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élections de l'assemblée nationale constituante Tunisie 23 octobre 2011



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Focus Genre dans l'observation des élections
Gender Election Monitoring Mission

التقرير الختامي

Rapport Final
Final Report

In partnership with:



Ministry of Foreign Affairs of the
Netherlands





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All Female Gender Election Monitoring (GEM) Mission Tunisia

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Preface

In 2007, Gender Concerns International launched the Gender Election Monitoring (GEM) Mission initiative, and carried out its first all-female International Observation Mission during the 2008 election in Pakistan.

Gender Concerns International observed the elections held in Tunisia from the 15th until the 26th of February 2011, paying particular attention to the needs of women voters, female candidates and election administrators. In order to organise the observation mission, a partnership was established between Gender Concerns International and three Tunisian women's organisations - Ligue Tunisienne des Droits de l'Homme (LTDH), Association Tunisienne des Femmes Démocrates (AFTD), and Association des Femmes Tunisiennes pour la Recherche et le Développement (AFTRD).

Women in fragile democracies face particular and specific challenges. This has been evident in Tunisia and other MENA region countries, where following the pro-democracy movements, women face new and existing challenges to participation which often go unnoticed. Gender Concerns International was one of the first organisations to issue a position paper after the emergence of the Arab Spring. The organisation has actively participated in the "Delegation for relations with the Mashreq countries" sessions, co-organised the "Women for Transformation" public hearing held at the European Parliament in Strasbourg on the 16th of February 2011 and collaborated with women's organizations and representatives to promote women's visibility and political participation in the MENA Region. On the 8th of March 2011, Gender Concerns International launched its new campaign "ALERT 2011 – Women for transformation". This campaign highlighted the participation of women in pro-democracy movements in the MENA Region and supported their full participation in shaping political life and future governance structures. Election monitoring from a gender perspective is an effective tool to strengthen female leadership and inclusive governance in Tunisia, a goal that Gender Concerns International pursues with diligence.

Preparation of the Mission

Gender Concerns International has previously organised a Gender Election Monitoring Mission, which was conducted in Pakistan during the 2008 election. Our experience in Pakistan reaffirmed our belief in the necessity



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of undertaking systematic observations of election processes from a gender perspective, especially within emerging democracies.

Introductory activities for the Gender Election Monitoring (GEM) Mission began in July of 2011, when the director of Gender Concerns International organised a preparatory mission to strengthen the cooperation between Gender Concerns International and various women's and civil society organisations in Tunisia. Shortly after the visit to Tunisia, Gender Concerns International appointed its first on-site country coordinator, Giorgia Depaoli.

The unique blend of skills, knowledge and expertise of the team of gender election monitoring observers conducting the Gender Election Monitoring (GEM) Mission Tunisia enhanced both the potential and overall impact of the mission. The team was comprised of seven professional experts from the wider international community prepared by Gender Concerns International, all with strong knowledge and expertise in gender issues and democratic processes. In addition to these members, a further 22 young women from various regions in Tunisia and 14 senior experts from partner organisations came together to form the extended team of 43 members. Each member was assigned to the role of Gender Election Monitor, acting in a neutral and impartial role. The mission was tasked with close observation of all pre and post-election stages as well as the election itself. These stages included observing voter registration, electoral campaigns, media coverage, and logistical issues, facilities devoted to the election, instances of disputes or attempted fraud, and official counting and recounting of votes.



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1 - Why a gender focus on the elections. What is the added value?

A fundamental tenet of democratic elections is the full participation of citizens, both men and women, in the voting process. However, electoral observation missions which aim to ensure the full participation of all citizens have characteristically been gender-neutral and have failed to properly include a gender dimension in the observation and analysis.

During the post-revolution 2011 elections in Tunisia, NGOs and civil society organizations advocated to enhance and increase women's visibility in the process of democratic transition. It is for this reason that a decision was made to integrate a gender component into the Election Observation Mission undertaken by the Observatory of Elections for the Constituent Assembly. The observatory team created by civil society members, included the Tunisian League for Human Rights (LTDH), the Tunisian Association of Democratic Women (AFTD), Association of Tunisian Women for Research and Development (AFTURD) and the Arab Institute for Human Rights (AIHR).

The objectives of the gender inclusive/sensitive component for the observatory team of October 2011 included:

- The promotion of durable democracy through the consolidation of an electoral process.
- Awareness campaigns aimed to inform public authorities and civil society on the issue of Gender Equality.
- Capacity building of women to achieve democracy, justice and peace.

The objective of including a gender approach in election observations is to identify and expose inequalities and discrimination faced by women during the course of electoral processes. Reducing the level of discrimination, harassment and intimidation experienced by voters assists in reducing barriers to women's effective political participation. It also places greater value on their contribution to the development of the new constitution.



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2 - The context of the observation mission

Tunisian women have been active participants in the revolutionary struggle and transition to democratic governance. Their commitment to equal citizenship and participation has been evident through their prominence in protests across the country. Women were among those who participated in the "sit-ins" at *Place du Gouvernement* calling for the resignation of the government, the dissolution of parliament and the abrogation of the constitution.

Once the decision was made to hold elections of the Constituent Assembly, women joined in the democratic transition process through participation in institutions such as the "Haute Instance Pour La Realisation des Objectifs de la Revolutions, de la Reforme Politique et de la Transition Democratique-The High Office for the Realisation of the Objectives of the Revolution, Political Reform and Democratic Transition" that developed the Legislative Decree No. 35/2011 of 10 May 2011 concerning the election of the Constituent Assembly (Official Journal No. 35 of May 10, 2011 p.747) and the Decree Law No. 27/2011 dated 18 April 2011 (Official Journal of 27 April 19, 2011 p. 488) on the establishment of an independent body for the High Elections (ISIE).

As a result of women's militant activism during the revolution and the efforts of certain members of the "Haute Instance", gender parity between women and men was enforced by a requirement for alternation on party lists, which was adopted by Article 16 of the Legislative Decree on elections. This measure was further supported by the chosen voting system, namely the proportional representation system.

Women also actively took part in voter registration exercises. Women represented 45% of the 3,882,727 Tunisians over 18 years of age enrolled in the electoral registers (55% of 7 million voters), and 51% of the enrolled population between 18 and 35 years.

Unfortunately, despite the lobby and advocacy campaign to ensure that women occupied at least 50% of heads of lists (conducted in partnership with representatives of political parties and independent lists), only the list of the modern democratic coalition Pole (PDM) was close to meeting parity (48%).



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According to the official statistics of ISIE, only 7% of the party lists were headed by women candidates. This percentage varied from 3% among the independent lists to 7% on the party lists, reaching only as high as 35% on the lists put forward by coalitions. Consequently, women had significantly less opportunities to access the Constituent and participate in the realization of the democratic transition.

The behaviour of citizens, observed by the mission during the election campaign confirms women's experience of discrimination. For example, many lists displayed did not include pictures of women candidates in their lists and, for the parties that did include women candidate's photos, the pictures were often torn, defaced, or smeared with comments or defamatory insults.

3 – Program Partners: GCI, LTDH, ATFD, AFTURD

The gender observation mission took place in the context of a partnership between Tunisian human rights NGOs and feminist NGOs (LTDH, ATFD, AFTURD) who have activist experience since the 1990s and Gender Concerns International. Gender Concerns International is based in the Netherlands and specializes in gender election monitoring missions, peace, security and development issues from a gender perspective.



The NGO Gender Concerns International is an international gender and development organization headquartered in The Hague (The

Netherlands). It was created in 2004, and aims to strengthen political and economic participation of women in the fight against poverty and calls for positive legal changes. The organisation specialises in monitoring the elections from a gender perspective, and also has expertise in issues of peace, security, justice during times of conflict, minorities and gender sensitive development. The Tunisian team was able to benefit from the experience GCI acquired during the course of its previous observation mission in Pakistan.

4 - Composition and goals of the mission

GEM Mission Tunisia, the first of its kind in the region, was led, organized and implemented by women from NGOs or experts in the field.

The implementation of the program involved 22 young women led by four senior national LTDH and ATFD (Balkis Mechri, Halima Jouini, Mongia Hedfi, Souad Mahmoud, Dorra Mahfoudh Draoui), and seven international observers to the mission of GCI.



The young women were selected by the Tunisian partners (ATFD, LTDH) on the basis of their role within the activities of their organisations. They received 10 days intensive training from 4 senior national and 3 international election observers on how to adopt a gender focus. The training utilized materials prepared by the group of NGOs, the GCI-Tool Kit and the observers' guide used by the National Elections Observatory of the Constituent Assembly.

Training focused on the following areas:

- Decree-Law on Elections.
- Decisions made by the ISIE on elections.
- The conditions of participation in elections.
- Conditions for election observation.

This equipment was developed by the LTDH and the Coalition of Civil Society for the training of observers and election observation.

In addition to the training, the following materials were prepared:

- a questionnaire for the observation of the election campaign
- a survey to observe the elections themselves,
- the basic elements/instruments necessary for the assimilation of gender.



This training consisted of three stages:

- The first stage was a 3-day training on the methodology for election observation followed by an informal study of the use of posters and election manifestos in the election campaign, the display of lists in the electoral districts, the general atmosphere of campaign meetings, the role played by television or radio programs, etc..
- The second step was to apply the questionnaire with a gender inclusive



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approach to party lists or independent lists.

- The third step focused on the observation of elections on October 23 2011 from the second questionnaire "Form for the observation of elections with the gender."

The study focused on 11 districts to cover most areas from north to south:

- o The Greater Tunis (Tunis 1, 2 Tunis, Manouba, Ariana, Ben Arous)
- o Gafsa
- o Sidi Bouzid
- o Jendouba
- o Bizerte
- o 1 Sfax and Sfax 2

The observation was carried out by groups of 2 to 3 women observers who monitored several polling stations. Each group was coordinated by an experienced observer responsible for communicating and reporting back to the central observation mission office based in Tunis. The observers were required to identify quantitative aspects of participation (the distribution in number of police force, military, members of the polling stations, observers, voters) and qualitative dimensions of women's participation (atmosphere, attitudes of all stakeholders, constituents, mixed or separate rows, intimidation or game of influence, priority to pregnant women, verbal abuse, etc.). In addition to ensuring the questionnaires were completed, the observers were required to prepare a full report on the conduct of the observation.

4.1 Mission Deployment Plan

Centers and Voting Offices included in the Gender Election Monitoring Mission:

Region	Voting Centers Visited	Observed Voting Centers	Urban Areas	Rural Areas
Sidi Bouzid	6	10	8 SB. Est (1) SB Ouest(2) Meknessi (3) Souk Jedid (1) El Fyedh (1)	2 Mezzouna Souk Jedid
Manouba	11	14	5	9

			Tebourba (2) Denden (3)	Jedaida (5) Tebourba (1) Mornaguia (3)
Sfax 1 et 2	11	33	17 Sfax (5) Cité el Habib (8) Hancha (3) Jebenyana (1)	16 Hancha (11) Jebenyana (5)
Bizerte	9	32	22 Menzel Bourguiba (10) Ghar El Melh (3 bureaux périurbain et 2 bureaux pour les non inscrits) Bizerte Nord (4)	10 Meenzel Bourguiba (5) Zouaouine (3) El Wata (1) Faroua (1)
Ben Arous	11	25	25 Hammam-lif (6) Hammam-chott (3) Boumhel (3) Ezzahra (7) Radès Forêt (6)	
Ariana	9	32	26 El Aouina (4) Sebbalat Ben Ammar (2) Riadh el Andalous (4) Sidi Thabet (4) Raoued (4) Menzel VII (4) Nahli (4)	6 Kalaat El Andalous (2) Raoued (4)
Tunis	12	27	23 Bab Souika (1) Baba Menara (2) Montfleury R.Sahel (4) Jebel Jeloud (2) Harairya (1) Rue de Marseille (4) Ezzouhour (2) Bab El Khadra (4) Ezzahrouni (2) Rue du 18 janvier (1)	4 Mellassine (4)
Gafsa	6	12	9	3



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			Ouled Ouahiba (2) Ksar (1) Gafsa centre et Sud (4) Gafsa Ville (2)	Mdhilla Zone minière (3)
Jendouba	Not mentioned	9	8 Jendouba (2) Tabarka (3) Ain Drahim (3)	1 Fernana village
TOTAL REGIONS*	75	185	135	50

5 - The environment in voting centers (outside and inside/within)

The observation reported on several aspects of voting. This included the security around voting stations, the presence of journalists, national and international observers, the behavior of gatekeepers at the polling stations, the voting behavior of women and men, queues, and the manner in which certain categories of women (disabled, pregnant, elderly, with children, etc.) were treated.



a. The law enforcement: according to electoral districts, the military and law enforcement personnel working at the polling centres and the security forces inside the voting station in some cases included women members (for example, in Chebedda, Ben Arous and Greater Tunis). However the majority of military and law enforcement personnel were male.

b. Journalists: The presence of male and female journalists was observed only in some polling stations. In cases where journalists were present they appeared to generally address men, especially in rural areas.

c. The Presidency of polling stations: women were rarely presidents of the polling station. For example, in the district of Jendouba, observers noted that there were no women presidents of polling stations, either as official controllers or observers of the ISIE.

d. The behaviour of voters: the women voters were of varied ages and appeared to come from a wide range of social backgrounds and classes. They commonly arrived in collective groups from the same neighbourhood, family and were often accompanied by children or elderly voters requiring assistance to vote. Comparatively, men often arrived to vote alone, with friends of the same age or children who wanted to experience the democratic election processes of voting.

e. Queues: in some polling stations, observers noted a separation of the sexes in two separate lines. This observation depended on the time, number of voters present, and the rural or urban setting in which the elections took place. It should also be noted that in addition to a "natural" tendency to not mix in public spaces, the ISIE official description/account of the voting procedures also suggested that a barrier separated men and women.

Observers also noticed that despite the waiting times and the number of electors present, most women waited to vote and very few left on account of extended waiting periods.

f. Priority Treatment: priority treatment concerned mainly pregnant women. However, there were also isolated cases where women with children did not benefit from assistance due to complaints made to control agents of perceived favouritism towards them. In these cases, women were required to wait their turn. Sometimes and in certain polling stations, ISIE officials only enforced priority treatment at the insistence of elderly, handicapped and pregnant women. This was done in ignorance of the prior instructions that had been given to them with regards to the priority treatment procedures guaranteed to certain voters as a result of their age and health status.





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g. The risk of intimidation of women: in some cases the active participation of representatives of political parties in and around the polling stations, (especially those not engaged in the struggle for women's rights) led to the intimidation of women and attempts to influence their vote.

6 - Voter participation through a gender lens

The object of this paragraph is to study the level of political participation between women and men, differences in attitudes and treatment on account of sex, in addition to the existence of additional irregularities.

a. The proportion of women and men

The following conclusion emerges from the study:

- i. Women were more likely than men to vote in urban areas while in rural and peri-urban areas, the proportion of men voting was generally higher. In large cities, the gap between male and female voters tends to decrease, especially in the areas of Sfax and Tunis.
- ii. There appeared to be a large participation of women of all age groups, while the participation of men revealed that younger men were underrepresented.
- iii. Many women were present at the polling stations, even prior to the polling stations opening. This also included pregnant women about to give birth. Observers also noted patients who attended polling booths in wheelchair, demonstrating a significant commitment to participate in the electoral process.
- iv. The hours that women attended to voting differed from the pattern illustrated by men voters. The hours, in which men attended voting booths varied widely, suggesting that women's family responsibilities and domestic duties limited the times they could attend. For example, some electoral districts revealed a greater presence of women at 8:30 am and 1:30 p.m. in the afternoon (Bizerte, for example).



b. The profile of voters (men & women) noted:

i. a large presence of women from all socio-professional categories, and from a diverse range of financial backgrounds (poorest to wealthiest). Of these women, observers noted the presence of intellectuals, trade unionists, students, graduates, unemployed, domestic workers, housewives and women belonging to political parties (adherents of Ennahdha in particular).

ii. Among the younger population of voters, there appeared to be a greater mobilization of male voters on behalf of certain lists including those of the People's Petition (Al Aridha).

c. The family votes:

i. Women voted most often as individuals but the impact of family membership and even tribal ties cannot be discounted.

ii. Some women chose not to list their relatives or spouses because they were under the influence of competing political party lists.

iii. Other voters, particularly elderly and illiterate women, tended to



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choose candidate lists which were recommended by male relatives.

d. Attitudes towards wearing the Niqaab:

In light of the fact that in contrast to general practice in Tunisia, the wearing the niqaab is becoming more visible in Tunisian society, observers chose to integrate this relatively recent aspect of Tunisian society in their observations. Very few women were found to be wearing the niqaab at the polling stations. Observers noted that once inside the polling stations, women wearing the niqaab were forced to identify themselves to the women officers prior to the exercise of their right to vote to ensure the objectivity and transparency of the vote.

e. The difficulties and obstacles:

i. Women voters accompanied by two or three young children experienced difficulties concentrating on making their choice.

ii. Women who failed to pre-register their names on the electoral roll experienced difficulties in understanding the election process. Some unregistered voters were forced to travel far from their place of residence to special voting centres assigned to unregistered voters. Some voters renounced their civil right to vote as a result of the cost of travel.

iii. All observers noted misunderstandings about the implementation of decisions of the ISIE. Particularly with regard to the accompaniment of illiterate voters the polling station (on average 1 / 3 of Tunisian women). Some polling station presidents supported the decision to allow illiterate voters to be accompanied/supported by another person while others banned this decision, depriving some illiterate women of exercising their right to vote. Those who voted in spite of not being provided with assistance, contributed to an increase in the number of disqualified or blank ballots. This was the case in Fernana (District of Jendouba) where 71 out of 227 or 1/3 of the ballots were declared invalid because they were blank or checked on several lists.

f. The reported irregularities:

i. Observers noted instances where officials of the polling station did not comply with legal provisions and instructions of the ISIE. These instances included failing to ask voters to not to leave their mobile phones in the



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polling station and failing to remind voters of the prohibition on taking cell phones into the voting booth.

ii. Observers noted some poll officials who failed to react to obvious irregularities. For example, in the *areas* of Manouba (*District of Grand Tunis*), observers noted that a voter remained inside the polling station after voting and inscribed the number 52 on the hands of several women. The number 52 corresponds to the Ennahdha party list.

iii. In some polling stations, polling booths did not guarantee the secrecy of the vote. The vote was not adequately private and personal since some voters, especially women, could move from one booth to another, consult each other and provide assistance. In these instances, they were not confronted with the non-intervention policy demanded by officials of the polling station.

iv. One of the most significant problems appeared to be, especially in the more popular area of Jendouba, **a lack of knowledge among voters about physically how to vote**. Some voters experienced problems with respect to "how to vote and for whom". Many older voters requested assistance and had to turn to other voters for assistance. This involved many men and women, especially in rural areas. We believe this fact may have a gender impact on the Elections. Although we recognize the difficulties in confirming this was the case due to lack of evidence.

7 – Female and Male Observers

a. Numerical weight:

i. Women represented one third of the observers. In some polling stations, especially in rural areas, there were only male observers.

ii. The majority of the observers belonged to political parties, including the Ennahdha party whom were present in a number of polling stations (often in the absence of other observers from the other political parties, and women observers). Some of these observers were in close contact with the individuals responsible for their political party and the outcome of the election.

iii. Generally speaking, within the political parties and among the



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observers, men comprised the majority. However, the opposite was seen in relation to civil society where members from the LTDH, ATFD and ATID were by and large women. GEM Mission was the only mission headed and fully composed of female observers.

iv. The presence of international observers was concentrated in the capital and major cities.

b. Perceptions and pressure on voters:

i. In general, observers did not find discriminatory attitude towards voters, with the exception of one or two occasions where verbal aggression by citizens was noted outside the office.

ii. Priority treatment and rules governing specific categories of voters were sometimes perceived as positive discrimination in favor of women. This raised protests from some voters.

c. Behaviour of observers during the counting of votes:

Some observers noted that the counting operation of the votes was done in the presence of other national and international observers, ensuring transparency. Observers and women were present during the vote counting procedure and often remained until the end of the count except in the case where the president of the polling station advised them to leave "for security reasons."



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8 - Conclusions and recommendations of the mission

In spite of all the difficulties and irregularities encountered during the course of the mission, observers of the mission made the following conclusions regarding their own experiences:

1. To the Tunisians NGOs participants
 - a. Ameliorate the training programs developed for election observers to improve their knowledge of the required tools for election observation missions.
 - b. Distribute the legal documents and logistical framework well in advance.
 - c. Simplify the legal text applicable to election laws and check their degree of assimilation.
 - d. Sensitise NGO workers and election observers on the definition of a Gender Approach.
 - e. Hold awareness campaigns directed at women voters and women candidates to outline the procedure involved in voting and in running as a candidate.
2. To the Institutions responsible for the election process
 - a. Guarantee the parity of men and women in the election observation mission.
 - b. Guarantee the participation of civil society in the observation mission which should be considered as important as the participation of political parties.
 - c. Sanction discriminatory attitudes
 - d. Training presidents of voting offices to respect and enforce voting procedures.
 - e. Ensure positive discrimination of positive segments of society such as pregnant women, handicapped people and elderly and sick individuals.

Participants Concluding Remarks

They enthusiastically accomplished their mission with motivation and discipline. They experienced a general sense of satisfaction and achievement.

They were well received in the offices and polling stations even when the



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observers arrived in larger than expected numbers. However, in some offices, where there were many observers, they waited until space became available. In others they were the only observers present and were able to ensure compliance throughout the day.

The members of the polling station appreciated the presence of the GEM Mission Observers role in confirming the recognition of the role of women in ensuring the transparency of elections.

9 - The positive results of the mission

The experience was very positive for all:

- a. For Gender Concerns International, the GEM provided an opportunity to work closely with key non-state actors and members of Tunisian civil society, including women's organisations, and further enrich its experience and knowledge of gender sensitivity in democracies in transition.
- b. For the partners themselves, the mission provided an occasion to develop and expand their knowledge on election observation through a gender lens and to benefit from international experience.
- c. For observers, it allowed them to acquire training based on gender, develop a better understanding of the political landscape and share the enthusiasm of women and men voters and their determination to see democracy succeed in Tunisia.
- d. In the Tunisian elections, the observations were used to evaluate and highlight women's interest in the electoral process, their participation in public affairs and the perception of their role in a society that seeks to be egalitarian and democratic.

Impact and Sustainability

Gender Elections Monitoring (GEM) Missions are conducted to observe the conduct of free and fair elections and to reassure people's participation in democratic governance. Accordingly, a strong focus on strengthening women's inclusive governance and encouragement of female leadership is necessary. Within this context, GEM Mission Tunisia has a valuable impact



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on the establishment of a sound and lasting partnership with women and civil society organisations to share and learn from each other and find synergies for joint actions. Gender Concerns International believes in the local ownership principle and is consistently in search of appropriate tools to assist women's organisations in MENA Region. Training of young election observers in Tunisia and working with local experts and activists as part of the mission has been a rewarding experience for all partner organizations, and has resulted in the improved learning and capacity of all partners. Working in collaboration with such a professional, dedicated and committed team throughout Tunisia will undoubtedly have a positive and lasting impact on future cooperation between partners. We wish to take the lessons and expertise gained from this experience to other countries in the region as a tool to help strengthen female leadership and inclusive governance.

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