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**The Carter Center Calls on Tunisia's National Constituent Assembly and Political Actors to Advance Electoral Preparations**

Tunisia's political leaders have devoted substantial efforts over the past several months to overcome the country's political crisis. Following the selection of a new candidate for prime minister, The Carter Center urges the National Constituent Assembly (NCA) to prioritize the creation of a new election commission while debates on the constitution and an electoral law are ongoing. The election law should clearly delineate the responsibilities of the election commission and other supporting bodies, as well as establish clear timelines for implementation. These steps are urgently needed to facilitate credible elections within a reasonable timeframe.

The organization of successful elections is dependent on several critical stakeholders. The Independent High Authority for the Elections or the *Instance Supérieure Indépendante pour les Elections* (ISIE) will assume the primary role in implementing the elections. Since July, the formation of the ISIE has been faced with legal challenges to the ISIE law in the Administrative Tribunal. These challenges highlight the importance of drafting legislation in clear and unambiguous language. At the same time, the legal challenges to the NCA's implementation of the law should not completely overshadow the broad political consensus achieved within the assembly on the eight ISIE members elected in the plenary in July 2013. The level of overall support for the final candidates for ISIE membership suggests that a consensual solution to the current legal impasse is within reach. The Carter Center calls on political actors to agree on a solution urgently, as continued delays in forming the ISIE jeopardize Tunisia's progress toward holding successful elections.

The formation of the ISIE is one of several steps in Tunisia's political transition. The NCA also must ratify the constitution, adopt an electoral law, and allocate an appropriate budget to support the ISIE's work. If elected in a timely manner, the commission could use this interim period to focus on the practical and substantive aspects of its development, while the NCA addresses key constitutional and legislative issues. Depending on the choice of electoral system, the legal framework, and efforts to update the voter register, it is unrealistic to expect that elections – particularly parliamentary elections – could be conducted in fewer than six months after the establishment of the ISIE, including the establishment of its internal structures, ratification of the constitution and passage of an electoral law. The Carter Center encourages the NCA to concentrate its efforts on resolving the challenges to the ISIE selection process and facilitating its formation, even while Tunisia's other pressing political issues are under discussion.

The NCA has a crucial role to play in ensuring the success of the elections, notably in adopting a comprehensive election law. It should therefore endeavor to learn from the lessons of the ISIE selection process and invest sufficient time and resources to prepare a legally sound and clear electoral law. The law should delineate clearly the authority and responsibilities of the election commission and other supporting bodies and establish clear timelines for its implementation. While The Carter Center recognizes that the NCA is under considerable pressure to schedule elections at the earliest date possible, it encourages the assembly to balance these pressures with the need for a comprehensive electoral framework that can support a credible electoral process and the fundamental right of citizens to participate in public affairs.<sup>1</sup> Investing time into drafting the law, including appropriate consultative mechanisms with experts and civil society representatives, would contribute to ensuring a smooth electoral pathway and reduce the potential for significant delays at later points in the process.

Democratic and credible elections are crucial in supporting the genuine expression of the will of the Tunisian people. Elections could also play a key role in restoring confidence in the Tunisian political process and state institutions. The Carter Center therefore makes the following recommendations to NCA members and to stakeholders involved in the national dialogue, the government, political parties, and civil society:

- To prioritize the formation of the ISIE in order to allow its members to establish the body as a permanent, independent, and properly functioning institution. This undertaking may necessitate several months.
- To allocate an appropriate budget in the 2014 finance law, which is currently under consideration, to ensure that the new ISIE can conduct its work.
- To devote sufficient time and expertise to drafting the election law to help guarantee that elections are organized under a comprehensive and clear legal framework. The law should address all components necessary to ensure democratic elections in accordance with Tunisia's national and international obligations. The NCA may benefit from discussions with civil society organizations and legal experts, as well as the lessons learned from the difficulties encountered in interpreting and implementing the ISIE Law in 2012.
- To allow the ISIE an opportunity to develop an electoral calendar that takes into account an appropriate sequence and timing of electoral operations to conduct the critical task of national elections before the NCA sets a date for the next elections.

Following its observation of the October 2011 National Constituent Assembly elections, The Carter Center is monitoring the constitution-making process and developments related to the establishment of institutional and legal frameworks for subsequent elections. The Center assesses these processes against Tunisia's national laws and international treaty obligations.

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<sup>1</sup> ICCPR, Article 25 (b), and UN General Comment 25.

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## **The Carter Center Calls on Tunisia's National Constituent Assembly and Political Actors to Advance Electoral Preparations**

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Tunisia's political leaders have devoted substantial efforts over the past several months to overcome the country's political crisis. Following the selection of a new candidate for prime minister, The Carter Center urges the National Constituent Assembly (NCA) to prioritize the creation of a new election commission while debates on the constitution and an electoral law are ongoing. The election law should delineate clearly the responsibilities of the election commission and other supporting bodies, as well as establish clear timelines for implementation. These steps are needed urgently to facilitate credible elections within a reasonable timeframe.

Since July, the formation of the Independent High Authority for the Elections (*Instance Supérieure Indépendante pour les Elections*, or ISIE) has been hindered by legal challenges to the ISIE law in the Administrative Tribunal. While the legal challenges highlight the importance of drafting legislation in clear and unambiguous language, continued delays in forming the ISIE jeopardize Tunisia's progress toward holding successful elections. Depending on the choice of electoral system, legal framework, and efforts to update the voter register, it is unrealistic to expect that elections – particularly parliamentary elections – could be conducted in fewer than six months after the establishment of the ISIE, including the establishment of its internal structures, ratification of the constitution, and passage of an electoral law. The Carter Center encourages the NCA to concentrate its efforts on resolving the challenges to the ISIE selection process and facilitating its formation, even while Tunisia's other pressing political issues are under discussion.

### **Creating the new permanent election management body: a challenging process**

The organization of successful elections is dependent on several critical stakeholders. The ISIE will assume the primary role in implementing the elections. The Tunisian government officially initiated the establishment of an electoral commission in July 2012 with the submission to the NCA of draft legislation to create a permanent election management body. The NCA adopted the law on Dec. 12, 2012. It subsequently set up a Selection Commission tasked with reviewing, ranking, and short listing candidates for further consideration by the plenary assembly, as per the requirements of the ISIE law.<sup>1</sup>

The Selection Commission, which comprises 22 members, mirrors the political representation in the NCA plenary. Article 6 of the ISIE law instructed the commission to prepare “an evaluation grid to be considered in reviewing the applications” and to select a total of 36 candidates, including four candidates from each of the categories specified in Article 5 of the law.<sup>2</sup> The

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<sup>1</sup> Organic Law Number 23 of the year 2012 dated Dec. 20, 2012, related to the Independent High Authority for Elections” (hereafter referenced as “ISIE law”).

<sup>2</sup> According to Article 5 of the ISIE law, the ISIE council should be composed of nine members chosen as follows: A judicial magistrate, an administrative magistrate, a lawyer, a notary or a bailiff, a university professor or professor of

candidates were to be selected “by a majority vote of three-fourths of the Selection Commission’s members, and in successive rounds until the total number is reached.”

On Feb. 20, 2013, NCA President and President of the Selection Commission Mustapha Ben Jaâfar issued a call for applications for the ISIE and presented the evaluation grid designed by the Selection Commission to rank applicants.<sup>3</sup> On March 6, 2013, Ben Jaâfar extended the application deadline from March 4 to March 14. From March to May, the Selection Commission evaluated approximately 950 applications and ranked the candidates according to the evaluation grid. Under pressure from national civil society organizations, the Selection Commission opened its meetings to national and international election observers during this stage of the review process.

On March 26, 2013, although the Selection Commission had not yet completed its evaluation, a coalition of 25 lawyers, known as the *Groupe des 25 avocats*, petitioned the Administrative Tribunal to annul the application extension and invalidate the use of the evaluation grid as applied by the commission. Specifically, the petitioners argued that the Selection Commission applied additional criteria to the evaluation grid that were not mandated by law, thus violating principles of equality and of equal opportunity between candidates. In accordance with administrative law, the petitioners also requested an injunction in the ISIE selection process until a judge could consider the merits of their petition.

In Tunisia, an injunction is rendered by the first president of the Administrative Tribunal, usually within one month of receiving the request, and is final. For an injunction, a petition must meet two conditions. First, the means cited by the petitioner should provide “serious grounds” -- i.e., sufficient evidence to raise serious doubts as to the legality of the contested action. Second, the petitioner must demonstrate that the action in question may cause irreparable harm. If these two conditions are met, the judge may then suspend the disputed action as a provisional or protective measure until a judgment is issued on the merits of the case.

The Administrative Tribunal did not respond to the petition filed in March until May 14, 2013, at which point it issued an injunction against the use of the evaluation grid under dispute.<sup>4</sup> The tribunal found that the Selection Commission had exceeded its powers, most notably in adding criteria to the evaluation grid that were not foreseen by the ISIE law. The tribunal ruled that the commission had violated principles of equality and of equal opportunity between candidates by adding additional criteria to the evaluation grid.

Without the evaluation grid, the Selection Commission was forced to suspend its work. After consulting the Administrative Tribunal, the Commission revised the evaluation grid, which was then applied to all applicants.<sup>5</sup> While the legal proceedings created a delay of several weeks, the court’s decision helped to ensure that all candidates were granted equal consideration and treated in conformity with the ISIE law. As the Selection Commission resumed its work, however, it did not resume its former policy of openness. The commission closed its meetings and votes to all but its members.

By mid-July the Selection Commission finished its selection process, and presented a final slate of 36 candidates to the NCA plenary. The NCA started its deliberations on July 19, 2013. Candidates were invited to give a short introduction in the plenary and to explain their

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higher education, an engineer specialized in IT systems and security, a communication specialist, a public finance specialist and a member representing Tunisians abroad.

<sup>3</sup> Decision of the President of the NCA dated Feb. 20, 2013 related to the call for candidates to the ISIE and published in the Official Gazette of the Republic of Tunisia on Feb. 22, 2013.

<sup>4</sup> Decision of the Administrative Tribunal, suspension of enforcement decision, n° 415685, 14/05/2013, *Maître Abdessattar Ben Moussa and others*.

<sup>5</sup> The decision creating a new evaluation grid was taken on May 28, 2013, and published on the official Gazette of the Republic of Tunisia n° 44 on May 31, 2013.

motivation for applying to the ISIE. The plenary then moved to vote; successful candidates were elected by a two-thirds majority. After three days of deliberations and eight rounds of voting, the NCA had elected eight of nine prospective ISIE members. Each of the successful nominees exceeded the minimum votes (145) required.<sup>6</sup>

At this point in the deliberations, a group composed of several unsuccessful candidates and a civil society organization engaged in election-related work (ATIDE) filed several cases with the Administrative Tribunal to annul the Selection Commission's final list of candidates. As before, the petitioners concurrently requested an injunction of the Selection Commission's work, preventing the NCA from finishing the debate and election of the remaining ISIE members.

The assassination of NCA member Mohamed Brahmi on July 25, 2013, set off a political crisis in Tunisia. Approximately 60 opposition members withdrew from the assembly. On Aug. 6, the NCA president suspended the body's official work, including the plenary's work to elect the future ISIE members. When the NCA resumed its work on Sept. 12, the ISIE election process remained deadlocked, due to both the absence of withdrawn deputies and the outstanding stays of proceedings that had suspended the selection process. On Sept. 19, the Administrative Tribunal responded favorably to the July requests for an injunction. The tribunal ruled, among other issues, that the Selection Commission had violated the provisions of Article 6 of the ISIE law when it selected some candidates by vote as opposed to respecting the order of merit in the evaluation grid.

In its Sept. 19 ruling, the Administrative Tribunal addressed the relevance of the evaluation grid in short listing qualified applicants versus the three-fourths vote mandated in Article 6 of the ISIE law. While some NCA members have said that they intended the evaluation grid to be purely indicative, the law was unclear about its importance. Faced with this ambiguity, the tribunal considered that the commission should have voted "in conformity" with the results of the evaluation grid, without further elaboration.

Political parties participating in the National Dialogue process to resolve the political crisis subsequently decided that the NCA should amend the ISIE law. On Oct. 29, the NCA plenary amended the ISIE law, explicitly providing the Selection Commission with discretionary power to choose 36 finalists among the applicant pool. The NCA also limited the right to bring legal action against the Selection Commission's decisions to the candidates only (closing the door to suits by external actors), and shortened the deadline for filing legal complaints.<sup>7</sup> The NCA also passed an amendment to move the July legal cases pending before the highest body of the Administrative Tribunal, the Plenary Assembly, and mandated that the court issue a final decision within three days.

After the adoption of the amendments, the Selection Commission resumed their selection process and on Oct. 30 published a list of 36 finalists. This list was contested immediately by a group of unsuccessful candidates, whose right to appeal was not abridged by the NCA amendments.

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<sup>6</sup> The results of the July 19, 20, and 22, 2013, votes are the following: Nabil Baffoun (Bailiff and former ISIE members) elected in the first round with 175 votes of 199 expressed votes, Mourad Ben Mouelli (Administrative magistrate and former ISIE member) elected in the first round with 167 votes out of 199, Chafik Sarsar (University Professor) elected in the first round with 166 votes out of 199, Riadh Bouhouchi (Engineer specialized in computing systems) elected in the first round with 157 votes out of 199, Khameyel Fenniche (Communication specialist), elected in the first round with 157 votes out of 199, Lamia Zargouni Lassoued (Judicial Magistrate) elected in the fourth round with 156 votes out of 180, Kamel Ben Massoud (Lawyer) elected in the second round with 155 votes out of 185, and Faouzia Drissi (Representative of the Tunisians abroad) elected in the third round with 153 votes out of 183.

<sup>7</sup> ISIE Law, article 23 bis.

In accordance with the deadlines in the NCA's amendments to the ISIE law, on Nov. 7, the Plenary Assembly of the Administrative Tribunal issued its judgments. The judges accepted three appeals, resulting in the cancellation of the list of finalists published Oct. 30. According to the judges, the discretionary powers granted in Article 6 of the ISIE law to the Selection Commission are "not absolute and must be exercised in accordance with the results of the evaluation grid and on the basis of objective criteria."<sup>8</sup> The judges ruled that the Selection Commission had exceeded its powers when, for example, it picked the last candidate in the order of merit and dismissed candidates who received a higher rank in the evaluation grid without specifying any objective considerations to justify such a choice.<sup>9</sup>

The Administrative Tribunal decisions again halted the NCA's consideration of ISIE candidates. As of the date of this statement, the NCA and various political leaders are discussing several options to resolve this deadlock. Some favor the adoption of an interpretative law to clarify the intentions of the ISIE law.<sup>10</sup> Others propose to consult the Administrative Tribunal formally before making any decision. Still others suggest amending the ISIE law for a second time to remove the obligation to use the grid and/or to adopt a derogatory selection procedure, by which the heads of political blocks in the assembly would, exceptionally, chose the 36 finalists for consideration by the assembly for the first permanent ISIE.<sup>11</sup> Finally, some lawmakers have proposed that the NCA plenary consider all candidates who meet the objective criteria (around 400) and to vote to elect the nine ISIE members, eliminating the Selection Commission's work to short list final candidates.<sup>12</sup>

The ongoing legal challenges to the NCA's implementation of the ISIE law should not overshadow the broad political consensus achieved within the assembly to elect the first eight ISIE members in July 2013. Each elected member received more than the two-thirds majority vote, which suggests that a consensual solution to the current legal impasse is within reach.

### **Setting up the ISIE: Just one step on the long road to elections**

The formation of the ISIE is one of several steps in Tunisia's political transition. Before the ISIE can focus on the substantive aspects of its work, the newly elected members will have to undertake a number of important organizational tasks requiring time and appropriate resources. This undertaking may necessitate several months.

It is essential that key actors in Tunisia's political process not underestimate the time required to establish the ISIE as a permanent, independent, and properly functioning institution. As the Audit Court highlighted in its May 2013 report on the financial management of the former ISIE, it is important to establish "the administrative, financial and technical structure of the ISIE before starting the electoral process."<sup>13</sup>

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<sup>8</sup> Administrative Tribunal, APJ., n° 134854, 07/11/2013, Sonia Ben Amor v./President of the NCA; Administrative Tribunal, APJ., n° 134855, 07/11/2013, Fatma Ben Gouider v./President of the NCA; Administrative Tribunal, APJ., n° 134866, 07/11/2013, Abdelaziz Gamoudi v./President of the NCA.

<sup>9</sup> The Administrative Tribunal also disqualified one candidate from the lawyers category as it found that that person belonged to the Constitutional Democratic Rally (RCD) party (according to Article 7 the candidates must "have not assumed any responsibility in the dissolved RCD").

<sup>10</sup> The intent of an interpretive law would be to clarify that the intent of the original law was for the Selection Commission to apply the grid as a non-binding, indicative tool.

<sup>11</sup> Some NCA deputies suggested that the nine members of the ISIE should be elected by the NCA among 36 candidates proposed by the three presidencies (President of the NCA, Head of the government, and President of the Republic). Others preferred the adoption of a procedure that would allow the NCA to select the 36 candidates directly at the plenary session and then elect the nine members of the ISIE.

<sup>12</sup> The civil society coalition OFIYA, presented a proposal on Dec. 17, 2013, to the General Legislation Commission of the NCA on how to solve the deadlock, lobbying for an amendment of Article 6 of the ISIE law to facilitate the selection of the ISIE members while respecting the Tribunal's decisions.

<sup>13</sup> Audit Court, "Report on the Control of the Financial Operations of the ISIE", May 2013, p. 68 (in Arabic).

The NCA could expedite this process by prioritizing the election of the ISIE members and its formation. Once elected, the ISIE could use this interim period to focus on the practical and substantive aspects of its development while the NCA considers the final draft of the constitution and a comprehensive election law. This would allow the ISIE to focus immediately on the substantive issues of the electoral process after the passage of a new election law. The NCA could further facilitate the ISIE's work by allocating an appropriate budget in the 2014 finance law, which is currently under consideration, in order to ensure that the new ISIE can conduct its work.

### **Creating the ISIE structures**

The ISIE law provides for the creation of an administrative body to conduct the day-to-day work of the election commission and to implement the decisions of the ISIE Council.<sup>14</sup> The ISIE's first critical task is to hire an executive director who will be responsible for managing the work of the administrative body. Following his or her appointment, the executive director must prepare plans for the administrative, financial, and technical structure of the ISIE, the Rules of Procedure, human resources, and a budget.<sup>15</sup> Each of these plans must be approved by the ISIE Council.<sup>16</sup> Only once these plans are in place can the ISIE initiate staff hiring, which in itself is a major undertaking. Legal complaints in this phase as well cannot be ruled out. The ISIE should therefore ensure that there are clear and transparent procedures in place for the recruitment process and that the process adheres closely to those procedures.<sup>17</sup> As in 2011, the ISIE will most likely establish regional administrative authorities -- the *Instances Régionales Indépendantes pour les Elections* (IRIE) -- to carry out substantive duties in the conduct of the elections. This work may also require several months to accomplish.

In addition to developing its internal structures and procedures, the ISIE also should develop a comprehensive electoral calendar taking into account the appropriate sequence of electoral operations and the (eventual) timeframes established by the electoral law to conduct the critical task of simultaneous national elections. Before setting a date for the next elections, the NCA should allow the ISIE an opportunity to develop an appropriate electoral calendar in order to identify a realistic date for the elections.

### **Lessons to be learned from the ISIE law implementation and the 2011 elections**

While The Carter Center recognizes that the NCA is under considerable pressure to schedule elections at the earliest date possible, it encourages the assembly to balance these pressures with the need for a comprehensive electoral framework that can support a credible electoral process and the fundamental right of citizens to participate in public affairs.<sup>18</sup> Investing time into the process of building such a framework would contribute to ensuring a smooth electoral pathway and reduce the potential for significant delays at later points in the process.

The NCA should consult legal and electoral experts and other professionals involved in the electoral process, as well as representatives of civil society organizations working in the field of elections, as it prepares the electoral law.<sup>19</sup> The Carter Center also encourages the NCA to take into consideration recommendations made by national and international observers after the NCA elections so that the new election law addresses certain inadequacies and gaps in the 2011

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<sup>14</sup> ISIE law, Chapter II.

<sup>15</sup> ISIE law, article 27.

<sup>16</sup> The budget must also be approved by the NCA, after the opinion of the government is obtained.

<sup>17</sup> ISIE law, articles 31 and 29.

<sup>18</sup> ICCPR, Article 25 (b), and UN General Comment 25.

<sup>19</sup> For instance, the civil society groups Citizenship Center (*Centre de citoyenneté*) and Youth without Borders (*Jeunesse sans frontières*) have prepared a comprehensive draft electoral law, after consultation with a board range of electoral actors, which was presented at a press conference on Dec. 21, 2013.

legal framework.<sup>20</sup> While the 2011 elections were a genuine achievement, all stakeholders have recognized that improvements could be made to the process, and voters, political parties, civil society, and the media are likely to demand a higher standard for the upcoming elections.<sup>21</sup> Furthermore, the political context in 2014 may be considerably more complicated than that of 2011, making the task of conducting genuine elections potentially more challenging.

The NCA should take the time and care needed to ensure that Tunisia's new election law is comprehensive and unambiguous, so as to ensure democratic elections in accordance with Tunisia's national and international obligations.<sup>22</sup> The principle of legal certainty, under which the legal system needs to protect those subject to the law from arbitrary use of state power, requires that laws be clear and understandable. The election law should allow each of the stakeholders in the electoral process to organize their behavior accordingly.<sup>23</sup> The law should also be clear, while allowing the ISIE flexibility to regulate certain aspects of the electoral process.<sup>24</sup>

Democratic and credible elections are crucial in supporting the genuine expression of the will of the Tunisian people. Elections could also play a key role in restoring confidence in the Tunisian political process and state institutions. The Carter Center therefore makes the following recommendations to NCA members and to stakeholders involved in the national dialogue, the government, the political parties, and civil society:

- To prioritize the formation of the ISIE in order to allow its members to establish the body as a permanent, independent, and properly functioning institution. This undertaking may necessitate several months.
- To allocate an appropriate budget in the 2014 finance law, which is currently under consideration, to ensure that the new ISIE can conduct its work.
- To devote sufficient time and expertise to drafting the election law to help guarantee that elections are organized under a comprehensive and clear legal framework. The law should address all components necessary to ensure democratic elections in accordance with Tunisia's national and international obligations. The NCA may benefit from discussions with civil society organizations and legal experts, as well as the lessons

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<sup>20</sup> The Carter Center, National Constituent Assembly Elections in Tunisia, Oct. 23, 2011, p.56:

[http://cartercenter.org/resources/pdfs/news/peace\\_publications/election\\_reports/tunisia-final-Oct2011.pdf](http://cartercenter.org/resources/pdfs/news/peace_publications/election_reports/tunisia-final-Oct2011.pdf). See also the joint recommendations of 24 election observation groups that were active during the 2011 Tunisian elections, which were prepared during a workshop organized in February 2012 by The Carter Center in collaboration with the electoral assistance team of the European Union and the International Foundation for Electoral Systems (IFES). More recently, a group composed of the eight most important Tunisian observer organizations published a document containing 75 recommendations for the next election cycle.

<sup>21</sup> IFES, *Analyse du cadre juridique, Election du 23 octobre 2011 de l'assemblée nationale constituante - République tunisienne*, février 2012, in French p.12 « Il est crucial que la loi électorale soit à la fois précise, sans ambiguïté, claire et facilement compréhensible aussi bien par le personnel chargé des élections que par les candidats et par les électeurs. Un pan de la réforme doit être consacré à la simplification des textes. Doit rester présent tout au long des discussions le souci de simplicité, de cohérence et de lisibilité. Simplifier les dispositions complexes devrait être un leitmotiv de la discussion de façon à ce que le texte soit, autant que possible, compréhensible pour le plus grand nombre. »

<sup>22</sup> The Human Rights Council, A/HRC/RES/19/36, 2012, p.16 "The HRC calls upon States to make continuous efforts to strengthen the rule of law and promote democracy by: ensuring that a sufficient degree of legal certainty and predictability is provided in the application of the law, in order to avoid any arbitrariness." See also: The Venice Commission, *Code of Good Practice in Electoral Matters* (CDL-AD (2002) 023rev), p. 26.

<sup>23</sup> The Venice Commission, *Code of Good Practice in Electoral Matters* (CDL-AD (2002) 023 rev), para. 63: «Stability of the law is crucial to credibility of the electoral process, which is itself vital to consolidating democracy. Rules which change frequently – and especially rules which are complicated – may confuse voters.» See also European Union, *Handbook for European Union Election Observation*, second edition 2008, Section 4.2.1 Election-Related Legislation.

<sup>24</sup> International Election Standards: Guidelines for Reviewing the Legal Framework of Elections, International IDEA, 2002, p.11.

learned from the difficulties encountered in interpreting and implementing the 2012 ISIE law.

- To allow the ISIE an opportunity to develop an electoral calendar that takes into account an appropriate sequence and timing of electoral operations to conduct the critical task of organizing national elections before the NCA sets a date for the next elections.

Following its observation of the October 2011 National Constituent Assembly elections, The Carter Center is monitoring the constitution-making process and developments related to the establishment of institutional and legal frameworks for subsequent elections. The Center assesses these processes against Tunisia's national laws and international treaty obligations.

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