



IRI and NDI's International Election Observation of Jordan's September 20, 2016 Legislative Elections

Preliminary Statement

September 21, 2016

Jordan Demonstrates Commitment to Efficient and Inclusive Electoral Process

A joint international election observer delegation of the International Republican Institute (IRI) and the National Democratic Institute (NDI) today announced that Jordan's September 20, 2016 elections took place in a largely peaceful atmosphere and were efficiently organized. Election officials were well trained and professional. Domestic election observers and candidate agents were present in most polling places. While there were issues, most voters were able to cast votes without any significant impediment. "While there were isolated problems, most voters were able to exercise their rights. NDI, IRI, and other international organizations will use the mission findings as benchmarks for ongoing work with the Independent Election Commission, political parties, the government, and the parliament to help as they work to increase the levels of transparency and effectiveness in the political process," Atifete Jahjaga, delegation co-leader and former president of Kosovo said.

The Independent Election Commission (IEC) appeared to have the resources and freedom necessary to conduct a successful election, and the delegation congratulates the people of Jordan for expressing their political preferences and choosing their representatives to the national legislature. "In a region beset by instability and conflict, and in a part of the world where democratic rights and norms are often diminished or ignored, the leadership of Jordan has demonstrated that it is possible to allow peaceful expression of opinion and political choice even in the presence of security pressures, a refugee crisis and unstable neighbors," John Sununu, delegation co-leader and former United States senator said.

Political and technical improvements in the 2016 elections included:

- The replacement of the one-person one-vote system as a result of advocacy campaigns conducted by civil society;
- In contrast to previous elections, no major political factions boycotted the 2016 polls;
- Automatic voter registration, based on the national civil status database, which increased the number of eligible voters who could participate in the electoral process;
- Increased technical safety features for ballots and streamlined election day procedures;
- More efficient and standardized training of polling center staff;
- Communication by the IEC on election day, including the timely announcing of turnout figures;



- Additional efforts by the IEC to make polling centers more accessible;
- Increasing the franchise by permitting polling officials and civilian employees of the security forces to vote; and
- In most cases, the conduct of security officials at polling centers was professional and within their mandate.

In cases where the delegation observed problems on election day, most were quickly addressed by polling officials or the IEC.

Shortcomings remain, such as:

- Although the election law prohibits campaigning within 200 meters of polling places, this restriction is routinely flouted. Active campaigning was observed directly outside many polling stations – and in some cases, campaign materials were observed inside;
- Secrecy of the vote was not always ensured, as observers noted numerous instances of “public voting”, where voters declared their allegiance or displayed their votes;
- While polling station staffs willingly provided assistance to persons with disabilities once in the polling station, many polling locations had very limited access to persons with disabilities; and
- The counting process was slow in some polling stations because the longer ballot required by the new election system and the fact that voters could cast multiple votes complicated the counting process. The longer process of counting and verification postponed the announcement of some results 24 hours longer than past elections.

It remains to be seen whether the new law and the political system in practice will fully reflect the statements of King Abdullah and his government who have called for an empowered parliament, effective, policy-centric political parties and a politically engaged citizenry. Achieving these goals will require that the results of the parliamentary election have a direct relationship to the composition of the government, providing an environment of greater political competition and democratic incentives to which parties and candidates could respond.

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I. Background and Electoral Context

King Abdullah II has articulated the need for a more empowered parliament and a stronger political party system in Jordan. The government introduced a new election law, adopted in March, 2016, that replaced the one-person one-vote system, in place since 1993, with an open list, proportional representation system. The new law mandates that all candidates must form a list, rather than running as individuals, and voters cast a ballot for both the list and their preferred candidate or candidates within that list. Several political parties and civil society organizations expressed dissatisfaction with the law, voicing their concerns that the law lacked a proportional list at the



national level. However, the largest political party, the Islamic Action Front (IAF), expressed cautious support for the new system and agreed to participate in the polls for the first time since 2007, after boycotting the 2010 and 2013 elections. Together, these dynamics contributed to a campaign and election process with many questions about whether the new system would result in recognizable change.

Though there have been no nationwide political protests in recent years, there remains considerable public frustration with the performance of the parliament and to some extent, the government. Criticisms include the inability to complete a policy agenda, the perception of corruption, and a lack of an open, transparent relationship with the public. A poll conducted IRI in April 2016 indicated that only 29 percent of Jordanians believe the parliament was effective. Many Jordanians—parties, legislators, opposition leaders, civil society activists, and political commentators—are skeptical that the elections held under the new law will result in a different composition of parliament or will significantly alter political decision-making.

Amid heightened security concerns and a struggling economy, King Abdullah dissolved parliament on May 29, appointed a new prime minister, and called for elections. The polls, originally anticipated to take place in early 2017, were conducted on September 20, 2016. The truncated pre-election period added additional pressure on the IEC, established in 2012, to institute the administrative and legal changes mandated by the new election law. The IEC was already facing high expectations to prove its independence from the Jordanian Interior Ministry and to demonstrate that it was prepared to administer a successful election process; the early election date exacerbated the challenges it was facing. The expedited process also restricted the amount of time available for voter education. There may have been insufficient time to explain the new and complex election law, registration process, and voting procedures, including the introduction of a new ballot. As a result, public understanding of the voting processes remained a concern prior to election day.

The voters list, based on the national civil status database maintained by the Civil Status Department, was to include every Jordanian eligible to vote, amounting to 4,130,145 voters, nearly 1,870,000 more than were eligible to vote in 2013. This list included citizens living abroad, who were unable to vote unless they returned to Jordan for election day. Due to language in the law and a subsequent judicial decision by the Jordanian Legislative and Interpretation Bureau, Jordanians who were 17 years and 90 days old on election day were also eligible to vote. The total number of parliamentary seats were reduced from 150 to 130, including nine seats reserved for Christians, three seats for candidates who are Chechens or Circassians, and at least 15 seats reserved for women.

Through a by-law, the size of electoral districts was increased, and the number lowered from 45 to 23: nine based on the boundaries of governorates, as well as four in Irbid, two in Zarqa, and five in Amman. The number of citizens represented by each seat can vary widely. For example, in Karak, some 166,000 voters elect 10 seats, while in the Amman second district, more than 400,000



voters elect six seats. The IEC administered a candidate and list registration process from August 16 to 18. After a review conducted by the commission and the courts, 226 lists were accepted, made up of 1,252 candidates, including 252 women. The IEC established 1,483 polling centers, containing 4,884 polling stations, distributed throughout the country, and accredited more than 13,500 domestic observers, as well as hundreds of international observers.

II. Observations

Pre-Election and Campaign

The joint delegation deployed four long-term observers two months prior to the election to interview stakeholders in each district on a wide range of topics throughout the pre-election period.

Campaign Environment and Electoral Framework. Tribal affiliation plays a significant role in the Jordanian political environment, though its intensity and manifestations vary from district to district. Political party and list representatives interviewed by observers noted that, in their selection of candidates and the development of their campaign strategies, they looked primarily at the candidates’ “roots” in the community, with political affiliation or platform playing a largely secondary role.

Regular changes to the electoral framework, four different frameworks in the past four elections, have been seen by many as counterproductive, affecting parties’ ability to organize and voters’ understanding of the electoral framework and voting procedures. Various stakeholders described the framework for the elections as confusing and complicated. Some candidates who voted for the law in the previous parliament noted that the application of the system is not what they had hoped for or expected. Though some expressed hope that the new law, in the long term, will help strengthen political parties, many criticized it for promoting competition among candidates on the same list, leading to so called “*hashwa*” or “fillers,” candidates who are only placed on the list to fulfill the legal requirements. For example, the “Maan” list in the Amman third district produced two discrete leaflets: one that promoted all the candidates on the list except one, and another that asked voters to select only the candidate excluded from the other leaflet. Some candidates stated they would only attend events with others on their list that will not compete with them internally (e.g. a Muslim man might campaign with the Christian and Chechen candidate on his list).

Some Jordanians noted that the law did not account for a strong negative stigma associated with party activity. Most party-affiliated candidates did not campaign under the name of their party, as they feared such affiliation would damage their credibility or reputation. Some party-affiliated candidates opted not to declare their affiliation publicly, assessing it might work against them when trying to leverage their tribal and family support networks. The short timeframe from the promulgation of the law to the election day left insufficient time for parties to organize, plan, and build coalitions, and the majority of lists were finalized just days before submitting their candidacies.



It appears that the introduction of the open list system has not affected the campaign approach for most candidates – people believe that the majority of voters still base their decisions on tribal affiliation, and the candidates utilized the same outreach methods as they did under the one-person one-vote system. Very few lists have developed unified platforms, but the IAF developed a full-fledged national platform, which each local list could adapt to their district needs. Candidates on IAF-organized lists—both party members and non-party members—reportedly pledged only to use campaign materials that feature photos of all the candidates and have agreed to support and promote the unified platform. The IAF also included party members on non-IAF lists, increasing their opportunities to win seats in the next parliament.

The larger district caused larger and smaller tribes to forge alliances to make a list. The larger district size may have reduced the dominance of one group or tribe in a given district, as they had to forge alliances to create a list.

Election Administration. Many candidates, voters and domestic election monitors interviewed by the delegation expressed confidence in the local election committees and the IEC, which was empowered by government and appeared to receive sufficient financial support. The commission implemented a standardized training program for polling center and tabulation staff, and those responsible for voting administration appeared to be well prepared prior to election day. The candidate registration process was completed in a timely manner without any significant incidents.

Some candidates and analysts expressed concerns with aspects of the voting and tabulation processes, particularly noting that the size of the ballot booklets may result in a lengthy counting process. In addition, some senior party leaders noted that, as IEC commissioners are appointed, they may not be fully independent, and many lack background or expertise in election administration. Domestic observer groups noted that data and information released by the IEC was not always as timely and accurate as it could have been.

Citizen Attitudes, Participation and Voter Education Efforts. Voter apathy and lack of interest in the election process, as well as poor understanding of the voting procedures, seem to be matters of significant concern for many candidates, parties, and analysts during the pre-election period. In the weeks before elections, there was no noticeable increase in activities from the IEC or the media to reach and educate citizens on the system and voting procedures, possibly due to the week-long Eid Al-Adha holiday. Candidates acknowledged this gap, and many included voter education as part of their outreach efforts, ensuring that voters understand how the list system works and how to mark the ballot.

There were a number of civil society efforts to engage in voter education, but these were relatively limited, primarily due to a lack of funding and limited time to prepare in advance of elections. Additionally, many organizations viewed voter education as an IEC responsibility. A number of civil society-led election events, particularly those encouraging youth participation, were delayed or canceled during the pre-election period.



Participation of Women and Youth. The mission notes that the election law’s impact on women candidates has been mixed. In some cases, interlocutors have indicated that the list system encouraged more women to run, and their appearance on ballots and campaign posters is a net positive for women’s political participation. Others, however, noted that the impact of the new system was somewhat negative, encouraging lists to include women as “fillers,” which led to the marginalization of some women candidates. Some women candidates decided not to use their photos on their campaign materials to avoid negative reactions from more conservative voters. Many women voters, particularly in strong tribal areas, may have cast their ballot based on their husband or father’s direction, and some women indicated that their votes might be “sold” without their knowledge.

Youth inclusion in the political process is essential, as nearly 40 percent of voters in Jordan are between the ages of 17 and 30. Youth appear to be well-represented in civil society, among IEC volunteers, and in domestic observation efforts. Young Jordanians often participate as campaign staff and volunteers. Yet, few candidates are under the age of 40, and political apathy among youth remains significant.

Election Complaints and Appeals. According to the IEC, nearly 200 cases of improper financial donations and expenditures were investigated, some of them alleging vote buying. The IEC did not anticipate that the serious cases would be resolved before seats are allocated, which may present problems if a guilty verdict is applied to a sitting member of parliament, who will then enjoy blanket parliamentary immunity from prosecution. Allegations of vote buying, common in previous elections and in this pre-election period, present a significant challenge to voter confidence in Jordanian elections. It appears little progress has been made on this issue since the 2013 elections.

However, the IEC made significant progress toward campaign finance transparency in mandating that lists establish separate bank accounts that could be audited by the commission for election-related transactions. The IEC acknowledges that many challenges remain in monitoring expenditures.

Security and Political Violence. The security situation remained calm and controlled during the pre-election period. While a number of interlocutors predicted that minor clashes may occur on election day or as a result of dissatisfaction from the results and lack of full understanding of the counting procedures, all have expressed confidence in the security apparatus and their ability to control the situation should such clashes occur.

Election Day Observations

General Environment and Security. Voting was conducted in a mostly peaceful environment and in an orderly manner in observed areas. Police were present in centers and rarely interfered with the work of election officials. Jordanian media reported several isolated violent incidents on



election day in Madaba, Tafleeh, Karak and Amman. The delegation did not observe any significant security issues in or around the polling stations they visited.

Campaigning. The delegation observed significant campaigning in and around polling centers, in violation of the election law. Campaign materials were occasionally displayed on buildings housing polling centers and, in other cases, cars with loudspeakers and displaying candidate photos were parked directly outside centers. Candidate supporters, including young children in many instances, distributed fliers or coffee to voters in front of the centers, and some wore shirts, hats and vests displaying the name and photo of their candidates.

Election Procedures and Accessibility. Overall, the polling centers visited by the delegation had received all essential materials and opened at 7 a.m., with minor and isolated delays. Throughout the voting and tabulation processes, most polling officials conducted their duties in a professional and neutral manner. However, observers noted instances where officials did not follow procedure: ink was occasionally applied to the wrong finger; and the identity of veiled women was not always verified.

Observers noted several instances of public voting, either through voters' pronouncement of their intentions, or due to improper administration of assisted voting procedures.

While polling center staff were helpful and professional in assisting people with disabilities, unfortunately a significant number of buildings that housed polling centers were not accessible to people with disabilities.

Voter Participation. Observers reported significant differences in voter participation, varying by polling center and district, with some centers processing very few voters and long lines present outside others. Very few young voters were seen in the majority of visited centers.

Some voters were sent away as they were not on the list for that center or did not bring their IDs. In some cases, voters' names did not appear in the nationwide voter registry, though they claimed to have voted in 2013.

Observers positively assessed the voters' understanding of the procedures for marking the ballots, and the number of invalid ballots did not seem significantly high. When asked, poll workers usually explained the voting process in a neutral manner.

Observers. Election officials were generally welcoming to observers, though delegates were denied access to two polling stations. Some domestic observer groups reported being denied access to some locations.

Vote count and tabulation. The delegation notes that this statement was issued before the counting and tabulation process is complete.

III. Recommendations



Advancing IEC capacities

- Data management and communication capacities should be reviewed and enhanced where necessary to ensure timely, comprehensive and accurate information about all aspects of the election process.
- Key decisions should be made well in advance to allow for proper voter education and information sharing.
- The IEC should consider investing in additional training of polling and counting officials to better ensure observer access and transparency of election day processes and protect fully the secrecy of vote.
- While polling station staff provide assistance to people with disabilities, many polling station locations have limited access. Further efforts should be made to provide uninhibited access to elderly voters and people with disabilities to polling centers and stations and ensure the right to vote for home-bound voters.

Strengthening the electoral framework

- To achieve more equitable representation of voters in the parliament, a further re-balancing of the distribution of voters per seat is needed.
- The King and Government should continue to encourage political party development and platform-based coalitions.
- Enhanced measures are needed to increase the representation of women in political life and party leadership.
- The candidates list should be finalized before the start of the campaign.
- The IEC should review and enhance the campaign finance regulations and monitoring mechanisms.
- In reviewing the effectiveness of the new election law, consideration should be given to designing a counting and tabulation system that identifies the allocation of seats as accurately and expediently as possible.
- Alternative ballot formats should be explored that would allow for simpler voting and a more efficient and timely counting process.
- Consideration should be given to lowering the age requirement for members of parliament to encourage youth participation.
- The rules regarding election day campaigning should be reviewed and revised as they are routinely flouted. The new rules should be uniformly enforced.

Enhancing citizens' confidence in Jordan's elected institutions

- Achieving King Abdullah's stated goal of parliamentary government will require that the results of the parliamentary election have a direct relationship to the composition of the government.
- The King and government should continue to support the development of Parliament's oversight capabilities and enhance its role in proposing policy and legislation.



- The government should support civic education initiatives, specifically targeting youth, to encourage meaningful political participation through seeking elected office and holding their political representatives accountable throughout their mandate.

IV. The Delegation and International Observation

This preliminary statement is offered by the International Republican Institute (IRI) and the National Democratic Institute's (NDI) international election observer delegation to Jordan's September 20, 2016 legislative elections. The delegation, comprising 45 observers from 16 countries, included a former head of state, current and former legislators, a former ambassador, a former governor, current and former political party leaders, election experts, business leaders, representatives of nongovernmental organizations and regional specialists.

The leaders of the delegation were: Atifete Jahjaga, former president of Kosovo; John Sununu, former United States senator; Coşkun Çörüz, former Dutch MP, general manager at the International Child Abduction Center in the Netherlands (Center IKO) and a member of the Transition Youth Authority; and Michele Dunne, director and senior associate for the Carnegie Endowment for International Peace's Middle East Program.

The delegation's findings were informed by a pre-election assessment mission conducted from July 24 to 27, 2016, and by the work of a team of four long-term observers that has been monitoring the electoral process since August 2016. On election day, the mission delegates visited more than 150 polling stations in all twelve governorates and three Badia districts.

The delegation is grateful for the cooperation it received from voters, election officials, candidates, domestic election observers, and civic activists. IRI and NDI were officially accredited to conduct an international election observation mission by the Independent Election Commission and is grateful to the commission and other government officials for welcoming this and other observation groups. The delegation offers this election statement in the spirit of supporting and strengthening democratic institutions in Jordan.

The purpose of the delegation was to demonstrate the interest of the international community in the development of stronger democratic political processes in Jordan and to provide an impartial assessment of the character of the election process. The mission was conducted in accordance with the laws of Jordan and the *Declaration of Principles for International Election Observation*.

This statement of preliminary findings is delivered prior to the completion of the election process. The final assessment of the election will depend on the conduct of the remaining stages of the election process, including the announcement of results, and the handling of possible post-election day complaints or appeals. IRI and NDI will issue a comprehensive final report after the completion of the election process.



IRI is a nonprofit, nonpartisan organization committed to advancing freedom and democracy worldwide by helping political parties to become more issue-based and responsive, assisting citizens to participate in government planning, and working to increase the role of marginalized groups in the political process – including women and youth.

NDI is a nonprofit, nonpartisan organization working to support and strengthen democratic institutions worldwide through citizen participation, openness and accountability in government. The Institute has worked in Jordan since 1994 to support parliamentary development, good governance and civil society.

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V. Contact Information

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