

PRACTICAL HANDBOOK FOR ELECTION OBSERVATION



GOBIERNO
DE ESPAÑA

MINISTERIO
DE ASUNTOS EXTERIORES
Y DE COOPERACIÓN

DIRECCIÓN GENERAL
DE NACIONES UNIDAS
Y DERECHOS HUMANOS

PRACTICAL HANDBOOK FOR ELECTION OBSERVATION



**MINISTERIO
DE ASUNTOS EXTERIORES
Y DE COOPERACIÓN**

**DIRECCIÓN GENERAL
DE NACIONES UNIDAS
Y DERECHOS HUMANOS**

OFICINA DE DERECHOS HUMANOS

MADRID 2016

© Ministerio de Asuntos Exteriores y de Cooperación. Dirección General de Naciones Unidas y Derechos Humanos. Oficina de Derechos Humanos
© Isabel Menchón López. 2014



MINISTERIO
DE ASUNTOS EXTERIORES
Y DE COOPERACIÓN

SUBSECRETARÍA
SECRETARÍA GENERAL TÉCNICA
VICESECRETARÍA GENERAL TÉCNICA
Área de Documentación y Publicaciones
IMPRESA DE LA OFICINA DE INFORMACIÓN DIPLOMÁTICA

NIPO: 501-16-047-1 publicación en papel
NIPO: 501-16-048-7 publicación en línea

Depósito Legal: M. 35984 -2016



UN Observer Group for the first democratic elections in South Africa (1994)

CONTENTS

	PÁGINAS
Prologue	13
A. Why publish a third edition of the Manual?	15
B. Why does it have 22 chapters?	15
I. Introduction	17
II. Legal background.....	21
1. In the EU	21
2. In the OSCE	22
3. In the OAS.....	23
III. Funding for election observation missions	25
1. In the EU	25
2. In the OSCE	26
3. In the OAS.....	26
IV. Election observation within the institutional framework.....	29
1. In the EU	29
2. In the OSCE	30
3. In the OAS.....	30
V. Key questions about election observation	33
1. What is an election observation mission?.....	33
2. What are the aims of an election observation mission?.....	34
3. What is the added value of an election observation mission?	35
4. What is understood by international standards and good practice for democratic elections?.....	35
5. What are the international standards for democratic elections?	37
6. What are the essential elements that comprise democratic elections?	39
7. What types of methods are employed in election observation missions?.....	39
8. What is the purpose of an exploratory election mission?	40
9. How are election observation priorities determined?	40
9.A. In the OSCE	40
9.B. In the EU	41
9.C. In the OAS.....	43

VI.	A new approach to election observation	45
	1 In the EU	45
	1. A. Recommendations	45
	1. B. Election Follow-up missions.....	46
	1. B. a) Background	46
	1. B. b) Goals	46
	1. B. c) Methods.....	47
	2. In the OSCE.....	48
	3. In the OAS	48
VII.	Other EU-Mission formats.....	51
	1. Election Expert Mission	51
	2. Election Assessment Team.....	53
VIII.	How is a mission structured?.....	55
	1. Core Team	55
	2. Long-term observers	56
	3. Short-term observers.....	57
	4. Service Provider/Implementing Partner	57
IX.	Core Team	59
	1. What are the functions of the Core Team?.....	59
	1. A. Analysis of the legal framework.....	59
	1. B. Analysis of the complaints and appeals system	60
	1. C. Analysis of the election system	60
	1. D. Analysis of the behaviour of the media	60
	1. E. Reports by the long-term observers.....	61
	1. F. Preliminary statement	61
	1. G. Final report.....	62
X.	Long-term observers	63
	1. What are the functions of the long-term observers?.....	63
	2. How long will they be deployed?.....	64
	3. How will they be deployed?	64
	4. How will they observe?	65
	5. How will they report?	65
	6. What aspects of the election process will they observe?..	66
	6. A. The political context and situation	66
	6. B. The Election Administration.....	66
	6. B. a) The independence of the Election Adminis-	
	tration	66

6. B. b) The impartiality of the Election Administration	67
6. B. c) The transparency of the Election Administration	67
6. B. d) The effectiveness of the Election Administration	67
6. C. The electoral register	67
6. D. Register of parties and candidates	69
6. E. Election campaign	69
6. F. Voter education campaigns	70
XI. Short-term observers	73
1. Departure from base and arrival in the host country	73
2. What are the functions of the short-term observer?	74
3. Relevant issues for short-term observation	74
3. A. Forms	74
3. B. Pattern of deployment	75
3. C. Perception accuracy of short-term observation	75
4. Actions taken by short-term observers on arrival	75
4. A. Briefing meeting chaired by long-term observers	75
4. B. Familiarisation with the political climate in the area of responsibility	76
4. C. Interviews with electoral actors. Visibility	76
4. D. Locating and deciding upon the area to be observed	77
5. Parameters for observation of voting and the vote count ..	78
6. Opening the polling stations	78
7. Multiple observation of polling stations	80
7. A. Methods	80
7. B. Situation	81
7. C. Observation within the polling station	81
7. C. a) What should be observed?	81
7. C. b) How should the voting process be assessed? ..	83
8. Closing the polling station and counting the votes	84
8. A. What should be observed as the polling station is closed?	84
8. B. What should be observed during the vote count?	84
9. Compiling the results	85
10. Communicating the results of the observation	85
11. Forms	86

	PÁGINAS
XII. Code of conduct	99
XIII. Selection process for Spanish election observers.....	105
1. General considerations	105
2. Selection process for Spanish election observers in OSCE missions.....	106
3. Selection process for Spanish election observers in EU missions.....	107
4. Selection process for Spanish election observers in OAS missions.....	107
XIV. Selection process for members of the Core Team.....	109
1. In the EU	109
2. In the OSCE	110
XV. Selection process for members of Exploratory Missions, Elec- tion Experts Missions and Missions to Monitor Compliance with EU Recommendations	111
XVI. Selection process for members of the Service Provider/Im- plementing Partner group.....	113
XVII. Selection process for Election Observation and Democracy Support courses	115
XVIII. Types of electoral fraud	117
1. Electoral fraud	118
1. A. Definition	118
1. B. Agents	118
1. C. Nature.....	118
1. D. Fraud and malpractice	119
1. E. Area in which fraud takes place	120
1. F. Systemic fraud.....	121
2. Fraud techniques and the electoral cycle	121
2. A Definition of political-electoral competition	121
2. A. a) Election system.....	122
2. A. b) Register of candidates	122
2. B. Definition of the electorate. Register of voters .	123
2. C. The Election Authority	125
2. C. a) Regulatory shortcomings that may faci- litate fraud	126
2. C. b) Fraud techniques used by the Election Authority	126

	PÁGINAS
2. D. The election campaign	127
2. D. a) Fraud techniques that violate the freedom to campaign	127
2. D. b) Fraud techniques that violate the fairness of the campaign	128
2. D. c) Other fraud techniques that violate the fairness of the campaign	132
2. D. d) Other fraud techniques related to the manipulation of election materials.....	133
2. E. Voting	133
2. F. Vote counting.....	135
2. G. Compiling the results	136
2. H. Resolving election complaints, appeals and dis- putes	138
XIX. Gender and elections	143
XX. The observation of media coverage during elections	157
XXI. Observation of electronic voting.....	177
XXII. Security in election observation missions.....	195
ANNEXES	205
Annex 1: Declaration of Principles for International Election Obser- vation and Code of Conduct for International Observers.	205
Annex 2: Preliminary Statement of the election observation mission of the OSCE on presidential elections in Russia, 2012. Final Report.	205
Annex 3: Preliminary Statement of the election observation mis- sion of the OSCE on presidential elections in the United States, 2012. Final Report.	205
Annex 4: Preliminary Statement of the election observation mis- sion of the OSCE on the referendum for the Constituent Assembly of Tunisia, 2011. Final Report.....	205
Annex 5: Preliminary Statement of the Election Observation Mis- sion of the EU on the presidential and legislative elections in Paraguay, 2013. Final Report.....	206
Annex 6: Preliminary Statement of the Election Observation Mis- sion of the EU on the presidential and legislative elections in Kenya, 2013. Final Report	206

Annex 7: Oral report of the Election Observation Mission of the OAS on the general elections in Ecuador, 2013.	206
Annex 8: Final Report of the Election Observation Mission of the OAS on the Presidential elections in Mexico, 2012.	206

COLLABORATORS

Lluís Juan Rodríguez, Specialist in gender issues and elections:
“Gender and elections”

Xabier Meilán, Electoral consultant and lecturer at the Law Faculty
of the University of Girona: “Observation of media coverage”

Carlos Vega González, Specialist in new technologies and elections:
“Observation of electronic voting”

Víctor Pérez Sañudo, Expert in international security: “Security in
election observation missions”

PROLOGUE

In response to the need to update the “Practical Handbook for Short-Term Election Observers” and to incorporate new chapters, the Ministry of Foreign Affairs and Cooperation has published this third edition of the Handbook. The updated Handbook, authored by Isabel Menchón López, who is responsible for election observation issues addressed in the Human Rights Office at this Ministry, is intended as an aid for future short-term election observers to perform their duties professionally, and as a complement to the training course for short-term election observers that has been provided by the Human Rights Office, in collaboration with the Diplomatic School, since 2004.

After training some 500 observers during thirteen successive editions of the course, in 2013 this Office decided to pause the programme in order to be able to provide all the trained observers with their first opportunity to participate in an election observation mission. The Human Rights Office intends to resume the courses as soon as conditions allow.

Among the additional material supplied to provide election observers with a solid grounding to carry out their work are new chapters on types of elections, fraud, gender issues in elections, monitoring the media, electronic voting and security in missions.

This Handbook and the above-mentioned training courses for short-term observers demonstrate Spain’s commitment to supporting the construction of democracy and to promoting human rights and democratic values worldwide. This resolute commitment is expressed through Spain’s generous contribution to the efforts made by international organisations such as the OSCE, the European Union and the Organisation of American States (OAS) in the field of election observation. There can be no better contribution to the spread of democratic values and practices than to ensure and increase the presence of specially qualified international observers in election observation missions.

In April 2009, a Memorandum of Understanding was signed between the Ministry of Foreign Affairs and the General Secretariat of the OAS. This agreement has enabled Spanish election observers to join the election

observation missions of the OAS and thus demonstrate Spain's commitment to democratic consolidation in Latin America.

The wave of democratisation that has swept through many countries since the mid-1980s has highlighted the profound wish of all societies to acquire and exercise their right to political participation, by means of free, competitive and transparent elections, which are viewed as the real instrument of democratic transformation.

Supporting the organisation of free and competitive elections is a political priority and a moral imperative, not only because such elections contribute to the construction and consolidation of democracy, but also because they are an effective mechanism for the reconstruction of fractured societies and constitute a fundamental element of what is now termed transitional justice. Far from being an arrogant exercise of interference, election observation has become a valuable instrument of support and assistance to the democratisation process and an important element of conflict prevention and resolution.

With this Handbook, the Human Rights Office of the Ministry of Foreign Affairs and Cooperation hopes to make a small but valuable contribution to the consolidation of democracy and the promotion of human rights, by providing an instrument to enhance the training of the people whose participation in election observation tasks expresses their commitment to the values that underpin democracy, and their solidarity with societies' quest for political emancipation.

This Office thanks Lluís Juan Rodríguez, Xabier Meilan, Carlos González and Víctor Pérez Vegas Sañudo for their valuable collaboration in authoring, respectively, the chapters on "Gender and Elections", "Observation of media coverage", "Observation of electronic voting" and "Security in election observation missions". Isabel Menchón López wrote the chapter "Types of electoral fraud".

Cristina Fraile Jiménez de Muñana

Director of the Human Rights Office



Legislative and presidential elections, Kenya 2013

A. WHY PUBLISH A THIRD EDITION OF THE MANUAL?

The Human Rights Office has decided to publish the third edition of what was known as the Practical Handbook for Short Term Observers in response to the need to address the new strategic approaches and methodological developments that have arisen during the last three years in the field of election observation. Moreover, we have complemented the two previous editions with new chapters that expand the information provided and reinforce the tools available not only to short-term observers but also to long-term observers. These new elements will undoubtedly help election observers to perform their duties with professionalism, rigour and commitment.

B. WHY DOES IT HAVE 22 CHAPTERS?

In order to do their work successfully, and to be aware of their functions and tasks and the items to be observed, short-term observers must be familiar with the principles, goals and methods of election observation, with the

structure of an observation mission, the functions of the Core Team and its leaders, and with the role of long-term observers, as well as with the code of conduct for observers, the question of security in such missions, the multiple forms of fraud that may be encountered, the behaviour of the media and the participation of women in the electoral process, among other questions. Moreover, the information provided about the selection process for the various members of a mission is a useful guide for those who wish to participate in the different activities of election observation.

Accordingly, the first chapter of this Handbook describes the growing importance of election observation over the last 25 years. The second chapter goes on to explain the legal basis underpinning election observation activity, while the third and fourth chapters, respectively, consider funding and the institutional structure of election observation. In chapter five, key questions concerning election observation (what is an election observation mission, what are its goals, what added value does it provide, what is meant by international standards, what are best practices for democratic elections, etc.) are examined. The sixth chapter presents the new approach taken to election observation, and the next describes other mission formats. The eighth chapter explains the structure of an election observation mission, while the ninth, tenth and eleventh chapters are dedicated, respectively, to the Core Team, long-term observers and short term observers, detailing their functions, the aspects of the election process to be observed and the methods to be applied. The twelfth chapter addresses the code of conduct applicable to election observers. The selection processes for the various members of the missions are detailed in Chapters 13, 14, 15 and 16, while Chapter 17 explains how candidates are selected to participate in the courses organised by the Election Observation and Democracy Support project, to train observers and members of the Core Team. Finally, Chapters 18, 19, 20, 21 and 22, respectively, discuss issues related to election fraud, gender and elections, monitoring media coverage, the observation of electronic voting and security in missions.



Legislative elections, Afghanistan 2005

I. INTRODUCTION

The expansion of election observation during the last thirty years is directly related to the global expansion of democratic practices. The current wave of democratisation began in the 1980s in Latin America, and after the fall of the Berlin Wall it continued through the territories of the former Soviet Union and through parts of Africa and Asia. Thus, in recent history many countries have held their first multiparty elections, whether initiating a process of democratic transition or as an exit strategy to resolve a long-standing conflict. In the latter context, elections are a useful instrument for stabilising deeply-divided societies, encouraging warring parties to renounce the dynamics of armed confrontation and to adopt, instead, the path of peaceful, democratic contest for power through political competition. The rapid expansion of election observation missions has highlighted their invaluable contribution to the promotion and consolidation of democracy and human rights.

Elections, in themselves, are not equivalent to democracy, but without them a participatory, representative government cannot be established, be-

cause the popular vote provides a mechanism for political participation by citizens. The fundamental purpose of elections is to legitimise power democratically, by reflecting the decision of the majority.

In other words, a democratic system can only be built if it includes, among other elements, free, competitive and fair elections, respect for human rights and fundamental freedoms, the separation of powers, the rule of law, transparency, the accountability of elected officials, good government and a strong and structured civil society.

Elections can be viewed as a useful tool to overcome inter-societal conflict, channelling differences into the political sphere, and election observation helps ensure that conflicts continue to be addressed by peaceful means. By impartial judgement and by enhancing the transparency of the electoral process, election observation contributes to the promotion and protection of human rights, democracy and peace. The ultimate goal of election observation is to support and be present in countries in political transition or in a post-conflict situation, so that they may initiate and then consolidate their democratisation. Election observation provides an objective, neutral assessment of the electoral process and expresses international, non-partisan solidarity with the democratic ambitions of countries and their societies.

The following international organisations are currently engaged in election observation: the European Union (EU), the Organisation for Security and Cooperation in Europe (OSCE), the Organisation of American States (OAS) and the African Union. In addition, there are international NGOs such as the Carter Center, the National Democratic Institute and the International Republican Institute.

The United Nations was a pioneer and very active in the field of election observation after the Second World War, coinciding with widespread processes of decolonisation, but has since ceased to observe elections because this is incompatible with the electoral assistance activities performed by the United Nations Development Programme. The OSCE and the EU have both invested considerable human and financial efforts in election observation during the last decade. From 2000 until October 2013, the EU deployed about 130 election observation missions, while the OSCE has conducted around 180 election observation missions since 1996, and the OAS has observed 200 electoral processes in Latin America and the Caribbean region since 1962.

The EU and the OSCE share the same methodological pillars, principles and guiding values that inform and underpin their activity in the field of election observation. However, they differ in two noteworthy aspects.

First, there is a geographical division between the two organisations: the OSCE observes elections in its 57 participating States, while the EU does so in Africa, Asia, Latin America and the Middle East.

Second, while the EU observes elections only in emerging democracies or where democracy is being consolidated, the OSCE, through its Office for Democratic Institutions and Human Rights (ODIHR) is active both in fledgling democracies and in countries where democracy is well established. In the latter countries, the ODIHR does not deploy a conventional observation mission, but sends a small team of electoral, legal and media experts and analysts (10 to 15 persons) to focus on the election system and the legal framework. This type of observation not only identifies good practices that may be transferrable to other settings (hence its pedagogic value), but can also detect deficiencies and fragile elements in still-imperfect election systems, for example in areas such as electronic voting, postal voting (in which there is a risk that the secrecy of voting may be compromised), media scenarios that can jeopardise the fairness of the electoral competition, the poor implementation of the principle of equality of vote, or disparities in electoral legislation that may violate certain electoral rights. Thus, in parallel with the many election observation missions that the ODIHR has conducted in emerging democracies in recent years, the agency has also observed, among many others, the Italian parliamentary elections in 2006 and 2008, the Spanish general elections of 2004, 2008 and 2011, the United States legislative elections of 2006, 2008 and 2010 and those held in the UK in 2005 and 2010. This type of mission is termed an Election Assessment Mission. The assessments made can be consulted on the ODIHR website: <http://osce.org/odihr-elections/14207.html>.



Legislative and presidential elections, Tunisia 2014

II. LEGAL BACKGROUND

1. In the EU

The legal basis for EU activity in the field of election observation is set out in the founding texts of the Union, which stipulate the principles and values that inspired its creation. The regulatory body of the Treaty on European Union contains the following articles of relevance to our concerns:

— Article 2. The core values and guiding principles of the EU are democracy, freedom, equality, the rule of law and respect for human rights.

— Article 21. The goals of EU external action are to promote peace, democracy, the rule of law, sustainable development and respect for human rights.

To strengthen the coherence of its external action with these principles, the EU introduced a democracy clause into its cooperation agreements with third countries, known as the Cotonou agreements (2000 and 2004), linking development aid to respect for human rights and to achievements in democratisation. EU election observation has proven to be an effective measure of a country's willingness to secure its democratisation, and has become one of the most visible instruments of EU external action to promote democracy. Thus, invoking this "democracy clause", the European Commission has suspended cooperation and development projects with government partners when the corresponding EU election observation mission has ruled that the election process observed did not comply with most international standards for democratic elections and therefore did not allow the popular will to be reflected.

The Communication from the Commission COM (2000) 191 is the EU reference document concerning election observation. This Communication sets out the guiding principles of EU policy in this field, defining the objectives, the mandate and the fundamental methodology of election observation. Moreover, this Communication marked a turning point with respect to previous actions by the EU in this area, which were characterised by the short-term nature of the observation, the absence of a standardised methodology and by the use of ad hoc financing. Henceforth, election observation was provided with a stable financial instrument. Finally, the Communication emphasised the importance of constant interaction between observation and electoral assistance and of promoting their complementarity in order to improve the effectiveness of both activities.

2. In the OSCE

Representatives of the States participating in the Conference on Security and Cooperation in Europe meeting in Copenhagen in June 1990 adopted a document which specified the reference framework for election observation in the OSCE area. In this document (1990 Copenhagen Document, Article 8), the Participating States acquired the political commitment to invite the ODIHR to observe their elections in order to reinforce the transparency of this process. This commitment was further supported at the Istanbul Summit in 1999, where the participating States committed themselves to follow up on the election assessment reports submitted by the ODIHR.

3. In the OAS

The legal basis for election observation missions to be conducted by the Organization of American States is expressed in the founding charter of the OAS in 1948, where article 2 b) states that one of the essential purposes of the Organization is to “promote and consolidate representative democracy, with respect for the principle of non-intervention”. In 1959, the member States adopted the Declaration of Santiago, which renewed their commitment to representative democracy and which defined the holding of democratic elections as one of the eight pre-requisites for an effective system of representative democracy. In consequence, three years later, and at the request of the Interim Government of the Dominican Republic, the OAS deployed a technical assistance mission to recommend reforms that would contribute to the holding of democratic elections. This mission can be considered the first instance of an election observation mission conducted by the OAS. In 1989, OAS Resolution 991 on human rights and election observation consolidated election observation by OAS agencies as a fundamental instrument for consolidating the electoral process. This Resolution stated that at the request of a Member State, the OAS should send a delegation of international election observers to monitor and assess the procedures and processes of an election. Thus, the deployment of election observation missions was systematised, although at first the missions focused mainly on the polling day. Reflecting the evolution toward a more wide-ranging concept of democracy, the Inter-American Democratic Charter of 2001, which together with other legal instruments of the Inter-American system recognises various rights related to electoral processes, defined election observation missions as long-term endeavours and highlighted (in Chapter 5) their contribution as an instrument to support and promote democracy in the region.



Legislative elections, Pakistan 2013

III. FUNDING FOR ELECTION OBSERVATION MISSIONS

1. In the EU

EU election observation missions are funded by the European Instrument for Democracy and Human Rights. This Instrument was established in December 2006 by Regulation No. 1889/2006 of the European Parliament and Council, in order to promote democracy and human rights worldwide. Among other strategic objectives, its aim is to build confidence in democratic electoral processes and to enhance their reliability, in particular through the deployment of EU election observation missions and by sup-

porting the civil society organisations that take part in such processes (Title 1, Article 1, Paragraph 2d of the Regulation). This financial instrument was established for a period of seven years, and its budget for 2014-2021, negotiated between the Commission, the Council and the European Parliament, was 1,332,752 euros, to be employed to finance projects relating to the promotion of human rights and democracy in the world. The Regulation states that election observation activities will be assigned up to 25% of the total budget for the above period. Thus, an annual budget of around 38 million euros is available to finance election observation activities, as has been done during the last three years. This financial instrument provides election observation activities with budgetary stability and predictability, thus facilitating planning and forecasting.

2. In the OSCE

The deployment of election observers, in long or short-duration missions, is funded in its entirety by the States that choose to participate in an election observation mission (EOM) of the OSCE. Each Participating State bears the deployment cost corresponding to its own election observers. The level of participation by these States in a particular EOM often depends on their political interest in doing so and on their budgetary resources. This creates some uncertainty in the programming of missions by the ODIHR, which on occasion has been forced to cancel a scheduled Limited Election Observation Mission (LEOM) when the expected response of the Participating States was not obtained. Such was the case of the LEOM composed of 20 election observers for the Italian elections of 2013 (in LEOMs, short-duration election observers are not deployed). The deployment of the Core Team, composed of experts and analysts, is financed from the budget of the OSCE.

3. In the OAS

The OAS does not currently have any instrument allowing it to finance the deployment of scheduled EOMs, and so in each such case the financial resources needed for deployment must be requested of the Member States, Observer States and other donors. Spain is one of the largest donors to these EOMs, through the Spanish Fund for the OAS, a financial instrument

created in 2006 to channel cooperation funds to this Organization in order to enhance the governance of Latin American and Caribbean countries. The format and size of the EOM depend ultimately on the resources obtained, and this limitation can complicate the programming of missions.



Presidential election, Armenia 2013

IV. ELECTION OBSERVATION WITHIN THE INSTITUTIONAL FRAMEWORK

1. In the EU

As a result of the institutional changes brought about by the entry into force of the Treaty of Lisbon, EOMs are the direct responsibility of the High Representative of the European External Action Service, which reflects the priority awarded to election observation as an instrument of EU external

policy in the promotion of democracy. The responsibility for programming missions and for related political aspects is now assigned to the Democracy and Election Observation Division (previously, these functions were performed by RELEX). In addition, a new resource, the Foreign Policy Instrument, has been created within the Commission. This Instrument is directly controlled by the High Representative and is responsible for the operational, logistical and security aspects of EOMs and for the final selection of election observers from those proposed by each Member State.

2. In the OSCE

The Office for Democratic Institutions and Human Rights is the specialised body within the OSCE that deals with issues related to elections, human rights and democratisation. Its organisational structure reflects the different policy areas that comprise its mandate. It has an election department that is responsible for organising EOMs, providing the legal and technical assistance required and for promoting and assisting domestic electoral observer organisations throughout the OSCE region. The departments of Democratisation, Human Rights, Tolerance and Non-Discrimination, and the Contact Point for Roma and Sinti Issues complete its organisational structure. The Director of the Office is appointed by the rotating Presidency, at the proposal of the Participating States and on the principle of consensus.

3. In the OAS

The mission of the Department of Electoral Cooperation and Observation (DECO) is “to assist in consolidating and maintaining democratic political and electoral systems and in conducting transparent, legitimate and credible elections in the countries of the Americas”. This unit is attached to the Secretariat of Political Affairs, which was created in mid-2005 to provide assistance and support to Member States to strengthen their democratic institutions and processes.

The DECO fulfils its mandate through three specialised units:

— The Electoral Observation Unit is responsible for the organisation, implementation and monitoring of all the EOMs conducted by the Organization.

— The Electoral Cooperation Unit is the main instrument of electoral cooperation and assistance, and is responsible for promoting and strengthening institutions and electoral processes in the region.

— The Electoral Studies Unit carries out applied research and identifies best practices and/or international standards related to democratic elections.



Legislative elections, Afghanistan 2005

V. KEY QUESTIONS ABOUT ELECTION OBSERVATION

1. What is an election observation mission?

An EOM performs an in-depth analysis of the various stages of the electoral process, in the context of the electoral cycle, and provides an impartial, independent and professional evaluation. Fundamentally, an EOM assesses the quality of an electoral process and how closely it complies with international standards for democratic elections, good practices and the corresponding national legislation. Therefore, the most important products of an EOM are

the preliminary statement and the final report, which evaluate the quality of the electoral process and propose a set of recommendations to improve diverse aspects, processes and institutions involved in the election process.

An EOM is deployed only at the invitation of a country, exercising its sovereignty. The mandate of the observer is to observe and report, whilst maintaining strict independence, impartiality and professionalism. In no way can the observer interfere in the electoral process. In this respect, the role of observation differs from that of supervision, in which case the international community undertakes the management of the electoral process. This was the case in Bosnia, Kosovo and East Timor, where elections were supervised by the United Nations and the OSCE while these countries were under the tutelage of the international community.

2. What are the aims of an election observation mission?

The aim of an EOM is to contribute to:

A. The construction and consolidation of democratic systems, with the provision of recommendations to enhance future elections.

B. Reducing levels of fraud, malpractice and intimidation. The presence of an EOM has a dissuasive effect on the possible commission of fraud because the parties involved in the election wish to receive the stamp of internal and international legitimacy that is provided by a positive EOM assessment.

C. Strengthening the transparency of the electoral process and thus increasing the confidence of voters, who view the EOM as an important guarantor of election transparency.

D. Promoting the acceptance of results by all parties, and thus forestalling the tension and violence that may arise during the post-election period, thanks to the general perception of the EOM as an impartial, independent, rigorous and professional body.

E. Strengthening respect for human rights, as the election in itself is a celebration of human rights.

F. Strengthening the legitimacy of the authorities emerging from a transparent electoral process, this being an essential element in the process of stabilisation and reconstruction after a conflict ends.

3. What is the added value of an election observation mission?

A. An EOM informs domestic and international public opinion of the quality of an electoral process, and thus performs an essential testimonial role which in some cases has constituted a factor promoting change, and in others has helped to strengthen domestic and international mechanisms favouring the democratic process.

B. This essential testimonial role, moreover, has the outstanding merit of establishing a price to be paid for fraud, namely the loss of internal and international legitimacy, with the major problems this would produce in terms of national governability and international dialogue.

C. An EOM provides factual, reliable and accurate information, thereby fulfilling the sole function that justifies and confers prestige on the mission: to act as an instrument of rigorous, impartial and independent analysis, one that is available to all of the national and international actors involved in constructing a democratic system.

4. What is understood by international standards and good practice for democratic elections?

Above all else, international standards for democratic elections represent objective, internationally recognised criteria for evaluating the quality of an electoral process.

These criteria are derived from the political rights and fundamental freedoms enshrined in the corresponding universal and regional instruments referring to human rights and political commitments in this respect. Once these standards have been ratified by a country, its government is obliged to maintain them and ensure their implementation. Thus, election observation can be defined as the activity that is limited to verifying a State's degree of compliance with its international and regional obligations regarding democratic elections and the presence of these obligations in the national legislation. Therefore, election observation cannot be considered as interference in a country's internal affairs.

The main universal and regional human rights instruments enshrining the rights and freedoms associated with democratic elections include the UN Universal Declaration of Human Rights (1948), the International Covenant on Civil and Political Rights (1966), the American Convention on Human Rights (1969), the Inter-American Democratic Charter (2001), the African Charter on Human and Peoples' Rights (1981), the Arab Charter on Human Rights

(2004), the European Convention for the Protection of Human Rights and Fundamental Freedoms, of the Council of Europe, and the Treaty on European Union and the Charter of Fundamental Rights of the European Union. In addition to these instruments of international law, under Article 7 of the Copenhagen Document (1990), the OSCE Participating States undertake to guarantee democratic elections.

The Universal Declaration of Human Rights of 1948 specifies the right of all citizens to participate in the election of a representative government, as a human right. Article 21 of this document stipulates a series of rights that States are obliged to maintain and preserve in order to ensure the existence of democratic elections. In this Article, the universal right to genuine elections is stated as follows: “Everyone has the right to take part in the government of his country, directly or through freely chosen representatives. ... The will of the people shall be the basis of the authority of government; this shall be expressed in periodic and genuine elections which shall be by universal and equal suffrage and shall be held by secret vote or by equivalent free voting procedures.”

Articles 19 and 20 of the Declaration state that everyone is entitled to the full enjoyment of the fundamental freedoms of expression, association, assembly and movement, as a necessary element for democratic elections to be held.

In addition to this Universal Declaration, the International Covenant on Civil and Political Rights details and codifies the human rights associated with political participation. Article 25, for example, grants all citizens, with no exceptions, the right to vote and to stand for election.

Good practices for democratic elections can be defined as electoral practices which in view of their widespread international use can be regarded as facilitators of opportunities for democratic elections. Such practices comprise, firstly, the fairness of the electoral process, i.e., the guarantee that the same conditions are applied to all contenders in the electoral process. Specifically, there must be equal access for all parties and candidates to State resources, including the State-controlled media. Candidates and parties must compete on the basis of equal and impartial treatment under the law and the authorities. Secondly, the Election Administration must be transparent, impartial, neutral, independent and effective, to achieve a balanced coverage of the campaign, a truly informed vote, ensured by means of voter education programmes, and campaigning and voting that are free from violence and intimidation.

5. What are the international standards for democratic elections?

The quality of an electoral process is assessed according to national legislation, best practices and the following international standards for democratic elections:

- A. *Universal suffrage.* All citizens with voting rights should be able to vote. This right should be defined as widely as possible. No restrictions should be imposed on the basis of gender, race, ideology or religion. Any restrictions on the civil and political rights of citizens convicted of a crime should be proportional to the offence, and voting rights should be re-established after the sentence has been served.

The right of universal suffrage requires a census registration process that is effective, impartial, non-discriminatory and reliable. In some cases, census registration (in a context of active registration to vote) may be used to exclude sectors of the population, such as minorities or opposition strongholds, by means of the legal framework applied or in the application of the law, through subtle strategies of exclusion. A census with such levels of imperfection will distort the election results, and violates the right to universal suffrage. Compilation of the electoral roll is an essential phase of the election cycle and will be subject to scrutiny by the observation mission.

- B. *The right to stand for election.* The right of active universal suffrage should be defined as widely as possible, with no restrictions on gender, race, ideology or religion. The process by which candidates and parties are registered to participate may also be used to exclude candidates and parties from the race by means of various strategies, such as the obligation to deposit large amounts of money, to collect large numbers of signatures in support of a candidacy or to approve difficult language tests. All of these requirements discriminate against smaller parties and minority representatives. Plurality of the options offered should be guaranteed, and the free exercise of this right helps to ensure the plural nature of elections.
- C. *Unrestricted suffrage.* If elections are to be genuine, all citizens must enjoy their fundamental rights of freedom of expression, association, assembly and movement. Voters must be able to express their political choice free of violence, intimidation or undue interference. Moreover,

election freedom must not be distorted by the existence of large differences in campaign financing or by unequal access to public resources.

- D. *Equal suffrage*. This right means, firstly, that all voters should have an equal number of votes, in compliance with the principle of ‘one man, one vote’. Furthermore, it requires that each vote should have the same value, implying that factors such as the design of the constituencies or the system by which seats are allocated should not distort the principle of equal suffrage. Accordingly, under a system of proportional representation, the number of representatives for each constituency should be proportional to the electorate. Under a system of majority representation, the populations of the constituencies should be approximately equal, although a difference of up to 10% is acceptable.
- E. *Secret ballot*. Voters should be guaranteed the possibility of freely expressing their choice in the privacy of a secure voting booth, or via equivalent procedures to safeguard the secrecy of the vote and, moreover, they should be informed that the right to exercise their vote in secret is guaranteed. In intimidating environments or in conditions of extreme poverty, vote buying is widespread, and therefore ensuring the secrecy of the vote is essential so that voters can freely express their will. This safeguard counteracts the distorting effects of vote buying, through which people are deprived of the control of their vote. Poverty, illiteracy and intimidation are factors that distort the free expression of political will and contaminate the electoral process. Moreover, family voting often jeopardises women’s freedom to vote. The protection of vote secrecy and well-informed voting mitigates the impact of these factors on the freedom to vote.
- F. *Effective legal remedy*. This right means that voters and candidates should be guaranteed effective access to the appeal system. It also means that decisions should be fair and prompt, in order to enable the effective restitution of any breach of candidates’, parties’ and voters’ electoral rights.
- G. *The right to a fair count*. The votes cast must be properly counted, without manipulation or falsification, and the results announced must accurately reflect the freely expressed popular will. Furthermore, the elected representatives must be allowed to take up their positions. The rights of women candidates who are elected are thus reinforced,

since in some contexts winning candidates are pressured to give up the office to which they have been elected.

- H. *Periodic elections.* By law, elections should be held at regular intervals (every 4 or 5 years), in order to ensure that the legitimacy of the government is based on the will of the electorate, and in accordance with the principle that elected representatives should be accountable for the exercise of powers delegated to them. Clear procedures for the electoral process should be established.

6. What are the essential elements that comprise democratic elections?

- A. *Free elections.* The electors' wishes should be freely formed and expressed. Accordingly, their fundamental freedoms must be preserved, including vote secrecy and the availability of necessary information.
- B. *Competitive elections.* There must be a plurality of options and a fair electoral process, including equal suffrage.
- C. *Inclusive elections.* All those with the right to vote must be included in the census and be able to exercise their right to vote, thus guaranteeing universal suffrage.
- D. *Transparent elections.* The final results reported must accurately reflect the will of the electorate.

7. What types of methods are employed in election observation missions?

An election is the culmination of a process that develops over a period of time. Therefore, the EU and the OSCE, as well as other international organisations, have developed a long-term methodology for EOMs. This means that a mission is not limited to observing the single event of voting and counting; in addition, the observers perform a rigorous, thorough analysis of the various stages of the electoral process, including the pre-election campaigning (which must be fair, free and plural), the quality of the census, the registration of candidates, the conduct of the election administration and of other authorities, the behaviour of the media, the legal framework, the socio-political context, voting, counting, compilation of the results, the immediate post-election phase, attention to electoral disputes and appeals and the announcement of the results.

8. What is the purpose of an exploratory election mission?

Before undertaking any commitment to observe an election, the EU will deploy an Exploratory Mission to determine the appropriateness of sending an EOM, thus avoiding the possibility that it may be used to legitimise a fraudulent process. The Needs Assessment Mission of the OSCE has the same purpose as the EU Exploratory Mission.

The Exploratory Mission is composed of a small group of electoral, legal, logistics and security experts who are deployed about four months before an election is held. Their task is to evaluate whether the EOM is advisable, useful and feasible, and to recommend for or against its deployment, and where appropriate, the format and size of the EOM.

An Exploratory Mission, therefore, must determine whether the EOM is:

- A. *Advisable*. Are the minimum conditions met for democratic elections? In other words, does the legal framework guarantee the fundamental rights and freedoms, universal suffrage, acceptable levels of voter and candidate registration, so that competitive elections with a plurality of candidacies can be held?
- B. *Useful*. According to those involved in the electoral process, would an EOM contribute added value? Specifically, would the mission contribute to reinforcing the transparency of the electoral process and the confidence of the electorate, parties, candidates and other actors, to prevent conflicts and, if necessary, to facilitate acceptance of the election results?
- C. *Feasible*. Do security conditions and the logistics in the field allow the deployment of an EOM? The freedom of movement of observers, throughout the country, and their access to all actors, during all phases of the electoral process, must be guaranteed.

9. How are election observation priorities determined?

9.A. In the OSCE

In the Copenhagen Document of 1990, the 57 Participant States in the OSCE made the political commitment to invite the ODIHR to observe their elections. Thus, if the corresponding Needs Assessment Mission (NAM)

recommended the deployment of a mission to observe a particular electoral process, and after receiving a formal invitation to do so from the Participating State, the ODIHR would inform all Participating States of this EOM, with a format to be determined according to the NAM report. In turn, the NAM determines the format and size of an EOM according to the country's needs in this respect. The NAM may recommend a conventional long and short-duration EOM or a Limited EOM, in which only long-term observers are deployed, as was the case in the US presidential election of November 2012 and the presidential elections in Montenegro in 2013. The NAM may also recommend sending an Electoral Assessment Mission, which consists of just a small team of experts, who are normally deployed in environments where democratic elections are already well consolidated.

9.B. In the EU

The decision to observe an election is in itself a political decision, reflecting the EU's interest in supporting the democratic process in a particular country.

Europe receives more requests for EOMs than it can address, especially from countries in receipt of development aid or that wish to acquire the stamp of democratic legitimacy that is provided by a positive assessment of their electoral process.

Faced with this growing demand, and in view of its limited financial resources, the EU can only select a limited number of elections to observe. To this end, the Democracy and Election Observation Division of the European External Action Service (EEAS), after consultation with the Commission's geographic units, the Heads of Delegation, the Council Policy Unit and the corresponding unit of the European Parliament, will draw up a preliminary list of countries whose elections are considered a priority for observation (List A), together with a reserve list (List B), where elections will be observed if those included in List A cannot be observed, for whatever reason (for example, if no invitation is made, or if the elections are not held).

In establishing its priorities, the EEAS employs a strategic approach combining the following criteria:

- The degree of linkage between the EU and the country in question, embodied in the presence or involvement of the EU through its development aid policy. The aim is to enhance the coherence of EU policies

on the promotion of democracy and human rights by attaching certain conditions in this respect to development aid, under the premise that democracy and development are mutually reinforcing. Therefore, the EU will prefer to deploy an EOM where there exist strong development-related links with the country.

- Potential contribution of election observation to the processes of democratisation and of political stabilisation. In a scenario of contested elections and distrust among the actors in the electoral process, an EOM can play a key role in promoting the acceptance of the results by the actors involved.
- Consistency with EU initiatives in crisis prevention and management. In the priority list, preference will be given to the inclusion of countries where the EU is active in crisis management initiatives, such as DR Congo, Mali, Madagascar and Ivory Coast.
- Geographic balance.
- Availability of resources. The EU has an annual budget of approximately 38 million euros, with which it seeks to deploy 7-10 EOMs each year.

Once the two lists of possible elections to be observed have been drawn up, the EEAS will present them for discussion to the Member States represented on the Political and Security Committee. This discussion will help determine the priority countries for an EOM, taking into account the interests of the EU as a whole and those of its Member States. The latter, according to their historical, economic and geostrategic interests and the perceived need to support the democratic process, will strive to ensure the presence of certain countries within the priority group.

The final decision to deploy an EOM corresponds to the High Representative, whose decision will also take into consideration the recommendations of the Exploratory Mission.

After deciding to send an EOM, the EU will sign a Memorandum of Understanding with the authorities of the country concerned, setting out the obligations of both parties, together with the mandate and objectives of the EOM. Among other obligations, the host country must undertake to ensure the security of those involved in the Mission and allow them unrestricted access to all actors in the electoral process. For its part, the EOM undertakes to respect the country's laws and not to interfere in the electoral process.

Once an EOM has been deployed, it is independent of all other EU institutions and of the Member States.

9.C. In the OAS

In accordance with the principle of non-intervention, none of the legal instruments of the Inter-American system establishes the figure of a standing invitation to the OAS to observe the electoral processes of its Member States. Such a task may only be carried out at the request of the Member State concerned, in the exercise of its sovereignty. Therefore, fulfilling its mandate, the Department for Cooperation and Electoral Observation will respond positively to all requests for electoral observation made by OAS Member States. The size and format of the mission will depend largely on the volume of funds provided by donor States for each mission. To date, the OAS has carried out EOMs in 27 of its 35 Member States.



Legislative and presidential elections, Kenya 2013

VI. A NEW APPROACH TO ELECTION OBSERVATION

1. In the EU

1. A. The recommendations

During 2012 and 2013, a new approach to election observation within the EU became consolidated, acknowledging the major importance of EOM recommendations in promoting legal and technical reforms to enhance electoral processes. In many cases, these reforms have notably strengthened democratic practices, processes and institutions.

It should also be noted that EOM recommendations constitute a valuable working tool available to the EU and other organisations, enabling them to design more effective strategies of electoral support and cooperation, geared to the real needs of the country. Hence, recognising the need to promote the implementation of these recommendations in order to improve the electoral process, the EU has increasingly integrated them into its political dialogues with third countries.

The public presentation of the final EOM report by the Head of Mission in the host nation's capital one month after the elections reflects the intention of giving greater visibility to the EOM recommendations and of encouraging their adoption.

1. B. Election Follow-up Missions

1. B. a) Background

In accordance with this new approach, in early 2013 a new type of mission was launched, with the intention of promoting the effective implementation of EOM recommendations and thus placing election observation in the context of a broader and more effective democracy-building exercise. This new approach, based on the creation of Observation Follow-up Missions (EFM), is outlined in the EU Strategic Framework and Action Plan on Human Rights and Democracy, which was adopted by the EU Council in its decision of 12 June. Paragraph 6d of this document states, among others, the aim to “Systematise follow-up use of EU Election Observation Missions and their reports in support of the whole electoral cycle, and ensure effective implementation of their recommendations”. The impact of EOMs on processes of democratic consolidation is reinforced with this new type of mission, which is currently in an embryonic state. Between 2012 and 2013, three EFMs were deployed as pilot experiences in Bolivia (2012), Malawi (2013) and Mozambique (2013). In the near future, these missions are expected to become consolidated to achieve the goals set for them.

1. B. b) Goals

- To effectively monitor EOM recommendations and thus facilitate their implementation.
- To support the host country in the effective implementation of EOM recommendations, by obtaining an accurate evaluation of the difficul-

ties faced so that the necessary reforms can be promoted, thus enhancing the electoral process and identifying the country's real needs in this respect.

- To provide the necessary mediation between institutional partners to advance the reforms suggested in the recommendations and to unblock potential situations of impasse.
- To better define the format of a mission in the next phase of the electoral cycle, in terms of the willingness shown by the authorities to implement the EOM recommendations and of the country's requirements in this respect. Thus, if after the second or third elections observed it is reported that most of the recommendations have not been taken into account by the relevant stakeholders, doubts will be raised as to the usefulness of deploying an EOM in a country where the partners are unwilling to enhance the democratic process.

1. B. c) Methods

The methodology for EFM is still being perfected, which explains why those conducted in Bolivia and Malawi had only two experts while in the case of Mozambique the mission was staffed by two experts and a Head of Mission.

In principle, halfway through the electoral cycle, two years after the previous election, an EFM will be deployed, composed of an election expert and a legal expert, accompanied in some cases by a Head of Mission. Naturally, the presence of a Head of Mission gives it a more political profile and greater visibility. If necessary, the Head of Mission can assist in mediating between partners to unblock situations that might hinder the implementation of reforms.

Specifically, the EFM will conduct a technical analysis of the status of implementation of the recommendations made, the achievements, the difficulties encountered in the implementation of the recommendations and possible means of overcoming these difficulties. The Mission may also organise meetings and round tables with the different institutional partners (legislators, electoral authorities, political parties, the judiciary, etc.) and civil society organisations that could facilitate the implementation of the recommendations. At the end of the Mission, a press conference will be convened to present the conclusions drawn from the experience.

2. In the OSCE

Putting EOM recommendations into effect has become a priority for the OSCE, in accordance with the undertakings given by the Participant States at the Istanbul Summit “to follow up promptly the ODIHR’s election assessment and recommendations” (art. 25).

Reflecting the strategic importance granted to the implementation of EOM recommendations, in the last three years follow-up visits/missions by the ODIHR have become increasingly common. These activities are designed to facilitate a constructive dialogue on EOM recommendations between the ODIHR and the different national actors (electoral authorities, legislators and civil society) in order, where appropriate, to identify cooperation/electoral assistance needs and thus where possible to enhance the electoral process.

After an EFM mission has been conducted, generally by a team composed of two experts (electoral and legal), the Participant State normally undertakes to submit a report to the OSCE Permanent Council in response to the recommendations made. This report should specify the State’s reasons for acceptance, rejection or partial consideration of each of the recommendations, and detail the measures and reforms that have been applied and/or will be applied in order to implement the recommendations.

3. In the OAS

Like the EU and the OSCE, the OAS recognises the primary importance of EOM recommendations in the development and modernisation of electoral institutions and in strengthening the democratic process. It has become a priority for the Organization to develop effective mechanisms to monitor compliance with the recommendations, so that, among other outcomes, it can assist and advise the electoral authorities throughout the election cycle.

Furthermore, the democratic consolidation that has been achieved in the continent highlights the appropriateness and value of deploying specialised missions, focused on analysing specific problems that might impair the quality of an electoral process, rather than large-scale EOMs that could impose a significant burden when financial resources are limited.

It should also be noted that in recent years the OAS has developed effective means of analysing issues such as campaign financing and electoral

participation by women and vulnerable groups, from the standpoint of the electoral cycle. The EOMs conducted by the OAS now incorporate these two powerful analytical tools, which enable them to assess achievements and shortcomings in two areas of particular significance to the quality of the electoral process. In fact, unequal opportunities and low levels of political participation by women and vulnerable populations in Latin America are among the least satisfactory elements of electoral processes in the region.



Legislative and presidential elections, Mali 2013

VII. OTHER EU-MISSION FORMATS

1. Election Expert Mission

Together with the traditional format of EOMs that have been deployed by the EU, and which are examined in detail in this Handbook, in recent years the use of Election Expert Missions (EEMs) has become increasingly common,

for application in contexts in which the EU does not consider it useful to send a traditional mission, with the deployment of short and long-term observers, but still wishes to have a reliable means of analysing the electoral process, and also to make apparent its interest in the process of democratisation in the country in question. There are various contexts in which the EU might decide to send an EEM:

- A. If, after several elections observed by the EU, the country has made no progress in the implementation of recommendations, as a result of lack of will by the authorities, and therefore continues to present major deficiencies that seriously compromise the integrity of the electoral process. In such a case, the EU will recommend sending an EEM. This would avoid not only the enormous costs of deploying an EOM (which, moreover, would contribute no added value in this context), but also the risk of its presence being used by the authorities to legitimise a process with substantial deficiencies.
- B. Conversely, if after several observed elections, the country has carried out many of the reforms recommended and is progressing decisively in the process of democratic consolidation, then deployment of an EOM will no longer be necessary. In this case, it would be more appropriate to send an EEM; on the one hand, this would obtain accurate information on the electoral process, and at the same time, it would evidence EU interest in the country's successful democratic consolidation. This type of mission is currently experiencing exponential growth, as the result of a more strategic pattern of programming in election observation.

It is also very significant that such missions can meet the growing demand for election observation with a limited budget. Thus, an EEM is usually composed of two experts (a legal analyst and an electoral analyst) who are deployed for an average period of two months. From the perspective of the electoral cycle, they will examine the election process, focusing on the strengths and the most vulnerable elements of the electoral process, and then prepare an independent report containing recommendations for improvements.

There is no uniform practice concerning the publicity to be given to the Mission report. In some cases, it will only be circulated for internal use within the relevant EU departments, while in others, it will be published on the EU website and a copy will be delivered to the authorities.

In 2013, eleven EEMs were deployed, in the following countries: Ecuador, Zimbabwe, Bhutan, Cambodia, Togo, Guinea Bissau, Maldives, Fiji, Rwanda, Swaziland and Mauritania.

2. Election Assessment Team

When security conditions in the host country do not permit the deployment of an EOM, the EU has resorted to this form of mission. Under no circumstances does an EAT involve the deployment of short-term observers.

An EAT consists of a small group of experts, their number depending on the needs of the mission; thus, 7 team members were present at the Afghanistan election in 2010, and 16 in Iraq in the same year. If security levels permit, a small group of long-term observers may also be included, as was the case in Libya for the 2012 election. On that occasion, and exceptionally, a Head of Mission, an MEP, was also present, which reflected the wish of the EU to underscore the importance of the Mission and thus to boost democratic construction at a particularly difficult stage of the process. When such a mission finalises, its conclusions and recommendations are presented at a press conference and delivered to the national partners involved.



Legislative elections, Afghanistan 2005

VIII. HOW IS A MISSION STRUCTURED?

The structure of an EOM reflects the need to cover all phases of the electoral process. The standard structure, based on the EU model, is described below.

1. Core Team

The Core Team is led by the Head of Mission. In the case of an EU mission, this is normally an MEP, appointed by the High Representative from

a short list submitted by the Democracy Support and Election Coordination Group of the European Parliament. Thus, the European Parliament participates in EOMs, in its capacity as the supreme representative of European popular sovereignty, and whose members are elected by universal suffrage. Moreover, its representative, as the Head of Mission, is in an ideal position to promote the political follow up, implementation and disclosure of the EOM recommendations. The Head of Mission is totally independent of the European Commission, and is solely responsible for the preliminary EOM statement and the final report.

The Core Team also includes a Deputy Head of Mission, who coordinates the team and in the absence of the Head of Mission will assume the team leadership and representation of the EOM, together with the following specialist staff: a legal analyst, an election analyst, a media analyst, a press and public outreach officer, a political analyst, a statistician, a gender-issues analyst, a human rights analyst and a coordinator.

In recent years, the figure of press and public outreach officer, who is responsible for the Mission's communication policy, has become increasingly significant, in view of the importance not only of raising the profile of the mission but also of ensuring its credibility, avoiding the harm that might be caused by an inflammatory image or any erroneous perception of bias, lack of professionalism or independence.

EOMs incorporate gender and human rights analysts, although under the new methodological approach, other members of the Core Team are also trained to include a consideration of gender and human rights issues in their analyses. A political analyst will be incorporated into the Core Team only in contexts that present a certain complexity with respect to the situation, structures and socio-political dynamics.

The Core Team is deployed approximately two and a half months before the elections are held, and remains in the country for about two or three weeks afterwards in order to monitor the post-election period.

2. Long-term observers

Long-term observers are deployed throughout the country, in groups of two, for a period of about two months. Their task is to analyse the pre-election context and the situation immediately after the elections.

3. Short-term observers

Short-term observers are deployed for about 10 days, in teams of two throughout the territory. They observe the election process during the voting, the count and the consolidation of the results.

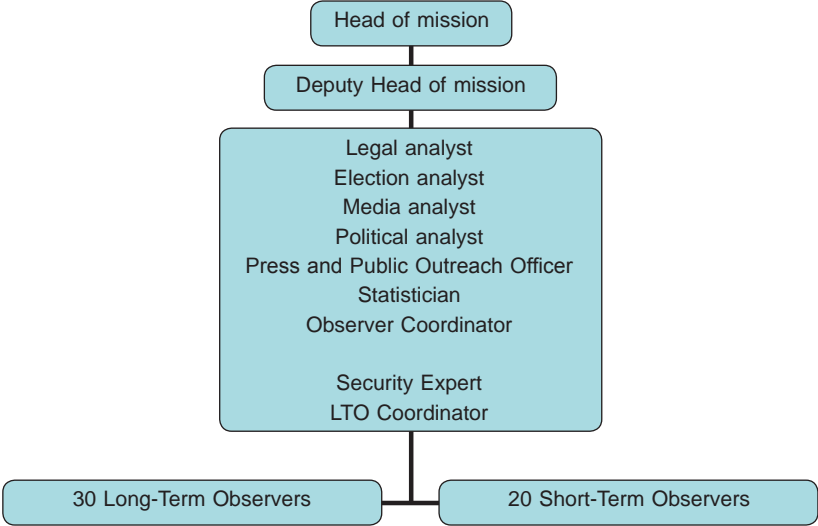
4. Service Provider/ Implementing Partner

In 2008, the EU outsourced its EOM logistics and security operations and services to what are termed Implementing Partners (IPs), which are international organisations, or Service Providers (SPs), which may be private companies or NGOs. In all cases, these bodies must previously have been accredited to perform these functions by the Foreign Policy Instrument (FPI) in a public bidding process in response to FPI calls for tenders for the deployment of an EOM.

IPs and SPs are responsible for the logistics of the mission and for making the necessary arrangements for its deployment, such as drafting contracts, buying tickets for the observers' transfer to the country, meeting their day-to-day expenses, hiring interpreters and drivers, renting cars for travel in the field and purchasing the equipment required (computers, telephones, etc.). They are also responsible for ensuring the safety of EOMs.

After the public bidding process held in 2012, the FPI granted four-year accreditations as SPs or IPs to four consortiums, led by the following organisations/companies: GIZ, IOM, INDRA and TRANSTEC.

**Election Observation Mission
for the presidential elections held in Mali
on 28 July and 11 August 2013**





Legislative elections, Ethiopia 2005

IX. CORE TEAM

1. What are the functions of the Core Team?

1. A. Analysis of the legal framework

The task of the legal expert in the Core Team is to analyse the country's legal framework in order to determine the extent to which its legislative and regulatory context enshrines recognised good practices for democratic elections and guarantees the rights and freedoms stipulated in international legal instruments for democratic elections. Taking into account reports made by long-term observers deployed on the ground, this expert will also evaluate

the extent to which the legal framework is consistently and impartially applied. The legal system applied in the country should guarantee the enjoyment of fundamental rights and freedoms, and enable free, transparent and competitive elections to be held.

1. B. Analysis of the complaints and appeals system

Among other functions, the legal expert must analyse whether candidates' electoral rights are protected; for example, whether the electoral law allows candidates to appeal against possible violations of the electoral law, whether it clearly establishes the appeal system that is applicable and whether a reasonable period is provided for appeals to be presented. The legal expert also determines whether the law guarantees the independence and impartiality of the bodies responsible for the resolution of appeals, namely the Election Administration and the corresponding judicial bodies. Finally, the expert monitors the appeals presented during and after the campaign and assesses whether they were resolved independently, impartially and in a timely manner.

1. C. Analysis of the election system

The election analyst will assess the electoral system, including the design of constituencies and the electoral formula applied, to determine whether it allows voters and candidates the full enjoyment and exercise of their electoral rights. An analysis will also be performed of the composition and performance of the election administration, the quality of the census, voting procedures, the counting and consolidation of the results, and the resources used by the candidates/parties in the election campaign.

1. D. Analysis of the behaviour of the media

Free and independent media are essential to the achievement of democratic elections. The authorities must ensure freedom of information, without intimidation, hindrance or censorship. Among the first tasks of the media expert is to consider whether freedom of information is guaranteed, whether there exists a plurality of media and whether the electorate receives sufficient, balanced information to make an informed decision.

With respect to State-controlled media, the expert will study whether the rules governing candidates' and parties' access to these media are fair and

are applied correctly. In addition, a statistical analysis will be made of the media coverage of the election campaign, to assess whether the obligation of neutrality and impartiality is met.

To assess whether State-controlled television and radio provide balanced and neutral information about the campaign and the contenders, the expert will coordinate a team of local professionals to determine the amount of time and space devoted to each candidate and party. These monitors will also assess whether the coverage of the candidates' election campaigns is positive, neutral or negative. This qualitative and quantitative analysis will also be carried out for the privately-owned media, to evaluate their impact on the election campaign.

1. E. Reports by the long-term observers

The Core Team receives and analyses the weekly reports made by the long-term observers, to draw appropriate conclusions to be incorporated into their own analysis of the electoral process.

1. F. Preliminary statement

The Head of Mission will draft a preliminary statement based on the comments of the long and short-term observers, derived from their own analyses. This statement will be issued no later than two days after the election, during the period of peak media attention. The preliminary statement provides an independent analysis and evaluation of the electoral process, on the basis of the rights enshrined in international instruments and good practices for democratic elections. This assessment of the electoral process will include the following aspects:

- The degree to which the legal framework meets international obligations for democratic elections.
- The composition, impartiality, neutrality and effectiveness of the election administration.
- The campaigning freedom allowed to parties and candidates.
- The use of State resources,
- Campaign finance (in this respect, a more systematic field monitoring is carried out in the OAS area).

- The contenders' access to media.
- Universal suffrage.
- The quality of the census.
- Registration conditions for parties and candidates.
- Efficiency and impartiality of the system for resolving election disputes.
- Women's participation in the electoral process.
- Situation relating to the protection and respect of human rights.
- Transparency in the conduct of voting, counting and results consolidation.
- Any other matter relating to the democratic nature of the election.

The preliminary statement is the most visible product of the Mission and the one producing greatest media impact. It is a very effective means of presenting the quality of the electoral process observed before domestic and international public opinion.

1. G. Final report

The Core Team is also responsible for drafting the final report, setting out in detail the observations, analyses, findings and recommendations of the Mission. Six weeks after the elections, in the capital of the host country, the Head of Mission, accompanied by the Deputy Chief of Mission, will present the final report to the media and deliver it to the election authorities, political parties and civil society organisations. In line with the primary objective of election observation, namely to support host countries in their process of democratisation, the final report is intended to be constructive, emphasising the positive elements of the electoral process whilst taking note, in the central chapter of the recommendations, of the shortcomings that need to be redressed.

The preliminary statements and the final reports of the OSCE, EU and OAS election observation missions can be consulted on their respective websites:

<http://osce.org/odihr-elections/14207.html>

http://www.eeas.europa.eu/eueom/index_en.htm

<http://www.oas.org/es/sap/deco/>



Legislative elections, Cambodia 2008

X. LONG-TERM OBSERVERS

1. What are the functions of the long-term observers?

The long-term observers are the “eyes and ears” of the Mission. Their main function is to observe, to collect information and to inform the Core Team of the conclusions of their observations. They are also responsible for the deployment of short-term observers (STOs), for providing information via a briefing on the electoral process conducted in their region and for communicating to the core team the results of the STOs’ observations of the voting and counting on election day. Therefore, they must have strong analytical

skills, together with logistical and social skills with which to interview the actors in the electoral process.

2. How long will they be deployed?

Long-term observers (LTOs) are deployed for a period of 6-8 weeks. They observe the pre-election process, the campaign, the voting and counting, the aggregation and announcement of results and the post-election period. In addition, they monitor the election appeals presented and their outcome.

During the first three days of their stay in the capital, members of the Core Team will provide the LTOs with valuable information about:

- The legal framework governing the elections, the electoral system, the structure and composition of the Election Administration, the registration process and the voting system.
- The political situation in the country.
- Key elements of the electoral process that raise concern among the electoral partners and the Core Team and to which the LTO should pay attention.
- Issues regarding security.
- Logistics and financial questions.
- Matters relating to the submission of reports, the delivery system to be used and the frequency of their production.

3. How will they be deployed?

LTO are deployed in teams of two for security reasons, but also for methodological convenience, because “four eyes are better than two”.

The findings of the observation team result from the interaction of the analyses made by two persons, and from contrasting their differing or complementary outlooks. This situation, logically, adds to the value of the information transmitted to the Core Team.

LTOs are normally deployed over most of the country, or at least the most representative areas, politically and demographically.

This deployment is intended to achieve the widest possible coverage, while taking into account the existence of certain priority areas, due to their political or demographic importance.

4. How will they observe?

LTOs conduct interviews with parties and candidates, the Election Administration, local authorities, civil society organisations (of local observers, defenders of human rights, etc.), voters and any other organisation or agency involved in or relevant to the electoral process. They also attend campaign rallies of parties and candidates, meetings organised by the Election Administration with electoral and political actors, when these sessions are open to the public, and training seminars for members of electoral commissions.

5. How will they report?

Observers must file a weekly report to the LTO Coordinator to be forwarded to the Core Team. This report should provide accurate, comprehensive information on the aspects of the electoral process under observation, and on any matter of particular interest to the Core Team. In addition to these weekly reports, if noteworthy events occur (severe violations of the fundamental rights and freedoms of candidates or voters, serious outbreaks of violence, etc.), then daily reports (also termed flash reports or incident reports) should be sent.

Observers must ensure that their observations are accurate and complete and that their conclusions are based on an impartial and objective analysis of observations and of factual findings. Observers must at all times distinguish clearly between directly-observed facts and statements or complaints by electoral actors (who should be asked to substantiate these as far as possible).

Even if events are not directly observed by LTOs, unconfirmed allegations (for example, if an opposition party alleges that the ruling party is buying votes by giving sacks of rice or money to voters, or that violence is being practiced against opposition supporters and candidates) may be included in the LTO reports, as they may be useful elements for the subsequent analysis of the electoral process. In fact, such allegations contribute to reflecting the prevailing political climate and, moreover, may eventually be confirmed.

6. What aspects of the election process will they observe?

6. A. The political context and situation

LTOs analyse the political context of their area of responsibility, and assess whether the political environment enables open and pluralistic electoral competition and a free vote. To this end, the observers must consider whether the political and civil rights of voters and candidates are respected.

They must also assess whether the political climate is peaceful or, on the contrary, it is characterised by violence and intimidation directed at the actors in the electoral process, and by deep political fractures and profound distrust. In the latter case, observers may foresee problems in the results being accepted by some political actors.

Observers will also examine the features of the predominant political parties (whether they are differentiated on ideological grounds, whether they are highly structured and disciplined or, conversely, weak, personalistic or dependent on patronage, etc.). The observers will also analyse the main issues raised in each party's programme for the region.

6. B. The Election Administration

The LTOs will assess the performance of the Election Administration in terms of its independence, impartiality, transparency and effectiveness. This body is responsible for administering, managing and conducting the election and therefore is a key agency in the electoral process.

6. B. a) The independence of the Election Administration

The Election Administration can be structured as a body composed of:

- a) Professional and independent members recruited from the judiciary, other agencies and civil society; or
- b) A balanced representation of political parties.

In either case, the Election Administration must correctly apply the corresponding legislation and regulations, and perform its duties without interference from the government or from any electoral actor.

The independence of the Election Administration should be ensured by the establishment of a permanent body for this purpose, or failing that by the creation of a permanent executive committee. If neither of these cases exists,

the Election Administration should at least have the guarantee of a fixed mandate for its members. Moreover, providing the Election Administration with its own budget would make it less exposed to possible interference by the government and political parties.

The LTOs should assess whether the Election Administration is independent in its actions.

6. B. b) The impartiality of the Election Administration

The Election Administration should act impartially, without favouring any party or candidate.

6. B. c) The transparency of the Election Administration

The Election Administration must act in a transparent way. Its meetings should be open, and if this is not so, it should at least publicise its decisions in the shortest possible time. It should also provide all the actors in the electoral process with the information most fundamental to its transparency, such as the census, the number of ballot papers and voting cards issued and distributed and the system established for recruiting polling station officials.

6. B. d) The effectiveness of the Election Administration

As the body responsible for the management and conduct of elections, the Election Administration must function effectively. LTOs should assess the feasibility of the Election Administration's plans concerning the expected numbers of polling stations, officials, ballot boxes, voting booths, etc. The Election Administration must also effectively plan the distribution of election materials and the training of polling station officials. Whenever possible, the LTOs should attend some of these training sessions.

6. C. The electoral register

The registration process is an essential phase of the electoral process, since a defective census may invalidate the election results produced. By contrast, a reliable, inclusive census is an important element in strengthening voter confidence in the electoral process. Therefore, the EOM must pay special attention to this question.

Observers should assess the degree of reliability (i.e., accuracy), transparency and inclusiveness of the electoral roll, in order to promote compliance with the principle of universal suffrage. To do so, the electoral register must be as inclusive as possible.

The registration process is not directly observed by the LTO, because when this process is a proactive one, in which the voter must attend a special centre in order to register, it takes place four to five months before the elections. However, the observer can assess the level of reliability and the inclusiveness of the census and the degree of trust generated in it, by means of interviews with all the actors in the electoral process: political parties, citizens, voters, human rights organisations, local observers and the Election Administration.

The observer must be aware of the multiple ways in which the census process might give rise to the exclusion of those entitled to vote. The registration process could be used deliberately for this purpose, to exclude important sectors of the population that are deemed ‘uncomfortable’, such as minorities or opposition strongholds. There are many ways by which these populations may be deprived of their right to vote, deliberately or otherwise:

- By creating a restrictive legal framework in which unjustified restrictions are placed on the exercise of voting rights, based on factors such as race, gender, religion, ethnicity, ideology, language proficiency, literacy or economic capacity. The observer should pay special attention to the conditions established by law for the acquisition of citizenship, because in some cases these are defined specifically to exclude certain segments of the population from the right to vote.
- The existence of high levels of errors in the census.
- The absence or non-effectiveness of appropriate methods to correct errors in the census.

In addition, other, more subtle obstacles to voting may be created:

- For example, through a malicious distribution of registration centres, making it difficult or impossible for certain segments of the population to reach them. In African contexts characterised by precarious means of communication and transport, locating registration offices at great distances from certain population centres is an effective way to exclude geographically concentrated minorities or opposition populations.

- Through an insufficient supply of essential materials at registration centres, thus making it impossible for the process to be completed.
- By a deliberate lack of information regarding the registration process.

6. D. Register of parties and candidates

The principle of universality that underpins the right to vote also applies to the right to present a candidacy. Accordingly, the observer should:

1. Assess whether the requirements for the registration of parties and candidates are unduly restrictive and aimed at eliminating certain parties and candidates from the electoral competition. Apart from discriminatory restrictions concerning race, gender, ideology, past political affiliations, religion or ethnicity, the following requirements are also discriminatory:

- The requirement to deposit large sums of money that are non-refundable or only partially refundable in order to contest elections. This requirement discriminates against independent candidates and small parties with limited financial resources.
- The requirement to have representative offices in all regions of the country. This requirement hampers election participation by parties with a regional or ethnic base, and parties representing minorities.
- The requirement to present an excessively large number of signatures of support in order to stand as a party or candidate in an election. This requirement limits the ability of small or newly created parties and independent candidates to contest elections. The requirement to present a large number of signatures distributed evenly throughout the country is even more restrictive.
- The requirement to pass an unreasonably difficult proficiency examination in the national language. This requirement may discriminate against parties and candidates representing minorities.

2. Assess whether the legal requirements are applied impartially and without discrimination.

6. E. Election campaign

Observers should assess whether parties and candidates can campaign freely without hindrance of any kind, determining whether:

- the legal framework guarantees fundamental rights and freedoms such as the freedom of expression, association and movement. Any restriction of these freedoms directly affects the freedom of campaign.
- the election context allows parties and candidates to conduct their campaign free of violence, intimidation and harassment.

Observers should also assess whether sufficient guarantees exist for a fair election campaign, in which no party or candidate is favoured by the misuse of national or local resources, in which there is no undue interference from local or regional authorities to benefit certain candidates. To this end, observers should:

- analyse whether the legal framework ensures a fair campaign for all parties and candidates, and effectively prohibits improper interference by local, regional or national authorities;
- if these legal guarantees are indeed established, assess whether the law is correctly applied, impartially and without discrimination.

Among other aspects, the observer should also consider the possible misuse of public vehicles, or other material and human resources, by pro-government candidates; the unjustified refusal by local authorities or the Election Administration to allow the use of public spaces for opposition candidates and parties to hold rallies and meetings. If the use of public spaces is allowed, they must be available to all parties and candidates on the same basis.

The law should establish clear rules on whether civil servants and other public employees may be involved in the election campaign. If this is permitted, these persons must not do so ostentatiously presenting their employment status, as this would have a distorting effect on the election process, especially in clientelist systems.

The legislation on campaign finance must be clear and equally applicable to all parties and candidates.

6. F. Voter education campaigns

Observers should assess the scope and effectiveness of voter education campaigns, and of civic education campaigns in general, these being of fundamental importance when rates of illiteracy are high.

Voter education campaigns should inform voters about the requirements and procedures for registration as a voter (how and where to register to vote and deadlines for verification). They should also tell the population how and where to vote on election day.

The national Election Administration authorities are responsible for ensuring that voters receive timely, objective and impartial information.



Legislative elections, Pakistan 2013

XI. SHORT-TERM OBSERVERS

1. Departure from base and arrival in the host country

Once the STOs have been selected by the competent body, the Human Rights Office of the Ministry of Foreign Affairs and Cooperation may convene, at its discretion, a meeting in which the representative of the corresponding regional department of the Ministry will provide the observers with information of a general political and electoral nature about the host country.

On arrival in the capital of the host country, where they will remain for about two days, the STOs will attend several briefings organised by the

appropriate experts from the Core Team. This will familiarise them with the political situation, the legal framework, the electoral system, the procedures for voting and counting, and the diverse problems that can afflict the electoral process, such as a defective census, latent violence, an election administration with little credibility or public trust, an inefficient system of resources, and the inadequate training of polling station officials.

At these briefings, they will also be informed of the deployment plan, the areas to which they will be sent and the name of their team partner. They will also be introduced to the driver and the interpreter who will accompany the team during its work.

2. What are the functions of the short-term observer?

The main task of the STO is to observe proceedings on the day of voting, including the counting and the aggregation process. These observations will then be forwarded, summarised on the appropriate forms.

3. Relevant issues for short-term observation

3. A. Forms

Forms are the main instrument of work for the STO, because they specify the items to be observed. In late 2011, the EU standardised these forms, which until then had varied according to the characteristics of the electoral process being observed. These new forms, first used in the EOMs conducted in 2012, are structured around a matrix based on international standards. Such standards are useful to conduct a comparative analysis over time between various elections, reflecting the voting, counting and consolidation of the results from the perspective of international standards. However, it has been found necessary to adapt these forms slightly in order to take into account certain specific aspects of each electoral process observed. These forms are the basis on which the mission will perform its quantitative analysis of the voting, the counting and the consolidation of results. They also serve for further assessment to be made of the electoral process as a whole.

The observers must complete four forms during the election day, one each for the opening of polling stations, the voting, the closing of the stations and the vote counting and aggregation.

3. B. Pattern of deployment

STOs are deployed for approximately ten days in teams of two throughout the country, and normally arrive in their area of responsibility about three days before the election.

Their deployment throughout the country enables the Core Team to receive an almost instantaneous impression of the voting, counting and aggregation of results.

Moreover, the massive presence of observers, distributed throughout the territory, strengthens the transparency of the electoral process, and therefore voter confidence, which will help to increase turnout.

The visibility factor is an important aspect of the methodology of election observation, as this aspect has an obvious deterrent effect on irregular practices, and at the same time sends a clear sign of support to the population in its efforts to exercise the right to political participation.

3. C. Perception accuracy of short-term observation

The effectiveness of short-term election observation depends on the observers' ability to understand the reality they face and the socio-political context in which the electoral process unfolds.

Therefore, they must be able to grasp the importance of phenomena that have a direct impact on the integrity of the process. For example, it should be understood that the systematic presence of local authorities, or of persons identified with the predominant power, at the entrance to the polling stations will have a clearly intimidating effect in a cultural context in which the historical memory of a totalitarian system or of a rigid system of social control remains very much alive. If the impact of this intimidating scenario is not perceived, an observation limited to purely technical aspects of the process may lead to erroneous conclusions being drawn.

Short term observation cannot be reduced to a cold, automatic collection of technical data, and this is what makes it such a complex procedure.

4. Actions taken by short-term observers on arrival

4. A. Briefing meeting chaired by long-term observers

On their arrival in the field, the STOs will be informed by the LTOs about the socio-political reality and the specifics of the electoral process in the region.

They will also be informed of the existence, if any, of problems relating to the process, such as vote buying, lack of independence and impartiality of the election administration, polling stations that are multiparty in appearance alone, intimidating practices against voters and candidates, the inadequate registration of voters, multiple voting or voting by minors.

This information will be very useful to draw the observers' attention to aspects that could compromise the integrity of the voting and counting.

4. B. Familiarisation with the political climate in the area of responsibility

STOs arrive in their area of responsibility about three days before the election. During these three days, they will conduct a series of activities to familiarise themselves with the political climate and to identify problems specific to their area of responsibility.

If the LTOs consider it appropriate, the STOs will attend the final campaign meetings of the parties, as this is a good way to assess whether there exists an open and free climate for debate among the electorate, or whether, on the contrary, there prevails a climate of fear and reservation. In performing this assessment, the STO may ask those present whether they encountered any difficulties in attending the election meeting, and whether the behaviour of the security forces provoked any alarm (an excessive presence of these forces could be indicative of an intimidating intention and strategy). STOs should carefully consider the comments made by the persons attending these election meetings.

This survey of their area of responsibility will also allow the STOs to familiarise themselves with the electoral landscape and to assess the political climate in the area.

The observers should be attentive to external signs, such as the quantity and political orientation of campaign banners visible in public or private spaces, including the doorways of houses, which constitute a useful means of assessing the political climate. For example, the existence of banners and posters of opposition parties in the doorways of private homes is a clear manifestation of the free exercise of political dissent.

4. C. Interviews with electoral actors. Visibility.

In a context of institutional fragility, where the EOM has detected major problems affecting the electoral process, the observers should visit the local

authorities, the Election Administration and the political parties, not only out of politeness, but also to provide the Mission with the highest possible degree of visibility, thus creating a deterrent effect against potential irregular behaviour and malpractice.

These visits also serve to obtain meaningful information about the electoral process, potential problems on the day of the vote (intimidation, violence, problems with the census, voting by minors, the fraudulent distribution of voting cards, problems at the polling station, etc.), the level of preparation for the election and the degree of confidence in the electoral process among the political actors involved.

4. D. Locating and deciding upon the area to be observed

The day before the election, the STOs, deployed in teams of two, will identify the polling stations to be visited on election day, and establish a route for this purpose. To do so, they will be provided with the necessary map and directions by the LTOs, who will also give general indications about the area to be covered, pointing out the polling stations and/or specific areas where problems might arise.

The observers need to examine a representative sample, and therefore will seek to maintain a balance between urban and rural areas. It is important not to neglect rural areas because, although they contain a lower concentration of population, this is where the most serious irregularities often take place, because the population here is more vulnerable to pressure and intimidation by traditional local leaders, and so there is a greater likelihood of a controlled vote and of obstacles to access by election observers.

Special care should be taken in deciding on the polling stations to be observed at the opening and closing of the election process. If other credible observation organisations are present, efforts should be made to coordinate actions with them in order to avoid duplication.

The distribution and reception of election materials at the polling stations normally takes place on the day of the election, and this will enable the STOs to meet the officials responsible for these procedures and to observe the preparations and any problems that may arise, such as a lack of materials.

5. Parameters for observation of voting and the vote count

Observers should use common sense and the information previously received on relevant social, political and cultural factors, and take into account the development of the electoral process, to distinguish between simple technical deficiencies, which are essentially caused by the lack of experience of polling station officials and voters, but which have no impact on the outcome, and serious irregularities that distort the results and compromise the integrity of the electoral process; such irregularities would include, for example, allowing people to vote when they are not entitled to do so, not allowing registered voters to vote, allowing multiple voting or failing to ensure the secrecy of the vote in an intimidating setting.

Observers should never talk to the press regarding their assessment of the process, as the media have a partial view of the question, and such an action would prejudice the final assessment by the Core Team (see Code of Conduct).

In a context of democratic fragility, which is the normal framework of an EOM, the processes of opening the polling station, voting, counting and aggregation of results are protected by a series of safeguards intended to ensure the fairness of the election process. Therefore, the observer must be very attentive to the following safeguards:

- The sealing of the ballot box;
- Counting the votes cast;
- Authenticating the voting papers with a stamp or the signature of a polling station official prior to handing it to the voter;
- The voter must sign the census form;
- Use of the voting booth is compulsory;
- Indelible ink must be used to identify those who have voted.

These safeguards are intended to prevent serious irregularities such as ballot stuffing, multiple voting, manipulation of the results and violation of the secrecy of the vote in intimidating contexts.

6. Opening the polling stations

The observers will arrive at the first polling station an hour before it opens, to observe the preparations for opening the premises and for voting to begin, and for the Presiding Officers and other staff to take their places. A form detailing these opening procedures should be completed.

- A. First, the observer should check that the polling station has been constituted in accordance with the procedures provided by law, regarding the accreditation of the polling station staff and the presence of all who are required to attend.
- B. The polling station staff must count the ballot papers and record the total on the corresponding form. This operation is necessary for the subsequent reconciliation of votes cast and voting papers received.
- C. The observer should record the number of ballots received so that any discrepancy between this number and the number of votes cast can be investigated.
- D. The number of ballots received should only slightly exceed the number of registered voters, in order to avoid any risk of ballot box stuffing. A considerable discrepancy between the number of registered voters and the number of ballots received could be indicative of fraudulent actions.
- E. The sealing of the ballot box is an important stage in the preparations for opening the polling station. The observer should witness that the Presiding Officer has shown the empty ballot box to all present before sealing it. The ballot box is sealed with one or more plastic seals, bearing serial numbers that are recorded by the observers and the representatives of the political parties. This procedure makes it possible to determine, at the close of proceedings, whether there has been any manipulation of the ballot box. Therefore, it is important to note whether these procedures are complied with, and to ensure that the serial numbers of the seals are properly recorded, without interference.
- F. The presence of local observers and representatives of the political parties is a further guarantee of the transparency of the process and therefore constitutes an essential element that should be noted by the observers.
- G. The absence or insufficiency of voting materials – the ballot box, ballot papers, indelible ink and the list of registered voters – may deprive many voters of the right to vote, or compromise the transparency of the process, and should be recorded by the observer. Such deficiencies may be due to a technical failure or to a deliberate strategy.
- H. Observers should note the time at which the polling station opens and observe whether, if it opens late, the closing time is extended by

the same amount of time. If this is not done, many voters could be deprived of their right to vote.

7. Multiple observation of polling stations

After the polling stations have opened, the STOs should normally visit 10-15 polling stations, staying an average of 30 minutes at each one (or longer if deemed necessary, for example if problems arise).

7. A. Methods

The STO should introduce themselves to the polling station staff.

Without impeding the voting proceedings, they should ask the Presiding Officer for relevant information, such as the number of registered voters, the number of votes cast, the number of voters missing from the voting list and the number of ballot papers available.

The observers should take note of any irregularity or deficiency, and with a constructive attitude draw the attention of the polling station staff to these facts, politely, without making demands and without hindering the voting process.

The observers should approach the political party representatives and local observers, to get their impressions of how the voting is proceeding at the polling station.

The observers should take note of any claim or complaint about irregularities presented by local observers, representatives of political parties or voters. If possible, such claims should be tested. For example, if a representative informs the observers that intimidation is taking place at a particular polling station, or that minors are voting, the observers should go to the polling station in question to verify the information and also to produce a deterrent effect, provided that security considerations make this feasible.

The observers might talk with voters to evaluate their confidence in the electoral process, and to ask whether they believe that their vote was secret, if conditions in this respect were unclear.

The observers should assess the effectiveness of voter education campaigns, by asking voters if they were familiar with the voting procedures, and whether they had received enough information to decide their choice.

If the process of voter registration has been questioned, the degree of voter inclusion should be the object of special scrutiny during election day.

7. B. Situation

The first element to be observed by STOs is the environment in which voting occurs. Observers must seek to detect any activity aimed at intimidating voters in the vicinity of polling stations.

This is not an easy task because intimidation is often exercised indirectly, and can be almost imperceptible to outsiders.

The presence of local authorities, or traditional leaders in the area, can be a form of intimidation in a rural setting, where these authorities exert significant influence.

Observers should pay particular attention to the presence and behaviour of the security forces. Their excessive presence can produce an intimidating effect, especially if it takes place in a post-conflict context in former rebel areas.

Observers should also pay attention to the presence or absence of campaign material, and note whether any campaign activity is occurring in violation of the electoral law.

7. C. Observation within the polling station

7. C. a) What should be observed?

Observers should assess whether election procedures are being respected. The following important aspects should be noted:

- Whether unauthorised persons are present within the polling station, such as local authorities or traditional leaders. These persons may intimidate voters, especially in community-based societies or where there is a history of rigid social and political control.
- Whether voters have been correctly identified, with the necessary documentation, ID or voting card or any other document provided for by law.
- Whether it is verified that the voter's finger is free of ink before being allowed to vote.

- Whether only those listed in the census are allowed to vote.
- Whether many people attend the polling station but are unable to vote because they are not in the census. If this is not observed directly, the Presiding Officer should be asked how many people have been affected by this circumstance. This question is included in the questionnaire to assess the scale of potential deficiencies in the census, and its impact on the electoral process., because exclusion from the census of part of the population would compromise the integrity of the process.
- Whether cases of impersonation are observed, i.e., whether persons entitled to vote have been unable to do so because others had already voted in their name.
- Whether there is any fraudulent use of voting cards.
- Whether there is evidence of multiple voting. The possibility of registration in an additional list on the day of the vote and/or the failure to use indelible ink can facilitate multiple voting.
- Whether the secrecy of the vote is guaranteed and respected by the proper placement and use of polling booths. In an intimidating environment or a context of extreme poverty in which the practice of vote buying is widespread, ensuring the secrecy of the vote is an important safeguard.
- Whether the polling station officials act in an impartial, neutral and professional manner, without influencing the voter.
- Whether the multiparty composition of these staff is real or false.
- Whether proper assistance is given to people who need it, such as those who are illiterate or disabled.
- Whether family voting is observed. Exercise of the right to vote is must be secret and in person. Family voting often compromises women's right to vote.
- Whether the ballot papers are signed or stamped before they are handed to the voters. This procedure must be followed in order to prevent ballot stuffing.
- Whether voters sign the register after voting. This procedure provides a safeguard against multiple voting.

- Whether indelible ink is applied to the voter’s finger. This procedure prevents multiple voting.
- Whether local observers and political party representatives are present at the polling station. Their presence is a guarantee for the transparency of the process. It should be borne in mind that false local election observers or political party representatives could be present, in an attempt to deceive voters and the international community regarding the plural control of the electoral process.
- Whether acts of intimidation or violence take place against voters or polling station staff, either in the vicinity of the polling station or within the premises.
- Whether there are “phantom” polling stations, i.e., stations that are officially registered as such, but where no voting takes place, and for which results are published.
- Observers should assess voters’ level of understanding of the procedures, especially in areas where rates of illiteracy are high. The ability and preparation of the polling station staff to undertake their duties should also be evaluated.
- If the electoral law provides for the creation of “closed polling stations”, observers should visit these special polling stations. They might be universities, prisons, hospitals or barracks converted into polling places, to be used exclusively by the workers in these institutions. These special polling stations provide an environment that is conducive to intimidation, as a result of the organisational and economic dependence of these workers/voters, and this circumstance compromises the freedom to vote.

7. C. b) How should the voting process be assessed?

Short-term observation should not be limited to the simple disinterested compilation of technical data. The observer must take into account the reality of the country, its material conditions and cultural factors, in order to evaluate the entire process of voting and counting. Voting sometimes takes place in very precarious conditions, in terms of the resources available. If the deficiencies observed do not jeopardise the principle of free voting, the overall assessment may still be relatively positive.

8. Closing the polling station and counting the votes

8. A What should be observed as the polling station is closed?

Observers should take note of the following aspects:

- Whether the closure is performed in accordance with the procedures established by law.
- Whether voters who queuing to enter when the polls close are allowed to vote.
- Whether the ballot papers handed out or damaged or unused are counted and properly recorded, an aspect of essential importance for subsequent checks to be conducted to confirm the integrity of the process.
- Whether unused and damaged ballot papers are kept in the envelopes provided for this purpose, to prevent any subsequent fraudulent use.

8. B. What should be observed during the vote count?

In situations of institutional fragility, various types of manipulation and falsification may take place at this stage in the proceedings. Observers should assess the transparency of the vote counting and compliance with established procedures. In particular, the following aspects should be observed:

- Whether the seal on the ballot box is the same as was recorded in the morning by the observers and party representatives, thus certifying that it has not been manipulated.
- Whether election observers and representatives of political parties and independent candidates are allowed to be present during the count.
- Whether the observers are allowed to stand close enough to witness, without difficulty, the entire process. Whether the ballot papers are clearly shown to all present.
- Whether the votes assigned to any particular party are arbitrarily and systematically invalidated. A range of 1-5% invalid ballots is considered normal, even in areas where rates of illiteracy are high.
- Whether invalid ballots are kept for possible later review.
- Whether significant differences are revealed by the reconciliation between number of votes cast, number of ballot papers received and number of registered voters.

- Whether a copy of the results form is given to party representatives and observers, as a security measure against any subsequent manipulation of results.
- Whether the results form is displayed on the door of the polling station. This measure is an important safeguard to ensure the transparency of the counting process; it provides vital information to parties and voters, enabling them to verify the results, and therefore enabling any subsequent manipulation to be detected and electoral disputes to be documented.

Sometimes the vote count is not conducted at the polling station but at a higher level, where the ballot papers from several polling stations are combined, in order to guarantee to the electorate of small communities that their vote cannot be traced, and therefore, that they cannot be subject to reprisals. In societies with a vivid memory of a recent totalitarian past, such a measure instils confidence in the electorate.

9. Compiling the results

After the count, the observers should accompany the Presiding Officer and supervise the ballot boxes until they are collected by the institutions responsible for the collection and aggregation of results at the regional level. This aggregation process should be observed in its entirety, and observers should evaluate its transparency, and confirm that the procedure adopted is in accordance with the electoral law. To do so, they must be prepared to work late into the night.

During this phase of the proceedings there is a high risk of manipulation and falsification of the results. Thus, significant discrepancies may be detected between the results published at the polling stations and those announced following the aggregation of the votes from these same polling stations.

10. Communicating the results of the observation

During the election day, the STOs should transmit the results of their observations, summarised on the corresponding forms, to the LTOs, who in turn will transmit them to the Core Team. The observers should respect the procedure established by the LTOs for this transmission – usually by telephone (mobile or by satellite when there is no mobile coverage). Information

about the opening of the polling stations should be communicated between 9 and 10 in the morning. The data relating to the observation of voting at different polling stations should be transmitted immediately after the end of the period allowed for voting. After the count has been completed, the observers should transmit the data concerning the closure of the polling station and the vote counting. If they also observe the aggregation process, the corresponding information should also be communicated when this process finalises.

11. Forms

The photos show some standard forms used by EU and OSCE observers to record their assessment of the opening and closing of the polling station, the voting, counting and consolidation of the results.



**European Union
Election Observation Mission**

TYPE OF ELECTIONS, DD MM, Country (YYY)

A. OPENING & POLLING

TEAM: _____ ARRIVAL: _____ DEPARTURE: _____
 PS: *SPECIAL: _____ FOR:

DISTRICT/CONSTITUENCY: _____ POLLING STATION N°: _____
 MUNICIPALITY/TOWN: _____ N° OF REGISTERED VOTERS: _____
 POLLING CENTRE: _____ VOTERS VOTED SO FAR: _____

OPENING

1 **Did you observe the opening of this PS?** YES NO

A **What percentage of voters registered in the PS were queuing at the opening?**
 0% Below 10% 10% - 30% Over 30%

B **Did the polling station open:** On time Within 1 Hour More than 1 Hour Did not open

B. **Opening was delayed because of:** Lack of essential material. Insufficient PS Staff
 Incompetence of PS Staff Unrest. Other:

C **Did all party/candidate agents sign the opening protocol?** Yes. No, Why:

D **Opening procedures were followed:**
 Strictly Largely Inconsistently Inadequately Not at all

RESPECT FOR THE RIGHT TO UNIVERSAL, INDIVIDUAL AND SECRET SUFFRAGE

2 **Did you observe voters turning up to cast their ballot?** YES NO

3 **Is the vicinity of the PS free from any circumstances which could influence voters' choices?** YES NO

A **If 'NO', did you observe:** Unrest Bussing activities Campaign material Violence
 Campaign activities Intimidation Presence of security forces beyond regulations
 Indication of vote buying Inefficient queue control management Other:

4 **Is the PS accessible for people with disabilities (with only minor assistance)?** YES NO

A **If 'NO', Why:**

5 **Please list each PS Staff member present:**
 M: _____
 F: _____

A **If any member is missing, Ask - for What reason:**
 Did not come Turned away Left Other:

6 **Are all the essential materials present?** YES NO

A **If 'NO', Which is/are missing:** Indelible ink Booth(s) Sufficient ballot papers
 Envelopes Voters' list(s) Ballot box(es) Stamps
 Forms Seals/padlocks Other:

B **Assess - were appropriate measures taken by the PS Staff?** YES NO

7 **Please list each party/candidate agent (P/CA) present:**
 M: _____
 F: _____

8 **Please list each national observer (NAT OB) present:**
 M: _____
 F: _____

9 **Are all party/candidate agents and national observers able to follow the proceedings unhindered?** YES NO

A If 'NO', Who was affected and How?	P/CA	NAT OB	P/CA	NAT OB
Not allowed access to PS	<input type="checkbox"/>	<input type="checkbox"/>	Overcrowding	<input type="checkbox"/>
Arbitrarily prevented by PS Staff	<input type="checkbox"/>	<input type="checkbox"/>	Intimidation	<input type="checkbox"/>
Layout of PS	<input type="checkbox"/>	<input type="checkbox"/>	Other	<input type="checkbox"/>

10 **Is the PS free from any elements which could influence voters' choices?** YES NO

A **If 'NO', did you observe:** Unrest Violence Campaign material
 Campaign activities Intimidation Presence of security forces beyond regulations
 Indication of vote buying Inefficient voter flow management Other:

11 **Are only authorised people present inside the PS?** YES NO

A **If 'NO', Which unauthorised people are present:** Local officials Religious/Traditional authorities
 Police Army Other:

B **Assess - the presence of these people is:** Intimidating Interfering with the work of PS Staff
 Creating confusion in the PS NOT affecting the process

C **Did you observe PS Staff exerting their authority to request that such people leave the PS?** YES NO

12	Is the integrity of the vote sufficiently protected?					YES <input type="checkbox"/>	NO <input type="checkbox"/>	
A	<i>If 'NO', Why:</i> <input type="checkbox"/> Multiple voting <input type="checkbox"/> Ballot box(es) not properly sealed <input type="checkbox"/> Indications of bias among PS Staff		<input type="checkbox"/> Indication of ballot stuffing <input type="checkbox"/> People voting with pre-marked ballots <input type="checkbox"/> Voter impersonation	<input type="checkbox"/> Other:				
13	Is the secrecy of the vote sufficiently protected?					YES <input type="checkbox"/>	NO <input type="checkbox"/>	
A	<i>If 'NO', Why:</i> <input type="checkbox"/> PS layout <input type="checkbox"/> Interference by people in the PS <input type="checkbox"/> More than 1 person in the booth		<input type="checkbox"/> Overcrowding <input type="checkbox"/> Open voting <input type="checkbox"/> Abusive voter assistance <input type="checkbox"/> Other:	<input type="checkbox"/> Inadequate polling booths <input type="checkbox"/> Voter carelessness				
RESPECT FOR ELECTORAL LAW & PROCEDURES & RIGHT TO AN EFFECTIVE REMEDY								
14	Are all eligible voters being allowed to vote?					YES <input type="checkbox"/>	NO <input type="checkbox"/>	
A	<i>If 'NO', Why:</i> <input type="checkbox"/> Discrimination <input type="checkbox"/> Other:		<input type="checkbox"/> Incompetence of PS Staff	<input type="checkbox"/> Unclear instructions				
15	Are all ineligible voters being refused the possibility to cast a ballot?					YES <input type="checkbox"/>	NO <input type="checkbox"/>	
A	<i>If 'NO', have you observed any of the following being allowed to vote:</i>							
	<input type="checkbox"/> Underage people	<input type="checkbox"/> People not on the Voters' list	<input type="checkbox"/> People without Voter cards					
	<input type="checkbox"/> People without proper ID	<input type="checkbox"/> People with inked fingers	<input type="checkbox"/> Other:					
16	Polling procedures are followed: 1-Always 2-Regularly 3-Erratically 4-Never 5-Arbitrarily							
	<input type="checkbox"/> A. Checking for ink	<input type="checkbox"/> E. Instructions to voters						
	<input type="checkbox"/> B. Voter identification	<input type="checkbox"/> F. Ballots stamped/ signed according to procedures						
	<input type="checkbox"/> C. Voter name read out	<input type="checkbox"/> G. Inking voters' fingers						
	<input type="checkbox"/> D. Crossing names out/ signing Voters' List							
A	<i>If procedures are 'NOT' (1-Always) applied, Assess - the incorrect application of procedures is due to:</i>							
	<input type="checkbox"/> Unclear instructions	<input type="checkbox"/> Poor training	<input type="checkbox"/> Incompetence of PS Staff					
	<input type="checkbox"/> Tension/ disorder in PS	<input type="checkbox"/> Attempts to manipulate	<input type="checkbox"/> Other:					
17	Ask - Was the process free from any official complaints being lodged at the PS?					YES <input type="checkbox"/>	NO <input type="checkbox"/>	
A	<i>If 'NO', were official complaints dealt with according to procedures?</i>							
	<input type="checkbox"/> YES	<input type="checkbox"/> NO						
18	Ask - Was the process free from unofficial complaints regarding significant problem(s) at this PS?					YES <input type="checkbox"/>	NO <input type="checkbox"/>	
A	<i>If 'NO', complaints were:</i>							
	<input type="checkbox"/> Clarified after discussion	<input type="checkbox"/> Refused by PS Staff	<input type="checkbox"/> Other:					
	<input type="checkbox"/> Not submitted by the complainant							
19	Ask - Has the PS been open continuously for polling since the opening time?					YES <input type="checkbox"/>	NO <input type="checkbox"/>	
A	<i>If 'NO', Why:</i> <input type="checkbox"/> Lack of material <input type="checkbox"/> Missing PS Staff		<input type="checkbox"/> Unrest	<input type="checkbox"/> Other:				
B	<i>For how long:</i> <input type="checkbox"/> Less than 1h <input type="checkbox"/> 1-4 hours		<input type="checkbox"/> More than 4h	<input type="checkbox"/> Never re-opened				
ASSESSMENT								
1-Outstanding 2-Good 3-Satisfactory 4-Poor 5-Inadequate								
20	Voters' overall understanding of voting procedures							<input type="checkbox"/>
21	Party/candidate agents' overall understanding of their role							<input type="checkbox"/>
22	The overall performance of the PS Staff							<input type="checkbox"/>
23	Level of confidence that voters cast their ballot freely							<input type="checkbox"/>
24	The transparency of the voting process							<input type="checkbox"/>
25	The overall conduct of operations							<input type="checkbox"/>
COMMENTS								

EU EOM standard observation forms, version 2.1 Developed by NEEDS project © European Commission



**European Union
Election Observation Mission**

TYPE OF ELECTIONS, DD MM, Country YYYY

B. CLOSING & COUNTING

TEAM ARRIVAL DEPARTURE
 PS: *SPECIALS: FOR

DISTRICT/CONSTITUENCY
 MUNICIPALITY/TOWN
 POLLING CENTRE

POLLING STATION N°
 N° OF REGISTERED VOTERS

CLOSING

1 Is the vicinity of the PS free from any circumstances which could influence the integrity of the closing? YES NO

A If 'NO', did you observe: Unrest Violence Campaign material
 Campaign activities Intimidation Presence of security forces beyond regulations
 Inefficient queue control management Other: _____

2 Is the PS free from any elements which could influence the integrity of the closing & counting process? YES NO

A If 'NO', did you observe: Unrest Violence Campaign material
 Campaign activities Intimidation Presence of security forces beyond regulations
 Inefficient crowd management Other: _____

3 Did the PS close at the official closing time? YES NO

A If 'NO', When did the PS close? Early Within 1 H More than 1 H

B Why? EMB decision Late opening Voters queuing outside PS Other: _____

B₁ Were voters queuing outside the PS at closing time allowed to vote? YES NO

B₂ Were voters arriving after closing time turned away? YES NO

RESPECT FOR THE RIGHT TO UNIVERSAL, INDIVIDUAL AND SECRET SUFFRAGE

4 Please list each PS Staff member present:
 M: _____
 F: _____

A If any member is missing, Ask - for what reason:
 Did not come Turned away Left Other: _____

5 Please list each party/candidate agent (P/CA) present:
 M: _____
 F: _____

6 Please list each national observer (NAT OB) present:
 M: _____
 F: _____

7 Are all party/ candidate agents and national observers able to follow the proceedings unhindered? YES NO

A	If 'NO', Who was affected and How?	P/CA	NAT OB		P/CA	NAT OB
	Not allowed access to PS	<input type="checkbox"/>	<input type="checkbox"/>	Overcrowding	<input type="checkbox"/>	<input type="checkbox"/>
	Arbitrarily prevented by PS Staff	<input type="checkbox"/>	<input type="checkbox"/>	Intimidation	<input type="checkbox"/>	<input type="checkbox"/>
	Layout of PS	<input type="checkbox"/>	<input type="checkbox"/>	Other	<input type="checkbox"/>	<input type="checkbox"/>

8 Are only authorised people present inside the PS? YES NO

A If 'NO', Which unauthorised people are present: Local officials Religious/Traditional authorities
 Police Army Other: _____

B Assess - The presence of these people is: Intimidating Interfering with the work of PS Staff
 Creating confusion in the PS NOT affecting the process

C Did you observe PS Staff exerting their authority to request that such people leave the PS? YES NO

9 Is the integrity of the counting process sufficiently protected? YES NO

A If 'NO', did you observe: Indications of ballot stuffing Indications of bias among PS Staff
 Indications of manipulation in Voters' List Other: _____

10 Did the closing and counting process proceed without interruptions until its completion? YES NO

A If 'NO', Why: Lack of material Missing PS Staff Unrest
 Convenience break Violence Other: _____

B For how long was the process suspended? Less than 1 H More than 1 H
 You left before it resumed

C Was the sensitive material kept under continuous custody during this time? YES NO

RESPECT FOR ELECTORAL LAW & PROCEDURES & RIGHT TO AN EFFECTIVE REMEDY

11 Closing and Counting procedures are followed:		1-Always 2-Regularly 3-Irratically 4-Never 5-Arbitrarily	
<input type="checkbox"/>	A. Closing procedures	<input type="checkbox"/>	E. Allocating ballots to particular candidates/parties
<input type="checkbox"/>	B. Ballot reconciliation	<input type="checkbox"/>	F. Procedures for contested ballots
<input type="checkbox"/>	C. Counting/Recounting of ballots	<input type="checkbox"/>	G. Procedures for filling in Protocols and Results sheets
<input type="checkbox"/>	D. Determination of valid and invalid ballots	<input type="checkbox"/>	H. Procedures for "special" ballots
A <i>If procedures are NOT (1-Always) applied, Assess - the incorrect application of procedures is due to:</i>			
<input type="checkbox"/>	Unclear instructions	<input type="checkbox"/>	Poor training
<input type="checkbox"/>	Tension/ disorder in PS	<input type="checkbox"/>	Attempts to manipulate
<input type="checkbox"/>		<input type="checkbox"/>	Incompetence of PS Staff
<input type="checkbox"/>		<input type="checkbox"/>	Other :
B Was the incorrect application of procedures insignificant for the overall results? <input type="checkbox"/> YES <input type="checkbox"/> NO			
12 Counting Data			
NUMBER OF BALLOTS RECEIVED	<input style="width: 100px;" type="text"/>	NUMBER OF INVALID BALLOTS	<input style="width: 100px;" type="text"/>
NUMBER OF VOTERS ON THE VOTERS LIST	<input style="width: 100px;" type="text"/>	NUMBER OF BLANK BALLOTS	<input style="width: 100px;" type="text"/>
NUMBER OF USED BALLOTS	<input style="width: 100px;" type="text"/>	NUMBER OF CHALLENGED BALLOTS	<input style="width: 100px;" type="text"/>
NUMBER OF UNUSED BALLOTS	<input style="width: 100px;" type="text"/>	TOTAL NUMBER OF VALID BALLOTS	<input style="width: 100px;" type="text"/>
NUMBER OF BALLOTS IN THE BALLOT BOX	<input style="width: 100px;" type="text"/>	NUMBER OF "SPECIAL" BALLOTS	<input style="width: 100px;" type="text"/>
13 Did all party/candidate agents receive a copy of the Results form? <input type="checkbox"/> YES <input type="checkbox"/> NO			
14 Was a copy of the Results form posted at the PS level? <input type="checkbox"/> Inside <input type="checkbox"/> Outside <input type="checkbox"/> NO			
A <i>If 'NO', Why?</i> <input type="checkbox"/> Not required by law <input type="checkbox"/> Refused by PS Staff <input type="checkbox"/> Other:			
15 Ask - Was the process free from any official complaints being lodged at the PS? <input type="checkbox"/> YES <input type="checkbox"/> NO			
A <i>If 'NO', were official complaints dealt with according to procedures?</i> <input type="checkbox"/> YES <input type="checkbox"/> NO			
16 Ask - Was the process free from unofficial complaints regarding significant problem(s) at this PS? <input type="checkbox"/> YES <input type="checkbox"/> NO			
A <i>If 'NO', complaints were:</i> <input type="checkbox"/> Clarified after discussion <input type="checkbox"/> Refused by PS Staff			
<input type="checkbox"/> Not submitted by the complainant <input type="checkbox"/> Other :			
17 Was all required material packed and sealed according to procedures? <input type="checkbox"/> YES <input type="checkbox"/> NO			
A <i>If 'NO', Why:</i>			
18 Did you observe the handover of material? <input type="checkbox"/> YES <input type="checkbox"/> NO			
A <i>If 'YES', was the transportation of material carried out according to procedures?</i> <input type="checkbox"/> YES <input type="checkbox"/> NO			
B Was the handover of material transparent? <input type="checkbox"/> YES <input type="checkbox"/> NO			
C Was the material secured at all times? <input type="checkbox"/> YES <input type="checkbox"/> NO			
ASSESSMENT			
1-Outstanding		2-Good	
3-Satisfactory		4-Poor	
5-Inadequate			
19 Party/candidate agents' overall understanding of their role	<input type="checkbox"/>		
20 The overall performance of the PS Staff	<input type="checkbox"/>		
21 Level of confidence that results accurately reflect the will of the voters	<input type="checkbox"/>		
22 The transparency of the counting process	<input type="checkbox"/>		
23 The overall conduct of operations	<input type="checkbox"/>		
COMMENTS			

EU EOM standard observation forms, version 2.1 Developed by NEEDS project © European Commission



**European Union
Election Observation Mission**

C. TABULATION

TYPE OF ELECTIONS, DD MM, COUNTRY YYYY

TEAM DATE / / ARRIVAL DEPARTURE

CONSTITUENCY COUNTY NATIONAL TALLY CENTRE:
 DISTRICT REGION OTHER PSa/Centres attached to this Centre:
 Process: HAS ENDED IN PROGRESS Number of Protocols/Results treated at the time of your departure:

TRANSPORT AND TRANSMISSION OF PROTOCOLS/RESULTS

1 **Did you observe the transport/transmission of Protocols/Results to this Centre?** YES NO

A **If 'YES', Was the transport/transmission carried out according to procedures?** YES NO

A₁ **If 'NO', Why?** Transport/transmission plan not implemented Implementation of an ad hoc plan Other:

B **Assess - Have the Protocols/Results been secure at all times?** YES NO

B₁ **If 'NO', Why?** Security plan not implemented Attempts to manipulate the process
 Negligence Other:

C **Assess - Was the transmission/transport of the sensitive materials transparent?** YES NO

2 **Did you observe the handover of Protocols/Results to this Centre?** YES NO

A **If 'YES', Were the procedures for the handover of the Protocols/Results followed:** Largely Inconsistently Inadequately Strictly Not at all

B **If the procedures are not followed 'strictly', is the integrity of the process sufficiently protected?** YES NO

3 **Is the vicinity of the Centre free from any circumstances, which could influence the integrity of the process?** YES NO

A **If 'NO', Why?** Unrest Violence Intimidation Presence of security forces beyond regulations
 Inefficient management Other:

RESPECT FOR THE WILL OF THE VOTERS, INTEGRITY & TRANSPARENCY OF THE PROCESS

4 **Please list each Centre official present:**
 M:
 F:

A **Assess - The (approx.) ratio of males/females among the remaining Centre personnel is:** F % M %

5 **Please list each party/candidate agent (P/CA) present:**
 M:
 F:

6 **Please list each national observer (NAT/OB) present:**
 M:
 F:

7 **Are all party/candidate agents and national observers able to follow the entire process unhindered?** YES NO

A If 'NO', Who was affected and How?	P/CA	NAT OB	P/CA	NAT OB
Not invited or informed	<input type="checkbox"/>	<input type="checkbox"/>	Overcrowding	<input type="checkbox"/>
Not allowed access to the Centre	<input type="checkbox"/>	<input type="checkbox"/>	Intimidation	<input type="checkbox"/>
Arbitrarily prevented by Centre officials	<input type="checkbox"/>	<input type="checkbox"/>	Only allowed limited access	<input type="checkbox"/>
Layout of the Centre	<input type="checkbox"/>	<input type="checkbox"/>		

8 **Is the Centre free from any elements, which could influence the integrity of the process?** YES NO

A **If 'NO', Why?** Unrest Violence Intimidation Presence of security forces beyond regulations
 Inadequate premises Lack of materials Overcrowding Other:

9 **Are only authorised people present inside the Centre?** YES NO

A **If 'NO', Which unauthorised people are present?** Local officials Religious/traditional authorities
 Police Army Other:

B **Assess - The presence of these people is:** Intimidating Interfering with the work of the Centre
 Creating confusion in the Centre NOT affecting the process

10 **Assess - Is the integrity of the process sufficiently protected?** YES NO

A **If 'NO', Did you observe:** Indications of manipulation of received Protocols/Results
 Mistakes in aggregations Poor training Indications of bias among Centre officials
 Insufficient personnel Lack of organisation/inefficient management Other:

11 **Comments - Did the Centre remain open until the end of the process?** YES NO

A **If 'NO', Why?** EMB decision Lack of materials Technical problems Lack of personnel Unrest
 Expected delays in the arrival of Protocols/Results Other:

B **For how long?** Less than 1H 1-4 Hours 4-8 Hours
 More than 8 hours

C **Assess - Were the sensitive materials secured during the time the Centre was closed?** YES NO

RESPECT FOR ELECTORAL LAW & PROCEDURES & RIGHT TO AN EFFECTIVE REMEDY					
12	Procedures are followed: 1 - Always 2 - Regularly 3 - Erratically 4 - Never 5 - Arbitrarily				
<input type="checkbox"/>	A. Verifying authenticity of Protocols/Results	<input type="checkbox"/>	G. Manual aggregation		
<input type="checkbox"/>	B. Mathematical verifications	<input type="checkbox"/>	H. Data-entry		
<input type="checkbox"/>	C. Mathematical corrections	<input type="checkbox"/>	I. Proclamation/displaying of results		
<input type="checkbox"/>	D. Procedures for ballot recounts	<input type="checkbox"/>	J. Procedures for filling in/signing Protocols and Results sheets		
<input type="checkbox"/>	E. Procedures for challenged ballots	<input type="checkbox"/>	K. Procedures for packing, securing and storing materials		
<input type="checkbox"/>	F. Procedures for any "special" ballots				
A. If procedures are NOT (1-Always) applied, Assess - the incorrect application of procedures is due to:					
<input type="checkbox"/>	Attempts to manipulate	<input type="checkbox"/>	Poor training	<input type="checkbox"/>	Tension/ disorder in the Centre
<input type="checkbox"/>	Unclear instructions	<input type="checkbox"/>	Lack of time	<input type="checkbox"/>	Incompetence of Centre officials/personnel
<input type="checkbox"/>	Lack of materials	<input type="checkbox"/>	Technical problems	<input type="checkbox"/>	EMB decision
					<input type="checkbox"/> Other:
B. Assess - Was the incorrect application of procedures insignificant for the overall results?					<input type="checkbox"/> YES <input type="checkbox"/> NO
13	Tabulation Data				
	NUMBER OF REGISTERED VOTERS	<input type="text"/>	NUMBER OF CHALLENGED BALLOTS	<input type="text"/>	
	NUMBER OF VOTERS REGISTERED ELSEWHERE WHO VOTED	<input type="text"/>	NUMBER OF WAIVED BALLOTS	<input type="text"/>	
	NUMBER OF INVALID BALLOTS	<input type="text"/>	NUMBER OF "SPECIAL" BALLOTS	<input type="text"/>	
	NUMBER OF BLANK BALLOTS	<input type="text"/>			
14	Ask - Was the process free from any official complaints being lodged at the Centre? <input type="checkbox"/> YES <input type="checkbox"/> NO				
A.	If YES, were official complaints dealt with according to procedures? <input type="checkbox"/> YES <input type="checkbox"/> NO				
15	Ask - Was the process free from unofficial complaints regarding significant problems in this Centre? <input type="checkbox"/> YES <input type="checkbox"/> NO				
A.	If 'NO', complaints were: <input type="checkbox"/> Not submitted by the complainant <input type="checkbox"/> Clarified error/discussion				
	<input type="checkbox"/> Refused by Centre officials <input type="checkbox"/> Other:				
16	Have the Protocols/Results been transmitted to the next level of the EMB according to procedures? <input type="checkbox"/> YES <input type="checkbox"/> NO				
A.	If 'NO', Why? <input type="checkbox"/> Lack of time <input type="checkbox"/> Lack of materials <input type="checkbox"/> Ad hoc transmission				
	<input type="checkbox"/> Attempts to manipulate the process <input type="checkbox"/> Poor training <input type="checkbox"/> Incompetence of Centre officials				
	<input type="checkbox"/> Unclear instructions <input type="checkbox"/> Technical problems <input type="checkbox"/> EMB decision <input type="checkbox"/> Other:				
17	Have all party/candidate agents received a copy of the Protocols/Results? <input type="checkbox"/> YES <input type="checkbox"/> NO				
A.	If 'NO', Why? <input type="checkbox"/> Refusal by Centre officials <input type="checkbox"/> Disagreement with process				
	<input type="checkbox"/> Not present <input type="checkbox"/> Did not request copies <input type="checkbox"/> Arbitrary handing out of copies <input type="checkbox"/> Other:				
ASSESSMENTS					
	1 - Outstanding 2 - Good 3 - Satisfactory 4 - Poor 5 - Inadequate				
18	Party/ candidate agents' overall understanding of their role <input type="checkbox"/>				
19	The overall performance of Centre officials and personnel <input type="checkbox"/>				
20	Level of confidence that the results reflect the will of the voters <input type="checkbox"/>				
21	The transparency of the process <input type="checkbox"/>				
22	The overall conduct of operations <input type="checkbox"/>				
COMMENTS					
EU EOM standard observation forms, version 2.1 Developed by NEEDS project © European Commission					

STO Team Number DEC Number PEC Number

A1 Time of Arrival (Use 24 hr clock): A2 Polling Station is: Urban Rural
A3 Polling Station is: Regular Front Military Hospital
A4 PEC Chairperson is: Male Female

B. Opening procedures		Y	N	n/a
B1	Were all necessary election materials present	<input type="checkbox"/>	<input type="checkbox"/>	
B1.1	IF NO to B1: <input type="checkbox"/> PEC seal <input type="checkbox"/> Polling booth/s <input type="checkbox"/> Ballot papers <input type="checkbox"/> Invisible ink <input type="checkbox"/> Voters list <input type="checkbox"/> PEC Record <input type="checkbox"/> Ballot box seals <input type="checkbox"/> Ballot box(es) <input type="checkbox"/> Envelopes <input type="checkbox"/> Book <input type="checkbox"/> UV lamp <input type="checkbox"/> Other			<input type="checkbox"/>
B2	Were the tasks/responsibilities of individual PEC members determined by drawing lots	<input type="checkbox"/>	<input type="checkbox"/>	
B3	Was the number of voters in the general VL announced and entered into the protocols (pt. 1)	<input type="checkbox"/>	<input type="checkbox"/>	
B4	Were the packages of ballots and envelopes intact	<input type="checkbox"/>	<input type="checkbox"/>	
B5	Was the number of ballot papers announced and entered into the protocols (pt. 5)	<input type="checkbox"/>	<input type="checkbox"/>	
B6	Was there a VL supplement (for mobile voting) in the polling station (PS)	<input type="checkbox"/>	<input type="checkbox"/>	
B7	Were the ballot boxes properly sealed (IF NO, please comment in Form E)	<input type="checkbox"/>	<input type="checkbox"/>	
B8	Were the serial numbers of the ballot box seals entered into the Record Book	<input type="checkbox"/>	<input type="checkbox"/>	
B9	Were control sheets inserted in every ballot box	<input type="checkbox"/>	<input type="checkbox"/>	
B10	Did the PS open for voting at 08:00 hrs	<input type="checkbox"/>	<input type="checkbox"/>	
B10.1	IF NO to B10: <input type="checkbox"/> 08:00-08:15 <input type="checkbox"/> 08:16-08:30 <input type="checkbox"/> 08:31-09:00 <input type="checkbox"/> After 09:00			<input type="checkbox"/>

C. Officials and (Un)authorized People		Y	N	n/a
C1	How many PEC members have been appointed	<input type="checkbox"/>	<input type="checkbox"/>	
C2	How many appointed PEC members are women	<input type="checkbox"/>	<input type="checkbox"/>	
C3	How many of the PEC members were present	<input type="checkbox"/>	<input type="checkbox"/>	
C4	Were party/bloc proxies present at the opening of this PS	<input type="checkbox"/>	<input type="checkbox"/>	
C4.1	IF YES to C4: <input type="checkbox"/> Party A <input type="checkbox"/> Party B <input type="checkbox"/> Party C <input type="checkbox"/> Bloc D <input type="checkbox"/> Bloc E <input type="checkbox"/> Bloc F <input type="checkbox"/> Other			<input type="checkbox"/>
C5	Were domestic non-partisan observers present at the opening of this PS	<input type="checkbox"/>	<input type="checkbox"/>	
C5.1	IF YES to C5: <input type="checkbox"/> Group A <input type="checkbox"/> Group B <input type="checkbox"/> Group C <input type="checkbox"/> Group D <input type="checkbox"/> Other			<input type="checkbox"/>
C6	Were any unauthorized persons present at the opening of this PS	<input type="checkbox"/>	<input type="checkbox"/>	
C6.1	IF YES to C6: <input type="checkbox"/> Police, uninvited <input type="checkbox"/> Local officials <input type="checkbox"/> State officials <input type="checkbox"/> Military <input type="checkbox"/> Candidate(s) <input type="checkbox"/> Party activist(s) <input type="checkbox"/> Other			<input type="checkbox"/>
C6.2	IF YES to C6: Were they directing/interfering in the work of the PEC	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

D. Transparency		Y	N	n/a
D1	Did all observers present have a clear view of the opening procedures	<input type="checkbox"/>	<input type="checkbox"/>	
D2	Were you in any way restricted in your observation of the opening procedures	<input type="checkbox"/>	<input type="checkbox"/>	
D3	Did any observers or party/bloc proxies inform you of problems at this PS during opening	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

E. Evaluation

E1 The overall conduct of the opening of this PS was:

Very good Good Bad Very bad

COMMENTS/EXCEPTIONAL OBSERVATIONS: Indicate [X] if you completed a Form E for OPENING at this PS
Please now complete "Observation Report Form B - VOTING" for this PS

When Faxing / Scanning: Page _____ out of a total of _____ pages.



STO Team Number: _____ DEC Number: _____ PEC Number: _____

A1 Time of arrival (24 hr clock): _____ : _____ : _____
 Time of departure (24 hr clock): _____ : _____ : _____
 A2 Polling station is: Urban Rural
 A3 Polling station is: Regular Prison Military Hospital
 A4 PEC Chairperson is: Male Female

B. Circumstances outside the PS	Y	N
B1 Are campaign activities taking place in the vicinity of the polling station (PS).....	<input type="checkbox"/>	<input type="checkbox"/>
B2 Is there tension or unrest in the vicinity of the PS.....	<input type="checkbox"/>	<input type="checkbox"/>
B3 Is there a large crowd waiting to vote.....	<input type="checkbox"/>	<input type="checkbox"/>
B4 Any other problems in the vicinity of the PS.....	<input type="checkbox"/>	<input type="checkbox"/>

C. Officials and (Un)authorized people	Y	N	n/a
C1 How many PEC members have been appointed.....			
C2 How many appointed PEC members are women.....			
C3 How many of the PEC members reported for work on election day.....			
C4 Were party/bloc proxies present at this PS.....	<input type="checkbox"/>	<input type="checkbox"/>	
C4.1 If YES to C4: <input type="checkbox"/> Party A <input type="checkbox"/> Party B <input type="checkbox"/> Party C <input type="checkbox"/> Bloc D <input type="checkbox"/> Bloc E <input type="checkbox"/> Bloc F <input type="checkbox"/> Other			<input type="checkbox"/>
C5 Were domestic non-partisan observers present at this PS.....	<input type="checkbox"/>	<input type="checkbox"/>	
C5.1 If YES to C5: <input type="checkbox"/> Group A <input type="checkbox"/> Group B <input type="checkbox"/> Group C <input type="checkbox"/> Group D <input type="checkbox"/> Other			<input type="checkbox"/>
C6 Were any unauthorized persons present at this PS.....	<input type="checkbox"/>	<input type="checkbox"/>	
C6.1 If YES to C6: <input type="checkbox"/> Police, uninvited <input type="checkbox"/> Local official(s) <input type="checkbox"/> State official(s) <input type="checkbox"/> Military <input type="checkbox"/> Candidate(s) <input type="checkbox"/> Party activist(s) <input type="checkbox"/> Other			<input type="checkbox"/>
C6.2 Were they directing/interfering in the work of the PEC.....	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

D. Arrangements inside the PS	Y	N	n/a
D1 Was the PS layout adequate to conduct polling.....	<input type="checkbox"/>	<input type="checkbox"/>	
D2 Were the ballot box(es) sealed properly.....	<input type="checkbox"/>	<input type="checkbox"/>	
D3 Were video cameras installed in the polling station.....	<input type="checkbox"/>	<input type="checkbox"/>	
D3.1 If YES to D3: Did the placement of the cameras in any way undermine the secrecy of the vote.....	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
D4 Were all phases of the voting process and ballot box visible to the PEC and observers.....	<input type="checkbox"/>	<input type="checkbox"/>	
D5 Were you prevented in your observation in any way.....	<input type="checkbox"/>	<input type="checkbox"/>	
D6 Were election materials available in the languages of national minorities.....	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
D7 Were all necessary election materials present.....	<input type="checkbox"/>	<input type="checkbox"/>	
D7.1 If NO to D7: <input type="checkbox"/> UV lamp <input type="checkbox"/> Polling booth(s) <input type="checkbox"/> Ballot papers <input type="checkbox"/> Invisible ink <input type="checkbox"/> Protocols <input type="checkbox"/> Voters list <input type="checkbox"/> Envelopes <input type="checkbox"/> PEC seal <input type="checkbox"/> Other			<input type="checkbox"/>

E. Circumstances inside the PS (Did you observe any of the following?)	Y	N
E1 Overcrowding.....	<input type="checkbox"/>	<input type="checkbox"/>
E2 Campaign material or campaign activity.....	<input type="checkbox"/>	<input type="checkbox"/>
E3 Intimidation of voters.....	<input type="checkbox"/>	<input type="checkbox"/>
E4 Tension / Unrest.....	<input type="checkbox"/>	<input type="checkbox"/>
E5 Other problems.....	<input type="checkbox"/>	<input type="checkbox"/>

F. Registered voters and turnout	n/k
F1 Ballots received by the PEC (for majoritarian elections).....	<input type="checkbox"/>
F2 How many envelopes for ballots were received.....	<input type="checkbox"/>
F3 Voters registered on the general voter list (VL).....	<input type="checkbox"/>
F4 Voters registered on the special VL.....	<input type="checkbox"/>
F5 Voters on the VL supplement for mobile voting.....	<input type="checkbox"/>
F6 Voters who have voted in the polling station premises so far.....	<input type="checkbox"/>



STO Team
Number

DEC
Number

PEC
Number

G. Voting procedures

	3	2	1	0	n/k
<i>Were procedures followed (3 = always; 2 = mostly; 1 = sometimes; 0 = never)</i>					
G1 Did the PEC check the voters' IDs.....	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
G2 Did the PEC sign and stamp the ballots.....	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
G3 Did the voters sign the voter list.....	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
G4 Did voters mark their ballots in secrecy.....	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
G5 Were voters checked for traces of invisible ink before being allowed into the PS.....	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
G6 Were voters' fingers marked with invisible ink upon receiving the ballots(s).....	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Did you observe any of the following problems or irregularities

	Y	N	n/k	n/a
G7 Were voters refused the right to vote.....	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
G7.1 If YES to G7: <input type="checkbox"/> No proper ID <input type="checkbox"/> Not on VL <input type="checkbox"/> Already voted <input type="checkbox"/> Other				<input type="checkbox"/>
G8 Voters denied the right to vote at this PS for inappropriate reasons.....	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
G9 Voters without proper ID allowed to vote.....	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
G10 Series of seemingly identical signatures on the voter list.....	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
G11 Voters voting together in the booth (group voting).....	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
G12 Anyone voting, or attempting to vote, more than once (multiple voting).....	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
G13 Cases of anyone voting on behalf of someone else, absent or present (proxy voting).....	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
G14 Anyone voting with a pre-marked ballot paper (carousel voting).....	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
G15 Indications of ballot box stuffing (e.g. ballots in stacks inside box).....	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
G16 Same person "assisting" numerous voters.....	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
G17 Any PEC member or party/bloc proxy being dismissed.....	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
G18 Voters who already had traces of ink still allowed to vote.....	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
G19 Were there any other procedural problems.....	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

H. Transparency

	Y	N	n/k
H1 Did all observers present have a clear view of the voting procedures.....	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
H2 Did the PEC cooperate with you fully during your observation.....	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
H3 Were you in any way restricted in your observation of the voting procedures.....	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
H4 Did any observers or party/bloc proxies inform you of problems at this PS.....	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
H5 Was any official complaint filed at this PS.....	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

L. Number of voters during observation

L1 How many people voted while you were observing the voting at this PS

0 1 - 5 6 - 10 11 - 50 More than 50

J. Evaluation

J1 The overall conduct of the voting of this PS was:

Very good Good Bad Very bad

	5	4	3	2	1	n/k
J2 Please indicate your opinion according to the range of 5 = very good to 1 = very bad:						
J2.1 General environment / circumstances.....	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
J2.2 Procedures followed.....	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
J2.3 PEC's understanding of voting procedures.....	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
J2.4 Voters' understanding of voting procedures.....	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
J2.5 Performance of PEC.....	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
J2.6 Transparency of the voting process.....	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

COMMENTS/EXCEPTIONAL OBSERVATIONS: Check the box to the right if you completed a Form E for VOTING at this PS.

When Faxing / Scanning: Page ____ out of a total of ____ pages.

STO Team Number - DEC Number PEC Number

A1 Time of Arrival (Use 24 hr clock): : : A2 Polling Station is: Urban Rural
Time of Departure (Use 24 hr clock): : : A3 PEC Chairperson is: Male Female

B. Closing of the PS		Y	N	n/a
B1	Were voters waiting to vote inside the PS at 20:00 hours.....	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
B1.1	If YES to B1, were they allowed to vote.....	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
B2	Did the PS close on time.....	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
B2.1	If NO to B2: <input type="checkbox"/> 20:00-20:15 <input type="checkbox"/> 20:16-20:30 <input type="checkbox"/> 20:31-21:00 <input type="checkbox"/> After 21:00			<input type="checkbox"/>
B3	Were members tasked with counting procedures (counting officers) appointed by drawing lots.....	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
B3.1	If NO to B3, who selected them <input type="checkbox"/> PEC chairperson <input type="checkbox"/> PEC (by a vote) <input type="checkbox"/> Other			<input type="checkbox"/>

C. Officials and (Un)authorized people		Y	N	n/a
C1	How many PEC members have been appointed.....	<input type="text"/>		
C2	How many appointed PEC members are women.....	<input type="text"/>		
C3	How many of the PEC members were present at the time of closing.....	<input type="text"/>		
C4	Were party/bloc proxies present at this PS.....	<input type="checkbox"/>	<input type="checkbox"/>	
C4.1	If YES to C4: <input type="checkbox"/> Party A <input type="checkbox"/> Party B <input type="checkbox"/> Party C <input type="checkbox"/> Bloc D <input type="checkbox"/> Bloc E <input type="checkbox"/> Bloc F <input type="checkbox"/> Other			<input type="checkbox"/>
C5	Were domestic non-partisan observers present at this PS.....	<input type="checkbox"/>	<input type="checkbox"/>	
C5.1	If YES to C5: <input type="checkbox"/> Group A <input type="checkbox"/> Group B <input type="checkbox"/> Group C <input type="checkbox"/> Group D <input type="checkbox"/> Other			<input type="checkbox"/>
C6	Were any unauthorized persons present at this PS.....	<input type="checkbox"/>	<input type="checkbox"/>	
C6.1	If YES to C6: <input type="checkbox"/> Police, uninvited <input type="checkbox"/> Local officials <input type="checkbox"/> State officials <input type="checkbox"/> Military <input type="checkbox"/> Candidate(s) <input type="checkbox"/> Party activist(s) <input type="checkbox"/> Other			<input type="checkbox"/>
C6.2	If YES to C6: Were they directing/interfering in the work of the PEC.....	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

D. Steps to be completed before the ballot boxes are opened		Y	N	n/k	n/a
D1	Was the number of voters in the special VL announced and entered into the protocols (pt. 2).....	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
D2	Was the number of voters who participated in voting counted and entered in protocols (pt. 4).....	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
D3	Was the number of unused ballots counted and entered in protocols (pt. 6).....	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
D4	Was the number of spoiled ballot papers counted and entered in protocols (pt. 7).....	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
D5	Were VLS, unused and spoiled ballot papers packed in separate envelopes and sealed.....	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

E. Opening of the ballot boxes		Y	N	n/k	n/a
E1	Were the seals of the ballot boxes intact/undamaged.....	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
E2	Were the serial numbers of ballot box seals the same as those entered in the Record Book.....	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
E3	Was the mobile ballot box opened first.....	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
E4	Were control sheets found in every ballot box.....	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
E5	Were the control sheets found in the ballot boxes identical with the one kept by the PEC.....	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	

F. Counting of votes by party/bloc/candidate and invalid		Y	N	n/k
F1	Indication of ballot box stuffing.....	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
F2	Was the choice on every ballot announced aloud.....	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
F3	Did the counting officer show each ballot to everybody present.....	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
F4	Were at least two proxies/observers allowed to closely observe the counting of ballots.....	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
F5	Was validity of contested ballots determined through a vote of the PEC.....	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
F6	Was validity of contested ballots determined reasonably.....	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
F7	Was validity of contested ballots determined consistently.....	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
F8	Were all PEC members free to examine the ballot papers.....	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
F9	Did the PEC announce the number of invalid ballots and enter it in pt. 8 of the protocols.....	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
F10	Did PEC crosscheck the data after counting (valid votes + invalid ballots = signatures in VLS).....	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
F11	Did the PEC pack and seal the ballots for each election subject separately.....	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

STO Team Number: [] [] - [] [] DEC Number: [] [] Number of FS processed: [] [] [] []

A1 Start time of reporting (24 hr clock): [] [] : [] []
End time of reporting (24 hr clock): [] [] : [] []

B. Conditions at the DEC	Y	N	n/k
B1 Were the facilities adequate for reception and recording of PEC protocols.....	[]	[]	[]
B2 Were any observers/proxies expelled from the DEC.....	[]	[]	[]

C. Officials and (Un)authorized people	Y	N	n/a
C1 How many of the DEC members were present.....	[]	[]	[]
C2 Were party/bloc proxies present at the DEC.....	[]	[]	[]
C2.1 IF YES to C2: <input type="checkbox"/> Party A <input type="checkbox"/> Party B <input type="checkbox"/> Party C <input type="checkbox"/> Bloc D <input type="checkbox"/> Bloc E <input type="checkbox"/> Bloc F <input type="checkbox"/> Other	[]	[]	[]
C3 Were domestic non-partisan observers present at the DEC.....	[]	[]	[]
C3.1 IF YES to C3: <input type="checkbox"/> Group A <input type="checkbox"/> Group B <input type="checkbox"/> Group C <input type="checkbox"/> Group D <input type="checkbox"/> Other	[]	[]	[]
C4 Were any unauthorized persons present at this FS.....	[]	[]	[]
C4.1 IF YES to C4: <input type="checkbox"/> Police, uninvited <input type="checkbox"/> Local officials <input type="checkbox"/> State officials <input type="checkbox"/> Military <input type="checkbox"/> Candidate(s) <input type="checkbox"/> Party activist(s) <input type="checkbox"/> Other	[]	[]	[]
C4.2 IF YES to C4: Were they directing/interfering in the work of the DEC.....	[]	[]	[]

D. Receipt and tabulation of PEC protocols	Y	N	n/k
D1 Did you observe any significant procedural errors or omissions in the work of the DEC.....	[]	[]	[]
D2 Were PECs correcting protocols at the DEC without a formal decision of the DEC.....	[]	[]	[]
D3 Did the figures in the PEC protocol reconcile correctly.....	[]	[]	[]
D4 Were PECs filling in protocols at DEC premises.....	[]	[]	[]
D5 Were the seals on the PEC material intact upon arrival.....	[]	[]	[]
D6 Did PECs deliver all required documentation to the DEC.....	[]	[]	[]
D7 Did the DEC check that protocols were completed correctly and in full.....	[]	[]	[]
D8 Were all protocols that you saw completed correctly and in full.....	[]	[]	[]
D9 How many recounts did the DEC conduct.....	[]	[]	[]
D10 How many PEC results were annulled.....	[]	[]	[]

E. Transparency	Y	N	n/k
E1 Did all observers present have a clear view of the procedures.....	[]	[]	[]
E2 Were you in any way restricted in your observation.....	[]	[]	[]
E3 Were other observers/proxies prevented from observing in any way.....	[]	[]	[]
E4 Was any official complaint filed at this DEC during your stay.....	[]	[]	[]
E5 Were observers/proxies allowed to familiarize themselves with all aspects of the process.....	[]	[]	[]

F. Evaluation						n/k
F1 In general, the conduct of the results tabulation at this DEC was						[]
	<input type="checkbox"/> Very good	<input type="checkbox"/> Good	<input type="checkbox"/> Bad	<input type="checkbox"/> Very bad		
Please indicate an opinion as to (insert X):						
	Very good:		Very bad:			n/k
	5	4	3	2	1	
F2.1 DEC members understanding of tabulation procedures						[]
F2.2 How the data entry was organized						[]
F2.3 Promptness/orderliness of protocol receipt at DEC						[]
F2.4 Transparency of tabulation process						[]
F2.5 DEC handling of problems/complaints						[]

COMMENTS/EXCEPTIONAL OBSERVATIONS: Indicate [X] if you completed a Form E at this DEC

When Faxing / Scanning: Page ____ out of a total of ____ pages.



Legislative elections, Afghanistan 2005

XII. CODE OF CONDUCT

All intergovernmental organisations and international NGOs in the field of election observation have published codes of conduct, which are binding on members of their international EOMs. Although different, all of these codes of conduct are structured around the following common principles: respect for the sovereignty of the host country, respect for the laws of the host country, impartiality of the observers, non-interference in the electoral process, transparency and professionalism in the execution of their duties, regulated contact with the media, stipulated rights and obligations of the members of the EOM.

In order to standardise the different codes of conduct implemented by the different organisations in this field, in October 2005 under the auspices of the United Nations, the Code of Conduct for International Election Observers was adopted, together with a Declaration of Principles for International Election Observation. Both documents were signed by 21 international election observer organisations, including the European Commission, the OSCE, the UN, the Organization of American States, the African Union, the Council of Europe, the Inter-Parliamentary Union, the Secretariat of the Commonwealth, the Carter Center, IFES and the Asian Network for Free Elections.

This Code of Conduct for International Election Observers is reproduced below.

International election observation is widely accepted around the world. It is conducted by intergovernmental and international nongovernmental organizations and associations in order to provide an impartial and accurate assessment of the nature of election processes for the benefit of the population of the country where the election is held and for the benefit of the international community. Much therefore depends on ensuring the integrity of international election observation, and all who are part of this international election observation mission, including long-term and short-term observers, members of assessment delegations, specialized observation teams and leaders of the mission, must subscribe to and follow this Code of Conduct.

Respect Sovereignty and International Human Rights

Elections are an expression of sovereignty, which belongs to the people of a country, the free expression of whose will provides the basis for the authority and legitimacy of government. The rights of citizens to vote and to be elected at periodic, genuine elections are internationally recognized human rights, and they require the exercise of a number of fundamental rights and freedoms. Election observers must respect the sovereignty of the host country, as well as the human rights and fundamental freedoms of its people.

Respect the Laws of the Country and the Authority of Electoral Bodies

Observers must respect the laws of the host country and the authority of the bodies charged with administering the electoral process. Observers must follow any lawful instruction from the country's governmental, security

and electoral authorities. Observers also must maintain a respectful attitude toward electoral officials and other national authorities. Observers must note if laws, regulations or the actions of state and/or electoral officials unduly burden or obstruct the exercise of election related rights guaranteed by law, constitution or applicable international instruments.

Respect the Integrity of the International Election Observation Mission

Observers must respect and protect the integrity of the international election observation mission. This includes following this Code of Conduct, any written instructions (such as a terms of reference, directives and guidelines) and any verbal instructions from the observation mission's leadership. Observers must: attend all of the observation mission's required briefings, trainings and debriefings; become familiar with the election law, regulations and other relevant laws as directed by the observation mission; and carefully adhere to the methodologies employed by the observation mission. Observers also must report to the leadership of the observation mission any conflicts of interest they may have and any improper behaviour they see conducted by other observers that are part of the mission.

Maintain Strict Political Impartiality at All Times

Observers must maintain strict political impartiality at all times, including leisure time in the host country. They must not express or exhibit any bias or preference in relation to national authorities, political parties, candidates, referenda issues or in relation to any contentious issues in the election process. Observers also must not conduct any activity that could be reasonably perceived as favouring or providing partisan gain for any political competitor in the host country, such as wearing or displaying any partisan symbols, colours, banners or accepting anything of value from political competitors.

Do Not Obstruct Election Processes

Observers must not obstruct any element of the election process, including pre-election processes, voting, counting and tabulation of results and processes transpiring after election day. Observers may bring irregularities, fraud or significant problems to the attention of election officials on the spot, unless this is prohibited by law, and must do so in a non-obstructive

manner. Observers may ask questions of election officials, political party representatives and other observers inside polling stations and may answer questions about their own activities, as long as observers do not obstruct the election process. In answering questions observers should not seek to direct the election process. Observers may ask and answer questions of voters but may not ask them to tell for whom or what party or referendum position they voted.

Provide Appropriate Identification

Observers must display identification provided by the election observation mission, as well as identification required by national authorities, and must present it to electoral officials and other interested national authorities when requested.

Maintain Accuracy of Observations and Professionalism in Drawing Conclusions

Observers must ensure that all of their observations are accurate. Observations must be comprehensive, noting positive as well as negative factors, distinguishing between significant and insignificant factors and identifying patterns that could have an important impact on the integrity of the election process. Observers' judgments must be based on the highest standards for accuracy of information and impartiality of analysis, distinguishing subjective factors from objective evidence. Observers must base all conclusions on factual and verifiable evidence and not draw conclusions prematurely. Observers also must keep a well documented record of where they observed, the observations made and other relevant information as required by the election observation mission and must turn in such documentation to the mission.

Refrain from Making Comments to the Public or the Media before the Mission Speaks

Observers must refrain from making any personal comments about their observations or conclusions to the news media or members of the public before the election observation mission makes a statement, unless specifically instructed otherwise by the observation mission's leadership. Observers

may explain the nature of the observation mission, its activities and other matters deemed appropriate by the observation mission and should refer the media or other interested persons to the those individuals designated by the observation mission.

Cooperate with Other Election Observers

Observers must be aware of other election observation missions, both international and domestic, and cooperate with them as instructed by the leadership of the election observation mission.

Maintain Proper Personal Behaviour

Observers must maintain proper personal behaviour and respect others, including exhibiting sensitivity for host-country cultures and customs, exercise sound judgment in personal interactions and observe the highest level of professional conduct at all times, including leisure time.

Violations of This Code of Conduct

In a case of concern about the violation of this Code of Conduct, the election observation mission shall conduct an inquiry into the matter. If a serious violation is found to have occurred, the observer concerned may have their observer accreditation withdrawn or be dismissed from the election observation mission. The authority for such determinations rests solely with the leadership of the election observation mission.

Pledge to Follow This Code of Conduct

Every person who participates in this election observation must read and understand this Code of Conduct and must sign a pledge to follow it.



Legislative and presidential elections, Haiti 2010

XIII. SELECTION PROCESS FOR SPANISH ELECTION OBSERVERS

1. General considerations

The Human Rights Office of the Ministry of Foreign Affairs and Co-operation is responsible for selecting Spanish short and long-term election observers, both for OSCE and EU missions and for those of the OAS.

In order to present their candidacy for the post of election observers, candidates must demonstrate previous experience in international election observation for EU, OSCE or OAS agencies and/or have participated in

one of the training courses for STOs conducted by the Human Rights Office from 2004 to 2012, in collaboration with the Diplomatic School and other organisations. Until a substantial reduction is achieved in the large number of people who, having completed the course, have not yet had the opportunity to participate in an OSCE election observation mission, due to the adverse financial scenario of recent years, these courses will not be resumed. Information, if available, regarding these courses is published on the Diplomatic School website between 1 March and 31 March each year: <http://www.exteriores.gob.es/Portal/es/Ministerio/EscuelaDiplomatica/Paginas/Inicio.aspx>

Selection as a STO requires experience in election observation, or previous participation in one of the above-mentioned courses.

Selection as a LTO requires prior experience in long-term election observation or having accomplished at least two short-term observation missions.

Election observers who meet at least one of the two requirements stated above will be included in the Human Rights Office database, entitling them to receive all notices received by the Office regarding forthcoming EOMs.

A software application is being developed that will enable prospective observers to present their candidacy, obtain all the information concerning the forthcoming operation and check the status of their candidacy.

With regard to election observation, the Human Rights Office has the following contact details: Tel: 91 379 8572, e-mail: observacionelectoral@maec.es; isabel.menchon@maec.es.

2. Selection process for Spanish election observers in OSCE missions

First, the Human Rights Office receives an official Note from the Office for Democratic Institutions and Human Rights (ODIHR), informing Member States of the deployment of an EOM for a particular election, and the total number of observers required. In this Note, the ODIHR will request Member States to provide an unspecified number of long and short-term observers.

On receipt of this Note, the Human Rights Office, in coordination with the corresponding Geographical Desk, will decide on the political advisability of deploying Spanish election observers, and when appropriate, how many observers should be deployed. This decision is also subject to the constraints of budget availability.

If the decision is taken to deploy them, the observers included in a database created for this purpose will be sent an e-mail requesting those interested to send their CV. Subsequently, the long and short-term observers required will be selected. Once the selection process is complete, the names of those selected will be forwarded to the ODIHR.

The Secretariat of State of the Ministry of Foreign Affairs and Cooperation underwrites all the costs incurred in the participation of Spanish observers in OSCE election observation missions.

3. Selection process for Spanish election observers in EU missions

In addition to complying with at least one of the two candidacy requirements stated above, Spanish citizens who wish to participate in EU observation missions must previously include their CV in the official roster of EU observers, which can be accessed at: http://ec.europa.eu/europeaid/what/human-rights/election_observation_missions/index_en.htm

In the first step in the process, the Commission sends the Human Rights Office a Note informing of the deployment of an EOM in a specific situation and requesting each Member State to communicate the details of a certain number of preselected long and short-term observers.

On receipt of this Note, the Office will e-mail the observers included in the database created for this purpose informing them of a call for those interested to submit their CV. A shortlist of suitable candidates will then be presented to the Commission, which will perform the final selection.

The EU underwrites all the costs incurred in the participation of observers in its EOMs.

4. Selection process for Spanish election observers in OAS missions

In April 2009, a Memorandum of Understanding was exchanged between the Secretariat of State of the Ministry of Foreign Affairs and Cooperation and the General Secretariat of the OAS, according to which Spanish election observers could participate in EOMs under the auspices of the OAS. The maximum number of Spanish observers to be present in each such mission was set at 15%, in accordance with the conditions attached to other Member Countries.

Spain agreed to meet the cost of deploying Spanish observers to the capital of the country where elections were to be observed.

After receiving confirmation of the deployment of an EOM in an OAS country, for a particular election, the Human Rights Office will e-mail the observers included in its database informing them of the forthcoming pre-selection of observers. The resulting list is then submitted to the Department of Electoral Cooperation and Observation of the OAS Secretariat for Political Affairs. The number of election observers finally selected will depend on the funds available to the OAS for the mission in question.



Legislative and presidential elections, Mali 2013

XIV. SELECTION PROCESS FOR MEMBERS OF THE CORE TEAM

1. In the EU

The members of an EU EOM Core Team are directly selected by the corresponding unit of the Commission, the Foreign Policy Instrument, in coordination with the corresponding unit of the European External Action

Service. Calls for candidacies are published at: http://ec.europa.eu/dgs/fpi/announcements/jobs_en.htm.

2. In the OSCE

The appropriate department of the ODIHR will directly select members of the EOM Core Team. The call for candidacies is published at: <http://www.osce.org/odihr/elections>

To be eligible to apply, candidates must be previously included on the ODIHR roster of electoral experts, at: <http://elexperts.odih.pl>



Legislative and presidential elections, Mali 2013

XV. SELECTION PROCESS FOR MEMBERS OF EXPLORATORY MISSIONS, ELECTION EXPERTS MISSIONS AND MISSIONS TO MONITOR COMPLIANCE WITH EU RECOMMENDATIONS

The Human Rights Office will forward to its database of observers, for their information, the Note published by the Commission inviting the candidacy of EOM members for selection. Those interested are invited to present their application to the Consultants listed in the Note. These consultants can

be viewed at the following EU website in Sections 7 and 12: http://ec.europa.eu/europeaid/work/framework-contract/beneficiaries-2009/documents/2_4_contact_details_en.xls

The EU also publishes calls for the selection of EOMs at: http://ec.europa.eu/europeaid/what/human-rights/election_observation_missions/index_en.htm

Those interested can contact these consultants directly.



Presidential election, Armenia 2013

XVI. SELECTION PROCESS FOR MEMBERS OF THE SERVICE PROVIDER/IMPLEMENTING PARTNER GROUP

Persons with extensive experience in the areas of security and/or logistics and who are interested in working in an EOM as a Service Provider or Implementing Partner should directly contact one of the following

accredited consortia: GIZ, TRANSTEC, INDRA or IOM at the following addresses, respectively:

GIZ: <http://www.giz.de/en/jobs/3109.html>

TRANSTEC: <http://www.transtec.be/website20/vacancies>

INDRA: <http://www.indracompany.com/tu-carrera-en-indra/empleo-en-indra>

IOM: <http://www.iom.int/cms/es/sites/iom/home/about-iom-1/recruitment/current-vacancies.html>



Presidential election, Azerbadjan 2013

XVII. SELECTION PROCESS FOR ELECTION OBSERVATION AND DEMOCRACY SUPPORT COURSES

Election Observation and Democratic Support (EODS) is a project funded by the EU Commission which began operating in January 2012 on conclusion of the NEEDS project and after having won the tender to provide EOM training and methodological development activities. EODS includes three areas of support for election observation by EU teams: to strengthen the methodology of EU election observation, to provide training in EU methods for members of the Core Team and LTOs, and to equip regional organisations and networks for election observation.

The Human Rights Office publishes on its database the call for candidacies for training courses for LTOs. A shortlist of candidates is then submitted to the Commission and the EODS for the final selection to be made.

With respect to training courses for members of the Core Team, EODS publishes the call for candidacies on its website (www.eods.eu) and selects the candidates directly. Calls for these courses are also announced on the following EU website:

http://ec.europa.eu/europeaid/what/human-rights/election_observation_missions/index_en.htm

In this case, the Human Rights Office merely re-publishes the call on its own database, for informative purposes.



«Your vote is free, secret and non-transferable. Do not sell your election card. It is an infraction».
Public Ministry of Paraguay promotional poster for the general elections of 2013.

XVIII. TYPES OF ELECTION FRAUD

Isabel Menchón López

Political scientist, Head of the Human Rights Office at MAEC

1. Election fraud

1. A. Definition

Election fraud can be defined as deliberate interference in the electoral process in order to alter the expression of voters' individual or collective will. Fraud distorts citizens' election preferences, denying voting rights to some and amplifying the voices of others. Even when fraud does not materially alter the outcome, i.e., if the election winners turn out to be the same as would have occurred in the absence of fraud, its effects are devastating for the solid implantation of democracy because it represents a reward for attitudes underlying an undemocratic culture and undemocratic values. Fraud may be committed by omission, by action or by coercion.

Fraud is more likely to occur in contexts of institutional fragility, where freedoms and fundamental rights are not sufficiently guaranteed. Accordingly, the severity and magnitude of the fraud is related to the effectiveness, or otherwise, of government, and of the international community and other social institutions in safeguarding these freedoms and fundamental rights.

1. B. Agents

Fraudulent practices can be perpetrated or promoted by diverse participants in the electoral process who may seek to alter the will of the people. Among others, the following agents can be identified:

- Institutional actors: national or local election authorities, State police and security forces;
- Political actors: political parties, candidates;
- Economic actors: multinationals, national entrepreneurs, oligarchs, professional organisations, associations, etc.;
- Civil society: voters, journalists, the media, NGOs, defenders of human and civil rights, trade unionists, etc.;
- Organised crime.

1. C. Nature

Over the last 20 years, the phenomenon of election fraud has evolved considerably, and this has important implications for EOMs.

On the one hand, in many countries where election observation takes place, the practice of election fraud has tended to be displaced from urban environments, characterised by higher levels of education, toward rural ones, which are more vulnerable to intimidation and pressure from political actors and are less accessible to outside scrutiny. Thus, election fraud is becoming less visible.

Concealment forms part of a broader process of the increasing sophistication of election fraud. The agents of fraud no longer seek to produce outrageous results suggesting 80-90% support, but rather to ensure the triumph of a given option with results that do not generate suspicion and appear to maintain acceptable levels of fair competition, pluralism and representativeness. Thus, election fraud is ‘civilised’ through subtle management to produce the desired results, at all levels.

Election fraud has also been relocated from the traditional environment of the polling stations, where voting and counting take place, to the two poles of the electoral world that are most vulnerable and, at the same time, the most crucial: the electoral roll and the transmission of results. The electoral roll should provide an accurate reflection of the electorate and thereby ensure the effective exercise of the principle of universal suffrage; the proper transmission of results, on the other hand, must guarantee the unalterable nature of the votes cast. The use of technology in the electoral process, for example in the computerised transmission of results, has helped propel fraud into spaces that are less visible but at the same time more sophisticated, and therefore less accessible to observation and monitoring by civil society. However, technology also provides a window of opportunity to detect fraud, as has been shown in some cases when the online provision of election results, imprudently permitted by agents of fraud, has enabled its detection.

In most cases, the fraud is perpetrated discreetly, and those involved seek to conceal it. However, in some cases, what could be called “ostentatious fraud” is deliberately provoked, as a strategy of intimidating display of power (to demonstrate where power lies and who controls and manages it).

1. D. Fraud and malpractice

What distinguishes fraud from malpractice is the existence of intentionality as the operational dimension of fraud. Fraud is based on an intentional

manipulation at a given stage of the electoral process, aimed at altering the results and ultimately distorting the formation and/or expression of the will of the people.

The most common types of malpractice take the form of irregularities, shortcomings and/or negligence by actors in the process —the election administration, political parties, voters, etc.— at some stage during the process, that do not correspond to deliberate manipulation and alteration of the popular will and which, therefore, can be corrected if there is good will. Examples of malpractice include misspellings in the census, the absence of (or poor quality of) indelible ink, the failure to apply indelible ink due to poorly-trained polling station staff, errors or technical failures on the election administration website during the transmission of results, and delays in the resolution of disputes due to mismanagement or lack of staff. A polling station official who fills the urn with marked vote papers commits fraud, but if he forgets to seal the ballot box, this is an irregularity. However, the cumulative effect of large-scale irregularities can cause a distortion of the popular will, and may ultimately provoke the same effects as fraudulent practice.

1. E. Areas in which fraud takes place

Fraud can affect any stage of the electoral process; it may occur during the formation of the popular will or during its expression, thus infringing principles and electoral rights that are globally recognised and protected under international and regional human rights instruments. Respect for these principles and rights determines the democratic quality of elections. A democratic election is one that faithfully reflects the will of the people, democratically formed and freely expressed. Democratic elections constitute an effective instrument for channelling and peacefully accommodating the diversity of interests and the divisions within a society.

The formation of the popular will rests upon two fundamental principles without which no election can be considered truly democratic: plurality in competition and fairness in that competition. Moreover, the democratic expression of the popular will must incorporate and guarantee certain essential principles and electoral rights: freedom of suffrage (uncoerced voting, secret ballot, informed voting), equality of suffrage, universality of suffrage (a non-discriminatory, inclusive and reliable census, and accessibility of voting) and inalterability of the results.

Fraud, seeking to distort the popular will, may infringe any or all of these core principles, and may become manifest at any stage of the electoral process.

1. F. Systemic fraud

In discussing the different techniques of election fraud, we must first consider systemic fraud, that which is committed from the heart of the system itself, under the protection of the regulatory framework. Under systemic fraud, the legislation, procedures and rules are applied contrary to internationally recognised and protected electoral principles and rights, in order to influence election results and thus pervert the formation and expression of the popular will.

The concept of systemic fraud also includes the existence of regulations which, without being explicitly contrary to the above-mentioned principles and electoral rights, are inadequate and therefore facilitate the commission of fraud, whether intentional or otherwise. For example, mobile voting booths, which are provided for the legitimate purpose of ensuring the right to vote for those unable to travel to conventional polling stations, may constitute an effective instrument of fraud if the regulations do not safeguard this practice with appropriate security measures. This is also the case when voting is enabled in special premises, such as the workplace, hospitals, universities, barracks, etc., that are converted into a polling station exclusively for these workers. Another practice open to abuse is the registration of voters on the same day that the election is held. Systemic fraud can take place at different stages of the electoral cycle, in multiple forms, and breaches the fundamental electoral rights and principles of universality, equality and freedom of suffrage, pluralism and fairness of competition, the right to a free, secret and informed vote and the right to an accurate count.

2. Fraud techniques and the electoral cycle

Without seeking to offer a comprehensive list of techniques of election fraud, we present the following techniques and patterns, which are among those most commonly observed.

2. A. Definition of political-electoral competition

The basic rules of the electoral-political competition may be circumvented by the following techniques:

2. A. a) Election system

1. By delimiting and defining electoral districts with the intention of favouring certain candidates, manipulating constituency boundaries in accordance with the desired election results (gerrymandering). This action violates the principle of equal suffrage.

2. By setting election thresholds that are excessively high, in order to unduly restrict the right to participation and political representation.

3. By establishing formulas for the allocation of seats per constituency and/or for converting votes into seats with the aim of overstating the representation in legislative bodies of certain parties to the detriment of others. As in the case of the manipulation of constituency boundaries, this practice undermines the principle of equal suffrage and distorts the principle of political representation that is based on equality of suffrage and electoral proportionality. When these formulas are applied, votes no longer have the same value and large variations occur in the 'price' of a seat in terms of the votes needed to win it. The system by which a bonus in terms of seats is awarded to the winning party is the most visible manifestation of the infringement of the principle of equal suffrage and electoral proportionality.

2. A. b) Register of candidates

1. When a regulatory body alters the framework of political-electoral competition in order to favour or ensure the triumph of a given political option. This may be done by imposing unduly strict conditions for political participation and for election competition among parties and candidates, in order to restrict election competition to a small number of actors, thus greatly limiting or eliminating the possibility of political alternation. Another method is to create 'satellite' parties' to simulate the existence of political competition and sow confusion among the electorate. Obstacles to competition may be created at source, in the creation of a political party and the provision or otherwise of legal recognition, as unregistered political parties cannot contest elections. We list below some of the unduly restrictive conditions that have been used, violating the right to political participation (i.e., the rights of political parties to be granted legal status) and the principle of plurality in election competition (the registration of political parties or candidates to contest elections). These rights are fundamental aspects of a democratic election, ensuring diversity in the choices presented to the electorate.

- a. The requirement of an excessively high number of party members for a political party to acquire legal status.
- b. The requirement placed on political parties that wish to acquire official recognition that they must have a stipulated (and unreasonably high) number of representative offices and/or that such offices be present in part or all of the country.
- c. The requirement that parties must provide a list of all their members in each region to a regional registration agency. In a context of authoritarian rule, where the lines between party and State are blurred, where the State is the principal economic agent, where political dissent can exact a high cost in terms of employment and access to goods and services, this requirement condemns opponents of the system to marginalisation, since a large proportion of the population does not want to be signalled as a member of the opposition.
- d. The requirement that parties without previous parliamentary representation or independent candidates must file a given (and unreasonably large) number of signatures of support. This measure discriminates in favour of parties already represented in parliament, and aims to prevent or restrict election competition as regards the entry of new political actors.
- e. The application of an under-regulated and insufficiently transparent system for verifying the signatures of support. Thus, in a context of institutional weakness (for example, when the election administration suffers a lack of independence) there may be a process of instrumentalised and discriminatory verification aimed at controlling or closing the degree of election competition.

2. When the window of opportunity for the creation and legalisation of parties is deliberately opened only very shortly before the election date. In these circumstances, competition is weak, the opposition parties have not had time to organise themselves to compete on equal terms and they have no little or no chance of altering the status quo. Nevertheless, this tactic can confer apparent legitimacy on what are formally multiparty elections.

2. B. Definition of the electorate. Register of voters.

The effective implementation of the principle of universal suffrage is guaranteed by the production of an electoral roll, one that is inclusive,

non-discriminatory and reliable, and which should be a true reflection of those eligible to vote. Any alteration of that record will influence the election result and thereby distort the popular will. The manipulation of the electoral roll, which is one of the most common manifestations of fraud, can take place through the regulatory framework, by operationally obstructing voter registration (if this is done actively), or by the deliberate omission of the necessary updating. In either case, such an action has two goals: to prevent certain areas of the population (the opposition, vulnerable people, women, minorities, indigenous populations) from exercising their right to vote, and granting voting rights to members of the population who do not have the right to vote. Some typical manipulation techniques are presented below.

1. Excluding citizens from the electoral roll, by law, according to their gender, ideology, race, economic standing, sexual orientation, etc.

2. Deliberately failing to update the electoral roll. Failing to record deaths and changes of address, and failing to eliminate duplicated data. When this occurs, the electoral roll will contain non-residents, immigrants, minors, etc., which facilitates multiple voting and the impersonation of voters.

3. Establishing by law (or permitting, de facto) procedures to enable the temporary electoral registration of members of the non-resident population in a particular constituency, in order to alter the electoral balance. This is especially common in municipal elections.

4. Including cross-border populations in the electoral roll in order to alter the ethnic balance in contexts where voting behaviour is subject to ethnic loyalties.

5. Establishing conditions for registration in the electoral roll that are intended to exclude a certain segment of the population. Such conditions may take the form of requiring a long period of continuous/uninterrupted residence, thus excluding refugees and those granted asylum. This kind of electoral roll manipulation is mainly used in referendums.

6. Establishing undue bureaucratic procedures and/or unreasonable deadlines for obtaining documentation that is difficult to obtain in the context of an administrative system with few resources, which is inefficient and overly centralised. The aim of this manoeuvre is to make electoral registration difficult for sectors of the population that are unwelcome to the authorities. Moreover, in a context of civil conflict, this unwelcome population is required

to provide certificates evidencing a past political affiliation, with the aim of recalling the collective memory of a brutal repression, thus discouraging the presentation of such certificates.

7. Failing to provide sufficient information about the electoral registration process, with the intention of excluding certain sectors of the population.

8. Allowing an excessively short period of time for errors to be corrected, or not publicising the existence of this possibility.

9. Deliberately committing errors in the transcription of electoral roll data in areas where the intention is to exclude part of the electorate.

10. Making multiple electoral registrations in order to enable multiple voting and voter impersonation.

11. Locating polling stations at an unreasonable distance from population centres where voting is to be discouraged, thus creating operational obstacles.

12. The insufficient provision of materials or logistical means for voter registration during the census, with the intention of excluding a particular sector of the population: for example, supplying insufficient quantities of resources such as cameras and biometric kits; or providing a bicycle instead of a car when registration officers must travel over extensive areas; or providing a car, but only allowing a very short period of time, when the registration process involves a large population spread over an extensive territory.

13. Conducting an intensive registration campaign in areas that tend to favour a particular candidacy, recording up to 100% of the resident population in the area, or even 130% or 140% of the legitimate electorate, through the registration of minors, or of residents in other areas. Conversely, a low density/intensity campaign may be conducted in areas that are largely hostile to the same candidacy. This is another example of the use of operational obstacles.

2. C. The election authority

The election authority is responsible for ensuring the legitimacy of the process and for safeguarding the free and effective exercise of voting rights. However, it may also be used, under coercion or co-option, to alter the proper course of the election.

The actions of the election authority should be governed by the principles of independence, neutrality, impartiality, transparency and effectiveness. If its independence and neutrality are not guaranteed either in law or in practice, then at all levels it becomes a powerful means of committing election fraud, whether by commission, omission or coercion, by falsifying documents, validating fraudulent documents, concealing wrongdoing, announcing incorrect results, or by various other means. Therefore, the composition of the election authority is a matter of the highest political importance and great pains are taken to acquire control of this body.

2. C. a) Regulatory shortcomings that may facilitate fraud

1. If the law establishing the composition of the election authority, at all levels, does not guarantee its independence and neutrality, perhaps because its members belong to the ruling party, or satellite parties or civil society organisations that depend on State structures and State funding and therefore are highly vulnerable to pressure, especially in contexts where the lines between State and party are blurred.

2. The non-existence in the legal framework of the concept of electoral crime, or the ineffective regulation of this concept.

3. The non-existence of effective legal sanctions (enforceable and proportional to the electoral crime) to deter fraud.

2. C. b) Fraud techniques used by the election authority

1. The election authority may refuse to provide information that is essential to ensure transparency and plural control of the electoral process:

a. By refusing to provide copies of the electoral roll to the political parties and observers to allow them to verify the quality of the census, and to detect possible duplications, errors and the presence of minors, deceased persons, non-residents, etc.

b. Deliberately supplying false or incomplete information about the number of polling stations, and their location, thus facilitating the creation and use of “ghost stations”, which are not officially registered as polling stations, and where no voting takes place, but for which results are announced, sometimes purporting 100% participation and 95% of the votes for the favoured candidate.

- c. By providing no information about the number of complaints, claims or electoral disputes formally presented by the opposition, organisations or individual voters, or about the content of these protests. This (non) action is intended to impede or prevent external monitoring and control of the dispute resolution process and to conceal the nature and extent of the irregularities that are alleged.
2. The election authority may also enact discriminatory rulings on electoral complaints and disputes, thus systematically favouring one side.
3. Delaying tactics may be used, thus preventing the timely restitution of complaints and disputes cannot impede the timely restitution of voters' and candidates electoral rights. Alternatively, complaints may simply be ignored.
4. Bureaucratic obstacles may be created and delaying tactics employed, for example regarding the provision of credentials to domestic election observer groups, in order to prevent them from properly monitoring the election.
5. In areas where the expected results were not obtained, the Central Election Commission may replace polling station staff with others who are more amenable to the application of electoral fraud.
6. The official records of the polling station or of the vote consolidation process may be altered or fabricated by members of the election authority.

2. D. The election campaign

2. D. a). Fraud techniques that violate the freedom to campaign

1. The kidnapping or murder of candidates, supporters and/or voters. The use of violence has a very precise function: to send a message to frighten and terrorise the population in order to alter the popular vote.
2. The exercise of intimidation that involves the threat or use of violence and/or the threat of deprivation of goods and services, the concession of which depends on the government or on local authorities. In authoritarian contexts, effective mechanisms of social pressure and control are applied to manipulate a population that is dependent on State structures and funding (officials, government employees, military personnel, employees of public

companies, etc.). Thus, physical intimidation and/or the fear of the loss of employment, status, privileges, access to services, etc. can be used to ensure the desired election results are achieved.

3. Persons dependent on State funding may be intimidated or coerced to attend demonstrations of support for the government candidate in order to create the fiction of massive support and to provide anticipatory justification of otherwise questionable results. This strategy has two objectives:

a. To send a clear signal to the electorate as which option is favoured. This is an extremely effective message in contexts where the provision of goods and services depends on the State structures and funds, and where the division between party and State is not clear cut.

b. To anticipate and emphasise the predictability of a specific election outcome, so that neither the eventual victory nor the margin of victory will be questioned.

4. Private owners of billboards to be used for political propaganda may be intimidated or coerced not to sell these spaces to the opposition, under the threat of the withdrawal of the necessary licence to use these spaces. Thus, election messages are muffled. Moreover, the principle of fairness of campaigning is violated.

5. The law may not fully guarantee the fundamental freedoms of expression, assembly, information, movement and demonstration.

6. The legal code may make it a crime to attack the honour of the President and of candidates, and the application of this law is likely to be instrumentalised, thus improperly restricting the right of expression and information.

2. D. b) Fraud techniques that violate the fairness of the campaign

The regulatory framework and its implementation must ensure that the election campaign takes place under equal conditions for all parties, with fair access to public resources, with neutrality and impartiality of all official agencies and with the impartial application of the law.

1. Campaign finance

Campaign financing directly affects election fairness and competitiveness. It is also associated with the quality of the political representation achieved,

the functioning of the political institutions, the definition of public policies and the conditions under which a country is governed. One of the main objectives of any system for regulating campaign finance is that the origin and destination of the funds received by parties and candidates should be transparent. Transparency not only acts as an antidote to corruption by exposing conflicts of interest, it also plays a central role in ensuring that the voting choice made is a well-informed one. When funding is effectively regulated, well audited and transparent, the fairness of electoral competition is reinforced. However, various fraudulent techniques in this respect may be applied, such as:

- a. Non-existent or inadequate regulation of campaign finance.
- b. The absence of legal provisions setting a ceiling on campaign spending.
- c. The absence of legal provisions regulating the sources of funding (private, public or mixed).
- d. The absence of legal provisions requiring transparency in campaign spending.
- e. The absence of a realistic accountability calendar to ensure the transparency of campaign finance within a reasonable time schedule. Providing an excessively lengthy period for this accountability, such as one or two years following the election.
- f. The absence of regulations to establish an audit/supervisory body with the legal capacity to audit campaign accounts and to sanction infractions.
- g. The failure to provide the audit/supervisory body with the financial and material resources needed to carry out its functions independently.
- h. Inadequate legal sanctions, which have no dissuasive capacity and fail to ensure fair electoral competition.
- i. Inadequate rules and procedures for preventing the infiltration of money obtained by organised crime.

2. *The media*

Both law and customary practice must ensure media plurality and freedom of information, together with reasonably fair access for all candidates to public media outlets, treatment under equal conditions in the private media and

impartial coverage of the campaign. In this respect, the following fraudulent techniques have been observed:

- a. Freedom of information insufficiently guaranteed by law.
- b. Intimidation against journalists or media outlets to limit the freedom of information.
- c. Coercion of the media to restrict access to certain candidates, limiting the plurality of information.
- d. Abuse of the dual nature of institutional office and candidate, leading to the ubiquitous and unequal presence of the official candidate in the media; when equal space is not granted to the other candidates this is an abusive use of public resources and makes the electoral competition highly unfair.
- e. Biased coverage by public media to promote a particular candidacy.
- f. The discriminatory distribution of time slots for broadcasting candidates' election messages, in which the prime time slots are reserved for official candidates and the other candidates are relegated to times when the potential audience is smaller.

3. *Vote buying*

Vote buying and vote selling is one of the oldest techniques of fraud carried out in electoral competitions. It is more prevalent in countries with high rates of poverty and illiteracy and imposes a heavy burden on democratic development. It violates freedom of choice and erodes the principle of fairness in the competition by favouring those with deeper pockets and readier access to sway voters' decisions. Like intimidation, vote buying is highly difficult to detect because it takes place in private spaces that are not accessible to those not involved in the transaction. It takes many forms, ranging from subtle transactions of exchange of favours to crude and simple cash payments. Vote buying can also alter the electoral process by methods such as conditional job offers or promises, threats of dismissal, the payment of commissions for services rendered, commitments regarding future contracts, the adoption or adaptation of legislation to favour certain interests (a form of patronage that mortgages future public policies), or the offer of material goods, food, domestic appliances, etc. Ensuring the secrecy of voting would help reduce the negative effects of this practice by depriving vote buyers of

efficient mechanisms to control their ‘purchases’. The following are some of the most common and visible manifestations of vote buying.

- a. The direct purchase of voting cards from holders who are opposition voters, to make sure they do not vote or to use them fraudulently, via impersonation.
- b. Pyramidal vote acquisition: delivering a certain amount of money in exchange for guaranteeing the vote of a given number of relatives or friends, whose data must be provided for subsequent inspection at the polling station. Among other methods used to control the votes bought, mobile phones may be used to photograph the vote cast; voters may be accompanied into the voting booth; the votes cast at each polling station may be specified; or voters may be subjected to an intimidating presence at the polling station.
- c. Debit cards may be given to voters, for activation after the elections depending on the outcome.
- d. Goods may be supplied for the personal benefit of local leaders, who in turn will ensure the community vote in societies where there is a prevailing structure of community solidarity.
- e. Local leaders of indigenous communities may be granted goods and services for the benefit of the community, such as the construction of a bridge, water supply infrastructure, bags of seeds for crops, etc. This form of vote buying within indigenous communities, which is conducted directly or indirectly through the community leader, does not require subsequent control mechanisms, as the traditional code of honour sanctifies the agreement made.
- f. The provision of vouchers to obtain food or other goods stored at the home of the party representative in each district. These goods are delivered after the elections, subject to the desired election outcome being achieved.
- g. Institutionalised vote buying, by which social programmes are provided to populations that cast their vote as required and provide proof of having done so. In some countries, such a distribution of basic necessities in impoverished areas is carried out in broad daylight during the period immediately preceding the election. In some cases, appliances such as refrigerators and microwaves have been offered in areas that do not even have electricity.

2. D. c) Other fraud techniques that violate the fairness of the campaign

1. Legal provisions requiring parties and candidates to apply to the Election Administration and/or local authorities for permission to hold rallies or demonstrations during the election campaign, rather than simply informing of this intention. In contexts where the independence and neutrality of the authorities are not sufficiently guaranteed, the freedom of assembly and expression for parties and candidates and their right of equal access to public funds are likely to be limited by the authorities' partial use of their prerogatives.

2. The (systematic) refusal to allow certain candidates access to central public spaces in which to hold meetings; this not only violates the principle of equal access to public resources but also reduces candidates' ability to make their proposals known and makes the diffusion of their programme less effective, limiting it to smaller spaces, with less symbolic value.

3. The use and abuse of public funds and other elements of the official election framework in favour of a particular candidate.

4. The publication of official candidates' photos but not those of other candidates on official websites and on those of the Election Administration. This can produce unfair competition by provoking visual confusion between one candidate and another.

5. National or local newspapers funded from the municipal/State budget, and providing coverage of only the official candidate.

6. Conducting surveys during the campaign to predispose the population in favour of one election option. Such surveys often fail to comply with fundamental methodological requirements.

7. If civic and voter education campaigns are not conducted in areas where rates of illiteracy are high, this enables the presence and/or creation of an environment in which opinions in favour of a given candidate may be manipulated or purchased, thus violating the right to an informed vote. A fair voting system is based on informed consent.

8. The use and abuse of public funds and of other official resources for the benefit of one of the candidates. Local authorities, civil servants and local leaders may be actively involved in the campaign, a situation that is in breach of their obligation of neutrality and produces unequal access to the media.

2. D. d) Other fraud techniques related to the manipulation of election materials

Election materials may be manipulated prior to the elections, with the active participation or complicity of the election authority. This may take one or more of the following forms:

1. The irregular distribution of voting cards, using the names of dead people and migrants in order to enable their impersonation.
2. The distribution of false credentials to party representatives and local observers in order to ensure control of the voting and counting at the polling stations, and to create the fiction of plural control.
3. The production of many more ballot papers than are needed, in order to allow fraudulent use, multiple voting and ballot box stuffing.
4. The failure to provide effective security mechanisms to safeguard custody of the ballot papers, thus enabling the distribution and use of illegal ballot papers, and hence multiple voting and ballot box stuffing. This form of manipulation could be perpetrated, for example, by requiring a member of the polling station personnel to store these materials at home. This situation presents a substantial risk, making the person involved vulnerable to pressure.

2. E. Voting

The following forms of irregular electoral behaviour may be observed during the voting process.

1. Preventing presiding officers from being present in areas where the political opposition is strong, thus impeding normal voting.
2. Preventing designated polling station officials and deputies from attending, and recruiting as substitutes persons who are associated with the candidate/party that employs this stratagem.
3. Intimidating presiding officers to pressure them to tolerate or engage in fraud. This intimidation may be effected by the presence of unauthorised persons, associated with the official candidate, to supervise the work carried out by the polling station personnel.
4. Securing the presence of unauthorised persons, associated with the official candidate, seeking to intimidate voters and monitor those whose votes have been bought.

5. Locating the polling location far from a population centre, in order to hamper the exercise of the right to vote.
6. Making use of violence in opposition strongholds in order to intimidate voters, deprive them of their right to vote and produce the desired results.
7. Provoking an unjustified and significant delay (of several hours) in opening the polling station, to discourage voters, facilitate ballot box stuffing and enable the fabrication of results.
8. Requiring the early closure of polling stations in opposition strongholds.
9. Deliberately reducing the size of polling stations where large concentrations of voters are expected, creating confusion, and thus making it easier to breach the secrecy of the vote and to control the votes that are cast and making it difficult for personnel to discern fraudulent behaviour such as multiple voting or ballot box stuffing.
10. Allowing unregistered persons to vote, or those with a fake voting card, or those failing to produce a voting card. Or allowing persons to vote more than once.
11. Enabling the presence of false observers and party representatives in order to intimidate, to perpetrate fraud and to provide the fiction of plural control.
12. Multiple voting: this can be facilitated by providing voting cards or other accreditation documents to a large group of people to enable them to vote several times, to supplant voters or to assume an identity other than their own, as recorded in the electoral roll. Multiple voting is dependent on the complicity of polling station personnel and is greatly facilitated if individuals are allowed to register to vote on the day of the election.
13. Deliberate failures in the distribution of election materials, provoking a shortage of materials in areas where the aim is to reduce or prevent the vote; ensuring that only the ballot papers for the official party are received, or there are insufficient quantities of those for the opposition; the indelible ink may not be received or be of very poor quality, thus facilitating multiple voting.
14. Diverting election materials from the distribution centre in order to stuff the ballot boxes and to manipulate the records elsewhere.

15. Ballot stuffing. This may be done by polling station personnel themselves, or observers or party representatives, who open the urn and fill it with prepared ballot papers. Alternatively, voters may introduce bundles of voting papers into the ballot box, with the complicity of polling station personnel.
16. Mobile phones can be used as an effective means of controlling bought votes. The photograph of the marked ballot paper is the proof of the vote cast.
17. The use of non-transparent boxes facilitates ballot box stuffing.
18. Mobile ballot boxes are intended to enable disabled persons, unable to travel to the polling station, to vote. However, they may be used fraudulently, and contain a quantity of votes that is impossible to obtain in a single day, perhaps over 900 votes, during an election period of ten hours. Mobile ballot boxes are taken to the voters' homes, and the most optimistic estimate of the rate of voting possible in these circumstances is that each vote cast will take about five minutes. The fraudulent use of mobile ballot boxes is particularly prevalent in rural and semi-rural areas, which are more vulnerable to pressure and less accessible to observation. This voting mode is often used in order to achieve a high (and therefore legitimising) rate of participation and at the same time to produce the results favoured by one party.
19. Conveying voters from one municipality to another in order to alter the electoral balance, with the complicity of the election authority.
20. Abducting polling station personnel responsible for transporting (often by motorcycle) the election records from the polling station to the data collection centre, to force them to alter the results or to replace the election records with others that have been prepared previously.
21. Creating and operating "ghost" polling stations.

2. F. Vote counting

During the vote counting, the following irregularities may be observed:

1. Placing party representatives and observers at a distance which prevents the correct observation of the ballot paper counting.
2. The use of delaying tactics to delay the closing of the polling station

and hence the vote count, until the early hours of the morning, in order to exhaust observers and party representatives into leaving, and then to alter the recorded results. In one such episode, the count of 700 votes lasted from eight p.m. until three o'clock in the morning, in an area of good educational levels.

3. The presence of unauthorised persons, associated with the ruling powers, to intimidate election observers and opposition representatives, forcing them to sign the results document and dissuading them from filing a formal complaint about the results published for their polling station.
4. Failing to reflect the formal complaints presented by observers or party representatives about irregularities in the counting process.
5. Presiding officers handing observers and party representatives blank voting records to be signed, under intimidation.
6. Presiding officers inviting international observers to have dinner in a separate room during the vote counting, as a strategy of distraction in order to manipulate the count.
7. Presiding officers failing to display in full view the votes being counted, thus facilitating the fraudulent award of votes.
8. Presiding officers validating bundles of votes that have resulted from ballot box stuffing.
9. Presiding officers failing to check the number of votes cast in the ballot boxes against the number of eligible and registered voters.
10. Presiding officers completing the voting records in pencil, so that they may later be amended during the consolidation of results.
11. Presiding officers altering the results records.
12. Presiding officers failing to provide the results records to party representatives or observers, this being an important safeguard against any subsequent manipulation of results.
13. Failing to display the results record on the door of the polling station.

2. G. Compiling the results

During the results compilation, the following irregularities may be observed:

1. Not allowing local and international observers or party representatives to enter the results compilation centre, thus facilitating the alteration or the simple fabrication of results.
2. Establishing separate rooms for receiving election materials, for receiving the documentation from the polling stations and for the computerised transmission of the results to the national data centre, to which party representatives and observers have limited or no access. This latter phase, being the least transparent, is especially vulnerable to the commission of fraudulent activities. Access may be denied to these crucial phases of the process on the purported grounds that it might disrupt the work being carried out.
3. Failing to present the results for each polling station, as they arrive, in a single large event accessible to observers and party representatives, but presenting them only after computer transmission. Accordingly, the authenticity of the results is not guaranteed, because they may have been tampered with during reception of the polling station documentation or during data transmission.
4. The legal power granted to the presiding officers of the provincial election commission to correct mathematical errors may be used illegally to alter the results.
5. In some cases, observers and party representatives are only allowed to be present in the room where the results are obtained for each polling station, and not during the subsequent compilation and computer transmission.
6. Blank documents may be given to the members of the provincial election commission, to be completed according to instructions received.
7. The voting records may be changed if the results do not correspond to those expected.
8. Compilation of the results may be suspended, with members of the provincial election commission alleging tiredness or technical problems. However, their real intention is to escape the scrutiny of inconvenient witnesses and to resume the process later without providing sufficient notice to observers. By this means, the results may be altered to fit the desired pattern, according to the needs of the moment.

9. The computerised transmission system may crash (or be brought down), thus creating a ‘black hole’ whereby the results can be manipulated.

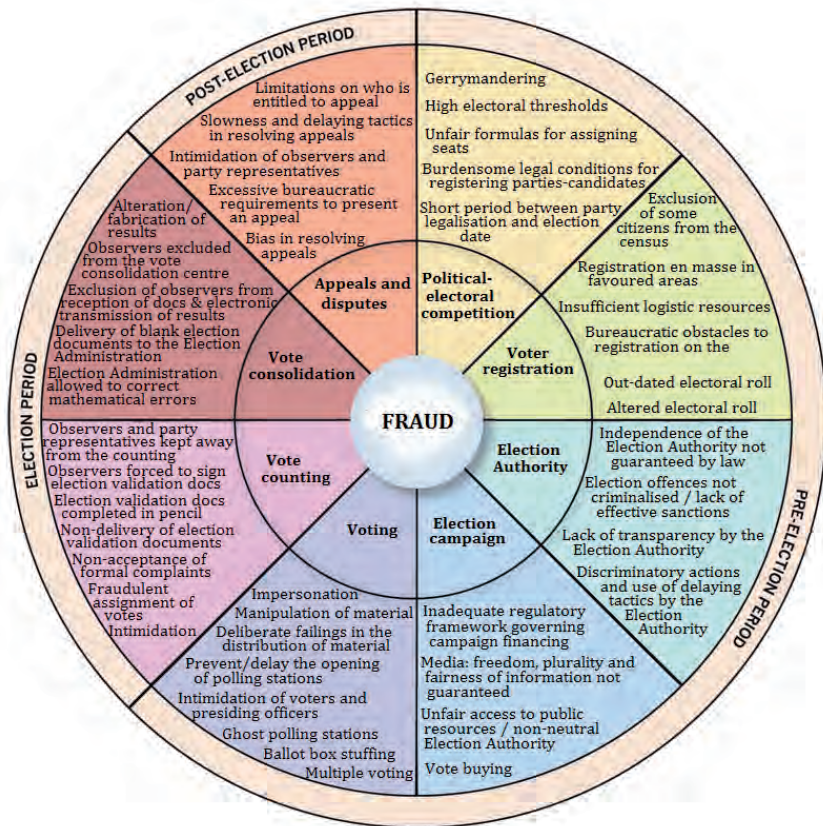
2. H. Resolving election complaints, appeals and disputes

Other ways by which election fraud may be committed involve deterrence, excessive bureaucracy, delaying tactics and partiality in the resolution of claims and appeals, by means such as the following.

1. The law may restrict those eligible to file electoral complaints or appeals. In some countries, neither the voters nor domestic observers are allowed to present formal complaints.
2. Excessively long intervals between the filing of disputes and complaints and their resolution, thus preventing adequate reparation and the restitution of electoral rights. In some cases, the legal system may take up to two years to reach a decision.
3. Excessive bureaucratic requirements may be imposed, hindering or discouraging the filing of complaints and claims. In this respect, too, the time allowed to do so may be excessively short, or the documentation required, very difficult to provide.
4. Authoritarian political systems with effective mechanisms of social control are effective instruments of deterrence. The existence of such a situation would explain voters’ reluctance or refusal to lodge formal complaints and claims that produce an administrative record, for fear of reprisals. When self-censorship does not function, intimidation comes into play, aimed at representatives of opposition parties or observers, either at polling stations or at the data centre where results are compiled. This intimidation is intended to dissuade the presentation of complaints or to punish the exercise of this right, thus producing an exemplary effect. Cases abound of domestic election observers or representatives of opposition parties being expelled from the polling station after submitting a formal complaint of ballot box stuffing. This type of reaction sends a clear message to party representatives and election observers elsewhere.
5. If in the context of authoritarian system the barrier of intimidation is overcome and a complaint or appeal is presented to denounce an ir-

regularity, on many occasions the complaint is either rejected, on the (unjustified) grounds of defects of form, or if accepted, it is ignored, without even initiating the stipulated procedure for resolution. If the requisite procedures begin, the case may not be conveyed to the appropriate agency. Moreover, there is often a glaring discrepancy between the number of complaints that the parties claim to have presented and the number that the Election Authority acknowledges having received.

6. Delaying tactics may be employed in resolving electoral complaints, appeals and disputes, thus preventing proper reparation of the harm done and adequate restitution of electoral rights.
7. There may be bias in the judgments made, as a consequence and a manifestation of the lack of independence of the bodies concerned.



Fraud techniques at different stages of the electoral cycle

BIBLIOGRAPHY

Rafael López Pintor: *El Fraude Electoral en las Democracias Emergentes: conceptos básicos para una evaluación*. December 2010 IFES

Chad Vichery and Erica Shein: *Assessing Electoral Fraud in New Democracies: refining the vocabulary*. December 2012 IFES



Legislative elections, Afghanistan 2005

XIX GENDER AND ELECTIONS

Lluís Juan Rodríguez

Specialist in gender and elections

Significant gender inequalities exist throughout society, including the world of politics in general and the electoral process in particular. Although in most countries the equality of rights of men and women is legally recognised, in many cases social conditions do not allow the establishment of de facto equality, and so women, whether as candidates, voters or members of

civil society, face multiple obstacles to the effective enjoyment of their rights at the different stages of the electoral process.

In terms of political representation, although women make up about half of the world population, their scant presence in national parliaments, at just 21.4% worldwide, is a good reflection of the discrimination to which they are subject when seeking to hold public office and positions of responsibility in politics, which remains a very masculine environment. Women candidates face many barriers to election, including discrimination in the legal framework of elections, patriarchal power structures within political parties, restrictions on election campaign financing, unequal treatment by the media and social perceptions of politics as a world reserved for men.

Women voters, too, face multiple challenges to the effective exercise of their electoral rights. In this respect, limitations to registration on the electoral roll, a lack of understanding of voting procedures and the violation of the secrecy and individual nature of the vote, among other aspects, may limit the voting rights of both men and women, but it is often the latter who are more severely affected.

Among other aims, this chapter seeks to:

- Present the basic notions and concepts of gender.
- Examine the inequalities that arise between men and women at different stages of the electoral process, thus introducing a gender perspective into the analysis of the electoral cycle.
- Analyse the responsibilities of the different members of an Election Observation Mission in the analysis of gender dynamics in the electoral process.

1. Basic concepts of gender

• Gender and sex

Sex refers to the biological differences between men and women, while the concept of gender concerns the socially and culturally constructed differences between the sexes. The notion of gender is closely associated with the different ways of conceiving and interpreting masculinity and femininity, i.e., gender identities, which are neither unique nor monolithic, but diverse, flexible and continuously evolving. Gender identities are situated within the framework of specific power structures, in which dif-

ferent social roles are often attributed to men and women, with biological differences between the sexes often being used as a pretext in order to perpetuate social inequalities.

- **Gender roles and stereotypes**

The concept of gender role refers to types of behaviour that are generally perceived as appropriate for men and women in a given society. Gender stereotypes consist of images, opinions or prejudices that refer to men and women as homogeneous groups, ignoring their individual characteristics and describing partial or derogatory aspects.

Gender roles and stereotypes foster discrimination and reinforce inequalities between men and women, contributing to the perpetuation of a system of patriarchal domination in which the productive sphere and public spaces are reserved for men, while women are excluded from these areas and relegated to the domestic sphere.

- **Direct and indirect discrimination**

While the legal framework in many countries recognises the equal rights of men and women, there is often a breach between legal or formal equality and real equality, such that on occasion the necessary social conditions do not exist for women to effectively enjoy the rights that are recognised by law.

Direct discrimination refers to the unequal treatment received by men and women when the fact of belonging to one gender or the other affects the enjoyment of a right. Indirect discrimination, on the other hand, takes place when the membership of one or other gender is not taken into consideration for the effective enjoyment of a right, but in fact the conditions do not exist for legally-recognised equality to be made effective.

2. The gender perspective in the electoral process

The perspective of the election cycle is a useful tool that allows us to view the election as a process with different stages, rather than an event that occurs at a specific moment in time. Following this election cycle perspective, we now identify the main obstacles encountered by women, in the various stages of the electoral process, to the effective enjoyment of their electoral rights, whether as voters, candidates or members of civil society.

- **Stage 1: The legal framework**

The legal framework in which democratic elections can be held is composed of international and regional instruments, as well as national legislation and regulations governing the electoral process.

In some cases, the legal framework for the electoral process may contain discriminatory provisions that differentiate the electoral rights of men and women. Moreover, even when the legislation does not contain such legalised gender discrimination, the principle of equality between men and women is not always applied in practice.

Another relevant issue is the extent to which those involved in the electoral process are aware of and respect the legal framework. In societies where relations between men and women are mainly patriarchal, women are usually more affected by ignorance of the legal framework applicable to elections, and so they are not always fully aware of their rights and responsibilities as voters and candidates.

- **International instruments promoting gender equality in the electoral process**

Many international standards have been promulgated in which gender equality is considered essential to the holding of democratic elections. The following are some of the most significant:

- **The Universal Declaration of Human Rights**

The right of active and passive suffrage is enshrined in Article 21 of the Universal Declaration of Human Rights (UDHR). Articles 19 and 20 recognise, respectively, the right to freedom of opinion and expression and the right to freedom of peaceful assembly and association, respect for which is among the internationally accepted standards for democratic elections. Furthermore, Article 7 proclaims the principles of equality before the law and of protection against discrimination, while Article 2 establishes the universality of the rights and freedoms set out in this Declaration, regardless of sex or any other condition. Although the UDHR is not legally binding, it is an international ethical point of reference whose moral weight and standing have become firmly established within the international community.

- **International Covenant on Civil and Political Rights**

The right of active and passive suffrage is enshrined in Article 25 of the International Covenant on Civil and Political Rights (ICCPR). In the same document, Articles 19, 21 and 22 recognise, respectively, the right to freedom of opinion and expression, the right to peaceful assembly and the right to freedom of association. Furthermore, Article 26 states the principle of equality before the law and of protection against discrimination, and Article 2 establishes the universality of the rights and freedoms recognised in the ICCPR, regardless of sex or any other condition. The ICCPR is legally binding on the States that have ratified or acceded to it.

- **Convention on the Elimination of All Forms of Discrimination Against Women**

Article 7 of the Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW) sets international standards on the political participation of women, declaring the need to eliminate discrimination against women in political and public life, regarding especially their right to vote, to stand for election, to hold public office, to perform public functions and to participate in non-governmental organisations and associations. Moreover, Article 4 of CEDAW states that the adoption of positive measures of a temporary nature to accelerate the establishment of de facto equality between men and women shall not be considered discriminatory. CEDAW is legally binding on the States that have ratified or acceded to it.

- **Beijing Declaration and Platform for Action**

The adoption of the Declaration and Platform for Action in 1995, during the Fourth World Conference on Women, represented a breakthrough in the promotion of equality between men and women in many areas, including that of electoral contests. The Declaration urges States to take the necessary measures to ensure a balanced representation of women and men at all levels of government, and encourages political parties to incorporate gender issues into their political agendas, and to examine their structure and internal procedures in order to remove barriers that discriminate against women, either directly or indirectly. The Declaration

and Platform for Action represents a moral commitment, but does not establish legally binding obligations on States.

▪ **UN Security Council Resolution 1325 on Women, Peace and Security**

The adoption of this Resolution in 2000 contributed to the inclusion of gender issues in peacekeeping operations and to the particular needs of women and girls being taken into account in conflict and post-conflict situations. The Resolution also calls on those involved in negotiating and implementing peace agreements to take measures to ensure respect for the human rights of women and girls, with particular respect to the Constitution, the electoral system, the police and the judicial system.

▪ **Millennium Development Goals**

The Millennium Declaration, adopted in 2000, sets out the Millennium Development Goals, composed of eight human development targets for 2015, as a means to spur action to resolve the major problems facing the world at that time. The third of these Millennium Development Goals is to promote gender equality and the empowerment of women. In addition, the UN Agenda for development after 2015 maintains the fight for gender equality as one of its priorities.

▪ **National legal framework with respect to gender equality in the electoral process**

The legal framework within which elections take place is usually comprised of the Constitution, electoral law and legislation on political parties and political funding, among others, in addition to numerous regulations that develop the content of these laws. We now examine two issues that are of vital importance in this legal framework for elections: gender quotas and the impact of the electoral system on equal representation.

▪ **Gender quotas**

Quotas are used in elections to reserve a proportion or a given level of representation for a particular social group; in the case of a gender quota, this is for women, and it is usually done in order to ensure a certain degree

of participation by women in the institutions. This measure is very often controversial and can have many detractors. However, its use in elections can have very positive effects in terms of achieving equal representation, as evidenced by the elections held in Rwanda and Senegal, among others. The introduction of gender quotas is an interim measure of temporary affirmative action, which is in line with Article 4 of the CEDAW.

There are various types of gender quota. It may be mandatory, established in law and enforceable, or otherwise. Political parties may voluntarily decide to apply a gender quota. Furthermore, there is a difference between gender quotas that consist in setting aside for women a number or a percentage of seats in the institutions, and quotas that establish a given percentage of women to be included on the candidate lists of political parties. In the latter case, to ensure the effectiveness of the quota, it is necessary to take into account the order in which men and women appear on the parties' lists of candidates.

- **Impact of the electoral system on equal representation**

The choice of electoral system in a country has a major impact on how and the extent to which men and women are democratically elected as political representatives; crucial in this respect are considerations such as the type of constituency, the structure of the ballot papers (or lists of candidates) and the electoral formula used. Regarding the type of constituency, multi-member districts usually achieve a greater representation of women candidates than single-member constituencies. With regard to the structure of the lists of candidates, those that best promote the representation of women candidates are usually closed, 'zipper' lists which are ordered such that the women candidates are in favourable positions. Finally, proportional electoral formulas are often more favourable to the election of women candidates than are majority electoral formulas.

- **Stage 2: Planning and execution**

The actions of the election administration have a significant impact on gender equality as regards the electoral rights of candidates and voters. The election administration is usually a male-dominated institution, especially at decision-making levels. But in addition to its composition, it should be borne in mind that the election administration often issues regu-

lations developing the electoral law, and therefore this body has room to manoeuvre, to facilitate or hamper the presence of greater gender equality within the system.

The existence of data enabling analysis by gender is a matter of the utmost importance in the planning and execution of the electoral process, as it allows planners to make a clear diagnosis of the inequalities present between men and women and on this basis to take appropriate action. Gender-specific data, for example, may reveal the unequal representation of women and men on the electoral roll or highlight differing levels of participation by men and women voters on election day.

- **Stage 3: Training and education**

The development of voter information and civic education programmes can have very positive effects in terms of women's participation in elections, especially in contexts where citizens are unaware of the implications of the right to vote and may have a poor understanding of the procedures to be followed to make this right effective. It is essential that such programmes be gender sensitive, taking into account the specific needs of men and women.

- **Stage 4: The electoral roll and the nomination of candidates**

In some countries, the presence of women on the electoral roll may be considerably lower than that of men. This unequal participation by women may be due to many factors, including a poor understanding of the procedures for registration on the electoral roll. In addition, when registration officials do not visit voters' homes, door to door, but voters must travel to a given registration centre, it is necessary to consider the different degrees of accessibility enjoyed by men and women to such voter registration centres.

Political parties can play a key role in promoting the electoral participation of women, particularly in the process of nominating candidates. It is important that within the political party there should be a culture of gender equality, and that gender relations should be balanced, to ensure the sufficient representation of women in their lists of candidates.

- **Stage 5: Election campaign**

Women candidates tend to suffer discriminatory treatment by the media, whose coverage of the election campaign often relegates women to the background and reproduces gender stereotypes, minimising their qualities as candidates, referring more to their physical attributes and associating them with the traditional roles of wife and mother. Moreover, the scant presence of women as sources of information and the absence of issues related to gender equality in the coverage of an election campaign aggravates the “gender censorship” imposed within the media. The Global Media Monitoring Project, the largest international research project on gender inequality in the media, sheds light on these trends in information processing.

In addition, women candidates often experience difficulty in financing their election campaign, and in general have fewer economic resources than male candidates.

- **Stage 6: Voting operations and the election day**

On election day, women may encounter many obstacles to the effective exercise of their right to active suffrage, such as the existence of family voting, in which a family member, usually the father or husband, casts the votes for all other members of the family unit. Sometimes, moreover, the secret and individual nature of the vote is not respected and women are not able to express their opinion by voting freely on election day. A poor understanding of voting procedures can also hinder the effective practice of the right to vote; this can affect both sexes, but it is usually women voters who are most affected. Finally, the levels of participation of men and women on election day are often unequal; this may be due, among other factors, to a lack of motivation among women with respect to elections and politics in general, which still tend to be viewed as belonging to an area reserved for men.

- **Stage 7: Verification of the results**

One of the problems faced by male and female candidates during the verification of the results is that the processes for resolving election disputes are often poorly understood, especially by women candidates. In addition,

male candidates are sometimes unwilling to accept an adverse result when the election winner is a woman.

- **Stage 8: Post-election period**

The post-election period is a very good opportunity to promote equality between men and women in the electoral process. The time after the election is when democratic institutions should be strengthened and women's capacities promoted, not only in terms of personal development, but also regarding the creation of associations of women in politics, such as associations of women parliamentarians. Moreover, during the post-election phase the legal framework for holding elections could be reformed, eliminating provisions that might be gender-discriminatory and adopting affirmative measures to ensure a balanced participation of men and women in politics.

- **Gender violence in the electoral framework**

Violence can occur at any moment during the election cycle, but it often becomes more intense during the election campaign, on the day of the election, during verification of the results and following their publication. Election violence is defined as acts, intimidation, threats and physical attacks perpetrated in order to influence the outcome of an electoral process or those arising in the context of an electoral contest.

Gender-based violence refers to all forms of violence directed against a man or woman because of their membership of a particular gender, or that affect men or women disproportionately. This form of violence constitutes a grave violation of human rights. Due to the unequal power relations present between the sexes in many societies, women are often victims of gender-based violence, to a much greater extent than men.

Gender violence within the electoral process constitutes a specific type of electoral violence. In many contexts, it is not uncommon for women voters, candidates, observers and members of the election administration to be subjected to threats, intimidation or even physical attacks intended to limit or impede the effective exercise of their electoral rights, merely because they are women.

3. The gender perspective in election observation

The aim of Election Observation Missions (EOMs) is to determine the extent to which the electoral process takes place in accordance with national legislation and with international standards for democratic elections, including those regarding gender equality in the electoral process. In addition, EOMs can make recommendations to improve the process, including measures to increase the levels of female participation and representation in democratic institutions.

The main challenges that arise in regard to the observation of gender dynamics in the electoral process, together with some of the competencies assigned to EOM members in this area, are described below, broadly in line with the election observation methodology prescribed by the EU and the OSCE (ODIHR).

According to the ODIHR, the EOM should compile key statistical data on gender issues, including the number and percentage of male and female members of the outgoing Parliament and those elected to the new one, the number and percentage of female ministers in the former government and in the newly-elected one, the percentage of female candidates among all candidates and the positions they occupy in the party lists, the gender composition of the different levels of the election administration and finally, the number and percentage of men and women registered on the electoral roll.

- **Core Team**

Sometimes the EOM has a gender analyst or focal point, who forms part of the Core Team, but a transversal approach is usually adopted, with different experts in the Core Team, each from their respective areas, being responsible for analysing questions related to equality between men and women in the electoral process.

- Legal analyst

The legal analyst is responsible for analysing the effects of the Constitution, the laws and other regulations on the electoral rights of men and women, and for determining whether this legal framework contains gender-discriminatory provisions.

— Political analyst

The political analyst studies the power structures and gender cultures found within political parties, determining the percentages of men and women members and analysing the leadership positions held by men and women. The political analyst is also responsible for determining how political parties' lists of candidates are constructed and the extent to which women are represented in these lists. Finally, the political analyst monitors the development of the election campaign, examining whether issues relevant to the interests of women are addressed, and analysing whether political parties use strategies to attract the votes of women.

— Election Analyst

The election analyst considers the gender composition of the different levels of the election administration, including the decision-making level, and the possible influence of the electoral system on the representation of men and women, with respect to questions such as the type of constituency, the electoral threshold, the structure of the ballot paper, the lists of candidates and the electoral formula applied. The election analyst also examines the possible effects of a gender quota on levels of female representation within democratic institutions. Finally, the election analyst considers the degree to which the process of voter registration enables a balanced representation of men and women on the electoral roll.

— Media analyst

The media analyst monitors the media coverage of the election campaign, using quantitative and qualitative research techniques, and taking into account the differential treatment usually given to male and female candidates. The media visibility of women candidates is often minimised and they are often referred to in terms of traditional gender stereotypes.

• **Long-term election observers**

The long-term election observers report regularly to the members of the Core Team on gender dynamics in the context of the electoral process in their respective area of observation, including information such as the number and percentage of women candidates and of women who are elected, the propor-

tion of women in regional and local election administration, and the gender composition of the electorate, among other issues.

- **Short-term election observers**

The short-term election observers inform the EOM about the gender composition of the polling station personnel, the levels of participation of male and female voters during the election day, any indications of family voting or other situations in which the secrecy and the individual nature of women's voting are not respected, and of any other relevant issues that might occur during the voting day.

Conclusions

In the current global context, women continue to face serious discrimination in many aspects of the electoral process, whether as candidates, voters or members of civil society, and their electoral rights are often severely restricted. Indeed, in many cases the existing power relations between men and women seem to perpetuate a system of domination in which politics is viewed as an exclusively male domain, while women are condemned to social exclusion and relegated to the domestic environment.

However, women comprise approximately half of the world's population and in all fairness they should be properly represented in the institutions of government and be able to participate actively in the electoral process. Despite the major difficulties they face, many women throughout the world continue to fight for gender equality. Women's associations are fighting for recognition and respect for their rights; women candidates strive to overcome discrimination in the different stages of the electoral process and thus be elected as political representatives; women voters do their very best to effectively exercise their right to vote, despite the pressure and intimidation to which they are constantly subjected. The patriarchal view of the electoral process, which limits the rights of women, is under constant challenge from emerging social concepts favouring equality between men and women, as is recognised in the corresponding international instruments of human rights.

From this perspective, election observation contributes to the development of gender-inclusive elections, flagging up any gender inequality

observed in the electoral process and making recommendations to ensure a balanced participation of men and women in future elections. This is no easy task, because inequalities between men and women sometimes go unnoticed, as they have been normalised within a thoroughly sexist social structure. The methodology applied in EOMs organised by the EU and the OSCE/ODIHR is an invaluable tool, greatly facilitating the identification of gender inequalities in the electoral process. In addition, in order to detect these inequalities, it is essential that the observer should keep a critical eye on the electoral process from the gender perspective and, above all, when in doubt, use common sense.



Legislative elections, Ukraine 2012

XX. THE OBSERVATION OF MEDIA COVERAGE DURING ELECTIONS

Xabier Meilán

Electoral consultant and lecturer in law at the University of Girona

The media are situated at the intersection of the rights of the three major players in an election: the right of voters to cast an informed vote, the right of candidates and parties to communicate their programmes to the voters, and the right of the media to report without undue constraints. An EOM that ignored the media, therefore, would fail to take into consideration one of the essential aspects of the election. Furthermore, the lack of independence or

freedom of the media, or an excessive degree of editorial homogeneity, could seriously affect the democratic quality of an election. For these reasons, numerous national and international EOMs incorporate units responsible for monitoring election coverage by the media.

1. Legal framework

As in the evaluation of other aspects of an election, the media monitoring unit of an EOM will consider whether the host country is complying with its international obligations. In practical terms, this means that one of the first tasks of the head of the EOM media unit is to identify the applicable international treaties and agreements that have implications for the media, and then to verify that they are met. These international instruments, once signed and ratified, acquire the same status as national laws. Nevertheless, this assessment is not always easy to perform, as such treaties are often formulated in very general terms and do not specify details of the procedures to be followed.

The media analyst will then examine whether the national legislation concerning the media is consistent with the country's international commitments, whether it is respected in practice and whether the media are allowed to operate freely and efficiently. Unlike the case of international instruments, national legislation and the regulations issued with respect to elections may regulate very specific activities by the media during elections, for example, the obligation not to transmit messages favouring any candidate during the period of reflection, or rules regarding the publication of opinion polls or the purchase of outlets for election propaganda.

An EOM media monitoring unit will also assess compliance with non-mandatory standards, such as codes of conduct for the media or voluntary agreements, which those involved have agreed to respect despite the absence of legal compulsion to do so.

Finally, elections can lead to situations that are unforeseen or not formally regulated. Such situations frequently arise in an environment in which the media are continually undergoing technological transformation, as is the case today. For example, could the election authority sue a local or foreign citizen who published election messages on the internet for a candidate when the period for legally doing so had expired?

When national laws do not regulate media-related activities, the analyst has two options: to evaluate actions and situations in accordance with the

relevant international instruments or to evaluate them in terms of what is considered good practice in other countries.

Several international treaties, including the International Covenant on Civil and Political Rights (1966), the European Convention for the Protection of Human Rights and Fundamental Freedoms (1950) and the American Convention on Human Rights (1969), accept the limitation of certain rights related to the freedom of expression, provided that such restrictions are considered necessary for a democratic society, are codified by law and are intended to protect social interests, for example, national security, public order or the rights and freedoms of others. From such a limitation, it could be inferred, for example, that it is legitimate and acceptable to impose a fine on somebody for using the internet to recommend voting for a candidate, when the period allowed for campaigning has expired. Before applying this benchmark for evaluation, however, the analyst must verify that the country has in fact signed and ratified the treaty in question. Otherwise, reference to a treaty, when it has not been ratified, should be made with caution, as a simple indication of accepted practice in other countries or even continents.

When no international instrument can be invoked, the analyst may focus on practices observed in other contexts, ideally in countries in the same region as that of the host country, to assess whether there exists a consensus among political parties and civil society organisations regarding these practices.

2. Monitoring the media

Besides evaluating the legal framework within which the media operate, the EOM media analyst should examine a sample of the media to determine whether they are reporting on the election candidates in a relatively balanced and impartial way.

The methodological tool to be used for this purpose is that of content analysis. This technique is commonly applied in social science research, and involves the compilation of statistics from any text, written or oral, in accordance with a rigorous, systematic coding process. In the context of an EOM, this tool allows us to evaluate how much space (in the press) and time (radio or television) are assigned by the media to the main candidates, and whether this corresponds to the social support they enjoy or to reasonable expectations of their obtaining political representation. This question is important not

only because the law sometimes requires the media to be fair and balanced, but also because media bias or lack of plurality could affect general principles that must be observed in all democratic elections, namely the provision of equal opportunities to all candidates, and the right of voters to have high-quality information so that they may cast an informed vote.

The practice of a content analysis during an election campaign has become commonplace in EOMs over the last 30 years, but many carefully-reasoned decisions must still be taken by the media analyst. These decisions will depend on factors such as the budget available, the telecommunications infrastructure in the country and the number of media outlets.

We now provide a brief overview of the major decisions to be taken by an EOM media analyst and the factors to be taken into account in this respect.

2.1. Technical and human resources

The nature of the media content analysis performed depends in part on the technical and human resources available to the EOM and these in turn depend on the budget provided.

In the limited time available for an observation mission, the task of media analysis cannot be achieved by a single analyst, but requires a team, small or large. In EU and OSCE observation missions, 4-8 persons are normally included in a media monitoring team, depending on the circumstances of the country, particularly the number of media outlets it is considered reasonable to analyse.

The media analyst is a member of the Core Team, but media monitors are usually recruited within the host country. These persons need not have previous experience in this type of operation, but it is highly advisable that they be graduates in social sciences and have a solid understanding of the current political situation in their country. However, it is not considered necessary, or even desirable, for media monitors to be journalists, since this might mean they have preferences, or even prejudices, derived from their professional experience regarding the media, and this could bias their analysis.

As regards the technical equipment necessary for the media monitoring operation, the following are the basic, essential materials:

1. Copies of the newspapers (and magazines) to be analysed.
2. Radio and television receivers with built-in or external recorders. Al-

ternatively, computers capable of receiving radio and television signals and of recording them at pre-set times. In the latter case, laptops are preferable, since the built-in battery ensures that the radio and television signals being received and recorded will not be lost if there is a power cut. If the mission budget is not sufficient to purchase laptops or if they are unavailable for purchase in the field, consider acquiring power stabilisers and electric generators to ensure uninterrupted media reception and recording in the event of a power cut.

The only disadvantage of buying computers to record radio and television signals is that if several radio and TV channels have to be recorded simultaneously, a separate computer will be needed for each one (software enabling more than one TV channel or radio channel to be received and recorded at the same time is not yet commonly available). In addition, account should be taken of the drawbacks of using the same computers for recording the signal and for encoding the data obtained. Among other problems that may arise with the simultaneous performance of these tasks is the possible need for additional RAM.

3. Rulers to measure the space allotted to each election item considered in the press analysis.
4. Chronometers to determine the duration of the election items recorded from the radio and television.
5. Headphones to listen to television and radio recordings.
6. Computers with which to save the encoded summaries of the media recordings made.
7. Basic software (word processing and spreadsheets, at least) and programs for audio and video recording and playback.
8. Office supplies, especially paper and pens, files in which to save the encoded information summaries and blank DVDs for archiving the radio and television recordings (or removable data drives).

2.2. Selecting the media samples

One of the key decisions the media analyst must take is that of the media to be selected for analysis, in order to perform a detailed and rigorous monitoring. This decision will be determined by the number of monitors available and on the characteristics of the host country. In any case, whatever the size

of the country and its other characteristics, it will be virtually impossible for even a large group of monitors to comprehensively monitor all the national media around the clock. Therefore, a selection must be made, taking into account not only the resources available, but also certain criteria that must be applied.

The basic criterion is that of the media's obligations. In some countries, the Constitution and/or subordinate legal texts require the media to be impartial and balanced. Sometimes it is the electoral law that dictates the obligations, which may only concern the conditions under which election propaganda should be published or broadcast, or it may also refer, more generally, to information coverage.

Even if the legislation is not explicit as to the obligations of the media (it usually is with respect to election propaganda, but not to editorial content), it is understood that public channels of communication must be particularly fair, since they are financed from the State budget or other public funds, either totally or partially. Accordingly, these media should provide a similar space in their programming during the election campaign to the different candidacies; at least to those which have reasonable and comparable chances of being elected (this is usually measured in terms of the results achieved in previous elections).

In addition to the public media, it is a generally accepted principle that broadcast media (radio and television), whether public or private, have greater obligations than the press and therefore are subject to greater demands for fairness, even if this is not expressly stated by law. The rationale behind this principle is that in all countries both radio and television are subject to a licensing system. This licensing is justified not only because broadcast frequencies are limited and it is necessary to ensure that no transmission invades the space assigned to another, but also because radio and television broadcasts occupy the radioelectric spectrum, which is considered a public good. Therefore, its utilisation creates public obligations similar to those applicable to State-controlled media as regards fairness and independence. By contrast, the written press is distributed using a paper medium, which is a private good, inexhaustible (at least in theoretical terms) and available to anyone who wishes to acquire it (or rather, to those who have the resources to do so). In consequence, imposing conditions on the press, beyond the prohibition of inciting hatred, threatening State security or acting against fundamental general interests, is viewed as a limitation of the freedom of expression.

In short, State-controlled media (usually public radio and television, but may also include press outlets), due to the public funds received, plus radio and television channels, by virtue of occupying a public space, are usually included in the media sampled by EOMs. Many media monitors also include the press in their samples, given its importance as a reference source in many countries (many radio and television stations in developing countries, lacking resources, read out newspaper reports to supplement the absence of journalists or access to news agencies), even if their formal obligations during the election campaign are no more than to comply with the limits placed on the publication of election propaganda.

The total number of public and private radio and television stations can be very large. What criteria, then, should be applied to make a selection that can be addressed with the resources available? A common criterion is the size of the audience; it makes more sense to examine the radio and television channels that have the largest audience, and which therefore have the greatest potential to sway opinions, than smaller ones. However, influence is not only a question of audience size. In many countries, the ethnic-linguistic standpoint should be taken into account. Thus, it may make sense to select media in the language(s) used by certain communities or groups whose electoral behaviour is decisive to the governance of the country.

In addition, and for the same reason of limited resources, it may be necessary to limit the hours during which radio and television broadcasts are monitored, restricting coverage to the hours of maximum audience. This prime time, which should be chosen according to the specific characteristics of the host country, is usually when the main news programmes, or at least those of greatest potential influence, are transmitted. Ideally, the time slot chosen for the media monitoring should be the same for all the radio and television stations selected, or at least very similar and of the same duration, since otherwise it could be problematic to analyse the results for various channels.

What about the internet? At present, the EOMs conducted by the EU and the OSCE do not monitor internet information providers, although as the use and influence of this medium expands, its exclusion from the usual media monitoring practices is becoming less justifiable. There are many reasons why it is not currently monitored: first, the internet is subject to only minimal regulation, for reasons analogous to those concerning the press, and therefore it would not make sense to determine whether candidates and parties receive similar or differing coverage via this medium; second, in many countries

there are no reliable audience-rating systems, which hinders the selection of a sample of the most important sites; third, in many developing countries, the internet audience is limited to the classes of a higher socio-economic status; finally, the content analysis methodology is not yet as standardised for the internet as it is for the press, radio and television.

2.3. *What should be analysed?*

After determining the number of monitors and having selected the media sample, the next step is to design the content analysis, i.e., to define the unit of analysis and the variables to be recorded.

The election observation missions of the EU and the OSCE, which are the organisations that have conducted systematic analyses of media content since the 1990s, have largely formalised these definitions. Thus, in the media content examined, the unit of analysis is usually the mention of a candidate, party or member of a political party in the media. Whenever the monitors observe, in any of the selected media, a mention of a candidate, party or political party member, they should record a specific series of variables characterising the context of this mention. These variables are first recorded manually in code sheets and then transferred to spreadsheets where they are statistically processed. To cite some of the most commonly used, these variables are the date, the name of the media outlet in which the mention was made, the type of journalistic item (election propaganda, news, editorial, article, interview, etc.), the type of actor referred to (party, party member or candidate), the party to which the actor belongs, gender, the area in square centimetres occupied by the statement (if made in the press) or its duration in seconds (if made on the radio or television) and the tone of the statement, that is, whether the statement was positive, negative or neutral toward the actor.

The key variables are the last two: the space/length dedicated to the mention and its tone. The latter is the more problematic of these aspects, because a judgment must be made by the monitor, and this may be subjective. These two variables are of crucial importance in enabling analysts to answer the following fundamental questions about the media coverage of the election:

- Do the leading media outlets in the host country provide the same space/time to the main parties and candidates in the election? If not, which parties and candidates benefit and which ones lose out?

- Are the State-controlled media fair? What about the private media?
- Are broadcast media fair to the election candidates? What about the press?
- What tone is used in the media to report or deliver opinions about parties and candidates? Is it predominantly positive, negative or neutral? Do any parties or candidates receive a disproportionately positive or negative coverage?
- What treatment do the media give to female candidates in comparison to male candidates?
- Do any of the parties transmit a disproportionate share of its election propaganda via the media?

The answers to these questions enable the analyst to measure the fairness and impartiality of the media in the host country during the election campaign, that is, whether the leading candidates or political parties receive a similar coverage, both quantitatively (in terms of space or time) and qualitatively (positive, negative or neutral).

Content analysis is a powerful tool, providing very precise answers to these questions. It is therefore most important that media monitors should be well trained based on written rules supplied by the media analyst, so that anyone who wishes to do so can replicate the content analysis performed and draw similar conclusions.

In addition to the provision of appropriate training, the quality of the media content analysis can also be upheld by means of periodic tests of reliability, both internal and external. Internal testing consists of supplying pre-encoded materials to a media monitor and asking him/her to encode them again. Under external testing, the team members encode materials that have been previously encoded by their colleagues. In both cases, there should be a reasonable degree of agreement, approximately 80%. If this is not achieved, further training sessions and more frequent testing should be conducted. In order to avoid irreparable mistakes, these tests should be carried out during the monitors' training period (3-7 days, depending on the time available).

3. Media observation activities

Evaluating the legal context of election coverage in the media and analysing the content of this coverage naturally require the media analyst to make

a judgment on various issues, including the role of media supervisory bodies during elections; the appropriateness of standards related to the publication and broadcasting of election propaganda; the degree of compliance with these standards; the existence and quality of opinion polls; election debates; and the existence or otherwise of a period of reflection.

The media analyst must assess the role of the agency that supervises compliance with the rules for the media during the election period. Such an agency may be the election administration itself, if it is independent and has jurisdiction in the matter. Alternatively, it may be a permanent, independent committee for the media, or otherwise one that is a specialised office of the election administration that is activated for this purpose for a limited period. Finally, it may be the national telecommunications board, i.e., the State agency that grants radio and television broadcasting licences; in some countries, this agency is also responsible for media supervision during election periods. But whatever form it takes, the agency in question must act independently and its decisions must be impartial and fair.

As regards the rules for the transmission/publication of election propaganda, the debate continues between those who advocate diverse degrees of restriction on advertising, ranging from a total ban on paid-for election messages up to their complete liberalisation. Whatever the position adopted, restrictions are commonly placed on election propaganda, in most countries. This is usually justified by reference to the principle of equal opportunities; if there were no such limit, this would give an enormous advantage to candidates with greater economic resources. Nevertheless, if election propaganda is limited, this must be done via rules that are clear and equally applicable to all candidacies. Moreover, all restrictions must be accompanied by a transparent and effective system of control.

Polls and debates form part of the liturgy of modern election campaigns. However, both forms of expression can provoke doubts and conflicts and oblige the EOM electoral analyst to issue an informed opinion.

Opinion polls are a classical tool of social science, but they do not always provide an accurate forecast of the election result, in some cases because public opinion changes between the polling date and that of the election, and in others because the poll presents technical defects or has been blatantly manipulated. Polls must comply with certain minimum ethical standards concerning their organisation and publication (codes of reference are published by the major international organisations in this field, such as ESOMAR,

AAPOR and WAPOR), and their publication (although not the polling itself) is usually subject to a temporary prohibition, for periods ranging from one or more days before the election to several months.

Exit polls are a special case, because they are carried out on the very day of the election. These polls present important methodological challenges, arising from the rapidity with which they must be performed and interpreted, and from the particular pressure imposed on voters, who for various reasons might not state their real voting choice. Very commonly, the publication of exit poll results is not allowed until the first provisional data are issued by the election authority, although neither is it uncommon for these results to be published as soon as the polling stations close.

With respect to election debates, the main problem is the frequent need to exclude some candidates in order to ensure its smooth running and to enable a real exchange of views. Obviously, it would be ideal for such debates to be as inclusive as possible, especially when they are organised by a public institution. Therefore, if any candidate or candidates must be excluded due to the excessive number of potential participants, the criteria for their exclusion must be explicit, clear and reasonable.

Finally, the period of electoral reflection can also be problematic, because of the difficulty of defining just what is understood by electoral activity. There are no commonly-accepted standards for its duration, and the only aspect on which there is a consensus is that of the suspension of election propaganda, but not on other forms of political communication that might sway the vote one way or another in a more or less subtle way.

4. The press officer, the long-term observers and the media analyst

The Core Team member who works most closely with the media analyst is probably the press officer. Indeed, their proximity is such that sometimes a single person must perform the media analysis and also conduct press-related activities during EU observation missions.

However, this overlapping of functions is not recommended, for two reasons. First, the workload involved in carrying out these two tasks is very considerable and possibly excessive for a single person. Second, the objectives of the media analyst and of the press officer are very different and may even be contradictory. Indeed, if the work of the press officer is to obtain the best and widest possible coverage of EOM activities, this task does not ap-

pear to be compatible with that of assessing the balance and fairness of the media providing this same coverage, and with which the press officer wishes to establish and maintain good working relations. This conflict of interests is especially apparent when the results of the evaluation will be made public and could be critical of the media in question.

Long-term observers are responsible for the mission at the regional level, and can obtain useful information for the media analyst, whose analysis, in most cases, is based exclusively on observation of the major national media. Long-term observers do not have the resources and expertise to perform a content analysis, but, aided by the media analyst, they can obtain a snapshot of the status and role of the local media and incorporate it into the final report made by the media analyst. In other words, long-term observers can be the eyes and ears of the mission at the local level, and this is also true with regard to observation of the media. The analyst can and should guide their analysis, for example, by providing them with a basic semi-structured questionnaire to be presented to the principal media outlets in their geographic area. These questionnaires contain fundamental questions about issues such as respect for the media's freedom of expression; relations between broadcasters and publishers, on the one hand, and parties and social movements on the other; their policies regarding the publication/broadcast of election propaganda, etc. If these questionnaires are systematically and rigorously designed, applied and analysed, they can greatly expand the outlook of the media analyst, thus enriching the analyses and reports made.

5. The media report

The preliminary and final reports made by EU and OSCE election observation missions always contain sections concerning the media. The preliminary report, as for the other areas of the mission analysis, summarises the findings of the media observation team. This summary is produced one or two days after the election and the main findings presented will not differ substantially from those included in the final report. The contribution of the final report lies, rather, in its greater level of detail. In addition to the main conclusions drawn from the analysis, the final report usually contains an overview of the media operating in the host country. Moreover, it identifies the major companies involved and the characteristics of media consumption in the country and describes the configuration of the communications sector. In addition, the main laws affecting the media are analysed and the statistics

and graphs obtained in the media analysis are presented (in the preliminary report, there is usually only space for a very brief summary of these aspects, if anything).

Apart from these two key stages of an EOM, there may be exceptional circumstances that call for the mission team to issue a statement on something affecting the media. Under these unusual circumstances, the decision to make a statement or not will depend on the view taken of the media by the Core Team, the importance of the role played by the media in the host country in general or in this election in particular, and the seriousness of the facts that call for a statement to be considered. Such circumstances might be, for example, the kidnapping or assault of journalists or a flagrant and repeated violation of an important rule affecting the media.

6. Future challenges to media observation

In this article we have described the basic forms of media observation, as practiced by the two international organisations with most experience in this area (the EU and the OSCE). These practices could be applied, with the appropriate modifications to suit local conditions, in similar observation missions conducted by other national or international organisations. As mentioned above, media monitoring activities have come to be standardised with the experience gained over 30 years although, as in many areas of contemporary social life, their suitability is now being called into question by the emergence and growing importance of the internet.

It is not only the fact that, as its use is becoming widespread among all socio-economic groups, it is increasingly unjustifiable to exclude internet activities from the media samples whose contents are analysed. The internet is not just one more means of communication; it is a channel that is already being utilised by all the traditional media (newspapers, radio and television). They are evolving to fit into this new environment and are undergoing radical changes. Moreover, the internet is breaking down the boundaries of the nation state and calling into doubt the applicability of many of the election rules previously taken as unquestioned. Who can prevent a debate being organised, or election propaganda distributed (whether favouring or aggressively opposing a candidate), within or outside the permitted periods of the election campaign, or survey results being disclosed before the polling stations have closed, when this is done from serv-

ers based abroad? Beyond a doubt, EOMs and media monitoring officials in particular will have to modify their practices in order to remain relevant in today's online society.

7. BASIC BIBLIOGRAPHY

European Commission (2008): Handbook for EU Election Observation (2nd edition). Brussels.

European Commission (2010): Compendium of International Standards for Elections (3rd edition). Brussels.

Lange, Yasha (1999): Media and Elections Handbook. Strasbourg: Council of Europe Publishing.

Neuendorf, Kimberly A. (2002): The Content Analysis Guidebook. Thousand Oaks (California, USA): Sage Publications.

Norris, Robert and Merloe, Patrick (2002): Media Monitoring to Promote Democratic Elections. An NDI Handbook for Citizen Organizations. Washington D.C.: National Democratic Institute for International Affairs (NDI).

OSCE Office for Democratic Institutions and Human Rights (ODIHR) (2007): Election Observation Handbook (5th edition). Warsaw: OSCE/ODHIR.

Riffe, Daniel, Stephen Lacy and Frederick G. Fico (1998): Analyzing Media Messages. Using Quantitative Content Analysis in Research. London: Lawrence Erlbaum.

8. ANNEXES: CODE SHEETS AND KEYS TO CODES FOR MEDIA OBSERVATION

Code sheet and the corresponding key.

A code sheet is a template that contains all the references to significant political actors (candidates, parties, party activists, etc.) observed by each monitor in the media assigned to them. The monitor must complete a minimum of one code sheet per day per media outlet assigned.

At the top of the code sheet is a space for the date, the code for the media outlet and the code for the monitor. Each of the lines below this space corresponds to one mention. The same number of variables are always determined for each mention (in the example shown, which is for the written press, the variables are page, type of item, actor, etc.).

The next space on the code sheet contains the key, which is an exhaustive list of all the possible values for each of the variables.

After completing the code sheet (for convenience, by hand), the monitor must transfer the data to a spreadsheet or database for statistical analysis and for the corresponding graphs to be generated.

CODES FOR PRESS ITEMS

Date: Day of publication. Date in DD/MM format.

Media Code: Code of the publication observed.

La Prensa = 20

El Nuevo Diario = 21

La Trinchera de la Noticia = 22

Bolsa de Noticias = 23

Monitor code: Name of the monitor.

Page: Page number

Item type:

Election propaganda (party or candidate) = 1

News = 2

Interview = 3

Article = 4

Graphic article = 5

Opinion piece = 6

Editorial = 7

Letters from readers = 8

Cartoon = 9

Actor:

Member of the executive = 1

INCLUDES: President, Vice President, Ministers or other senior member of the Executive

DOES NOT INCLUDE: Civil servants, Ministerial experts, members of the Supreme Electoral Council, members of the Army

Member of the National Assembly = 2

Any member of the National Assembly, whatever their party

Mayor, councillor or member of a provincial government (Atlantic Coast) = 3

Party or coalition (or any of its members) = 4

Candidate:

Yes = 1

No = 2

Not applicable = 3 (if the actor is the party as a whole and not one of its members)

Election

This category refers to the election in which the actor is (or is not) a candidate
Non-election or not applicable = 0 (when the actor is not a candidate or is the party in general, unrelated to the election)

Presidential = 1

National Assembly = 2

Parlacen (Central American Parliament) = 3

More than one election = 4

Party

FSLN = 1

PLI (including MRS) = 2

PLC = 3

ALN = 4

APRE = 5

Sex

Not applicable = 0 (when the actor is the party, not just one of its members)

Female = 1

Male = 2

Quote

The actor's words are not quoted verbatim = 0

The actor's words are quoted verbatim = 1

Area: Media coverage space in sq. cm. Write only the figure.

Tone (only if the item is not election propaganda): -1 = Negative; 0 = Neutral; +1 = Positive

Observation

Brief description of the item that contains the reference to a significant actor



Legislative and presidential elections, Mexico 2012

XXI. OBSERVATION OF ELECTRONIC VOTING

Carlos Vegas González

Specialist in new technologies and elections

New technologies are becoming increasingly present in election administration and are now a reality in many countries. Therefore, for election observation to be effective it is important to take due note of this changing circumstance. The use of new technologies in the administration of elections

is now a reality in many countries and represents a growing trend, and therefore effective observation depends on paying careful attention to this reality.

The election administration may employ new technologies at many moments of the electoral cycle. Thus, among other applications, computer programs can be used to register candidates and political parties and to maintain the electoral register; biometric voter identification systems are being introduced; and electronic systems are utilised for vote counting and for tabulating and transmitting the results.

This chapter focuses on the observation of electronic voting, as this form of election technology is often the most controversial, due to its greater impact on the process, both in the course of the voting and during counting on election day. For these reasons, electronic voting is a major aspect of attention for short-term observers in countries where elections are held using such systems.

1. BASIC CONCEPTS OF ELECTRONIC VOTING

a- Definition of electronic voting

Although there is no common position on the definition of electronic voting (also called e-voting or new voting technologies), in general electronic voting in the field of elections and referendums can be defined as the use of information and communication technologies to accomplish the processes of voting and vote counting. A more restrictive definition of electronic voting limits its application to the voting process.

b- Types of electronic voting

A wide variety of electronic voting systems are currently employed, but broadly speaking they can be grouped into the following categories:

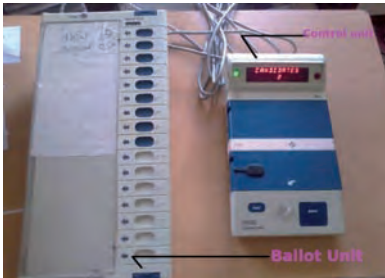
- Direct Recording Electronic (DRE), or electronic ballot box: voting machines in which the voter indicates his/her preference, which is recorded electronically. Normally, the data stored are transferred to the vote counting centre when voting ends, either in a physical format (USB drive, SD card, etc.) or electronically. An electronic ballot box may contain only buttons (this is the case of voting machines in India) or include touch screens (in Brazil and Venezuela, for example).



Electronic ballot box used in Brazil



*Touch screen voting system,
used in France*



Voting machine used in India



Voting machine with a handle, used in the USA

— Optical Mark Recognition (OMR): these machines scan and count ballot papers marked by voters.



Optical scanning machine used in the USA

- Mixed systems (DRE + OMR): In this type of system, the voter makes his/her choice on a voting machine (usually via a touchscreen), which prints out a receipt, which must then be scanned into another device (this system is used in Belgium, for example).



Voting system combining touchscreen and ballot scanning (Belgium)

— Internet: online e-voting systems allow the voter to make his/her selection by connecting to a webpage via computer, tablet, PDA, smartphone, etc. (this system is used in Switzerland, Estonia and Norway, for example).

Some electronic voting machines include VVPAT – the Voter Verifiable Paper Audit Trail. In this system, similar to the mixed systems (DRE and OMR) described above, the machine issues a paper receipt of the vote cast so that the voter can check that the vote has been correctly recorded. This system also enables the subsequent auditing of the process. The functioning of the VVPAT system depends on its design, and observers should pay careful attention to the provisions of national law regarding the legal status of the paper voting receipt, how possible audits are performed, etc.

As mentioned above, there exist a wide variety of electronic voting systems. They may be designed by the election authority itself or by external suppliers. Furthermore, the system may have been developed using open source or proprietary software. In the latter case, the source code may not be available to observers, for example if the election administration and the external supplier have signed a non-disclosure agreement.

Regardless of the type of technology used, we can distinguish between two types of situation in which electronic voting is used:

> Attended electronic voting, in a centre supervised by the election administration.

> Unattended, remote electronic voting (generally by internet).

c- Advantages and risks of electronic voting

Election authorities are introducing electronic voting in view of the advantages it offers in managing the election process, especially in terms of the faster counting of votes, the elimination of human error and the possibility of increasing voter turnout – this is particularly relevant in the case of voters overseas, those with disabilities and linguistic minorities.

On the other hand, international organisations and election theorists stress that the use of electronic voting could involve certain risks. It might lead to a reduction in the transparency of the voting and counting process, and aggravate the risk of voting secrecy being breached. Accordingly, it is generally recommended that e-voting should be introduced gradually and with full openness and transparency, and include measures such as the organisa-

tion of public debates on the question, citizens' information campaigns and exhaustive prior testing.

The European Union considers that electronic voting is most appropriate in countries with high levels of confidence in the election administration and in the integrity of the electoral process, since this technological approach eliminates the transparency protection provided by the ballot paper and, with respect to protecting the secrecy of the vote, it is susceptible to cyber attacks (especially in the case of remote voting).

Potential advantages	Potential risks
<ul style="list-style-type: none"> > Faster vote counting, without human error > Greater accessibility for blind people and other minorities > Potential to increase participation and facilitate voting for absentee voters (especially in the case of remote, internet voting) > Effective management of complex electoral formulas > Improved presentation of complex ballot papers > Prevention of fraud at polling stations 	<ul style="list-style-type: none"> > Low transparency > Comprehension difficulties for non-experts > Potential for breach of voting secrecy > Potential external attacks (hackers) > Potential for large-scale manipulation by a small group of people with privileged access to the system > Less control of the process by the election administration (dependence on technical staff and suppliers) > Limited opportunities for vote recount (especially without VVPAT)

2. OBSERVATION OF ELECTRONIC VOTING

a- Main issues to consider in the observation of electronic voting

As mentioned above, the implementation of e-voting has a direct effect on the observation of the electoral process, since voting is effected via a machine rather than by means of ballots and ballot boxes. As has been acknowledged, unanimously, by international organisations and academics, electronic voting poses a fundamental change to the very essence of observation in that, as opposed to traditional voting using ballot papers, electronic voting includes elements (computer operations) that are not directly observable.

In this regard, the OSCE has noted that in e-voting there are elements that cannot be observed physically; moreover, the technological components of the system are neither identified nor readily understood by the average observer. Similarly, the European Union considers that electronic voting may be less subject to scrutiny since the observation of such systems requires expertise. The EU suggests, therefore, that e-voting is more appropriate for countries with very high levels of confidence in the integrity of the processes of voting, counting and tabulation.

With a view to overcoming the possible absence of supervision (by election authorities, political parties, observers and citizens) over the voting and counting procedures in electronic voting, additional security measures are often implemented, such as system certification and auditing.

In addition, potential problems of lack of transparency and control can be minimised by making use of e-voting machines that include a paper 'receipt', thus enabling paper-based system audits and recounts to be performed.

One of the main issues to be determined by the Core Team is whether the e-voting system allows effective and credible observation.

b- The observation of electronic voting

In the observation of an election in which e-voting methods are used, the same international standards are applied as in processes based on traditional ballot papers (i.e., all eligible voters should have the right to vote, voting secrecy should be guaranteed, the results obtained must accurately reflect the voters' intentions, etc.) and the observation is carried out in accordance with well-established procedures.

Furthermore, the OSCE/ODIHR and the OAS have developed specific documents, setting out proprietary methodologies for the observation of e-voting. The EU has not yet developed such a methodology, but a section on e-voting is included in the second edition of the “Handbook for EU Election Observation”. These documents describe a more specific methodology to be used in EOMs and therefore short-term observers should refer to them as a complement to the general approach that is applied.

c- The analyst’s role with respect to electronic voting

The manuals published by the OAS and the OSCE both discuss the role of the e-voting analyst, as a member of the Core Team. Similarly, the Carter Center, in its working paper on the observation of e-voting, mentions that when this method is used in elections, it is essential to heed the analysis of the computer specialist. The latter expert is not mentioned in the EU manual, although “e-voting experts” have been employed in EOMs, for example in those to Venezuela in 2005 and 2006.

The e-voting analyst works in close cooperation with the other members of the Core Team, jointly analysing various issues with respect to the election system, as detailed below.

- The legal analyst reviews the legal framework of the host country (for example, examining whether legislative provisions ensure that e-voting meets international standards for democratic elections, whether the law clearly establishes the requirements for determining the validity of a vote that has been electronically delivered, whether the criminal law establishes penalties for attacks against the system, etc.).

- The election analyst observes the performance of the election administration regarding the implementation of the system (the bidding and award process for contracting the administration of the voting system, the relationship between the election authority and the service providers, the presence or otherwise of confidentiality agreements about the system, the role of the election authority, whether it retains control over the implementation and management of the system, contingency plans in the case of system failure, the level of understanding of the new system among election officials, training for these officials, voter education campaigns, the capability of the election administration to manage and supervise the e-voting system, the degree of access of electoral actors to system documentation, etc.).

— The political analyst considers the decision-making process by which an e-voting system may be introduced (the necessities and motivations for implementing an e-voting system and the plans that have been made to address challenges that may arise, the details of the decision-making process, public debates organised prior to the decision, whether all of the electoral actors took part in the discussions and whether their views were taken into account, the degree of political agreement on implementing the system, the degree of confidence in the election administration, etc.).

— The media analyst examines the position of the media with respect to e-voting and whether this issue is a matter of concern within society.

The e-voting analyst, as well as participating in discussion of the above questions, observes and analyses the following questions, among others:

— How the system is supposed to operate, and how it functions in practice.

— How the voting process works, how the votes are counted and how the results are transmitted to the election administration centre.

— Whether the system ensures process integrity and the secrecy of the vote.

— Whether the system enables verification that the technology has worked as expected, that the secrecy of the ballot has been respected and that the results correspond to the tabulation of all the votes cast.

— The robustness of the system; what security measures are incorporated, including those against attacks (hacking or internal manipulation) and legal measures applicable in response to any such attacks.

— Whether sensitive operations are performed by several people and whether a written record is kept of all operations performed.

— Whether the machines are fitted with security measures against unauthorised access.

— Whether the system presents clear choices to voters through an e-voting system that is readily understandable and easy to use; how long the voter needs to record his/her vote.

— Whether voters receive feedback from the system, and whether it is clearly indicated that an option has been selected (warning if an invalid vote has been made), thus allowing the voter to correct his/her choice if necessary.

— Whether the system enables the inclusion of minority languages and whether the information contained in these languages is the same as in the majority language.

— Whether the parties and candidates are equitably represented on the ballot.

— Whether the system allows voters who are visually impaired to vote using an audio interface (listening to the content of the ballot) and whether the system is designed in a way that guarantees the secrecy of the vote.

— Whether the system is designed so that it can operate throughout the election day, and what contingency measures exist if a power failure occurs.

— Whether the system is tested prior to the election day, and whether this testing is public (moreover, whether any analysis is made of the tests conducted prior to the deployment of the mission, and whether the results of this analysis are made available to political parties, citizens, etc.).

— Whether laboratory tests have been conducted of the hardware and software to be used, to determine whether the system meets the design specifications.

— The procedure used to certify the e-voting system, and the documentation relating to this procedure (including an analysis of the standing of the certification body, stating whether it is independent of the suppliers and of the election authority itself, and whether the latter body had access to all the information on the system).

— Whether audits are carried out and whether the actors concerned are allowed to be present during these audits.

— In the case of ballot scanning systems, the degree of error of the machines and whether there are legal provisions for automatic recounts.

— Where VVPAT is used, whether voters are well informed about what they need to check.

— Where different voting methods may be employed, whether the process is performed successfully, how the tabulation and aggregation of results is conducted and how they are announced (and whether the political parties, candidates and observers have a means of verifying the correct tabulation of these results).

— If the voting system includes automated voter identification, this system, too, and its integration into the voting process, should be analysed.

— In the case of remote voting by internet, how the system verifies the identity of the voter and what measures exist to safeguard the secrecy of the vote.

— In the case of remote online voting, whether the system provides results verification processes.

d- The role played by long-term observers

The long-term observers (LTOs) deployed in regions where e-voting is used should conduct an analysis of the above issues, in order to assess the proper functioning of the system and its impact on the electoral process.

For this purpose, they will be appropriately briefed in the capital by the Core Team, and especially by the e-voting expert, on the e-voting system used in the host country and, if possible, they will participate in a training session with the election authority in order to experience the operation of the system in practice. In the regional briefing organised by the LTOs, the short-term observers will be informed of the status of the system in the regions in question, of any problems that may arise, which polling stations will be using e-voting, and in which polling stations the election audits (if their performance is required by law) may be observed.

The observation of e-voting is only one of the tasks to be performed by the LTOs, whose specific activities will vary depending on the technology used, the degree of its implementation, etc. Among other aspects concerning e-voting, LTOs should observe and analyse the following:

— The technical and logistical preparations by the election authority, at the regional/local level, to implement the e-voting system.

— The preparation of local election staff, including their knowledge of the system's operation and the extent to which they can cope if a system failure occurs.

— The degree of acceptance of the e-voting system by civil society and the political parties.

— The role played by technicians in the preparations and the level of supervision exercised by election personnel.

— Training sessions for election officials.

— Voter education and information campaigns.

- The credibility of the system and the implementation of audit systems.

- The process by which voting machines are distributed (how and by whom) to polling stations, the security measures taken during storage of the machines before election day, the question of who has access to them, whether software updates are performed on the machines (for example, the information given on e-voting forms, software updates, etc.) and how the authenticity of the software is verified.

- Locally-performed testing of the voting machines prior to the election day. Who has access during these tests?

- Tests in which the public take part, before the election day.

- The degree of access by parties and domestic observers to the voting system and the relevant documentation, and whether they have had the opportunity to test the system.

- The perceptions of political parties and civil society regarding e-voting and their plans to observe the process on the election day.

The LTOs should inform the Core Team of the outcome of these considerations, in the relevant section of their weekly report, together with the reports requested on any other matters by the Core Team.

e- Tasks to be performed by short-term observers

When short-term observers (STOs) are deployed, the EOM will already have been in the field for some time, carrying out its analyses of the use of e-voting, by means of the Core Team, the specialist in e-voting and the LTOs. Among other aspects, these experts will have compiled information about:

- The type of e-voting used.

- The reasons for implementing it and whether the decision to do so was supported by the majority of those involved in the election process.

- The process employed to select and award the e-voting system (feasibility studies, tendering, etc.).

- Whether the legal framework has been properly amended to address the characteristics of the e-voting system.

- Whether the documentation on e-voting is accessible to the public and/or other actors (political parties, observers, etc.).

- The usability of the system.
- Voter training and education activities.

STOs receive information on all these questions during the briefing session by the Core Team, in which the expert in e-voting will inform the STOs about the main features of the system and provide specific guidance to help them evaluate the functioning, security and usability of the system. The STOs will also be briefed by the LTOs on the e-voting system if it is used in their area of responsibility (a host country might use different voting technologies depending on the region, or use them only in certain regions).

The main function of the STOs with respect to e-voting is to determine whether the system functions properly during the election day, and to report on the performance and the level of preparedness of the polling station personnel, other election staff and technicians, and the voters' level of confidence in and understanding of the procedures.

To do so, the observation forms contain a number of specific questions regarding voting machines. The following is an indicative sample of these questions.

SITUATION WITHIN THE POLLING STATIONS

- Were any problems experienced during installation of the machines in the polling station? If so, was the staff able to resolve them? Did the polling station open on time?
- What tests were performed during the installation of the machines?
- What steps were taken to ensure that the electronic memory contained no votes before voting began? Can this be verified?
- Did the arrangement of the machines in the polling station protect the secrecy of the vote? Did the polling station officials ensure that voters made a secret vote, even if assistance was required?

VOTING (USER FRIENDLINESS, ACCESSIBILITY AND SECRECY OF THE VOTE)

- Did users understand how the system operated? How many voters requested assistance in order to vote? Did any voter start and conclude the process but fail to vote?
- Did voters have a choice between voting in the traditional way and voting electronically? If so, could they freely choose how to vote?
- Were the voters alone when they used the voting machines? Did the polling station officials prevent two or more voters from using a machine at the same time?
- Was there overcrowding? How long did voters have to wait to vote? Were there enough machines to enable voting to be performed reasonably quickly?
- What do voters, the domestic observers and political parties/candidates think about e-voting?
- How many voters required assistance?

- Were the disabled and the elderly able to vote without assistance? If there was an option to use minority languages in the voting, could they be accessed in the system without great difficulty?

SECURITY

- If the system requires any element of the voting machines to be sealed during voting, can the STOs verify that this has been done?

- Who has access to the machines? Does the service provider have access to the machines in the presence of the polling station personnel?

- Are the polling station personnel capable of solving any problems that may arise? If not, are technical managers present in order to do so? Are problems noted in official reports and transmitted promptly to the election administration?

- Did any official or technician manipulate the machines at any time? If so, why?

- Were the machines installed in the polling station those which should have been used?

- If the voting machines were unavailable for a long period of time, were electors able to vote on paper or did they have to wait for a machine to become available? Did any elector leave without being able to vote?

CLOSURE, COUNTING AND TRANSMITTING THE RESULTS

- Were the stipulated procedures followed for closing the polling station? Was a paper copy of the results printed for each voting machine and polling station, and made available to observers and political parties? Was a copy of these results sited visibly in a place accessible to the public?

- How were the results transmitted to the higher levels of the election administration? Were the stipulated procedures for this transmission followed?

- Was an audit performed at the polling station immediately after the announcement of the results?

- What was done with the votes stored in electronic format after election day? Were the stored data of the e-voting system deleted? If so, who performed this deletion and how?

ELECTION ADMINISTRATION

- To what extent do the polling station officials understand the system and the process? In this respect, what education and training have they received? Are there handbooks or guides to the system in the polling station?

- Did the polling station officials comply with established procedures?

The OSCE states that if e-voting is used in combination with paper ballots, STOs should not pay disproportionate attention to the former. In this respect, they will receive instructions from the Core Team.

Moreover, it is very important to note that observers never certify e-voting systems and therefore should never sign documents or make statements that could be interpreted as a certification of the voting system. Observers should have full access to the voting system, including its documentation (certification, audits, etc.) but it is also very important not to act in any way that could be interpreted as a manipulation of the voting machines.

NOTE: The images included in this chapter, strictly for the purposes of information, were mostly obtained from the internet (usually, Wikipedia). These photos are either in the public domain or are offered for use under a Copyleft license (GNU GPL, Creative Commons or similar) by their respective authors.

3. BASIC BIBLIOGRAPHY

European Commission (2008): Handbook for EU Election Observation (2nd edition). Brussels.

Carter Center: Developing a Methodology for Observing Electronic Voting. Atlanta, 2007.

Organization of American States: Observing the Use of Electoral Technologies: A Manual for OAS Electoral Observation Missions. Washington, 2010.

OSCE/ODIHR: Handbook for the Observation of New Voting Technologies. Warsaw, 2013.



Legislative and presidential elections, Paraguay 2013

XXII. SECURITY IN ELECTION OBSERVATION MISSIONS

Víctor Pérez Sañudo, expert in international security

Any occupational activity, anywhere, involves risks of one type or another, whether from human nature (for example, crime) or from the natural world (for example, hurricanes). But in addition this activity may be performed in countries whose culture and customs are unfamiliar, where hygiene conditions and infrastructure differ from those found in the worker's home country, where there may be political instability, high crime rates and natural-world risks that do not exist at home. And such a situation is encountered in many of the host countries where election observation missions are deployed.

In order to minimise risks and their potential impact, both international agencies and national authorities invest significant resources in the security of EOMs, as part of their commitment to support democracy-building and human rights worldwide.

In these pages, we aim to raise awareness among election observers about the importance of adequate preparation to ensure their own security, both before and during the mission, and of remaining alert in this respect. Obviously, it is impossible to cover in just a few pages an issue to which entire books have been devoted. Nevertheless, this section sets out the basic security concepts that can be applied by the observer and which are related to most of the incidents that can affect an EOM.

The security principles discussed below are valid for any type of EOM, and are listed in chronological order to facilitate understanding.

STAGE 1: Prior to deployment

Once election observers have been selected to participate in a mission, they should immediately begin preparations, including those necessary for their own security.

The observer has probably never been in the country where the mission is to take place, or if so, the security situation may have changed significantly and therefore adequate preparation is vital. These are some of the main aspects to take into account prior to deployment.

- Availability of medicines. If any specific medication is required, or the observer has a chronic disease, it is important to ensure an adequate supply is available for the duration of the mission, including additional units as a contingency measure.
- The general situation in the country where the mission is to be performed. EOMs are often deployed in countries in conflict, where there may be a situation of civil war, guerrilla activity, terrorist groups or other types of violence. Moreover, there may be risks from natural causes such as monsoon rains and hurricanes, or health risks arising from the presence of mosquitoes, such as malaria and dengue fever, or occasional outbreaks of disease, such as cholera. Accordingly, prior to deployment the observer should consult all the relevant documentation and acquire the best possible knowledge about the situation that will be encountered.

- Knowledge of the local environment. Cultural ignorance can sometimes lead observers into uncomfortable or even dangerous situations. Therefore, observers must acquire a basic knowledge of local cultures and customs, prior to deployment.

As part of their preparation, observers are recommended to read the advice published online by the Ministry of Foreign Affairs and Cooperation, and to consult the suggestions offered by other diplomatic missions, which may have a greater presence in the host country.

STAGE 2: Arrival in the host country and adaptation prior to local deployment

The arrival in the host country and especially the first few days in the capital, before deployment to the assigned district or region, always present a certain level of danger, of various types. The observer, on meeting new and old colleagues, may become distracted, while new sensations and the eagerness to begin the assigned tasks may make observers less alert. These factors, together with the common danger present in all large cities, worldwide, increase the probability of observers falling victim to misfortune, of greater or lesser importance.

During these first few days, the observer should be especially cautious and refrain, in particular, from visiting areas in the city or elsewhere that they are explicitly counselled to avoid. It is now common practice in EOMs to include advice about security precautions in observers' pre-deployment training, in order to reduce the likelihood of incidents.

Another important aspect to consider is the need for caution in the residence assigned to observers, who should keep valuables in their room out of sight, take their passport and other vital items with them, properly secure doors and windows when they leave, and draw the curtains if there is easy visual access to the interior. However, this does not mean that the observer should carry valuable items such as jewellery or expensive watches at all times, as the display of certain goods can be dangerous in itself. It is recommended that observers should have at least two official identification documents (for example, their national ID card and their passport), and carry one on their person, while leaving the other in a safe place. Thus, in case of theft or loss, the chances of being without any identity document are minimised, avoiding complications which in some countries can be very serious.

The days immediately preceding the observers' deployment in the field should be used for tasks such as obtaining local currency and medicines or other pharmaceutical products. Actions which are part of everyday life elsewhere, like withdrawing money from an ATM, may be dangerous or impossible at the final destination.

STAGE 3: Deployment of the observers to their area of responsibility

The deployment of observers is a highly complex operation; depending on the size of the mission, it may involve dozens of observers and vehicles, with multiple destinations. Accordingly, considerable logistical planning is required, in which safety considerations must be paramount.

The observer must be aware of issues such as the importance of hydration, since it is not uncommon for the deployment to be effected along roads that are not in the best conditions, remote from urban centres, covering large distances and sometimes in extreme temperatures.

The observer should follow the instructions provided by the security and logistics/operations experts and by the Mission Management Team. Taking alternative routes or making unreported changes in the deployment plan may lead to problems and undesirable consequences, both for the observers and for the mission.

Communication is of great importance during deployment. Observers must conform to the regular communications patterns established and employ the equipment provided for this purpose, especially in case of doubt or uncertainty. To ensure uninterrupted communication, observers may be equipped with various types of apparatus, depending on the area of responsibility assigned to them. The basic means of communication is the mobile phone, but observers are often provided with additional means such as satellite phones or VHF radios.

STAGE 4: Daily Operations

Once deployed in their respective areas of operation, observers must immediately begin performing the tasks assigned to them, including attending political events such as rallies, taking part in meetings, which may be of very different natures and held in various locations, interviewing local representatives of political parties, etc.

These daily operations can involve a great deal of travelling, often along roads in poor condition, and where traffic may be heavy. Problems with the vehicle, of greater or lesser importance, are not uncommon and so great care should be taken regarding questions such as daily refuelling and maintenance, and drivers should be given clear instructions regarding the way in which to drive and aspects such as where to park during the observer's absence.

Communications are vital to the observers' daily work, and so great care must be taken to ensure that the apparatus are received in perfect condition, with batteries fully charged, and are carried by the observers at all times. This applies both to the observers' own equipment and that assigned to the team.

During their daily operations, observers may be required to contact the Mission Operations Centre at specific intervals. This obligation is intended to ensure maximum traceability of the observer team, if a security incident or hostile situation occurs and which may affect them. Thus, if contact is lost a perimeter search and rescue operation can be undertaken. It is of crucial importance to respect the instructions given by the security expert regarding the timing and types of communication to be made.

A mistake that is commonly made and which can cause problems is that of giving tasks to the local support team (driver and interpreter) that do not correspond to them. The local staff is there to assist observers in their mission, but the major decisions must be taken by the observer, in accordance with the instructions received from the mission management team and the security and logistics experts. The observers should give the support staff the appropriate instructions for their daily work, the main aim of which is to ensure the safety and security of the observation team. Clear instructions on the regular refuelling of the vehicle and about suitable parking places, among other questions, can help ensure the observer mission is carried out without incident.

STAGE 5: Election day

The election day is a key date in any EOM. It is a long, stressful and exhausting day, for observers and for their support staff. To ensure the day passes without problems, for the observers and their team, it is important to consider the following basic questions, and to make suitable preparations the day before.

- Load all the electronic equipment received, even if it has not yet been used, especially the communications equipment. This rule must be followed by the observers and transmitted to the support staff.
- Recharge prepaid SIM cards and purchase backup cards.
- Prepare all the high-visibility material (shirts, hats, etc.) that identify the observers as members of the EOM.
- Instruct the driver to ensure that all the vehicle's tanks (fuel, coolant, gas, etc.) are completely filled.
- Plan the routes and areas to be covered, and establish estimates of travelling time required.
- Purchase fruit, food and drink.
- Ensure the availability of sufficient cash to cover any minor contingency that may arise.
- Carry personal identification and mission documents.

STAGE 6: Conclusion of the mission

After election day, the security situation in the host country, or in certain areas, may deteriorate. Moreover, it is not uncommon for governments to take preventive measures, such as establishing curfews or check-point controls.

Observers must at all times respect the instructions given by the Mission Management Team and by the staff of the implementing agency.

The observers may return to the capital either in a decentralised way, in which each observer team returns independently, or in a centralised way, in which meeting points are created so that the different teams can return in convoys. The decision in this respect will be taken by the Mission Management Team, taking into account logistic and/or security considerations. In any case, observers must follow the instructions provided, especially as regards the route to be taken, and refrain from unscheduled changes to the withdrawal plan provided.

Once the mission has finalised, if observers remain in the host country they will cease to enjoy the privileges that may be attributed to them for the duration of the election observation. They should always respect the local laws and regulations, and be aware that the continuing presence of all or part of the Mission Management Team does not mean they can, or should, provide

assistance if observers run into problems after their mission has ended. Any improper action by an observer, especially after the mission has concluded, may provoke serious consequences.



Presidential elections, Mexico 2012

ANNEXES

Annex 1:

Declaration of Principles for International Election Observation and Code of Conduct for International Election Observers

http://www.eeas.europa.eu/eueom/missions/2013/kenya/pdf/declaration_of_principles_en.pdf

Annex 2: Presidential elections in Russia, 2012

Statement of Preliminary Findings and Conclusions (PDF)

<http://www.osce.org/odihr/88667>

Final Report

<http://www.osce.org/odihr/90461>

Annex 3: Presidential elections in the USA, 2012

Statement of Preliminary Findings and Conclusions

<http://www.osce.org/odihr/96960>

Final Report

<http://www.osce.org/odihr/elections/99573>

Annex 4: Referendum on the Constituent Assembly in Tunisia 2011

Preliminary statement

http://www.eeas.europa.eu/eueom/pdf/missions/declaration-preliminaire-moe-ue-251011_fr.pdf

Final Report

http://www.eeas.europa.eu/eueom/pdf/missions/rapport-final-moe-ue-tunisie-2011_fr.pdf

Annex 5: Presidential and Legislative Elections in Paraguay 2013

Preliminary statement

http://www.eeas.europa.eu/eueom/missions/2013/paraguay/pdf/declaracion-preliminar-moeue-paraguay-2013_es.pdf

Final Report

http://www.eeas.europa.eu/eueom/missions/2013/paraguay/pdf/informe-final-paraguay-2013_en.pdf

Annex 6: Presidential and Legislative Elections in Kenya 2013

Preliminary Statement

<http://www.eeas.europa.eu/eueom/missions/2013/kenya/pdf/eom-kenya-preliminary-statement-6-march-2013-en.pdf>

Final Report

http://www.eeas.europa.eu/eueom/missions/2013/kenya/pdf/eu-eom-kenya-2013-final-report_en.pdf

Annex 7: General elections in Ecuador 2013

Verbal Report

http://www.oas.org/es/sap/deco/MOE_informe/InfoVerbal_Ecuador2013.pdf

Annex 8: Presidential Elections in Mexico 2012

Final Report

http://www.oas.org/es/sap/deco/MOE_informe/Mexico2012.pdf

