



**Office for Democratic Institutions and Human Rights**

**REPUBLIC OF FRANCE  
PRESIDENTIAL ELECTIONS  
21 April and 5 May 2002**

**REPORT OF OSCE/ODIHR ASSESSMENT  
21 APRIL 2002**



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**REPUBLIC OF FRANCE**  
**PRESIDENTIAL ELECTIONS 2002**

**Report on the OSCE/ODIHR Assessment**  
**21 April 2002**

**I. EXECUTIVE SUMMARY**

Elections for the Presidency of the Republic of France were held on 21 April and 5 May 2002, in accordance with relevant constitutional provisions which establish that presidential elections shall be held not less than twenty days and not more than thirty-five days before the expiry of the term of the President in office. The Constitution also establishes that the President is elected through direct universal suffrage for a five-year mandate, and under a majoritarian system with two rounds.

The Ministry of Interior supervises preparations for the electoral process, which is decentralised through the municipalities that have responsibilities for many of its aspects, including the maintenance of voter lists. The Ministry of Interior carries out its supervisory role by issuing instructions to the municipalities.

Voter registration is obligatory to exercise the right to vote: voter lists are revised and updated regularly by administrative commissions formed by a representative of the municipality, the *préfet* and a representative of the judiciary. The electoral legislation establishes a residency requirement according to which a voter can be registered in the voter list of a municipality if he/she has resided in that municipality for at least six months. Longer residency requirements have been set for a specific population group, the so-called *gens du voyage* or “nomads”. The authorities and civil society organizations have recognised that these legal provisions, introduced in 1969, should be reviewed to reflect the changes that have occurred in the meantime. Discussions on possible revisions to the legal provisions that govern the registration in the voter lists for the *gens du voyage* are underway.

During the presidential elections, the electoral process is supervised and certified by the *Conseil Constitutionnel* (Constitutional Council), which also examines complaints and announces the results. In addition, the *Conseil Constitutionnel* is responsible for the registration of candidates.

The official election campaign is strictly regulated by law and monitored by different institutions and bodies, including the *Commission Nationale de Contrôle*, which is composed by members of the State Council (*Conseil d'État*), and the *Conseil Supérieur de l'Audiotvisuel* (French Broadcasting Authority) that supervises the conduct of the media during the electoral campaign. The fundamental principle governing the media conduct during the campaign is that of complete equality in the coverage and access to the media for all candidates. However, biased reporting or comment from journalists is more difficult to prevent. Should an incumbent use broadcasts dedicated to official events for campaign purposes, such time may be deducted from the incumbent's time allotted for campaign. The order of appearance is drawn by lottery, thus ensuring against preferential treatment.

Specific legislation on financial transparency of political life and electoral campaign, introduced in 1988 to prevent abuses experienced in the past, establishes limits in the

expenses that each candidate can incur during the campaign, as well as limiting individual donations to candidates. Importantly, funding by legal entities (*personnes morales*) is forbidden. The law also provides for public financing of the campaign by which the State reimburses 50% of the maximum ceiling for campaign expenses to candidates who have obtained 5% or more of the total number of votes cast on the first round, upon approval of their campaign accounts by the *Conseil Constitutionnel*. Candidates who do not obtain 5% or more of the total number of votes cast on the first round receive a maximum of 739,800 EURO. In addition, the State covers all expenses related to the propaganda material used by candidates. The use of administrative resources by candidates who have official function is forbidden when campaigning (exceptions are accepted however on security grounds). Commercial advertising, both printed or broadcast, is forbidden. Such a system provides a level playing field for all candidates in financial terms. It may be one of the reason for the presence of 16 candidates in the election contest.

The legislative framework provides for candidate representatives to observe voting and counting procedures. In addition, any citizen has the right to observe voting and counting and the law also recognises the right to note his/her observations or complaints in polling station protocols. Although the legislative framework does not establish provisions for observers from organised groups of domestic civil society or from international organizations, it does not contain provisions to expressly forbid the presence of observers, nor limiting it in any way. While the process is transparent and liberal, France could consider to introduce specific provisions on domestic and international observers in its electoral legislation, in line with the commitments contained in the Copenhagen Document of 1990.

The overall voting and counting process was accountable, transparent, reliable and was administered professionally. Tabulation and aggregation of results were carried out in a speedy and accurate manner, with an efficient and rapid system for verification of the results at various levels. Voters' and candidates' confidence in the electoral process was evident with the general acceptance of the results, even when the outcome of the first round was not expected.

The OSCE/ODIHR wishes to thank the Ministry of Foreign Affairs, the Ministry of Interior and other national and local authorities of the Republic of France for their support and assistance during the course of the OSCE/ODIHR delegation visits. The OSCE/ODIHR expresses appreciation for the openness and co-operation shown by the French authorities on the occasion of this assessment. The assessment was not a standard OSCE/ODIHR election observation mission and was limited in scope. It provided an opportunity to some experts from across the OSCE region to gather information on the process, analyse it through a comparative approach and share their opinions related to common situations in the field of elections.

## II. INTRODUCTION

Following an invitation from the Republic of France to OSCE/ODIHR to assess the presidential elections scheduled on 21 April and 5 May 2002, an OSCE/ODIHR delegation undertook an assessment visit to France on the occasion of the first round on 21 April to assess the electoral process in light of OSCE commitments.

Prior to the first round, the OSCE/ODIHR conducted a preliminary visit to France on 8 April to gather information about the preparations for the elections and initiate a dialogue with relevant national authorities.

The delegation visiting France on the occasion of the first round of the elections was headed by Amb. Gérard Stoudmann, Director of the OSCE/ODIHR. The delegation included Andreas Gross, Election Expert and Vice-President of the Parliamentary Assembly of the Council of Europe, Mykhailo Ryabets, Chairman of the Central Election Commission of Ukraine, Vladimir Lysenko, Legal Expert of the Central Election Commission of the Russian Federation, Professor Vladimir Goati, Election Expert from the Federal Republic of Yugoslavia, Nina Suomalainen, Personal Advisor of the OSCE/ODIHR Director, Angela Bargellini and Nicolas Kaczorowski, OSCE/ODIHR Election Advisers.

During the assessment, meetings were held with representatives of the Government, the *Mairie de Paris* (Municipality of Paris), members of the *Conseil Constitutionnel* (Constitutional Council), members of the *Conseil d'État* (State Council), and the *Conseil Supérieur de l'Audiovisuel* (French Broadcasting Authority). On 21 April, the OSCE/ODIHR delegation visited some polling stations located in various municipalities within the Department des Yvelines, near Paris, to assess the voting and counting procedures as well as the tabulation and aggregation of results at the local level (*mairie*) and at the regional level (*préfecture*). The delegation also visited that night the special task force of the Ministry of Interior to assess the aggregation of results at the national level.

### III. LEGAL FRAMEWORK

The Constitution establishes that the President of the Republic shall be elected for a five-year term by direct universal suffrage (Art. 6). In addition, the Constitution specifies that the President of the Republic shall be elected by an absolute majority of the valid votes. If such a majority is not obtained on the first ballot, a second ballot shall take place on the second following Sunday. Only the two candidates who received the greatest number of votes in the first ballot, taking into account any withdrawal of candidates with more votes, may stand in the second ballot. According to the constitutional provisions, the election of the new President shall be held not less than twenty days and not more than thirty-five days before the expiry of the term of the President in office (Art. 7).

In addition to the Constitution, the legal framework for presidential elections includes the Law on the Election of the President of the Republic, as well as a series of specific legislation addressing different aspects of the electoral process, such as voting abroad, the registration of candidates, campaign financing and financial transparency in political life. Also, specific decrees regulate the composition of the *Commission Nationale de Contrôle* (National Control Commission) by members of the *Conseil d'État* (State Council) and the convocation of voters to the polls. In addition, certain provisions of the comprehensive Electoral Code, both legislative and regulatory, apply to the presidential elections.

A detailed timeline of the entire electoral process determines precise time limits for various stages, including deadlines for registration of candidates, voter registration, and electoral campaign. The deadline for candidate registration expired on 2 April, while the election campaign officially started on 5 April.

#### IV. VOTER REGISTRATION

According to the Electoral Code, all French citizens who have turned 18 years of age, who enjoy their civil and political rights and who are not incapacitated as established by relevant legal provisions, are eligible to vote.

Voter registration is obligatory to be able to exercise the right to vote. The deadline for citizens to present their applications for registration to vote for the presidential elections expired on 31 December 2001. With some exceptions established by law, citizens who did not present their applications to be included in the voter registers by the deadline were not able to cast votes for the presidential elections. The Electoral Code (Art. 30) specifies the categories of voters who can register beyond the deadline, including, among others, personnel of the public administration whose domicile has changed due to transfer for duty reasons, military personnel who have completed their duties, citizens who have acquired French nationality by naturalisation, as well as those who have become eligible to vote after the expiration of the deadline for registration. Any registration request presented after 31 December 2001 will be processed during the next annual revision period and it will allow the interested citizen to vote in 2003. The date for publication of the final voter lists was 1 March 2002. **The deadlines for voter registration appear to be rigid: the legislation could be more flexible and allow for a registration period closer to the election date.** In this case, such arrangement would play a role for parliamentary elections, if not for the presidential ones. According to official figures, the number of registered voters for the first round of the presidential elections was 41,294,689, distributed in approximately 64,000 polling stations.

Article L11 of the Electoral Code establishes that all voters who have their residence in a municipality where they have been residing for at least six months are included in the voter list of that municipality, if they present an application to the appropriate authorities.

Citizens living abroad can vote for presidential elections in polling stations established at the nearest diplomatic or consular office, if they have registered there, or personally if they are only registered in their municipality of residence in France, or by proxy. However, not all embassies have polling stations, which in some cases may create frustration (for example, the OSCE/ODIHR has received letters of complaints from French citizens in South-Eastern Europe in this context).

Voter registers are compiled at the municipal level and updated annually. Collegial administrative commissions formed in each municipality by the mayor of the community, the *préfet* and a representative of the judicial authority share the responsibility for revisions. In Paris, Lyon and Marseille, the representative of the *arrondissement* (city districts) is also included but only with a consultative role. Interested citizens can appeal the administrative procedure for the compilation of voter lists to the judicial authorities. The law allows citizens to appeal for other citizens as well. The appeals are addressed by the Judge for Personal Liberties.

In addition to the Electoral Code (Art. L11), other legislation also applies to voter registration. In particular, the Law 69-3 of 3 January 1969 that regulates itinerant activities and people circulating in France without domicile or fixed residence establishes particular procedures for the so-called *gens du voyage* (or “nomads”). According to this law, the *gens*

*du voyage* receive a circulation permit, issued by the administrative authorities. Those who apply for a circulation permit have to declare to the authorities a municipality to which they wish to be *rattachés* (connected to). According to Law 69-3, the number of people who can be *rattaché* to a given municipality cannot exceed 3% of the total population of that municipality.

The law also establishes that the registration in the voter lists of the *gens du voyage* is authorised after three years of uninterrupted *rattachement* (connection) to a particular municipality. In addition, *gens du voyage* who have become sedentary are excluded from the application of the special procedures. The requirements established in ordinary law apply to them. The residency requirement for *gens du voyage* is longer than the normally required six months prescribed by the Electoral Code. In addition, the threshold of 3% set by the Law 69-3 on the number of people that can be *rattaché* to each municipality is perceived by some as a requirement that places higher criteria on the registration of this group of the population.

It must be noted however that the specific legislation regulating the registration of the *gens du voyage* is in no way linked to ethnicity, but tries to respond to some concerns of the authorities in regard to the participation of this group in the electoral process. These concerns include the fact that the high mobility of this group could have an influence on the results of an electoral process as well as exposing the *gens du voyage* to undue manipulation. Nevertheless, during the past years, awareness has been heightened among human rights groups, associations of the *gens du voyage*, as well as the authorities, regarding the discriminatory effects that these legal provisions could have on the participation of this group in elections. Considering that some changes have taken place in the meantime in the overall situation of the *gens du voyage*, discussions have been initiated between the authorities and civil society on possible modifications to the law. In particular, these discussions have analysed the requirements for registration in the voter lists of the *gens du voyage* and proposals to change them, with a view to foster the political participation of this group, while responding to concerns. During a meeting in January 2002 organized by the National Consultative Commission on the *gens du voyage*, different proposals for modification of the procedures were discussed, including the possibility of lowering the length of the required *rattachement* to a municipality. The meeting concluded that, prior to any reform of the procedures, it would be advisable to review the notion of *gens du voyage* and to know the conditions of different groups of *gens du voyage*.

## V. CANDIDATE REGISTRATION

The procedures and requirements for candidate registration are detailed in the electoral legal framework. To run in the presidential elections, a candidate must fulfil three requirements: (1) must be eligible to vote, (2) must have the right to be elected, and (3) must be sponsored by at least 500 elected officials, called *parrains*.<sup>1</sup> The requests for registration of candidates must be presented to the *Conseil Constitutionnel* (Constitutional Council) by midnight of the nineteenth day before election day, 2 April in the present case. The *Conseil Constitutionnel* reviews the applications, verifies the signatures and announces the list of candidates at least fifteen days before the first round of elections. For the 2002 elections, the *Conseil Constitutionnel* verified 17,000 signatures and rejected 190. The rejection of signatures did not disqualify any candidate. The *Conseil Constitutionnel* publishes 500 names of *parrains* (sponsors) randomly chosen. The right to appeal the final list of candidates is given to all persons whose candidatures have been presented.

<sup>1</sup> Approximately 40,000 elected officials can provide signatures in support of a candidate.

16 candidates were registered for the presidential elections, the highest number ever in a presidential contest in France. The even playing field provided for by the campaign financing regulations has most probably facilitated this, even though there are also other political reasons. The procedure for candidate registration, in particular the requirement of *parrainages* (sponsoring) by elected officials, was called into question after one of the main candidates had difficulties to gather the required number of signatures. In addition, some elected officials, especially mayors, reported pressure to give or refuse their support to certain candidates. Despite allegations of undue influence, the *Conseil Constitutionnel* never received formal complaints on such issues. The possibility of replacing the current system with a collection of voter signatures was discussed but the *Conseil* expressed concern on the difficulty to verify a large number of voter signatures in a short period of time.

## VI. ELECTION CAMPAIGN AND CAMPAIGN FINANCING

The election campaign starts after publication of the official list of candidates by the *Conseil Constitutionnel*. The election campaign is regulated by law through detailed and strict rules on the use of propaganda material as well as the use of electronic media for campaign purposes. The legislation sets the principle of equal treatment for all candidates in the information programs as well as in all other programs aired through the audio-visual media. Before the first round, each candidate disposes of a minimum of 15 minutes on national radio and TV. The duration and modalities of each campaign program are determined by the *Conseil Supérieur de l'Audiovisuel* after consultations with the candidates.

A *Commission Nationale de Contrôle* (National Control Commission) is formed to monitor the campaign and the application of equal treatment of all candidates by the State services during the campaign. The Commission is composed of five members presided by the vice president of the *Conseil d'État* (State Council). The commission reviews and approves all campaign materials, including posters and leaflets presented by each candidate. The commission cannot impose sanctions in case of infractions, but can defer cases to the administrative or penal courts. After the conclusion of the electoral process, the commission presents a report to the Government in which it outlines the problems encountered during the elections due to the conduct of candidates and it proposes recommendations to strengthen the process.

The action of the *Commission Nationale de Contrôle* is decentralised through a network of local commissions (*Commissions locales de contrôle*) that are established by the *préfet* in each department as well as in the territories overseas, and that are responsible for informing the national commission of any irregularity noted at the local level. The commission can also send delegates to a department as well as to one of the overseas territories to monitor the campaign and preparations for the electoral process. These delegates do not substitute the local commissions and are sent in areas where greater difficulties or problems are expected. Their additional monitoring is one of the means that the *Commission National de Contrôle* can use to act in case of particularly difficult or controversial situations.

In 1988, strict laws were introduced to promote financial transparency in political life and during election campaigns, forbidding donations by *personnes morales* (legal entities) with the exception of political parties, and establishing a limit for campaign expenses. The legislation foresees an intermediary between the candidate and individuals contributing to the campaign. The intermediary can be either an *association de financement électorale*



(association for electoral financing) or a *mandataire financier* (financial proxy). The legislation also introduced strict limits on individual donations, not to exceed 4,600 EURO. Individual donations can remain anonymous if under 3,000 EURO. However, any donation above 150 EURO must be done by cheque.

The limitations on private financing of electoral campaigns are balanced by the State reimbursing campaign expenses to candidates, after approval of their campaign accounts. Also, the State covers all expenses related to the propaganda material used by candidates, which is also submitted to a strict scrutiny of other institutions, such as the *Commission Nationale de Contrôle*. Paid advertisement, either broadcast or printed, is forbidden (see Chapter VII).

Each registered candidate received 153,000 EURO from the States as an advance before the start of the campaign. After the first round, candidates who did not pull more than 5% of the votes received a maximum of 739,800 EURO. Those who passed the 5% threshold received a maximum of 7,398,000 EURO. This limit is increased to a maximum of 9,882,000 EURO for candidates who qualified for the second round. Some interlocutors stated that these reimbursement rules were responsible for the raising in the number of presidential candidates for the 2002 elections.

The law requires that each candidate maintains a campaign account recording donations received and expenses incurred during the year prior to the elections. The account is presented to the *Conseil Constitutionnel* within two months following the elections. The *Conseil Constitutionnel* reviews campaign accounts and, in case of possible infractions, imposes a fine or declines to certify the campaign account. Without this certification, the candidate does not receive reimbursement for campaign expenses from the State.

The system regulating the financial aspects of the electoral campaign was introduced in response to concerns raised by the authorities and the population and in light of alleged past violations. The provisions and practices concerning the financing of the electoral campaign and political parties have ensured a level playing field among candidates as well as stricter controls on campaign finances.

## VII. MEDIA COVERAGE OF THE ELECTION CAMPAIGN

The fundamental principle for the media coverage of election campaigns reflected in the legislation is that of equality among candidates. Strict and detailed regulations control the conduct of the media and are monitored by the *Conseil Supérieur de l'Audiovisuel* (French Broadcasting Authority), established in 1982. It is a collegial body composed of nine members, a third nominated by the President of the Republic, a third by the President of the National Assembly, and a third by the President of the Senate. Members are appointed for a six-year mandate, which is not renewable.

The main functions of the *Conseil Supérieur de l'Audiovisuel* are to supervise the content of television programs, authorise private television channels to use air frequencies, and ensure that the principle of pluralism in opinions is respected. The *Conseil Supérieur de l'Audiovisuel* can act only after a program is broadcast. It respects the principle of editorial freedom and does not intervene in the content of the programs.

Prior to the start of the official campaign, the principle of equity governs the appearances of potential candidates in the media. In December 2001, the *Conseil Supérieur de l'Audiovisuel* issued a recommendation inviting all television channels and radio to provide potential candidates an equitable access to the media. However, on 5 and 19 March, the *Conseil Supérieur de l'Audiovisuel* requested the TV channels and radio to reduce the airtime devoted to Mr. Jacques Chirac and Mr. Lionel Jospin in order to give airtime to other candidates. Following this warning, TV channels adjusted their policy and on 26 March, the *Conseil* acknowledged progress in the respect of the principle of equity by the media.

The *Conseil Supérieur de l'Audiovisuel* monitored media activities before and during the official campaign, starting on 1 January and covering all six national television stations, both public and private. Prior to the beginning of the official campaign, the *Conseil Supérieur de l'Audiovisuel* calculated the air time guaranteed by each television station to candidates, both official and potential ones. In the case of candidates who were also exercising public functions, the *Conseil Supérieur de l'Audiovisuel* adopted a particular method to monitor their airtime before the official start of the campaign. The airtime depicting the above mentioned candidates in the exercise of their official duties was not accounted for, with the exception of occasions during which they referred to their campaign program or to other campaign related subjects. On the latter occasions, their airtime was included in the total airtime available to the candidates for campaign purposes in accordance with the relevant legal provisions.

The *Conseil Supérieur de l'Audiovisuel* issues recommendations and instructions to the media prior to and during the official election campaign. It works in close co-operation with other institutions that have a monitoring role for the elections, including the *Conseil Constitutionnel* and the *Commission Nationale de Contrôle*. The *Conseil Supérieur de l'Audiovisuel* can receive complaints from candidates regarding possible breaches of the principle of equality as well as against the content of some programs. Candidates can appeal against actions and decisions of the *Conseil Supérieur de l'Audiovisuel* to the *Commission Nationale de Contrôle*.

The law strictly forbids any paid political advertisement for a period starting three months prior to an electoral contest. Political advertisement is therefore prepared on an equal basis for all candidates, using the same facilities for production and the same format, and is aired free of charge. Candidates are consulted on various options for advertisements, they can select certain features, but they are bound to respect the instructions of the *Conseil Supérieur de l'Audiovisuel*. The airtime for campaign advertisement is equally divided among candidates and decided by the *Conseil Supérieur de l'Audiovisuel* in consultation with the candidates. While the legislation provides for a minimum of 15 minutes of advertisement in each channel per candidate, on the occasion of the presidential elections, the *Conseil Supérieur de l'Audiovisuel*, in close consultation with the candidates, approved a 48 minutes of advertisement on each channel per candidate.

The provisions and practices determining the electoral campaign in the media are strict and closely monitored by the *Conseil Supérieur de l'Audiovisuel* to ensure that each candidate is guaranteed an equal exposure through the media and that voters receive information on all candidates. While the official election campaign is regulated in a detailed and precise way, the period prior to the beginning of the official campaign and the principles which should apply to it remain more difficult to monitor. Despite these difficulties, the *Conseil Supérieur de l'Audiovisuel* has assumed an extremely important and effective role in monitoring the

conduct of the media before the start of the official campaign and issuing recommendations to ensure that the principle of equity is upheld.

### VIII. DOMESTIC OBSERVERS

The legislative framework includes provisions for candidate representatives to observe voting and counting procedures on election day. The Electoral Code establishes that the minutes of each polling station must be signed by candidate representatives as well as by the members of the polling station commission. The Electoral Code also recognises the right of each voter to note his/her observations or complaints on the voting and counting process in the minutes of each polling station. In addition, the law allows any voter to be present during the counting procedures. Candidate representatives are also allowed to observe the aggregation of results where polling station protocols are centralised before being sent to the next higher level.

While the legislative framework does not establish specific provisions for observers from organised groups of domestic civil society, from international organizations or other States, it does not contain provisions to expressly forbid the presence of observers, nor does it limit in any way observers' activities.

The high level of transparency guaranteed in all aspects of the electoral process ensures that candidates, media representatives and citizens have access to each phase of the election process, thus contributing to the general public confidence in the process. **However, France could consider the introduction of specific provisions on domestic and international observers in its electoral legislation, in line with the commitments contained in the Copenhagen Document of 1990.**

### IX. POLLING DAY

During the first round of the presidential elections held on 21 April, the OSCE/ODIHR delegation visited some polling stations located in municipalities of the department des Yvelines, near Paris. The delegation was able to be present during polling activities as well as counting procedures at the polling station level. The delegation later visited the *Prefecture* des Yvelines where results were aggregated at the departmental level. Finally, the delegation visited the Ministry of Interior during the aggregation phase and announcement of partial results at the national level.

The OSCE/ODIHR delegation noted a high level of transparency and credibility of the voting and counting procedures. The authorities responsible for administering the process were highly professional and dedicated. Voting and counting took place in a calm atmosphere and in an orderly manner. Counting is not carried out by election commissioners but by voters on a voluntary basis under the supervision of the chairman of the polling station. Voters seemed to have a very good understanding of the process and confidence in its administration.

The aggregation and tabulation of results was carried out in an accurate manner, with an efficient and rapid system for checks and verification of the results at various levels. In addition, detailed results per polling station and constituency were timely published allowing an independent audit of the aggregation of the results. The computerised system of tabulation promoted the transparency of the process and allowed transmission and publication of partial results in an expeditious way, making them available to the general public via the internet during the night shortly after closing of the polls.

## X. FINAL RESULTS

According to the official results announced by the *Conseil Constitutionnel*, none of the sixteen candidates obtained the absolute majority of votes on the first round: the incumbent, President Jacques Chirac obtained 19.88% of the votes, while Jean-Marie Le Pen, candidate of the National Front obtained 16.86%, placing himself second, in front of Lionel Jospin, candidate of the Socialist Party, who obtained 16.18% of the votes. The *Conseil Constitutionnel* also established that a total of 28.40% of the registered voters did not vote.

The second round held on 5 May was therefore contested by the two candidates who obtained the relative majority of votes. The official results of the elections announced by the *Conseil Constitutionnel* on 9 May confirmed that Jacques Chirac won the elections with 82.21% of the votes cast, while Jean-Marie Le Pen obtained 17.79%. The abstention was 20.29% of the total number of voters registered.

## XI. CONCLUSIONS

The OSCE/ODIHR assessment of the presidential elections in France provided an opportunity to gather information about the pre-election environment, legal framework and practices governing these elections, the voting and counting procedures, and the tabulation and aggregation of the results.

The overall process was transparent, reliable and was administered in an efficient and professional manner. In particular, provisions and practices concerning the financing of the political campaign and the role of the media in the electoral campaign demonstrated the complexity of the legislation that has been introduced to guarantee equality between candidates during the official electoral campaign. Those provisions have ensured a level field playing among candidates as well as a stricter control on campaign finances.

The OSCE/ODIHR reiterates its appreciation for the openness and co-operation shown by the French authorities on the occasion of the assessment carried out by its experts during the first round of the presidential election. The assessment visit provided an opportunity for experts from across the OSCE region to gather information on the process, analyse it through a comparative approach, and share their experience relating to common situations in the field of elections.

## ABOUT THE OSCE ODIHR

The Office for Democratic Institutions and Human Rights (ODIHR) is the OSCE's main institution to assist participating States "to ensure full respect for human rights and fundamental freedoms, to abide by the rule of law, to promote principles of democracy and ... to build, strengthen and protect democratic institutions, as well as promote tolerance throughout society" (1992 Helsinki Document).

The ODIHR, based in Warsaw, Poland, was created in 1990 as the Office for Free Elections under the Charter of Paris. In 1992, the name of the Office was changed to reflect an expanded mandate to include human rights and democratization. Today it employs over 80 staff.

The ODIHR is the lead agency in Europe in the field of **election** observation. It co-ordinates and organizes the deployment of thousands of observers every year to assess whether elections in the OSCE area are in line with national legislation and international standards. Its unique methodology provides an in-depth insight into all elements of an electoral process. Through assistance projects, the ODIHR helps participating States to improve their electoral framework.

The Office's **democratization** activities include the following six thematic areas: rule of law, civil society, freedom of movement, gender equality, trafficking in human beings and freedom of religion. The ODIHR implements more than 100 targeted assistance programs, seeking both to facilitate and enhance State compliance with OSCE commitments and to develop democratic structures.

The ODIHR **monitors** participating States' compliance with OSCE human dimension commitments. It also organizes several meetings every year to review the implementation of OSCE human dimension commitments by participating States.

The ODIHR provides advice to participating States on their policies on **Roma and Sinti**. It promotes capacity-building and networking among Roma and Sinti communities, and encourages the participation of Roma and Sinti representatives in policy-making bodies. The Office also acts as a clearing-house for the exchange of information on Roma and Sinti issues among national and international actors.

All ODIHR activities are carried out in close co-ordination and co-operation with OSCE institutions and field operations, as well as with other international organizations.

More information is available on the ODIHR [website](#), which also contains a comprehensive library of reports and other documents, including all previous election reports and election law analyses published by the ODIHR.