assessment of the COUNTING ENVIRONMENT AND PROCESS. Mark the selection below to indicate that you understand the definitions and refer back to this page if needed. VERY GOOD — No significant problems were observed with the implementation of procedures or environment. The counting process was fully transparent. REASONABLE — Observed problems did not significantly affect the integrity or transparency of the counting process, but there is room for improvement. POOR — Significant problems with any of the following may have compromised the integrity of the results: errors in implementing counting procedures; counting staff subject to intimidation or interference; observers restricted. NOT CREDIBLE — Observed problems with the counting likely compromised the integrity of the results.		
Select One: ☐ I have read and understand the definitions.		[BeforeCountEnv]
36. What is your team's overall assessment of the election environment and process at this station?		
Select One: Very Good Reasonable Poor Not Credible		[ElecEnv]
ANSWER ONLY IF Question #36 is not equal to "Very Good" AND Question #36 is not equal to "Reasonable"		
37. What were the main reasons for not choosing "Very Good" or "Reasonable"?		
38. Any other comments?		



PRESIDENTIAL 1st ROUND AGGREGATION - Tunisia 2019

User/Team	
Observation Time	
1. Location Details	
1.1. IRIE	Select One: Tunis 1 Tunis 2 Ariana La Mannouba Ben Arous Bizerte Nabeul 1 Nabeul 2 Zaghouan Béja Le Kef Siliana Jendouba Kairouan Sousse Monastir Mahdia Kasserine Sidi Bouzid Gafsa Tozeur Sfax 1 Sfax 2 Gabès Medenine Tataouine Kebili [Circconscription]
2. Were there obstacles or barriers on the way to the center that could have inhibited general access? <i>Examples of barriers might include distance from villages or a dysfunctional bridge.</i>	Select One: Yes No [Barriers]
ANSWER ONLY IF Question #2 is equal to "Yes"	
3. If "yes", please describe: <i>Describe the barriers to public access and to what extent it affected voter franchise.</i>	[BarriersDesc]
4. Which, if any, of the following prohibited or disruptive circumstances did you observe OUTSIDE the center? <i>Select "None" if you did not observe any prohibited or disruptive circumstances.</i>	Select Multiple: Intimidation Violence Significant disorder Security (beyond regulations) Other None [DisruptOutAggCent]
ANSWER ONLY IF Question #4 excludes "None"	
5. If any issues, please describe: <i>What were the prohibited/disruptive circumstances and how did they affect the process?</i>	[DisruptOutAggCentDesc]
6. Which, if any, of the following prohibited or disruptive circumstances did you observe INSIDE the center? <i>Select "None" if you did not observe any prohibited or disruptive circumstances.</i>	Select Multiple: Intimidation Violence Significant disorder Security (beyond regulations) Other None [DisruptInAggCent]
ANSWER ONLY IF Question #6 excludes "None"	
7. If any issues, please describe: <i>What were the prohibited/disruptive circumstances and how did they affect the process?</i>	[DisruptInAggCentDesc]
8. Start of Observation	[StartTime]
10. Does the center appear to be accessible to physically challenged persons, including the elderly? <i>The UN Convention on the Rights of People with Disabilities establishes an obligation for states to take measures to identify and eliminate obstacles and barriers to accessibility. This requires that people with disabilities will have an opportunity to participate on an equal basis in both rural and urban areas.</i>	Select One: Yes No [AccessibilityCenter]
11. If "no", please describe the impediments as well as any efforts to overcome the impediments or assist the challenged persons:	[AccessibilityDesc]
12. Before moving ahead, please review the following definitions regarding assessment of PROCEDURES. Mark the selection below to indicate that you understand the definitions and refer back to this page if needed. <i>FULLY — The procedure was always or almost always applied correctly. Any procedural errors observed were very minor.
 ADEQUATELY — The procedure was mostly applied correctly. Procedural errors observed did not appear to affect the integrity or transparency of the process.
 INADEQUATELY — The procedure was often not applied correctly; OR the procedural error may have compromised the integrity of the process (even if few instances were observed).
 NOT AT ALL — The procedure was omitted or was not followed meaningfully.
 NOT OBSERVED — Due to circumstances other than those described by the above, the observer was not able to assess the procedure.</i>	Select One: I have read and understand the definitions. [BeforeProcedures]
13. How closely did each of the following procedures adhere to regulations? <i>A = Fully;
 B = Adequately;
 C = Inadequately;
 D = Not at all;
 E = Not observed</i>	
13.1. Receipt of materials	Select One: A B C D E [MaterialsReceipt]
13.2. Data recording/entry	Select One: A B C D E [DataRecord]
13.3. Tabulation	Select One: A B C D E [Tabulation]
13.4. Proclamation/display of results	Select One: A B C D E [ResultsAnnounce]
13.5. Quarantined materials/results	Select One: A B C D E [QuarantinedMat]
13.6. Recount	Select One: A B C D E [Recount]
14. Please describe the reasons for not choosing "Fully" or "Adequately", if you did so:	[AggProcedDesc]
15. Total number of polling station results this tabulation center is responsible for: <i>Leave blank if unknown/not observable.</i>	[PollStatResultsResp]
16. Number of polling station results received to date: <i>Leave blank if unknown/not observable. Include TOTAL number of results quarantined.</i>	[PollStatResultsRec]
ANSWER ONLY IF Question #13.5 is not equal to "E"	
17. Number of polling station results quarantined to date: <i>Leave blank if unknown/not observable.</i>	[PollStatResultsQuar]
ANSWER ONLY IF Question #13.5 is not equal to "E"	
18. Please describe quarantine: <i>E.g., reasons for quarantine, PC/PS IDs of those quarantined.</i>	[QuarantinedDesc]
ANSWER ONLY IF Question #13.5 is not equal to "E"	
19. How many quarantined results have been processed to date? <i>Leave blank if unknown/not observable.</i>	[QuarantinedProcessed]
ANSWER ONLY IF Question #13.6 is not equal to "E"	
20. How many polling stations require the recount of materials? <i>Leave blank if unknown/not observable.</i>	[PollStatRecount]
ANSWER ONLY IF Question #13.6 is not equal to "E"	
21. Please describe recount: <i>E.g., overall situation, PC/PS IDs.</i>	[RecountDesc]
ANSWER ONLY IF Question #13.6 is not equal to "E"	
22. How many recounts of polling station results have taken place to date? <i>Leave blank if unknown/not observable.</i>	[RecountComplete]
ANSWER ONLY IF Question #13.6 is not equal to "E"	
23. How many recounts confirmed the earlier tallies? <i>Leave blank if unknown/not observable.</i>	[RecountConfirm]

24. Were there any results that should have received scrutiny but did not?	Select One: ☐ Yes ☐ No	[ResultScrutinyNeeded]
ANSWER ONLY IF Question #24 is equal to "Yes"		
25. If "yes," please describe:		
26. How many agents representing each party/candidate were present?		
26.1. Please note the gender and party/candidate of agents present		
27. How many observers from each election observation group were present?		
27.1. Please note the gender and name of observation group representatives present		
28. What level of access did each of the following groups have? <i>A = Sufficient access;
B = Deficient access (within regulations) — applied to one, some, or all;
C = Deficient access (violation of regulations) — not able to participate as stipulated in regulations (not permitted entry; time limited in violation; applied to one, some, or all);
D = Not present;
E = Not observed</i>		
28.1. Center staff	Select One: ☐ A ☐ B ☐ C ☐ D ☐ E	[AccessCenterStaff]
28.2. Candidate/party agents	Select One: ☐ A ☐ B ☐ C ☐ D ☐ E	[AccessAgents]
28.3. International observers	Select One: ☐ A ☐ B ☐ C ☐ D ☐ E	[AccessIntObs]
28.4. Citizen observers	Select One: ☐ A ☐ B ☐ C ☐ D ☐ E	[AccessCitObs]
28.5. Media	Select One: ☐ A ☐ B ☐ C ☐ D ☐ E	[AccessMedia]
28.6. Security	Select One: ☐ A ☐ B ☐ C ☐ D ☐ E	[AccessSecurity]
28.7. Other	Select One: ☐ A ☐ B ☐ C ☐ D ☐ E	[AccessOther]
29. If any groups were not allowed sufficient access, please describe: <i>How were groups denied access and what was the impact?</i>		
30. Did you observe any interference in the tabulation process? <i>Please indicate which group(s) interfered. Select "No interference observed" if no interference was observed.</i>	Select Multiple: ☐ Center staff ☐ Candidate/party agents ☐ International observers ☐ Citizen observers ☐ Media ☐ Security ☐ Local officials ☐ Religious/traditional leaders ☐ Other ☐ No interference observed	[InterferenceAgg]
ANSWER ONLY IF Question #30 excludes "No interference observed"		
31. If any interference, please describe: <i>How were groups causing interference and what was the impact?</i>		
32. End of Observation:		
34. Were there any official complaints lodged? <i>If applicable, near the end of your observation, ask the Presiding Officer if present or ask observers from other organizations or party/candidate agents.</i>		
	Select One: ☐ Yes ☐ No	[OfficialComp]
ANSWER ONLY IF Question #34 is equal to "Yes"		
35. If "yes", please describe: <i>Who filed complaints? What were the reasons? How were they addressed?</i>		
36. Were there any problems reported to you by those present rather than those observed directly by you? <i>(Reported by e.g., agents, observers, voters)</i>	Select One: ☐ Yes ☐ No	[ProbReport]
ANSWER ONLY IF Question #36 is equal to "Yes"		
37. If "yes", please describe: <i>Please note the actors involved, how it was resolved, the apparent impact, and any supporting evidentiary corroboration.</i>		
38. How would you evaluate party/candidate agents' performance?	Select One: ☐ Adequate ☐ Inadequate ☐ Not Observed/Observable	[AgentsEval]
ANSWER ONLY IF Question #38 is not equal to "Adequate"		
39. Please describe the reasons for not choosing "Adequate":		
40. Before moving ahead, please review the following definitions regarding the overall assessment of IMPLEMENTATION OF PROCEDURES BY STAFF. Mark the selection below to indicate that you understand the definitions and refer back to this page if needed. <i>VERY GOOD — Procedures were always or almost always applied correctly. Any procedural errors observed were very minor and did not affect the integrity or transparency of the process.
 REASONABLE — Procedures were mostly applied correctly. Procedural errors observed did not appear to affect the integrity or transparency of the process.
 POOR — Procedures were not applied correctly; OR procedural errors significantly affected the transparency of the process and/or may have compromised the integrity of the process.
 NOT CREDIBLE — Important procedures were not followed correctly and these problems likely compromised the integrity of the process.</i>		
	Select One: ☐ I have read and understand the definitions.	[BeforeProcedImp]
41. What is your team's evaluation of the implementation of procedures by staff at this station? <i>This evaluation should be based upon the procedures evaluated earlier in the checklist as well as any procedural factors that may have been omitted from the checklist. Please refer back to the answers provided to questions about procedures as needed to inform the overall evaluation.</i>	Select One: ☐ Very Good ☐ Reasonable ☐ Poor ☐ Not Credible	[ProcedImpEval]
ANSWER ONLY IF Question #41 is not equal to "Very Good" AND Question #41 is not equal to "Reasonable"		
42. What were the main reasons for not choosing "Very Good" or "Reasonable"?		
43. Before moving ahead, please review the following definitions regarding the overall assessment of the AGGREGATION ENVIRONMENT AND PROCESS. Mark the selection below to indicate that you understand the definitions and refer back to this page if needed. <i>VERY GOOD — No significant problems were observed with the implementation of procedures or environment. The aggregation process was fully transparent.
 REASONABLE — Observed problems did not significantly affect the integrity or transparency of the aggregation process, but there is room for improvement.
 POOR — Significant problems with any of the following may have compromised the integrity of the results: errors in implementing aggregation procedures; election staff subject to intimidation or interference; observers restricted; sensitive materials not secured.
 NOT CREDIBLE — Observed problems with the aggregation likely compromised the integrity of the results; OR there are significant, unexplained differences between counting results and aggregation results.</i>		
	Select One: ☐ I have read and understand the definitions.	[BeforeAggEnv]
44. What is your team's overall assessment of the aggregation environment and process at this center?	Select One: ☐ Very Good ☐ Reasonable ☐ Poor ☐ Not Credible	[AggEnv]
ANSWER ONLY IF Question #44 is not equal to "Very Good" AND Question #44 is not equal to "Reasonable"		
45. What were the main reasons for not choosing "Very Good" or "Reasonable"?		
46. Any other comments?		

Letter of Invitation



République Tunisienne

Instance Supérieure
Indépendante
Pour Les Elections

Président



A l'intention de Madame la Directrice Exécutive du Centre Carter

Objet : Invitation d'une mission d'observation des élections législatives et présidentielles 2019

Chère Madame Mary Ann Peters,

La Tunisie s'apprête à organiser les deuxièmes élections législatives et présidentielles 2019.

A cet effet, l'ISIE vous sera reconnaissante d'envoyer une mission d'observation pour suivre le processus électoral et apporter son témoignage sur le déroulement de l'opération électorale.

Par ailleurs, et pour le bon déroulement de cette MOE, les observateurs sont appelés à obtenir leurs accréditations avant leur déploiement sur le territoire tunisien. L'ISIE a mis en place un service d'accréditation à son siège social (sis au 05 Rue de l'Île de Sardaigne, les jardins du Lac 1053 Tunis).

De plus amples informations sont disponibles sur le Site de l'ISIE : www.isie.tn

Nous sommes parfaitement persuadés de votre entière collaboration et nous vous exprimons notre plus haute considération.

**Le Président de l'Instance Supérieure
Indépendante pour les Elections**

Nabil Baffoun

| The Carter Center at a Glance

The Carter Center was founded in 1982 by former U.S. President Jimmy Carter and his wife, Rosalynn, in partnership with Emory University, to advance peace and health worldwide. A not-for-profit, nongovernmental organization, the Center has helped to improve life for people in 80 countries by resolving conflicts; advancing

democracy, human rights, and economic opportunity; preventing diseases; and improving mental health care. Please visit www.cartercenter.org to learn more about The Carter Center.



THE
CARTER CENTER



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LEGISLATIVE OPENING - Tunisia 2019



User/Team	
Observation Time	
1. Start of Observation	[StartTime]
2. Location Details	
2.1. IRIE	Select One: [Circonscription] ☐ Tunis 1 ☐ Tunis 2 ☐ Ariana ☐ La Mannouba ☐ Ben Arous ☐ Bizerte ☐ Nabeul 1 ☐ Nabeul 2 ☐ Zaghouan ☐ Béja ☐ Le Kef ☐ Silliana ☐ Jendouba ☐ Kairouan ☐ Sousse ☐ Monastir ☐ Mahdia ☐ Kasserine ☐ Sidi Bouzid ☐ Gafsa ☐ Tozeur ☐ Sfax 1 ☐ Sfax 2 ☐ Gabès ☐ Medenine ☐ Tataouine ☐ Kebili
2.3. Is the center in an urban or rural area? <i>Urban: Rural: defined subjectively per mission. Could include distance to cities....</i>	Select One: [UrbanRural] ☐ Urban ☐ Rural
3. Number of stations at the center: <i>If the center and the station are the same, please answer "1".</i>	[StationCount]
4. Please indicate the polling center presiding officer's gender:	Select One: [PCPresidentGender2] ☐ Female ☐ Male ☐ Not observed
5. Were there obstacles or barriers on the way to the center that could have inhibited general access? <i>Examples of barriers might include distance from villages or a dysfunctional bridge.</i>	Select One: [Barriers] ☐ Yes ☐ No
ANSWER ONLY IF Question #5 is equal to "Yes"	[BarriersDesc]
6. If "yes", please describe: <i>Describe the barriers to public access and to what extent it affected voter franchise.</i>	
7. Which, if any, of the following prohibited or disruptive circumstances did you observe OUTSIDE the CENTER? <i>If there is only one station per "center," then please answer this question as "OUTSIDE the STATION." Select "None" if you did not observe any prohibited or disruptive circumstances.</i>	Select Multiple: [DisruptOutCent] ☐ Prohibited campaigning ☐ Prohibited campaign material ☐ Ineffective queue management ☐ Intimidation ☐ Violence ☐ Significant disorder ☐ Security (beyond regulations) ☐ Bussing activities ☐ Other ☐ None
ANSWER ONLY IF Question #7 excludes "None"	[DisruptOutCentDesc]
8. If any issues, please describe: <i>What were the prohibited/disruptive circumstances and how did they affect the process?</i>	
ANSWER ONLY IF Question #3 is greater than 1	Select Multiple: [DisruptInCent] ☐ Prohibited campaigning ☐ Prohibited campaign material ☐ Ineffective queue management ☐ Intimidation ☐ Violence ☐ Significant disorder ☐ Security (beyond regulations) ☐ Other ☐ None
9. Which, if any, of the following prohibited or disruptive circumstances did you observe INSIDE the CENTER (but outside the stations)? <i>Select "None" if you did not observe any prohibited or disruptive circumstances.</i>	
ANSWER ONLY IF Question #9 excludes "None" AND Question #3 is greater than 1	[DisruptInCentDesc]
10. If any issues, please describe: <i>What were the prohibited/disruptive circumstances and how did they affect the process?</i>	
11. Polling Station ID: <i>10 or 11 digit number</i>	[StationID]
13. If present, please indicate the polling station presiding officer's gender: <i>If the presiding officer is not present now but appears before departure, please adjust this answer.</i>	Select One: [POGender] ☐ Female ☐ Male ☐ Not observed
14. Number of staff working at the polling station (excluding presiding officer):	[StaffCount]
15. Number of FEMALE staff present (excluding presiding officer):	[FemaleStaff]
16. Number of registered voters:	[RegVoterCount]
17. Which, if any, of the following prohibited or disruptive circumstances did you observe INSIDE the STATION? <i>Select "None" if you did not observe any prohibited or disruptive circumstances.</i>	Select Multiple: [DisruptInStat] ☐ Prohibited campaigning ☐ Prohibited campaign material ☐ Ineffective queue management ☐ Intimidation ☐ Violence ☐ Significant disorder ☐ Security (beyond regulations) ☐ Other ☐ None
ANSWER ONLY IF Question #17 excludes "None"	[DisruptInStatDesc]
18. If any issues, please describe: <i>What were the prohibited/disruptive circumstances and how did they affect the process?</i>	
19. Were any of the following materials missing, insufficient, or incorrect? <i>A = Present and correct;
B = Missing (entirely absent);
C = Insufficient (fewer than required, but some present);
D = Incorrect (wrong)</i>	
19.1. Indelible ink	Select One: [Ink] ☐ A ☐ B ☐ C ☐ D
19.2. Booths/screens	Select One: [Booths] ☐ A ☐ B ☐ C ☐ D
19.3. Ballot papers	Select One: [BallotPapers] ☐ A ☐ B ☐ C ☐ D
19.4. Ballot box(es)	Select One: [BallotBox] ☐ A ☐ B ☐ C ☐ D
19.5. Voter list(s)/FVR	Select One: [VoterList] ☐ A ☐ B ☐ C ☐ D
19.6. Stamps	Select One: [Stamps] ☐ A ☐ B ☐ C ☐ D
19.7. Seals/padlocks	Select One: [Seals] ☐ A ☐ B ☐ C ☐ D
19.8. Other	Select One: [OtherMat] ☐ A ☐ B ☐ C ☐ D
20. If materials are missing, insufficient, or incorrect, please describe, including any "other" materials noted:	[MissingMatDesc]
21. Does the station appear to be accessible to physically challenged persons, including the elderly? <i>The UN Convention on the Rights of People with Disabilities establishes an obligation for states to take measures to identify and eliminate obstacles and barriers to accessibility. This requires that people with disabilities will have an opportunity to participate on an equal basis in both rural and urban areas.</i>	Select One: [Accessibility] ☐ Yes ☐ No
ANSWER ONLY IF Question #21 is equal to "No"	[AccessibilityDesc]
22. If "no", please describe the impediments as well as any efforts to overcome the impediments or assist the challenged persons:	
23. Did the polling station open during your observation?	Select One: [OpeningObs] ☐ Yes ☐ No

ANSWER ONLY IF Question #23 is equal to "No"		[OpeningObsDesC]
24. If "no", please describe: <i>Why did the polling station fail to open on time?</i>		
ANSWER ONLY IF Question #23 is equal to "Yes"		[OpeningTime]
25. At what time did the polling station open?		
26. If the polling station opened MORE THAN 30 MINUTES late, what are the reasons for delay? <i>If the polling station opened less than 30 minutes late, please select "Not applicable".</i>		[OpeningLateReasons]
ANSWER ONLY IF Question #26 excludes "Not applicable"		
27. If the polling station opened more than 30 minutes late, please describe the reasons, including any "other" reasons noted:		[OpeningLateReasDesc]
SKIP TO Question #31 [How many agents representing each party/candidate were present?] if Question #23 [OpeningObs] is equal to "No"		
28. Before moving ahead, please review the following definitions regarding assessment of PROCEDURES. Mark the selection below to indicate that you understand the definitions and refer back to this page if needed. <i>FULLY — The procedure was always or almost always applied correctly. Any procedural errors observed were very minor.
 ADEQUATELY — The procedure was mostly applied correctly. Procedural errors observed did not appear to affect the integrity or transparency of the process.
 INADEQUATELY — The procedure was often not applied correctly; OR the procedural error may have compromised the integrity of the process (even if few instances were observed).
 NOT AT ALL — The procedure was omitted or was not followed meaningfully.
 NOT OBSERVED — Due to circumstances other than those described by the above, the observer was not able to assess the procedure.</i>		[BeforeProcedures]
29. How closely did each of the following procedures adhere to regulations? <i>A = Fully;
 B = Adequately;
 C = Inadequately;
 D = Not at all;
 E = Not observed</i>		
29.1. Ballot inventory	Select One: A B C D E	[BallotInventory]
29.2. Empty ballot box demonstration	Select One: A B C D E	[BallotBoxDemo]
29.3. Ballot box sealing	Select One: A B C D E	[OpeningBallotBoxSeal]
29.4. Reading of seal numbers	Select One: A B C D E	[SealNumReading]
29.5. Room configuration	Select One: A B C D E	[RoomConfig]
29.6. Recording of seal numbers for reopening	Select One: A B C D E	[SealNumCheck]
30. Please describe the reasons for not choosing "Fully" or "Adequately", if you did so:		[OpenProcedDesc]
31. How many agents representing each party/candidate were present?		
31.1. Please note the gender and party/candidate of agents present		[AgentRepresentingEx]
32. How many observers from each election observation group were present?		
32.1. Please note the gender and name of observation group representatives present		[ObservationGroupEx]
33. What level of access did each of the following groups have? <i>A = Sufficient access;
 B = Deficient access (within regulations) — applied to one, some, or all;
 C = Deficient access (violation of regulations) — not able to participate as stipulated in regulations (not permitted entry; time limited in violation; applied to one, some, or all);
 D = Not present;
 E = Not observed</i>		
33.1. Candidate/party agents	Select One: A B C D E	[AccessAgents]
33.2. International observers	Select One: A B C D E	[AccessIntObs]
33.3. Citizen observers	Select One: A B C D E	[AccessCitObs]
33.4. Media	Select One: A B C D E	[AccessMedia]
33.5. Other	Select One: A B C D E	[AccessOther]
34. If any groups were not allowed sufficient access, please describe: <i>How were groups denied access and what was the impact?</i>		[AccessDesc]
35. Did you observe any interference in the election process? <i>Please indicate which group(s) interfered. Select "No interference observed" if no interference was observed.</i>		[Interference]
ANSWER ONLY IF Question #35 excludes "No interference observed"		
36. If any interference, please describe: <i>How were groups causing interference and what was the impact?</i>		[InterferenceDesc]
38. Were there any official complaints lodged? <i>If applicable, near the end of your observation, ask the Presiding Officer if present or ask observers from other organizations or party/candidate agents.</i>		[OfficialComp]
ANSWER ONLY IF Question #38 is equal to "Yes"		
39. If "yes", please describe: <i>Who filed complaints? What were the reasons? How were they addressed?</i>		[OfficialCompDesc]
40. Were there any problems reported to you by those present rather than those observed directly by you? <i>(Reported by e.g., agents, observers, voters)</i>		[ProbReport]
ANSWER ONLY IF Question #40 is equal to "Yes"		
41. If "yes", please describe: <i>Please note the actors involved, how it was resolved, the apparent impact, and any supporting evidentiary corroboration.</i>		[ProbReportDesc]
42. How would you evaluate party/candidate agents' performance?		[AgentsEval]
ANSWER ONLY IF Question #42 is not equal to "Adequate"		
43. Please describe the reasons for not choosing "Adequate":		[AgentsEvalDesc]

44. Before moving ahead, please review the following definitions regarding the overall assessment of IMPLEMENTATION OF PROCEDURES BY STAFF. Mark the selection below to indicate that you understand the definitions and refer back to this page if needed.

VERY GOOD — Procedures were always or almost always applied correctly. Any procedural errors observed were very minor and did not affect the integrity or transparency of the process.

 REASONABLE — Procedures were mostly applied correctly. Procedural errors observed did not appear to affect the integrity or transparency of the process.

 POOR — Procedures were not applied correctly; OR procedural errors significantly affected the transparency of the process and/or may have compromised the integrity of the process.

 NOT CREDIBLE — Important procedures were not followed correctly and these problems likely compromised the integrity of the process.

Select One:

☐ I have read and understand the definitions.

[BeforeProcedImp]

45. What is your team's evaluation of the implementation of procedures by staff at this station?

This evaluation should be based upon the procedures evaluated earlier in the checklist as well as any procedural factors that may have been omitted from the checklist. Please refer back to the answers provided to questions about procedures as needed to inform the overall evaluation.

Select One:

☐ Very Good ☐ Reasonable ☐ Poor ☐ Not Credible

[ProcedImpEval]

ANSWER ONLY IF Question #45 is not equal to "Very Good" AND Question #45 is not equal to "Reasonable"

[ProcedImpEvalDesc]

46. What were the main reasons for not choosing "Very Good" or "Reasonable"?

47. Before moving ahead, please review the following definitions regarding the overall assessment of the OPENING ENVIRONMENT AND PROCESS. Mark the selection below to indicate that you understand the definitions and refer back to this page if needed.

VERY GOOD — No significant problems were observed with the implementation of procedures or environment. The process was fully transparent.

 REASONABLE — Observed problems did not significantly affect the integrity or transparency of the opening process, but there is room for improvement.

 POOR — Significant problems with any of the following may have compromised the integrity of the process: errors in implementing opening procedures; polling staff subject to intimidation or interference; observers restricted.

 NOT CREDIBLE — Observed problems with the opening likely compromised the integrity of the process.

Select One:

☐ I have read and understand the definitions.

[BeforeOpenEnv]

48. What is your team's overall assessment of the election environment and process at this station?

Select One:

☐ Very Good ☐ Reasonable ☐ Poor ☐ Not Credible

[ElecEnv]

ANSWER ONLY IF Question #48 is not equal to "Very Good" AND Question #48 is not equal to "Reasonable"

[ElecEnvDesc]

49. What were the main reasons for not choosing "Very Good" or "Reasonable"?

50. Any other comments?

[AddComments]

51. End of Observation:

[EndTime]



LEGISLATIVE POLLING - Tunisia 2019



User/Team	
Observation Time	
1. Start of Observation	[StartTime]
2. Location Details	
2.1. IRIE	Select One: [Circscription] ☐ Tunis 1 ☐ Tunis 2 ☐ Ariana ☐ La Mannouba ☐ Ben Arous ☐ Bizerte ☐ Nabeul 1 ☐ Nabeul 2 ☐ Zaghouan ☐ Béja ☐ Le Kef ☐ Siliana ☐ Jendouba ☐ Kairouan ☐ Sousse ☐ Monastir ☐ Mahdia ☐ Kasserine ☐ Sidi Bouzid ☐ Gafsa ☐ Tozeur ☐ Sfax 1 ☐ Sfax 2 ☐ Gabès ☐ Medenine ☐ Tataouine ☐ Kebili
2.3. Is the center in an urban or rural area? <i>Urban: Rural: defined subjectively per mission. Could include distance to cities....</i>	Select One: [UrbanRural] ☐ Urban ☐ Rural
3. Number of stations at the center: <i>If the center and the station are the same, please answer "1".</i>	[StationCount]
4. Please indicate the polling center presiding officer's gender:	Select One: [PCPresidentGender2] ☐ Female ☐ Male ☐ Not observed
5. Were there obstacles or barriers on the way to the center that could have inhibited general access? <i>Examples of barriers might include distance from villages or a dysfunctional bridge.</i>	Select One: [Barriers] ☐ Yes ☐ No
ANSWER ONLY IF Question #5 is equal to "Yes"	[BarriersDesc]
6. If "yes", please describe: <i>Describe the barriers to public access and to what extent it affected voter franchise.</i>	
7. Which, if any, of the following prohibited or disruptive circumstances did you observe OUTSIDE the CENTER? <i>If there is only one station per "center," then please answer this question as "OUTSIDE the STATION." Select "None" if you did not observe any prohibited or disruptive circumstances.</i>	Select Multiple: [DisruptOutCent] ☐ Prohibited campaigning ☐ Prohibited campaign material ☐ Ineffective queue management ☐ Intimidation ☐ Violence ☐ Significant disorder ☐ Security (beyond regulations) ☐ Bussing activities ☐ Other ☐ None
ANSWER ONLY IF Question #7 excludes "None"	[DisruptOutCentDesc]
8. If any issues, please describe: <i>What were the prohibited/disruptive circumstances and how did they affect the process?</i>	
ANSWER ONLY IF Question #3 is greater than 1	[DisruptInCent]
9. Which, if any, of the following prohibited or disruptive circumstances did you observe INSIDE the CENTER (but outside the stations)? <i>Select "None" if you did not observe any prohibited or disruptive circumstances.</i>	Select Multiple: [DisruptInCent] ☐ Prohibited campaigning ☐ Prohibited campaign material ☐ Ineffective queue management ☐ Intimidation ☐ Violence ☐ Significant disorder ☐ Security (beyond regulations) ☐ Other ☐ None
ANSWER ONLY IF Question #9 excludes "None" AND Question #3 is greater than 1	[DisruptInCentDesc]
10. If any issues, please describe: <i>What were the prohibited/disruptive circumstances and how did they affect the process?</i>	
11. Polling Station ID: <i>10 or 11 digit number</i>	[StationID]
13. If present, please indicate the polling station presiding officer's gender: <i>If the presiding officer is not present now but appears before departure, please adjust this answer.</i>	Select One: [POGender] ☐ Female ☐ Male ☐ Not observed
14. Number of staff working at the polling station (excluding presiding officer):	[StaffCount]
15. Number of FEMALE staff present (excluding presiding officer):	[FemaleStaff]
16. Number of registered voters:	[RegVoterCount]
17. Approximate number of voters who have voted by time of arrival: <i>If the number of voters is not directly recorded by the polling staff, it may be necessary to ask the presiding officer or other staff to estimate the number of voters or calculate by other means.</i>	[VotedCount]
18. Which, if any, of the following prohibited or disruptive circumstances did you observe INSIDE the STATION? <i>Select "None" if you did not observe any prohibited or disruptive circumstances.</i>	Select Multiple: [DisruptInStat] ☐ Prohibited campaigning ☐ Prohibited campaign material ☐ Ineffective queue management ☐ Intimidation ☐ Violence ☐ Significant disorder ☐ Security (beyond regulations) ☐ Other ☐ None
ANSWER ONLY IF Question #18 excludes "None"	[DisruptInStatDesc]
19. If any issues, please describe: <i>What were the prohibited/disruptive circumstances and how did they affect the process?</i>	
20. Were any of the following materials missing, insufficient, or incorrect? <i>A = Present and correct;
B = Missing (entirely absent);
C = Insufficient (fewer than required, but some present);
D = Incorrect (wrong)</i>	
20.1. Indelible ink	Select One: [Ink] ☐ A ☐ B ☐ C ☐ D
20.2. Booths/screens	Select One: [Booths] ☐ A ☐ B ☐ C ☐ D
20.3. Ballot papers	Select One: [BallotPapers] ☐ A ☐ B ☐ C ☐ D
20.4. Ballot box(es)	Select One: [BallotBox] ☐ A ☐ B ☐ C ☐ D
20.5. Voter list(s)/FVR	Select One: [VoterList] ☐ A ☐ B ☐ C ☐ D
20.6. Stamps	Select One: [Stamps] ☐ A ☐ B ☐ C ☐ D
20.7. Seals/padlocks	Select One: [Seals] ☐ A ☐ B ☐ C ☐ D
20.8. Other	Select One: [OtherMat] ☐ A ☐ B ☐ C ☐ D
21. If materials are missing, insufficient, or incorrect, please describe, including any "other" materials noted:	[MissingMatDesc]
22. Does the station appear to be accessible to physically challenged persons, including the elderly? <i>The UN Convention on the Rights of People with Disabilities establishes an obligation for states to take measures to identify and eliminate obstacles and barriers to accessibility. This requires that people with disabilities will have an opportunity to participate on an equal basis in both rural and urban areas.</i>	Select One: [Accessibility] ☐ Yes ☐ No
ANSWER ONLY IF Question #22 is equal to "No"	[AccessibilityDesc]
23. If "no", please describe the impediments as well as any efforts to overcome the impediments or assist the challenged persons:	

24. Before moving ahead, please review the following definitions regarding assessment of PROCEDURES. Mark the selection below to indicate that you understand the definitions and refer back to this page if needed. FULLY — The procedure was always or almost always applied correctly. Any procedural errors observed were very minor.
 ADEQUATELY — The procedure was mostly applied correctly. Procedural errors observed did not appear to affect the integrity or transparency of the process.
 INADEQUATELY — The procedure was often not applied correctly; OR the procedural error may have compromised the integrity of the process (even if few instances were observed).
 NOT AT ALL — The procedure was omitted or was not followed meaningfully.
 NOT OBSERVED — Due to circumstances other than those described by the above, the observer was not able to assess the procedure. 25. How closely did each of the following procedures adhere to regulations? A = Fully;
 B = Adequately;
 C = Inadequately;
 D = Not at all;
 E = Not observed		Select One: [BeforeProcedures]
25.1. Checking for ink	Select One: ☐ A ☐ B ☐ C ☐ D ☐ E	[InkCheck]
25.2. Voter identification	Select One: ☐ A ☐ B ☐ C ☐ D ☐ E	[VoterID]
25.3. Crossing names out/signing voters list	Select One: ☐ A ☐ B ☐ C ☐ D ☐ E	[SigningList]
25.4. Ballot issuing	Select One: ☐ A ☐ B ☐ C ☐ D ☐ E	[BallotIssue]
25.5. Ballot stamping	Select One: ☐ A ☐ B ☐ C ☐ D ☐ E	[BallotStamp]
25.6. Inking fingers	Select One: ☐ A ☐ B ☐ C ☐ D ☐ E	[Inking]
25.7. Ballot casting	Select One: ☐ A ☐ B ☐ C ☐ D ☐ E	[BallotCasting]
25.8. Checking under veils	Select One: ☐ A ☐ B ☐ C ☐ D ☐ E	[CheckVeils]
25.9. Assisted voting	Select One: ☐ A ☐ B ☐ C ☐ D ☐ E	[AssistVote]
26. Please describe the reasons for not choosing "Fully" or "Adequately", if you did so:	[ProceduresDesc]	
27. Which, if any, of the following ineligible voters were allowed to vote?	Select Multiple: ☐ Persons not on list — unauthorized ☐ Persons with unauthorized ID ☐ Persons without ID ☐ Voters already crossed off list ☐ Voters already inked ☐ Security personnel — unauthorized ☐ Voters by proxy (e.g. relatives) ☐ Voters improperly assisted ☐ Other ☐ Not observed	[IneligibleVoters]
ANSWER ONLY IF Question #27 excludes "Not observed"		
28. Please describe, including any "others" noted:	[IneligibleDesc]	
29. Which, if any, of the following eligible voters were NOT allowed to vote?	Select Multiple: ☐ Persons on list with ID ☐ Polling staff ☐ EMB members ☐ Citizen observers ☐ Party/candidate agents ☐ Journalists — national ☐ Other ☐ No eligible voters prevented	[EligibleVoters]
ANSWER ONLY IF Question #29 excludes "No eligible voters prevented"		
30. Please describe, including any "others" noted:	[EligibleDesc]	
31. Are ballot boxes correctly sealed? <i>All seals should be correctly applied, and ballot boxes should be secure from tampering.</i>	Select One: ☐ Yes ☐ No	[BallotBoxSeal]
ANSWER ONLY IF Question #31 is equal to "No"		
32. If "no", please describe:	[BallotBoxSealDesc]	
33. Are additional polling materials secured from potential theft or misuse? <i>Additional materials should be stored compactly and out of the way of traffic in the polling station. Disorganized or poorly stored materials are vulnerable to tampering.</i>	Select One: ☐ Yes ☐ No	[MatSecure]
ANSWER ONLY IF Question #33 is equal to "No"		
34. If "no", please describe:	[MatSecureDesc]	
35. Is the polling station layout in accordance with regulations?	Select One: ☐ Yes ☐ No	[LayoutReg]
ANSWER ONLY IF Question #35 is equal to "No"		
36. If "no", please describe:	[LayoutRegDesc]	
37. Does the polling station layout effectively facilitate the flow of voters? <i>The layout should allow voters to move through the process without skipping steps or crossing paths with other parts of the queue.</i>	Select One: ☐ Yes ☐ No	[LayoutFlow]
ANSWER ONLY IF Question #37 is equal to "No"		
38. If "no", please describe:	[LayoutFlowDesc]	
39. Are voters able to cast their ballots in secret? <i>Secrecy of the ballot should not be undermined or violated because of crowding or exposed booths.</i>	Select One: ☐ Yes ☐ No	[BallotSecret]
ANSWER ONLY IF Question #39 is equal to "No"		
40. If "no", please describe:	[BallotSecretDesc]	
41. Was the number of staff working in the polling station sufficient for an efficient and orderly process?	Select One: ☐ Yes ☐ No	[StaffSufficient]
ANSWER ONLY IF Question #41 is equal to "No"		
42. If "no", please describe:	[StaffSufficientDesc]	
43. How long did a typical voter have to wait in the queue before entering the polling station? <i>If there is no queue, enter 0, otherwise, ask the second or third voter in line how long they have waited so far to inform your estimate.
 Provide your answer in minutes. For example, if a voter waited 1.5 hours, enter 90 (minutes).</i>	[LineWait]	
44. How long did it take a typical voter to complete the voting process once they entered the polling station? <i>The voting process begins when the voter enters the polling station and ends when the voter has cast his or her ballot and is able to leave the polling station. Watch two or three voters carry out the voting process, and provide an estimate in minutes of how long the process took.</i>	[VoteTime]	
45. Which, if any, of the following irregular processes did you observe?	Select Multiple: ☐ Multiple voting ☐ Ballot stuffing ☐ Interruption of voting ☐ Voter intimidation ☐ Illicit assistance ☐ Family voting ☐ Possible vote buying/selling ☐ Violation of secrecy of the ballot ☐ Other ☐ No irregularities observed	[IrregProcess]
ANSWER ONLY IF Question #45 excludes "No irregularities observed"		
46. If any irregularities, please describe: <i>Please comment on the frequency and severity of the irregularities, noting the extent of their impact on the voting process.</i>	[IrregProcessDesc]	

47. How many agents representing each party/candidate were present?			
47.1. Please note the gender and party/candidate of agents present			[AgentRepresentingEx]
48. How many observers from each election observation group were present?			
48.1. Please note the gender and name of observation group representatives present			[ObservationGroupEx]
49. What level of access did each of the following groups have? A = Sufficient access; B = Deficient access (within regulations) — applied to one, some, or all; C = Deficient access (violation of regulations) — not able to participate as stipulated in regulations (not permitted entry; time limited in violation; applied to one, some, or all); D = Not present; E = Not observed			
49.1. Candidate/party agents	Select One: A B C D E		[AccessAgents]
49.2. International observers	Select One: A B C D E		[AccessIntObs]
49.3. Citizen observers	Select One: A B C D E		[AccessCitObs]
49.4. Polling staff	Select One: A B C D E		[AccessPollStaff]
49.5. Media	Select One: A B C D E		[AccessMedia]
49.6. Other	Select One: A B C D E		[AccessOther]
50. If any groups were not allowed sufficient access, please describe: How were groups denied access and what was the impact?			[AccessDesC]
51. Did you observe any interference in the election process? Please indicate which group(s) interfered. Select "No interference observed" if no interference was observed.		Select Multiple: Candidate/party agents International observers Citizen observers Media Voters Security Local officials Religious/traditional leaders Other No interference observed	[Interference]
ANSWER ONLY IF Question #51 excludes "No interference observed"			
52. If any interference, please describe: How were groups causing interference and what was the impact?			[InterferenceDesC]
54. Were there any official complaints lodged? If applicable, near the end of your observation, ask the Presiding Officer if present or ask observers from other organizations or party/candidate agents.		Select One: Yes No	[OfficialComp]
ANSWER ONLY IF Question #54 is equal to "Yes"			
55. If "yes", please describe: Who filed complaints? What were the reasons? How were they addressed?			[OfficialCompDesC]
56. Were there any problems reported to you by those present rather than those observed directly by you? (Reported by e.g., agents, observers, voters)		Select One: Yes No	[ProbReport]
ANSWER ONLY IF Question #56 is equal to "Yes"			
57. If "yes", please describe: Please note the actors involved, how it was resolved, the apparent impact, and any supporting evidentiary corroboration.			[ProbReportDesC]
58. How would you evaluate voters' understanding of voting procedures?		Select One: Adequate Inadequate Not Observed/Observable	[VotUnderst]
ANSWER ONLY IF Question #58 is not equal to "Adequate"			
59. Please describe the reasons for not choosing "Adequate":			[VotUnderstDesC]
60. How would you evaluate party/candidate agents' performance?		Select One: Adequate Inadequate Not Observed/Observable	[AgentsEval]
ANSWER ONLY IF Question #60 is not equal to "Adequate"			
61. Please describe the reasons for not choosing "Adequate":			[AgentsEvalDesC]
62. Before moving ahead, please review the following definitions regarding the overall assessment of IMPLEMENTATION OF PROCEDURES BY STAFF. Mark the selection below to indicate that you understand the definitions and refer back to this page if needed. VERY GOOD — Procedures were always or almost always applied correctly. Any procedural errors observed were very minor and did not affect the integrity or transparency of the process. REASONABLE — Procedures were mostly applied correctly. Procedural errors observed did not appear to affect the integrity or transparency of the process. POOR — Procedures were not applied correctly; OR procedural errors significantly affected the transparency of the process and/or may have compromised the integrity of the process. NOT CREDIBLE — Important procedures were not followed correctly and these problems likely compromised the integrity of the process.		Select One: I have read and understand the definitions.	[BeforeProcedImp]
63. What is your team's evaluation of the implementation of procedures by staff at this station? This evaluation should be based upon the procedures evaluated earlier in the checklist as well as any procedural factors that may have been omitted from the checklist. Please refer back to the answers provided to questions about procedures as needed to inform the overall evaluation.		Select One: Very Good Reasonable Poor Not Credible	[ProcedImpEval]
ANSWER ONLY IF Question #63 is not equal to "Very Good" AND Question #63 is not equal to "Reasonable"			
64. What were the main reasons for not choosing "Very Good" or "Reasonable"?			[ProcedImpEvalDesC]
65. Before moving ahead, please review the following definitions regarding the overall assessment of the ELECTION ENVIRONMENT AND PROCESS. Mark the selection below to indicate that you understand the definitions and refer back to this page if needed. VERY GOOD — The environment and process fully allowed voters to freely exercise their right to vote. The process was fully transparent. REASONABLE — The environment and process were acceptable in ensuring that voters could freely exercise their right to vote. Any observed problems did not significantly affect the integrity or transparency of the process. POOR — For some voters, the environment or process was not conducive to the free exercise of the right to vote, equality, or transparency. Observed problems may have compromised the integrity of the process. NOT CREDIBLE — The environment or the process prevented voters from freely exercising their right to vote or affected the fairness of polling. Observed problems likely compromised the integrity of the polling process.		Select One: I have read and understand the definitions.	[BeforeElecEnv]
66. What is your team's overall assessment of the election environment and process at this station?		Select One: Very Good Reasonable Poor Not Credible	[ElecEnv]
ANSWER ONLY IF Question #66 is not equal to "Very Good" AND Question #66 is not equal to "Reasonable"			
67. What were the main reasons for not choosing "Very Good" or "Reasonable"?			[ElecEnvDesC]
68. Any other comments?			[AddComments]
69. End of Observation:			[EndTime]



LEGISLATIVE CLOSING - Tunisia 2019



User/Team		
Observation Time		
1. Start of Observation		[StartTime]
2. Location Details		
2.1. IRIE	Select One: ☐ Tunis 1 ☐ Tunis 2 ☐ Ariana ☐ La Mannouba ☐ Ben Arous ☐ Bizerte ☐ Nabeul 1 ☐ Nabeul 2 ☐ Zaghouan ☐ Béja ☐ Le Kef ☐ Silliana ☐ Jendouba ☐ Kairouan ☐ Sousse ☐ Monastir ☐ Mahdia ☐ Kasserine ☐ Sidi Bouzid ☐ Gafsa ☐ Tozeur ☐ Sfax 1 ☐ Sfax 2 ☐ Gabès ☐ Medenine ☐ Tatouine ☐ Kebili	[Circonscription]
2.3. Is the center in an urban or rural area? <i>Urban: Rural: defined subjectively per mission. Could include distance to cities....</i>	Select One: ☐ Urban ☐ Rural	[UrbanRural]
3. Number of stations at the center: <i>If the center and the station are the same, please answer "1".</i>		[StationCount]
4. Please indicate the polling center presiding officer's gender:	Select One: ☐ Female ☐ Male ☐ Not observed	[PCPresidentGender2]
5. Polling Station ID: <i>10 or 11 digit number</i>		[StationID]
7. If present, please indicate the polling station presiding officer's gender: <i>If the presiding officer is not present now but appears before departure, please adjust this answer.</i>	Select One: ☐ Female ☐ Male ☐ Not observed	[POGender]
8. Number of staff working at the polling station (excluding presiding officer):		[StaffCount]
9. Number of FEMALE staff present (excluding presiding officer):		[FemaleStaff]
10. Number of registered voters:		[RegVoterCount]
11. Did you observe the official closing of the polling station? <i>Generally, a polling station is closed when announced by the polling center president. Depending on regulations and implementation, it may be distinct from the time of the last vote.</i>	Select One: ☐ Yes ☐ No	[ClosingObs]
ANSWER ONLY IF Question #11 is equal to "No"		[ClosingObsDesc]
12. If "no", please describe:		
13. At what time was the closing of the polling station announced? <i>The closing time should match the time in regulations unless an emergency change was made by the EMB.</i>		[ClosingAnnounced]
14. Approximately how many voters were waiting in the queue at the time of closing?	Select One: ☐ 0 ☐ 1-10 ☐ 11-25 ☐ 26-50 ☐ 51-100 ☐ More than 100	[ClosingQueue]
15. Did you observe the last vote at the polling station?	Select One: ☐ Yes ☐ No	[LastVoteObs]
ANSWER ONLY IF Question #15 is equal to "Yes"		[LastVoteTime]
16. If "yes", at what time did the last voter vote?		
ANSWER ONLY IF Question #14 is not equal to "0"	Select One: ☐ Yes ☐ No ☐ Not observed	[ClosingQueueEligible]
17. Were all eligible persons in the queue at the time of closing allowed to vote?	Select One: ☐ Yes ☐ No ☐ Not observed	[ClosingQueuePrevent]
18. Were any and all voters prevented from joining the queue after closing?	Select One: ☐ Yes ☐ No ☐ Not observed	
19. Before moving ahead, please review the following definitions regarding assessment of PROCEDURES. Mark the selection below to indicate that you understand the definitions and refer back to this page if needed. <i>FULLY — The procedure was always or almost always applied correctly. Any procedural errors observed were very minor.
 ADEQUATELY — The procedure was mostly applied correctly. Procedural errors observed did not appear to affect the integrity or transparency of the process.
 INADEQUATELY — The procedure was often not applied correctly; OR the procedural error may have compromised the integrity of the process (even if few instances were observed).
 NOT AT ALL — The procedure was omitted or was not followed meaningfully.
 NOT OBSERVED — Due to circumstances other than those described by the above, the observer was not able to assess the procedure.</i>	Select One: ☐ I have read and understand the definitions.	[BeforeProcedures]
20. How closely did each of the following procedures adhere to regulations? <i>A = Fully;
 B = Adequately;
 C = Inadequately;
 D = Not at all;
 E = Not observed</i>		
20.1. Closing announcement	Select One: ☐ A ☐ B ☐ C ☐ D ☐ E	[ClosingAnnouncement]
20.2. Sealing of ballot boxes (incl. slot)	Select One: ☐ A ☐ B ☐ C ☐ D ☐ E	[BallotBoxSealing]
20.3. Recording of seal numbers	Select One: ☐ A ☐ B ☐ C ☐ D ☐ E	[SealNumRecording]
20.4. Securing of sensitive polling materials	Select One: ☐ A ☐ B ☐ C ☐ D ☐ E	[MaterialSecuring]
21. Please describe the reasons for not choosing "Fully" or "Adequately", if you did so:		[ClosingProcedDesc]
22. How many agents representing each party/candidate were present?		
22.1. Please note the gender and party/candidate of agents present		[AgentRepresentingEx]
23. How many observers from each election observation group were present?		
23.1. Please note the gender and name of observation group representatives present		[ObservationGroupEx]
24. What level of access did each of the following groups have? <i>A = Sufficient access;
 B = Deficient access (within regulations) — applied to one, some, or all;
 C = Deficient access (violation of regulations) — not able to participate as stipulated in regulations (not permitted entry; time limited in violation; applied to one, some, or all);
 D = Not present;
 E = Not observed</i>		
24.1. Candidate/party agents	Select One: ☐ A ☐ B ☐ C ☐ D ☐ E	[AccessAgents]
24.2. International observers	Select One: ☐ A ☐ B ☐ C ☐ D ☐ E	[AccessIntObs]
24.3. Citizen observers	Select One: ☐ A ☐ B ☐ C ☐ D ☐ E	[AccessCitObs]
24.4. Polling staff	Select One: ☐ A ☐ B ☐ C ☐ D ☐ E	[AccessPollStaff]

24.5. Media	Select One: ☐ A ☐ B ☐ C ☐ D ☐ E	[AccessMedia]
24.6. Other	Select One: ☐ A ☐ B ☐ C ☐ D ☐ E	[AccessOther]
25. If any groups were not allowed sufficient access, please describe: <i>How were groups denied access and what was the impact?</i>		
[AccessDesc]		
26. Did you observe any interference in the election process? <i>Please indicate which group(s) interfered. Select "No interference observed" if no interference was observed.</i>	Select Multiple: ☐ Candidate/party agents ☐ International observers ☐ Citizen observers ☐ Media ☐ Voters ☐ Security ☐ Local officials ☐ Religious/traditional leaders ☐ Other ☐ No interference observed	[Interference]
[InterferenceDesc]		
ANSWER ONLY IF Question #26 excludes "No interference observed"		
27. If any interference, please describe: <i>How were groups causing interference and what was the impact?</i>		
[InterferenceDesc]		
29. Were there any official complaints lodged? <i>If applicable, near the end of your observation, ask the Presiding Officer if present or ask observers from other organizations or party/candidate agents.</i>	Select One: ☐ Yes ☐ No	[OfficialComp]
[OfficialCompDesc]		
ANSWER ONLY IF Question #29 is equal to "Yes"		
30. If "yes", please describe: <i>Who filed complaints? What were the reasons? How were they addressed?</i>		
[OfficialCompDesc]		
31. Were there any problems reported to you by those present rather than those observed directly by you? <i>(Reported by e.g., agents, observers, voters)</i>	Select One: ☐ Yes ☐ No	[ProbReport]
[ProbReportDesc]		
ANSWER ONLY IF Question #31 is equal to "Yes"		
32. If "yes", please describe: <i>Please note the actors involved, how it was resolved, the apparent impact, and any supporting evidentiary corroboration.</i>		
[ProbReportDesc]		
33. How would you evaluate party/candidate agents' performance?	Select One: ☐ Adequate ☐ Inadequate ☐ Not Observed/Observable	[AgentsEval]
[AgentsEvalDesc]		
ANSWER ONLY IF Question #33 is not equal to "Adequate"		
34. Please describe the reasons for not choosing "Adequate":		
[AgentsEvalDesc]		
35. Before moving ahead, please review the following definitions regarding the overall assessment of IMPLEMENTATION OF PROCEDURES BY STAFF. Mark the selection below to indicate that you understand the definitions and refer back to this page if needed. <i>VERY GOOD — Procedures were always or almost always applied correctly. Any procedural errors observed were very minor and did not affect the integrity or transparency of the process.

 REASONABLE — Procedures were mostly applied correctly. Procedural errors observed did not appear to affect the integrity or transparency of the process.

 POOR — Procedures were not applied correctly; OR procedural errors significantly affected the transparency of the process and/or may have compromised the integrity of the process.

 NOT CREDIBLE — Important procedures were not followed correctly and these problems likely compromised the integrity of the process.</i>		
Select One: ☐ I have read and understand the definitions.		[BeforeProcedImp]
36. What is your team's evaluation of the implementation of procedures by staff at this station? <i>This evaluation should be based upon the procedures evaluated earlier in the checklist as well as any procedural factors that may have been omitted from the checklist. Please refer back to the answers provided to questions about procedures as needed to inform the overall evaluation.</i>		
Select One: ☐ Very Good ☐ Reasonable ☐ Poor ☐ Not Credible		[ProcedImpEval]
[ProcedImpEvalDesc]		
ANSWER ONLY IF Question #36 is not equal to "Very Good" AND Question #36 is not equal to "Reasonable"		
37. What were the main reasons for not choosing "Very Good" or "Reasonable"?		
[ProcedImpEvalDesc]		
38. Before moving ahead, please review the following definitions regarding the overall assessment of the CLOSING ENVIRONMENT AND PROCESS. Mark the selection below to indicate that you understand the definitions and refer back to this page if needed. <i>VERY GOOD — No significant problems were observed with the implementation of procedures or environment. The process was fully transparent.

 REASONABLE — Observed problems did not significantly affect the integrity or transparency of the closing process, but there is room for improvement.

 POOR — Significant problems with any of the following may have compromised the integrity of the results: errors in implementing closing procedures; polling staff subject to intimidation or interference; observers restricted.

 NOT CREDIBLE — Observed problems with the closing likely compromised the integrity of the results.</i>		
Select One: ☐ I have read and understand the definitions.		[BeforeCloseEnv]
39. What is your team's overall assessment of the election environment and process at this station?		
Select One: ☐ Very Good ☐ Reasonable ☐ Poor ☐ Not Credible		[ElecEnv]
[ElecEnvDesc]		
ANSWER ONLY IF Question #39 is not equal to "Very Good" AND Question #39 is not equal to "Reasonable"		
40. What were the main reasons for not choosing "Very Good" or "Reasonable"?		
[ElecEnvDesc]		
41. Any other comments?		
[AddComments]		
42. End of Observation:		
[EndTime]		



LEGISLATIVE COUNTING - Tunisia 2019



User/Team	
Observation Time	
1. Start of Observation	[StartTime]
2. Location Details	
2.1. IRIE	Select One: [Circscription] ☐ Tunis 1 ☐ Tunis 2 ☐ Ariana ☐ La Mannouba ☐ Ben Arous ☐ Bizerte ☐ Nabeul 1 ☐ Nabeul 2 ☐ Zaghouan ☐ Béja ☐ Le Kef ☐ Silliana ☐ Jendouba ☐ Kairouan ☐ Sousse ☐ Monastir ☐ Mahdia ☐ Kasserine ☐ Sidi Bouzid ☐ Gafsa ☐ Tozeur ☐ Sfax 1 ☐ Sfax 2 ☐ Gabès ☐ Medenine ☐ Tataouine ☐ Kebili
2.3. Is the center in an urban or rural area? <i>Urban: Rural: defined subjectively per mission. Could include distance to cities....</i>	Select One: [UrbanRural] ☐ Urban ☐ Rural
3. Polling Station ID: 10 or 11 digit number	[StationID]
5. If present, please indicate the polling station presiding officer's gender: <i>If the presiding officer is not present now but appears before departure, please adjust this answer.</i>	Select One: [POGender] ☐ Female ☐ Male ☐ Not observed
6. Number of staff working at the polling station (excluding presiding officer):	[StaffCount]
7. Number of FEMALE staff present (excluding presiding officer):	[FemaleStaff]
8. Number of registered voters:	[RegVoterCount]
9. Please record the number of ballots in each of the following categories:	
9.1. Ballots received	[BallotsReceived]
9.2. Unused ballots	[BallotsUnused]
9.3. Blank ballots (if counted separately)	[BallotsBlank]
9.4. Ballots in box	[BallotsInBox]
9.5. Valid ballots	[BallotsValid]
9.6. Invalid ballots	[BallotsInvalid]
9.7. Spoiled ballots	[BallotsSpoiled]
10. Please record the number of votes for the following parties/candidates:	
10.1. Please note the number of votes received by each party	[VotesForParties]
11. Before moving ahead, please review the following definitions regarding assessment of PROCEDURES. Mark the selection below to indicate that you understand the definitions and refer back to this page if needed. FULLY — The procedure was always or almost always applied correctly. Any procedural errors observed were very minor. ADEQUATELY — The procedure was mostly applied correctly. Procedural errors observed did not appear to affect the integrity or transparency of the process. INADEQUATELY — The procedure was often not applied correctly; OR the procedural error may have compromised the integrity of the process (even if few instances were observed). NOT AT ALL — The procedure was omitted or was not followed meaningfully. NOT OBSERVED — Due to circumstances other than those described by the above, the observer was not able to assess the procedure.	
Select One: [BeforeProcedures] ☐ I have read and understand the definitions.	
12. How closely did each of the following procedures adhere to regulations? A = Fully; B = Adequately; C = Inadequately; D = Not at all; E = Not observed	
12.1. Ballot verification and sorting	Select One: [BallotVerifySort] ☐ A ☐ B ☐ C ☐ D ☐ E
12.2. Ballot counting	Select One: [BallotCounting] ☐ A ☐ B ☐ C ☐ D ☐ E
12.3. Reconciliation	Select One: [Reconciliation] ☐ A ☐ B ☐ C ☐ D ☐ E
12.4. Recounting of ballots	Select One: [BallotRecount] ☐ A ☐ B ☐ C ☐ D ☐ E
12.5. Contested ballots	Select One: [BallotContest] ☐ A ☐ B ☐ C ☐ D ☐ E
12.6. Completion of protocol form	Select One: [ProtocolForm] ☐ A ☐ B ☐ C ☐ D ☐ E
12.7. Announcement of results (verbal)	Select One: [ResultAnnounceVerbal] ☐ A ☐ B ☐ C ☐ D ☐ E
12.8. Posting of results (at station/center)	Select One: [ResultPosting] ☐ A ☐ B ☐ C ☐ D ☐ E
13. Please describe the reasons for not choosing "Fully" or "Adequately", if you did so:	[CountProcedDesc]
14. Did agents have an opportunity to sign the results?	Select One: [ResultSigning] ☐ Yes ☐ No ☐ Not observed
ANSWER ONLY IF Question #14 is not equal to "Yes"	
15. If "no" or "not observed", please describe:	[ResultSigningNoDesc]
ANSWER ONLY IF Question #14 is equal to "Yes"	
16. If "yes", did any observers elect not to sign the results?	Select One: [ResultSigningObsDec] ☐ Yes ☐ No
ANSWER ONLY IF Question #16 is equal to "Yes" AND Question #14 is equal to "Yes"	
17. If "yes", please describe:	[ResultSignObsDecDesc]
18. How many agents representing each party/candidate were present?	
18.1. Please note the gender and party/candidate of agents present	[AgentRepresentingEx]

19. How many observers from each election observation group were present?			
19.1. Please note the gender and name of observation group representatives present			[ObservationGroupEx]
20. What level of access did each of the following groups have? A = Sufficient access; B = Deficient access (within regulations) — applied to one, some, or all; C = Deficient access (violation of regulations) — not able to participate as stipulated in regulations (not permitted entry; time limited in violation; applied to one, some, or all); D = Not present; E = Not observed			
20.1. Candidate/party agents	Select One: A B C D E		[AccessAgents]
20.2. International observers	Select One: A B C D E		[AccessIntObs]
20.3. Citizen observers	Select One: A B C D E		[AccessCitObs]
20.4. Polling staff	Select One: A B C D E		[AccessPollStaff]
20.5. Media	Select One: A B C D E		[AccessMedia]
20.6. Other	Select One: A B C D E		[AccessOther]
21. If any groups were not allowed sufficient access, please describe: How were groups denied access and what was the impact?			[AccessDesc]
22. Did you observe any interference in the election process? Please indicate which group(s) interfered. Select "No interference observed" if no interference was observed.		Select Multiple: Candidate/party agents International observers Citizen observers Media Voters Security Local officials Religious/traditional leaders Other No interference observed	[Interference]
ANSWER ONLY IF Question #22 excludes "No interference observed"			
23. If any interference, please describe: How were groups causing interference and what was the impact?			[InterferenceDesc]
25. Were there any official complaints lodged? If applicable, near the end of your observation, ask the Presiding Officer if present or ask observers from other organizations or party/candidate agents.		Select One: Yes No	[OfficialComp]
ANSWER ONLY IF Question #25 is equal to "Yes"			[OfficialCompDesc]
26. If "yes", please describe: Who filed complaints? What were the reasons? How were they addressed?			
27. Were there any problems reported to you by those present rather than those observed directly by you? (Reported by e.g., agents, observers, voters)		Select One: Yes No	[ProbReport]
ANSWER ONLY IF Question #27 is equal to "Yes"			
28. If "yes", please describe: Please note the actors involved, how it was resolved, the apparent impact, and any supporting evidentiary corroboration.			[ProbReportDesc]
29. How would you evaluate party/candidate agents' performance?		Select One: Adequate Inadequate Not Observed/Observable	[AgentsEval]
ANSWER ONLY IF Question #29 is not equal to "Adequate"			[AgentsEvalDesc]
30. Please describe the reasons for not choosing "Adequate":			
31. Before moving ahead, please review the following definitions regarding the overall assessment of IMPLEMENTATION OF PROCEDURES BY STAFF. Mark the selection below to indicate that you understand the definitions and refer back to this page if needed. VERY GOOD — Procedures were always or almost always applied correctly. Any procedural errors observed were very minor and did not affect the integrity or transparency of the process. REASONABLE — Procedures were mostly applied correctly. Procedural errors observed did not appear to affect the integrity or transparency of the process. POOR — Procedures were not applied correctly; OR procedural errors significantly affected the transparency of the process and/or may have compromised the integrity of the process. NOT CREDIBLE — Important procedures were not followed correctly and these problems likely compromised the integrity of the process.		Select One: I have read and understand the definitions.	[BeforeProcedImp]
32. What is your team's evaluation of the implementation of procedures by staff at this station? This evaluation should be based upon the procedures evaluated earlier in the checklist as well as any procedural factors that may have been omitted from the checklist. Please refer back to the answers provided to questions about procedures as needed to inform the overall evaluation.		Select One: Very Good Reasonable Poor Not Credible	[ProcedImpEval]
ANSWER ONLY IF Question #32 is not equal to "Very Good" AND Question #32 is not equal to "Reasonable"			[ProcedImpEvalDesc]
33. What were the main reasons for not choosing "Very Good" or "Reasonable"?			
34. Before moving ahead, please review the following definitions regarding the overall assessment of the COUNTING ENVIRONMENT AND PROCESS. Mark the selection below to indicate that you understand the definitions and refer back to this page if needed. VERY GOOD — No significant problems were observed with the implementation of procedures or environment. The counting process was fully transparent. REASONABLE — Observed problems did not significantly affect the integrity or transparency of the counting process, but there is room for improvement. POOR — Significant problems with any of the following may have compromised the integrity of the results: errors in implementing counting procedures; counting staff subject to intimidation or interference; observers restricted. NOT CREDIBLE — Observed problems with the counting likely compromised the integrity of the results.		Select One: I have read and understand the definitions.	[BeforeCountEnv]
35. What is your team's overall assessment of the election environment and process at this station?		Select One: Very Good Reasonable Poor Not Credible	[ElecEnv]
ANSWER ONLY IF Question #35 is not equal to "Very Good" AND Question #35 is not equal to "Reasonable"			[ElecEnvDesc]
36. What were the main reasons for not choosing "Very Good" or "Reasonable"?			
37. Any other comments?			[AddComments]
38. End of Observation:			[EndTime]



LEGISLATIVE AGGREGATION - Tunisia 2019



User/Team	
Observation Time	
1. Start of Observation	[StartTime]
2. Location Details	
2.1. IRIE	Select One: [Circonscription] Tunis 1 Tunis 2 Ariana La Mannouba Ben Arous Bizerte Nabeul 1 Nabeul 2 Zaghouan Béja Le Kef Silliana Jendouba Kairouan Sousse Monastir Mahdia Kasserine Sidi Bouzid Gafsa Tozeur Sfax 1 Sfax 2 Gabès Medenine Tatouine Kebili
3. Were there obstacles or barriers on the way to the center that could have inhibited general access?	Select One: [Barriers] ☐ Yes ☐ No
ANSWER ONLY IF Question #3 is equal to "Yes"	[BarriersDesc]
4. If "yes", please describe:	
5. Which, if any, of the following prohibited or disruptive circumstances did you observe OUTSIDE the center?	Select Multiple: [DisruptOutAggCent] ☐ Intimidation ☐ Violence ☐ Significant disorder ☐ Security (beyond regulations) ☐ Other ☐ None
ANSWER ONLY IF Question #5 excludes "None"	[DisruptOutAggCentDesc]
6. If any issues, please describe:	
7. Which, if any, of the following prohibited or disruptive circumstances did you observe INSIDE the center?	Select Multiple: [DisruptInAggCent] ☐ Intimidation ☐ Violence ☐ Significant disorder ☐ Security (beyond regulations) ☐ Other ☐ None
ANSWER ONLY IF Question #7 excludes "None"	[DisruptInAggCentDesc]
8. If any issues, please describe:	
10. Does the center appear to be accessible to physically challenged persons, including the elderly?	Select One: [AccessibilityCenter] ☐ Yes ☐ No
11. If "no", please describe the impediments as well as any efforts to overcome the impediments or assist the challenged persons:	[AccessibilityDesc]
12. Before moving ahead, please review the following definitions regarding assessment of PROCEDURES. Mark the selection below to indicate that you understand the definitions and refer back to this page if needed.	
	Select One: [BeforeProcedures] ☐ I have read and understand the definitions.
13. How closely did each of the following procedures adhere to regulations? If you cannot observe because you are too far away please mark E	
13.1. Receipt of materials	Select One: [MaterialsReceipt] ☐ A ☐ B ☐ C ☐ D ☐ E
13.2. Data recording/entry	Select One: [DataRecord] ☐ A ☐ B ☐ C ☐ D ☐ E
13.3. Tabulation	Select One: [Tabulation] ☐ A ☐ B ☐ C ☐ D ☐ E
13.4. Proclamation/display of results	Select One: [ResultsAnnounce] ☐ A ☐ B ☐ C ☐ D ☐ E
13.5. Quarantined materials/results	Select One: [QuarantinedMat] ☐ A ☐ B ☐ C ☐ D ☐ E
13.6. Recount	Select One: [Recount] ☐ A ☐ B ☐ C ☐ D ☐ E
14. Please describe the reasons for not choosing "Fully" or "Adequately", if you did so:	[AggProcedDesc]
15. Total number of polling station results this tabulation center is responsible for:	[PollStatResultsResp]
16. Number of polling station results received to date:	[PollStatResultsRec]
17. How many polling station results have been processed to date?	[PollResultsProcess]
ANSWER ONLY IF Question #13.5 is not equal to "E"	[PollStatResultsQuar]
18. Number of polling station results quarantined to date:	
ANSWER ONLY IF Question #13.5 is not equal to "E"	[QuarantinedDesc]
19. Please describe quarantine:	
ANSWER ONLY IF Question #13.5 is not equal to "E"	[QuarantinedProcessed]
20. How many quarantined results have been processed to date?	
ANSWER ONLY IF Question #13.6 is not equal to "E"	[PollStatRecount]
21. How many polling stations require the recount of materials?	
ANSWER ONLY IF Question #13.6 is not equal to "E"	[RecountDesc]
22. Please describe recount:	
ANSWER ONLY IF Question #13.6 is not equal to "E"	[RecountComplete]
23. How many recounts of polling station results have taken place to date?	

ANSWER ONLY IF Question #13.6 is not equal to "E"		[RecountConfirm]
24. How many recounts confirmed the earlier tallies?		
25. Were there any results that should have received scrutiny but did not?	Select One: ☐ Yes ☐ No ☐ Not observed	[ResultScrutiny]
ANSWER ONLY IF Question #25 is equal to "Yes"		[ResultScrutinyDesc]
26. If "yes," please describe:		
27. How many agents representing each party/candidate were present?		
27.1. Please note the gender and party/candidate of agents present		[AgentRepresentingEx]
28. How many observers from each election observation group were present?		
28.1. Please note the gender and name of observation group representatives present		[ObservationGroupEx]
29. What level of access did each of the following groups have?		
29.1. Candidate/party agents	Select One: ☐ A ☐ B ☐ C ☐ D ☐ E	[AccessAgents]
29.2. International observers	Select One: ☐ A ☐ B ☐ C ☐ D ☐ E	[AccessIntObs]
29.3. Citizen observers	Select One: ☐ A ☐ B ☐ C ☐ D ☐ E	[AccessCitObs]
29.4. Media	Select One: ☐ A ☐ B ☐ C ☐ D ☐ E	[AccessMedia]
29.5. Other	Select One: ☐ A ☐ B ☐ C ☐ D ☐ E	[AccessOther]
30. If any groups were not allowed sufficient access, please describe:		
31. Did you observe any interference in the tabulation process?	Select Multiple: ☐ Candidate/party agents ☐ International observers ☐ Citizen observers ☐ Media ☐ Security ☐ Local officials ☐ Religious/traditional leaders ☐ Other ☐ No interference observed	[InterferenceAgg2]
32. If any interference, please describe:		
34. Were there any official complaints lodged ?	Select One: ☐ Yes ☐ No	[OfficialComp]
ANSWER ONLY IF Question #34 is equal to "Yes"		[OfficialCompDesc]
35. If "yes", please describe:		
36. Were there any problems reported to you by those present rather than those observed directly by you?	Select One: ☐ Yes ☐ No	[ProbReport]
ANSWER ONLY IF Question #36 is equal to "Yes"		[ProbReportDesc]
37. If "yes", please describe:		
38. How would you evaluate party/candidate agents' performance?	Select One: ☐ Adequate ☐ Inadequate ☐ Not Observed/Observable	[AgentsEval]
ANSWER ONLY IF Question #38 is not equal to "Adequate"		[AgentsEvalDesc]
39. Please describe the reasons for not choosing "Adequate":		
40. Before moving ahead, please review the following definitions regarding the overall assessment of IMPLEMENTATION OF PROCEDURES BY STAFF. Mark the selection below to indicate that you understand the definitions and refer back to this page if needed.		
	Select One: ☐ I have read and understand the definitions.	[BeforeProcedImp]
41. What is your team's evaluation of the implementation of procedures by staff at this station?		
	Select One: ☐ Very Good ☐ Reasonable ☐ Poor ☐ Not Credible	[ProcedImpEval]
ANSWER ONLY IF Question #41 is not equal to "Very Good" AND Question #41 is not equal to "Reasonable"		[ProcedImpEvalDesc]
42. What were the main reasons for not choosing "Very Good" or "Reasonable"?		
43. Before moving ahead, please review the following definitions regarding the overall assessment of the AGGREGATION ENVIRONMENT AND PROCESS. Mark the selection below to indicate that you understand the definitions and refer back to this page if needed.		
	Select One: ☐ I have read and understand the definitions.	[BeforeAggEnv]
44. What is your team's overall assessment of the aggregation environment and process at this center?		
	Select One: ☐ Very Good ☐ Reasonable ☐ Poor ☐ Not Credible	[AggEnv]
ANSWER ONLY IF Question #44 is not equal to "Very Good" AND Question #44 is not equal to "Reasonable"		[AggEnvDesc]
45. What were the main reasons for not choosing "Very Good" or "Reasonable"?		
46. Any other comments?		
47. End of Observation:		



PRESIDENTIAL 2nd ROUND OPENING - Tunisia 2019



User/Team	
Observation Time	
1. Start of Observation	[StartTime]
2. Location Details	
2.1. IRIE	Select One: [Circconscripton] ☐ Tunis 1 ☐ Tunis 2 ☐ Ariana ☐ La Mannouba ☐ Ben Arous ☐ Bizerte ☐ Nabeul 1 ☐ Nabeul 2 ☐ Zaghouan ☐ Béja ☐ Le Kef ☐ Sillana ☐ Jendouba ☐ Kairouan ☐ Sousse ☐ Monastir ☐ Mahdia ☐ Kasserine ☐ Sidi Bouzid ☐ Gafsa ☐ Tozeur ☐ Sfax 1 ☐ Sfax 2 ☐ Gabès ☐ Medenine ☐ Tataouine ☐ Kebili
2.3. Is the center in an urban or rural area? <i>Urban: Rural: defined subjectively per mission. Could include distance to cities....</i>	Select One: [UrbanRural] ☐ Urban ☐ Rural
3. Number of stations at the center: <i>If the center and the station are the same, please answer "1".</i>	[StationCount]
4. Please indicate the polling center presiding officer's gender:	Select One: [PCPresidentGender2] ☐ Female ☐ Male ☐ Not observed
5. Were there obstacles or barriers on the way to the center that could have inhibited general access? <i>Examples of barriers might include distance from villages or a dysfunctional bridge.</i>	Select One: [Barriers] ☐ Yes ☐ No
ANSWER ONLY IF Question #5 is equal to "Yes"	
6. If "yes", please describe: <i>Describe the barriers to public access and to what extent it affected voter franchise.</i>	[BarriersDesc]
7. Which, if any, of the following prohibited or disruptive circumstances did you observe OUTSIDE the CENTER? <i>If there is only one station per "center," then please answer this question as "OUTSIDE the STATION." Select "None" if you did not observe any prohibited or disruptive circumstances.</i>	Select Multiple: [DisruptOutCent] ☐ Prohibited campaigning ☐ Prohibited campaign material ☐ Ineffective queue management ☐ Intimidation ☐ Violence ☐ Significant disorder ☐ Security (beyond regulations) ☐ Bussing activities ☐ Other ☐ None
ANSWER ONLY IF Question #7 excludes "None"	
8. If any issues, please describe: <i>What were the prohibited/disruptive circumstances and how did they affect the process?</i>	[DisruptOutCentDesc]
ANSWER ONLY IF Question #3 is greater than 1	
9. Which, if any, of the following prohibited or disruptive circumstances did you observe INSIDE the CENTER (but outside the stations)? <i>Select "None" if you did not observe any prohibited or disruptive circumstances.</i>	Select Multiple: [DisruptInCent] ☐ Prohibited campaigning ☐ Prohibited campaign material ☐ Ineffective queue management ☐ Intimidation ☐ Violence ☐ Significant disorder ☐ Security (beyond regulations) ☐ Other ☐ None
ANSWER ONLY IF Question #9 excludes "None" AND Question #3 is greater than 1	
10. If any issues, please describe: <i>What were the prohibited/disruptive circumstances and how did they affect the process?</i>	[DisruptInCentDesc]
11. Polling Station ID: <i>10 or 11 digit number</i>	[StationID]
13. If present, please indicate the polling station presiding officer's gender: <i>If the presiding officer is not present now but appears before departure, please adjust this answer.</i>	Select One: [POGender] ☐ Female ☐ Male ☐ Not observed
14. Number of staff working at the polling station (excluding presiding officer):	[StaffCount]
15. Number of FEMALE staff present (excluding presiding officer):	[FemaleStaff]
16. Number of registered voters:	[RegVoterCount]
17. Which, if any, of the following prohibited or disruptive circumstances did you observe INSIDE the STATION? <i>Select "None" if you did not observe any prohibited or disruptive circumstances.</i>	Select Multiple: [DisruptInStat] ☐ Prohibited campaigning ☐ Prohibited campaign material ☐ Ineffective queue management ☐ Intimidation ☐ Violence ☐ Significant disorder ☐ Security (beyond regulations) ☐ Other ☐ None
ANSWER ONLY IF Question #17 excludes "None"	
18. If any issues, please describe: <i>What were the prohibited/disruptive circumstances and how did they affect the process?</i>	[DisruptInStatDesc]
19. Were any of the following materials missing, insufficient, or incorrect? <i>A = Present and correct;
B = Missing (entirely absent);
C = Insufficient (fewer than required, but some present);
D = Incorrect (wrong)</i>	
19.1. Indelible ink	Select One: [Ink] ☐ A ☐ B ☐ C ☐ D
19.2. Booths/screens	Select One: [Booths] ☐ A ☐ B ☐ C ☐ D
19.3. Ballot papers	Select One: [BallotPapers] ☐ A ☐ B ☐ C ☐ D
19.4. Ballot box(es)	Select One: [BallotBox] ☐ A ☐ B ☐ C ☐ D
19.5. Voter list(s)/FVR	Select One: [VoterList] ☐ A ☐ B ☐ C ☐ D
19.6. Stamps	Select One: [Stamps] ☐ A ☐ B ☐ C ☐ D
19.7. Seals/padlocks	Select One: [Seals] ☐ A ☐ B ☐ C ☐ D
19.8. Other	Select One: [OtherMat] ☐ A ☐ B ☐ C ☐ D
20. If materials are missing, insufficient, or incorrect, please describe, including any "other" materials noted:	[MissingMatDesc]
21. Does the station appear to be accessible to physically challenged persons, including the elderly? <i>The UN Convention on the Rights of People with Disabilities establishes an obligation for states to take measures to identify and eliminate obstacles and barriers to accessibility. This requires that people with disabilities will have an opportunity to participate on an equal basis in both rural and urban areas.</i>	Select One: [Accessibility] ☐ Yes ☐ No
ANSWER ONLY IF Question #21 is equal to "No"	
22. If "no", please describe the impediments as well as any efforts to overcome the impediments or assist the challenged persons:	[AccessibilityDesc]
23. Did the polling station open during your observation?	Select One: [OpeningObs] ☐ Yes ☐ No

ANSWER ONLY IF Question #23 is equal to "No"		[OpeningObsDesc]
24. If "no", please describe: <i>Why did the polling station fail to open on time?</i>		
ANSWER ONLY IF Question #23 is equal to "Yes"		[OpeningTime]
25. At what time did the polling station open?		
26. If the polling station opened MORE THAN 30 MINUTES late, what are the reasons for delay? <i>If the polling station opened less than 30 minutes late, please select "Not applicable".</i>		[OpeningLateReasons]
ANSWER ONLY IF Question #26 excludes "Not applicable"		
27. If the polling station opened more than 30 minutes late, please describe the reasons, including any "other" reasons noted:		[OpeningLateReasDesc]
SKIP TO Question #31 [How many agents representing each party/candidate were present?] if Question #23 [OpeningObs] is equal to "No"		
28. Before moving ahead, please review the following definitions regarding assessment of PROCEDURES. Mark the selection below to indicate that you understand the definitions and refer back to this page if needed. <i>FULLY — The procedure was always or almost always applied correctly. Any procedural errors observed were very minor.
 ADEQUATELY — The procedure was mostly applied correctly. Procedural errors observed did not appear to affect the integrity or transparency of the process.
 INADEQUATELY — The procedure was often not applied correctly; OR the procedural error may have compromised the integrity of the process (even if few instances were observed).
 NOT AT ALL — The procedure was omitted or was not followed meaningfully.
 NOT OBSERVED — Due to circumstances other than those described by the above, the observer was not able to assess the procedure.</i>		[BeforeProcedures]
29. How closely did each of the following procedures adhere to regulations? <i>A = Fully;
 B = Adequately;
 C = Inadequately;
 D = Not at all;
 E = Not observed</i>		
29.1. Ballot inventory	Select One: A B C D E	[BallotInventory]
29.2. Empty ballot box demonstration	Select One: A B C D E	[BallotBoxDemo]
29.3. Ballot box sealing	Select One: A B C D E	[OpeningBallotBoxSeal]
29.4. Reading of seal numbers	Select One: A B C D E	[SealNumReading]
29.5. Room configuration	Select One: A B C D E	[RoomConfig]
29.6. Recording of seal numbers for reopening	Select One: A B C D E	[SealNumCheck]
30. Please describe the reasons for not choosing "Fully" or "Adequately", if you did so:		[OpenProcedDesc]
31. How many agents representing each party/candidate were present?		
31.1. Please note the gender and party/candidate of agents present		[AgentRepresentingEx]
32. How many observers from each election observation group were present?		
32.1. Please note the gender and name of observation group representatives present		[ObservationGroupEx]
33. What level of access did each of the following groups have? <i>A = Sufficient access;
 B = Deficient access (within regulations) — applied to one, some, or all;
 C = Deficient access (violation of regulations) — not able to participate as stipulated in regulations (not permitted entry; time limited in violation; applied to one, some, or all);
 D = Not present;
 E = Not observed</i>		
33.1. Candidate/party agents	Select One: A B C D E	[AccessAgents]
33.2. International observers	Select One: A B C D E	[AccessIntObs]
33.3. Citizen observers	Select One: A B C D E	[AccessCitObs]
33.4. Media	Select One: A B C D E	[AccessMedia]
33.5. Other	Select One: A B C D E	[AccessOther]
34. If any groups were not allowed sufficient access, please describe: <i>How were groups denied access and what was the impact?</i>		[AccessDesc]
35. Did you observe any interference in the election process? <i>Please indicate which group(s) interfered. Select "No interference observed" if no interference was observed.</i>		[Interference]
ANSWER ONLY IF Question #35 excludes "No interference observed"		
36. If any interference, please describe: <i>How were groups causing interference and what was the impact?</i>		[InterferenceDesc]
38. Were there any official complaints lodged? <i>If applicable, near the end of your observation, ask the Presiding Officer if present or ask observers from other organizations or party/candidate agents.</i>		[OfficialComp]
ANSWER ONLY IF Question #38 is equal to "Yes"		
39. If "yes", please describe: <i>Who filed complaints? What were the reasons? How were they addressed?</i>		[OfficialCompDesc]
40. Were there any problems reported to you by those present rather than those observed directly by you? <i>(Reported by e.g., agents, observers, voters)</i>		[ProbReport]
ANSWER ONLY IF Question #40 is equal to "Yes"		
41. If "yes", please describe: <i>Please note the actors involved, how it was resolved, the apparent impact, and any supporting evidentiary corroboration.</i>		[ProbReportDesc]
42. How would you evaluate party/candidate agents' performance?		[AgentsEval]
ANSWER ONLY IF Question #42 is not equal to "Adequate"		
43. Please describe the reasons for not choosing "Adequate":		[AgentsEvalDesc]

44. Before moving ahead, please review the following definitions regarding the overall assessment of IMPLEMENTATION OF PROCEDURES BY STAFF. Mark the selection below to indicate that you understand the definitions and refer back to this page if needed.

VERY GOOD — Procedures were always or almost always applied correctly. Any procedural errors observed were very minor and did not affect the integrity or transparency of the process.

 REASONABLE — Procedures were mostly applied correctly. Procedural errors observed did not appear to affect the integrity or transparency of the process.

 POOR — Procedures were not applied correctly; OR procedural errors significantly affected the transparency of the process and/or may have compromised the integrity of the process.

 NOT CREDIBLE — Important procedures were not followed correctly and these problems likely compromised the integrity of the process.

Select One:

☐ I have read and understand the definitions.

[BeforeProcedImp]

45. What is your team's evaluation of the implementation of procedures by staff at this station?

This evaluation should be based upon the procedures evaluated earlier in the checklist as well as any procedural factors that may have been omitted from the checklist. Please refer back to the answers provided to questions about procedures as needed to inform the overall evaluation.

Select One:

☐ Very Good ☐ Reasonable ☐ Poor ☐ Not Credible

[ProcedImpEval]

ANSWER ONLY IF Question #45 is not equal to "Very Good" AND Question #45 is not equal to "Reasonable"

[ProcedImpEvalDesc]

46. What were the main reasons for not choosing "Very Good" or "Reasonable"?

47. Before moving ahead, please review the following definitions regarding the overall assessment of the OPENING ENVIRONMENT AND PROCESS. Mark the selection below to indicate that you understand the definitions and refer back to this page if needed.

VERY GOOD — No significant problems were observed with the implementation of procedures or environment. The process was fully transparent.

 REASONABLE — Observed problems did not significantly affect the integrity or transparency of the opening process, but there is room for improvement.

 POOR — Significant problems with any of the following may have compromised the integrity of the process: errors in implementing opening procedures; polling staff subject to intimidation or interference; observers restricted.

 NOT CREDIBLE — Observed problems with the opening likely compromised the integrity of the process.

Select One:

☐ I have read and understand the definitions.

[BeforeOpenEnv]

48. What is your team's overall assessment of the election environment and process at this station?

Select One:

☐ Very Good ☐ Reasonable ☐ Poor ☐ Not Credible

[ElecEnv]

ANSWER ONLY IF Question #48 is not equal to "Very Good" AND Question #48 is not equal to "Reasonable"

[ElecEnvDesc]

49. What were the main reasons for not choosing "Very Good" or "Reasonable"?

50. Any other comments?

[AddComments]

51. End of Observation:

[EndTime]



PRESIDENTIAL 2nd ROUND POLLING - Tunisia 2019



User/Team	
Observation Time	
1. Start of Observation	[StartTime]
2. Location Details	
2.1. IRIE	Select One: [Circscription] ☐ Tunis 1 ☐ Tunis 2 ☐ Ariana ☐ La Mannouba ☐ Ben Arous ☐ Bizerte ☐ Nabeul 1 ☐ Nabeul 2 ☐ Zaghouan ☐ Béja ☐ Le Kef ☐ Siliana ☐ Jendouba ☐ Kairouan ☐ Sousse ☐ Monastir ☐ Mahdia ☐ Kasserine ☐ Sidi Bouzid ☐ Gafsa ☐ Tozeur ☐ Sfax 1 ☐ Sfax 2 ☐ Gabès ☐ Medenine ☐ Tatouine ☐ Kebili
2.3. Is the center in an urban or rural area? <i>Urban: Rural: defined subjectively per mission. Could include distance to cities....</i>	Select One: [UrbanRural] ☐ Urban ☐ Rural
3. Number of stations at the center: <i>If the center and the station are the same, please answer "1".</i>	[StationCount]
4. Please indicate the polling center presiding officer's gender:	Select One: [PCPresidentGender2] ☐ Female ☐ Male ☐ Not observed
5. Were there obstacles or barriers on the way to the center that could have inhibited general access? <i>Examples of barriers might include distance from villages or a dysfunctional bridge.</i>	Select One: [Barriers] ☐ Yes ☐ No
ANSWER ONLY IF Question #5 is equal to "Yes"	[BarriersDesc]
6. If "yes", please describe: <i>Describe the barriers to public access and to what extent it affected voter franchise.</i>	
7. Which, if any, of the following prohibited or disruptive circumstances did you observe OUTSIDE the CENTER? <i>If there is only one station per "center," then please answer this question as "OUTSIDE the STATION." Select "None" if you did not observe any prohibited or disruptive circumstances.</i>	Select Multiple: [DisruptOutCent] ☐ Prohibited campaigning ☐ Prohibited campaign material ☐ Ineffective queue management ☐ Intimidation ☐ Violence ☐ Significant disorder ☐ Security (beyond regulations) ☐ Bussing activities ☐ Other ☐ None
ANSWER ONLY IF Question #7 excludes "None"	[DisruptOutCentDesc]
8. If any issues, please describe: <i>What were the prohibited/disruptive circumstances and how did they affect the process?</i>	
ANSWER ONLY IF Question #3 is greater than 1	[DisruptInCent]
9. Which, if any, of the following prohibited or disruptive circumstances did you observe INSIDE the CENTER (but outside the stations)? <i>Select "None" if you did not observe any prohibited or disruptive circumstances.</i>	Select Multiple: [DisruptInCent] ☐ Prohibited campaigning ☐ Prohibited campaign material ☐ Ineffective queue management ☐ Intimidation ☐ Violence ☐ Significant disorder ☐ Security (beyond regulations) ☐ Other ☐ None
ANSWER ONLY IF Question #9 excludes "None" AND Question #3 is greater than 1	[DisruptInCentDesc]
10. If any issues, please describe: <i>What were the prohibited/disruptive circumstances and how did they affect the process?</i>	
11. Polling Station ID: <i>10 or 11 digit number</i>	[StationID]
13. If present, please indicate the polling station presiding officer's gender: <i>If the presiding officer is not present now but appears before departure, please adjust this answer.</i>	Select One: [POGender] ☐ Female ☐ Male ☐ Not observed
14. Number of staff working at the polling station (excluding presiding officer):	[StaffCount]
15. Number of FEMALE staff present (excluding presiding officer):	[FemaleStaff]
16. Number of registered voters:	[RegVoterCount]
17. Approximate number of voters who have voted by time of arrival: <i>If the number of voters is not directly recorded by the polling staff, it may be necessary to ask the presiding officer or other staff to estimate the number of voters or calculate by other means.</i>	[VotedCount]
18. Which, if any, of the following prohibited or disruptive circumstances did you observe INSIDE the STATION? <i>Select "None" if you did not observe any prohibited or disruptive circumstances.</i>	Select Multiple: [DisruptInStat] ☐ Prohibited campaigning ☐ Prohibited campaign material ☐ Ineffective queue management ☐ Intimidation ☐ Violence ☐ Significant disorder ☐ Security (beyond regulations) ☐ Other ☐ None
ANSWER ONLY IF Question #18 excludes "None"	[DisruptInStatDesc]
19. If any issues, please describe: <i>What were the prohibited/disruptive circumstances and how did they affect the process?</i>	
20. Were any of the following materials missing, insufficient, or incorrect? <i>A = Present and correct;
B = Missing (entirely absent);
C = Insufficient (fewer than required, but some present);
D = Incorrect (wrong)</i>	
20.1. Indelible ink	Select One: [Ink] ☐ A ☐ B ☐ C ☐ D
20.2. Booths/screens	Select One: [Booths] ☐ A ☐ B ☐ C ☐ D
20.3. Ballot papers	Select One: [BallotPapers] ☐ A ☐ B ☐ C ☐ D
20.4. Ballot box(es)	Select One: [BallotBox] ☐ A ☐ B ☐ C ☐ D
20.5. Voter list(s)/FVR	Select One: [VoterList] ☐ A ☐ B ☐ C ☐ D
20.6. Stamps	Select One: [Stamps] ☐ A ☐ B ☐ C ☐ D
20.7. Seals/padlocks	Select One: [Seals] ☐ A ☐ B ☐ C ☐ D
20.8. Other	Select One: [OtherMat] ☐ A ☐ B ☐ C ☐ D
21. If materials are missing, insufficient, or incorrect, please describe, including any "other" materials noted:	[MissingMatDesc]
22. Does the station appear to be accessible to physically challenged persons, including the elderly? <i>The UN Convention on the Rights of People with Disabilities establishes an obligation for states to take measures to identify and eliminate obstacles and barriers to accessibility. This requires that people with disabilities will have an opportunity to participate on an equal basis in both rural and urban areas.</i>	Select One: [Accessibility] ☐ Yes ☐ No
ANSWER ONLY IF Question #22 is equal to "No"	[AccessibilityDesc]
23. If "no", please describe the impediments as well as any efforts to overcome the impediments or assist the challenged persons:	

24. Before moving ahead, please review the following definitions regarding assessment of PROCEDURES. Mark the selection below to indicate that you understand the definitions and refer back to this page if needed.

FULLY — The procedure was always or almost always applied correctly. Any procedural errors observed were very minor.
 ADEQUATELY — The procedure was mostly applied correctly. Procedural errors observed did not appear to affect the integrity or transparency of the process.
 INADEQUATELY — The procedure was often not applied correctly; OR the procedural error may have compromised the integrity of the process (even if few instances were observed).
 NOT AT ALL — The procedure was omitted or was not followed meaningfully.
 NOT OBSERVED — Due to circumstances other than those described by the above, the observer was not able to assess the procedure.

25. How closely did each of the following procedures adhere to regulations?
A = Fully;
 B = Adequately;
 C = Inadequately;
 D = Not at all;
 E = Not observed

25.1. Checking for ink	Select One: A B C D E	[InkCheck]
25.2. Voter identification	Select One: A B C D E	[VoterID]
25.3. Crossing names out/signing voters list	Select One: A B C D E	[SigningList]
25.4. Ballot issuing	Select One: A B C D E	[BallotIssue]
25.5. Ballot stamping	Select One: A B C D E	[BallotStamp]
25.6. Inking fingers	Select One: A B C D E	[Inking]
25.7. Ballot casting	Select One: A B C D E	[BallotCasting]
25.8. Checking under veils	Select One: A B C D E	[CheckVeils]
25.9. Assisted voting	Select One: A B C D E	[AssistVote]

26. Please describe the reasons for not choosing "Fully" or "Adequately", if you did so:

27. Which, if any, of the following ineligible voters were allowed to vote?

Select Multiple:
☐ Persons not on list — unauthorized
☐ Persons with unauthorized ID
☐ Persons without ID
☐ Voters already crossed off list
☐ Voters already inked
☐ Security personnel — unauthorized
☐ Voters by proxy (e.g. relatives)
☐ Voters improperly assisted
☐ Other
☐ Not observed

ANSWER ONLY IF Question #27 excludes "Not observed"

28. Please describe, including any "others" noted:

29. Which, if any, of the following eligible voters were NOT allowed to vote?

Select Multiple:
☐ Persons on list with ID
☐ Polling staff
☐ EMB members
☐ Citizen observers
☐ Party/candidate agents
☐ Journalists — national
☐ Other
☐ No eligible voters prevented

ANSWER ONLY IF Question #29 excludes "No eligible voters prevented"

30. Please describe, including any "others" noted:

31. Are ballot boxes correctly sealed?
All seals should be correctly applied, and ballot boxes should be secure from tampering.

Select One:
Yes No

ANSWER ONLY IF Question #31 is equal to "No"

32. If "no", please describe:

33. Are additional polling materials secured from potential theft or misuse?
Additional materials should be stored compactly and out of the way of traffic in the polling station. Disorganized or poorly stored materials are vulnerable to tampering.

Select One:
Yes No

ANSWER ONLY IF Question #33 is equal to "No"

34. If "no", please describe:

35. Is the polling station layout in accordance with regulations?

Select One:
Yes No

ANSWER ONLY IF Question #35 is equal to "No"

36. If "no", please describe:

37. Does the polling station layout effectively facilitate the flow of voters?
The layout should allow voters to move through the process without skipping steps or crossing paths with other parts of the queue.

Select One:
Yes No

ANSWER ONLY IF Question #37 is equal to "No"

38. If "no", please describe:

39. Are voters able to cast their ballots in secret?
Secrecy of the ballot should not be undermined or violated because of crowding or exposed booths.

Select One:
Yes No

ANSWER ONLY IF Question #39 is equal to "No"

40. If "no", please describe:

41. Was the number of staff working in the polling station sufficient for an efficient and orderly process?

Select One:
Yes No

ANSWER ONLY IF Question #41 is equal to "No"

42. If "no", please describe:

43. How long did a typical voter have to wait in the queue before entering the polling station?
*If there is no queue, enter 0, otherwise, ask the second or third voter in line how long they have waited so far to inform your estimate.
 Provide your answer in minutes. For example, if a voter waited 1.5 hours, enter 90 (minutes).*

[LineWait]

44. How long did it take a typical voter to complete the voting process once they entered the polling station?
The voting process begins when the voter enters the polling station and ends when the voter has cast his or her ballot and is able to leave the polling station. Watch two or three voters carry out the voting process, and provide an estimate in minutes of how long the process took.

[VoteTime]

45. Which, if any, of the following irregular processes did you observe?

Select Multiple:
☐ Multiple voting
☐ Ballot stuffing
☐ Interruption of voting
☐ Voter intimidation
☐ Illicit assistance
☐ Family voting
☐ Possible vote buying/selling
☐ Violation of secrecy of the ballot
☐ Other
☐ No irregularities observed

ANSWER ONLY IF Question #45 excludes "No irregularities observed"

46. If any irregularities, please describe:
Please comment on the frequency and severity of the irregularities, noting the extent of their impact on the voting process.

47. How many agents representing each party/candidate were present?			
47.1. Please note the gender and party/candidate of agents present			[AgentRepresentingEx]
48. How many observers from each election observation group were present?			
48.1. Please note the gender and name of observation group representatives present			[ObservationGroupEx]
49. What level of access did each of the following groups have? A = Sufficient access; B = Deficient access (within regulations) — applied to one, some, or all; C = Deficient access (violation of regulations) — not able to participate as stipulated in regulations (not permitted entry; time limited in violation; applied to one, some, or all); D = Not present; E = Not observed			
49.1. Candidate/party agents	Select One: ☐ A ☐ B ☐ C ☐ D ☐ E		[AccessAgents]
49.2. International observers	Select One: ☐ A ☐ B ☐ C ☐ D ☐ E		[AccessIntObs]
49.3. Citizen observers	Select One: ☐ A ☐ B ☐ C ☐ D ☐ E		[AccessCitObs]
49.4. Polling staff	Select One: ☐ A ☐ B ☐ C ☐ D ☐ E		[AccessPollStaff]
49.5. Media	Select One: ☐ A ☐ B ☐ C ☐ D ☐ E		[AccessMedia]
49.6. Other	Select One: ☐ A ☐ B ☐ C ☐ D ☐ E		[AccessOther]
50. If any groups were not allowed sufficient access, please describe: How were groups denied access and what was the impact?			[AccessDesC]
51. Did you observe any interference in the election process? Please indicate which group(s) interfered. Select "No interference observed" if no interference was observed.		Select Multiple: ☐ Candidate/party agents ☐ International observers ☐ Citizen observers ☐ Media ☐ Voters ☐ Security ☐ Local officials ☐ Religious/traditional leaders ☐ Other ☐ No interference observed	[Interference]
ANSWER ONLY IF Question #51 excludes "No interference observed"			
52. If any interference, please describe: How were groups causing interference and what was the impact?			[InterferenceDesC]
54. Were there any official complaints lodged? If applicable, near the end of your observation, ask the Presiding Officer if present or ask observers from other organizations or party/candidate agents.		Select One: ☐ Yes ☐ No	[OfficialComp]
ANSWER ONLY IF Question #54 is equal to "Yes"			
55. If "yes", please describe: Who filed complaints? What were the reasons? How were they addressed?			[OfficialCompDesC]
56. Were there any problems reported to you by those present rather than those observed directly by you? (Reported by e.g., agents, observers, voters)		Select One: ☐ Yes ☐ No	[ProbReport]
ANSWER ONLY IF Question #56 is equal to "Yes"			
57. If "yes", please describe: Please note the actors involved, how it was resolved, the apparent impact, and any supporting evidentiary corroboration.			[ProbReportDesC]
58. How would you evaluate voters' understanding of voting procedures?		Select One: ☐ Adequate ☐ Inadequate ☐ Not Observed/Observable	[VotUnderstD]
ANSWER ONLY IF Question #58 is not equal to "Adequate"			
59. Please describe the reasons for not choosing "Adequate":			[VotUnderstDesC]
60. How would you evaluate party/candidate agents' performance?		Select One: ☐ Adequate ☐ Inadequate ☐ Not Observed/Observable	[AgentsEval]
ANSWER ONLY IF Question #60 is not equal to "Adequate"			
61. Please describe the reasons for not choosing "Adequate":			[AgentsEvalDesC]
62. Before moving ahead, please review the following definitions regarding the overall assessment of IMPLEMENTATION OF PROCEDURES BY STAFF. Mark the selection below to indicate that you understand the definitions and refer back to this page if needed. VERY GOOD — Procedures were always or almost always applied correctly. Any procedural errors observed were very minor and did not affect the integrity or transparency of the process. REASONABLE — Procedures were mostly applied correctly. Procedural errors observed did not appear to affect the integrity or transparency of the process. POOR — Procedures were not applied correctly; OR procedural errors significantly affected the transparency of the process and/or may have compromised the integrity of the process. NOT CREDIBLE — Important procedures were not followed correctly and these problems likely compromised the integrity of the process.			
63. What is your team's evaluation of the implementation of procedures by staff at this station? This evaluation should be based upon the procedures evaluated earlier in the checklist as well as any procedural factors that may have been omitted from the checklist. Please refer back to the answers provided to questions about procedures as needed to inform the overall evaluation.		Select One: ☐ Very Good ☐ Reasonable ☐ Poor ☐ Not Credible	[BeforeProcedImp]
ANSWER ONLY IF Question #63 is not equal to "Very Good" AND Question #63 is not equal to "Reasonable"			
64. What were the main reasons for not choosing "Very Good" or "Reasonable"?			[ProcedImpEvalDesC]
65. Before moving ahead, please review the following definitions regarding the overall assessment of the ELECTION ENVIRONMENT AND PROCESS. Mark the selection below to indicate that you understand the definitions and refer back to this page if needed. VERY GOOD — The environment and process fully allowed voters to freely exercise their right to vote. The process was fully transparent. REASONABLE — The environment and process were acceptable in ensuring that voters could freely exercise their right to vote. Any observed problems did not significantly affect the integrity or transparency of the process. POOR — For some voters, the environment or process was not conducive to the free exercise of the right to vote, equality, or transparency. Observed problems may have compromised the integrity of the process. NOT CREDIBLE — The environment or the process prevented voters from freely exercising their right to vote or affected the fairness of polling. Observed problems likely compromised the integrity of the polling process.			
66. What is your team's overall assessment of the election environment and process at this station?		Select One: ☐ Very Good ☐ Reasonable ☐ Poor ☐ Not Credible	[ElecEnv]
ANSWER ONLY IF Question #66 is not equal to "Very Good" AND Question #66 is not equal to "Reasonable"			
67. What were the main reasons for not choosing "Very Good" or "Reasonable"?			[ElecEnvDesC]
68. Any other comments?			[AddComments]
69. End of Observation:			[EndTime]



PRESIDENTIAL 2nd ROUND CLOSING - Tunisia 2019



User/Team	
Observation Time	
1. Start of Observation	[StartTime]
2. Location Details	
2.1. IRIE	Select One: [Circonscription] Tunis 1 Tunis 2 Ariana La Mannouba Ben Arous Bizerte Nabeul 1 Nabeul 2 Zaghouan Béja Le Kef Silliana Jendouba Kairouan Sousse Monastir Mahdia Kasserine Sidi Bouzid Gafsa Tozeur Sfax 1 Sfax 2 Gabès Medenine Tatouine Kebili
2.3. Is the center in an urban or rural area? <i>Urban: Rural: defined subjectively per mission. Could include distance to cities....</i>	Select One: [UrbanRural] Urban Rural
3. Number of stations at the center: <i>If the center and the station are the same, please answer "1".</i>	[StationCount]
4. Please indicate the polling center presiding officer's gender:	Select One: [PCPresidentGender2] Female Male Not observed
5. Polling Station ID: <i>10 or 11 digit number</i>	[StationID]
7. If present, please indicate the polling station presiding officer's gender: <i>If the presiding officer is not present now but appears before departure, please adjust this answer.</i>	Select One: [POGender] Female Male Not observed
8. Number of staff working at the polling station (excluding presiding officer):	[StaffCount]
9. Number of FEMALE staff present (excluding presiding officer):	[FemaleStaff]
10. Number of registered voters:	[RegVoterCount]
11. Did you observe the official closing of the polling station? <i>Generally, a polling station is closed when announced by the polling center president. Depending on regulations and implementation, it may be distinct from the time of the last vote.</i>	Select One: [ClosingObs] Yes No
ANSWER ONLY IF Question #11 is equal to "No"	[ClosingObsDesc]
12. If "no", please describe:	
13. At what time was the closing of the polling station announced? <i>The closing time should match the time in regulations unless an emergency change was made by the EMB.</i>	[ClosingAnnounced]
14. Approximately how many voters were waiting in the queue at the time of closing?	Select One: [ClosingQueue] 0 1-10 11-25 26-50 51-100 More than 100
15. Did you observe the last vote at the polling station?	Select One: [LastVoteObs] Yes No
ANSWER ONLY IF Question #15 is equal to "Yes"	[LastVoteTime]
16. If "yes", at what time did the last voter vote?	
ANSWER ONLY IF Question #14 is not equal to "0"	[ClosingQueueEligible]
17. Were all eligible persons in the queue at the time of closing allowed to vote?	Select One: [ClosingQueuePrevent] Yes No Not observed
ANSWER ONLY IF Question #14 is not equal to "0"	
18. Were any and all voters prevented from joining the queue after closing?	Select One: [ClosingQueuePrevent] Yes No Not observed
19. Before moving ahead, please review the following definitions regarding assessment of PROCEDURES. Mark the selection below to indicate that you understand the definitions and refer back to this page if needed. <i>FULLY — The procedure was always or almost always applied correctly. Any procedural errors observed were very minor.
 ADEQUATELY — The procedure was mostly applied correctly. Procedural errors observed did not appear to affect the integrity or transparency of the process.
 INADEQUATELY — The procedure was often not applied correctly; OR the procedural error may have compromised the integrity of the process (even if few instances were observed).
 NOT AT ALL — The procedure was omitted or was not followed meaningfully.
 NOT OBSERVED — Due to circumstances other than those described by the above, the observer was not able to assess the procedure.</i>	Select One: [BeforeProcedures] I have read and understand the definitions.
20. How closely did each of the following procedures adhere to regulations? <i>A = Fully;
 B = Adequately;
 C = Inadequately;
 D = Not at all;
 E = Not observed</i>	
20.1. Closing announcement	Select One: [ClosingAnnouncement] A B C D E
20.2. Sealing of ballot boxes (incl. slot)	Select One: [BallotBoxSealing] A B C D E
20.3. Recording of seal numbers	Select One: [SealNumRecording] A B C D E
20.4. Securing of sensitive polling materials	Select One: [MaterialSecuring] A B C D E
21. Please describe the reasons for not choosing "Fully" or "Adequately", if you did so:	[ClosingProcedDesc]
22. How many agents representing each party/candidate were present?	
22.1. Please note the gender and party/candidate of agents present	[AgentRepresentingEx]
23. How many observers from each election observation group were present?	
23.1. Please note the gender and name of observation group representatives present	[ObservationGroupEx]
24. What level of access did each of the following groups have? <i>A = Sufficient access;
 B = Deficient access (within regulations) — applied to one, some, or all;
 C = Deficient access (violation of regulations) — not able to participate as stipulated in regulations (not permitted entry; time limited in violation; applied to one, some, or all);
 D = Not present;
 E = Not observed</i>	
24.1. Candidate/party agents	Select One: [AccessAgents] A B C D E
24.2. International observers	Select One: [AccessIntObs] A B C D E
24.3. Citizen observers	Select One: [AccessCitObs] A B C D E
24.4. Polling staff	Select One: [AccessPollStaff] A B C D E

24.5. Media	Select One: ☐ A ☐ B ☐ C ☐ D ☐ E	[AccessMedia]
24.6. Other	Select One: ☐ A ☐ B ☐ C ☐ D ☐ E	[AccessOther]
25. If any groups were not allowed sufficient access, please describe: <i>How were groups denied access and what was the impact?</i>		
[AccessDesc]		
26. Did you observe any interference in the election process? <i>Please indicate which group(s) interfered. Select "No interference observed" if no interference was observed.</i>		
Select Multiple: ☐ Candidate/party agents ☐ International observers ☐ Citizen observers ☐ Media ☐ Voters ☐ Security ☐ Local officials ☐ Religious/traditional leaders ☐ Other ☐ No interference observed		
[Interference]		
ANSWER ONLY IF Question #26 excludes "No interference observed"		
[InterferenceDesc]		
27. If any interference, please describe: <i>How were groups causing interference and what was the impact?</i>		
[InterferenceDesc]		
29. Were there any official complaints lodged? <i>If applicable, near the end of your observation, ask the Presiding Officer if present or ask observers from other organizations or party/candidate agents.</i>		
Select One: ☐ Yes ☐ No		
[OfficialComp]		
ANSWER ONLY IF Question #29 is equal to "Yes"		
[OfficialCompDesc]		
30. If "yes", please describe: <i>Who filed complaints? What were the reasons? How were they addressed?</i>		
[OfficialCompDesc]		
31. Were there any problems reported to you by those present rather than those observed directly by you? <i>(Reported by e.g., agents, observers, voters)</i>		
Select One: ☐ Yes ☐ No		
[ProbReport]		
ANSWER ONLY IF Question #31 is equal to "Yes"		
[ProbReportDesc]		
32. If "yes", please describe: <i>Please note the actors involved, how it was resolved, the apparent impact, and any supporting evidentiary corroboration.</i>		
[ProbReportDesc]		
33. How would you evaluate party/candidate agents' performance?		
Select One: ☐ Adequate ☐ Inadequate ☐ Not Observed/Observable		
[AgentsEval]		
ANSWER ONLY IF Question #33 is not equal to "Adequate"		
[AgentsEvalDesc]		
34. Please describe the reasons for not choosing "Adequate":		
[AgentsEvalDesc]		
35. Before moving ahead, please review the following definitions regarding the overall assessment of IMPLEMENTATION OF PROCEDURES BY STAFF. Mark the selection below to indicate that you understand the definitions and refer back to this page if needed. VERY GOOD — Procedures were always or almost always applied correctly. Any procedural errors observed were very minor and did not affect the integrity or transparency of the process. REASONABLE — Procedures were mostly applied correctly. Procedural errors observed did not appear to affect the integrity or transparency of the process. POOR — Procedures were not applied correctly; OR procedural errors significantly affected the transparency of the process and/or may have compromised the integrity of the process. NOT CREDIBLE — Important procedures were not followed correctly and these problems likely compromised the integrity of the process.		
Select One: ☐ I have read and understand the definitions.		
[BeforeProcedImp]		
36. What is your team's evaluation of the implementation of procedures by staff at this station? <i>This evaluation should be based upon the procedures evaluated earlier in the checklist as well as any procedural factors that may have been omitted from the checklist. Please refer back to the answers provided to questions about procedures as needed to inform the overall evaluation.</i>		
Select One: ☐ Very Good ☐ Reasonable ☐ Poor ☐ Not Credible		
[ProcedImpEval]		
ANSWER ONLY IF Question #36 is not equal to "Very Good" AND Question #36 is not equal to "Reasonable"		
[ProcedImpEvalDesc]		
37. What were the main reasons for not choosing "Very Good" or "Reasonable"?		
[ProcedImpEvalDesc]		
38. Before moving ahead, please review the following definitions regarding the overall assessment of the CLOSING ENVIRONMENT AND PROCESS. Mark the selection below to indicate that you understand the definitions and refer back to this page if needed. VERY GOOD — No significant problems were observed with the implementation of procedures or environment. The process was fully transparent. REASONABLE — Observed problems did not significantly affect the integrity or transparency of the closing process, but there is room for improvement. POOR — Significant problems with any of the following may have compromised the integrity of the results: errors in implementing closing procedures; polling staff subject to intimidation or interference; observers restricted. NOT CREDIBLE — Observed problems with the closing likely compromised the integrity of the results.		
Select One: ☐ I have read and understand the definitions.		
[BeforeCloseEnv]		
39. What is your team's overall assessment of the election environment and process at this station?		
Select One: ☐ Very Good ☐ Reasonable ☐ Poor ☐ Not Credible		
[ElecEnv]		
ANSWER ONLY IF Question #39 is not equal to "Very Good" AND Question #39 is not equal to "Reasonable"		
[ElecEnvDesc]		
40. What were the main reasons for not choosing "Very Good" or "Reasonable"?		
[ElecEnvDesc]		
41. Any other comments?		
[AddComments]		
42. End of Observation:		
[EndTime]		



PRESIDENTIAL 2nd ROUND COUNTING - Tunisia 2019



User/Team	
Observation Time	
1. Start of Observation	[StartTime]
2. Location Details	
2.1. IRIE	Select One: [Circonscription] ☐ Tunis 1 ☐ Tunis 2 ☐ Ariana ☐ La Mannouba ☐ Ben Arous ☐ Bizerte ☐ Nabeul 1 ☐ Nabeul 2 ☐ Zaghouan ☐ Béja ☐ Le Kef ☐ Silliana ☐ Jendouba ☐ Kairouan ☐ Sousse ☐ Monastir ☐ Mahdia ☐ Kasserine ☐ Sidi Bouzid ☐ Gafsa ☐ Tozeur ☐ Sfax 1 ☐ Sfax 2 ☐ Gabès ☐ Medenine ☐ Tataouine ☐ Kebili
2.3. Is the center in an urban or rural area? <i>Urban: Rural: defined subjectively per mission. Could include distance to cities....</i>	Select One: [UrbanRural] ☐ Urban ☐ Rural
3. Polling Station ID: 10 or 11 digit number	[StationID]
5. If present, please indicate the polling station presiding officer's gender: <i>If the presiding officer is not present now but appears before departure, please adjust this answer.</i>	Select One: [POGender] ☐ Female ☐ Male ☐ Not observed
6. Number of staff working at the polling station (excluding presiding officer):	[StaffCount]
7. Number of FEMALE staff present (excluding presiding officer):	[FemaleStaff]
8. Number of registered voters:	[RegVoterCount]
9. Please record the number of ballots in each of the following categories:	
9.1. Ballots received	[BallotsReceived]
9.2. Unused ballots	[BallotsUnused]
9.3. Blank ballots (if counted separately)	[BallotsBlank]
9.4. Ballots in box	[BallotsInBox]
9.5. Valid ballots	[BallotsValid]
9.6. Invalid ballots	[BallotsInvalid]
9.7. Spoiled ballots	[BallotsSpoiled]
10. Please record the number of votes for the following parties/candidates:	
10.1. Nabil Karoui	[VotesKaroui]
10.2. Kais Saied	[VotesSaied]
11. Before moving ahead, please review the following definitions regarding assessment of PROCEDURES. Mark the selection below to indicate that you understand the definitions and refer back to this page if needed. <i>FULLY — The procedure was always or almost always applied correctly. Any procedural errors observed were very minor.
 ADEQUATELY — The procedure was mostly applied correctly. Procedural errors observed did not appear to affect the integrity or transparency of the process.
 INADEQUATELY — The procedure was often not applied correctly; OR the procedural error may have compromised the integrity of the process (even if few instances were observed).
 NOT AT ALL — The procedure was omitted or was not followed meaningfully.
 NOT OBSERVED — Due to circumstances other than those described by the above, the observer was not able to assess the procedure.</i>	
Select One: [BeforeProcedures] ☐ I have read and understand the definitions.	
12. How closely did each of the following procedures adhere to regulations? <i>A = Fully;
 B = Adequately;
 C = Inadequately;
 D = Not at all;
 E = Not observed</i>	
12.1. Ballot verification and sorting	Select One: [BallotVerifySort] ☐ A ☐ B ☐ C ☐ D ☐ E
12.2. Ballot counting	Select One: [BallotCounting] ☐ A ☐ B ☐ C ☐ D ☐ E
12.3. Reconciliation	Select One: [Reconciliation] ☐ A ☐ B ☐ C ☐ D ☐ E
12.4. Recounting of ballots	Select One: [BallotRecount] ☐ A ☐ B ☐ C ☐ D ☐ E
12.5. Contested ballots	Select One: [BallotContest] ☐ A ☐ B ☐ C ☐ D ☐ E
12.6. Completion of protocol form	Select One: [ProtocolForm] ☐ A ☐ B ☐ C ☐ D ☐ E
12.7. Announcement of results (verbal)	Select One: [ResultAnnounceVerbal] ☐ A ☐ B ☐ C ☐ D ☐ E
12.8. Posting of results (at station/center)	Select One: [ResultPosting] ☐ A ☐ B ☐ C ☐ D ☐ E
13. Please describe the reasons for not choosing "Fully" or "Adequately", if you did so:	[CountProcedDesc]
14. Did agents have an opportunity to sign the results?	Select One: [ResultSigning] ☐ Yes ☐ No ☐ Not observed
ANSWER ONLY IF Question #14 is not equal to "Yes"	
15. If "no" or "not observed", please describe:	[ResultSigningNoDesc]
ANSWER ONLY IF Question #14 is equal to "Yes"	
16. If "yes", did any observers elect not to sign the results?	Select One: [ResultSigningObsDec] ☐ Yes ☐ No
ANSWER ONLY IF Question #16 is equal to "Yes" AND Question #14 is equal to "Yes"	
17. If "yes", please describe:	[ResultSignObsDecDesc]
18. How many agents representing each party/candidate were present?	

18.1. Please note the gender and party/candidate of agents present	[AgentRepresentingEx]
19. How many observers from each election observation group were present?	
19.1. Please note the gender and name of observation group representatives present	[ObservationGroupEx]
20. What level of access did each of the following groups have? A = Sufficient access; B = Deficient access (within regulations) — applied to one, some, or all; C = Deficient access (violation of regulations) — not able to participate as stipulated in regulations (not permitted entry; time limited in violation; applied to one, some, or all); D = Not present; E = Not observed	
20.1. Candidate/party agents	Select One: [AccessAgents] A B C D E
20.2. International observers	Select One: [AccessIntObs] A B C D E
20.3. Citizen observers	Select One: [AccessCitObs] A B C D E
20.4. Polling staff	Select One: [AccessPollStaff] A B C D E
20.5. Media	Select One: [AccessMedia] A B C D E
20.6. Other	Select One: [AccessOther] A B C D E
21. If any groups were not allowed sufficient access, please describe: How were groups denied access and what was the impact?	
22. Did you observe any interference in the election process? Please indicate which group(s) interfered. Select "No interference observed" if no interference was observed.	
Select Multiple: [Interference] Candidate/party agents International observers Citizen observers Media Voters Security Local officials Religious/traditional leaders Other No interference observed	
ANSWER ONLY IF Question #22 excludes "No interference observed"	
23. If any interference, please describe: How were groups causing interference and what was the impact?	
25. Were there any official complaints lodged? If applicable, near the end of your observation, ask the Presiding Officer if present or ask observers from other organizations or party/candidate agents.	
Select One: [OfficialComp] Yes No	
ANSWER ONLY IF Question #25 is equal to "Yes"	
26. If "yes", please describe: Who filed complaints? What were the reasons? How were they addressed?	
27. Were there any problems reported to you by those present rather than those observed directly by you? (Reported by e.g., agents, observers, voters)	
Select One: [ProbReport] Yes No	
ANSWER ONLY IF Question #27 is equal to "Yes"	
28. If "yes", please describe: Please note the actors involved, how it was resolved, the apparent impact, and any supporting evidentiary corroboration.	
29. How would you evaluate party/candidate agents' performance?	
Select One: [AgentsEval] Adequate Inadequate Not Observed/Observable	
ANSWER ONLY IF Question #29 is not equal to "Adequate"	
30. Please describe the reasons for not choosing "Adequate":	
31. Before moving ahead, please review the following definitions regarding the overall assessment of IMPLEMENTATION OF PROCEDURES BY STAFF. Mark the selection below to indicate that you understand the definitions and refer back to this page if needed. VERY GOOD — Procedures were always or almost always applied correctly. Any procedural errors observed were very minor and did not affect the integrity or transparency of the process. REASONABLE — Procedures were mostly applied correctly. Procedural errors observed did not appear to affect the integrity or transparency of the process. POOR — Procedures were not applied correctly; OR procedural errors significantly affected the transparency of the process and/or may have compromised the integrity of the process. NOT CREDIBLE — Important procedures were not followed correctly and these problems likely compromised the integrity of the process.	
Select One: [BeforeProcedImp] I have read and understand the definitions.	
32. What is your team's evaluation of the implementation of procedures by staff at this station? This evaluation should be based upon the procedures evaluated earlier in the checklist as well as any procedural factors that may have been omitted from the checklist. Please refer back to the answers provided to questions about procedures as needed to inform the overall evaluation.	
Select One: [ProcedImpEval] Very Good Reasonable Poor Not Credible	
ANSWER ONLY IF Question #32 is not equal to "Very Good" AND Question #32 is not equal to "Reasonable"	
33. What were the main reasons for not choosing "Very Good" or "Reasonable"?	
34. Before moving ahead, please review the following definitions regarding the overall assessment of the COUNTING ENVIRONMENT AND PROCESS. Mark the selection below to indicate that you understand the definitions and refer back to this page if needed. VERY GOOD — No significant problems were observed with the implementation of procedures or environment. The counting process was fully transparent. REASONABLE — Observed problems did not significantly affect the integrity or transparency of the counting process, but there is room for improvement. POOR — Significant problems with any of the following may have compromised the integrity of the results: errors in implementing counting procedures; counting staff subject to intimidation or interference; observers restricted. NOT CREDIBLE — Observed problems with the counting likely compromised the integrity of the results.	
Select One: [BeforeCountEnv] I have read and understand the definitions.	
35. What is your team's overall assessment of the election environment and process at this station?	
Select One: [ElecEnv] Very Good Reasonable Poor Not Credible	
ANSWER ONLY IF Question #35 is not equal to "Very Good" AND Question #35 is not equal to "Reasonable"	
36. What were the main reasons for not choosing "Very Good" or "Reasonable"?	
37. Any other comments?	
38. End of Observation:	



PRESIDENTIAL 2nd ROUND AGGREGATION - Tunisia 2019

User/Team	
Observation Time	
1. Start of Observation	[StartTime]
2. Location Details	
2.1. IRIE	Select One: [CircInscription] Tunis 1 Tunis 2 Ariana La Mannouba Ben Arous Bizerte Nabeul 1 Nabeul 2 Zaghouan Beja Le Kef Siliana Jendouba Kairouan Sousse Monastir Mahdia Kasserine Sidi Bouzid Gafsa Tozeur Sfax 1 Sfax 2 Gabès Medenine Tatouine Kebili
3. Were there obstacles or barriers on the way to the center that could have inhibited general access? <i>Examples of barriers might include distance from villages or a dysfunctional bridge.</i>	Select One: [Barriers] Yes No
ANSWER ONLY IF Question #3 is equal to "Yes"	[BarriersDesc]
4. If "yes", please describe: <i>Describe the barriers to public access and to what extent it affected voter franchise.</i>	
5. Which, if any, of the following prohibited or disruptive circumstances did you observe OUTSIDE the center? <i>Select "None" if you did not observe any prohibited or disruptive circumstances.</i>	Select Multiple: [DisruptOutAggCent] Intimidation Violence Significant disorder Security (beyond regulations) Other None
ANSWER ONLY IF Question #5 excludes "None"	[DisruptOutAggCentDesc]
6. If any issues, please describe: <i>What were the prohibited/disruptive circumstances and how did they affect the process?</i>	
7. Which, if any, of the following prohibited or disruptive circumstances did you observe INSIDE the center? <i>Select "None" if you did not observe any prohibited or disruptive circumstances.</i>	Select Multiple: [DisruptInAggCent] Intimidation Violence Significant disorder Security (beyond regulations) Other None
ANSWER ONLY IF Question #7 excludes "None"	[DisruptInAggCentDesc]
8. If any issues, please describe: <i>What were the prohibited/disruptive circumstances and how did they affect the process?</i>	
10. Does the center appear to be accessible to physically challenged persons, including the elderly? <i>The UN Convention on the Rights of People with Disabilities establishes an obligation for states to take measures to identify and eliminate obstacles and barriers to accessibility. This requires that people with disabilities will have an opportunity to participate on an equal basis in both rural and urban areas.</i>	Select One: [AccessibilityCenter] Yes No
11. If "no", please describe the impediments as well as any efforts to overcome the impediments or assist the challenged persons:	[AccessibilityDesc]
12. Before moving ahead, please review the following definitions regarding assessment of PROCEDURES. Mark the selection below to indicate that you understand the definitions and refer back to this page if needed. <i>FULLY — The procedure was always or almost always applied correctly. Any procedural errors observed were very minor.
 ADEQUATELY — The procedure was mostly applied correctly. Procedural errors observed did not appear to affect the integrity or transparency of the process.
 INADEQUATELY — The procedure was often not applied correctly; OR the procedural error may have compromised the integrity of the process (even if few instances were observed).
 NOT AT ALL — The procedure was omitted or was not followed meaningfully.
 NOT OBSERVED — Due to circumstances other than those described by the above, the observer was not able to assess the procedure.</i>	Select One: [BeforeProcedures] I have read and understand the definitions.
13. How closely did each of the following procedures adhere to regulations? If you cannot observe because you are too far away please mark E <i>A = Fully;
 B = Adequately;
 C = Inadequately;
 D = Not at all;
 E = Not observed</i>	
13.1. Receipt of materials	Select One: [MaterialsReceipt] A B C D E
13.2. Data recording/entry	Select One: [DataRecord] A B C D E
13.3. Tabulation	Select One: [Tabulation] A B C D E
13.4. Proclamation/display of results	Select One: [ResultsAnnounce] A B C D E
13.5. Quarantined materials/results	Select One: [QuarantinedMat] A B C D E
13.6. Recount	Select One: [Recount] A B C D E
14. Please describe the reasons for not choosing "Fully" or "Adequately", if you did so:	[AggProcedDesc]
15. Total number of polling station results this tabulation center is responsible for: <i>Leave blank if unknown/not observable.</i>	[PollStatResultsResp]
16. Number of polling station results received to date: <i>Leave blank if unknown/not observable. Include TOTAL number of results quarantined.</i>	[PollStatResultsRec]
17. How many polling station results have been processed to date? <i>Leave blank if unknown/not observable.</i>	[PollResultsProcess]
ANSWER ONLY IF Question #13.5 is not equal to "E"	[PollStatResultsQuar]
18. Number of polling station results quarantined to date: <i>Leave blank if unknown/not observable.</i>	
ANSWER ONLY IF Question #13.5 is not equal to "E"	[QuarantinedDesc]
19. Please describe quarantine: <i>E.g., reasons for quarantine, PC/PS IDs of those quarantined.</i>	
ANSWER ONLY IF Question #13.5 is not equal to "E"	[QuarantinedProcessed]
20. How many quarantined results have been processed to date? <i>Leave blank if unknown/not observable.</i>	
ANSWER ONLY IF Question #13.6 is not equal to "E"	[PollStatRecount]
21. How many polling stations require the recount of materials? <i>Leave blank if unknown/not observable.</i>	
ANSWER ONLY IF Question #13.6 is not equal to "E"	[RecountDesc]
22. Please describe recount: <i>E.g., overall situation, PC/PS IDs.</i>	
ANSWER ONLY IF Question #13.6 is not equal to "E"	[RecountComplete]
23. How many recounts of polling station results have taken place to date? <i>Leave blank if unknown/not observable.</i>	

ANSWER ONLY IF Question #13.6 is not equal to "E"		[RecountConfirm]
24. How many recounts confirmed the earlier tallies? <i>Leave blank if unknown/not observable.</i>		
25. Were there any results that should have received scrutiny but did not?		[ResultScrutiny]
Select One: ☐ Yes ☐ No ☐ Not observed		
ANSWER ONLY IF Question #25 is equal to "Yes"		[ResultScrutinyDesc]
26. If "yes," please describe:		
27. How many agents representing each party/candidate were present?		
27.1. Please note the gender and party/candidate of agents present		[AgentRepresentingEx]
28. How many observers from each election observation group were present?		
28.1. Please note the gender and name of observation group representatives present		[ObservationGroupEx]
29. What level of access did each of the following groups have? <i>A = Sufficient access;
B = Deficient access (within regulations) — applied to one, some, or all;
C = Deficient access (violation of regulations) — not able to participate as stipulated in regulations (not permitted entry; time limited in violation; applied to one, some, or all);
D = Not present;
E = Not observed</i>		
29.1. Candidate/party agents	Select One: ☐ A ☐ B ☐ C ☐ D ☐ E	[AccessAgents]
29.2. International observers	Select One: ☐ A ☐ B ☐ C ☐ D ☐ E	[AccessIntObs]
29.3. Citizen observers	Select One: ☐ A ☐ B ☐ C ☐ D ☐ E	[AccessCitObs]
29.4. Media	Select One: ☐ A ☐ B ☐ C ☐ D ☐ E	[AccessMedia]
29.5. Other	Select One: ☐ A ☐ B ☐ C ☐ D ☐ E	[AccessOther]
30. If any groups were not allowed sufficient access, please describe: <i>How were groups denied access and what was the impact?</i>		[AccessDesc]
31. Did you observe any interference in the tabulation process? <i>Please indicate which group(s) interfered. Select "No interference observed" if no interference was observed.</i>		[InterferenceAgg2]
☐ Candidate/party agents ☐ International observers ☐ Citizen observers ☐ Media ☐ Security ☐ Local officials ☐ Religious/traditional leaders ☐ Other ☐ No interference observed		
32. If any interference, please describe: <i>How were groups causing interference and what was the impact?</i>		[InterferenceDesc]
34. Were there any official complaints lodged? <i>If applicable, near the end of your observation, ask the Presiding Officer if present or ask observers from other organizations or party/candidate agents.</i>		[OfficialComp]
Select One: ☐ Yes ☐ No		
ANSWER ONLY IF Question #34 is equal to "Yes"		[OfficialCompDesc]
35. If "yes," please describe: <i>Who filed complaints? What were the reasons? How were they addressed?</i>		
36. Were there any problems reported to you by those present rather than those observed directly by you? <i>(Reported by e.g., agents, observers, voters)</i>		[ProbReport]
Select One: ☐ Yes ☐ No		
ANSWER ONLY IF Question #36 is equal to "Yes"		[ProbReportDesc]
37. If "yes," please describe: <i>Please note the actors involved, how it was resolved, the apparent impact, and any supporting evidentiary corroboration.</i>		
38. How would you evaluate party/candidate agents' performance?		[AgentsEval]
Select One: ☐ Adequate ☐ Inadequate ☐ Not Observed/Observable		
ANSWER ONLY IF Question #38 is not equal to "Adequate"		[AgentsEvalDesc]
39. Please describe the reasons for not choosing "Adequate":		
40. Before moving ahead, please review the following definitions regarding the overall assessment of IMPLEMENTATION OF PROCEDURES BY STAFF. Mark the selection below to indicate that you understand the definitions and refer back to this page if needed. <i>VERY GOOD — Procedures were always or almost always applied correctly. Any procedural errors observed were very minor and did not affect the integrity or transparency of the process.
 REASONABLE — Procedures were mostly applied correctly. Procedural errors observed did not appear to affect the integrity or transparency of the process.
 POOR — Procedures were not applied correctly; OR procedural errors significantly affected the transparency of the process and/or may have compromised the integrity of the process.
 NOT CREDIBLE — Important procedures were not followed correctly and these problems likely compromised the integrity of the process.</i>		[BeforeProcedImp]
Select One: ☐ I have read and understand the definitions.		
41. What is your team's evaluation of the implementation of procedures by staff at this station? <i>This evaluation should be based upon the procedures evaluated earlier in the checklist as well as any procedural factors that may have been omitted from the checklist. Please refer back to the answers provided to questions about procedures as needed to inform the overall evaluation.</i>		[ProcedImpEval]
Select One: ☐ Very Good ☐ Reasonable ☐ Poor ☐ Not Credible		
ANSWER ONLY IF Question #41 is not equal to "Very Good" AND Question #41 is not equal to "Reasonable"		[ProcedImpEvalDesc]
42. What were the main reasons for not choosing "Very Good" or "Reasonable"?		
43. Before moving ahead, please review the following definitions regarding the overall assessment of the AGGREGATION ENVIRONMENT AND PROCESS. Mark the selection below to indicate that you understand the definitions and refer back to this page if needed. <i>VERY GOOD — No significant problems were observed with the implementation of procedures or environment. The aggregation process was fully transparent.
 REASONABLE — Observed problems did not significantly affect the integrity or transparency of the aggregation process, but there is room for improvement.
 POOR — Significant problems with any of the following may have compromised the integrity of the results: errors in implementing aggregation procedures; election staff subject to intimidation or interference; observers restricted; sensitive materials not secured.
 NOT CREDIBLE — Observed problems with the aggregation likely compromised the integrity of the results; OR there are significant, unexplained differences between counting results and aggregation results.</i>		[BeforeAggEnv]
Select One: ☐ I have read and understand the definitions.		
44. What is your team's overall assessment of the aggregation environment and process at this center?		[AggEnv]
Select One: ☐ Very Good ☐ Reasonable ☐ Poor ☐ Not Credible		
ANSWER ONLY IF Question #44 is not equal to "Very Good" AND Question #44 is not equal to "Reasonable"		[AggEnvDesc]
45. What were the main reasons for not choosing "Very Good" or "Reasonable"?		
46. Any other comments?		[AddComments]
47. End of Observation:		[EndTime]