

OSCE

Office for Democratic Institutions and Human Rights

FRANCE

**PRESIDENTIAL ELECTION
22 April and 6 May 2012**

OSCE/ODIHR NEEDS ASSESSMENT MISSION REPORT

20-22 February 2012



**Warsaw
15 March 2012**

TABLE OF CONTENTS

I. INTRODUCTION	1
II. EXECUTIVE SUMMARY.....	1
III. FINDINGS	2
A. BACKGROUND AND POLITICAL CONTEXT.....	2
B. LEGAL FRAMEWORK.....	3
C. ELECTION ADMINISTRATION.....	3
D. VOTER REGISTRATION	4
E. METHODS OF VOTING	5
F. CANDIDATE REGISTRATION.....	6
G. ELECTION CAMPAIGN.....	7
H. POLITICAL FINANCE	7
I. MEDIA	8
J. COMPLAINTS AND APPEALS.....	9
IV. CONCLUSION AND RECOMMENDATION	9
ANNEX: LIST OF MEETINGS.....	11

**FRANCE
PRESIDENTIAL ELECTION, 2012**

OSCE/ODIHR Needs Assessment Mission Report

I. INTRODUCTION

Following a preliminary invitation from the Permanent Representation of France to the OSCE to observe the forthcoming 2012 presidential election and in accordance with its mandate, the OSCE Office for Democratic Institutions and Human Rights (ODIHR) undertook a Needs Assessment Mission (NAM) from 20 to 22 February 2012. The NAM included Armin Rabitsch, OSCE/ODIHR Senior Election Adviser, and Alexander Shlyk, OSCE/ODIHR Election Adviser.

The purpose of the mission was to assess the pre-election environment and the preparations for the forthcoming presidential election. Based on this assessment, the NAM should recommend whether to deploy an OSCE/ODIHR election-related activity for the forthcoming election, and if so, what type of activity best meets the identified needs. Meetings were held with officials from state institutions and the election administration, as well as with representatives of political parties, civil society, and media. A list of meetings is annexed to this report.

OSCE/ODIHR would like to thank the Ministry of Foreign Affairs for its assistance and co-operation in organizing the visit. OSCE/ODIHR is grateful to all of its interlocutors for taking the time to meet with the mission.

II. EXECUTIVE SUMMARY

In the forthcoming election, voters will elect a president for a five-year term by direct universal suffrage. As confirmed by all OSCE/ODIHR NAM interlocutors, including political parties, the election administration enjoys a high level public confidence and trust.

Since the last election in 2007, minor legal amendments have been introduced for presidential elections. They revised the conditions for the conduct of the campaign and introduced further detailed regulations and supervision mechanisms in the area of political finance. OSCE/ODIHR NAM interlocutors welcomed the amendments and highlighted that they were based on recommendations of the commissions that supervise various aspects of the electoral process and intended to further improve existing legal provisions.

Voter lists are based on a passive system of voter registration. Voters that reach voting age are automatically entered into rolls at the level of *commune* on the basis of their residence registration. Voters that apply for changes in voter registration after 1 January are only entered in the voter lists at their new domicile on 1 March the following year.

The practice of proxy voting remains in place and is the only form of voting for prison inmates, despite previous OSCE/ODIHR recommendations. A voter is not required to submit any proof that he/she will not be able to vote at a polling station on election day and there are no legal deadlines for submitting a request to vote by proxy.

A system of collecting 500 support signatures by potential candidates from some 43,000 elected officials has been the subject of public debate. The Constitutional Council confirmed the constitutionality of the legal provision that requires the publication of 500 sponsors' names following a court suit by one of the potential candidates.

There is extensive regulation of political finance that was further detailed by legal amendments in 2011. Despite some reported loopholes in existing legal provisions, most interlocutors expressed confidence in the system of political finance regulation. The body responsible for oversight has the powers to sanction candidates who do not comply.

A diverse media landscape provides for a vibrant political discourse. A prohibition on paid advertisement extends to all media, print and broadcast. Most OSCE/ODIHR NAM interlocutors pointed out that media regulations for the campaign are complex and difficult to implement. Only limited concerns were raised regarding the performance of the media in granting access to lesser known potential candidates.

All interlocutors expressed a high level of trust in the system of electoral dispute resolution and underscored that the number of complaints submitted during elections is usually low. Despite previous OSCE/ODIHR recommendations, however, the Constitutional Council remains the only instance for appeals in cases regarding candidate registration and the validity of elections.

The OSCE/ODIHR NAM noted a high level of confidence in the integrity of the electoral process and in the professionalism and impartiality of the election administration. No significant concerns were expressed relating to the respect for fundamental freedoms, the transparency of the electoral process, campaign environment, and election day proceedings. One party had reservations regarding the process of candidate registration, and some interlocutors mentioned slight concerns over political finance regulation and supervision, and complexity of media regulations.

During its assessment of the previous election, these areas were specifically assessed by the OSCE/ODIHR EAM and a set of recommendations was provided. The OSCE/ODIHR NAM noted that most previous OSCE/ODIHR recommendations remain unaddressed. As no major changes to the electoral and legal framework have taken place since the 2007 presidential election, an observation activity would not add significant value in the current context. Therefore, the OSCE/ODIHR NAM does not recommend an election-related activity for the 2012 presidential election. The OSCE/ODIHR also stands ready to engage with the authorities in a follow-up process to assist them in addressing outstanding recommendations.

III. FINDINGS

A. BACKGROUND AND POLITICAL CONTEXT

In the forthcoming election, voters will elect a president for a five-year term by direct, universal suffrage. If no candidate obtains over 50 per cent of the valid votes cast in the first round, a second round is held in two weeks between the two leading candidates from the first. The incumbent, President Nicolas Sarkozy, has announced that he will seek another term in office.

For the previous presidential election in 2007, the OSCE/ODIHR deployed an Election Assessment Mission (EAM). The mission noted that the election was held “in a competitive environment which provided overall equitable conditions for the candidates” and underscored that “the process enjoyed a high level of public confidence.”¹ Among other issues, the mission recommended that the practice of proxy voting be reviewed, that transparency and accountability of the electronic voting machines be improved, that the legislation be changed to provide for international and domestic election observers, and that rules for media coverage of candidates be simplified.

B. LEGAL FRAMEWORK

The presidential election is primarily regulated by the Constitution of 1958, the Electoral Code and the Law on the Election of President of the Republic. The latter establishes the manner in which provisions of the Electoral Code apply to the presidential election. Various regulations, decrees, instructions and opinions address specific areas of the electoral process, such as voter registration, voting abroad, the registration of candidates, and political finance.²

Since the last election, the Constitution and the legal framework were amended. This has primarily affected parliamentary elections.³ To some extent, however, the changes also impact presidential elections in the conditions for the conduct of the campaign. Namely, the period when certain campaign activities are forbidden was extended from three to six months before election day. This period of limitation concerns calling voters, displaying election-related posters at special locations, and the distribution of paid political advertising via press or broadcast media. Further, the amended Electoral Code no longer regulates the use of leaflets for campaigning.

The legal framework continues not to provide for domestic or international observation of elections, although an introduction of such provisions has been recommended by the OSCE/ODIHR in the past on the basis of OSCE commitments.⁴

OSCE/ODIHR NAM interlocutors welcomed the amendments and highlighted that they were based on recommendations of the various commissions that supervise various aspects of the electoral process and are intended to further detail existing legal provisions.

C. ELECTION ADMINISTRATION

Elections are administered by a range of executive and judicial institutions that are mandated to deal with electoral matters. As confirmed by all OSCE/ODIHR NAM interlocutors, including political parties, professionalism and impartiality of the election administration

¹ For all previous OSCE/ODIHR reports on France, see: <http://www.osce.org/odihr/elections/france>.

² Since 1980, France is also party to the International Covenant on Civil and Political Rights (ICCPR). It has been party to the UN Convention on Elimination of All Forms of Discrimination against Women (CEDAW) since 1983 and the UN Convention on the Rights of Persons with Disabilities (CRPD) since 2010.

³ A 2009 amendment introduced 11 National Assembly deputies to be elected by French citizens living abroad and modified the methods of out of country voting. Additionally, amendments to the Electoral Code adopted in April 2011 lowered the minimal age of candidates to either house of parliament and revised the lists of position holders who cannot run for the National Assembly or the Senate.

⁴ See Paragraph 8 of the 1990 OSCE Copenhagen Document.

enjoy a high level of public confidence and trust. No significant concerns were expressed relating to the transparency of electoral process and election day proceedings.

Responsibility for a general oversight of the electoral process is vested with the Constitutional Council.⁵ This body is composed of nine members appointed for nine-year non-renewable terms, in addition to all former Presidents. The current president appoints three members of the Constitutional Council, including its head. The Presidents of the Senate and the National Assembly each appoint three members. One third of the appointed members are replaced every three years. The Constitutional Council reviews and advises on election-related legislation, and adjudicates election-related complaints and appeals. It also receives reports from some 1,400 magistrates who are delegated by the Court of Cassation (the highest court) to ensure that election-day proceedings are in line with the law. Direct Constitutional Council involvement in the electoral process is limited to the registration of presidential candidates and the announcement of results.

The Ministry of the Interior, Overseas, Local Authorities and Immigration (MoI) is responsible for technical and logistical administration of the election. It issues instructions to 101 prefectures that represent the state at the department level, which in turn liaise with approximately 36,000 *mairies* (local government authorities) at the *commune* level. *Mairies* are responsible for managing the work of approximately 65,000 polling stations.

The MoI is responsible for organizing voting for approximately 1.6 million voters residing in the overseas ‘collectivities’ and departments of France. The OSCE/ODIHR NAM was told that the results of the vote in polling stations abroad will be established immediately after their close of polls, but the results will not be made public until polling stations in metropolitan France close.

The OSCE/ODIHR NAM was informed that election materials, including campaign materials, are required by law to be only in French. This is in contrast with the 2007 election, when the law allowed for election materials in other languages.

D. VOTER REGISTRATION

All citizens over the age of 18 are eligible to vote, unless disenfranchised by a final court decision for reasons of legal incapacity or as part of a judicial sentence. Provisions of the Penal Code contain a definitive list of misdemeanor offences and crimes for which additional penalties include or may include forfeiture of civic, civil and family rights, including the rights to vote and to stand for elections.⁶ The law stipulates that the power to pronounce full or partial limitations of such rights is vested with the judge.

Voter lists are based on a passive system of voter registration. There is no centralized voter register and eligible voters are entered into voter registers at the level of the *commune* on the basis of their residence registration. The OSCE/ODIHR NAM was informed that citizens who turn 18 are registered automatically by the *mairies*, but those who change residence are required by law to actively register in their new place of domicile. The OSCE/ODIHR NAM learned that an eligible voter may be deleted from the voter register at his/her place of registration if the *mairie* has sufficient grounds to believe that he/she has moved to another

⁵ See Article 58 of the Constitution.

⁶ See Article 131-26 of the Penal Code for a definition of the forfeiture of civic, civil and family rights.

locality.⁷ Upon receiving an application for the change of residence, the *mairie* enters the voter in a new voter list and informs the *Institut National de la Statistique et des Études Économiques* (INSEE) about the change. The INSEE, in turn, addresses the previous *mairie* with a request to strike the voter from the register.

Mairies receive and process requests for registration throughout the year, but the voter registers are closed on 31 December each year and passed to INSEE to check for duplicates. The final voter lists are released on 1 March and can be checked by voters upon request. Complaints regarding the voter register are collected by a three-member panel consisting of representatives of the judiciary, the corresponding *mairie* and the state, and are adjudicated five days prior to election. Eligible voters that apply to change their place of registration after 1 January are only entered in the voter lists at their new domicile on 1 March of the following year.⁸

The OSCE/ODIHR NAM was told that any voter can obtain a voter list for his/her municipality both before and after the first round of election. It was pointed out that it is a common practice for political parties to rely on this data for party primaries and the campaign.

As per a 1969 law, the *gens du voyage* (travelers) are required to reside for at least three years in a municipality to obtain registration and thus vote. The OSCE/ODIHR NAM was, however, informed that the provision of the Electoral Code that was revised in March 2007 to allow registration of homeless people after six months of stay in the municipality should also apply to the *gens du voyage*.⁹ This interpretation of the legal provision would be in line with a previous OSCE/ODIHR recommendation.

E. METHODS OF VOTING

In the presidential election, eligible voters will be able to cast their ballots in person at polling stations or by a proxy. In a few municipalities, voters will be able to cast their vote by electronic voting machine without a paper trail, where those systems are still in use.

The practice of proxy voting remains in place although past reports of the OSCE/ODIHR recommended that the practice be reconsidered.¹⁰ OSCE/ODIHR NAM interlocutors did not voice any substantial concerns regarding the practice of proxy voting and opined that proxy voting is a preferred way to enfranchise eligible voters, despite being at odds with international standards.¹¹

Eligible voters are required to submit an application to the police or *gendarmerie* at their place of registration to grant a proxy vote to another voter registered at the same locality. A

⁷ The OSCE/ODIHR NAM was informed that, for instance, repeated failure to deliver mail to the address of a person constitutes sufficient grounds to consider that he/she has moved to another locality.

⁸ Voters who change their place of residence between 1 January and 1 March for the reason of an employment-related move are included in the voter registers at the new locality during the same year.

⁹ See Article L15-1 of the Electoral Code, as revised by Law No.2007-290 of 5 March 2007.

¹⁰ The OSCE commitments and other international standards for democratic elections stipulate the respect for the secrecy and equality of the vote to guarantee the free expression of the will of the voter. See paragraphs 5.3, 7.3 and 7.4 of the 1990 OSCE Copenhagen Document; Article 25 of the ICCPR; General Comment to Article 25, paragraphs 20-22; the 1950 Convention for Protection of Human Rights and Fundamental Freedoms, Protocol 1 of 1952, Article 3.

¹¹ Although the OSCE/ODIHR has also recommended establishing an alternative to proxy voting for eligible prison inmates, proxy voting remains the only way for them to cast their vote.

voter is not required to submit proof that he/she will not be able to vote at the place of residence on election day and there is no legal deadline for submitting a request to vote by proxy.¹² The OSCE/ODIHR NAM was informed that a handwritten remark is placed next to the name of a voter, who has filed a request to vote by proxy in the relevant voter list. This remark includes the name of the voter, who has been granted the right to cast a proxy vote for the voter concerned. A voter can cast a maximum of two proxy votes.¹³

During the upcoming election, electronic voting machines will be used in 64 of the 80 *communes* that relied on this method during previous elections.¹⁴ The OSCE/ODIHR NAM was informed that the methods used for casting votes by electronic voting machines, as well as the methods of their certification, have not been revised since the last election, although this was recommended by the OSCE/ODIHR.

With the 2011 legal amendment, voters living abroad will be able to cast their ballot by post or by internet in the parliamentary elections.¹⁵ The authorities informed the OSCE/ODIHR NAM that no plans exist to expand internet voting as a method for voting beyond those voters living abroad.

F. CANDIDATE REGISTRATION

According to the law, each citizen who is over 23 years of age and whose rights to vote and to stand in elections has not been suspended is eligible to run in the presidential election. A potential candidate must be supported by at least 500 *parrains* (sponsors) from among some 43,000 elected officials in metropolitan and overseas France.¹⁶ The sponsors can support only one candidate by signing a form that is sent to them by the Constitutional Council. The Constitutional Council collects signed forms from sponsors until 16 March and is to announce the list of candidates by 20 March. According to the law, the Constitutional Council also has to publish the list of at least 500 sponsor names for each officially registered candidate. The Constitutional Council decided to publish randomly selected names of 500 sponsors for each registered candidate, although the OSCE/ODIHR has previously recommended that all sponsors' names be published.

The system of collecting support signatures, known as *parrainage* (sponsorship), has been the subject of a public debate prior to this election. A potential candidate from the National Front party, Marine Le Pen, questioned the constitutionality of the legal provision that mandates the publication of sponsors' names on the grounds that secrecy of political preferences needs to be protected. The Constitutional Council ruled against this on 21 February, stating that the provision is in line with the Constitution as sponsorship cannot be regarded as an expression of the right to vote and the publication of the names serves the purpose of the legal provision

¹² The OSCE/ODIHR NAM was informed, however, that voters are advised to submit their requests to vote by proxy some five days prior to elections.

¹³ For the forthcoming parliamentary elections, the maximum number of proxy votes has been increased from two to three for voters living abroad, see Ordinance of the Ministry of Interior No. 2009-936 of 29 July 2009, Section 5, as ratified by Law No. 2011-411 of 14 April 2011.

¹⁴ *Communes* that will use the electronic voting machines in the forthcoming election include both relatively small ones (with some 3,000 voters) and relatively large ones (e.g. Le Havre with some 113,000 voters).

¹⁵ During the presidential election, however, citizens living abroad will be able to cast their ballots either in person at the embassies and consulates, or by proxy.

¹⁶ The law also requires that these sponsors come from no fewer than 30 municipalities, departments or overseas collectivities in France, with no more than 10 per cent coming from any one locality.

in question.¹⁷ The issue continues to draw significant public attention, as confirmed to the OSCE/ODIHR NAM by a number of interlocutors.

G. ELECTION CAMPAIGN

The official campaign period will commence on 9 April, two weeks before election day and some three weeks after the candidates have been officially registered by the Constitutional Council.¹⁸ A number of OSCE/ODIHR NAM interlocutors pointed out that the campaign has been ongoing for several weeks with most prominent presumed candidates holding large-scale rallies in various locations throughout the country. Some interlocutors also noted that campaigning on the internet now plays an important role in elections.

The election campaign is supervised by the National Commission for Control of the Electoral Campaign (*Commission Nationale de Contrôle de la Campagne Électorale*, CNCCEP), a temporary body that consists of five members and is led by the Vice-President of the Council of State (*Conseil d'État*). The CNCCEP was established on 24 February and supervises campaign materials and conditions under which public meetings are held, but does not cover the period prior to its appointment. It will co-operate closely with other relevant commissions to oversee the electoral process. OSCE/ODIHR NAM interlocutors expressed no concerns with regard to the campaign environment.

The Commission for Opinion Polls (*Commission des Sondages*), an independent body comprised of representatives of the Council of State and assisted by expert staff, is tasked with reviewing published opinion polls to ensure that pollsters use a reputable methodology. Jean-Luc Mélenchon, a potential presidential candidate, submitted a complaint to the Commission requesting that more detailed information is released about the methodology used in one of the published polls. A rejection of his complaint by the Commission was subsequently upheld by the Council of State.¹⁹

H. POLITICAL FINANCE

Political finance is subject to extensive regulation. Electoral Code provisions regulate campaign finance and are supplemented by the Law on Financial Transparency in Political Life that regulates political party finance. Several amendments to these laws were introduced in April 2011, mostly with regard to parliamentary and local elections.²⁰

¹⁷ For the full text of the decision, see <http://www.conseil-constitutionnel.fr/conseil-constitutionnel/francais/les-decisions/acces-par-date/decisions-depuis-1959/2012/2012-233-qpc/decision-de-renvoi.104876.html>.

¹⁸ During the official campaign the state has certain obligations with regard to equal treatment of the candidates.

¹⁹ See <http://www.conseil-etat.fr/fr/selection-de-decisions-du-conseil-d-etat/ce-8-f.html>.

²⁰ See full text of the Law No. 2011-412 of 14 April 2011, available at <http://legifrance.gouv.fr/affichTexte.do?cidTexte=JORFTEXT000023877131&categorieLien=id>. These amendments addressed some of the previous recommendations contained in the evaluation report of GRECO, See the 2008 evaluation report of GRECO on transparency of party funding in France, available at [http://www.coe.int/t/dghl/monitoring/greco/evaluations/round3/GrecoEval3\(2008\)5_France_Two_EN.pdf](http://www.coe.int/t/dghl/monitoring/greco/evaluations/round3/GrecoEval3(2008)5_France_Two_EN.pdf), as well as the 2011 GRECO compliance report, available at [http://www.coe.int/t/dghl/monitoring/greco/evaluations/round3/GrecoRC3\(2011\)1_France_EN.pdf](http://www.coe.int/t/dghl/monitoring/greco/evaluations/round3/GrecoRC3(2011)1_France_EN.pdf).

Supervision of this field is conducted by the National Commission for Control of Electoral Accounts and Political Finance (*Commission Nationale de Contrôle des Comptes de Campagne et de Financements Politiques*, CNCCFP).²¹ Political parties have to submit annual financial reports to the CNCCFP by 30 June every year. Despite some reported loopholes reported by interlocutors, most expressed confidence in the system of political finance regulation.

Legal amendments introduced in late 2011 lowered the amount of a partial lump-sum reimbursement of the campaign expenditures, for the candidates, who obtain at least five per cent of the vote, from 50 to 47.5 per cent of the total expenditure incurred. One of the conditions for a candidate to receive a partial reimbursement is that a campaign account report detailing all income and expenditures is submitted to the CNCCFP within ten weeks after the first round of the election and is accepted by the Commission.

Several interlocutors informed the OSCE/ODIHR NAM that several categories of election-related expenditures may fall outside the scrutiny of the CNCCFP. Most importantly, neither political parties' election-related expenses nor those of associations or individuals are reflected in candidates' returns unless a candidate explicitly acknowledges the support provided; such elements are linked to the transparency of campaign finance and the effectiveness of campaign expenditure ceiling.

Following legal amendments in April 2011, the amount being reimbursed to candidates may be reduced based on the number and severity of irregularities even if the overall financial report is accepted. There are, however, no legal provisions in place to determine the exact amount of such sanctions.

I. MEDIA

A diverse media landscape provides for a vibrant political discourse. Apart from the public *France Télévisions*, which comprises five national TV channels, and *Radio France*, which comprises seven national radio channels, there are a great variety of private broadcasters; most notably, TF1, M6, and Canal+. Major newspapers featuring political content include the dailies *Le Figaro*, *Le Monde*, *Libération* and a number of free morning editions, as well as the weeklies *Le Nouvel Observateur*, *Le Canard enchaîné*, and *L'Express*. Print media are not subject to regulation, except for a prohibition on paid political advertisement that extends to all media during the six months prior to an election.

Broadcast media, both public and private, are subject to strict and detailed regulations for campaign coverage. These are issued by the Supreme Audiovisual Council (*Conseil Supérieur de l'Audiovisuel*, CSA) based on the principles of 'equity' and 'equality' among contestants.²²

²¹ See the OSCE/ODIHR EAM report for the 2007 Presidential election for details on the structure and functions of the CNCCFP. See also http://www.cnccfp.fr/presse/kit/cnccfp_en.pdf.

²² See the OSCE/ODIHR EAM report for the 2007 Presidential election for details on the structure and functions of the CSA. See also <http://www.csa.fr/Le-CSA/Presentation-du-Conseil>. The CSA defines 'equity' in relation to the airtime dedicated to the direct speech of an electoral contestant or editorial content dedicated to him/her in the broadcast media. Whether a presumed candidate should be granted equitable coverage as compared to other contestants is established on the basis of several factors, including demonstrated ability of this person to mount a campaign, as well past electoral performance and current position in the polls. Equality is defined in terms of time allocated for the direct speech of an electoral contestant in the broadcasts.

For the forthcoming election, the CSA will distinguish between three periods of time when different regulations will apply.²³ From 1 January until the date of candidate list announcement, broadcasters should provide ‘equitable conditions’ in terms of airtime and the direct speech of electoral contestants. After that, and until the beginning of an official campaign period on 9 April, candidates will be granted ‘equitable’ coverage in terms of airtime and equal time for direct speech. Finally, during the official campaign period, all candidates will be granted ‘equal’ airtime and direct speech on all broadcasters. Additionally, each candidate will be entitled to broadcast free spots on public television during the official campaign period.²⁴

Although the CSA can issue warnings to the broadcasters that violate its provisions, the OSCE/ODIHR NAM was informed that this rarely happens and the broadcasters tend to abide by the rules set by the CSA. While less known potential candidates have complained to the CSA regarding an alleged lack of coverage by broadcast media, the OSCE/ODIHR NAM was not made aware of any decisions in favor of presumed or potential candidates.

Most OSCE/ODIHR NAM interlocutors noted that regulations for electoral media coverage are complex and difficult to implement. While there is no televised debate among all candidates planned for the first round, it is very likely that a second round debate will take place in the event of such. Only limited concerns were raised with the OSCE/ODIHR NAM regarding access to broadcast media, specifically from those candidates not expected to make it to the run-off.

J. COMPLAINTS AND APPEALS

The legal framework envisages a complex system for adjudicating electoral disputes. Prior to the election, voters can submit complaints on alleged violations of their rights to the Administrative Court (*Tribunal Administratif*). Complaints regarding voter registration are addressed to the first instance court with an appeal possible to the Court of Cassation.

Election day complaints can be filed with polling station officials by any voter and are attached to the results protocols that are eventually transferred to the Constitutional Council. The Council may take a decision to invalidate results at individual polling station based on such complaints or direct appeals challenging the announced results.

Despite previous OSCE/ODIHR recommendations, the Constitutional Council, which announces the list of presidential candidates, remains the only instance for appeals in cases regarding presidential candidate registration and the validity of elections. All interlocutors expressed a high level of trust in the system of electoral dispute resolution and underscored that the number of complaints submitted during the elections is usually low.

IV. CONCLUSION AND RECOMMENDATION

The OSCE/ODIHR NAM noted a high level of confidence in the integrity of the electoral

²³ Minor changes were introduced to the regulation of the media during the campaign period by eliminating several sub-periods before and during the campaign when varying rules apply.

²⁴ The amount of time for spots is to be determined by a future CSA regulation.

process and in the professionalism and impartiality of the election administration. No significant concerns were expressed relating to the respect for fundamental freedoms, the transparency of the electoral process, campaign environment, and election day proceedings. One party had reservations regarding the process of candidate registration, and some interlocutors mentioned slight concerns over political finance regulation and supervision, and complexity of media regulations.

During its assessment of the previous election, these areas were specifically assessed by the OSCE/ODIHR EAM and a set of recommendations was provided. The OSCE/ODIHR NAM noted that most previous OSCE/ODIHR recommendations remain unaddressed. As no major changes to the electoral and legal framework have taken place since the 2007 presidential election, an observation activity would not add significant value in the current context. Therefore, the OSCE/ODIHR NAM does not recommend an election-related activity for the 2012 presidential election. The OSCE/ODIHR also stands ready to engage with the authorities in a follow-up process to assist them in addressing outstanding recommendations.

ANNEX: LIST OF MEETINGS

Ministry of Foreign Affairs:

Mikaël GRIFFON, Sub-Directorate of Arms Control and OSCE, Deputy Head
Muriel SORET, Head of Mission for International Civil Servants
Pierre CHAREYRON, General Delegation for Overseas, Deputy Director
Mathieu JAGOUR, Sub-Directorate of Arms Control and OSCE, Editor

Ministry of Interior:

Frédéric POTIER, Chief of Bureau of Elections and Political Studies
Tiphaine PINAULT, Policy Officer

Constitutional Council:

Caroline PÉTILLON, Head of External Relations
Guy PRUNIER, Legal Department, Policy Officer for Elections

National Commission for Control of Electoral Accounts and Political Finance:

François LOGEROT, President
Stéphane GAUVIN, Chief of Legal Department

Supreme Audiovisual Council:

Martine COQUET, Director of International Relations
Dominique LOUVEAU, Chief of Department of Pluralism

Mairie of Paris:

François GUICHARD, Chief of Department of Users, Citizens and Territories
Philippe BAILLET, Chief of Bureau of Elections

Commission for Opinion Polls:

Mattias GUYOMAR, Secretary General

National Front:

Nicolas BAY, Head of Electoral Communications

Socialist Party:

Axel CAVALERI, Secretary General of Campaign
Constance RIVIERE, Managing Director of Campaign

France Television:

Anne Grand D'ESNON, Director of Institutional Relations

Canard Enchaîné:

Alain GUEDE, Journalist

Transparency International France:

Daniel LEBÈGUE, President
Julien COLL, Managing Director