

Declaration of the 22nd of July, 2014

For fair, transparent, and democratic elections

Charter of Honour

Of political parties, coalitions, and independent candidates for Elections and
Referendums of the Republic of Tunisia

In the name of God the Clement and Merciful

The Parties who ratify the present Charter of Honour will be aware of the fact that a transparent, just, equitable, and democratic electoral process that commands widespread credibility is a fundamental condition for consolidating the legitimacy of institutions. It is a necessary element to the continuation of the democratic process initiated by the blessed Tunisian revolution. Therefore, the most important objectives of the Charter are to contribute to the success of the electoral process, to ensure its continuity, strengthen trust between the parties concerned, and to create a positive atmosphere of tolerance which encourages open, free, and integrated competition. It aims to encourage all parties to accept the results, to renounce violence, to mitigate conflicts, to banish acts of intimidation and everything that could lead to clashes between the citizens, as well as to maintain civil peace and promote the peaceful settlement of disputes. On this basis, the parties must contribute in a responsible, voluntary, and independent way, to the creation of an environment conducive to the success of the electoral process, regardless of any difference they may have between their positions, and within a framework of respect for the Constitution and the framework of the legitimate institutions concerned and their laws. The electoral process here refers to the period preceding the elections, the electoral campaigns, the voting process, the counting of the votes, as well as the announcement of the results and the steps that follow it.

Parties concerned:

This Charter applies to the following signatory parties (also referred to as "the Parties"): political parties, alliances and coalitions of parties, political movements and networks, and independent candidates and lists. These rules are binding in particular to the leaders, managers, members, activists, candidates, and the official representatives of these Parties.

Preliminary Conditions

The signatory parties agree that the value and the legitimacy of pluralist and democratic elections are based on the following prerequisites:

- a. The possibility, during the election campaign, to inform the voters on the programs, policies, and skills of political parties and candidates, thus allowing them to choose and vote in an informed manner.

b. The possibility for the voters to vote freely, without coercion, intimidation, illicit influence, or any other form of manipulation, blackmail or corruption.

All parties undertake to put in place these conditions and adhere voluntarily and autonomously to the content of the Charter of Honour by working towards -

- a. The implementation and sustainability of the rules, commitments, and principles included in the Charter.
- b. Obtaining recognition and widespread societal acceptance of the fact that elections are means for voters to freely express their choice and of the fact that active, fair, and free participation, is a condition this right of choice.
- c. The respect of the right of choice and of the results arising from its transparent, fair, and democratic implementation.

General Commitments: complying with the law and respecting the Charter of Honour

Each signatory Party of this Charter of Honour undertakes to apply and enforce the laws, rules, and decisions that govern the elections, and to behave according to the principles of honesty, good faith, and integrity.

Each Party recognizes the authority attributed to the Higher Independent Elections Body (ISIE) and to other bodies and authorities in charge of the electoral process. They will conform to the decisions and the codes of conduct issued by them.

On this basis, by signing this Charter, each Party undertakes to -

- a. Adhere to the principles, rules, and agreements included in this Charter and comply with its prohibitions ;
- b. Take the necessary measures to make the Charter known, and prevent its leaders, candidates and members to violate the principles, rules, and obligations;
- c. Take all possible reasonable measures to encourage its supporters to refrain from committing any act that could constitute a violation of the commitments contained in this Charter ;
- d. To ensure the rational use of the right to file complaints concerning the violation of the Charter and to refrain from making false and absurd accusations.

Specific Commitments

Addresses

Each signatory Party of the Charter commits to -

- a. Conducting the election campaign in a manner that ensures an ethical and peaceful climate, characterized by mutual respect and fair competition throughout the electoral process.
- b. Always act with awareness of its responsibility toward society, its role in the promotion of national interest, and in the preservation of the democratic process. They will act in this way so as to be faithful to the popular aspirations to freedom, justice and dignity, and in a manner that preserves civil peace and national security.

When they are addressing the public at political rallies or in the framework of their media communication, including the Internet, the Parties undertake to refrain from:

- a. Any form of intimidation or incitement of violence towards any person or group of persons ;

- b. Anything that may constitute a stigma, an incitement of hatred , or any charge of apostasy, treason, terrorism, of cooperation with foreign forces, or any other similarly serious accusation;
- c. Anything that may fuel regionalists, community, or clan-based trends that could threaten national unity.
- d. Any insult, defamation, or denigration ;

The signatory Parties of the Charter of Honour must refrain from distributing, openly or anonymously, brochures, pamphlets, or posters containing comments or any element that may constitute a threat or an incitement of violence. They will refrain also from encouraging the dissemination of such comments or elements through rumours, social networks, or by any other means.

The parties will refrain from criticizing the leaders, candidates and supporters of opposing parties on the basis of aspects relating to their private life.

They will refrain also from criticism based on unverified allegations or facts which have been misrepresented, and from the use of offensive innuendoes about the candidates or members of their families on the basis of race, religion , beliefs , sex , social or regional origin, education, or any other similar reason;

Intimidation and violence

The Parties undertake to oppose violence, to not contribute to it directly or indirectly, and to denounce it. They will ensure that their electoral campaign does not encourage violence, does not encourage hatred, and does not cause or aggravate tensions between different groups or communities. They will, in good faith, take all the measures required to prevent violent clashes.

Each signatory Party of the Charter of Honour declares its adherence to the principle of the rejection of violence and intimidation in all their forms. On this basis they are committed to -

- a. Issuing directives prohibiting formally to their subordinates, candidates, members, and those who participate in its campaign, the intimidation of any person at any time. And to campaign against violence or threats of violence, against any act of vandalism, or act that endangers public order.
- b. In the case of an act of violence occurring, they must publicly denounce it, take disciplinary measures if necessary, and not encourage impunity.

Media and technical support, symbols and logos

The signatory Parties of the Charter of Honour will refrain from-

- a. Initiating the symbols of the other parties;
- b. Stealing, defacing, or destroying other parties' political materials ;
- c. Enabling their members or persons active in their campaigns to perform any act which is covered in this section.

Abuse of power and misappropriation of public resources

The signatory Parties of the Charter of Honour will refrain from-

- a. Abusing a position of power, influence, or privilege for electoral purposes by offering rewards, using intimidation, or by any other means.
- b. Using public resources whether they are national, regional, or local, or any other State resources to campaign or to prevent the other parties from conducting legal political activities.

Party commitments in the event of serious exceptional occurrences

The signatory Parties of the Charter of Honour undertake, in the case of an exceptional event that could endanger national security or public order (such as acts of terrorism, political assassinations, natural disasters, etc.), to consult between themselves and with the competent authorities, so as to avoid making gratuitous accusations, and to refrain from any exploitation of the event in order to compromise the electoral process or obtain electoral advantages. This will not affect their obligation to denounce violence and terrorism. They also undertake to respond to the situation in a responsible manner, and in compliance with the following fundamental principles:

- The preservation of civil peace, public safety, and continuation of normal daily life;
- The continuation of the process of democratic transition and the electoral process;
- The promotion of the principle of national solidarity.

On the basis of these principles, the Parties undertake to consult with each other and to coordinate their efforts in order to mitigate the negative impact of the event, and to prevent any risks that could threaten public safety or the interest of the Homeland. The Parties commit to work towards the publication of a joint declaration reiterating the objectives and principles of the present Charter, and create a consultation and coordination unit in order to cope with the crisis in a responsible manner if applicable.

Administration of the election campaign

The Parties undertake to respect the rights of others and to take all necessary and reasonable measures to conduct their election campaign in a climate of serenity. To achieve this objective, each signatory Party of the Charter of Honour undertakes to respect and to promote -

- a. The right and freedom of the opposing parties to gather peacefully, to campaign, to have access to electors, to make known their principles, ideas, and policies, to hold public meetings, to have access to the media, to freely perform political lobbying, as well as publish and distribute without hindrance, coercion, or intimidation their documents and their electoral material within the limit of what is allowed by the law and by regulatory measures.
- b. The rights of citizens to participate in political activities;
- c. The limits and conditions imposed by the law and regulatory measures on the financing and duration of the election campaign;
- d. The spirit of the law and the limits it imposes on election propaganda and access to the media;
- e. The neutrality of administration, places of worship, public institutions and education, and the principle of non-exploitation of financial, human, and material resources from public and private institutions, and from positions of influence for the purposes of electoral propaganda.

The Parties will refrain from-

- a. Harassing journalists, to interfere with their professional activities, or acting in such a way as to impede the freedom of the press;
- b. Preventing the other candidates from exercising their right to distribute leaflets, brochures and posters, and obscuring, disfiguring, or removing posters of the other candidates;
- c. Preventing any other party from organizing rallies, meetings, or other legal demonstrations;
- d. Intervening directly when an adversary or any other party commits an act contrary to the legislation in force, and instead of resorting to the authorities and official institutions responsible for applying the law;
- e. Depriving a person of his right to participate in the political rallies of another Party;
- f. Publishing reports of opinion surveys or polls during the prohibition period imposed by law through any communication method;
- g. Allowing its activists to commit anything that is prohibited by this section.

In order to reduce the risk of disorder and altercations, the Parties undertake during the organization of meetings, rallies, marches, and political manifestations to -

- Notify the authorities concerned, by specifying the date, time, and place of the event within the time limits provided for by law;
- Comply with the regulations and the guidelines relating to maintaining order and security and facilitating the circulation of vehicles;
- Provide an adequate system for maintaining order whose members are easily identifiable

In cases where two or more parties organize events simultaneously, the leaders undertake to contact each other and the authorities with a view to avoiding incidents or potential clashes.

During public rallies and demonstrations, Parties will ensure all kinds of weapons and other dangerous objects are banished, including firecrackers and explosives.

Parties will ensure that their supporters and sympathizers respect the environment during the demonstrations and that their activities do not leave of pollutant materials or damage the place of the event.

Candidates are responsible for the behaviour of their representatives and activists, and they must approve explicitly all documents of their campaign.

Parties will facilitate the access of officials and observers accredited by the ISIE to all public meetings and to all of the electoral activities organized. This will also apply for the High Independent Authority for Audiovisual Communication and the Court of Auditors, to aid the fulfilment of their functions.

In addition to the above points, the signatory Parties undertake to cooperate with the ISIE and to actively participate in all methods of consultation and coordination put in place by it. They also undertake to cooperate with the law enforcement authorities to promote a peaceful electoral environment and to maintain public safety.

The electoral process

The parties - and their candidates, and supporters - will cooperate with the ISIE in line with the law to ensure the proper execution of all stages of the vote, the counting, and the announcement of the results. They will also check that their delegated representatives carry official documents confirming their identity.

Each signatory Party of the Charter commits to -

- a. Collaborating with agents of the ISIE to ensure peaceful and organized elections and full freedom for electors to exercise their right to vote without being exposed to any form of harassment or impediment ;
- b. Refrain from carrying out any activity in relation to the campaign after the deadline set by law or in the immediate proximity of voting stations ;
- c. Ensure the safety of ISIE officers before, during, and after elections;
- d. Respect agents, observers, and accredited supervisors of elections ;
- e. Respect the confidentiality of the vote and help enforce it.

The signatory Parties of the Charter will refrain from-

- a. Obtaining votes through their presence in the interior voting office or by conducting illegal activities in these offices or their surroundings ;
- b. Spreading false information on the electoral process or attempting to mislead the voters ;
- c. Deceiving or exercising any form of pressure on voters with special needs , or who are illiterate, and using any influence to restrict their freedom of choice ;
- d. Impeding the work of ISIE officers, to disrupt the voting process, or the counting process.

The signatory Parties of the Charter will refrain from-

- a. Offering money, donations ,or gifts to constituents above the value authorized by legislation, intimidating or threatening voters to convince them to vote for or against a political party or a candidate, or to refrain from voting;
- b. Offering money, donations, and/or gifts to individuals, intimidating or threatening them to convince them to present themselves as candidates in the elections, to withdraw or retain their candidacy;
- c. Offering money, donations or gifts above the value authorized by legislation to persons, or intimidating or threatening them to convince them to sponsor or not sponsor a candidate;
- d. Trying to offer money, donations, or gifts to a representative of the ISIE or any other official institution, to support or hinder the election of a candidate;
- e. Using means of transport to influence the voters on polling day.
- f. Allowing any kind of fraud or usurpation of the identity of voters.

The parties will also work during all stages of the electoral process to provide conditions of equality to improve participation from women, young people, and the elderly, and will make as much effort as possible to encourage and facilitate the participation of marginalised, poor, and low resources groups.

Acceptance of results of free and fair elections

Each signatory party of the Charter commits to-

- a. Accepting the results of the ballot as soon as their declaration and validation by the ISIE, and to recognize the institutions which emanate from the result ;
- b. Opting for legal appeal avenues and respecting the decisions of the bodies responsible for reviewing and resolving disputes;
- c. Refraining from abusing the right of recourse and complaint by making false, frivolous, or vexatious statements, in order to impede the electoral process or to discredit it ;
- d. Recognising in case of defeat the results with cordiality and encouraging its supporters to accept them.
- e. Behaving in the event of a victory with modesty and restraint.

The parties acknowledge that all candidates, regardless of their affiliation, become as soon as they are elected representatives of the people as a whole, and therefore undertake to act on this basis before, during, and after the vote, regardless of the outcome of the election.

Funding and transparency

Aware of the sensitivity of financial questions, and, of its great impact on the integrity and the credibility of the electoral process, as well as the importance of transparency and the prevention of all forms of confusion and ambiguity concerning the financing of political activities;

Aware of the importance of the proper use of money before and during the campaign, in line with the principles and rules laid down by the law, the negative impact of its use for activities that may negatively influence an elector by corrupting or undermining their dignity.

To ensure that the financial management of electoral campaigns is performed with honesty and good faith,

The signatory Parties commit to-

- a. Respecting the exclusive nature of funding related to the election process, observing the rules dictated by law relating to the cash flow, private financing and public funding of the election process, whilst respecting limit set for election expenses in order to ensure the equality between each Party;
- b. Giving all the attention and precision needed to perform financial transactions through a single bank account, so as to ensure transparency and credibility.

- c. Opening an account unique to each campaign which will host all credit and debit financial operations, and closing it after the election in line with current legislation.
- d. Checking the sources of any bank or postal transfer, or any funding received from a third party in that may violate legal requirements ;
- e. Following all operations and retaining all supporting documents to facilitate the auditing;
- f. Delivering all documents and supporting documents , including ones relating to the current account, to the authorities responsible for checking these;
- g. Returning, within the time limits provided by the law, the amount of public funding required in case of not having reached the minimum percentage of votes stipulate by law;
- h. Maintaining a legal, accurate, and detailed account specifying all operations clearly and leaving no margin for interpretation;
- i. Running all expenditures through checks or bank transfers in line with the stipulated limit and refraining from splitting amounts or using any other method to circumvent this obligation.

The Parties will refrain from -

- a. Accepting any funding from abroad, directly or indirectly, through associations, businesses, organizations - governmental or non- governmental - or governments;
- b. Using associations, or any person as a front to cover-up illicit financing;
- c. Using any embezzlement techniques, or exploiting any legal loophole in order to carry out activities, which are, in essence, contrary to the ethics of political activity and the spirit of the legislation in force ;
- d. Using a dual-account system.

The Parties commit to -

- a. Facilitating checks or financial audits carried out by the competent authorities ;
- b. Accepting any decision issued by the control bodies, including those relating to financial sanctions, with the guarantee of the right to challenge and appeal within the framework of the current legislation.

Measures for implementing the Charter of Honour

Any signatory Party of the present Charter undertakes to disseminate it and to promote respect for it in any occasion and by any means, through all its leaders, managers, members, activists, agents, representatives, and supporters, as well as through the general public. To this end the Parties will take all measures necessary to educate and train their supporters, reiterate as often as possible the main rules and commitments of the Charter, adopt internal mechanisms for reviewing these and, if necessary, issue disciplinary measures for possible breaches or violations as well as take corrective measures.

Practically,

Aware that cooperation and the provision of information contribute to the construction the confidence of voters, and that political parties and candidates are trying to create, between them, a means of liaison and communication that will encourage constructive debate on important issues and better prevent and resolve conflicts when they occur, as soon as possible and in a peaceful manner,

The signatory Parties of the Charter of Honour undertake to -

- a. Carry out the necessary efforts to maintain communication with other signatory Parties of the Charter.
- b. Put in place a permanent "Monitoring Committee" with the role of supervising the dialog and coordination between the Parties, of issuing and publishing reports on the implementation of the Charter, and on breaches and offenses committed. This committee will work with and under the sponsorship of the ISIE other institutions concerned. It may use external mediation if necessary.

- c. Appoint representatives of the **Monitoring** Committee, who will be used as a way to exchange information and discuss with the other Parties matters of common interest, as well as manage the resolution of disputes throughout the electoral process.
- d. Respect the confidentiality of discussions relating to the monitoring of the Charter of Honour, and refrain from **using** them in propaganda and to create public controversy.
- e. Establish, support, and respect the consensus of the Monitoring Committee.

The Parties undertake to send any question relating to the application of the Charter of Honour or to potential offenses to the Monitoring Committee, for information and in order to form preventive measures. They also undertake to participate actively in consultations with a view to finding solutions and to implement the recommendations of the Commission.

In addition to the points mentioned above, and in order to respect the ethical rules and morals adopted, the parties will establish agreements with stakeholders in the electoral process such as media and communication bodies, trade union organizations, journalists and communication professionals associations, and particularly those who are not supervised by the High Authority for Audiovisual Communication. This will be done in consultation and coordination with the latter as well as with the ISIE.

To effectively broaden the promotion of ethical and moral values, adherence to the principles of justice, fairness, integrity and transparency throughout the election process, the acceptance of pluralism, and the exercise of free and informed choice, the Parties will adopt the tools inspired by and simplified forms of this Charter of Honour. They will make these available to all social echelons and distribute them to their activist and to citizens as widely as possible. They will also compose, if necessary and with the same objective, common communiqué.

The settlement of disputes

The signatory Parties of the Charter undertake to actively seek rapid, peaceful, and concerted solutions, to any difference or conflict which might occur during the election process.

In case of failure of the consultation mechanisms for resolving the difference, the Parties undertake not to abuse the right of appeal and complaint and to refrain from using false statements, or ones that aim to impede or discredit the conduct of the election process. The Parties will refrain from any action or statement likely to impede judicial procedures or lead to violence.

Entry into force of the Charter The Parties

undertake to respect this Charter of Honour upon its signature.