



Voting and Counting Procedural Manual

Legislative and Presidential Elections of 2014

CARTER CENTER
Unofficial translation

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Legal Framework

- The Constitution of the Republic of Tunisia, particularly articles 34, 54, 55, 75 and 126,
- The Constituting Legislation N°2011-16 dated December 16, 2011 on Constituting Legislation N°2011-6 dated 16 December, 2011 on the Provisional Organization of Public Authorities,
- The Organic Law N°2012-23 dated December 20, 2012 relating to the Independent High Authority for Elections ISIE, as well as the whole texts amending and completing it,
- The Organic Law N°2014-16 dated 26 May 2014 relating to Elections and Referendums,
- Regulation of the Independent High Authority for Elections ISIE on the Voting and Counting Procedures.

Chapter One: Polling

General Framework of the Polling Process

General Principles of the Polling Process

- Every Tunisian Citizen in Tunisia and abroad and who is registered on the voter register, shall have the right to vote.
- The suffrage shall be universal, free, direct, secret, fair and transparent.
- Voting shall be personal and voting by proxy shall be prohibited.
- Secret ballot is a right for every voter and no one shall prevent or cancel this rights, public polling shall be prohibited..
- Voters with disabilities shall exercise their right to vote according to special measures by considering the principle of personal and secret voting and to the extent required by disability.
- Voting should be conducted transparently; it enables the representatives of the candidate lists, national and international observers, and accredited journalists to observe this process with regard to the codes of conduct.

Date and Time of the E-Day

For the legislatives elections:

The Polling shall take place in Tunisia during one day that has to be an official holiday. It has to be on Sunday, **October 26th 2014**.

The Polling abroad shall take place during **3** successive days; the last day has to be the same as the E-day in Tunisia. These are **24th, 25th, and 26th of October 2014**.

For the presidential elections:

The Polling shall take place in Tunisia during one day that has to be an official holiday. It has to be on Sunday, **November 23rd 2014**.

The Polling abroad shall take place during **3** successive days; the last day has to be the same as the E-day in Tunisia. These are **21st, 22nd, and 23rd of October 2014**.

If any candidate would not win, a runoff shall take place within the two weeks following the announcement of the final results of the first round.

The Polling starts at 7 a.m. and ends at 6.p.m.

PHOTO

Polling Centers and Polling Stations

Polling Center:

The Polling Center consisted of one or more Polling stations. The polling center is composed of one president and with one or more information agent depending on the number of the Polling Stations.

The president of the Poling Center shall be in charge of the coordination and logistical operations and shall facilitate the work of the presidents of polling stations. He shall be assisted by the information agent.

Polling Station:

It is the place where the Polling shall be exercised in the Polling Centers.

The ISIE shall make sure that the access to the Polling Stations is easy for the voters in general and especially for the disabled persons.

Each Polling station shall have a sign composed of 11 number as follows:

Polling station Polling Center Sector Delegation Electoral Constituency

FIGURE ON PAGE 8

The Polling station shall be composed of four members among them the president of the polling station and shall be in charge of the following:

- Check the identity,
- Keep and distribute the ballot paper,
- Inking voters,
- Monitoring the ballot box.

Role of the presidents of polling center and station:

Prerogatives of the president of the Polling Center	Prerogatives of the president of the Polling Station
The president of the Polling Center shall keep order inside the center in a way that does not contravene the competence of the president of the Polling Station.	<input type="checkbox"/> The president of the Polling Station shall distribute the tasks among the members of the Polling Stations. He/she shall arrange the polling station with the members.
His/her tasks shall include being in charge of the administrative and logistical affairs in coordination with the election administration operations unit.	<input type="checkbox"/> The president of the Polling Station shall keep the order inside. He/she is the responsible of the good functioning of the Polling process and shall take the necessary measures to achieve this.
The president of the center shall especially be in charge of the following:	<input type="checkbox"/> The president of the Polling Station shall set the numbers of the persons allowed to enter the station according to its absorption capacity.
<input type="checkbox"/> Opening the Polling Center	
<input type="checkbox"/> Posting the voters lists	
<input type="checkbox"/> Posting the posters related to the Polling Stations	
<input type="checkbox"/> Helping voters in finding the polling stations	
<input type="checkbox"/> Removing the advertisements related to electoral campaign.	
<input type="checkbox"/> Helping the presidents of polling stations by providing what is needed	
<input type="checkbox"/> Ensuring the safety inside the polling centers and may seek the use of the public force when necessary.	
<input type="checkbox"/> Working on prohibiting the electoral propaganda in the Center or around it.	
<input type="checkbox"/> Working on prohibiting making opinion surveys in the Center.	
<input type="checkbox"/> Working on prohibiting the use of loud speakers in the Center.	
<input type="checkbox"/> Close the Polling Center at the right time set to end the voting process.	
<input type="checkbox"/> Ensure the replacement of the absentees.	

The presidents of the polling center and polling station may seek the use of the public force when necessary.

Role of the Security Forces and the Army in ensuring the Polling Centers and Stations:

The Security Forces and the Army shall be outside the polling center. They have to ensure its security till the end of the counting and delivering the polling material to the Tabulation Centers or to the Central Office. The National Security Forces and the National Army are allowed to enter upon a request from the president of the Polling Center or the president of the Polling Station depending on the case.

Who is allowed to access to the Polling Station and the Polling Center?

In addition to the members of the Polling Center and the Polling Station, the following persons have the right to access:

- Voters and the companions of the disabled voters.
- Members and officers of the ISIE holding badges issued by the ISIE.
- Accredited Representatives of the Candidate Lists and Candidates.
- Accredited National and International Observers.
- Accredited Guests.
- Accredited media people.
- Accredited Interpreters.
- National Security Forces and the National Army upon a request of the president of the Polling Station or the president of the Polling Center.

The Obligations of the people present at the Polling Station:

Representatives of candidate lists and candidates:

Allowed	Prohibited
<ul style="list-style-type: none"> • The right of entry to the polling station at any time. • Wearing the accreditation card in a visible way. • Signaling infractions or reservations to the president of the center and provide a written note if needed. • Behaving in a good manner with the different supervisors of the electoral process and obeying the rules issued by them, within the scope of their prerogatives, and in accordance with the law. • Signing the polling and sorting 	<ul style="list-style-type: none"> • Influencing voters' choice by implying or stating or through any sign referring to the political affiliation. • Intervening in the sorting process. • Assisting voters in the ballot, even those with disabilities. • Entering or exiting the polling station during the sorting process, without the head of the polling station's permission. • Entering or getting near the voting booths when there are voters inside. • In case the representative of

minutes	<p>candidate came late to the polling station, he/she cannot request to repeat the preparations related to the ballot or reading the opening minutes or casting doubts on what has been carried out before his/her arrival.</p> <ul style="list-style-type: none"> • Wearing or carrying anything that may refer to a candidate's number or name. • Touching or holding the sensitive electoral materials. • Seizing the polling and sorting minutes.
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National and international Observers:

Allowed	Prohibited
<ul style="list-style-type: none"> • The right of entry to the polling station at any time, when members of the polling station are present. • Holding the accreditation card in a visible way. • Checking that ballot boxes are empty before starting the vote. • Monitoring the minutes filling operation carried out by the head of the polling station or his assistant. • Respecting the principle of secrecy of the ballot. • Behaving in a good way with the different supervisors of the electoral process and obeying the rules issued by them within the scope of their prerogatives, and 	<ul style="list-style-type: none"> • Disrupting or impeding the normal functioning of elections. • Wearing any uniform or log indicating any political affiliation. • Intervening in the polling or sorting process. • Participating in any kind of negotiations or discussions within the polling stations and the different locations of the electoral operation. • Touching or holding the sensitive electoral materials. • Influencing voters' will. • Assisting voters in the ballot, even those with disabilities. • Entering or exiting the polling station during the sorting process, without the head of the polling station's

in accordance with the electoral legislation.	permission. <ul style="list-style-type: none"> • Entering or getting near the voting booths when there are voters inside.
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Media outlets:

Allowed	Prohibited
<ul style="list-style-type: none"> • Wearing the accreditation card during the follow-up and coverage of the different electoral operations. • The right of entry to the polling centers and stations through the polling and sorting procedures. • Respecting the principle of secrecy of the ballot. • Behaving in a good way with the different supervisors of the electoral process and obeying the rules issued by them within the scope of their prerogatives, and in accordance with the electoral legislation. • Being committed to impartiality inside and outside the polling centers and stations. 	<ul style="list-style-type: none"> • Impeding both the polling and sorting procedures. • Influencing voters' will. • Using cameras inside the polling station without the permission of the president of the polling station and the voters. In all cases, it is not allowed to photograph the voters inside booths. • Wearing a uniform or a logo referring to any political affiliation. • Conducting press interviews inside the polling station.

What is banned inside polling centers and stations:

- ✓ Electoral propaganda activities
- ✓ Wearing any sign indicating political affiliation
- ✓ Asking the voters for their points of view
- ✓ Using loud speakers in the polling station or its surroundings.
- ✓ Using the mobile phone for all the people present in the polling station, for whatever reason, with the exception of president of the polling station.

Polling Process

Preparing the Polling Process

The electoral materials necessary to the Polling Process:

The Polling Process requires that all the necessary electoral materials should be provided and which consisted of the documents, equipments and material necessary for the good functioning of the electoral process. It is worth mentioning that there are two categories of these materials:

The sensitive materials: are the materials that include personal data and its loss or manipulation may affect the elections results and the credibility of the electoral process.

The non-sensitive materials: are the materials that include equipments and documents that are important but do not affect the good functioning and the credibility of the electoral process.

The sensitive polling material

Documents	Requirements
Voters Lists relative to each Polling Station	Electoral ink
Ballot papers	ISIE Stamp
The minutes (Protocol) of receiving the polling material (Art 129 para2)	Ballot Box
The minutes (Protocol) of the voting and counting (Art138)	Ballot Boxes Locks
Memorandum stating the reservations of the representatives of the candidate lists and the decisions related to them	Electoral Bags for the sensitive electoral material after using them
The register of the Polling Station	
The counting sheet (Article 137 or Art 135, para3)	

The non-sensitive material

Documents	Requirements
Voting and Counting Procedural Manual	Polling Booth
	Torch
	Adhesive Tape
	Informative Posters
	Banner of the Polling Center Symbol
	Office Supplies

PHOTO ON THE PAGE NUM 14

Receiving the materials: The IRIEs and the Regional Administrations shall ensure the distribution of the necessary documents, equipments and materials before the E-Day to the presidents of Polling Stations and Polling Centers.

The president of the Polling Center shall receive the materials related to the Polling Center and shall sign the minutes of receiving the materials and keep a copy of it.

The president of the polling center shall ensure the following:

- 1- Verify the consistency of the reference of the locks of the three ballot boxes included in the delivery minutes in the presence of the members of the Polling Station.
- 2- Check the necessary materials, documents and equipment, the number of the ballot paper packs and make sure that these belong to the respective constituency and sign the minutes of the receipt of materials. In case of non availability of some materials, the president of the Polling Station shall inform the ISIE or the IRIE for replenishment.
- 3- After checking the availability of the materials, they have to be returned to the ballot box. This latter shall be locked with new locks. Their numbers have to be included in the delivery minutes that the president shall keep a copy of it and give the original copy to the responsible of delivery of the material after signing it.

Preparing the Polling Stations:

The president of the Polling Station shall prepare the Polling Station with the rest of the members and shall organize it. They have also to make sure that the room is ready to be used by:

- Preparing a place for the ballot box.
- Prepare a desk for the member who is responsible of verifying the identity and the signature in the voters register.
- Preparing the desk for the member who is in charge of giving the ballot paper.
- Fetching the polling booths in a way that protects voting secrecy (leaving enough space between the booths, they have to be far from windows and doors, if it is not possible , the windows have to be covered by white papers A1 format delivered to the Polling Station). One of the booths has to be prepared for the disabled persons to facilitate the voting process.
- Assigning seats for accredited observers and representatives of lists and ensuring that they are positioned far from the voters.
- Make sure that the entrances of the Polling Stations are free from all obstacles and that the flow of the voters can be observed and helping those who have difficulties to have access to the polling stations.
- Hanging the posters related to the Polling Station especially:
 - The number of the polling station,
 - An enlarged sample of the ballot paper,
 - Other posters related to the voting steps and prohibition of some behaviors.

It would be preferable that the organization of the Polling Station would be organized according to the following design:

PHOTO PAGE 15

Preparations during the E-Day before the opening of the Polling Station:

Members of the Polling Station shall be present at the Polling Station one hour at least before the starting time of the polling. The president of the Polling Station or his/her deputy shall fill the attendance sheet of the officers and distribute the tasks among them according to the organization that was set by the ISIE.

If the president of the Polling Station is absent, the eldest member shall open the Polling Station and carry out the tasks of the president of the Polling Station till his/her arrival or replacement.

If a member is absent, the president of the Polling Station shall assign the tasks of the absent member to one of the present members till his/her arrival or his/her replacement.

In all cases, the replacement shall be carried out in coordination with the president of the Polling Center with notifying the respective IRIE. The number of the polling station members shall not be in all cases less than two.

Tasks of the president of the Polling Station:

1. Assign tasks among the members of the Polling Station according to the organization of the ISIE.
2. Ensure that there is no symbol, photo of candidate or any sign that indicate any political affiliation.
3. Make sure that the signboard, on which the number of the Polling Station is indicated, is at its place and that is clear to all the voters alongside with the enlarged sample of the ballot paper and that the poster that prohibits the use of mobile phones.
4. Make sure periodically that the booths don't contain any ballot papers or anything that may be/present an electoral propaganda. Ensure that the pens meant for voting are there.
5. The president of the Polling Station shall welcome the observers and the representatives of the candidates and the candidate lists and the journalists after checking their accreditation card and shall show them their seats. He/She also has to make sure that they don't hold any distinguished sign that indicate their political affiliation in the station. He/She shall perform the following tasks in front of them:
 - Opening the ballot box and taking out the polling materials that are inside and ensuring they are all available.
 - Ensure that the box is empty. Showing the empty box to the attendees.

- Close the ballot box using the plastic locks made for this purpose. The upper opening of the box shall remain unlocked.
- The received ballot papers shall be counted.
- Distribute the materials and necessities among the members of the Polling Station.

Each president of Polling Station who refrained from opening the ballot box in front of the attendees, from the representative of the candidates, candidate lists and the parties, is subject to imprisonment of one month and a financial fine of 1000 TND.

6- The president of the Polling Station or a member that he/she designates shall complete the minutes of the Polling Process by filling the following mandatory data:

- Number of the received ballot papers.
- Number of the plastic locks that were used for the ballot box.
- The number of the registered voters in the polling station.

7- The president of the Polling Station shall read the minutes in front of the attendees and sign it with the members of the Polling Station. He/She shall ask the present representatives of the candidates' lists to sign in the allocated place. In case they will refuse to sign, this shall be stated in the minutes with the reasons if any.

In case there are no observers or representatives of the candidate lists or candidates or journalists, the president of the Polling Station shall start the voting process as it was mentioned above.

In case there is a lack in the polling material or an emergency situation that may threat the security of the Polling Process either inside the polling station or around it, the president of the Polling Station shall inform the president of the Polling Center who has to inform the person in charge of informing the communication coordinator in the regional operation room. He is allowed when needed to suspend the voting process temporarily.

Each president or a member of the Polling Station, who is responsible of delaying or stopping the Polling Process without a legitimate ground and without justification before the time planned for ending it or slowing in taking any procedure among those planned for this purpose in order to delay or restrain it, is subject to a financial fine of 1000 TND.

The Conduct of the Polling Process

At 7 a.m. and after the opening of the Polling Center and finishing the procedures of preparation of the Polling Station, the president of the Polling Station shall call the voters to enter the Polling Station and start the Polling Process.

In case there is a delay in starting the Polling Process, the president of the Polling Center shall inform the communication coordinator in the regional operations room.

The ISIE shall take the necessary measures to ensure that the members of the Polling Centers and the Polling Stations practice their right to vote.

Polling steps

First Step: Organizing the queue in front of the polling station:

The agent in charge of organizing the queue shall organize the entrance of voters into the Polling Station according to the instructions of the president of the Polling Station.

Among the tasks of the agent in charge of organizing the queue in front of the Polling Station:

- Remind the voters to prepare their identity cards or their passports to show them when requested.
- Ensure voters are in the right Polling Station they are registered in.
- Insist on ensuring that mobile phones are switched off.
- Grant voting priority for people with specific needs like the elderly, pregnant women and disabled persons.
- In coordination with the president of the polling center, the agent in charge of organizing the queue shall guide the voters one by one to the member in charge of checking the identity after verifying that the precedent voter has passed to the member in charge of the ballot paper.

PHOTO PAGE 18

Second Step: Verifying Identity, Checking the Voter Register:

Among the tasks of the member in charge of verifying the identity:

- Ensure that the voter did not vote before by checking the ink on his hand.
- Verifying the identity of the voter using either the national identity card or the passport.
- For the women wearing the niqabs, a member (female) of the Polling Station shall check the identity.

In case there is no woman among the members of the Polling Station, the president of the Polling Station shall ask one of the female voters in the station or in the queue to check her identity.

- To benefit from the special arrangements for the disabled persons, the concerned persons shall provide a disability card.

In particular, the blind and handicapped persons that cannot write may ask the help of a companion to help him/her completing the operations difficult to perform by himself/herself.

- Ensure that the voter is registered on the voter lists and that his/her name and the number of his/her ID are consistent with the data on the voter lists.

- If the number of the passport is not the same as the number mentioned on the voter lists, the president of the Polling Station, after checking the consistency of the name, shall write down the new number on the voter lists and sign in the box of Comments.
- The member shall ask the voter to sign in the box which corresponds to his/her name. If the voter does not know how to write, he/she shall put a cross or fingerprint.
- If the voter can neither sign nor fingerprint because of a handicap, the companion shall sign on his name. The president of the Polling Station shall state a comment regarding it on the voter lists.
- If the name of the voter is not on the voter list, the president of the Polling Station shall ask the voter to quit and check his/her name on the voter lists of the other Polling Stations in the same Polling Center or check with the president of the Polling Center or the information agent to verify his/her status and the place of his/her registration.

Third Step: Inking Voters:

After the signature of the voter, the member in charge of checking the identity shall ask the voter to dip his left hand forefinger in ink.

He/She has to make sure that the ink has covered at least the third of the finger and the nail and ask the voter not remove the ink and wait till it dries.

The ink bottle shall be shaken each half an hour to ensure the efficiency of the ink.

The voters with upper limb disability that prevents them from inking are exempted from this step. In this case, the President of the Polling Station shall state that in the register of the Polling Station. In case the voter is accompanied, the companion has to dip the little finger of the left hand.

If the voter refuses to dip his finger, the President of the Polling Station shall explain to the voter that inking is a necessary requirement to receive the ballot paper and to vote. If the voter insists on refusing the inking, he/she shall be asked to leave the station and in case he/she refuses, the public force might be called for help.

The member in charge of inking the voter shall guide him/her to the member in charge of giving the ballot paper.

Fourth Step: Distribution of the Ballot Paper

Among the tasks of the member in charge of distributing the ballot paper:

- Ensure that the ballot paper is valid (intact, has no printing ink or spilling ink on it and all its basic parts are clear and are not torn). If the ballot paper has something wrong, the member in charge of the ballot papers shall give it to the President of the Polling Station, who shall write it off and write on its back the expression “spoiled paper” and put it in the envelope designed for this purpose.

- The ballot paper shall be stamped on its back on its four angles (only when distributed). Non-stamped ballots will be invalid, so due care should be given to ballot paper stamping.
- Ensure the voter gets only one ballot paper.
- The ballot paper shall be put in front of the voter to take it in a way that the written part of the ballot paper is covered and remind him/her to take care of it.
- Explain to the voter how to vote (to choose one candidate list only and to put a cross in the space designed for this purpose, fold the ballot paper in a way that the stamp would be visible before putting it in the box) and being committed to neutrality and not indicating any candidate list or candidate.
- Inform the voter that if he/she makes a mistake or if the ballot paper is torn, he/she has the right to replace it only once.
- Guide the voter to the empty booth.

Fifth Step: Polling in the booth:

After getting the ballot paper, the voter shall go to an empty booth:

The voter shall use the pen inside the booth and choose only one candidate list for the legislatures or only one candidate for the presidential elections.

- The voter shall fold the ballot paper in a way that the stamp would be visible and the written part of the paper is covered.

In case there is a mistake in using the ballot paper or in case it is torn:

- The voter may ask for another ballot paper **only once**.
- The President of the Polling Station or his/her deputy shall receive the spoiled paper without looking at the choice of the voter and shall write on its back “spoiled paper” and put it in the envelope designed for the purpose.
- The President of the Polling Station shall guide/direct the voter to the member in charge of the ballot papers to get another one and warning him/her that it would be the last.
- One of the members of the Polling Station shall ensure from time to time that all the booths are free from any papers or flyers that may represent propaganda for candidate lists and candidates.

Sixth Step: Putting the Ballot Paper in the Ballot Box and Leaving

After marking the ballot paper, the voter shall leave the booth and go to the ballot box.

The voter shall put the ballot paper in the box personally, if it is not possible, the President of the Polling Station shall help him/her.

Among the tasks of the member in charge of monitoring the ballot box:

- Checking that the voter has folded the ballot paper in a proper way before putting it in the ballot box.
- Ensuring that the ballot paper is stamped.
- Ensuring that the voter has put his/her paper ballot in the box.
- Shake the ballot box from time to time in order to avoid that the ballot papers stick together. In this case, a ruler may be used to disperse them.
- Not bring the box outside the Polling Station in all cases. After voting, the voter shall be asked to leave the Polling Station immediately.

In case the voter refuses to put the ballot paper in the box, the President of the Polling Station shall ask him/her to give it back to him/her and write it off on its back without looking at the choice of the voter. He/She shall also write “spoiled ballot” on its back and put it in an envelope designed for the purpose. He shall mention this in the register of the Polling Station.

If the voter insists on refusing to give back the ballot paper, the President of the Polling Station may call the Public Force.

The President of the Polling Station and the members shall ensure that the voter does not leave the station with a ballot paper or any electoral material.

The vote of disabled people

The blind voter or the voters having handicaps at the level of upper limbs preventing them from writing may be accompanied by a companion that he/she chooses himself/herself and enters with him/her to the booth and help him to poll provided that he has a disability card.

The companion shall have the quality of voter and shall be his/her spouse, ascendant or descendant. He/She shall show his/her identity card or his passport and the document proving the family relationship.

If there is no companion, the President of the Polling Station shall designate one of the voters inside the Polling Station upon a request from the disabled voter to accompany him/her. The companion has to dip the little finger of the left hand and in all cases, he/ she is not allowed to help more than one voter. This can be checked by verifying the little finger of the left hand of the companion when checking the identity.

The companion shall in all cases not influence the choice of the disabled voter. His/her role shall be restricted to help him/her completing the operations that are difficult to perform by himself/herself.

The vote of the illiterate voters:

The illiterates are prohibited from being accompanied to practice their right to vote and the ISIE shall seek to facilitate the polling Process and explaining it to this category during its awareness campaigns.

Ending of the Polling Process:

At the closing time of the Polling Center, its President shall call all the voters who are in front of the Polling Center and that did not vote yet to enter and close the polling center. The Polling Process shall continue in the Polling Stations till the last voter votes.

After finishing the polling, the President of the Polling Station shall announce the end of the process and lock the box with the plastic locks made for the purpose.

The President of the Polling Station or the one that he/she designates shall count the remaining ballot papers, the spoiled papers and the number of the signatures on the voter list.

The President of the Polling Station shall complete filling the minutes of the Polling Process by including the following data:

- The number of the remaining ballot papers
- The number of the spoiled papers
- The number of the signatures on the voter lists

Suspending the Polling Process: It is prohibited to suspend the work of the Polling Stations and Centers or closing them during the hours set for Polling without the instructions of the ISIE.

In case of extreme emergency with which the ordinary course of the Polling Process would be stopped, the President of the Polling Center may suspend temporarily the Polling Process in the Polling Station or in the Polling Center provided that he/she informs immediately the IRIE to take the necessary measures to ensure the ordinary course of the Polling Process or to allow the closing of the Polling Center or the Polling Station.

In this case, the reasons for which the Polling Process has been suspended have to be mentioned in the register of the Polling Station alongside with the duration of the suspension which shall be taken into consideration at the time of closing the Polling Station.

Chapter 2: Sorting and Counting

The Sorting and Counting process consists of the all the operations that start after the polling which are:

- Counting the ballot papers in the ballot boxes and compare them to the number of the signatures on the voter lists.
- Sorting the ballots papers into valid, invalid and blank ballot papers with allocating the valid ballots to the candidate lists or candidates.
- Counting the votes that each candidate list or candidate has got.

The sorting process shall be carried immediately after the polling process and arrange the station for this purpose so that the polling station will be transformed to a sorting station.

Principles of Sorting Process:

- The Sorting Process shall be carried out separately at the level of each Polling Station.
- The Sorting Process shall be carried out non-stop from its start to its end. It is possible neither to stop it nor to postpone it.
- The persons that are inside the Sorting Station are not allowed to leave it or be back to it before the ending of the Process only in extreme emergency and upon an authorization from the President of the Station.
- In all cases, the members of the Sorting Stations are not allowed to announce the results of the Polling Process before and after its completion.
- The President of the Sorting Station shall organize the disclosure process of the ballot papers in the presence of observers, representatives of lists, journalists and representatives of media who are accredited by the ISIE and present at the Sorting Station taking into consideration the absorption capacity of the station and not disturbing the Sorting and Counting process.
- The Mobile Phones shall be switched off and photographing is prohibited.

Necessary Electoral Material of the Sorting Process:

The President of the Polling Station and the members shall prepare all the material and the document of the Sorting Process:

Documents	Material and Requirements
Voter Lists	Ballot Box - Box Locks
Minutes of the Sorting Process	ISIE Stamp - Enveloppes
Minutes of the Polling Process	Calculator
Procedural Manual	Blue and Red Pens
Statement Document A1 or A4 Format	The Envelope of the Sensitive Electoral Material
	The remaining and the spoiled Ballot Papers

Phases of Sorting and Counting Process:

The Process is composed of three fundamental/basic phases:

1. Preparation Phase of the Sorting Process
2. Sorting and Counting Phase
3. Ending of the Counting Phase

Preparation Phase of the Sorting Process

The President of the Polling Station shall evacuate it from people who are not allowed to attend the Sorting and Counting Process. In cooperation with the members, he/she shall arrange and prepare the Polling Station to carry out the Process according to the following steps:

- Arrange the Sorting Station to start the Sorting Process in a way that allows the attendees to follow the whole process.
- **Rearrange all the desks and use a big one for the disclosure of the ballot papers, carry out the Sorting Process in an organized way. The President of the station shall ensure that no pens are on the desk.**
- Bring all the documents and the material related to the Sorting and Counting Process: Voter Lists, the remaining ballot papers and the spoiled ballot papers, the ballot box, the minutes of the Sorting Process and the locks of the ballot box.
- The President of the Sorting Station shall inform the attendees that it is not allowed to leave the station before the ending of the process only in extreme emergency.

- The attendees will be asked to keep quiet, to stay at their places and to not disturb the public Sorting.

Sorting and Counting Phase:**Sorting and Counting Steps:****First Step: Filling the first part of the Sorting Process minutes**

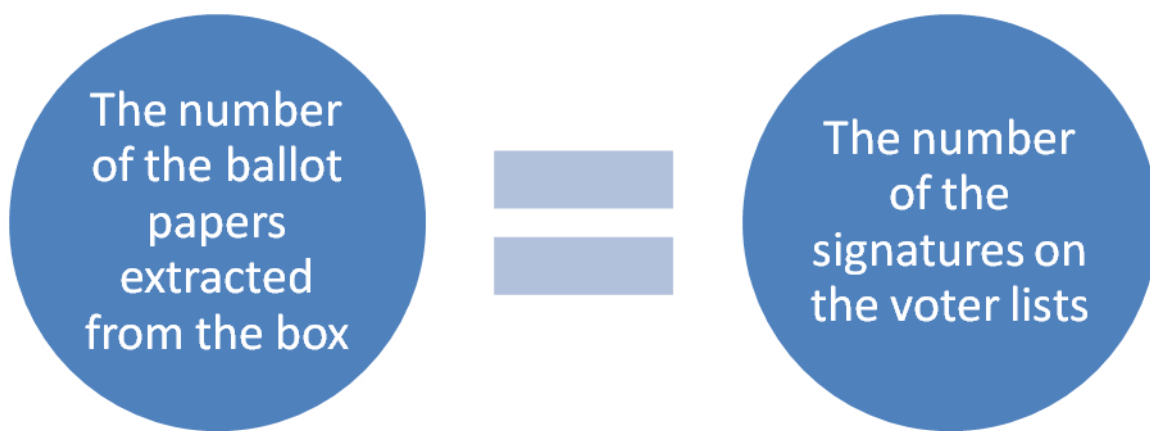
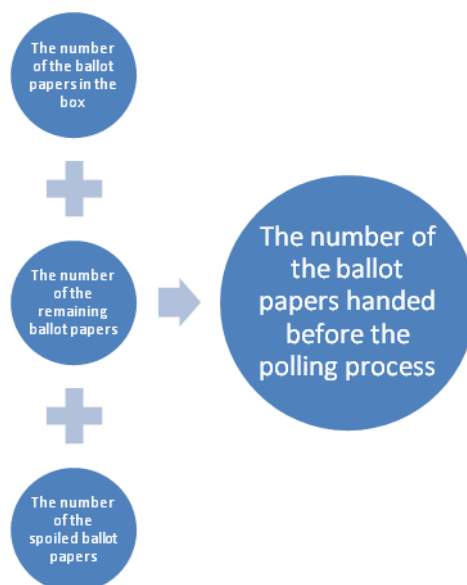
The President of the Polling Station shall in this case fill the first part of the minutes of the Sorting Process by including the following data in the allocated box in three copies:

- Name of the Electoral Constituency and the Name of the Polling Center and the sign Polling Station.
- Number of the voters registered at the Polling Station.
- Number of the Ballot papers that were delivered to the Polling Station, according to the way it was mentioned on the minutes of the Polling Process.
- The number of the Voters who signed on the voter list, according to the way it was mentioned on the minutes of the Polling Process.
- The number of the remaining ballots, according to the way it was mentioned on the minutes of the Polling Process.
- The number of the spoiled ballots, according to the way it was mentioned on the minutes of the Polling Process.
- The numbers of the ballot box locks before opening it

Second step: Opening the ballot box and take out the ballot papers and count them:

1. Put the ballot box in a place in way that allows the attendees to follow the process
2. The President of the Sorting Station shall read out loud the numbers of the ballot box locks and ask the representatives of the candidate lists to confirm the consistency of the numbers with the numbers mentioned in the minutes of the Polling Process
3. The Locks shall be broken then the ballot box shall be opened.
4. The ballot papers shall be taken out publicly and put on the sorting desk after ensuring that it is free from any paper or pen.
5. The empty ballot box shall be showed to the attendees in the Sorting Station.
6. The President shall designate one member or more to organize the ballot papers and put them on top of each other in the form of bundles. Each bundle shall be composed of 50 ballot papers and the papers shall be in reverse.

7. The ballot papers taken out of the box shall be counted. The number has to be consistent with the number of the signatures on the voter list.
8. If the number of the ballot papers extracted from the boxes corresponds to the number of the signatures on the voter list, the number of the ballot papers taken out shall be recorded in the minutes of the sorting and counting.

Matching 1:**Matching 2:**

9. In case of inconsistency whereby the numbers exceed or are less than the signatures on the voter lists, the counting shall be restarted again alongside with the signatures.

If the irregularity is confirmed:

- It shall be investigated and search the reasons behind the inconsistency
- It has to be mentioned in the minutes of the Sorting and Counting
- The President of the Station shall carry out the sorting process.

Third step: Sorting ballot papers

- When carrying out the sorting and counting, ballot papers should be kept upside down and first the stamp of the ISIE should be checked. In case the stamp is missing, the ballot paper should be placed among the invalid ballots without looking at its content.
- The president of the station or one of the members charged by him for this purpose shall publically read out loud the ballot paper and say if it is in the favor of any of the lists which shall be named and if it is a blank or invalid ballot paper and he shall also show it to the people present.
- Two other members shall mark the votes on the provided counting sheets.
- Every invalid ballot paper should be put in the pile provided for that.
- Every blank ballot should be put in the pile provided for that.

Members of the sorting panel have the final say for every ballot paper causing dispute or objection on counting a vote for a giving list or candidate. In case of dispute between these members the ballot paper should be considered as invalid by the absolute majority of the present members. In case the votes are equal, the vote of the President of the polling station shall be the deciding vote. A note shall be written down in the polling station register.

General rules on deciding on the invalid ballot papers:

A ballot paper shall be considered invalid and not counted among the declared votes if it does not clearly express the voter's will, or it is inconsistent with the principles of freedom, secrecy, integrity and transparency of the elections.

A ballot paper is invalid especially:

- ✓ Every ballot paper that is different from the one provided by the ISIE for voters.
- ✓ Every ballot paper that is not stamped.
- ✓ Every ballot paper contains a mark or a text revealing the identity of the voter. The electoral ink is not considered as one of the marks revealing the voter's identity.
- ✓ Every ballot paper where names of candidates or non-candidates have been substituted or added.

- ✓ Every ballot paper that casts doubt about the choice of the voter.
- ✓ Every ballot paper that is ripped in an important part of it.
- ✓ Every ballot paper containing a vote for more than a candidate list in the legislative elections, and for more than a candidate in the presidential elections.

The photos

A ballot paper clearly expressing the voter's will = **a valid ballot paper**

Despite the marks resulting from the electoral ink use, the ballot paper clearly expresses the voter's will= **a valid ballot paper**

Putting more than one cross or anything indicating the voter's identity= **an invalid ballot paper**

The voter's will is not clearly stated= **an invalid ballot paper**

Choosing more than one candidate list or more than one candidate= **an invalid ballot paper**

A ballot paper that is ripped in an important part of it in a way that affects a name of a candidate list or more= **an invalid ballot paper**

A ballot paper bearing the official stamp and one correct cross for a list or candidate= **a valid ballot paper**

A ballot paper that does not bear the official stamp= **an invalid ballot paper**

A ballot paper that contains no cross= **a blank ballot paper**

Fourth Step: Counting ballot papers and votes

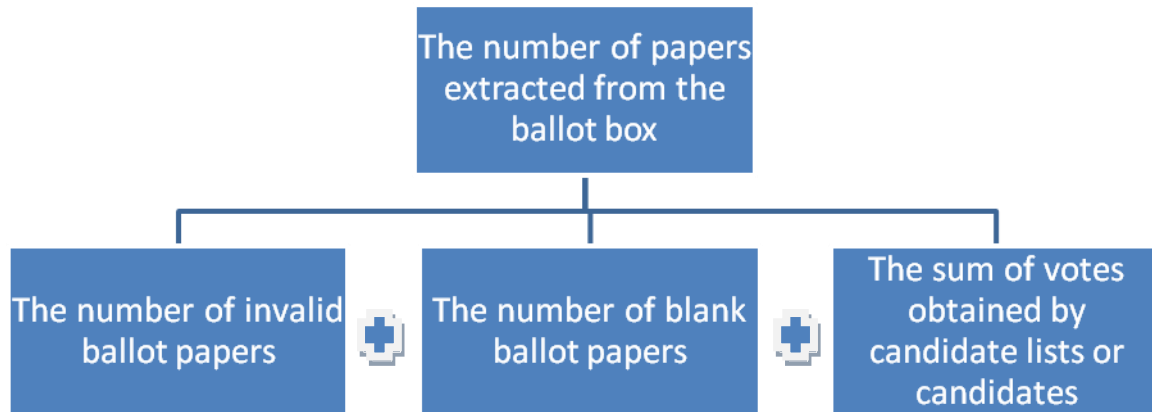
Invalid ballot papers shall be counted and placed in their special envelope on which is written « invalid ballot papers » and their number recorded on it.

Blank ballot papers shall be counted and placed in their special envelope on which is written « blank ballot papers » and their number recorded on it.

The votes obtained by every list and candidate shall be counted through the counting sheet.

Once the process of revealing vote results is over, the sorters shall record on the counting sheet the number of votes obtained by every candidate list or candidate, and then they shall sign it and hand it to the president of the station together with ballot papers.

The president of the station proceeds with the following matching operation:

Matching 3:

In case of inconsistency, ballot papers shall be recounted again. If the mismatch is obvious, the causes shall be investigated and all that written down in the minutes of the sorting process.

Fifth Step: filling in the minutes of sorting and counting

The president of the station, or his assistant, shall record in the minutes of sorting:

1. The number of ballot papers extracted from the ballot box
2. The number of votes obtained by every list or candidate
3. The total sum of votes declared and obtained by all candidate lists or candidates.
4. The number of invalid ballot papers
5. The number of blank ballot papers
6. Cases of mismatch and their causes, if found.

In case of an error in the minutes of sorting and counting, the president of the station shall correct it, mark « I certify the scratched out and/or the addition » and sign.

The president of the polling station shall read out loud the minutes of sorting to the people present in the station.

Once the sorting is over, members of the polling station and list representatives shall sign the minutes of the sorting process.

If list representatives refused to sign, this shall be stated in the minutes with mentioning the reasons if any.

List representatives or candidates are entitled to include all of the remarks and reservations, related to the sorting process, in a memorandum attached to the minutes. The president of the polling station shall respond to it and record that in the memorandum.

Every member of a polling station or any of the sorters is sanctioned with imprisonment for six years and a fine of five thousand dinars for frauding ballot papers or polling minutes, or sorting minutes or tabulation results sheets or deliberately changing the content of a ballot paper while reading it.

Completion of the sorting process

Ordering the electoral materials

After completing the sorting process, electoral materials should be kept in the following way:

- Placing the piled-up valid ballot papers in the ballot box.
- Placing the envelope peculiar to spoiled ballot papers in the ballot box.
- Placing the envelope peculiar to invalid ballot papers in the ballot box.
- Placing the pile of the remaining papers, with mentioning their numbers, in the ballot box.
- Placing the polling station stamp and ink in a cardboard box
- Placing the used padlocks in a sealed envelope in the ballot box.
- Placing a copy of the minutes of polling and a copy of the minutes of sorting in the ballot box.
- Placing the original copy of the minutes of polling as well as the minutes of sorting in the small sized bag A3 of sensitive electoral materials, to be sent to the central station.
- Leaving aside a copy of the minutes of sorting to be displayed later.

As for the first round of the presidential elections, the ballot box should be left empty, and the stated materials (valid ballot papers, used padlocks, invalid blank and spoiled ballot papers in their respective envelopes, and a copy of every minutes) should be placed in a big sized bag A2, for sensitive electoral materials, instead of the ballot box.

Contents of the small sized box A3 for sensitive electoral materials (to be sent to the Central Office)	Contents of the ballot box (the big sized box A2 for sensitive electoral materials for the 1 st round of presidential elections)	Contents of the cardboard box
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The original copy of the minutes of polling	The sum of valid ballot papers	Scissors
The original copy of the minutes of sorting	The envelope containing blank ballot papers	Flashlights
The memoranda attached to the minutes of sorting	The envelope containing invalid ballot papers	Adhesive tape
The counting sheet	The sum of the remaining ballot papers	Pens and all kinds of office tools
The paper of presence	The envelope containing spoilt ballot papers	The electoral ink after properly sealing the flask
The polling station record	A copy of the minutes of polling	The polling station stamp and ink
For the presidential elections first round : voter list related to the polling station	A copy of the minutes of sorting	The mobile phone in case granted by the ISIE
	The used padlocks	
	For the legislative elections as well as the second round of the presidential elections : voter list related to the polling station	

Posting results of the sorting process

The president of the polling station, or his assistant, shall hang/post before every polling station the sorting minutes relative to it in the presence of candidate list representatives or candidates and observers.

Returning electoral materials

After saving the electoral materials in the stated way above, the president of the station shall:

- Delivering the ballot box to the person designated for gathering boxes
- Sending the envelop of sensitive electoral materials to the central office
- Handing the cardboard box to the designated person from the concerned IRIE.

Electoral violations related to the polling day and counting

1/ The violator: The polling station's president and members

The Legal Basis	Violation	Sanction
Article 151	<p>Any president or officer of a polling station who fails to appear at the polling station on E day with no legitimate excuse</p> <p>Any officer of a polling station who, for no legitimate excuse, causes the delay of the commencement of the polling process past the specific time, stops it for no reason before the time specified for its conclusion according to the provisions of this law and the executive texts issued by the authority in this regard, or procrastinates on executing any of the prescribed procedures, with the aim of hindering or delaying the process.</p>	A fine of one thousand dinars
Article 157	Any president of a polling station who refuses to open the ballot box in front of the present representatives of candidates, lists, or parties, and observers before the commencement of the voting process, to make sure that it is empty.	<p>Imprisonment for one month</p> <p>A fine of one 1000 TND</p>

Article 164 (paragraph1)	Frauding : <ul style="list-style-type: none">• Ballot papers• Minutes of poling• Minutes of the counting• The results tabulation sheets	Imprisonment for 6 years and a fine of 5000 TND
Article 166 (related to complementary punishment)	Deliberately changing the content of the ballot paper while reading it.	A potential complementary punishment of disenfranchisement by depriving of the right to vote for a period of no less than two years and no more than six years.

2/ The violator: the voter

The legal basis	Violation	Sanction
Article 158 (paragraph1)	Attempting to vote in more than one station. Concealing a status of disenfranchisement provided for by the law.	Imprisonment for six months and a fine of one thousand dinars.

3/ The violator: The companion

The legal Basis	Violation	Sanction
Article 149	Deliberately disclosing a secret related to the choice of a voter under the provisions of article 132 of the electoral law.	A fine of 500 dinars

4/ Other violations:

The legal basis	Violation	Sanction
Article 158 (paragraph1)	Assuming a false name or a capacity. Giving false statements or testimonies. Concealing a status of disenfranchisement provided for by the law.	Imprisonment for six months and a fine of one thousand dinars
Article 160 (Article 166 related to complementary punishment)	Deliberately breaching the secrecy of the vote, inside the polling station or in its vicinity. Undermining the integrity of the vote or preventing its conduct. Attacking the voting stations' members with libel, slander or threats.	Imprisonment for one year and a fine of one thousand dinars. A potential complementary punishment of disenfranchisement by depriving of the right to vote for a period between two and six years
Article 161	Giving cash or in kind donations with the aim of influencing voters. Preventing any voter from exercising his right to vote	Imprisonment for three to six months and a fine between one thousand and three thousand dinars
Article 162	Infringing the freedom of voting by using or threatening to use violence, whether against the voter or his/her relatives, or threatening him/her with the loss of his job or by exposing	Imprisonment for three to six months and a fine between one thousand and three thousand dinars

<p>Article 164</p> <p>(Article 166 related to complementary punishment)</p>	<p>him/her to damages in person or property.</p> <p>Deliberately causing chaos and rioting inside voting stations or in their vicinity, or attempting through gatherings and demonstrations to cause chaos and disturbance to the conduct of the voting process.</p> <ul style="list-style-type: none"> - Embezzling, damaging or seizing minutes, ballot boxes or ballots. - Breaking a ballot box and damaging the ballots and documents contained therein or switching the ballots and documents contained therein with other ballots and documents. - Committing any other action that aims at changing or attempting to change the results of the vote and undermining the secrecy of voting. - Forcing or hiring people in order to threat voters or disrupt public 	<p>Imprisonment for six years.</p> <p>A fine of five thousand dinars.</p> <p>A potential complementary punishment of disenfranchisement by depriving of the right to vote for a period between two and six years.</p> <p>.</p>
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Article 164 (Last paragraph) (article 166 related to complementary punishment)	order. - Entering voting stations or collections centers or central offices through the use of violence to disrupt the voting or vote-counting process. Entering voting stations or collections centers or central offices through the use of violence to disrupt the voting or vote-counting process and bearing weapons	Imprisonment for ten years and a fine of five thousand dinars. A potential complementary punishment of disenfranchisement by depriving of the right to vote for a period between two and six years.
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Accomplices, mediators and instigators of any of the offences provided for in this law are to be punished with the same penalties prescribed for the original perpetrator. Attempting is equally punishable.