

Canada - France  
Interparliamentary Association



Association interparlementaire  
Canada - France

# **Report of the Canadian Parliamentary Delegation on the Second Round of the Presidential Elections**

**Canada–France Interparliamentary Association**

**Paris, France  
May 2 to 7, 2007**

# Report

Following the Association's experience with the 2002 presidential election, the Executive Committee of the Canada–France Interparliamentary Association decided to repeat the experience during the 2007 election by sending a delegation of parliamentarians to France.

Some have called this a historic election, a turning point in the political history of the Fifth Republic. The two candidates who made it to the second ballot were a breath of fresh air in the French political landscape, judging by the 45 million French voters who turned out en masse at the polls. Such voter turnout had not been seen since the 1965 election. With 84.5% of eligible voters casting ballots, French democracy had managed to curb more than two decades of steadily falling voter participation.

The first ballot put Nicolas Sarkozy in the lead with 31.1% to Ségolène Royal's 25.8%, a result not nearly as close as several polls had predicted. Polls taken prior to the second round suggested that Sarkozy would win on May 6 with approximately 54% of the vote. The key was François Bayrou, a centrist chosen by 18.5% of voters, whom both candidates wooed relentlessly. The far-right candidate, Jean-Marie Le Pen of the Front National, accumulated just 10.5% of votes cast, an unprecedented drop for the FN, whose share of the vote had been going up since 1988. That was one of the consequences of the 84.5% voter turnout, a level not seen since 1965.

This was the political climate in which the Canadian delegation carried out its parliamentary mission. Both parliaments had been seeking to strengthen existing ties of history and friendship between our two countries.

The Canadian delegation would like to thank Ambassador Claude Laverdure for supporting the Canadian Branch's initiative and for having put several members of his staff at the delegation's disposal. Special thanks are due to Mr. Marc Berthiaume, political attaché, who put together this very successful mission. As Ambassador Laverdure had hoped, the meetings that were organized provided a great deal of information of interest to Canadian interests.

## **Wednesday, May 2, 2007**

The delegation met with Mr. Xavier Peneau, head of the elections office, who provided a basic overview of the French electoral system.

The French presidential election system is a two-round majority vote. To win, a candidate must receive an absolute majority of votes cast. In order to receive that majority, as required by the Constitution, only two candidates may compete in the second round. In the first round, the two candidates who obtain the most votes advance to the second round. In the second round, the candidate with the most votes wins. The second round takes place on the second Sunday after the first round.

To avoid the possibility of oddball candidates competing, the organic law of November 6, 1962, established a system of representation, which was modified by the organic law of June 18, 1976. Proposed candidates are not eligible unless they obtain signatures from 500 elected officials, as defined by the organic law, supporting their candidacy. These signatures must belong to elected officials from at least 30 departments or

overseas territories, and no more than 10% can be from any individual department or territory. The names and titles of the signatories are made public by the Constitutional Council.

The French electoral system is based on the country's 36,000 municipalities with a total of 64,000 voting offices. According to Mr. Peneau, this extremely decentralized system is the best way to ensure impartiality. Lists of voters are compiled locally by a three-member committee. Polling office presidents are completely independent. The system's great advantage is that the process relies on citizen participation, with 192,000 volunteers carrying out the voting procedure. The polling office is made up of five members, including the local mayor and four assessors representing different political parties.

Registering on the list of voters is voluntary. The process is easier in small villages than in large cities. Voters' cards, which identify polling places, are issued every three years to all registered voters, and are used for all national, regional and local elections. However, voters are not required to show the card in order to vote. In small municipalities, they may vote if two witnesses are present. Another problem with the French electoral system is that there is no nationally administered central list of voters.

Mr. Peneau noted that the presidential election itself, while completely centralized, is protected from bureaucratic or political influence. Control of the electoral process is divided among various authorities, such as the Department of the Interior, the polling office, the Constitutional Council, the *Conseil supérieur de l'Audiovisuel*, and the *Commission nationale de contrôle*.

The Constitutional Council presides over court cases. It is the ultimate judge of the election of members, senators and the president and supervises the administration of the Department of the Interior. The Council is assisted by an administrative tribunal.

Last year, constitutional and regulatory amendments were made to the presidential election process to encourage female candidates to run. Candidates had to be sponsored by at least 500 mayors, general councillors, etc. The Department of the Interior prepared the candidate forms. The Constitutional Council had just a few days following the closing of the call for candidates to validate these official documents.

The *Conseil supérieur de l'Audiovisuel* is responsible for appointing heads of radio and television stations and for regulating air time for the various presidential candidates. The principle applied in the current presidential election is that every candidate is entitled to an equal amount of air time.

The *Commission nationale de contrôle*, consisting of the Vice-Chair of the *Conseil d'État*, the First President of the *Cour de Cassation*, the First President of the *Cour des Comptes* and two other magistrates, is responsible for establishing the criteria for electoral advertising and literature (posters and propaganda). It should be noted that ballots are printed by the candidates themselves, but there are a number of parameters, particularly concerning the format and colour of the ballot, which must be white.

On Election Day, between 8:00 a.m. and 10:00 p.m., the polling office is the chief monitoring authority. It ensures security by calling in the police and the army if necessary. While there is no postal vote (cancelled in 1975), French citizens can vote

by proxy: electors go to the police station or commissariat, produce identification and designate another elector to vote in his or her stead. However, no citizen may present more than two proxies.

Ballot counting is monitored by citizens, with a counting table provided for that purpose. Spoiled ballots are appended to the election report drafted by the members of the polling office. Once the results are announced and the report signed, all other ballots are immediately destroyed, thus ruling out the possibility of a recount. The results are then forwarded to the Prefecture by telephone or fax, and the Prefecture in turn forwards them to the Department of the Interior. During the night following the election, the *Commission de recensement départementale des votes* verifies the reports and rules on any disputes. In the case of a tie between two candidates, the older candidate is declared the winner.

All reports are sent to the Constitutional Council, where a team of 70 auditors validates the results 10 days after the first ballot and three days after the second. For an election to be nullified, the law provides that there must be a certain number of irregularities: defamatory tracts, electoral list fraud, ballot counting fraud and so on.

Senator Bacon asked about how election spending is monitored. According to Mr. Peneau, France lagged behind other countries on this issue for a long time, but is now in the forefront. Today, virtually all election funding comes from the State. Statutory provisions regarding elections provide for public funding for political parties in accordance with a grant formula based on party representation in the National Assembly, and also grants funding to parties with at least 50 candidates (even if none were elected). Campaign accounts are prepared by an accountant and submitted to the *Commission nationale de contrôle des dépenses de campagnes*, which has two months to make a ruling.

Canadian parliamentarians wondered how a deputy mayor could be a chief polling officer in an election, because there could be an appearance of partiality. Mr. Peneau reassured the Canadian delegation that the make-up of the polling office is pluralistic and works well.

Lastly, there was some discussion of the constitutional requirement for parties' list ballots to contain an equal number of men and women, failing which the parties may be subject to monetary penalties.

The *Mouvement des entreprises de France* (MEDEF) is an organization that speaks on behalf of French businesses. During the second round of the presidential election, MEDEF did not side with either candidate, but participated in the public debate to raise awareness of its members' concerns. Mr. Jean-Pierre Philibert, director of relations with government authorities, informed the delegation that for the past several years, MEDEF had been reflecting on social issues, particularly on employer–employee relations, social protection, economic modernization and work-time organization (35 hours). In France, unions are weak; only about 10% of workers are unionized. France is a very centrally administered State. There is a juxtaposition of centralization and decentralization. Decentralization suggests transfers from the centre to the regions, but hiring is controlled by the central State. Mr. Philibert believes that the 35-hour work

week is an aberration. French citizens are more productive than North Americans. He would like to do overtime sometimes.

One of MEDEF's primary concerns is the budget deficit. According to Mr. Philibert, France's debt load is about 66% of GDP, and the new President of the Republic should reduce the deficit and the public debt.

Mr. Philibert also mentioned that French businesses paid \$286 billion Euros in taxes in 2006, while English businesses paid just \$120 billion. To stay competitive, the French State should reduce sales taxes and corporate income taxes. Mr. Philibert candidly stated that Sarkozy's election platform most closely reflected MEDEF's priorities.

#### **Thursday, May 3, 2007**

The delegation was invited to a breakfast meeting sponsored by Sofres and the *Le Figaro* newspaper. The speakers included Mr. Claude Guéant, Nicolas Sarkozy's counsellor, now Secretary General of the Élysée. He briefly explained the intricacies of the campaign and the game plan for the last few days. The delegation spoke briefly with Senator Serge Dassault, who had come to Canada with a senatorial delegation, and whom the Canadian Branch invited to lunch.

The delegation left Paris for Lille to attend the Socialist Party's last big election rally before the May 6 vote. Nearly 20,000 jubilant supporters listened to the party leaders, including former Prime Minister Pierre Mauroy, with whom the delegation met after he gave his speech, former minister Martine Aubry, Jacques Delors, and singer Renaud. At the end of this huge election event, one of the candidates, Ségolène Royal, galvanized the crowd with a speech summarizing the main points of her election platform to revitalize France and make it more egalitarian.

The delegation also met with Senator Percheron, president of the Nord-Pas-de-Calais regional council, and member Bernard Derosier, president of the general council of the north, to discuss the major regional and national issues of this presidential campaign.

#### **Friday, May 4, 2007**

On the last day of the campaign, the delegation went to the UMP campaign headquarters for a guided tour. Senator Alain Lambert, a close friend of Sarkozy, welcomed the Canadian parliamentarians despite a very full schedule.

After visiting the site, there was an impromptu meeting with Senator Roger Karoutchi, another close advisor to Nicolas Sarkozy. He discussed the right-wing candidate's strategy and the workings of his powerful election machine.

The Canadian ambassador hosted a lunch in honour of the Canada–France Association. Guests in attendance included Mr. Eric Dupin, journalist and IPSOS analyst, and Mr. Jean-Luc Parodi, political analyst and columnist with the *Journal du Dimanche*. The discussion centred on the two candidates' campaigns and the issues the new head of state would have to deal with.

Finally, the delegation met with Ms. Laurence Laigo, national secretary of the *Confédération française démocratique du travail* (CFDT). During the meeting, Ms. Laigo explained that the CFDT had met with organizers from the Socialist Party, the UMP, the Greens, the Communist Party, and the UDF to talk about their demands.

The CFDT was concerned about the possibility of the left proposing social measures that did not fit with economic realities, such as making it illegal to fire people, and Nicolas Sarkozy's proposal to allow people to work longer hours in order to earn more money.

The CFDT is pragmatic and does not associate Nicolas Sarkozy with the Front National, according to Ms. Laigo.

**Sunday, May 6, 2007**

At the end of the mission, the delegation met with Mr. Jean-Christophe Lagarde, mayor of Drancy and member for Seine St-Denis, to learn more about the role of the mayor in the electoral process. He briefly explained that he was responsible for carrying out proper voting procedures in his municipality, and that he acted as the State representative.

The delegation observed voting day at a polling station first-hand, accompanied by the mayor, and thus its members witnessed a historic moment in French democracy.

Respectfully submitted,

The Honourable Lise Bacon, Senator

## Travel Costs

<b>NAME OF ASSOCIATION</b>	Canada–France Interparliamentary Association
<b>ACTIVITY</b>	Second round of presidential elections
<b>DESTINATION</b>	Paris, France
<b>DATES</b>	May 2 to 7, 2007
<b>DELEGATION</b>	
<b>NAMES OF SENATORS</b>	Hon. Lise Bacon Hon. Jean-Claude Rivest Hon. Aurélien Gill
<b>NAMES OF MEMBERS</b>	Hon. Scott Brison Ms. Paule Brunelle
<b>NAMES OF STAFF</b>	Mr. Jean-François Pagé
<b>TRANSPORTATION</b>	<b>\$ 29,394.67</b>
<b>ACCOMMODATION</b>	<b>\$ 10,244.96</b>
<b>HOSPITALITY</b>	<b>\$ 0</b>
<b>PER DIEMS</b>	<b>\$ 3,676.02</b>
<b>OFFICIAL GIFTS</b>	<b>\$ 0</b>
<b>MISCELLANEOUS/REGISTRATION FEES</b>	<b>\$ 2,740.75</b>
<b>TOTAL</b>	<b>\$ 46,056.40</b>