



## **Preliminary Statement: Observation of Presidential Election First Round Gender Election Watch Tunisia2014 Gender Concerns International**

**23 November 2014**

### **1. Gender Concerns International and partners**

Gender Concerns International supports women worldwide in claiming their role as “agents of change”. Currently, our organization – based in The Hague, the Netherlands – is active in Afghanistan, Pakistan, and the Middle East-North Africa region. Following the success of our 2011 Tunisian election observation mission, a Gender Election Monitoring team has monitored Tunisian national elections from a gender perspective for the second consecutive time.

This mission continued the productive partnership of 2011 with three Tunisian organisations: The Tunisian League of Human Rights (LTDH), The Tunisian Association of Democratic Women (ATFD), and The Association of Tunisian Women for Research and Development (AFTURD). The mission deployed 110 female observers to monitor the elections with a special focus on rural areas where much still needs to be done to support a greater presence of women in elections.

### **2. Objectives of the mission**

The specificity of the mission is that it featured an exclusive female observation team guaranteeing that the elections would be monitored solely from a gender perspective. The large team of 10 international and 100 domestic female observers have been in charge of the observation the 2014 Tunisian parliamentary and presidential elections to document women’s role in electoral procedures.

### **3. Political context**

Tunisia has been a leader of human rights and especially women’s emancipation in the region. Although there has been progress, a lot is still to be done to improve the political participation of women in Tunisia and especially the economic situation of women in rural areas.

For the presidential election of 2014, the candidacy of at least one woman is a sign of a strong will of implication of Tunisian women in political processes and an indication of a future that holds better incursion of women in high-level politics. The female candidacy of Khaltoum Kennou has had a significant symbolic effect, since she is the only female candidate in the first presidential election after the Tunisian Revolution of January 2011. Ms. Kennou is a judge who decided to start her fight for the supreme function of the state. Of the 27 candidates, Ms. Kennou ran as an independent, which demonstrates that women still have a long way to go in order to obtain the places they deserve within political parties. In reality, the preliminary results of the presidential election provided some hope. Although total vote percentage for the female candidate was not very impressive, it paved the way for other Tunisian women to become presidential candidates.

In the 2011 elections, 47% of the voters were women, compared to 2014 in which 50.5% of the voters were women. The ISIE should engage a study analysing voter turnouts from a gender perspective.

#### **4. Legal context**

The New Constitution of 2014, dedicates the equality of rights and duties between male and females citizens, and banishes all forms of discrimination. The state commits to protect women's accrued rights and work to strengthen and develop those rights. The state also guarantees the equality of opportunities between women and men to have access to all levels of responsibility in all domains.

The Constitution gives equal rights to men and women to vote and to present their candidacy for the presidential function. The electoral law framed this right to be a candidate set by conditions. In fact, each voter (male or female) has the right to present a candidacy. The candidate is required to be Muslim and to have the Tunisian nationality by birth to be able to present a candidacy for the presidency of the Tunisian Republic<sup>1</sup>. The candidate also has to present a commitment of abandonment of other nationality in case he/she has a dual nationality. In addition, each candidate for the Presidency of the Republic should deposit in the general finance of Tunisia a collateral of 10,000 dinars (approx. EUR 4,360) which will be restored only if he/she obtains at least three percent of valid votes. This threshold cannot guarantee that non-serious candidates enter in the race. Moreover, the consequences of this procedure is that a candidate can lose a significant amount of money. This can be a problem especially for independent candidates.

One of the new and objective conditions of candidates in the presidential election is the procedure of "parrainage". In fact, each candidate must be supported by 10 deputies or by 10,000 registered voters. In this last case, "parrainages" must be distributed on at least 10 constituencies<sup>2</sup>. Although, it is a procedure to guarantee the candidacy of the independent candidates, it demands much effort to check and verify each signature, so it can cause, if not mastered and managed well, a huge risk of falsifications and fraud which can bring question to the integrity of the entire electoral process.

#### **5. The electoral system**

According to the political system adopted by the new Constitution, the executive power is composed by the prime minister (designed by the party which has the largest number of seats in the Assembly of the representatives and nominated by the President of the Republic) and by the President of the Republic, elected for a five-year term by means of universal, free, direct, secret, fair and transparent elections by an absolute majority of votes. If no candidate achieves such a majority in the first round, a second round shall be organised during the two weeks following the announcement of the definitive results of the first round. Only the two candidates having won the highest number of votes during the first round stand for election in the second round. In a rising democracy, this rule of two presidential rounds helps the elected representatives to have a strengthened legitimacy.

In fact, as the preliminary results show in Tunisia's presidential election, a second round is expected, and will surely serve to give to the elected candidate a greater democratic legitimacy.

The financing of the electoral campaign is strictly supervised by the electoral law and the decisions of the ISIE. Each candidate has a public financing of about 75,000 dinars for the first round and 50,000 dinars for the second round. The financing is complicated and very strict, which can be an obstacle for campaigning, especially for an independent candidate. This funding system should be more accessible, which could help candidates to better lead their campaigns.

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<sup>1</sup> The candidate has to be 35 years old.

<sup>2</sup> This procedure was summoned to the temporary authority of the control of the constitutionality which asserted its conformity with the Constitution.

## **6. The electoral administration**

For the moment, the council of ISIE is composed of three women and six men. This female presence is not provided by the law although it is a constitutional principle. In the various departments at ISIE, there is a composition of nearly 50% women, including chiefs of departments (legal department) or managers (training department). Nevertheless, a gender balance is not found in the regional offices where only 11% is female. The presence of women as president or member of a polling center or station, is considerably important. Our observation demonstrated the implication of the women in charge of the operation of vote and their dedication for the success of the election. Besides, there is a general lack of gender-specific statistics, and ISIE announced a more profound study on this topic in the following months.

## **7. Women as voters**

The total of newly-registered Tunisians for the electoral process in 2014 is 993,696, of which 50.5% are women. The total number of all registered Tunisian citizens, for both the parliamentary and the presidential elections is 5,285,136 – including 359,530 out-of-country voters.

The electoral administration, in collaboration with the Ministry of Women's affairs, the Ministry of Social Affairs and numerous civil society stakeholders has organized several campaigns to motivate women, especially women of rural areas, to obtain ID cards to be eligible to register as voters. We do appreciate that 300,000 rural women had the benefit of these initiatives. But, the result was disappointing, as only 5,000 rural women were reached; mostly poor and illiterate women are still concerned as they cannot afford to purchase their ID cards.

A positive point was that after complaints from voters who could not find their names when going to the polling stations for the legislative elections, ISIE opened up the registration again for the presidential elections and registered about 1,600 additional voters. Here again we don't have gender-specific numbers. Even with this supplementary procedure, some voters were deprived from their constitutional right to vote. This supplementary procedure was opened only for voters who were registered for the parliamentary elections. Some of the voters who requested to be added on the voter lists, were also surprised by the absence of their names on the lists even this time, especially abroad.

Despite all these efforts, the participation of women in rural areas, as during the 2011 election and the parliamentary elections, was not satisfactory also for the presidential election. It was considerably better for illiterate women to vote as they were helped by photos of candidates on the ballot.

## **8. The electoral campaign**

From the point of view of gender monitoring, of course the campaign of the only female candidate was interesting to follow. We noticed that the electoral campaign of Ms. Kennou was balanced over the whole period with accelerated activity in the last week. During her visits and meetings, she was welcomed by women and men. As an independent candidate without support of a political party with basis and means, it was difficult for her to organise big meetings and gain visibility this way.

For this reason, media coverage was extremely important for Ms. Kennou. She was seen on several TV channels, she spoke in numerous radios programs and a respectable space of the print media was reserved for her campaign. She also made the headlines of at least one popular Tunisian newspaper. However, the media did not highlight her campaign as much as the campaign of the candidates belonging to political parties.

- **Media coverage of the female candidates**

The female candidates need much more attention, especially in the public media. HAICA did not make a public statement on the coverage of the presidential candidates yet, so we are curious to know if any improvement took place. The administrative tribunal has decided that the decision of the HAICA on the opinions polls is not in accordance with the electoral law, forbidding theses polls for the presidential election. This fact does not prevent media and specialized

organisms of opinions polling to proceed to the diffusion of tendencies of votes which were able to influence the voters in certain cases.

## **9. Election day**

In contradiction with the legislative elections, no long queues could be observed. In most cases, those queues were mixed, except in sensitive and rural areas such as Soliman.

- **Women as presidents and members of polling centres and polling stations**

Women were doing impressive work as presidents of polling centres and stations. In those places where we could observe mixed staff in the polling stations, women often were doing the job of writing, stamping and counting while men often supervised.

- **Women as security and armed forces**

During this presidential election, the number women in security forces was considerably lower. The deployment of these female security forces varied from one region to another. We can say for instance that in the rural regions, or in the regions with security risks, women security forces were less numerous. In Tunis and nearby areas, they were more visible.

- **Observing in sensitive areas**

Our mission intentionally deployed some teams composed of female international observers and local experts to observe sensitive regions where polling stations had limited opening hours (from 10:00 to 15:00). However, in the area near the Algerian border, these observers were advised by army forces not to proceed for security reasons. Not many international observers could be seen in this area, and our teams were warmly welcomed.

In some rural areas, turnout of female voters was low as their priority was to work picking olives rather than to vote. The teams also observed an offer of collective transport to female voters by some political agents trying to influence them.

- **Women as observers**

The candidates, the political parties and national organisations have made full use of the female potential to appoint political agents and observers. ISIE was more vigilant about checking observers' badges, verifying names and in some case even asking for the ID of the international observers. They were in these instances helpful towards observers' questions.

Our teams encountered representatives of candidates in almost all polling stations, but no representatives of the female candidate were seen. In some rural areas, a few candidates were over-represented while others were under-represented if represented at all. It was also observed that some candidates had appointed agents only in their native region.

- **Child-friendly voting**

Unlike the situation during the legislative elections, observers witnessed that polling station staff had a welcoming attitude towards children. Some polling station staff attended to children while their mothers were voting.

- **Participation of young women**

Our teams observed a low turnout of young people in general, and young women in particular. More efforts to reach out to young female voters remain necessary especially in the rural areas.

## 10. Analysis and conclusion

As the presence of women in the parliament has been reinforced, and the only female candidate for presidential elections made a statement by remaining in the race for the presidential election while 5 of her male colleagues stepped out, we do have hopes that the new government will nominate a large number of women as ministers – also in the ‘hard’ departments such as finance or economics.

## 11. Recommendations for gender-inclusive elections

1. Although ISIE made a great effort, **registration** remains a weak point, especially for rural women. New ways should be explored to complete registration, and the 20 dinar cost of an ID should be reconsidered for women of poor areas.
2. A greater number of awareness campaigns and close monitoring of the participation of women in **rural areas** remains necessary.
3. Special instructions should be given to polling station staff in order to help **illiterate women** to vote, especially when considering the number of invalid ballots, which remains considerable.
4. Special efforts should be made to reach out to **young female voters**.
5. The **principle of parity** must be legally ensured in the composition of all **state institutions**, especially in ISIE and HAICA. A **gender unit** is necessary to guarantee a gender balance in the composition and operational framework of the electoral administration and other involved instances.
6. Complaints about **media coverage** of women candidates remain. The **regulations** (joint decision ISIE/HAICA), should be reviewed to ensure the equal treatment of male and female candidates.
7. An in-depth **study** on registration and participation of **women voters** and the campaign of **women candidates** is absolutely necessary. A gender perspective should be considered in all **statistics** related to elections and be published in order to enable civil society to monitor it. It will be crucial to have accurate data on the number of female voters for the parliamentary and presidential elections, and to compare this data with 2011 elections.
8. ISIE should pay special attention to **gender-neutral promotion and awareness material**.
9. As the turnout in the polling station outside the country remains very low, ISIE should improve voters’ **procedures in the constituencies abroad to guarantee** the right for every citizen – man or woman – to vote.
10. The composition of the **new government** should grant Tunisian women the place they merit in the political scene.

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