



FINAL REPORT ON THE TUNISIAN NATIONAL CONSTITUENT ASSEMBLY ELECTIONS

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NATIONAL DEMOCRATIC INSTITUTE



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ABOUT NDI

The National Democratic Institute (NDI) is a nonprofit, nonpartisan, nongovernmental organization that responds to the aspirations of people around the world to live in democratic societies that recognize and promote basic human rights.

Since its founding in 1983, NDI and its local partners have worked to support and strengthen democratic institutions and practices by strengthening political parties, civic organizations and parliaments, safeguarding elections, and promoting citizen participation, openness and accountability in government.

With staff members and volunteer political practitioners from more than 100 nations, NDI brings together individuals and groups to share ideas, knowledge, experiences and expertise. Partners receive broad exposure to best practices in international democratic development that can be adapted to the needs of their own countries. NDI's multinational approach reinforces the message that while there is no single democratic model, certain core principles are shared by all democracies.

The Institute's work upholds the principles enshrined in the Universal Declaration of Human Rights. It also promotes the development of institutionalized channels of communications among citizens, political institutions and elected officials, and strengthens their ability to improve the quality of life for all citizens. For more information about NDI, please visit www.ndi.org.

ACKNOWLEDGEMENTS

NDI extends its gratitude to each of the 47 members of its international election observation delegation who volunteered their time and expertise, and who each contributed to the success of this mission. NDI also expresses its appreciation for the welcome and cooperation it received from Tunisian voters, election officials, candidates, political party leaders, domestic election observers, civic activists and interim government officials. NDI was accredited to conduct an international election observation mission in Tunisia by the High Independent Authority for Elections (*Instance Supérieure Indépendante pour les Elections* or ISIE).

NDI's international election observation mission in Tunisia was funded by a grant from the U.S. Agency for International Development (USAID). NDI programs in Tunisia are also supported by the Middle East Partnership Initiative (MEPI) and the U.S. Embassy in Tunis.

EXECUTIVE SUMMARY

After the dramatic events of January 2011 that led to the toppling of long-time authoritarian leader Zine El-Abidine Ben Ali, Tunisia's Oct. 23 National Constituent Assembly (NCA) elections were a milestone in its democratic transition. For many Tunisians, these polls were their first opportunity to make free choices at the ballot box and to ensure that votes were counted as cast. The elections also marked the end of a period of uncertainty overseen by a series of transition governments that lacked public legitimacy and accountability.

As they turned out enthusiastically to vote, many Tunisians calculated that if election day proceeded smoothly, if competitors accepted the election results, and if the composition of the constituent assembly was seen to represent the public will, Tunisia would have taken a solid step toward a more democratic future and away from its authoritarian past. This proved to be a sound calculation, as the conduct and outcome of these elections inspired increased confidence in the transition process and the country's future.

To demonstrate international support for Tunisia's transition process and these historic open elections, the National Democratic Institute (NDI) organized an election observation mission that included the deployment of 45 short-term observers (including NDI staff deployed on election day) and two long-term observers who witnessed the process before, on and after election day.



Observers consult with voters in Gafsa.

NDI's delegation found a positive, sometimes festive atmosphere at polling centers, including trained poll workers, adequate procedures and orderly lines in most locations. While a number of administrative problems emerged—mostly related to the desire of unregistered voters to cast a ballot—the delegation described Tunisia's 2011 constituent assembly elections as an extraordinary achievement so soon after the country emerged from decades of authoritarian rule.

Based on the observations of its delegation, NDI offers the following recommendations in the spirit of international cooperation and with respect for Tunisia's ongoing transition process:

Expand Voter Education. In future elections, greater efforts to educate voters about all aspects of the election process would likely lead to increased voter registration and a more informed electorate. While the election commission bears principal responsibility for voter education, civic groups and political parties each have roles to play in expanding awareness of the election process.

Enlarge and Update the Current Voter Registry. Expanding and updating the voter registry based on data from this election—including information from unregistered voters who voted at special centers on Oct. 23—would be more efficient than building a new registry from scratch, and would decrease government reliance on the national ID database used during the Ben Ali regime. Election authorities may also consider ways that citizens can register to vote outside of the run-up to elections.

Create a Permanent Independent Election Commission. The newly-created High Independent Authority for Elections (*Instance Supérieure Indépendante pour les Elections* or ISIE) overcame numerous obstacles to create a transparent electoral environment and encourage broad public participation in a free and fair process. The creation of a permanent body would augment and solidify these gains moving forward, and would lead to greater citizen confidence in future elections.



Voters look for their names on the voter register at a polling station in Tunis.

Review Campaign Rules and Regulations. Revisiting campaign rules to allow candidates and their parties more opportunities for voter contact should be considered. Clearer regulations on campaign spending would help ensure fairer and more transparent competition in future elections.

Increase Citizen Engagement through Domestic Election Observation and Political Process Monitoring. To build on this first independent experience monitoring and reporting on the Oct. 23 elections, civic groups should continue to engage and recruit citizen volunteers to lead similar efforts in the future, incorporating lessons learned from the NCA elections. They should also consider ways to monitor other aspects of the transition process – including the drafting of the new constitution.

Monitor and Promote the Participation of Women and Youth in Future Elections. NDI recommends that election authorities track voter turnout and engagement in election processes by women and youth and make aggregated data available to the public as a tool for political parties and civil society organizations to use to increase the participation of these traditionally marginalized groups.

Review the Electoral System. Analyze the results of the Oct. 23 election and determine whether the current closed list proportional representation system is the best alternative for promoting inclusivity in future elections, including the “zipper” method of alternating male and female candidates on candidate lists for increasing women’s participation.

As neighboring countries navigate their own political reform processes, Tunisia is likely to continue to serve as a role model for democratic transitions. The work of the NCA as it drafts a new constitution and prepares for fresh elections within the next year, and the efforts of the new transition government to tackle the country’s economic crisis, will be closely watched by Tunisians and the international community. In the more diverse political environment that emerged from these elections, sustainable democracy in Tunisia will require effective and transparent governance, and respect and tolerance for different points of view and approaches to solving the country’s problems.

INTRODUCTION

On Oct. 23, 2011, Tunisians voted in an election that held profound consequences for the future of their country and the broader region. Nine months after toppling an authoritarian leader and in a country with little democratic experience, citizens waited for hours in line at polling stations to elect members of a constituent assembly that would be tasked with forming a new interim government and writing a new constitution.

The creation of the ISIE and the adoption of a legal framework that encouraged inclusivity, impartiality and citizen oversight of the election process gave Tunisians across the political spectrum opportunities to participate in the country's first democratic elections as voters, candidates, citizen election monitors and polling officials.

NDI led an international observation mission to oversee the pre-election environment and election day proceedings. From Oct. 19 to 25, NDI fielded 47 accredited observers representing 15 countries and territories. The delegation was co-led by: Alejandro Toledo, former president of Peru; Jorge Fernando Quiroga, former president of Bolivia; Jane Harman, president of the Woodrow Wilson International Center and former U.S. representative from California; Marwan Muasher, vice president of the Carnegie Endowment for International Peace and former minister of foreign affairs in Jordan; Ana Gomes, member of the European Parliament from Portugal; and Leslie Campbell, NDI senior associate and regional director for Middle East and North Africa. Members of the delegation visited more than 128 polling centers in 13 electoral districts on election day. The districts were located within 12 of the country's 24 governorates. The polling centers visited included 25 special centers set up to allow unregistered voters to cast their ballots on election day. The Institute also deployed two long-term observers in late September to observe the campaign period and immediate post-election aftermath. This observation mission complemented the Institute's ongoing programs to support the development of democratic institutions in Tunisia.



Map indicating deployment locations of NDI delegates.

The NDI delegation characterized Tunisia's 2011 constituent assembly elections as an extraordinary achievement



Candidate lists affixed outside the ISIE's office in Tozeur governorate.

in a country emerging from decades of authoritarian rule. Despite the organizational and logistical challenges of conducting the elections in a limited time period, the ISIE succeeded in organizing polls that largely lived up to citizens' desire for an open and transparent process.

This report summarizes the mission's findings and offers recommendations to strengthen democratic practices during the transition period and improve the conduct of future elections.

POLITICAL CONTEXT

Former Tunisian leader Zine El Abidine Ben Ali became president in 1987 following the forced resignation of the country's first post-independence leader and self-styled "president for life," Habib Bourguiba. Ben Ali cemented his grip on power by passing a constitutional amendment that abolished presidential term limits and by strengthening the power of Tunisia's omnipresent state security apparatus. A handful of "genuine" opposition parties and independent civic activists denounced these moves in the face of increasing repression, harassment and in some cases imprisonment. As the regime hardened, it looked increasingly as if Ben Ali would succeed at being "president for life." Corruption reached endemic levels, with Ben Ali's closest allies and family members associated with his wife, Leila Trabelsi, profiting from unfettered access to virtually every productive sector of the country's economy.

Elections run by the Ministry of Interior (MOI) had consistently produced landslides in favor of Ben Ali and the ruling Constitutional Democratic Rally (RCD) party. Despite large voter turnout figures released by the government, actual participation was much lower. Arbitrary legal restrictions prevented credible opposition candidates from running, while leaders of "loyal opposition" parties regularly endorsed Ben Ali. The RCD consistently won all of the directly elected seats in Tunisia's National Assembly. Ben Ali allegedly won a fifth term with nearly 90 percent of the vote in the October 2009 presidential poll, an election widely criticized as fraudulent by Tunisian opposition activists. Opposition candidates were prevented from running as the regime brutally suppressed internal dissent and independent political organizing.

It was widely believed that many citizens would tolerate this closed political system in exchange for economic benefits and stability. But as the global financial crisis made it more difficult for the regime to deliver economically, protests broke out in early 2008 in the industrial city of Gafsa against the corruption and nepotism of the Ben Ali regime. Though suppressed, tensions began to simmer in many parts of country, particularly in urban areas in the country's interior long neglected by the government, and among the increasingly high numbers of unemployed youth.

Initiated by the self-immolation of a young fruit vendor, Mohamed Bouazizi, in the city of Sidi Bouzid in late December 2010, protests against the corruption and favoritism of Ben Ali's regime swelled in January 2011. Loosely coordinated and leaderless, a citizen-led movement quickly took advantage of social media to spread its message and galvanize public opinion against the regime, ultimately forcing the ouster of Ben Ali and the resignation of his government on Jan. 14.

In the succeeding months, citizens across the region took inspiration from Tunisia and launched protests of their own against aging dictators and unaccountable governments. In Tunisia itself, a political transition took hold in fits and starts. Persistent street protests forced the resignation of the first two transition governments, which included holdover figures from the Ben Ali regime and senior leaders from the disbanded RCD party. A third transitional government under the leadership of Prime Minister Béji Caïd Essebsi finally succeeded in setting Tunisia on a course toward elections for a National Constituent Assembly with a mandate to revise the country's constitution.

Transitional governing bodies with broad representation and oversight powers took responsibility for key decisions about the electoral process. The *High Commission for the Fulfillment of the Goals of the Revolution, Political Reform and Democratic Transition* (“High Commission”), led by one of the country's most respected legal scholars, Yadh Ben Achour, drafted a new electoral law in April based on a closed list proportional representation system designed to encourage plurality and promote inclusivity. Two stipulations within the law were particularly noteworthy: a requirement for 50/50 gender parity on candidate lists and a blacklist forbidding certain former ruling party members from participating.

A bill was also adopted to create the ISIE, a milestone for a country whose past elections were organized and overseen exclusively by the Ministry of Interior. It was clear from the start that the ISIE would face an uphill battle in completing technical preparations for the elections within a limited timeframe—elections were initially planned for July—and communicating information to citizens, particularly as the election marked the first voting experience for many Tunisians.

Though the transitional government made attempts to involve broad segments of society in the political transition, feelings of marginalization and distrust of political elites continued to be voiced by Tunisians, including by many of those who participated in the uprising against the Ben Ali regime. Despite the country's newfound civil liberties and political freedoms, focus group research conducted by NDI revealed that citizens

ELECTORAL TIMELINE

- **Jan. 14, 2011: Ben Ali regime falls**
- **Feb. 18: High Commission created**
- **March 29: High Commission expands to 159 members, including political parties and civil society organizations**
- **April 7: ISIE established**
- **April 11: High Commission adopts electoral law**
- **June 8: Elections postponed to Oct. 23**
- **July 11: Voter registration begins**
- **Aug. 14: Voter registration ends (extended)**
- **Sept. 15: Eleven leading political parties, except Congress for the Republic, sign a commitment to key principles and ethics, including a one-year limit for the constituent assembly**
- **Oct. 1: Campaign period begins**
- **Oct. 22: Campaign period ends**
- **Oct. 23: Election day**
- **Nov. 14: Final results announced**

were suspicious of a political class seen as distant and incapable of addressing the country's pressing issues. In looking to the approaching election, NDI found generally low levels of citizen awareness about key aspects of the election process, and anxiety over the large number of parties and independent candidates planning to contest. At the same time, many respondents asserted their belief that the elections would be successful if voters were free to cast their ballots without external influence, if the secrecy of the ballot was maintained, and if vote counting and the tabulation of results took place under transparent conditions. Numerous citizen groups organized voter education activities for the electorate to address gaps in the ISIE's coverage, and developed plans to recruit and deploy thousands of domestic election observers across the country on election day.

After heated political debate in May over the electoral timetable, the ISIE prevailed in its request for more time to prepare for the polls and succeeded in gaining approval for the Oct. 23 election date. Low turnout rates for voter registration, which began in July, appeared to be linked to the ISIE's logistical challenges and the difficulty in educating citizens about the process. According to focus group research conducted by NDI in August, many citizens based their decision to register on whether or not they perceived that election preparations were being conducted in a fair and transparent way. Though the ISIE extended the registration period, only slightly more than half of eligible voters had registered by its conclusion in mid-August. To uphold its commitment to promote inclusivity and lower barriers to participation, the ISIE announced that it would use the country's national ID card database to allow unregistered citizens to vote on election day.

Tunisian authorities approved the registration of 116 political parties by the time of the election. Approximately 80 parties, in addition to independents, submitted candidate lists in districts across the country. Participating parties, including those that existed under Ben Ali, as well as groups founded after the revolution, ranged from one-person outfits limited to certain cities to parties with national scope conducting professional campaigns. Only five parties successfully submitted candidate lists in every electoral district.

The ISIE imposed strict campaign and media regulations on political parties in an attempt to level the playing field during the pre-election and campaign periods and to bring some equilibrium to an environment where a small number of parties enjoyed vastly greater resources than others. Ironically, these rules contributed to a campaign period that was exceptionally subdued. Several political parties violated an ISIE ban on political advertising during the pre- and post-campaign periods, but were not sanctioned. Some parties complained that restrictive campaign finance and media regulations limited their ability to conduct effective election campaigns, while others alleged vote-buying and other violations on the part of their competitors. Citizens, largely unaware of parties and skeptical about their role in the transition, had fewer opportunities to learn about contestants and distinguish among the large number of choices on election day.

FINDINGS AND OBSERVATIONS

Election Day Management



In line to vote in Tunis, women examine cartoons detailing procedures.

NDI observers uniformly remarked on the high degree of professionalism and dedication demonstrated by polling station officials and staff, nearly all of whom were involved in elections for the first time. Trained at the regional level with ISIE oversight, presiding officers and poll workers generally followed newly established rules and procedures and maintained calm and orderly environments in the stations. Observers noted that polling officials had sufficient voting materials and set up stations appropriately. Polling officials

opened stations on time in almost every one visited by observers.

Voting proceeded slowly, particularly early in the day, as officials diligently sought to follow procedures in an accurate and complete manner and to implement new processes, such as inking voters' fingers. This meticulousness led to exceedingly long lines at some stations and frustration among affected voters, though polling officials and members of the military charged with guarding stations maintained order in these instances. Presiding officers welcomed international and domestic observers, as well as political party poll watchers, into their stations and often explained decisions. As an example, when one illiterate voter protested after being denied assistance at a polling station in Tunis, the head polling officer explained the situation to observers and referenced the official polling procedures manual to support his decision.

Voter Participation and Turnout

One common finding across all NDI observer teams was voters' tangible excitement and enthusiasm for participating and casting their ballots. Despite long lines to vote in some areas, such as greater Tunis and populous coastal towns, there was little tension, even in polling stations where the wait exceeded six hours. Many voters expressed their pride to observers, recognizing the historic and symbolic importance of these first elections in the transition process and the inspiration that others across the Middle East and North Africa

have drawn from Tunisia's experience.

Initial reports from the press and the ISIE overestimated voter turnout, which was ultimately determined to be 52 percent of eligible voters (86 percent of registered voters and 16 percent of unregistered voters)¹. Though impossible to compare with voter participation in previous elections—given questions about the accuracy of voter turnout figures released for previous elections by the MOI under Ben Ali—there is no doubt that more Tunisians voted in the 2011 NCA elections than had ever voted before.



Voters queue on election day in downtown Tunis.

However, compared to transition elections in other countries in Asia, Southern and Eastern Europe, and Latin America, turnout in Tunisia's election fell noticeably short.² Concerns about Tunisians' enthusiasm for participation in the political process first arose in July 2011 when turnout for voter registration was much lower than expected. NDI's focus group research confirmed this trend in August 2011, with respondents

expressing more concern over security and economic issues, and less confidence in the ability of political leaders to contribute to improvements in peoples' daily lives.



A polling official in a special polling center in Carthage shows a ballot featuring 76 candidate lists.

In polling stations across the country, observers found that voters were often confused by procedures and by the ballots themselves, which were difficult to decipher and in some districts featured as many as 95 candidate lists.³ Finding their choice on the ballot was difficult for some voters, especially as ballots were printed in black

and white rather than in color (and as they had been displayed on national television). Party symbols could be difficult to decipher and the ballot's multi-column layout in some cases led voters inadvertently to check the wrong box. Polling officials patiently explained voting procedures to unsure voters, but poll workers uniformly

¹ These figures were reported by the ISIE in the immediate aftermath of the elections. At the time of publication, the ISIE had yet to confirm statistics updated to reflect new population and electorate estimates.

² Percent turnout of eligible voters: 95 percent in Chile (1989), 77 percent in Spain (1977), 92 percent in Portugal (1975), 90 percent in Philippines (1987), 84 percent in Bulgaria (1991), 78 percent in Ukraine (2004). Institute for Democracy and Electoral Assistance (IDEA), accessed December 2011, <http://www.idea.int/vt/>.

³ Ballots in Ariana included 95 candidate lists—more than any other district.

refused to provide voters with direct assistance. In most cases, confused voters still managed to cast ballots.

Elderly, disabled and illiterate voters were particularly affected by the confusing ballot and new procedures. While disabled voters were granted exceptional assistance to access polling stations and vote, official voting procedures prohibited illiterate voters from receiving assistance.



A special polling center for unregistered voters.

Disappointed by the lower than expected number of voters who registered, the ISIE announced a “passive” voter registration process whereby all Tunisians holding a national ID card would be automatically registered and assigned to a polling station. On election day, voters could send an SMS message to an ISIE-sponsored service and receive a response indicating their polling station details. Any voters who did not have an assigned polling station could register and vote at the special center in their district. The SMS system received an

overwhelming volume of messages early in the day and crashed, leading to an influx of voters at special centers that led to disorder and long lines, particularly in greater Tunis and populous coastal areas. In most parts of the country, however, voter registration and voting at the special centers was orderly and calm.

Delegation members heard anecdotally—and in one instance directly from a presiding official at a special center—that citizens who had received new ID cards in the preceding several months were not included in the national voter registry. Such exclusions likely affected the youngest eligible voters, as well as those whose national ID cards were replaced after being confiscated by security forces in protests during the revolution, though the extent to which this affected potential voters is unclear.

Participation of Women and Youth

NDI observers reported that at certain times women and youth comprised the majority of voters in polling stations, particularly later in the day. According to the official voting procedures manual, polling station officials could choose to separate queued voters into lines for men and women; roughly half of the stations visited by observers implemented this procedure. Observers also noted a higher presence of women and youth at special polling centers for unregistered voters, a possible indication that women and young voters turned out in fewer numbers to register. While reports from NDI observers suggested high numbers of women and

youth voters, disaggregated figures for these groups have not been released by the ISIE.

A “zipper system” required that both political party and independent candidate lists alternate between men and women, meaning that 50 percent of candidates in the election were women. In practice, parties designated men at the head of all but 7 percent of lists, and the majority of lists won only one seat per district. Notably, the Democratic Modernist Pole (PDM), a coalition of left-wing parties, came close to nominating women at the head of 50 percent of its lists. Ultimately, 58 women secured seats in the NCA, representing 27



Voters in Sousse.

percent of the 217 delegates.⁴ The majority of these women representatives (39) are Ennahda members, as the party won multiple seats in every district in Tunisia, thus ensuring that second- and in some cases even fourth-place women won seats. Most other lists secured only one seat per district. Tunisians will need to decide in the future whether this experimental gender parity system is the most effective means of increasing the representation of women in political parties and elected office.

Domestic and International Election Observation

For the first time in Tunisia’s history, civil society organizations were able to deploy monitors to observe voting across the country, adding a level of credibility and transparency to the electoral process. Thousands of citizen election monitors—ultimately, the ISIE accredited more than 13,000 nonpartisan observers⁵—helped establish a precedent for citizen-led oversight of Tunisia’s political transition process while contributing to public confidence in the electoral process. NDI observers noted the widespread presence of domestic observers and party poll watchers, many of whom were women, in nearly every polling station visited. A number of Tunisian groups trained and fielded observers on election day, including NDI’s partners in the Ofiya Network: iWatch, *Jeunesse sans frontières* (Youth Without Borders or JSF) and the *Centre de citoyenneté et de démocratie* (Citizenship and Democracy Center or CECIDE), as well as the Chahed Observatory and the Anti-Corruption Association.

Ennahda—the party that won the most seats in the NCA—was represented by poll watchers in virtually every polling station visited by NDI observers. Other parties also fielded poll watchers, including CPR, Ettakatol, PDP and Afek Tounes, but not nearly to the same extent as Ennahda.

⁴ Official website of the National Constituent Assembly, accessed February 2012, <http://www.anc.tn/>.

⁵ The ISIE accredited 13,422 domestic observers and 661 international observers. ISIE, accessed December 2011, <http://isie.tn/>.

In another first, Tunisia welcomed all international election observers who expressed interest in monitoring the polls. Twenty-three nongovernmental and intergovernmental organizations were accredited to field observers across the country, all of whom were welcomed by Tunisian transition authorities, polling officials and voters themselves.



In certain districts, ballot boxes swelled as turnout among registered voters exceeded 90 percent.

Vote Counting and Tabulation

Polls were scheduled to close at 7 p.m., although a number of stations remained open later to accommodate voters who were still waiting in line at closing time. Overall, NDI observers reported that vote counting and tabulation was exceptionally slow, mostly due to polling officials' diligence in following procedures. Officials showed determination to complete all steps of the process perfectly, sometimes recounting every ballot if tallies were even one or two votes off from the total number of signatures in the voter registry. Some NDI observers remained at polling stations for up to 10 hours after the 7 p.m. close in order to witness the complete counting process. NDI observers who visited tabulation centers in the days following election day noted inconsistent access for observers, both international and domestic.

Campaign Violations

While NDI delegates did not witness any widespread critical issues on election day, observers did report some instances of electoral violations, primarily involving illegal campaigning. By law, all campaigning was to cease 24 hours before polling, but some parties continued to publicly campaign on election day. For example, observers in Manouba reported one party's representatives discussing party platforms with voters waiting in line, and observed party stickers on cars parked near polling center entrances. Observers in Ariana, Gafsa and Jendouba also saw campaign posters and other materials in close proximity to polling stations.



A polling station in Sidi Bouzid in central Tunisia.

ELECTORAL OUTCOMES

The results of the election—with only 27 party, independent and coalition lists winning seats in the NCA—were a wake-up call to smaller parties, which did not fare well in this first transition election. More than one million ballots were cast for parties or lists that failed to win any seats; in total, only 68 percent of the ballots cast were for lists that resulted in representation in the NCA.⁶ The top five parties won 81 percent of the NCA seats, which is likely to lead to further political consolidation and coalition-building in subsequent elections—and clearer choices for voters.

Distribution of Seats in Tunisia's National Constituent Assembly ⁷			
Party / List	Percentage of Vote	Number of Seats	Percentage of Seats
Ennahda	37.04%	89	41.01%
Congress for the Republic (CPR)	8.71%	29	13.36%
Popular Petition (Aridha Chaabia)	6.74%	26	11.98%
Ettakatol (FDTL)	7.03%	20	9.22%
Democratic Progressive Party (PDP)	3.94%	16	7.37%
The Initiative (Al-Moubadara)	3.19%	5	2.31%
Democratic Modernist Pole (PDM/Al-Qutb)	2.79%	5	2.31%
Afek Tounes	1.89%	4	1.84%
Tunisian Workers' Communist Party (Al-Badil al-Thawri)	1.57%	3	1.38%
Other	27.10%	20	9.22%
Total	100%	217	100%

Although no party won a majority of seats, Ennahda emerged as the strongest political force in the country, winning more votes than the next eight parties combined and garnering a plurality of seats in the NCA. The

⁶ Tunisia Live, accessed December 2011, <http://www.tunisia-live.net/2011/11/14/tunisian-election-final-results-tables/>.

⁷ Percentages are rounded to the nearest one-hundredth of a percent. In some cases, percentages of seats for are rounded up in order to reach a total of 100 percent.

party won at least two seats in every Tunisian district and secured nearly five times the popular vote of the second-place CPR. Although Ennahda benefitted to some extent from its Islamic identity, the party also owes its gains to its distance from the Ben Ali regime, which lent the party a unique appeal for many voters eager for a complete break from the past. Additionally, the party conducted an extremely well-organized campaign that focused on direct voter contact across the country, a feat that secular parties did not match.

Perhaps more importantly than what the party's triumph means for Tunisia, Ennahda's victory could pave the way for other Islamist groups' participation in mainstream politics throughout the region, as already witnessed to some extent in election results in Morocco and Egypt. Ennahda – a political party whose leader was exiled for decades and whose members underwent years of imprisonment, harassment and abuse by state security services – has the opportunity to demonstrate to Tunisians and the international community the positive role moderate Islamist parties can play in democratic systems of governance.



The Ennahda candidate list in the Tunis 2 district.

With Ennahda's success came disappointing results for Tunisia's more secular parties, many of which had attempted but failed during the pre-election period to form a broad-based coalition to compete in the election. Pre-election polling indicated that the liberal PDP would be the strongest potential challenger to Ennahda, followed by Ettakatol. In reality, the PDP's lackluster fifth-place result, winning less than 4 percent of the vote, sent shockwaves through the party. In a similar case, the ardently secular PDM also performed below expectations with less than 3 percent of the vote. Instead of the PDP leading the leftist parties as expected, CPR and Ettakatol surged to second and fourth place respectively, positioning them to form a tripartite majority coalition with Ennahda. It is likely that CPR's and Ettakatol's general commitment to refrain from openly attacking Ennahda served in their favor, as did grassroots efforts to engage voters face-to-face, particularly outside of Tunis. The decision by CPR and Ettakatol to enter into a coalition with Ennahda is likely to

further hamper the left's ability to coalesce as a political bloc.

While Ennahda's victory was widely speculated, Aridha Chaabia (or "Popular Petition")—a coalition of independent lists—took Tunisians and the international community by surprise after placing third. Aridha Chaabia's popularity may have been overlooked because its strongest support came from Tunisia's marginalized, rural interior. A wide range of political actors harshly criticized the group after results were released; attacks

against Aridha Chaabia ran the gamut from charges that its candidates were tied to RCD elements to allegations of links to Ennahda. The ISIE invalidated several of Aridha Chaabia's lists in the immediate aftermath of the election, citing campaign finance and media violations and, in one case, for fielding a blacklisted candidate. This amounted to the cancellation of nine Aridha Chaabia assembly seats. The ISIE's decision triggered violent riots in Sidi Bouzid, where Aridha Chaabia received its strongest support, winning

three seats. During the appeals process, an administrative court overturned the ruling and reinstated seven of Aridha's seats, but other members of the NCA refused to form a coalition with Aridha Chaabia. The group's unpredicted success and reactions to its victory exemplify challenges around enduring regional biases between Tunisia's educated urban population and citizens in the poorer rural interior of the country.



The town of Sidi Bouzid, in central Tunisia.

RECOMMENDATIONS

Tunisia's constituent assembly elections marked an important step in the country's transition toward a more democratic and representative form of government. Many Tunisians rightly saw the act of voting as a vital contribution to the emergent democratic process. Lessons learned from this first election will help strengthen electoral and political processes moving forward as the NCA drafts a new constitution and prepares for future elections. In this spirit, NDI offers the following recommendations:



A billboard sponsored by the ISIE reads “Tunisia Votes.”

Expand Voter Education. The short timeframe before the election, combined with many Tunisians' lack of experience voting, led to widespread gaps in public awareness of the political stakes and the technical steps surrounding voter registration and election day procedures. Three rounds of focus groups conducted by NDI throughout 2011 showed that citizens lacked access to accurate information about the election, particularly in interior regions away from the more populated coast. Initiatives led by the ISIE and numerous civil

society organizations successfully engaged thousands of voters with information about the election but still did not reach a significant portion of the electorate. With longer time to prepare for elections, authorities' efforts to fund and support robust voter education campaigns would contribute significantly to a more informed electorate. While the election commission bears primary responsibility for educating voters, civil society organizations and political parties also have a role to play in increasing awareness of all aspects of the electoral process.

Enlarge and Update the Current Voter Registry. Difficulties with the voter registration process affected turnout and led to complications on election day. To avoid similar issues in the future, authorities should work to keep voter lists as up-to-date and accurate as possible prior to election day. Previously unregistered citizens who cast ballots at special centers on Oct. 23 should be automatically included in the current voter registry. Expanding and updating the registry based on data from this election would be more efficient than building a new registry from scratch for future elections, and will also decrease government reliance on the national ID database used during the Ben Ali regime. Election authorities may also consider ways that citizens can register to vote outside of the run-up to elections.

Create a Permanent Independent Election Commission. The ISIE overcame numerous obstacles to create a transparent electoral environment and encourage broad public participation in a free and fair process. This symbolic step forward garnered the confidence of all the country's key political players. Although the ISIE was set to be disbanded after the polls, the creation of a permanent body would augment and solidify these gains moving forward. Citizens would likely view a permanent independent commission as more credible and fair than a government body. Such a commission could also focus on long-term voter outreach and education programs to develop a more informed and active electorate and would be in a strong position to ensure that effective procedures from the 2011 elections be incorporated into future electoral legislation. Establishing a permanent commission would set a standard for the region and provide the basis for sharing lessons learned and best practices with counterparts throughout North Africa and other regions, especially in those countries undergoing their own political transitions.

Review Campaign Rules and Regulations. As the number of political contestants is likely to diminish in future elections, revisiting campaign rules to allow candidates and their parties more opportunities for voter contact should be considered. Clearer regulations on campaign spending that balance the need to restrict richer parties and candidates from overshadowing smaller parties with the importance of allowing voters as much information as possible to make their choices would help ensure fairer and more transparent competition.

Increase Citizen Engagement through Election Observation and Political Process Monitoring. Civil society groups – many of them newly formed and active in the more open environment since January 2011 – recruited thousands of volunteers to serve as nonpartisan election observers. This volunteer effort represented a notable expansion in citizen participation around elections compared to the Ben Ali era and demonstrated public enthusiasm for oversight of the country's unfolding political processes. To build on this initial experience, civic groups should continue to engage and recruit citizen volunteers to lead similar efforts in future elections, incorporating lessons learned from the NCA elections. They should also consider ways to monitor other aspects of the transition process – including the drafting of the new constitution. New to civic organizing in an open environment, Tunisian civil society groups should seek ways to form coalitions around shared goals and objectives.

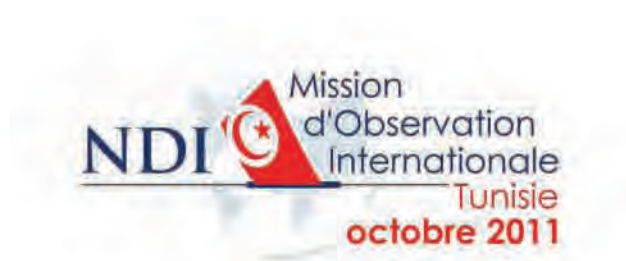


An NDI observer consults with voters in Manouba governorate.

Monitor and Promote the Participation of Women and Youth in Future Elections. NDI recommends that election authorities track voter turnout and engagement in election processes by women and youth and make aggregated data available to the public. Such data would be instrumental in encouraging political parties and civil society organizations to increase the participation of these traditionally marginalized groups.

Review the Electoral System. The proportional representation system used in the October election favored a consolidation of the political landscape, as the leading five parties won larger proportions of seats compared to their share of the popular vote. In turn, smaller parties and independent lists were disfavored. Based on the experience of this election, Tunisians will need to decide if this form of proportional representation offers the most effective system for future elections.

APPENDIX I



LIST OF OBSERVERS

Leadership

Alejandro Toledo

Former President

Peru

Jorge Fernando Quiroga

Former President

Bolivia

Jane Harman

Director, President and CEO
Woodrow Wilson International
Center for Scholars

United States

Marwan Muasher

Vice President for Studies
Carnegie Endowment for International Peace

Jordan

Ana Gomes

Member of European Parliament

Portugal

Leslie Campbell

Senior Associate and Regional Director,
Middle East and North Africa
National Democratic Institute

Canada

Delegates

Alexis Arieff

Analyst in African Affairs
Congressional Research Service

United States

Jane Campbell

Chief of Staff, Senator Mary Landrieu
Former Mayor of Cleveland, Ohio

United States

Robert Benjamin

Senior Associate and Director of Central and
Eastern Europe Programs
National Democratic Institute
United States

Sarmite Drosma Bulte

Former Member of Parliament
Canada

Guillermo Gonzales

Chief of Staff
Former President Alejandro Toledo
Peru

Louisa Greve

Vice President, Programs
Asia, Middle East and North Africa
National Endowment for Democracy
United States

***Pierre Habshi**

International Development Consultant
United States

Philip Howard

Professor
University of Washington
Canada

Lousewies van der Laan

Vice President
European Liberal Democrats
Netherlands

Alberto Costa

Member of Parliament
Portugal

Barrie Freeman

Director, North Africa
National Democratic Institute
United States

Michael McVicker

Fellow
Tom Lantos Human Rights Commission
United States

Percy Medina

Secretary General
Transparencia
Peru

Wafa Bani Moustafa

Member of Parliament
Jordan

Reem Obeidat

UNESCO
Former Gulf Regional Chair
Jordan

Krastyo Petkov

Former Member of Parliament
Bulgaria

Tom Price

Political Advisor to Shadow Foreign Secretary
United Kingdom
England

* Long-term observer

Robin Lerner

Counsel
Senate Foreign Relations Committee
United States

Bob Richardson

President
Devon Group
Canada

Sonja Lokar

Former Member of Parliament
Slovenia

Nicole Rowsell

Resident Country Director, Tunisia
National Democratic Institute
United States

***Vera Lúcia Figueira Lourenço**

Elections Consultant
Portugal

Lynda Thomas

NDI Board Member
United States

Mohamed Al Maskati

President
Bahrain Youth Society of Human Rights
Bahrain

Elizabeth Weir

Former Legislative Assembly Member
Canada

Gerald McGowan

Former Ambassador to Portugal
United States

APPENDIX II

PHOTO BOOK



NDI's observer delegation included 47 observers representing 15 countries and territories.



Voters in Manouba governorate proudly display their inked fingers. This was the first election that employed inking to prevent repeat voting.

Former President of Peru Alejandro Toledo and Portuguese member of European Parliament Ana Gomes speak with a polling official in a Tunis polling station.



Voters queue outside a polling station in Kairouan governorate.



Voting in Sousse.



Male voters wait in the shade outside a polling station in Gafsa. In some southern governorates, men and women queued in separate lines.



Two days after the election, domestic observers continued to witness tabulation at a center in El Menzah outside Tunis.



A woman casts her vote in Carthage.

President Toledo discusses voters' experience in Tunis.



A young Tunisian proudly displays his country's flag outside a polling station in La Marsa.

At the 7 PM closing of polls on election day in La Marsa, hundreds of voters remain in line. Officials at this polling station estimated that turnout among registered voters would reach 99 percent.





NDI observers Bob Richardson (Canada) and Reem Obeidat (Jordan) observe counting in a polling station in Manouba.



President Toledo oversees counting in a Tunis polling station.



Former US Congresswoman Jane Harman speaks at NDI's press conference on October 24.



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