NATIONAL DEMOCRATIC INSTITUTE

FINAL REPORT ON THE MOROCCAN LEGISLATIVE ELECTIONS

September 7, 2007

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The National Democratic Institute for International Affairs (NDI) is a nonprofit organization working to strengthen and expand democracy worldwide. Calling on a global network of volunteer experts, NDI provides practical assistance to civic and political leaders advancing democratic values, practices and institutions. NDI works with democrats in every region of the world to build political and civic organizations, safeguard elections, and promote citizen participation, openness and accountability in government.

Democracy depends on legislatures that represent citizens and oversee the executive, independent judiciaries that safeguard the rule of law, political parties that are open and accountable, and elections in which voters freely choose their representatives in government. Acting as a catalyst for democratic development, NDI bolsters the institutions and processes that allow democracy to flourish.

Build Political and Civic Organizations: NDI helps build the stable, broad-based and wellorganized institutions that form the foundation of a strong civic culture. Democracy depends on these mediating institutions—the voice of an informed citizenry, which link citizens to their government and to one another by providing avenues for participation in public policy.

Safeguard Elections: NDI promotes open and democratic elections. Political parties and governments have asked NDI to study electoral codes and to recommend improvements. The Institute also provides technical assistance for political parties and civic groups to conduct voter education campaigns and to organize election monitoring programs. NDI is a world leader in election monitoring, having organized international delegations to monitor elections in dozens of countries, helping to ensure that polling results reflect the will of the people.

Promote Openness and Accountability: NDI responds to requests from leaders of government, parliament, political parties and civic groups seeking advice on matters from legislative procedures to constituent service to the balance of civil-military relations in a democracy. NDI works to build legislatures and local governments that are professional, accountable, open and responsive to their citizens.

International cooperation is key to promoting democracy effectively and efficiently. It also conveys a deeper message to new and emerging democracies that while autocracies are inherently isolated and fearful of the outside world, democracies can count on international allies and an active support system. Headquartered in Washington D.C., with field offices in every region of the world, NDI complements the skills of its staff by enlisting volunteer experts from around the world, many of whom are veterans of democratic struggles in their own countries and share valuable perspectives on democratic development.

ACKNOWLEDGEMENTS

NDI expresses its appreciation to the Consultative Committee on Human Rights (CCDH) and the many government officials, candidates, political party and civic leaders and poll workers who facilitated the work of both the pre-election and international observer delegations during their missions. Similarly, the Institute thanks the citizens of Morocco for their warm welcome and the many voters with whom delegation members spoke.

NDI extends its gratitude to all 52 members of the international observer delegation who volunteered their time and expertise, and each of whom contributed to the success of the mission. The delegates, representing 19 different countries, visited Morocco from September 3 to 10. During the delegation's stay, 26 teams of observers were deployed across 12 regions of the country, and delegate members visited a total of 375 polling stations, as well as 22 central offices and 12 offices at the governorate and prefecture level where teams were able to observe a portion of the vote tally. The delegates also met with representatives of political parties, civil society organizations, the CCDH and election authorities, journalists and academics.

NDI thanks the leadership group of the delegation, which consisted of Abdul Rahman Abu Arafeh, Director of the Arab Thought Forum (Palestinian Territories); Paul Dewar, Member of Parliament (Canada); Jorge Quiroga, former President of Bolivia and Member of the Club of Madrid; Hélène Scherrer, former Minister of Canadian Heritage; Sally Shelton-Colby, former U.S. Ambassador and Deputy Secretary-General of the Organization for Economic Cooperation and Development; Judy Baar Topinka, former Treasurer and State Senator for the State of Illinois (United States); Lousewies van der Laan, former Member of the European Parliament (Netherlands); and Leslie Campbell, Senior Associate and Regional Director for the Middle East and North Africa at NDI (Canada).

The Institute also expresses its appreciation to the five members of its pre-election delegation that visited Morocco from August 9 to 15 whose work contributed to the efforts of the election observation delegation and this report. In addition, the Institute expresses its gratitude 2007 Daba, *Le Collectif* and Democracy Reporting International (DRI) whose reports and input proved to be a valuable resource to the pre-election and election delegations and this report.

This program was made possible by a grant from the Middle East Partnership Initiative (MEPI) of the United States Department of State.

On September 7, 2007, Morocco conducted orderly and transparent legislative elections. Notwithstanding important contextual issues and some technical concerns described in the body of this report, election day was administered in a professional manner, including smooth ballot counting and the prompt public posting of polling results by district.

The most striking phenomenon in the elections, however, was the low rate of voter turnout and the high rate of blank, spoiled or protest ballots. Approximately 78 percent of eligible Moroccans registered to vote. Of those registered, 37 percent cast ballots, of which 19 percent of the ballots in the local list elections and 28 percent for the national lists were blank, spoiled or protest ballots. These figures indicate that less than 24 percent of potentially eligible voters cast valid ballots for the local lists and less than 21 percent cast valid ballots for the national lists. Nationwide, the number of spoiled and blank ballots totaled more than the combined votes of the two top vote-getting parties. (See Appendix A, Preliminary Post-Election Statement, and Appendix B, Summary of Election Results by District). Notwithstanding the overall improvement in political openness and freedom in Morocco over the last 10 years and the orderliness of election day, the low voter participation and large numbers of spoiled, blank or protest ballots raise a central question: "What ails the Moroccan political system?"

There are at least two theories regarding that question. One holds that Moroccan political parties and candidates have failed to inspire voters and carry responsibility for the weakness of the political system. Another holds that the very nature of Morocco's system of monarchy, where the elected lower house of parliament has limited powers and the election system encourages fragmentation of those powers, undermines political parties and fails to inspire voter confidence in elected officials, candidates and parties.

In any case, it is clear that the current political system works to exacerbate the weaknesses and undermine the strengths of political parties and the parliament, contributing to the ongoing decline in the public perception of the efficacy of both. As a result, it appears voters expressed their dissatisfaction with the status quo through high rates of abstention and protest ballots cast. If the Moroccan authorities hope to engage a substantial majority of the public in the political process, they will need to undertake substantial political reforms designed to strengthen elected institutions, empower elected officials and solidify the bond and concomitant accountability between political parties, elected officials and the electorate.

It is not the role of organizations such as NDI to determine specific reforms to be undertaken to accomplish such goals, but the Institute offers its support, suggestions and assistance to Moroccan political actors as they explore political reform options designed to encourage and inspire engagement by a substantial majority of Moroccans. While this report highlights areas in which the already impressive overall voting process could be further improved through implementing technical changes, the most important issue raised by the elections and this report relates to the need for Moroccans to explore broader political reform in the hopes of engaging those members of their community who stayed home or cast blank or protest ballots as a statement of disaffection with the current political system.

SUMMARY OF FINDINGS

- Overall, technical preparations for the elections were handled professionally and in accordance with international norms. The delimitation of districts, however, created significant discrepancies in the numbers of voters per representative, which is not consistent with the principle of equal representation.

- The voter registration process went smoothly and parties were given copies of the voter lists. However, the requirement to provide copies of the list for review is not enshrined in the law and questions were raised about the transparency of an extraordinary revision to the voter lists made shortly before election day.

- The Moroccan government and non-governmental institutions undertook impressive voter education efforts in the run up to the election.

- The process of nominating candidates went smoothly, with complaints within parties but not regarding outside interference. However, it is unfortunate that that process did not result in women increasing on their impressive gains made in 2002, slipping from 35 seats in the previous parliament to 34 in the new one.

- Many of the parties mounted serious, platform-based campaigns. Given the nature of the election system and the natural propensity to focus on the personalities in political races, much of the focus in the elections was on individual races among high profile personalities in various regions as opposed to national platforms.

- There was thorough coverage of the elections by the media, and parties and candidates were given appropriate access to the media. The elections, however, took place against a backdrop of increasing restriction on what had been developing into a free and active journalistic environment.

- Election day administration was impressive. The main area of concern related to the difficulties encountered by voters who had not picked up their voter cards in advance of election day and had difficulty finding those cards at polling stations on election day. Also, polling stations were often very difficult to access by people with special needs.

- Party poll watchers were present at all stages of the election day process and their presence added significantly to the perception that the administration was generally and transparent.

- Domestic observers did not receive badges and full authorization to observe the process until the night before the election and the authorities failed to establish clear guidelines and procedures for domestic observers far enough in advance of election day.

- The most significant challenges to the fairness of the election related to allegations of vote-buying. The delegation members did not witness vote-buying, but widespread complaints suggest it remains a concern.

- The vote count went smoothly and party poll watchers generally received signed protocols showing results at the polling station to which they were assigned. Final results were promptly posted by district. However, despite repeated requests that the results be released on a polling station-by-polling station basis, the authorities have yet to make such data public.

- The final results showed that only 37 percent of registered voters cast ballots and 19 percent of the votes cast for the local lists and 28 percent of those cast for the national lists were blank, spoiled or protest ballots. By any measure and relative to international figures, the turnout was exceptionally low and level of protest votes very high.

- The political system in Morocco contributes to the realistic perception among potential voters that the elected chamber of parliament has limited ability to effect change.

- The electoral framework in Morocco serves to fragment power in the elected chamber of parliament which also serves to undermine perceptions regarding its effectiveness.

SUMMARY OF RECOMMENDATIONS

- Engage in a broad-based dialogue to explore effective political reforms that could result in voters re-engaging in the political process.

- Consider modifications to the electoral system that will result in less fragmentation of power in the parliament.

- Formalize a system for parties to audit the voter lists, including any revisions to the list.

- Consider extending the official campaign period.

- Develop a system to increase the transparency of political party financing.

- Consider mechanisms to allow poll workers and others who may be away from their home districts on election day or outside of the country to vote.

- Expand assistance to voters with disabilities to have access to the polls or other mechanisms through which to cast ballots.

- Spell out the rights and responsibilities of domestic and international observers in the election law or procedures.

- Consider empowering an independent election commission to administer future elections.

- Explore new mechanisms to increase women's political participation as candidates, representatives, party activists and election administrators.

- Revisit polling procedures to avoid problems confronted by voters who had not picked up their voter card in advance of election day.

- Publish final results on a polling station-by-polling station basis.

- Promptly and transparently resolve all outstanding formal challenges to the results in individual districts.

Morocco was originally populated by the Berber people, with Arab populations beginning to arrive in the seventh century. Unlike much of North Africa and the Middle East, Morocco was never a part of the vast Ottoman Empire, a factor that has influenced Moroccan nationalism. From the 1650s to 1912, the country was an independent kingdom ruled by the Alawite dynasty. Although it successfully resisted Ottoman incursions, Morocco was a tempting gateway to the natural riches of Africa and subject to European colonialism. From 1912 to 1956, the area Moroccans consider to make up the nation was administered by two colonial powers: the Spanish in the north and far south and the French in the central region.

Morocco's early struggle for independence from France was led by two groups: leaders opposed to French control and calling for an independent Morocco returning to the traditions of Islam; and *Les Jeunes Marocains* (the Young Moroccans)—a mainly urban, western-educated intellectual movement—that crafted an anti-colonial ideology based on secular nationalism.

The country's first political party, the Independence Party (Istiqlal or PI), was formed from the latter movement in 1944 on a platform of independence and received open support from Sultan Mohammed V. Mohammed V also refused to countersign French decrees, thereby denying those decrees legal validity. In 1953, unhappy with the monarchy's implicit support for an independence movement as well as frustrated by Mohammed V's refusal to countersign decrees, the French administration exiled Mohammed V. This only solidified his status among Moroccans as a national hero. Recognizing that its strategy towards Morocco and Mohammed V was not working and taking into account the violent uprising in neighboring Algeria, in 1955 the French allowed Mohammed V to return to Morocco. In 1956, an agreement was negotiated with the French for Mohammed V to become the King of independent Morocco. In the early days of independence, there was some competition between political parties and the King for political leadership. Ultimately, the association of the monarchy with independence, along with the highly-centralized form of government inherited from the French and Mohammed V's skills, resulted in the consolidation of the King's central role in Moroccan life.

While Mohamed V associated the monarchy with independence, his son and successor, Hassan II, who rose to the throne in 1961, solidified rule by consolidating military, political and social power in the royal administration. Hassan II also built on a nationalist appeal, including through the move to incorporate the disputed Western Sahara into the country to unify what the Moroccan people see as the historically sovereign nation after the aberration of colonial rule. For much of his rule, Hassan II meanwhile took a harsh stance towards internal, potential political competitors. After decades of repression and authoritarian control during which the national legislature was suspended at various points and controlled by parties close to the Palace when in sitting, Hassan II, however, began a process exploring greater political openness within the framework of a centralized monarchy.
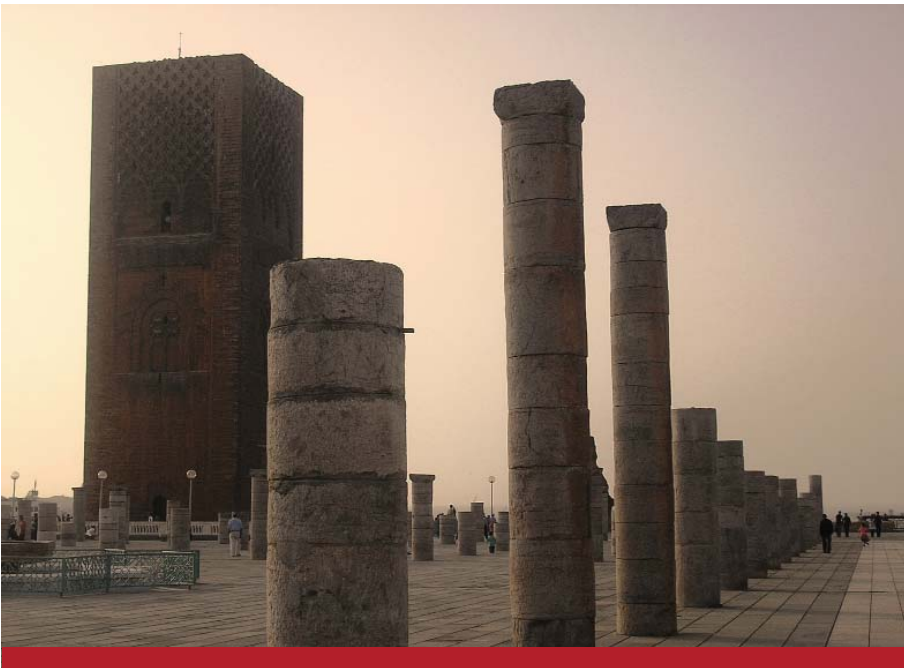
Among the openings initiated by Hassan II was the emergence of new political discourses that incorporated Islamic orientations. One of these was the growing significance of the reformulated and renamed Justice and Development Party (PJD), which draws on moderate Islamic values. While existing in different forms before, it began participating in the electoral process in 1997. Another, the Justice and Charity Association, which is not recognized as a political party by Moroccan authorities, does not recognize the legitimacy of the current government, the monarchy or the constitution, and calls for the application of *Shari'a* law. The magnitude of support for Justice and Charity is not clear, but most analysts consider it to be substantial. Also, through the 1997 parliamentary elections, Hassan II ushered in an era of alternance, with the appointment for the first time of a prime minister, Abderrahmane Youssoufi, from the traditionally opposition Socialist Union of Popular Forces (USFP) which was able to control a plurality of seats.

Liberalization efforts continued to gain momentum following the accession of Mohammed VI to the throne in 1999. In advance of the 2002 legislative elections, a revised election law moved voting away from a first-past-the-post, multiple ballot system to a proportional representation system using a single ballot. The change made administration of voting stations less complex while also making vote buying schemes more difficult to undertake. The law also provided for multi-member districts using a remainder system. The law was structured in such a way as to encourage relatively equal representation from each of the major parties and has to date succeeded in accomplishing that end.

The 2002 elections were reported to have been well-administered, with election authorities giving limited sanction to domestic monitors for the first time and launching governmentsponsored voter education initiatives. Also in the 2002 elections, all parties agreed to reserve slots on a national list for women candidates, resulting in an overall increase in the number of female members of parliament from two to 35.

After the 2002 parliamentary elections, Mohammed VI appointed a Prime Minister from outside of the political parties, whom he had appointed as Minister of Interior in 2001. A governing coalition was formed consisting of the members of the *Koutla*—the USFP, PI and the Party of Progress and Socialism (PPS) —and two other parties—the National Rally of Independents (RNI) and the Popular Movement (MP). The PJD, became the leading opposition party.

The openness of the 2002 election process created momentum for greater human rights, social and economic reforms, such as the family code *(moudawana)* and the Equity and Reconciliation Commission (IER) that addressed human rights abuses during previous decades through public investigation and public hearings, many of which were televised. Following these initiatives, a consultative process with political parties led to the passage of a new political party law in December 2005, which encouraged consolidation among parties and some renewal of leadership through the requirement of increasingly democratic internal processes.

After the political party law was revised, the hope and expectation was that the electoral law would be reformed to insure that representation in the parliament lined up closely with the popular vote. Such a reformed election law could have created an incentive system that would open the way for political parties to consolidate and for stronger parties to be in a position eventually to win a majority or significant plurality of seats and develop a strong and coherent government policy. The final version of the election law enacted in early 2007, however, did little to address the structural impediments, described more fully below, to parties winning more than one seat in a district and the attendant fracturing of power within the parliament. Meanwhile, in early 2007, several adjustments were made to districts, raising their numbers to 95 and creating a maximum number of five seats per district. In some cases, there were allegations of undue political motivation in the delineation of districts and indeed the number of registered voters per seat varies substantially between districts—with as few as 3,668 registered voters per seat in one district and as many as 83,257 in another. (See Appendix B, Summary of Election Results by District).

Until recently, the press in Morocco had enjoyed increasing freedom, although certain issues remain off limits including criticism of the King, challenges to territorial integrity (Western Sahara) and criticism of Islam. There are a number of independent news outlets airing opinions on many issues and thorough political coverage. However, in the run up to the elections there was substantial concern on the subject of press freedom. While there are limits on press freedom in Morocco, the contours of those limitations have been relatively undefined. Leading journalists have pressed those limits and the government has chosen to respond or not on a caseby-case basis. In the months leading to the elections there were a series of high profile cases brought against journalists and publications in Morocco relating to alleged violations of the limitations on press freedom. As a result, in July 2007, the Committee for the Protection of Journalists raised concerns about increasingly sophisticated pressures on Moroccan journalists.

Overall, coming into the election period there was a sense that while Morocco had made significant progress on human rights and democracy in previous years, by early 2007 that progress had stalled and there was a legitimate concern that 2007 and 2008 could evidence more setbacks than progress. (See Appendix F, Statement of the Pre-Election Delegation).

SYSTEMIC WEAKNESSES

While some of the concern in the run up to the elections related to trends, another aspect of the concern related to what could be considered systemic weaknesses in the political system. A key consequence of the structure of the state is that both the public and political players justifiably believe that elected officials have limited power. That perception provides an important disincentive to political participation, as witnessed in the 2007 elections.

Under the Moroccan governance system, in addition to the leading role of the King, there are two chambers of parliament: an upper chamber whose 270 members are indirectly elected and a Chamber of Representatives whose 325 members are directly elected. Any legislation proposed in the country has to be approved by both houses of the parliament. The government is led by a Prime Minister appointed by the King.

Although changes introduced by the 1996 Constitution allowed for a higher degree of legislative authority, such as the ability of the upper house to censure the government with a two-thirds vote and the ability of the lower house to dissolve the government through a vote of no confidence, the Moroccan parliament nonetheless remains secondary to the monarchy since there are few legal limits to the King's powers. The Moroccan constitution clearly subordinates the legislature to the authority of the monarchy, giving the King authority to veto and amend legislation, dissolve parliament and set election dates. While the Prime Minister leads the government, that appointment is at the will of the King, along with members of the government heading up the key "sovereign" ministries—Interior, Defense, Foreign Affairs and Islamic Affairs. The King also has the right to appoint members of the administration, including Secretaries General for all ministries.

Other constitutional provisions that are not directly related to the monarchy also undercut parliament's authority. Articles 50 and 51, for example, substantially reduce the power of the parliament in the budgetary process by preventing the legislature from altering the draft budget submitted by the government in any way that would increase overall government expenditures or decrease state revenues. In fact, parliament can legislate only in certain clearly defined areas listed under Article 46 of the constitution, such as civic and criminal law, individual and collective rights expressly mentioned in the constitution, local electoral systems and commercial regulations.

Moreover, the Moroccan electoral system makes it difficult for parties to consolidate power within the elected institution in such a way that would allow them effectively to take advantage of the limited powers afforded to such institutions. Morocco employs a multi-member district system. It has a large number of districts—95. Each district has a relatively small number of seats—generally three or four per district. The seats are allocated within each district using a proportional representation, remainder system. The combination of these elements has had the predictable effect of allocating seats in the parliament relatively equally among the major parties and fracturing power within the legislature. (See Appendix D, Moroccan Electoral System Overview). In all but eight of the 95 multi-member districts, no party won more than one seat. Given the difficulty in winning more than one seat, but the relatively low barrier to winning that one seat, this structure has a tendency to lead to a reliance on candidates with significant personal followings in local areas. Because Moroccan electoral districts are relatively small, a party may need to win as little as eight to 10 percent of the vote in a district to win a seat there. One way to achieve that is through a strong party campaign; another is to find a candidate with a significant personal following who may or may not have strong party ties.

Given this infrastructure, the elected chamber operates in a relatively weak position and the capacity of political parties within the chamber is highly diminished. As a result, strong policy in response to public interests has had to emanate from where power exists—in the Palace.

Concurrently, responsibility for policy inertia or lack of progress can be deflected onto other political actors including the political parties and the elected Chamber. Whatever the strengths or weaknesses of Moroccan political parties and candidates, the current political system works to exacerbate those weaknesses and undermine those strengths.

Indeed, given the perception that elected officials have not delivered for the public, there has come to be an increasing perception that political actors must only be looking out for themselves. That perception has contributed to widespread disaffection with political actors. (See People's Mirror report from prior to the elections attached as Appendix F.) In the run up to the 2007 elections, all of these factors contributed to a sense that the elections were in part a choice between parties and candidates and in part a referendum on the status quo.

PREPARATIONS FOR THE ELECTIONS

Administrative Election Preparations. Generally speaking, the Ministry of Interior preparations for the elections proceeded smoothly and without controversy. The most important exception to this was serious concern raised regarding the delimitation of districts, which was part of the administrative preparation process leading to sometimes substantially unequal numbers of voters per representative. In some cases, political parties alleged that the delimitation of certain districts may have been the product of undue political influence. Some districts had as few as 4,000 registered voters per seat, while others had as many as 80,000. (See Appendix B, Summary of Election Results by District). The delimitations may have had some impact on the allocation of seats as, for example, the PJD won the most overall votes on local lists (505,822) but were allocated six fewer seats than the second place PI (494,256). (See Appendix C, Election Results by Party.)

Voter Registration. As part of the effort to increase participation, the Ministry of Interior, which is charged with administering the election process, launched a process of registering new voters during April and May 2007, with a goal of registering 3 million new voters. An innovative aspect of that effort enabled citizens to send short message service (SMS) messages to a designated phone number to find out whether they were already on the voter lists and/or if they needed to register, as well as where to do so. Approximately 1.5 million new voters were eventually registered (half the announced goal), contributing to a total of around 15.5 million (or close to 80 percent of the eligible population) registered to vote. Women constituted 48.7 percent of the registered voters. Eighty percent of newly registered voters were under 34 years of age and 57 percent were between the ages of 18 and 24. Once the voter list was finalized, the Ministry of Interior made CDs with the list available to political parties during a 30-day period. The parties that secured copies of the CDs identified some errors on the list, but in general the parties acknowledged that those problems were limited.

As allowed for in the Moroccan electoral code, the Ministry of Interior conducted an exceptional revision of the voter list through a computerized processing. Several parties and outside organizations have noted that the process for this revision was not made public or fully explained and may have adversely affected certain parties. The revision resulted in an apparent discrepancy of nearly 50,000 voters nationally between the lists made available to parties for review and the final list used. Significantly, the list was not made available for further review by political parties or civic groups following the exceptional revision.

While efforts were made to increase registration, the distribution of voter identification cards and the role of Moroccans residing abroad raised questions about the efficacy of this process. The system of registration in Morocco requires voters to pick up their voter identification cards following the registration process. Large numbers of cards were not collected by voters prior to election day. The cards were theoretically available on election day at polling stations, but the organization of the cards at the polling stations and the system for distributing them at the polling stations were haphazard. As a consequence, some voters who had not collected their cards before election day but hoped to collect them and vote on election day were unable to do so. The vote of Moroccans residing abroad had been a topic of considerable debate prior to the finalization of updates to the electoral code. A system was put into place for individuals to register through Moroccan embassies in their countries of residence and then retrieve their voter identification cards in their local constituencies, as

per other citizens. Some anecdotal evidence has suggested, however, that the system may have failed to ensure that registration process in the embassies successfully resulted in the issuance of voter cards.

Voter Education Efforts. In the 2002 legislative elections, according to figures published by the government, approximately 52 percent of registered voters cast ballots, and approximately 17 percent of those were spoiled or blank ballots. In the 2003 municipal elections, approximately 54 percent of registered voters cast ballots, compared to approximately 75 percent of registered voters casting ballots in the previous municipal elections in 1997. In a conscious effort to reverse this trend, there was a large and sophisticated voter education effort in advance of the 2007 elections to increase voter participation. One element of that effort was led by 2007 Daba which brought together business and community leaders to educate voters about the election process and to encourage engagement in the political process, particularly among the youth. Another element included government-sponsored billboards, television advertisements and other outreach such as placing large ballot boxes in city centers showing a ballot being cast with the message "Rendezvous on September 7." The King also repeatedly urged the public to engage in the political process in formal addresses. While it is always possible to do more and better civic outreach and voter education, the efforts undertaken in Morocco for the 2007 elections were impressive in scale and quality.

Nomination of Candidates. Candidates were nominated between August 16 and 23, 2007. Thirty-three parties nominated 1,862 candidates for the local lists for the 95 multi-member districts from which 295 members of the Chamber of Representatives were elected and for the 30 seats set aside on national lists for women candidates. While the delegation heard reports of controversies within parties regarding the nominations, the delegation did not hear reports of significant obstacles to the nomination of candidates presented by election authorities.

In the 2002 elections, with women securing five seats in parliament through local lists and 30 seats dedicated to women through a national list, Morocco became a leader in the region in women's representation in parliament with 35 elected women representatives. In 2007, while the number of slots on local lists filled by women candidates rose by slightly over 10 percent compared to 2002, only three percent of the local lists were headed by women, a position that is generally necessary to win a seat given the nature of the Moroccan system. In the end, women secured four seats through local lists compared to five in the 2002 elections. If a goal of the reform process in Morocco is to increase women's representation over time, an examination of what mechanisms best promote this process will need to be undertaken.

Party Campaigning. According to the organic law on the Chamber of Representatives, which outlines campaign regulations, the official campaign period is limited to the two-week period just prior to the elections. In this case, that period was August 25 through September 6, 2007. In the period prior to the formal campaign period, parties pursued their campaigns through low-scale organizing and sanctioned pre-campaign use of the media, but were not permitted to hold large scale public events. This created some confusion about what was allowed and what was not and, combined with the brief formal campaign period, invited allegations of early, improper campaigning.

In recent elections, there has been a sense among the electorate that there is little difference between the various parties. That perception may have grown out of the fact that Moroccan political actors often strive to achieve consensus positions that are indistinct from other actors, perhaps due in part to cultural factors and in part due to the structure of the political system. In the 2007 elections, however, the campaigns of some parties, marked an improvement over recent elections, with those parties setting out clearer differences, responding more directly to voter interests and engaging more directly with citizens. This included taking advantage of new media, such as the Internet and mobile phone technology, as well as more compelling use of advertisement and improved voter outreach. It is also noteworthy and positive that major parties also participated in public debates and town-hall meetings to present their platforms.

Alleged Campaign Infractions. There were a substantial number of allegations of campaign rule violations presented to the Ministry of Justice through the Ministry of Interior during the campaign period. The vast majority of these allegations related to early campaigning, vote buying and voter intimidation. Other than allegations of vote buying referred to below which are treated as election day issues, none of the many political party poll watchers interviewed on election day claimed that there was a serious challenge to the fairness of the elections due to alleged violations during the campaign period. To the extent that political parties or candidates believe such infractions had an impact on the results in a district, it is important that they lodge formal complaints. It is also essential that the Moroccan authorities promptly and transparently resolve such complaints. There are currently 214 pending formal complaints filed with the appropriate authorities challenging election results in many different districts across the country; all should be thoroughly investigated and promptly adjudicated.

Media Coverage. Certain issues may not be discussed in the Moroccan media, particularly issues that threaten the general structure of the existing political order, and there have been troubling recent challenges to press freedom in Morocco. Nevertheless, the competition of the political parties and the operation of the elections within the existing political order were thoroughly covered by the Moroccan press. In addition, parties were provided time to present their platforms in the official state electronic media. The parties did not receive equal time in the state media but were allotted time, in part, based on their representation in the current parliament—a practice used in many other countries. According to the Moroccan system, the eight political parties with a parliamentary group in the previous session collectively received 40 percent of the air time provided by the state. The second group of eight other parties also represented in the last parliament but that did not have parliamentary groups collectively received 30 percent of the air time. The last group, made up of 17 political parties who had no seats in parliament but were contesting the 2007 elections, received the remaining 30 percent of the air time. A majority of party leaders and candidates who met with international observation delegation members on the eve of the elections expressed satisfaction with the air time allotted to them on the television and the radio.

One complaint that was heard, however, related to the nature of the coverage in the media, which often focused on individual personal races as opposed to the national party campaigns. Notwithstanding the increased efforts by some parties to move to a national party platform-based campaign, the media did not adjust its coverage accordingly and continued a traditional approach covering local races between notables. Media therefore helped to reinforce elements of the Moroccan system that create incentives for personal as opposed to national party races. It is hoped that in future elections, perhaps with the benefit of appropriate training and preparation, more media focus will be given to the enhanced national campaigns and substantive policy platforms of parties.

ELECTION DAY

Voter Turnout and Participation. In advance of the elections, there was substantial speculation on the issue of turnout. According to final figures issued by the government, 37 percent of registered voters cast ballots on election day and a significant number of the ballots cast appear to have been protest votes intended to express dissatisfaction with the overall political system and/or the spectrum of choices presented. Indeed, it appears that approximately 23 percent of potential eligible voters cast ballots for the local lists and 21 percent for the national lists. As an example, Casablanca, saw turnout of less than 25 percent of its 1.6 million registered voters and it appears that close to 30 percent of the ballots cast in Casablanca were either spoiled, blank or protest votes. (See Appendix B, Summary of Election Results by District). In that case, given a national registration rate of approximately 80 percent, and assuming that rate applies to Casablanca, less than 14 percent of potentially eligible voters in Casablanca cast ballots for proffered voter lists.

While not dramatically affecting the overall turnout rate, international observers were made aware of the general disenfranchisement of some members of the population given their deployment for public service and a lack of an absentee balloting system. For example, regulations required several poll workers in each polling station to be from outside the district. As a result, tens of thousands of poll workers were presumably unable to go to their home districts to vote, violating principles of individual political rights. Again, this likely did not have a material effect on the elections: If 154,000 voters who might otherwise have voted were barred from doing so, this barrier would have decreased the turnout figure from 38 percent to 37 percent. If those polling officials were predominantly associated with one party, the situation would pose a different and perhaps more serious problem.

Voting Process. Overall the voting process went smoothly and polling officials showed professionalism on election day. The most common problems reported by the delegation related to situations where people did not have their voter identification cards. In those cases, voters and election officials had difficulty in identifying at which polling station voters were qualified to vote. Also, where voters did not have voter cards, there was some confusion around the identification requirements. In addition, the ballot called for voters to cast votes for two lists—the local and national lists—on a single ballot paper and there may have been some confusion on the part of voters as a result. As the figures above reflect, a fair number of voters—approximately percent of those casting ballots—appear to have cast votes for the local lists (with a 19 percent rate of blank, spoiled or protest votes) but not the national lists (with a 28 percent rate of blank, spoiled or protest votes).

Members of the international observer delegation witnessed or heard reports of incidents of multiple voting and scuffles around polling centers, including in Agadir, El Jedida, Fes, Kenitra, Marrakesh and Meknes. A team observed a series of critical violations in a polling station located in a village outside Marrakesh a few moments before closing. A group of young voters were able to vote multiple times with the help of outsiders who supplied them with voter cards and helped them wash the ink—which turned out not to be indelible—off their thumb. The scale of the infractions witnessed or reported, however, did not appear to have had an impact on the overall results given the system in place and do not appear to have formed a primary basis for any of the pending judicial complaints.

Allegations of Vote Buying. There have been widespread allegations of vote buying in the 2007 elections. In some cases those allegations related to alleged enforceable schemes to secure votes for individual candidates or parties. In others, the allegations related more generally to the use of money and promises in campaigns. The international delegates did not witness vote buying, although such activity could have taken place away from the polling stations or such allegations could have been raised by parties as a way of explaining in advance their performance. There are at least two possible ways to view the vote buying allegations. Given the relatively small districts and complex remainder system, it is possible that very strategic vote buying could have had an impact on the allocation of some number of seats in individual districts and cumulatively could have marginally altered the relative position of the parties. On the other hand, also given the structure of the system, vote buying was unlikely to have had a dramatic impact on the allocation of seats, given the structural barriers to winning more than one seat in a district.

The delegation and NDI in general are not able to determine the degree to which vote buying may or may not have occurred. Nevertheless, the fact that there were many allegations of vote buying underscores the overall skepticism and disengagement of the electorate in the process. Perhaps the best protection against vote buying in the future would be to undertake political reforms giving more power to elected officials so that increasing numbers of Moroccans will see a clear reason to come to the polls to express a political preference as opposed to simply to collect a fee for service. In the meantime, to the extent that parties believe that vote buying or other corrupt practices may have affected the results in individual districts, they should be urged to register specific complaints in the formal adjudication process. Similarly, the Moroccan authorities should promptly and transparently resolve those complaints. As noted above, there are currently 214 pending formal complaints challenging election results, and all should be thoroughly investigated and promptly adjudicated.

Participation of Women. The international observer delegation did not find any pattern of discrimination against women voters. In some polling centers women voters appeared to outnumber men, and in others more men appeared to have voted than women. In general, delegates saw few women election officials at central counting centers and prefectures.

Persons with Special Needs: Access to polling stations for persons with special needs was very difficult in a wide majority of polling stations visited by the delegation. The international delegation did generally observe assistance provided to voters with disabilities by election officials when requested. Increased efforts should be made to facilitate access to polling stations to ensure their enfranchisement.

Political Party Poll Watchers. Political party poll watchers for the major parties and some of the smaller parties were present and were afforded open and full access at the vast majority of the polling stations visited by the international delegation.

Domestic Election Observation. There was some controversy relating to the operation of the domestic monitoring group, the *Collectif*, beginning with the lack of legal provisions for nonpartisan domestic observation. In advance of the elections, the CCDH and Ministry of Interior expressed reluctance to accredit all of the 3,000 observers the *Collectif* hoped to field and were slow to issue clear guidance on the rights and obligations of domestic observers. In the days just prior to the elections, in addition to the longstanding complaint regarding the lack of clear guidelines for domestic observers, some members of the *Collectif* suggested that practical hurdles had been placed in the way of securing formal accreditation of its observers and, therefore, it planned to observe only outside of polling stations and counting centers. In other cases, some members of the *Collectif* suggested that poor planning and coordination on their part could have contributed to delays in accreditations. In the end, the approximately 2,000 observers put forward by the *Collectif* were accredited, albeit on the eve of election day. International delegation members witnessed domestic observers at some of the polling stations and counting centers they visited, and party poll watchers and poll workers noted that they had visited other stations.

Security. International delegation members witnessed or heard reports of a few instances of minor disruptions and fights at or near polling stations. However, those episodes were isolated and it did not appear that either lack of security or undue police presence was a significant factor for the elections. In most cases, the police did not maintain an obvious presence at polling stations, but rather were available outside polling stations to be called by the president of the station as needed. In some instances, however, plain clothes Ministry of Interior officials were also present outside of polling stations.

Vote Count. International delegation members witnessed the vote count at 25 polling stations as well as a portion of vote tallying at a number of central polling offices and prefectures. The vote count at each of these sites was transparent and there was no evidence of significant irregularities at those sites. In some cases, delegates observed confusion regarding the procedure for burning ballots: Under Moroccan law once the ballots

are counted, the uncontested ballots are burned and only the contested ballots and protocol reflecting the count at the polling station are forwarded to the next administrative level. Similar confusion was observed in the handling of unused ballots, particularly in Casablanca and Fes. Also, in light of the fact that each ballot recorded votes on two lists and counting for the two lists was done consecutively, the counting process was slower than might otherwise have been the case. In the vast majority of cases witnessed by international observers, political party poll watchers were provided with a protocol recording the results at that polling station following the vote count.

Tallying of Votes and Announcement of Results. In the statement of the pre-election delegation and election observation delegation, the delegations urged that results be issued as promptly as possible and at the precinct level. (See Appendices A, Preliminary Post-Election Statement, and E, Pre-Election Statement). As it had promised, the Ministry of Interior did release partial voter turnout figures throughout election day, preliminary results by the day after the election and final results within the week of the elections. Notably, the Ministry published results, including voter turnout rates, to the constituency level. However, precinct level data has yet to be made available publicly, which could be useful in addressing several outstanding allegations of fraud and vote-buying and the release of which is an important element of insuring transparency and complying with international norms.

On September 8, 2007, the Ministry of Interior announced preliminary results and two days later announced final results. Data on the election results down to the constituency level, data on turnout and the numbers and percentages of spoiled or blank ballots were posted on the government's official election website within the week. As noted before, the official participation rate was 37 percent of voters, with an invalid ballot rate of 19 percent for the local lists and 28 percent for the national list.

The PJD won the largest percentage of the popular vote (10.9 percent on local and 13.4 percent on the national lists). As a result, it secured 46 seats overall (40 local and six national), increasing its overall representation by four seats over the 2002 election. The PI received the second most votes (10.7 percent on the local and 11.8 percent on the national lists). It secured, however, the most seats, with 52 overall (46 local and six national), increasing its representation by four seats. Other major parties saw varying results: MP (9.2 percent on the local and 10 percent on the national lists) took 41 seats (36 local and five national), increasing its share by 14 seats; RNI (9.7 percent on the local and 10.5 percent on the national lists) secured 39 seats (34 local and five national), decreasing representation by two seats; USFP (8.8 percent on the local and 9.5 percent on the national lists) took 38 seats (33 local and five national), down by 12 seats; the Constitutional Union, or UC, (7.2 percent on local lists) increased representation by 11 seats to 27; and the PPS (5.4 percent on the local and 6.2 percent on the national lists) increased its share of seats by six to a total of 17 seats (14 local and three national). In addition to these six, 16 other parties had candidates elected to parliament, ranging in representation from one to nine seats each.(See Appendix C, Summary of Election Results by Party, for the above information in table format.)

On September 19, after consultations with political parties, the King announced that he would name Abbas El Fassi, Secretary General of PI, as Prime Minister. By doing so, the King fulfilled earlier suggestions that the next Prime Minister would be from a party elected to parliament rather than a technocrat as with the previous Prime Minister. El Fassi faced considerable trouble in forming a government, and the difficulty required one of the King's advisors, Meziane Belfkih, to play a facilitating role in the negotiation of the new government, assisting Prime Minister-designate El Fassi.

On October 15, the King appointed the new government based on the proposal put forward by Prime Minister-designate El Fassi with help from Belfkih. The new government is made up of a coalition of four parties: the PI (nine portfolios in addition to the Prime Minister), the RNI (seven portfolios), the USFP (five portfolios) and the PPS (two portfolios). Each of these parties had been in the previous governing coalition. Eleven other members of the government are technocrats who have no political affiliation. The government is thus composed of 34 members with 22 Ministers, four Delegate Ministers, seven Secretaries of State, and the Prime Minister. For the first time in Morocco's history, seven women will be part of a government including five Ministers and two Secretaries of State. The MP, a member of the previous government, initially indicated it would join the new government, but then decided to move into the opposition, which also includes the PJD and UC.

In the spirit of international cooperation, NDI and the international delegation offer a series of recommendations that are outlined below. While the recommendations touch on technical issues relating to the electoral framework and procedures as well as thoughts relating to an independent election commission, the most important recommendations relate to the need for accelerated political reform.

POLITICAL REFORMS THROUGH DIALOGUE

The low voter turnout and significant number of protest votes sent a clear message to Moroccan authorities regarding the need for further political reform if they hope to inspire greater numbers of Moroccan citizens to engage in the political process. Such reforms should strengthen the authority of elected officials as well as increase the transparency of the electoral system and the accountability of elected officials to the electorate. NDI and the international delegation do not presume to propose the specific contours of the political reforms that should be undertaken. Rather, it is suggested that the precise reforms to be implemented be the subject of an open dialogue among Moroccans, including representatives of the Palace, government, public, political parties, press, academia and civil society. Participants in such a dialogue should recognize the urgency of providing increased incentives for Moroccans to engage in the country's political process.

THE ELECTORAL FRAMEWORK

Review the Electoral System and Districting. The Moroccan government should consider engaging in further review of the country's electoral map and election system through extensive consultations with all political parties, electoral experts and relevant civil society groups. Morocco's current electoral system of proportional representation with the strongest remainder (based on actual turnout) and a six percent threshold combined with the large number of districts and small number of seats per district encourages political fragmentation and prevents any single political party from gaining a majority or even a substantial plurality in the Chamber of Representatives. As part of any political reform initiative, consideration should be given to modifying this system to lessen the current level of political fragmentation.

Even if the basic structure of the system remains in place, authorities should revisit the delimitation of districts and allocation of seats thereto. The re-districting of Morocco's electoral map, undertaken by the authorities in 2007, did not address the fundamental disparities in representation among the various electoral district and insure a close link between votes received and seats won. Final results of the election for the district lists show that that the PJD was only able to win 40 seats with 10.9 percent of the popular vote while PI managed to win 46 seats with 10.7 percent of the popular vote. This discrepancy highlights persistent imbalances in the system. One example of such imbalances in the system is that the electoral averages—the number of votes needed to win at least one seat in the Chamber of Representatives—vary widely from 2,476 and 4,563 in the Aousserd and Assa-zag districts to 27,893 and 26,068 in Chefchaouen and Alhaouz respectively. If the current system is maintained, such imbalances should be addressed.

Formalize the Audit of the Voter Register. Although the Ministry of Interior made CDs with the list available to political parties during a 30-day period prior to the elections, it appears that the Ministry did not share the final revisions to the list following a computerized verification process. In order to further increase confidence in the electoral process and comply with best practices, the Moroccan government should amend the electoral code to facilitate the right of political parties and citizens to audit the voter list, including the right to audit any revisions to the list.

Consider Extending the Official Campaign Period. Several political parties have been summoned by the government and admonished by their peers for engaging in campaign activities before the official campaign period between August 24 and September 6, 2007. In the meantime, certain types of campaign activity were allowed in the pre-campaign period while other types of activity were not. To avoid confusion about what constitutes campaign activities and to enable political parties to reach out and communicate their platforms to voters in a timely manner, the Moroccan authorities should consider lengthening the official campaign period, as well as exploring liberalized rules on the posting of campaign information.

Publish the Financial Reports of Political Parties and Candidates. Requirements regarding the verification of campaign spending by political parties and candidates remain inadequate. This lack of transparency undermines voter confidence in the political system and engenders allegations of vote buying and other corrupt practices during and after the campaign period, whether valid or not. In order to enhance voter confidence in the electoral process and to alleviate parties' fears about vote buying from competitors, the Moroccan government should make public financial reports of all political parties that participated in the elections mandatory.

Allow Poll Workers and Observers to Vote on Election Day. Domestic and international observers estimated that tens of thousands of Moroccans directly involved in the electoral process were unable to vote since they were deployed in areas where they were not registered on the voters list or simply banned from voting, including poll workers and domestic observers. Such voters could have accounted for as much as one percent of the registered voters. As part of a national effort to engage Moroccan citizens in the political process, the authorities should make accommodations in the electoral code to allow voters—with their voter card and proper identification—to cast ballots on election day if they are working away from their home district in the election administration.

The discussion of such a change should also encourage a national dialogue about the enfranchisement of other segments of the voting population who are currently banned by law from participating in the electoral process, including members of the military and police, as well as a number of civil servants. One way that these issues have been addressed in other countries that authorities may want to explore is an absentee ballot system. We note, however, that such systems may raise their own sets of administrative and financial issues even if helping to increase voter participation, as well as concerns about Moroccans residing abroad.

Enshrine the Role of Observers in the Electoral Code. While the Moroccan electoral codeguarantees candidate and party representatives access to all aspects of the electoral process, it stays silent with regard to the role of domestic and international observers. This omission could be partly blamed for the confusion that surrounded the accreditation of domestic observers on the eve of the elections. The Moroccan authorities should amend the electoral code to guarantee the rights of domestic and international observers to access all aspects of the electoral process. The code should also clearly determine which institution would be responsible for liaising with, accrediting and facilitating the mission of these groups prior to, during and after election day. Given the energy and determination that members of the Collectif mustered to obtain the necessary accreditations and observe the polls across the country it is clear that there is enthusiasm for, and commitment to

domestic observation in Morocco. Such a legal mandate would offer incentives for enhanced planning, training and coordination among civil society organizations to ensure the most effective observation possible. Such steps would align Morocco with a growing number of emerging and established democracies, which have long provided a legal framework for the observation of elections.

Establish an Independent Election Commission. The Moroccan government should explore the feasibility of an independent electoral commission with clarified and accrued supervisory powers over future elections, and formally recognize the prerogatives of such a commission in the electoral code. The establishment of such commissions is becoming a more common trait of elections worldwide. On the one hand, institutions such as the independent commissions in Mali and Mauritania can play an important role in advising the Ministry of Interior on election administration or even taking over management responsibility based on their ability to act as unbiased arbiters among political parties, candidates and observers to address electoral concerns. On the other hand, the empowerment of such a body and its role as a neutral actor in the electoral process will lend credibility to the existing transparent and professional administration of the elections among an increasingly skeptical public.

Enhance Women's Political Participation. Through the use of the national list system in 2002, Morocco made substantial progress in promoting women's participation in parliament and set itself apart as a leader in the region with 35 women representatives. The 2007 elections did not further women's political participation, with limited increases in the number of women nominated on local lists and in the end, one less seat on the local lists being won by women candidates. Similarly, international observers noted that women's role in elections administration was relatively limited, with no women observed as election officials or party agents during vote tabulation above the polling station level and their presence as polling station officials being inconsistent. As other political reforms are pursued, consideration should be given to the best means to increase women's political representation as elected officials, in political party leadership and as election administrators.

Moroccan authorities should study the experiences of other countries that have put in place mechanisms in their electoral law to achieve significant increases in the number of women elected at the municipal and national level. Among the countries using proportional representation and multi-nominal districts, Mauritania established a 20 percent quota of women candidates for its national assembly election in 2006. In the new Mauritanian electoral law, political parties are required to: nominate at least one woman candidate in a two-seat constituency race; place at least one woman candidate either in first or second place in a threeseat constituency race; and place several more women in alternate positions with men in districts with more than three seats. A similar system exists in Ecuador and Macedonia with a 30 percent quota and in Peru with a 25 percent quota. Belgium's electoral law includes more drastic clauses imposing a 50 percent quota for both sexes on electoral lists, and requiring that the first three candidates placed on the primary and alternate lists not be of the same gender.

Other countries boast measures that promote women in leadership positions within political parties and the administration. Argentina has enshrined affirmative action in its constitution as a legal tool to ensure fair rep

resentation of women in political parties. The Dominican Republic, on the other hand, entrusted its Electoral Commission with monitoring the implementation of a 25 percent quota of women representation in political parties and coalitions.

VOTING PROCEDURES

A close review of election procedures should be undertaken, taking into account the experience in these elections, with the goal of improving procedures to minimize any confusion and voter frustration in future elections.

Apply More Rigorous Standards to Verify Voter Identification. Polling officials should enforce provisions in the electoral code more rigorously when verifying voter identification. International observers found that these provisions were unevenly applied across any given electoral district, particularly when voters came to vote without proper identification.

Improve the Distribution of Voter Cards. The inability of voters who had not already picked up their voter cards prior to election day to find their voter card on election day was perhaps the biggest problem observed by the international delegation. Although polling officials across the country kept sizable piles of voter cards on their desks, a large number of voters were unable to find their card and, therefore, were unable to vote despite being registered. To avoid the disenfranchisement of such voters, local authorities should make every effort to ensure that registered voters receive their voter cards prior to election day. Local authorities should, for example, communicate to voters the importance of retrieving voter cards before the election and develop more aggressive information campaigns to alert voters that their card is ready for pickup at the prefecture. Other relevant identification methods, such as the National Identity Card, could also be explored for use in the elections context. With the Ministry of Interior's stated objective of ensuring National Identification Cards are distributed to all Moroccans, it might consider systematically linking the procedure to inscription on electoral lists.

Post Voters Lists Outside Polling Stations. Local authorities should post voters lists outside each polling station to help voters locate their polling station and retrieve their voter card for those who failed to do so prior to election day. Additionally, local authorities—perhaps with the help of the governorate and the Ministry of Interior—should set up a mechanism to inform inquiring voters of their polling station on election day. While a number of options for addressing this exist, given technology readily available today, one option could be to put in place a telephone hotline which voters could contact to receive immediate guidance as to their assigned polling station. Such measures could minimize voter frustration on election day and improve voter turn out in future elections.

Expand Assistance to Voters with Disabilities. While the electoral code requires polling officials to assist voters with disabilities inside polling stations, local authorities should take additional steps to make polling stations and polling centers more readily accessible to this group of otherwise marginalized voters.

Review Ballot Design. Authorities should review ballot design and test revisions with voters prior to the next election to minimize voter confusion, particularly with regard distinguishing between the national and local lists. The goal of such revision should be to decrease the rate of spoiled ballots, thereby enhancing the credibility of the electoral process.

Secure Ballots. To further increase voter confidence in the electoral process, the Ministry of Interior should: take additional steps to increase transparency over the procurement and distribution of ballots, including the number allocated to each polling station; track the number of ballots being distributed to voters throughout election day; and secure unused ballots after the completion of the vote count. Polling officials should also be required to record on the protocol the number of ballots received at the opening of polling stations on election day. Moreover, polling officials should be responsible for physically handing ballots to voters once they have been positively identified rather than allowing voters to draw their own ballot from a pile. These simple measures would allay fears of vote rigging among political parties and facilitate the reconciliation of the total number ballots prior to the vote count. Election authorities might also consider ways of further ensuring the security of ballots through mechanisms for better tracking them, such as the use of serial numbers, the attachment of counterfoils on ballots or other such options.

Cease the Practice of Burning Valid Ballots. The Moroccan authorities should reconsider the practice of burning valid ballots after the completion of the vote count. Although this practice is intended to discourage vote rigging at subsequent stages of the vote tally (at the prefecture, governorate or national level), it also makes it difficult to contest results after their announcement despite the availability of certified protocols. To avoid unnecessary disputes, electoral authorities should not destroy valid ballots for a district before higher courts have had the opportunity to adjudicate all legal complaints put forward by political parties or candidates for that district or before the deadline for such complaints to be registered.

Publish Detailed Election Results. In order to ensure the transparency of the election process, as promptly as possible after the elections, the Moroccan authorities should release detailed election results by polling station. This measure would serve to improve the confidence of political parties and the broader population in the electoral process even though party poll watchers are given certified protocols for each polling station. The Ministry of Interior, nevertheless, deserves credit for its responsiveness in releasing detailed results at the district and national level, including voter turnouts and rates of spoiled ballots.

Resolve Outstanding Electoral Disputes. It is the responsibility of aggrieved parties to lodge formal complaints through the appropriate process if they believe that unlawful conduct had an impact on the results in a particular district. Once lodged, it is important for the Moroccan authorities to investigate and adjudicate claims of vote buying or any other form of manipulation in a prompt and transparent manner.

PRELIMINARY STATEMENT OF THE INTERNATIONAL OBSERVER DELEGATION TO MOROCCO'S 2007 LEGISLATIVE ELECTIONS

Rabat, September 8, 2007

This preliminary statement is offered by the international election observer delegation to Morocco's 2007 elections. The leadership group for the delegation consists of: Abdul Rahman Abu Arafeh, Director of the Arab Thought Forum (Palestinian Territories); Paul Dewar, Member of Parliament (Canada); Jorge Quiroga, former President of Bolivia and Member of the Club of Madrid; Hélène Scherrer, former Minister of Canadian Heritage; Sally Shelton-Colby, former U.S. Ambassador and Deputy Secretary-General of the Organization for Economic Cooperation and Development; Judy Baar Topinka, former Treasurer and State Senator for the State of Illinois (United States); Lousewies van der Laan, former Member of the European Parliament (Netherlands); and Leslie Campbell, Senior Associate and Regional Director for the Middle East and North Africa at the National Democratic Institute (NDI) (Canada).

The delegation, which was organized by NDI, is composed of 52 individuals who are current and former legislators, former government ministers and ambassadors, elections and human rights experts, civic leaders and regional specialists from 19 countries in Asia, Europe, the Middle East, North Africa, North America and South America. The delegation has been visiting Morocco since September 3, 2007 at the invitation of the Consultative Committee on Human Rights (CCDH). In addition to visiting polling stations and tabulation centers, delegation members have met with representatives of political parties, candidates, civic leaders, domestic observers, electoral authorities, government officials, representatives of the domestic and international media and voters. The delegation benefited from the findings and recommendations of a pre-election assessment team that visited Morocco from August 9 to 15.

The purposes of this delegation are to demonstrate the international community's interest in and support for the development of a democratic political process in Morocco and to provide an impartial assessment of the September 7 polls. The delegation conducted its activities in accordance with the laws of Morocco and the *Declaration of Principles for International Election Observation*, and without interference in the elections process.

The delegation recognizes that it is still early in the post-election period and that votes are still being tallied, results have not yet been officially announced and election complaints and challenges that may be lodged will need to be resolved in accordance with the rule of law. It is therefore not the intention of the delegation to render a complete or definitive assessment of the election process at the time. Indeed, it is the people of Morocco who, as citizens and voters, will determine the credibility of these elections and their significance for ongoing democratization processes. Further statements may be released in the post-September 7 period, and a final report will follow after the election process is completed.

The delegation presents below a summary of its preliminary observations and recommendations.

I. EXECUTIVE SUMMARY

The delegation wishes to thank the Government of Morocco and, in particular, the Consultative Committee on Human Rights (CCDH) for inviting it to observe the 2007 parliamentary elections and for allowing it open access to the process at all stages. The delegation also wishes to thank political party, government and civil society representatives and the people of Morocco who warmly welcomed the delegation members in every location they visited.

Members of the delegation visited 375 polling stations in 12 regions on election day and met with voters, citizens, government officials, political party representatives, candidates, domestic observers, representatives of civil society organizations, national and international journalists and academics on election day and in the days preceding the election.

While members of the delegation witnessed or heard reports of isolated irregularities on election day, overall, the voting went smoothly and was characterized by a spirit of transparency and professionalism. Through the elections, the Government of Morocco provided a significant opportunity for Moroccans to make their political views known.

The low voter turnout (estimated in preliminary figures at 37 percent) and significant number of protest votes suggest that Moroccan authorities will need to undertake further political reforms in order to encourage widespread engagement in the political process. Those reforms should aim to enhance the power of elected representatives while also increasing the transparency of the system and accountability to the electorate. The reforms should also strive to more directly translate votes to the allocation of seats in parliament and to increase the prospect that voter preferences will result in concrete policy changes that positively affect voters' lives. Only significant change will inspire greater enthusiasm for the political process among the Moroccan potential voting population.

In all countries, credible elections are just one part of a larger process of strengthening democratic practices and institutions. Given the laudable transparency and efficiency of the election process and the increasing activity and sophistication of the campaigns by some political parties, the clear message sent by voters, either through abstention or protest votes, should be an impetus for advancing democracy in Morocco. What follows the elections in Morocco will be at least as important as the events of election day.

A description of the context for the elections, the general observations of the delegation during the casting and counting of ballots and the period immediately preceding election day and an outline of the delegation's recommendations follow.

II. ELECTORAL CONTEXT

Over the past decade, Morocco has witnessed substantial change as it explores greater political and social openness within the framework of a centralized monarchy. Initiated during the latter years of King Hassan II's reign, liberalization efforts picked up momentum following the accession of King Mohammed VI to the throne in 1999.

Under the Moroccan governance system, in addition to the leading role of the King, there are two chambers of parliament: an upper chamber whose 270 members are indirectly elected and a Chamber of Representatives whose 325 members are directly elected. The government is led by a Prime Minister appointed by the King. Following the 1997 legislative elections, King Hassan II chose a member of the leading party, which had historically been a leading opposition party, to serve as Prime Minister, marking the first alternation in the government since the country's independence in 1956.

In preparation for the 2002 parliamentary elections, the Moroccan government completed a reform of electoral laws, choosing a two-tiered proportional representation electoral system, with multi-member districts and a remainder system for allocating seats. Each party running in a particular district puts forth a list of candidates equal to the number of seats in the district, designating the order of the candidates on the list. The new system moved away from a multiple ballot system to a single ballot, which reduced opportunities for vote-buying. The system for allocating seats, still in effect today, however, makes it difficult for individual parties to win more than one seat per district and increases the likelihood that seats in parliament are distributed relatively evenly among major parties.

The 2002 parliamentary elections were reported to have been well-administered, with election authorities giving limited sanction to domestic monitors for the first time and launching government-sponsored voter education initiatives. After the elections, King Mohammed VI appointed a Prime Minister from outside of the political parties, whom he had appointed as Minister of Interior in 2001. The 2002 elections resulted in an enhanced role for women in the political realm through a national list that all parties agreed to reserve for women candidates. This step increased the number of female members of parliament from two to 35. The openness of the process created momentum for further human rights, social and economic reforms, such as the family code (moudawana) and the Equity and Reconciliation Commission (IER) that addressed human rights abuses during previous decades through public investigation and public hearings, many of which were televised.

The process also created hope and momentum for additional political reforms. As a first step, a consultative process with political parties led to the passage of a new political party law in December 2005, which appears to have been an important factor contributing to consolidation among parties and to some renewal of leadership through increasingly democratic internal processes.

After the political party law was revised, there was consideration given to changing the electoral law, which was ultimately revised in early 2007. The electoral law revisions could have provided the opportunity for insuring that representation within the parliament lined up closely with the popular vote. The final version, however, did little to address the structural impediments to parties winning more than one seat in a district and the attendant fracturing of power within the elected chamber. In early 2007, several adjustments were also made to districts, raising their numbers to 95 and creating a maximum number of five seats per district. In some cases, there were allegations of undue political motivation in the delineation of districts.

Until recently, the press in Morocco had enjoyed increasing freedom. There are a number of independent news outlets which air opinions on many issues and there has been thorough coverage of the election campaigns and processes. However, recently there has been substantial concern on the subject of press freedom. Certain issues remain off limits and in the months leading to the elections there were a series of high profile cases brought against journalists and publications in Morocco relating to alleged violations of those limitations which include criticisms of the King, challenges to territorial integrity (Western Sahara) and criticism of Islam. For example, in July 2007, the Committee for the Protection of Journalists raised concerns about increasingly sophisticated pressures on Moroccan journalists.

In advance of the 2007 elections, significant effort was made by the government, civil society and political parties to increase voter participation in response to declines in such participation in recent elections. In the 2002 parliamentary elections, approximately 52 percent of registered voters cast ballots, and approximately 17 percent of those were spoiled or blank ballots. In the 2003 municipal elections, approximately 54 percent of registered voters cast ballots, compared to approximately 75 percent of registered voters casting ballots in the previous municipal elections in 1997.

As part of the effort to increase participation, the Ministry of Interior, which is charged with administering the election process, launched a process of registering new voters during April and May 2007, with a goal of registering 3 million new voters. An innovative aspect of that effort enabled citizens to send short message service (SMS) messages to a designated phone number to find out whether they were already on the voter lists and/or if they needed to register, as well as where to do so. Approximately 1.5 million new voters were eventually registered, contributing to a total of around 15.5 million (or close to 80 percent of the eligible population) now registered to vote. Women constitute 48.7 percent of the registered voters. Eighty percent of newly registered voters are under 34 years of age and 57 percent are between the ages of 18 and 24.

In addition to the Ministry of Interior and civil society efforts regarding voter registration, Morocco has witnessed a large and sophisticated voter education effort in advance of the 2007 elections. One element of that effort was led by 2007 Daba which brought together business and community leaders, with the implicit encouragement of the King, to educate voters about the election process and to encourage engagement in the political process, particularly among the youth. Another element included the government-sponsored billboards, television advertisements and other outreach such as placing large ballot boxes in city centers showing a ballot being cast with the message "Rendez-vous on September 7." In the weeks prior to the elections, projected turnout became a significant issue of speculation, with some suggesting that the limited powers of

the parliament and/or the limited confidence in political actors could contribute to voter apathy and low voter turnout and others viewing the new elections as very important for Morocco and hoping for and expecting high voter turnout.

There has been substantial competition among the 33 political parties that have put forward a total of 1862 candidates on the local lists for the 95 multi-member districts from which 295 members of the Chamber of Representatives will be elected and for the 30 seats set aside on national lists for women candidates. The parties include the members of the governing coalition in the current parliament: the Socialist Union of Popular Forces (USFP), the Independence Party (Istiqlal), the National Rally of Independents (RNI), the Popular Movement (MP) and the Party of Progress and Socialism (PPS). The leading opposition party in the current parliament, the Justice and Development Party (PJD), is competing in the elections. In addition to the members of the current governing coalition and the PJD, 27 smaller parties, some of which hold seats in the current parliament, have put forward lists of candidates.

There are also political forces outside of the electoral process, notably the banned Justice and Charity Association. Unlike the recognized political parties, the Justice and Charity Association does not recognize the legitimacy of the current government, the King, or the Constitution, and calls for the imposition of Shari'a law.

In addition to this international delegation, which is the first such delegation to observe a Moroccan election, a coalition of domestic groups—the Collectif—has organized to observe the elections. The Collectif observed the pre-election period and, on the eve of the election, planned to field over 2,000 observers on election day and to issue a postelection statement and report. While the Ministry of Interior is charged with administering the elections, the CCDH was given the mandate by the King to facilitate the work of, and serve as the liaison with, domestic and international observers and as their interlocutor with the Ministry of Interior.

III. Obvervations

Pre-Election and Campaign Period

Voter Registration. As described in the August 15 statement of the pre-election delegation, there was a substantial effort to increase voter registration in the spring of 2007. That effort fell well short of the reported goal, resulting in an additional 1.5 million voters as compared to the goal of 3 million new voters. Once the voter lists were finalized, the Ministry of Interior made CDs with the lists available to political parties during a 30-day period. While the parties that secured copies of the CDs identified some errors on the lists, in general the parties acknowledged that those problems were limited.

Administrative Election Preparations. With one important exception, the Ministry of Interior preparations for the elections proceeded smoothly and without controversy. Serious concerns were raised regarding the delimitation of districts which was part of the administrative preparation process and the sometimes substantially unequal number of voters per member of parliament to be elected between districts. In some cases,

political parties alleged that the delimitation of certain districts may have been the product of undue political influence.

Voter Education Efforts. Efforts to mobilize voters and to educate them on polling procedures, undertaken by the government, political parties and civil society actors and included newspaper, television and radio advertisements, billboards, flyers, concerts and other innovative public outreach techniques, were significant.

Nomination of Candidates. Candidates were nominated between August 16 and 23. While the delegation heard reports of controversies within parties regarding the nominations, the delegation did not hear reports of significant obstacles to the nomination of candidates presented by election authorities. However, one important issue regarding nominations is the fact that only five percent of the slots on the local lists were filled by women candidates, and only three percent of the local lists were headed by women. In the 2002 elections, with women securing 30 seats from the national list process and five from the local lists, Morocco became a leader in the region in terms of women's representation in parliament. While the results are not final, in the 2007 elections Morocco is unlikely to have made further progress in this important area.

Party Campaigning. A culture of consensus that is predominant among many of the political parties and that is encouraged by the structure of the political system, works as an impediment to parties engaging in a real national debate. This environment makes it difficult for the electorate to perceive the differences among many of the parties. In the 2007 elections, however, the campaigns of some parties marked an improvement over recent previous elections, with those parties responding more directly to voter interests and engaging more directly with citizens around the country. This included taking advantage of new media, such as the Internet and mobile phone technology, as well as more compelling use of advertisement in media and improved voter outreach techniques. It is also noteworthy and positive that major parties also participated in public debates and town-hall meetings to present their platforms.

Alleged Campaign Infractions. There were a substantial number of allegations of campaign rule violations presented to the Ministry of Justice through the Ministry of Interior during the campaign period. The vast majority of those allegations were found to be groundless by the reviewing judges. The delegation was not able independently to investigate the various alleged infractions. However, other than the isolated allegations of vote buying referred to below, none of the many political party pollwatchers interviewed on election day claimed that there was a serious challenge to the fairness of the elections due to alleged violations during the campaign period.

Media Coverage. Certain issues may not be discussed in the Moroccan media, particularly issues that threaten the general structure of the existing political order, and there have been troubling recent challenges to press freedom in Morocco. Nevertheless, the competition of the political parties and the operation of the elections within the existing political order were thoroughly covered by the Moroccan press. Based on daily news summaries, it appeared that the nature of the coverage, however, emphasized highly contested races involving local notables rather than the national campaign and platforms, and the written press often gave substantial cover

age to small parties at the expense of more significant races. In addition, parties were provided time to present their platforms in the official state electronic media. The parties did not receive equal time in the state media but were allotted time, in part, based on their representation in the current parliament—a practice in many other countries.

ELECTION DAY

Voter Turnout and Participation. In advance of the elections, there was substantial speculation on the issue of turnout. According to preliminary reports by the government, 37 percent of registered voters cast ballots on election day and a significant number of those ballots appear to have been protest votes intended to express dissatisfaction with the overall political context and/or the spectrum of choices presented. Indeed, it appears that perhaps fewer than 25 percent of potential eligible Moroccan voters cast ballots for proffered party lists. The turnout figures and protest votes represent an important message to Moroccan authorities regarding the need for further political reforms to inspire the population to engage in the formal political process and to believe that through voting they can have an impact on policies that will affect their lives.

Voting Process. Overall the voting process generally went smoothly and polling officials showed professionalism on election day. The most common problems related to situations where people did not have their voter identification cards. In those cases, voters and election officials had significant difficulty in identifying at which polling station they were qualified to vote. Also, where voters did not have voter cards, there was some confusion around the identification requirements. In addition, the ballot appeared to be quite complex and the differentiation between the national and local lists insufficiently clear, which may have contributed to a certain number of spoiled ballots. Members of the delegation witnessed or heard reports of incidents of multiple voting and scuffles around polling centers. In addition, there were allegations of vote buying and a perception shared by many voters that vote buying was a problem. The delegation did not witness vote buying, although such activity could have taken place away from the polling stations or such allegations could have been raised by parties as a way of explaining in advance their performance. One additional benefit of increased voter participation is that it can make vote buying efforts prohibitively expensive. In short, however, it should be noted that the most common theme the delegation members observed was well run polling stations with party pollwatchers monitoring the process.

Participation of Women and Persons with Special Needs. The delegation did not find any pattern of discrimination against women voters or persons with special needs. In some polling centers women voters appeared to outnumber men, and in others more men appeared to have voted than women. The delegation saw few women election officials at central counting centers and prefectures. It is important for women to be involved in all aspects of election administration. Among the benefits of including more women is assistance in verifying the identity of other women wearing a veil. Access to polling stations for persons with special needs was difficult. Increased efforts should be made to facilitate access to polling stations to ensure their enfranchisement. In general, such persons were provided assistance as needed by polling station officials in accordance with the law; in some cases they were assisted by family members.

Political Party Pollwatchers. Political party pollwatchers representing the major parties and some of the smaller parties were present at the vast majority of the polling stations visited by the delegation. The party agents are best positioned to observe the process as the parties are likely to have the most thorough coverage of any of the groups observing the elections and, as a group, they have a strong stake in protecting the interests of their respective parties and the integrity of the process.

Domestic Election Observation. There was some controversy relating to the operation of the domestic monitoring group, *the Collectif*. In advance of the elections, the CCDH and Ministry of Interior expressed reluctance to accredit all of the 3,000 observers the *Collectif* suggested at the time that it hoped to field. In the days just prior to the elections, the *Collectif* suggested that practical hurdles had been placed in the way of securing formal accreditation of its observers and, therefore, it planned to observe only outside of polling stations and counting centers. In the end, the approximately 2,000 observers put forward by the *Collectif* were accredited, albeit on the eve of election day. Delegation members witnessed domestic observers at some of the polling stations and counting centers they visited.

Security on Election Day. The delegation members witnessed or heard reports of a few instances of minor disruptions and fights at or near polling stations. However, those episodes were isolated and it did not appear that either lack of security or undue police presence was a significant factor for the elections. In the most cases, the police did not maintain an obvious presence at polling stations, but rather were available to be called by the president of the polling station as needed. In some instances, however, police and plain clothes Ministry of Interior officials were present outside of polling stations.

Counting of Votes. Delegation members witnessed the counting of votes at 25 polling stations as well as a portion of vote tallying at a number of central polling offices and prefectures. The vote count at each of these sites was transparent and there was no evidence of significant irregularities at those sites. In some cases, delegates observed confusion regarding the procedure for burning ballots and in the handling of unused ballots. Also, in light of the complex ballot and a complex counting procedure, the counting process was slower than might otherwise have been the case. In the vast majority of cases witnessed, political party pollwatchers were provided with a protocol recording the results at that polling station following the vote count.

Tallying of Votes and Announcement of Results. A characteristic of the Moroccan election procedure is that after the votes are counted and the protocol provided to political party pollwatchers, the valid ballots are burned before the invalid and contested ballots and the protocol are forwarded to the relevant central office. This procedure, which was followed in these elections, makes it difficult to contest results after their announcement. In 2002, this compounded the problem of the fact that detailed results at the polling station level were never released. As of this writing, while the delegation did not witness problems in the vote count, official results have not been released and, therefore, it will be important for all parties to continue to monitor the process.

IV. RECOMMENDATIONS

In the spirit of international cooperation, the delegation respectfully offers the following general recommendations:

● The low voter turnout and significant number of protest votes send a clear message to Moroccan authorities regarding the need for further political reform if they hope to inspire greater numbers of Moroccan citizens to engage in the political process. Such reforms should strengthen the authority of elected officials while at the same time increasing the transparency of the system and accountability to the electorate. The delegation does not presume to propose the specific contours of the political reforms that should be undertaken. Rather, the delegation suggests that the precise reforms to be implemented should be the subject of an open dialogue among Moroccans, including representatives of the Palace, government, public, political parties, press, academia and civil society. The delegation suggests, however, that the participants in such a dialogue recognize the urgency of promoting the interests of Morocco as a whole and the well being of all Moroccans.

● Through the use of the national list system in 2002, Morocco made substantial progress in promoting women's participation in parliament. Unfortunately, the 2007 elections do not appear to have furthered women's political participation. As other political reforms are pursued, consideration should be given to the best means to increase women's political representation as elected officials, in political party leadership and as election officials.

● In order to ensure the transparency of the election process, as promptly as possible after the elections, the Moroccan authorities should release detailed election results by polling station. In future elections, Moroccan authorities should once again allow for the transparency that comes from domestic and international observation and should make accommodations in the election law for such efforts.

● A close review of election procedures should be undertaken, taking into account the experience in these elections, with the goal of improving procedures to minimize any confusion in future elections—an important example being simplification of the ballot. In addition, in an effort to minimize such confusion, additional voter education programs, akin to the programs used in these elections, should be undertaken. Additional specific election procedure recommendations will be provided in the final report of the delegation.

V. THE DELEGATION AND ITS WORK

An accurate and complete assessment of any election must take into account all aspects of the process, and no election can be viewed in isolation from the political context in which it takes place. Among the factors that must be considered are: the legal framework for the elections set by the constitution, including electoral and related laws; the ability of citizens to seek and receive sufficient and accurate information upon which to

make political choices; the ability of political competitors to organize and reach out to citizens in order to win their support; the conduct of the mass media in providing coverage of parties, candidates and issues; the freedom that citizens and political competitors have to engage in the political and electoral process without fear of intimidation, violence or retribution for their choices; the conduct of the voter registration process and integrity of the final voters' register; the right to stand for election; the conduct of the voting, counting, results tabulation, transmission and announcement of results; the handling of election complaints; and the installation to office of those duly elected. It should also be noted that no electoral framework is perfect, and all electoral and political processes experience challenges.

The delegation arrived in Rabat on September 3, and held meetings with Moroccan political and civic leaders, candidates, domestic observers, electoral authorities, government officials, representatives of the media, the international community in Morocco and voters. On September 5, 82 delegates and staff members deployed in 25 teams across 12 regions of the country. On election day, the teams observed voting or counting processes in 375 polling centers across the country. Following the elections, the delegation members returned to Rabat to share their findings and prepare this statement.

The delegation is grateful for the welcome and cooperation it received from voters, election officials, candidates, political party leaders, domestic election observers and civic activists.

CONTACT INFORMATION

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SUMMARY OF ELECTION RESULTS BY DISTRICT

Province – Prefecture	District	Number of seats in District	Number of Registered Voters	Registered Voters per Seat	Percentage Turnout	Percentage Spoiled or Blank Ballots	Total Votes less those below 6% threshold*	Electoral Average**
Agadir Idou Ou Tanane	Agadir	4	230,814	57,704	34%	26%	48,384	12,097
Al Haouz	Alhaouz	4	253,325	63,331	49%	16%	72,029	18,008
Al Hoceima	Alhouceima	4	217,839	54,460	31%	13%	42,468	10,618
Aoussert	Aousserd	2	7,336	3,668	75%	10%	4,330	2,166
Assa-zag	Assa-zag	2	14,326	7,163	70%	9%	8,545	4,274
Azilal	Azilal-Demnate	3	124,025	41,342	48%	15%	35,949	11,984
Azilal	Bzou-Ouaouizeght	3	145,487	48,496	48%	12%	23,717	7,907
Beni Mellal	Beni Moussa Beni Amir	4	191,652	47,913	37%	15%	32,388	8,098
Beni Mellal	Beni-Mellal	3	172,287	57,429	31%	17%	32,142	10,715
Beni Mellal	El Ksiba-Tadla	3	137,981	45,994	45%	16%	37,676	12,560
Benslimane	Benslimane	3	109,950	36,650	44%	15%	35,684	11,896
Berkane	Berkane	3	150,606	50,202	29%	16%	18,621	6,208
Boujdour	Boujdour	2	19,303	9,652	63%	13%	9,962	4,982
Boulemane	Boulemane	3	97,222	32,407	51%	18%	27,444	9,149
Chefchaouen	Chefchaouen	4	256,483	64,121	50%	13%	58,334	14,585
Chichaoua	Chichaouia	4	199,199	49,800	50%	14%	58,360	14,591
Chtouka-Ait Baha	Chtouka Ait Baha	3	147,898	49,299	44%	22%	34,691	11,565
El Jadida	Azemmour	3	165,619	55,206	27%	21%	27,725	9,243
El Jadida	Bouaziz Zmamra	3	178,236	59,412	39%	17%	47,275	15,759
El Jadida	Sidi Bennour Ould Frej	4	226,379	56,595	41%	18%	63,093	15,774
El Kelaa des Sraghna	Rehamna	3	150,543	50,181	42%	10%	51,481	17,161
El Kelaa des Sraghna	Srghna Zemrane	4	241,921	60,480	37%	17%	46,668	11,668
El Hajeb	El Hajeb	2	120,990	60,495	46%	17%	27,596	13,799
Errachidia	Gheris Tislit	3	146,358	48,786	41%	25%	38,490	12,831
Errachidia	Ziz Tafilalt	3	151,718	50,573	43%	17%	39,129	13,044
Errachidia	Ziz Tafilalt	3	151,718	50,573	43%	17%	39,129	13,044

Province – Prefecture	District	Number of seats in District	Number of Registered Voters	Registered Voters per Seat	Percentage Turnout	Percentage Spoiled or Blank Ballots	Total Votes less those below 6% threshold*	Electoral Average**
Essaouira	Essaouira	4	240,162	60,041	36%	24%	50,931	12,734
Es–Semara	Es-semara	2	23,592	11,796	64%	12%	12,440	6,221
Fahs-Anjra	Fahs Anjra	2	48,464	24,232	47%	21%	15,898	7,950
Fes	Fes Achmalia	4	194,218	48,555	27%	30%	33,232	8,309
Fes	Fes Al Jnoubia	4	199,036	49,759	28%	23%	36,764	9,192
Figuig	Figuig	3	70,447	23,482	48%	18%	25,813	8,605
Guelmim	Guelmim	2	81,096	40,548	56%	14%	24,609	12,306
Ifrane	Ifrane	2	85,699	42,850	49%	17%	15,590	7,796
Inezgane–Ait Melloul	Inzegane ait melloul	3	182,283	60,761	31%	26%	38,890	12,964
Jerada	Jerada	2	60,165	30,083	51%	11%	17,153	8,578
Kenitra	Beni Hssein	3	174,864	58,288	39%	15%	39,745	13,249
Kenitra	El gharb	3	166,350	55,450	49%	15%	56,897	18,967
Kenitra	Kenitra	4	267,776	66,944	23%	21%	36,894	9,225
Khemisset	Khemisset-Oulmes	3	158,616	52,872	37%	16%	25,600	8,534
Khemisset	Tiflet-Rommani	3	150,813	50,271	44%	15%	46,656	15,553
Khenifra	Khenifra	3	157,113	52,371	42%	18%	37,750	12,584
Khenifra	Midelt Ikbab	3	133,967	44,656	59%	13%	44,967	14,990
Khouribga	Oued Zem Bejaad	3	138,713	46,238	36%	16%	31,228	10,410
Khouribga	Oulad Bhar Kbar Sghar	3	154,810	51,603	33%	18%	21,932	7,312
Laayoune	Laayoune	3	92,374	30,791	46%	15%	34,662	11,555
Larache	Larache	4	221,161	55,290	36%	22%	49,328	12,333
Marrakech	El Medina Sidi Youssef Ben Ali	3	215,186	71,729	25%	30%	25,711	8,571
Marrakech	Gueliz Annakhil	3	165,591	55,197	32%	23%	31,701	10,568
Marrakcch	Menara	3	178,344	59,448	35%	20%	38,014	12,672

Province - Prefecture	District	Number of seats in District	Number of Registered Voters	Registered Voters per Seat	Percentage Turnout	Percentage Spoiled or Blank Ballots	Total Votes less those below 6% threshold*	Electoral Average**
Mdiq-Fnideq	M'diq Fnidez	2	46,082	23,041	43%	22%	14,114	7,058
Mediouna	Mediouna	2	53,044	26,522	53%	21%	17,500	8,751
Meknes	Al Ismailia	3	190,894	63,631	24%	25%	24,666	8,223
Meknes	Meknes El Menzeh	3	180,465	60,155	29%	24%	24,822	8,275
Mohammadia	Mohammadia	3	160,440	53,480	36%	26%	34,846	11,616
Moulay-Yacoub	Moulay Yacoub	2	79,843	39,922	42%	19%	20,772	10,387
Nador	Chamalia Gharbia	4	240,926	60,232	31%	12%	40,276	10,070
Nador	Janoubia Charkia	3	155,958	51,986	34%	12%	39,213	13,072
Nouaceur	Nouaceur	3	93,122	31,041	40%	24%	25,374	8,459
Ouarzazatc	Ouarzazatc	5	250,465	50,093	47%	17%	64,183	12,838
Oued Ed Dahab	Oued Eddahab	2	23,142	11,571	58%	14%	10,202	5,102
Oujda-angad	Oujda	4	248,371	62,093	24%	23%	25,072	6,269
Prefecture Arrondissement Ain-Chok	Ain Chok	2	121,945	60,973	26%	25%	17,781	8,892
Prefecture Arrondissement Hay-Hassani	Hay Hassani	3	150,954	50,318	25%	26%	22,517	7,507
Prefecture Arrondissements Ain Sebaa Hay Mohammadia	Ain Sebaa Hay Mohammadia	3	249,772	83,257	23%	27%	28,468	9,490
Prefecture Arrondissements Al-Fida Mers-Sultan	Al fida	3	229,998	76,666	20%	32%	20,579	6,861
Prefecture Arrondissements Ben M'sick	Ben M'sick	2	158,881	79,441	25%	24%	23,064	11,533

Province – Prefecture	District	Number of seats in District	Number of Registered Voters	Registered Voters per Seat	Percentage Turnout	Percentage Spoiled or Blank Ballots	Total Votes less those below 6% threshold*	Electoral Average**
Prefecture Arrondissements Casablanca Anfa	Casablanca Anfa	4	300,994	75,249	26%	36%	36,303	9,077
Prefecture Arrondissements Moulay Rachid	Moulay Rachid	3	186,703	62,234	27%	29%	26,043	8,682
Prefecture Arrondissements Sidi Bernoussi	Sidi Bernoussi	3	204,332	68,111	25%	28%	31,448	10,484
Rabat	Rabat Chellah	3	139,488	46,496	42%	24%	36,152	12,052
Rabat	Rabat Mouhet	4	212,644	53,161	32%	25%	28,455	7,115
Safi	Safi-nord	4	210,704	52,676	32%	17%	36,756	9,190
Safi	Safi-sud	4	241,689	60,422	34%	16%	37,805	9,452
Sale	Sale al jadida	3	133,361	44,454	35%	23%	27,347	9,117
Sale	Sale medina	4	221,181	55,295	27%	23%	32,582	8,147
Sefrou	Sefrou	3	149,280	49,760	45%	18%	36,297	12,100
Settat	Ben Hmed	3	157,825	52,608	41%	12%	37,292	12,432
Settat	Berrechid	3	135,956	45,319	36%	20%	31,631	10,545
Settat	Settat	4	204,098	51,025	41%	14%	32,698	8,176
Sidi Kacem	Ouezzane-HadKourt-Jorf el Melha	4	209,227	52,307	49%	18%	67,044	16,762
Sidi Kacem	Sidi Kacem-Mechra bel ksiri D. Gueddari	3	162,476	54,159	38%	20%	39,929	13,311
Skhirate-Temara	Skhirate-Temara	3	176,610	58,870	51%	24%	49,875	16,626

Province - Prefecture	District	Number of seats in District	Number of Registered Voters	Registered Voters per Seat	Percentage Turnout	Percentage Spoiled or Blank Ballots	Total Votes less those below 6% threshold*	Electoral Average**
Tanger-Assilah	Tanger	4	309,689	77,422	22%	32%	29,234	7,310
Tan-Tan	Tan-tan	2	38,133	19,067	57%	13%	15,724	7,863
Taounate	Karia-Ghafsai	3	177,978	59,326	47%	15%	64,201	21,401
Taounate	Taounate-Tissa	3	196,189	65,396	35%	14%	44,401	14,801
Taourirt	Taourirt	2	114,209	57,105	26%	17%	19,192	9,597
Taroudannt	Tarroudannt Al Janoubia	4	236,663	59,166	45%	17%	72,659	18,166
Taroudannt	Tarroudannt Chamalia	3	207,060	69,020	46%	19%	66,925	22,309
Tata	Tata	2	66,578	33,289	55%	19%	25,616	12,809
Taza	Guercif	3	184,296	61,432	38%	14%	42,788	14,264
Taza	Taza	4	228,721	57,180	31%	16%	49,115	12,280
Tetouan	Tetouan	4	266,504	66,626	29%	21%	52,823	13,207
Tiznit	Tiznit	3	200,931	66,977	44%	19%	47,961	15,988
Zagora	Zagora	3	136,120	45,373	50%	14%	53,460	17,821

* Data based on figures provided through the Government of Morocco at www.elections.gov.ma

** Calculation based on the following equation provided by the CCDH: ("Total Votes less those below 6% threshold" / Number of seats in District) + 1

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SUMMARY OF ELECTION RESULTS BY PARTY

Party	Local List % of Vote	Local List Seats Obtained	National List % of Vote	National List Seats Obtained	Total Seats Obtained	(+/-) Change from 2002
Independence Party, Istiqlal (PI)	10.7%	46	11.8%	6	52	4
Justice and Development Party (PJD)	10.9%	40	13.4%	6	46	4
Popular Movement (MP)	9.2%	36	10.0%	5	41	14
National Rally of Independents (RNI)	9.7%	34	10.5%	5	39	-2
Socialist Union of Popular Forces (USFP)	8.8%	33	9.5%	5	38	-12
Constitutional Union (UC)	7.2%	27	N/A	N/A	27	11
Party of Progress and Socialism (PPS)	5.4%	14	6.2%	3	17	6
Democratic Forces Front (FFD)	4.5%	9	4.9%	0	9	-3
Social Democratic Movement (MDS)	3.6%	9	4.0%	0	9	2
National Democratic Party / Al Ahd Party Union (PND-AL.AHD)	2.8%	9	5.3%	0	9	9
PADS-CNI-PSU Union	2.2%	6	2.9%	0	6	6
Workers' Party (PT)	3.0%	5	3.4%	0	5	5
Environment and Development Party (PED)	2.8%	5	3.3%	0	5	3
Without party affiliation (SAP)	1.8%	5	N/A	N/A	5	5
Party of Renewal and Equity (PRE)	1.8%	4	2.3%	0	4	4
Al Ahd Party (ALAHD)	1.6%	3	N/A	N/A	3	-2
Moroccan Union for Democracy (UMD)	1.7%	2	1.9%	0	2	2
Socialist Party (PS)	1.5%	2	1.7%	0	2	2
National Democratic Party (PND)	1.1%	2	N/A	N/A	2	-10
Citizen and Development Initiative (ICD)	1.1%	1	1.3%	0	1	1
Renaissance and Virtue Party (PRV)	0.8%	1	1.0%	0	1	1
Alliance of Liberties (ADL)	0.8%	1	N/A	N/A	1	-3
Citizen Forces Party (PFC)	0.7%	1	0.8%	0	1	-1
Reform and Development Party (PRD)	1.0%	0	1.2%	0	0	-3
Moroccan Liberal Party (PML)	1.0%	0	1.4%	0	0	-3
United Socialist Party (PSU)	0.8%	0	N/A	N/A	0	0
Democratic Independence Party (PDI)	0.7%	0	0.9%	0	0	-2
Action Party (PA)	0.5%	0	0.8%	0	0	0
Ittihadi National Congress (CNI)	0.5%	0	N/A	N/A	0	-1
Social Center Party (PCS)	0.5%	0	0.6%	0	0	0
Party of Hope (PE)	0.4%	0	0.6%	0	0	0
Party of al-Badil al-Hadari (BH)	0.3%	0	N/A	N/A	0	0
Democratic Society Party (PSD)	0.2%	0	N/A	N/A	0	-6
Annahda Party (PAN)	0.2%	0	N/A	N/A	0	0
Avant-Garde Democratic Socialist Party (PADS)	0.1%	0	N/A	N/A	0	0
Party of Liberty and Social Justice (PLJS)	0.1%	0	0.3%	0	0	0

MOROCCAN ELECTORAL SYSTEM OVERVIEW

On August 1, 2002, the Moroccan government officially completed a reform of electoral laws in order to improve the efficacy of legislative elections. Under the new Proportional Representation (PR) system, still in effect for the 2007 elections, legislators are elected from multi-member districts of two to five seats. Each party interested in running in a particular district puts forth a list of candidates equal to the number of seats in the district. On the ballot, voters indicate their preference for a particular party rather than a candidate.

The Moroccan system is a closed list system, meaning each party will fix the order in which the candidates are listed and elected. The voter can select which party he or she prefers, but not which candidate within the party list he or she would like to see elected. In the past, independent candidates were allowed to run, but they had to meet strict eligibility requirements. Now, independent candidates must simply collect 100 signatures in order to appear on the ballot.

In order to determine the election's winners, an "electoral average" is calculated based on the number of voters casting valid ballots for parties meeting the district threshold for representation (six percent for the 2007 elections), divided by the number of open seats. One is then added to the quotient: average = [(valid ballots) / (seat)] + 1. For example, if 3,000 votes are cast in a two-seat electoral district, the electoral average is (3,000 / 2) + 1 = 1501. In theory, the winning party must gain this number of votes to win a seat. In districts with a large number of open seats, it is not difficult to attain the electoral average. However, in districts with a small number of seats, the electoral average is high, and thus difficult to achieve, especially given the large number of parties that contest elections. If no party attains the electoral average, the party with the plurality of votes receives the first seat and the party with the second highest number of votes receives the next seat. This process continues until all the seats are filled.

If the electoral average is reached, the process of allocating seats becomes slightly more complicated. In this case, the "largest remainder formula" is used. The parties that receive the electoral average automatically win seats. After these parties are recorded as winners, their remainders are compared with the total number of votes of the non-winning parties. The parties that already achieved the electoral average can only attain a second seat if their remainders are higher than the original number of votes of the other parties. For an example of this rather complicated process, see the illustrative calculations for imaginary district "X" in the box below.

The disadvantage of this system, as is clear in the example of district X, is that it is almost impossible for a single party to win more than one seat in a single district. For this to happen, the party's remainder must be higher than the original count for the other parties contesting. In district X, for example, Party A took in 1,800 votes, while Party D received only 700. Although Party A received 30 percent of the vote and Party D received just 12 percent, both received the same representation in parliament—one seat—despite an almost 20 percent difference in voter support.

Because this system makes it very difficult for a single party to gain more than one seat in a district, it increases the likelihood that parliament will be composed of a large number of parties, each with a small number of representatives.

The Electoral System in Morocco:
The Example of District X

Number of ballots cast: 6,000
Number of seats: 4
Threshold (6%): 360
Number of valid ballots: 5640
Electoral average: 1,411

Votes per party:
Party A: 1,800 Party E: 450
Party B: 1,600 Party F: 350
Party C: 1,100
Party D: 700

>>>Because they achieved the electoral average, Party A and Party B each receive 1 seat.

Remainder votes:
Party A: 389   Party E: 450
Party B: 186   Party F: 350
Party C: 1,100
Party D: 700

>>>Based on a comparison of remainders (for the winning parties) and original votes cast (for the non-winners), Party C and Party D each win a seat.

Final Winners – one seat each:
Party A, Party B, Party C, Party D

STATEMENT OF THE INTERNATIONAL PRE-ELECTION DELEGATION TO MOROCCO'S 2007 LEGISLATIVE ELECTIONS

Rabat, August 15, 2007

This statement is offered by an international pre-election delegation to Morocco, organized by the National Democratic Institute (NDI) as part of the overall international election observation mission invited by the Advisory Council on Human Rights (CCDH), the Moroccan advisory board charged with overseeing election observation activities. The delegation visited Morocco from August 9 through 15, 2007. The purposes of the pre-election mission are to demonstrate the interest of the international community in the development of the democratic political process and democratic governance in Morocco, to present an accurate and impartial assessment of the political environment and its implications for the September 7 parliamentary elections and to provide recommendations in support of increasing democratic development in Morocco.

The delegation was led by Frances Fitzgerald, Senator from the Upper House of the Irish Parliament *(Seanad Éireann).* Members included: Joseph Gaylord, political consultant and former Executive Director of the Republican Congressional Committee; Matthew Frumin, Senior Advisor for NDI; Tamara Cofman Wittes, Senior Fellow and Director of the Middle East Democracy and Development Project at the Saban Center for Middle East Policy of the Brookings Institution; and Abdulredha Hasan Ali Mohamed, Secretary General of the Bahrain Human Rights Society. The delegation conducted its assessment in accordance with Moroccan law and on the basis of international standards for nonpartisan election observation found in the *Declaration of Principles for International Election Observation.*

During its stay, the delegation met with a broad spectrum of Moroccan political and civic leaders, government officials, election authorities, and representatives of the media and international community in Rabat. In addition, the delegation traveled to Fez, Meknes, and Benslimane.

An international delegation of approximately 40-50 people will visit Morocco for the week surrounding election day. That delegation will deploy across the country to observe the campaign, the election day processes and the post-election political process. They will issue a separate report on their observations.

The delegation does not seek to interfere in the election process, nor does it intend to, or could it, render a final assessment of the election process. Ultimately, it will be the people of Morocco who determine the meaning and importance of the 2007 elections. The delegation offers this pre-election statement in the spirit of supporting and strengthening the democratic process in Morocco.

I. EXECUTIVE SUMMARY

The September 7, 2007, parliamentary elections offer the Moroccan people an opportunity to build on the democratic openings of the past 10 years. While the progress has not always been consistent, the overall progress over that period to increase political and social openness in the framework of a centralized monarchy has been quite positive. The 2007 elections offer an important opportunity to deepen the process of democratization in Morocco.

The current electoral environment is marked by a number of positive factors, including an invigorated effort by major political parties to differentiate themselves through issue-based platforms and more competitive campaigns based on voter interests. Similarly, voter registration and civic education efforts have aggressively sought to reverse downward trends in voter turnout, particularly among younger voters. In addition, the administrative preparations for the elections seem to be impressive. The role played by civil society in terms of policy advocacy, voter education, and in preparing for domestic observation of the upcoming elections has been noteworthy and positive.

This positive election activity, however, occurs in the context of declining confidence in political institutions and systemic structures that could limit the impact of the elections. The impressive efforts aimed at increasing voter turnout reflect the substantial concern regarding the risks to democratic development posed by voter disaffection, resulting in low turnout. At the same time, given the mechanics of the election law, it will be extremely difficult for any party to achieve a substantial plurality in the parliament. Also, there could be a significant disconnect between the popular vote totals garnered by the various parties and their representation in the elected parliament.

There are active efforts to promote the role of women. Ongoing focus, however, will be necessary to determine the best means to increase women's political empowerment. Also, recent episodes of challenges to the press could have an effect on political coverage and, therefore, on the election.

It will be important for Moroccan authorities to allow for maximum openness for campaigning and the free exchange of ideas in the run-up to the election. Equally important, in the wake of the elections, every effort should be made to insure that representation in the successor government reflects, as fully as possible, the expressed will of the Moroccan people, and that the elected government and parliament are given increased capacity to represent citizen interests and be effective in their role. To be effective, the democratic process must connect voter preferences to policy decisions. This is likely to be the primary task for Morocco in its democratic development after the 2007 elections are over.

II. THE ELECTORAL CONTEXT

The pre-election period is critical to understanding and evaluating the degree to which elections are democratic. A full and complete assessment of any election must take into account all aspects of the election process: the legal framework; the political environment before and during the campaign; voting and ballot counting procedures; the tabulation of results; the investigation and resolution of complaints; and the conditions surrounding the implementation of the election results.

Over the past decade, Morocco has witnessed dramatic change as it explores greater political and social openness within the framework of a centralized monarchy. Initiated during the latter years of King Hassan II's reign after decades of authoritarian control, liberalization efforts picked up significant momentum following the accession of King Mohammed VI to the throne in 1999. The parliamentary elections in September 2002

proved reasonably well-administered, with election authorities sanctioning domestic monitors for the first time, ensuring access to the media for all political parties, and launching government-sponsored voter education initiatives.

The elections also marked an enhanced role for women in the political realm through a national list that all parties agreed to reserve for women candidates. This step dramatically increased the number of female members of parliament from two to 35. The openness of the process created momentum for pushing on other human rights, social and economic reforms, such as the family code *(moudawana)* and the Equity and Reconciliation Commission. It also focused attention on additional political reforms that would prompt the creation of a responsible government that has a clear public mandate and can coalesce around a well-defined program once in office. There was some disappointment following the 2002 elections when the King appointed a prime minister from outside the political system. In advance of the upcoming elections, there is a sense among political actors that the King may entrust the governmental responsibility to a parliamentary majority based on the 2007 election results, as was stated in the speech of His Majesty King Mohamed VI during the opening of the parliamentary autumn session, October 8, 2004.

While there was significant momentum for the process of democratization after the 2002 elections, as described more fully below, some recent events have reduced that momentum, making the 2007 elections that much more important in determining the extent to which the democratization process will win the trust of the public. Some of the specific aspects of the electoral context for the 2007 parliamentary elections are discussed below.

Political Party Law: As a first step in political reform in the run up to the 2007 elections, a consultative process with political parties led to the passage of a new political party law in December 2005. The law outlines rules and regulations intended to strengthen political parties and move them away from being highly centralized and personality-driven organizations. These include encouraging the adoption of clearly defined platforms based on ideologies and social policies, the use of internal democratic mechanisms to promote party member involvement and the requirement for transparency in party finances. Other areas specifically addressed include state financing of parties, minimum criteria for recognition by the state, the formalization of coalitions and requirements for a general party congress every five years.

The law was passed with the intention of making the political landscape more manageable by consolidating and strengthening parties. It appears to have been an important factor contributing to consolidation among parties and to some renewal of leadership through increasingly democratic internal processes.

Electoral Law: In 2002, the Moroccan government officially completed a reform of electoral laws in preparation for elections that same year. This system remains in effect with recent minor modifications. The Moroccan government chose a two-tiered proportional representation electoral system, with multi-member districts, to replace its former first-past-the-post system, with single-member districts. Under this system, each party interested in running in a particular district puts forth a list of candidates equal to the number of seats in the district. On the ballot, voters indicate their preference for a particular party, rather than a candidate. The Moroccan system is a closed-list system, meaning each party fixes the order in which the candidates are listed

and elected. The voter can select which party he or she prefers, but not which candidate within the party list he or she would like to see elected. Those changes also included a move to a single ballot, a positive step that reduced opportunities for vote-buying. The two-tiered, proportional-representation system as applied in Morocco, using a remainder system for allocating seats, makes it very difficult for individual parties to win more than one seat per district and increases the likelihood that seats in parliament are distributed relatively evenly among major parties.

Revisions to the electoral law were finalized in early 2007. While the revisions could have provided the opportunity for making representation within the parliament more in line with the popular vote, the final version did little to address the problem of parties not being able to gain more than one seat in a district. The code did, however, raise the threshold required to take seats in the parliament from three to six percent, while proposals to raise the threshold to 10 percent were rejected. The change to the threshold is unlikely to have an impact on the distribution of seats at the district level, but could affect the distribution of seats among the national women's list. In early 2007, several adjustments were also made to districts, raising their numbers to 95 and creating a maximum number of seats per district of five. In the meantime, a stipulation that a party needed to have received three percent of the vote in 2002 in order to stand for elections in 2007 was struck down by the Constitutional Council. The net effect of these changes did not alter the likely impact of the system's design: relatively equal distribution of seats among major parties notwithstanding potentially significantly different vote totals among the larger parties.

The combination of reliance on the remainder system to distribute seats and the redrawing of some election districts creates a substantial risk that the elections will result, once again, in no party winning a substantial plurality in the parliament, and some major parties winning fewer seats than their popular vote totals might suggest. It will not be known until after the election if either of these outcomes has occurred. However, the risk of such a disconnect between popular vote totals and assigned seats is substantially greater today than under the first-past-the-post, single-member district system used prior to 2002 or a more fully proportional system of representation. Moreover, if this does come to pass, power in parliament may be fractured. These two factors may well contribute to declining public confidence in parliament and political parties. Given these potential dynamics, it will be important for Moroccan authorities to take all reasonable steps to strengthen the elected parliament in order to build confidence in political institutions and the democratic process. It will be equally important for Moroccan members of parliament to actively exercise the responsibilities allocated to them by the constitution.

Voter Registration: Significant effort was made by the government, civil society and the political parties to increase voter registration as part of an attempt to stem declines witnessed over the past several national and municipal election cycles. Voter turnout has steadily decreased over the last five elections, to the point where only half of registered Moroccan voters cast ballots during the last election, and reportedly 17 percent of those who voted cast blank ballots. Even in the 2003 municipal elections, with a lowered voting age from 20 to 18, turnout fell by over 20 percent from six years earlier. The Ministry of Interior launched a process of registering new voters during April and May 2007, with a target of registering 3 million new voters. In addition to registering in person, citizens were able to send short message service (SMS) messages to a determined phone number to find out whether they were already on the voter lists and/or if they needed to register, as well as

where to do so. Civic organizations also worked to increase registration and encourage participation. As a result, 15,510,505 citizens are registered to vote in the election, representing just over 79 percent of the eligible population. Of these, 10 percent are newly registered, a commendable achievement. Women constitute 48.7 percent of total registered voters. Eighty (80) percent of newly registered voters were under 34 years of age, and 57 percent were between the ages of 18 and 24.

The Ministry of Interior reportedly allowed each of the parties to have copies of CDs with the voter lists during a one-month period despite the fact that the law did not require that that be done. Most parties reported to the delegation that they had reviewed the lists, and while there were some errors, in general the problems were limited.

Electoral Administration Operation: Many transitional democracies choose to make use of an independent election commission, which has the added benefit of reassuring the public of the impartiality of the administration of the elections process. In Morocco, electoral operations are administered through the Ministry of Interior, and the Advisory Council on Human Rights (CCDH) has been tasked during this election to oversee domestic and international observation efforts.

The Ministry of Interior's preparations for election day appear thorough, and political parties across the spectrum expressed a degree of confidence at this point that election day procedures inside the polling stations will run smoothly. The major concerns heard by the delegation about election day events, other than turnout, related to the risk of vote buying, possible confusion relating to the role of observers, and the transparency of the vote count.

Rules on Campaigning: A number of parties expressed concern that their competitors might engage in vote buying, and reportedly there is a history of such activity. The delegation's interlocutors expressed their strong sense that the authorities intend to enforce strictly the rules of the campaign, including prohibitions on actions like vote buying. It will, of course, be important for the authorities vigorously to enforce all relevant laws in an evenhanded manner with all of the parties. There are also prohibitions on using state resources or religious institutions for political purposes; these prohibitions must also be enforced impartially.

Role of Observers: The structure of the election administration gives the Ministry of Interior authority over general administration and the Advisory Council for Human Rights (CCDH) authority over observation. There is a danger that local poll workers on election day may be confused regarding the role, rights, and responsibilities of international and domestic observers. To date, the Ministry of Interior has not given election officials formal written guidance on how to interact with observers. This will be the first time that international observers will be present. The Moroccan authorities understand that domestic and international observers play a very positive role in strengthening the democratic process. In order to insure that observers can play their role as completely and positively as possible, it is crucial that specific, written guidance be provided to election officials at every local polling station on the rights and responsibilities of observers, consistent with the principles enunciated in the *Declaration of Principles for International Election Observation.*

International and domestic observations are complementary efforts. Domestic observation is an important way to engage citizens in the democratic process. The Moroccan domestic observation network should be allowed to field as many qualified and trained observers as they deem necessary. It is equally important that both international and domestic observers be fully informed regarding their rights and responsibilities and that they act in an unbiased and professional manner throughout the process.

Transparency of the Vote Count: Given the way in which votes are tallied in Morocco and the complex formula for allocating seats, it could take some time after the polls close for results to be released. The longer the delay, however, the higher public concerns regarding fraud and manipulation will rise. International practice demonstrates that every effort should be made to release results as promptly as possible. It is important that the vote-counting process be fully transparent at all stages to political party representatives, domestic observers, and international observers. An important element of this transparency is that final vote tallies should be released promptly and publicly, reflecting not only national and district-level results but vote tallies for each local polling station. This may have implications for the procedures regarding retention of ballots at the local level.

Party Campaigning: The official two-week campaign period for the election will run from August 25 through September 6. Candidates will be able to formally register August 17 to 24, though many parties have already announced their intended candidates. Given the current political dynamic, there are clear indications that most major political parties recognize they must respond directly to voter interests, differentiate themselves with clear platforms and engage more directly with citizens around the country. Political parties have developed more detailed campaign platforms on specific issues, increased outreach activities, and participated in public debates and town-hall meetings. These efforts represent a significant break from the approaches taken in recent elections, in which campaigns centered on individual candidates and relied on personal relationships.

Financing campaigns, however, requires substantial resources. As a result, it appears that in some cases candidates are being chosen by parties based less on their history with the party or commitment to party principles and based more on their ability to finance campaigns. In that sense, the Moroccan political landscape looks similar to political landscapes around the world with the challenge of linking national platforms to local candidate campaigns. It is important that the impressive work being done by the parties on the national level to place specific issues at the center of the coming campaign translates into the post-election period. Given the disaffection with the political system in Morocco, it will, however, be important that that occur. If parliamentary members are not able to demonstrate concrete achievements to the voters over their coming five-year term, voters may not only abandon the party, but the democratic process as well.

Role of Women: Women were able to make significant gains in the 2002 elections, primarily due to an agreement among political parties to set aside spots on national lists for female candidates. As a result, 30 of the 325 seats in parliament automatically went to women. Five other women were elected to seats contested at the district level. As a result, the number of seats occupied by women rose from two to 35, making Morocco one of the countries in the region with the highest percentages of women's representation in parliament. This is an impressive achievement.

Hopes had been high for an expanded national list or other mechanisms to ensure an increase in the number of women representatives to more than 10 percent. However, the final electoral law did not increase opportunities for women's representation and maintained the status quo. With no change to the national list, more effort has been made by women's civic groups and women within parties to promote women's representation on party lists at the district level and prepare women candidates to run more effective and competitive campaigns – with limited results. Women's groups expressed concern that the national list had reduced incentives for political parties to give qualified women activists the opportunity to rise to the top of local party lists. Moroccan society will benefit from engaging in an ongoing examination of the impact of recent changes, to determine the best long-term manner to promote women's participation in politics and increase women's representation in parliament.

Role of Civil Society: Civil society organizations responded to the openings presented by the King's earlier initiatives by becoming more actively engaged on key issues of interest to them and mounting relatively effective public information campaigns on particular topics. The revision of the family code *(moudawana)*, for example, provided a number of opportunities for groups to come forward and demonstrate their ability to influence policy. The Equity and Reconciliation Commission likewise enabled civic groups to act as a linkage between decision makers and the public. As space has increased, civil society groups have taken on more sensitive issues, such as the defense of human rights and access to information, in a more aggressive manner.

This effort has now translated into preparations for the elections. Civil society groups have taken on leadership roles in promoting voter education, which is essential to bringing down the number of invalid votes from the unusually high rate of 17 percent in 2002. Efforts by *2007 Daba* and other local organizations, for example, have already reached over two million citizens directly in every region of the country. Similarly, advertisements on radio and television by civic groups have reached millions more, and the civic groups have been essential in fostering debate among parties on specific campaign issues. Equally important, civil society groups have banded together to mount a substantial domestic observer effort. Domestic election observers can provide invaluable support to an election process. As described above, however, it will be important that election officials be fully informed regarding observers' rights and responsibilities, and that observers be fully trained on those subjects as well as on relevant election day procedures.

Role of Media: Morocco is sometimes considered a "relative oasis of press freedom" in comparison with its neighbors and other Arab countries. Press censorship was first eased by King Hassan II shortly before his death in 1999, and there was much hope for continued liberalization when his son King Mohammed VI took power amidst promises for democratic change. Freedom of expression is guaranteed by the Constitution of Morocco; however, according to the press law, it is illegal to criticize Islam, the King, and Morocco's "territorial integrity" (i.e., its claim to the Western Sahara). Journalists who violate this law are subject to lengthy prison sentences and heavy fines.

There have been notable challenges to press freedoms in advance of the elections. In January 2007, Driss Ksikes and Sanaa al-Aji, editor and journalist, respectively, of the Moroccan-dialect weekly *Nichane*, were sentenced to suspended three-year jail terms and fined $9,000 each for publishing a 10-page article entitled "How

Moroccans laugh about religion, sex and politics." They were also banned from practicing journalism for two months, during which time their magazine and its website were closed. Aboubakr Jamai, editor of the French-language weekly *Le Journal Hebdomadaire*, was fined $350,000 in January 2007 for writings on the Western Sahara issue. He was forced to resign as editor and left Morocco shortly thereafter. On August 5, 2007, the French-language weekly *Tel Quel* and *Nichane* were seized by the government. Their director, Ahmed Reda Benchemsi, was charged with "lack of respect to the King's person and public morality," for an editorial analyzing the King's recent Throne Day speech and an article entitled "Sex in Islamic culture." Benchemsi is due to appear in court August 24th.

None of these cases directly concerned election coverage. The delegation heard no allegations of direct intimidation of the press in support of or opposition to any individual candidates or parties. Nonetheless, the changing press environment could have an effect on the broader political debate and thereby work against the broader, key goal of strengthening democratic processes and institutions.

With regard to access to the media during the campaign, time on the state broadcast media will be allocated based on current representation in the parliament. As a consequence, the seven parliamentary caucuses of larger parties that will equally split 70 percent of the media time are satisfied with the allocation, while the other, smaller parties that do not currently have seats in the parliament and will equally split the remaining 30 percent of the time are not. While different countries take different approaches to assigning time on the state media, the main issue is whether there is sufficient opportunity provided for parties to present themselves so that voters may make an informed political choice. The Moroccan approach seems to meet this threshold and is similar to approaches applied elsewhere. It has the effect, whether intended or not, of encouraging coalitions and larger parties and discouraging the formation of smaller parties, which is an important question facing every political system.

III. RECOMMENDATIONS

In the spirit of international cooperation and of the democratic values we share, we respectfully offer the following recommendations:

1. The Moroccan authorities should enforce, in an evenhanded and impartial manner, all the rules regarding campaigns, including the prohibition on vote buying, the prohibition on the use of public resources or religious institutions for campaigning, and campaign finance regulations.

2. Moroccan authorities should allow for maximum openness for campaigning and the free exchange of ideas in the run-up to the election. Open and full coverage of the election process and of political issues generally by the Moroccan press and broadcast media should be encouraged. Actions that might have the effect of discouraging political discourse should be carefully avoided, both in advance of the election and afterward.

3. Parties at both the national and regional level should follow through on their efforts to earn the loyalty of voters through issue-based platforms and voter outreach. In particular, parties should work to encourage and enforce active participation in parliamentary work by their newly elected members. Parliamentarians should be encouraged to actively exercise the responsibilities allocated to them by the constitution.

4. Clear, written guidance should be provided to election officials at every local polling station regarding how to interact with domestic and international observers, and that guidance should meet the requirements noted in the Declaration of Principles for International Election Observation, which should apply equally to domestic observer rights and responsibilities.

5. Observers should have a universally recognized credential to ensure open access to polling places.

6. Domestic observation is an important means of engaging voters in the democratic process and improving their faith in the political process. The domestic observation network should be allowed to field as many qualified and trained observers as they deem necessary.

7. Domestic and international observers should be fully informed regarding their rights and responsibilities and should act in an unbiased and professional manner.

8. Voting results should be released as expeditiously as possible, and observers should have open access throughout the ballot counting and tabulation of results. Final voter tallies should be made available publicly immediately upon their tabulation, including both aggregated totals and disaggregated tallies by polling station.

9. Government, political parties and civil society should continue voter outreach efforts. However, over the longer term, increasing citizen engagement will require substantive efforts to tighten the links between voter preferences, parliamentary representation and policy outcomes.

10. Over the longer term, Moroccan authorities should consider what legal changes might cultivate consolidated and effective political party representation in parliament and increase the effectiveness of political institutions.

11. The long-term effects of the electoral structure on women's participation should be closely monitored and evaluated to determine the best means to increase women's political empowerment and women's representation in parliament and in political party leadership.
The delegation would like to express its appreciation to all with whom it met.

IV. CONTACT INFORMATION

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SUMMARY OF PRE-ELECTION FOCUS GROUP FINDINGS

SUMMARY

From October 11 to November 30, 2006, The People's Mirror conducted a series of 16 focus groups on citizens' perception of political parties. Research objectives included testing party message concepts, and the assessment of citizens' needs, priorities and expectations from political parties.

According to this assessment, the general perception of political parties is negative and tainted with an overall distrust in the parties' ability to take part in the country's development. Participants' knowledge of parties is limited and illustrates a serious lack of communication between parties and citizens. With the exception of the Justice and Development Party (PJD), most parties are accused of corruption and lying to voters during elections. Youth are particularly suspicious of parties and disenchanted with the political system as a whole.

Message concept testing indicates a significant rise of conservatism, especially in younger groups. However, the conservatism remains cultural rather than political, as most participants reject modernity as a way of life, yet embrace of its technological and development aspect. Accordingly, it would be accurate to term these groups "cultural protectionists." They are concerned with the possible impact of modernity on their identity and social and religious values. Similarly, religious messages are more attractive because religion is associated with better governance, less corruption and a healthier management of public finances. However, simultaneously, participants reject religious modes of governance and associate them with limited freedoms and terrorism.

For participants, parties should begin by improving their means of communicating with constituencies to alleviate the credibility gap and rebuild trust between parties and voters.

GENERAL PERCEPTION OF POLITICAL PARTIES

Overall, focus group participants have a negative perception of political parties. They see them as untrustworthy, corrupt and incapable of bringing the sought-for change to the country. According to the People's Mirror's assessment of participant perceptions, there are considerable issues regarding parties' credibility, their lack of communication with the electorate, and a marked generational gap.

THE CREDIBILITY GAP

> "For 20 years parties had promised to build a school in my village, and for 20 years they didn't keep their promise, until an NGO did it. This NGO came to my village and built a school for our kids. So what parties are you asking me about? They have done nothing for 20 years!! It took an NGO to do something." (Man, rural)

In all groups, participants expressed little faith in parties' ability to improve the standards of living of citizens. The reason for this, according to participants, is twofold: there is a discrepancy between what parties say and what they actually do, and between their platforms and citizens' priorities.

All participants accused parties of lying to constituents during electoral campaigns by making promises they do not intend to keep. Moreover, participants did not discriminate between parties when they labeled them as liars, with the exception of the PJD. They were particularly critical of former opposition parties such as the Socialist Union of Popular Forces (USFP), which, once elected into the government, was unable to deliver the democratic and social reforms it had previously demanded in the opposition.

On the other hand, participants were more concerned with daily challenges and ways to improve their standard of living than with abstract notions of democratization or modernization. Overall, they wanted jobs, reliable and accessible healthcare institutions, decent housing, roads, schools for their children and less corruption in hospitals and administrations. The majority of participants were impervious to parties' crusades for cultural and political rights and freedoms; their priorities remained closely linked to the urgency of developing the country to alleviate poverty and improve living conditions

> "Okay, let's say there's discrimination in the country. But there are other things that are more important and more urgent to tackle […] if we want to develop the country, we'll have to get over this." (Man, urban youth)

THE COMMUNICATION GAP

Participants complained about a serious communication gap between the parties and their constituencies. According to the majority of participants, urban and rural groups combined, citizens have no means of contacting their parliamentary representatives, with the exception of PJD representatives. An overall grievance was that opinions are not taken into account in the decision-making process.

> "They contact us during elections for their own interests and as soon as they win they disappear. I don't even know where the office of my parliamentary representative is, and I don't know how to contact him." (Woman, urban middle class)

As a result, most participants' knowledge of political parties, their leadership, their ideologies and their history remains extremely limited. Rural female participants did not even understand the term "political party." Thus, participants were unable to discriminate between the many parties and instead "put them all in one bag."

> "Parties have forgotten us. So, we've forgotten them." (Woman, student)

Youth disenchantment was palpable throughout the focus groups. In addition to common criticisms regarding parties' lack of communication and false promises, young participants confessed their inability to identify with any existing political party, except for the PJD, whose Islamist agenda and conservative discourse appeals to young educated participants' sense of cultural pride. According to most young participants, party leadership is made of "old men who have inherited parties" and who are not equipped to understand young people, and the presence of young citizens in the decision-making structures of parties is extremely limited. They felt that parties do not reach out to them and do not provide them with awareness-raising activities or a structure they can integrate into, again with the exception of the PJD, whose student organization is described by most participants as very active.

PERCEPTION OF MODERNITY AND RELIGION IN POLITICAL MESSAGES

Overall, the test of concept messages revealed that participants were mostly receptive to politically-neutral, non-dissident, culturally protectionist messages which vow to develop the country. In other words, their main concern was improving their living conditions regardless of the political agendas of the parties who would carry out the task, with a strong preference for a party that would protect the social specificities and cultural landmarks of the country.

> "It's a good thing to have a modern and developed country. It's all we hope for, to be like France and Europe, but while preserving our values and our culture." (Man, recently urbanized)

Accordingly, the modernizing message[1] was positively received by the poorer, more rural portion of participants for its potential for development. Modernity is paraphrased, in participants' words, as meaning more roads, technological progress, better living conditions and "anything new, young and good." Younger and urban groups, however, pointed out that modernity instead connotes the threat of globalization stripping Moroccans of their cultural specificities, notably their religious identity. Many participants from the student groups pointed out that modernity was strongly linked to secularism and was, by essence, in opposition to religion. The older urban middle class groups were more receptive to modernity in both its technological and cultural aspects; they see it as a guarantor of more individual freedoms and a safeguard against the rise of fundamentalism.

---

1. A progressive and modern party that would modernize the country.

> "Modernity can also mean that drinking liquor is okay, that adultery is okay, like in Tunisia. Doesn't modernity also mean secularism?" (Woman, student)
>
> "We have to develop the country if we don't want to lag behind." (Woman, urban middle class)

By comparison, the religious message[2] was globally better received, especially if initial, spontaneous reactions are taken into account. However, deeper discussions of the participants' understanding of the role of religion in politics revealed a widespread apprehension of the dangers of instrumentalizing religion for political gains. Religion, in other words, was seen as a positive addition to political life when it brings more ethics, less corruption, the preservation of moral and cultural values, and ultimately, a better mode of governance. When religion in politics was introduced to participants as a mode of governance in itself, it was commonly rejected by the majority of participants. The image of an Islamic state in Morocco where life would be ruled by the precepts of religion was not appealing to participants, and certainly not to the very same participants who boasted Islamic pride and called for the preservation of religious identity. Thus, religion was appreciated more in its identity aspect than its dimension of political dissidence. For older urban groups, religion as a mode of governance often translated into more restrictive laws on individual freedoms, as well as ties with terrorism.

> "Religion and politics bring blood. They shouldn't be mixed together." (Man, rural)
>
> "Religion is morality, so if we use religion in politics, we won't have any problems in politics anymore." (Woman, recently urbanized)
>
> "… because religion means a good education, good manners, a proper upbringing and the respect for each other and for the environment." (Woman, urban middle class)
>
> "I'm against the principle of mixing religion and politics, but religion is always a good thing. All we have to do is respect each other and preserve the dignity of the citizens." (Man, recently urbanized)

WHAT CITIZENS EXPECT FROM PARTIES

> "Maybe these party people were genuinely enthusiastic at the beginning, before winning the elections, and maybe, for some reason, their projects could not be carried out. But they have to explain to us why they failed to keep their promises. That's all I want." (Woman, urban youth)

---

2. A party that strives to preserve the religious and moral values of the country.

With the exception of a limited number of young participants who expressed total disinterest in political parties, most participants in all groups were open to rebuilding the channels of communication with parties. Most would like to know more about parties, their programs and their activities at the local level. They expected parties to reach out to citizens and communicate with them. Surprisingly, many participants did acknowledge the difficulties parties may face once in power that would prevent them from applying their programs and keeping their promises. However, they would like parties to share with citizens the challenges they encounter as they try to keep these promises.

Participants valued direct, interactive communication with parties, in a language they could understand, i.e., Moroccan local dialects which avoid political jargon. They demanded to be treated with respect and to be listened to, since all they "want is somebody who will lend an ear and communicate back."

> "Parties should do what you did: give invitations to people to attend a meeting, meet in a specific place, ask people what their needs are, and do it regularly, not only during elections." (Man, recently urbanized)

APPENDIX G

MEMBERS OF THE INTERNATIONAL PRE-ELECTION DELEGATION TO MOROCCO'S 2007 LEGISLATIVE ELECTIONS

August 9-15, 2007

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Pre-Election Delegation Leader
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Secretary General, Bahrain Human Rights Society
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MEMBERS OF THE INTERNATIONAL ELECTION OBSERVATION DELEGATION TO MOROCCO'S 2007 LEGISLATIVE ELECTIONS

September 3-10, 2007

DELEGATION LEADERSHIP

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Member of Parliament
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JORGE QUIROGA

Former President;
Member, Club of Madrid
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Former Principal Secretary of the Prime Minister in Canada;
Former Member of Parliament
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Former Deputy Secretary-General, Organization for Economic Cooperation and Development (OECD);
Former U.S. Ambassador
United States

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Former Member of the European Parliament
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PHOTOS FROM THE INTERNATIONAL ELECTION OBSERVATION MISSION
MOROCCO'S 2007 LEGISLATIVE ELECTIONS

September 3-10, 2007

Election day inside a polling station in Oued Zem, Morocco.

Part of the delegation's leadership group, including (from left): Leslie Campbell, Lousewies van der Laan, Paul Dewar, Sally Shelton-Colby, Abdel Rahman Abu Arafeh, Hélène Scherrer.

Lousewies van der Laan and Jorge Quiroga after completing orientation.

The night before the election, many political parties hold rallies to encourage voters to participate in the vote.

A Justice and Development Party (PJD) rally at a school in Tangier.

Observers head to a school in an upper-middle class area of Rabat.

Even on election day, the mood was apathetic. Throughout many cities, parties did not take advantage of space provided to hang campaign symbols.

Candidate posters on a car.

The Tangier observer team including (from left): Maan Salam (Syria), Nathalie Sleimane (Lebanon), Michael McFaul (U.S.).
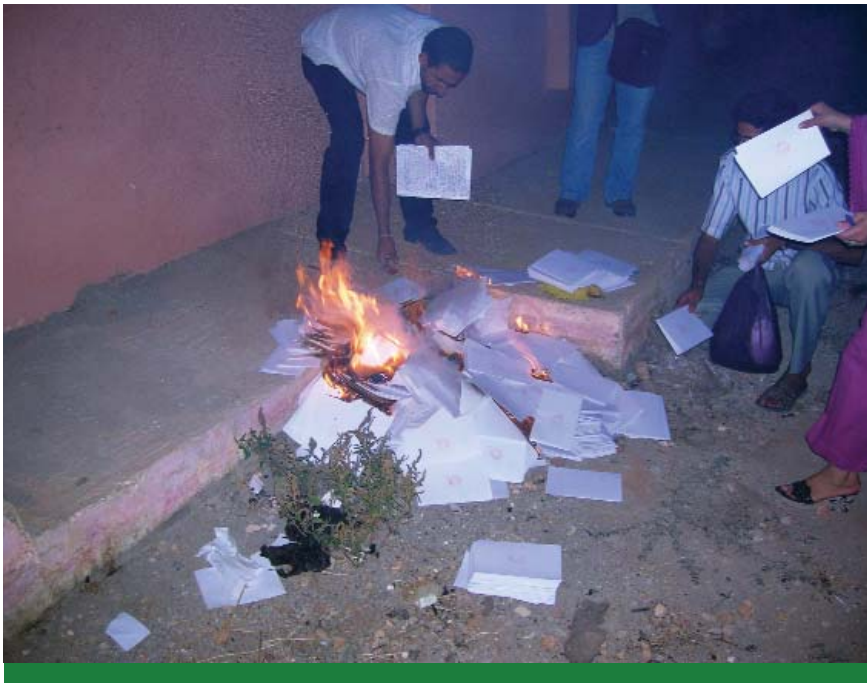
Observers on their way to the last polling stations of the day to observe the official close and counting of ballots.

The vote count begins - political party poll watchers observe the process.

After the final count, uncontested ballots are burned. Only contested ballots and the count at the polling station are forwarded to the next administrative level.

The delegation's leadership group presents its preliminary statement at a Rabat press conference. The statement was released in English, Arabic and French.

APPENDIX J

LIST OF ACRONYMS

CCDH	Consultative Committee on Human Rights
CD	Compact Disc
DRI	Democracy Reporting International
IER	Equity and Reconciliation Commission
MEPI	Middle East Partnership Initiative
MP	Popular Movement
NDI	National Democratic Institute for International Affairs
NGO	Non-governmental Organization
PI	Independence Party; Istiqlal
PJD	Justice and Development Party
PPS	Party of Progress and Socialism
PR	Proportional Representation
RNI	National Rally of Independents
SMS	Short Message Service
UC	Constitutional Union
USFP	Socialist Union of Popular Forces