

Byzantine rules = botched election



In 2014, AFP employees around the world voted in large numbers to elect their representatives to the agency's Board of Governors. It was a resounding success in the only election open to nearly all employees no matter their contract, nationality or the country in which they work.¹

But only a little more than a year after electing those representatives to a 3-year term, our democratic expression was silenced by a decision by French lawmakers and duly implemented by our CEO Emmanuel Hoog.² This new election of employee representatives in October 2015 summarily ends the mandate of our legitimately elected representatives.

Denial of democracy

The CEO justified the calling of new elections by citing the **new wording of article 7 of AFP's statutes**³, which were amended in April 2015 by the French parliament. This increased the number of journalist representatives to the Board of Governors from one to two (non-journalists will still have one representative) and introduced an equality clause that states that from now on it *"shall be constituted such that the difference between the number of men and women appointed shall not be greater than one."*

Okay, but where does this imply the removal from office of our two representatives elected in 2014? Wouldn't it have been sufficient to organize a partial election to allow journalists to elect a second representative?

If we have to re-elect our representatives, why isn't there the re-appointment of the CEO? After all, the CEO must enter into the male-female parity and the term of office was extended from 3 to 5 years. Why does Mr Hoog deserve an exception and have his mandate extended to 2018, when it should end in 2016?

Neither AFP's updated statutes nor the implementing decree⁴ impose the throwing our elected representatives out of office and organizing a new election. This was mentioned, however, in the law amending AFP's statutes and the CEO's decision was approved by the Supervisory Board in its new composition that was mocked by several observers.⁵

1 man + 1 man = sexual equality

If sexual equality is one of the reasons behind the organization of new elections, the methods to elect representatives from the journalists and non-journalists categories are not consistent.

- To stand for election among journalists, lists must contain two men and two women for candidates and replacements (in the order of man-woman-man-woman or woman-man-woman-man).

(/...)

¹ See our analysis of the 2014 election (in French): <http://www.sud-afp.org/spip.php?article268>

² See <http://u.afp.com/Ubu2015>

³ See <http://u.afp.com/Statut>

⁴ See <http://u.afp.com/Decret>, articles 11 and 11 bis

⁵ See for example: <http://u.afp.com/Zqkv>

- For the technical and administrative personnel, the list of candidates must be for a candidate plus substitute of the same sex. **It is prohibited to present a balanced list of a man and woman!**

In another Orwellian discombobulation of democratic principles, if two lists in the journalist college elect a representative, the decree specifies that if the top candidate of the leading list is a man, then the woman is elected from the second place list even if she was in second position on her list. Or the inverse, if a woman was elected from the top list, then automatically it is a man from the second place list.

The CEO's decision setting out the electoral process only adds to the dubious democratic nature of the election (and the risk it could be overturned by a court):

- **A very tight electoral calendar**⁶
- **Absence of an agreement on electoral procedures with employee representatives:** a lack of details on presentation of lists, campaign manifestos, etc.
- **Lack of transparency** in the choice of the company organizing the electronic vote.

The electoral process as imposed by the CEO is to the detriment of the hundreds of employees abroad, particularly local employees. The forced march pace of the election process makes it nearly impossible for them to participate actively in the preparations for the elections.

Democratic deficit

The global nature of the elections of employee representatives to the Board of Governors has always been very important for SUD.

When we launched a lawsuit to obtain **the right to vote for all employees no matter their nationality**, we had everyone against us: management, the employee representatives on the Board of Governors, and most other unions.

Our victory before the French Constitutional Court⁷ allowed for a thousand non-European AFP employees to participate in the elections of staff representatives on the Board of Governors. But we have to defend that right to vote against a management which seems bent on undermining it.

The complicated balloting rules and hasty election calendar lead us, unfortunately, to conclude that **the conditions are not met for a fair and democratic election**.

If one wanted to kill the global nature of this election, one couldn't have done better than the government and CEO. But there may be **another, more insidious goal: dividing the personnel, thus making it easier for the management to force through a new wage and benefits deal that will see us work more for less money**.

Don't let them get away with it!

SUD calls for the complex electoral rules, which discredit the goal of sexual equality and undermine democracy, to be annulled.

The election should be suspended and new electoral rules agreed with employee representatives in order to take into account the interests of all employees, no matter what their status.

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SUD-AFP (Solidarity - Unity - Democracy)

⁶ See: <http://www.sud-afp.org/IMG/pdf/calendrier.pdf>

⁷ See: <http://sud-afp.org/spip.php?article46>