

## Chapter 9

# Election Observation Handbook

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## Preface

Over the last fifteen years, observation of elections and referenda has emerged as an important task in support of democratic development and international human rights. The right to political participation lies at the core of a democratic society. The ability of all citizens to express their preferences in periodic and genuine elections is one of the main manifestations of this right. Yet political participation is a much broader concept which, in order to be meaningful, presupposes adherence to other basic human rights such as the right to freedom of expression, movement, peaceful assembly and association both at the time of an election and, more importantly, between elections. Election observation is therefore more than just a technical exercise, as it can contribute directly to the promotion of universal human rights through factual reporting identifying problems as well as recommendations on how the problems can be rectified. Observation can also prevent violations of human rights associated with the election process through the very presence and visibility of observers, as the correctness of the election process itself is assessed.

A state is obligated to respect and protect international human rights and the international community has a crucial role to play in ensuring state respect for human rights commitments. Election observation is one manner in which international monitoring of state compliance can take place. Numerous election observation missions have taken place over the last fifteen years coordinated i.a. by the Office for Democratic Institutions and Human Rights of the Organisation for Security and Cooperation in Europe (OSCE/ODIHR), United Nations (UN), Organisation of American States (OAS), Council of Europe (CoE) and the European Union (EU).

The methodology developed by the OSCE Office for Democratic Institutions and Human Rights (ODIHR) is among the most systematic, encompassing a verifiable approach. Thus, the general methods of election observation including practical guidelines for the conduct of election observation missions outlined in the present chapter are – with the generous permission of OSCE/ODIHR – identical to that set out in the ODIHR Election Observation Handbook, only modified to ensure global applicability.<sup>1</sup> Kåre Vollan has written the section on Electronic Voting.

*Siri Skåre, NORDEM Director*

# 1. Introduction

## ***1.1 About the Election Observation Handbook***

This handbook provides a thorough overview of the most common international election observation methodology and serves as a reference work for all members of an Election Observation Mission (EOM).<sup>2</sup> It also informs the international community at large, including governments of states, political parties, candidates, voters, and civil society in general, about the planning, deployment, and implementation of an election observation mission.

## ***1.2 How to use this handbook***

This handbook is structured to facilitate easy access to the specific material of most immediate interest to the reader. Sections 2-4 consider the basis for international election observation, including the commitments by which election processes are assessed, as well as other universal principles<sup>3</sup> for democratic elections. The regulatory framework for an election observation mission is also addressed, covering both the necessary conditions for effective election observation and the Observer Code of Conduct.

The operative chapters are grouped accordingly: sections 5-6 cover specific preparations for an EOM, beginning with the Needs Assessment Mission, and including the eventual deployment of the mission, and its structure and organisation; sections 7-10 describe in detail the methodology to observe the pre-election period, as well as the voting and counting procedures; sections 11-13 focus on the post-election period, including immediate post-election reporting, observing post-election developments, and closing down the mission; and the final sections, 14-15, deal with partnerships with other organisations, the final assessment of the election, and the options for post-election follow-up.

# 2. Background to international election observation

## ***2.1 Why observe elections?***

Very many states have committed themselves to invite international observers to their elections, in recognition that election observation can play an important role in enhancing confidence in the electoral process. Deploying election observers offers demonstrable support to a democratic process and can assist states in their objective to conduct genuine elections in line with international commitments.

Elections are a celebration of fundamental human rights and, more specifically, civil and political rights, and election observation therefore contributes to the overall promotion and protection of these rights. A genuine election is a political competition that takes place in an environment characterised by confidence, transparency, and accountability and that provides voters with an informed choice between real political alternatives. A genuine democratic election process presupposes respect for freedom of expression and free media; freedom of association, assembly, and movement; adherence to the rule of law; the right to establish political parties and compete for public office; non-discrimination and equal rights for all citizens; freedom from intimidation; and a range of other fundamental human rights and freedoms that most states in the world have committed themselves to protect and promote.

Election observation enhances accountability and transparency, thereby boosting both domestic and international confidence in the process. The mere presence of international observers alone, however, should not be viewed as adding legitimacy or credibility to an election process. Although the presence of observers may indicate that the process merits observation, it is the observers' conclusions about the process, based on a thorough methodology, that will form the EOM's opinion on the election.

The ultimate objective of an election observation mission is to assess the extent to which an electoral process complies with international commitments in accordance with the UN Charter, UN and regional conventions, domestic legislation, and other universal principles for democratic elections. Domestic legislation is also assessed for compliance with these commitments, and the legislative framework for elections should fully reflect these commitments.

## ***2.2 Election observation in context***

The expansion of election observation activities over the past two decades is directly related to the corresponding global trend towards democratisation. Election observation, therefore, is an activity that has primarily been employed in support of new democracies and countries in transition to democracy.

Although the focus of most election observation has been on new democracies and countries in transition, advanced democracies may also benefit from targeted observation or assessment by international experts.

Although election observation is a civilian activity, it can take place in post-conflict situations, depending on the establishment of an appropriately secure environment for observers to operate within and an equally secure environment for a meaningful election process to be conducted. The value of election observation is entirely negated, however, if it is conducted under stringent security regulations, including under armed guard.

## ***2.3 The mandates for election observation***

Election observation and monitoring has become an integral part of the democratic and electoral processes in most parts of the world. International, regional and national observers have come to play important roles in enhancing the transparency and credibility of elections and democratic governance and the acceptance of election results. Election observation missions can also play key roles in diminishing conflicts before, during and after elections.

The various organisations that field election observation missions, such as the African Union (AU), the Southern African Development Community (SADC), EU, OSCE/ODIHR, OAS and the Commonwealth, each derive their mandates for election observation from separate and specific sources, such as the 1990 Copenhagen Document in the case of OSCE/ODIHR.

## ***2.4 When to observe***

Election observation in new or developing democracies remains a priority, since such states generally stand to benefit most from international election observation and any ensuing recommendations.

In some instances, it may be decided not to observe a given election either because a preliminary assessment indicates that the legal framework or overall conditions for a genuine democratic election in line with international commitments are not in place, or because security considerations do not permit the necessary minimum conditions for effective election observation.

### **3. Universal principles on elections and human rights**

The Universal Declaration of Human Rights in its Article 21(3) states that “The will of the people shall be the basis of the authority of government; this will 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.” A genuine election is, therefore, a basic human right and a fundamental element of democracy. Election observation missions assess election processes in line with both international commitments and universal principles for democratic elections. For example, if states are parties to UN and/or regional human rights treaties or other international or regional standards relevant to elections (for example, the SADC Principles and Guidelines Governing Democratic Elections), their compliance with these commitments will also be assessed.

#### ***3.1 Universal principles***

The Universal Declaration of Human Rights, which is accepted by all member states of the United Nations, established the universal right to genuine elections. Article 21 of the Universal Declaration states that “everyone has the right to take part in the government of his country, directly or through freely chosen representatives.” The same article also establishes that free elections are the basis of a government’s authority: “The will of the people shall be the basis of the authority of government; this will shall be expressed in periodic and genuine elections which shall be by universal and equal suffrage and shall be held by secret ballot or by equivalent free voting procedures.”

In addition to Article 21, which relates specifically to elections, the Universal Declaration sets out a list of other rights relevant to electoral processes, including the freedoms of expression, association, and assembly.

The rights set out in the Universal Declaration were reiterated and expanded in the International Covenant on Civil and Political Rights (ICCPR), a United Nations human rights treaty ratified by and therefore binding upon almost all states in the world. As a treaty, the ICCPR creates legal obligations for states to comply with its provisions. Article 25 of the ICCPR grants every citizen, without discrimination, the right to vote and to compete for public office. The ICCPR also codifies and expands upon many other civil and political rights enshrined in the Universal Declaration.

Other United Nations human rights instruments include specific provisions on electoral rights, as well as other human rights that may relate to elections. For example, Article 5 of the Convention on the Elimination of All Forms of Racial Discrimination (CERD) guarantees everyone, without distinction or discrimination, “political rights, in particular the rights to participate in elections – to vote and stand for election”. The Convention on the Elimination of All Forms of Discrimination against Women (CEDAW) guarantees, in Article 7, women’s right to participate in political life and elections on the same basis as

men. Very many states have ratified CERD and CEDAW and are bound by their provisions. The United Nations Guiding Principles on Internal Displacement state that internally displaced persons have the same rights as all other citizens, including specifically the right to vote and to participate in governmental and public affairs.

### **3.2 Other international obligations**

Most of the various regional organisations have adopted treaties or guidelines regarding the conduct of elections and the role of election observers. Election observers should always make themselves familiar with the specific commitments relevant to the elections that the state in question has undertaken, in addition to the universal principles outlined above.<sup>4</sup>

### **3.3 Practical implications**

The following paragraphs briefly set out some key concepts enshrined in universal principles and other international obligations that observation missions should devote their utmost attention to, including: periodic elections, genuine elections, free elections, fair elections, universal and equal suffrage, voting by secret ballot, and honest counting and reporting of results. The government of each country is primarily responsible for ensuring that these commitments are adhered to.

*Periodic elections* necessitate that elections be held at regular intervals as established by law. The period of time between elections should not be unreasonably long. Seven years is generally viewed as the maximum reasonable period between elections for the chief executive, although most countries have opted for intervals of four or five years between elections. Five years is generally viewed as a maximum reasonable period between elections for lower houses of parliament.

*Genuine elections* presuppose that the electoral process will be conducted in an accountable and transparent manner and will provide a real and informed choice for voters, thereby ensuring the overall confidence of the electorate. The concept of a genuine election can be called into question if fundamental rights and freedoms are not respected, if there is no credible political competition, if there are unreasonable restrictions on the formation or conduct of political parties, or if there is no meaningful prospect that voters would have the power to vote incumbents out of office.

*Free elections* require that all citizens enjoy their fundamental rights of freedom of expression, association, assembly, and movement. Each voter should be free to cast his or her ballot free from intimidation, violence, administrative action, or fear of retribution. No obstacle should stand in the way of candidates freely presenting their views or prevent voters from engaging in campaign activities and learning about or discussing these views. The media should be able to cover the campaign freely, without interference or unreasonable restrictions imposed by the authorities. Domestic observers, both partisan (candidate and party proxies) and nonpartisan, should be free to observe all stages of the election process before, during, and after election day. The tabulation of results should be visible and verifiable from polling station level to all intermediate levels of the election administration and finally to the national election authority.

*Fair elections* should ensure equal conditions for all participants in the election process. The legal framework should reflect international commitments and other universal prin-

ciples, and all election-related laws should be implemented and enforced non-selectively. All candidates, parties, and political organisations that wish to run for office should be able to do so and to compete on the basis of equal and impartial treatment under the law and by the authorities. Candidates and political parties should have unimpeded access to the media on a non-discriminatory basis, and the state media should meet its special responsibility for providing sufficient, balanced information to enable the electorate to make a well-informed choice. Regulations on campaign financing should not favour or discriminate against any party or candidate. There should be a clear separation between the state and political parties, and public resources should not be used unfairly for the benefit of one candidate or group of candidates. The election administration at all levels should act in a professional and neutral manner, and the voting, counting, and tabulation processes should be absent of fraud or manipulation. Candidates, parties, and voters should have the possibility for prompt and effective redress, including through an independent judiciary, in case of violations of law or human rights. Those responsible for violations of law should be held accountable in a timely manner. Candidates who receive the required number of votes to be elected should be duly installed in office.

*Universal and equal suffrage* requires that all citizens who have reached qualifying age and meet the criteria for registration should be given the right to vote. There should be an effective, impartial, non-discriminatory, and accurate voter registration procedure that ensures all citizens of the right to vote and protects against multiple voting. There should be no poll taxes or registration fees. There should be no restrictions on voting by persons belonging to minorities, women, or other groups of citizens. All voters, including disabled persons, should have effective access to polling stations or other voting procedures. There should be provisions for voting by internally displaced persons. Ideally, there should be provisions for voting by citizens abroad. Equal suffrage also implies that each citizen's vote should have the same value. This means that, under proportional representation systems, the number of representatives for each district should be proportional to the size of the electorate and that the thresholds for winning seats in parliament should not be set so high as to disregard the political choices of relatively large numbers of voters. Under majority voting systems, equal suffrage means that the population of electoral constituencies should be approximately equal; a variance of more than some ten per cent could be a cause for concern.

*Voting by secret ballot* necessitates that voters mark their ballots alone, in the privacy of a secure voting booth, and in a manner that the marked ballot cannot be viewed before it is deposited in the ballot box and cannot later be identified with a particular voter. The presence of more than one person in a voting booth should not be permitted, as it compromises the secrecy of the vote. Exceptions should be made only under specified conditions at the request of voters who require assistance, e.g., disabled or illiterate voters. Any voting outside of a voting booth compromises the secrecy of the vote. 'Group voting', voting together by family members, open voting, or unlawful voting by proxies are violations of the principle of voting by secret ballot. Arrangements for voting by members of the military and, where permitted, by prisoners should ensure that their votes are secret and not subject to coercion, and the military should ideally be able to vote with the civilian population, with special polling stations for military voting reserved for extraordinary cases. No polling station should be so small that announcement of the results might compromise the secrecy of the ballots (this can sometimes be a problem with respect to voting in military units, prisons, or embassies abroad).

## 4. Practical framework for international election observation

A practical framework for election observation is based on the following minimal conditions for effective observation that the host government is expected to ensure and the Observer Code of Conduct that observers are expected to follow.

### 4.1 *Conditions for effective observation*

In order to observe effectively, the organisation sending the EOM should expect assurances from the host government that an election observation mission will be able to carry out its duties in a timely manner, and specifically to:

- Establish a mission within a time frame that permits observation of all phases of the election process;
- Decide at its own discretion the number of observers necessary to mount a viable observation mission;
- Receive accreditation for all its observers through a simple and non-discriminatory procedure;
- Obtain all necessary information regarding the electoral process from authorities at all levels;
- Meet with candidates, members of all political parties, representatives of civil society, and with all other individuals of its choice;
- Have the freedom to travel in all regions of the country during the election process and on election day, without any restriction or prior notification;
- Have unimpeded access to all polling sites, election commissions, and counting and tabulation centres throughout the country;
- Be able to issue public statements.

Where these circumstances do not exist, the conditions for effective observation are essentially negated.

### 4.2 *The Observer Code of Conduct*

The overall credibility and reputation of an international election observation mission depends on the performance and conduct of its personnel. The Observer Code of Conduct was developed to ensure that all members of an election observation mission conduct themselves according to high professional and personal standards and behave in a manner consistent with the role of an independent and impartial observer. The role of an observer is limited to observing and reporting, and observers have no authority to instruct, assist, or to interfere in the voting, counting, tabulation, or other aspects of the electoral process. The Observer Code of Conduct is binding on all observers; any serious infraction of the code will lead to withdrawal of observation accreditation.

***Code of Conduct for OSCE/ODIHR Observers***

- Observers will maintain strict impartiality in the conduct of their duties and will, at no time, publicly express or exhibit any bias or preference in relation to national authorities, parties, candidates, or with reference to any issues in contention in the election process.
- Observers will undertake their duties in an unobtrusive manner and will not interfere in the electoral process. Observers may raise questions with election officials and bring irregularities to their attention, but they must not give instructions or countermand their decisions.
- Observers will remain on duty throughout election day, including observation of the vote count and, if instructed, the next stage of tabulation.
- Observers will base all conclusions on their personal observations or on clear and convincing facts or evidence.
- Observers will not make any comments to the media on the electoral process or on the substance of their observations, and any unauthorised comment to the media will be limited to general information about the observation mission and the role of the observers.
- Observers will not take any unnecessary or undue risks. Each observer's personal safety overrides all other considerations.
- Observers will carry any prescribed identification issued by the host government or election commission and will identify themselves to any authority upon request.
- Observers will comply with all national laws and regulations.
- Observers will exhibit the highest levels of personal discretion and professional behaviour at all times.
- Observers will attend all required mission briefings and debriefings and adhere to the deployment plan and all other instructions provided by the Election Observation Mission.

In addition to the Observer Code of Conduct, all observers are expected to adhere to guidelines on a professional working environment, which prohibit discrimination or sexual harassment. Election observation missions in some countries may issue additional rules or guidance binding on observers that are based on local circumstances. Additional guidelines may also be issued on such matters as conflict of interest, receipt of gifts, confidentiality, or other concerns.

## 5. Preparing for an observation: the Needs Assessment Mission

An initial step towards the establishment of an EOM is the deployment of a needs assessment mission (NAM) or an exploratory mission (EU terminology), usually several months before a given election. A NAM is conducted over a period of several days by members of the organisation sending the EOM.

The purpose of a NAM is to identify the prospects for the conduct of an election process in line with international commitments, and subsequently to advise the organisation considering whether to send an EOM. The NAM also ascertains whether the host government intends to respect minimum conditions for effective election observation.

The final report of the NAM reflects its conclusions on the scope and scale of the observation mission that is to be established. In some cases, a NAM may recommend that full observation is not appropriate or necessary in view of its findings and may instead call for the deployment of a limited election observation mission or an election assessment mission. The NAM report also establishes the numbers of long- and short-term observers that are needed in order to realise the respective mission.

A NAM also serves to establish an early dialogue with the national electoral authorities and other institutions involved in the election process. In general, a NAM will meet with senior officials of the election administration, representatives of government offices (the Foreign Ministry and any offices involved in elections such as the Interior Ministry and offices dealing with national minorities or human rights), political parties, media representatives, civil society organisations, relevant embassies, and any other interested international organisations.

A NAM should make a preliminary assessment of:

- The extent to which recommendations emerging from previous election observation missions have been implemented;
- The pre-election environment, including the general extent to which human rights and fundamental freedoms are being observed by the government in relation to the upcoming election;
- The legislative framework and any amendments since the last election (whenever possible or relevant, a separate detailed analysis of the election legislation should be prepared);
- The composition and structure of the election administration, as well as the status of its preparations for the election and the general extent of public and political confidence in its work;
- The status of the media and their expected role in the elections;
- Any other issues of particular relevance, such as the compilation of voter registers, the candidate/party registration process, the participation of women, the inclusion of minorities, or election activities of civil society organisations;

- The degree to which interlocutors believe the establishment of an EOM can serve a useful purpose; and
- Whether the security situation is conducive to an observation mission.

## 6. The structure of an election observation mission

An election observation mission is deployed under the overall direction of the organisation sending the EOM, be it SADC, ODIHR, EU or the Commonwealth. Normally the head of mission will be responsible for the content of the statement and final report, which should be based on the observation done by the EOM.

A standard mission includes a core team, long-term observers (LTOs) and short-term observers (STOs). How the core team, LTOs and STOs are recruited will vary from organisation to organisation. Sometimes funds are taken from the core budget of the organisation and sometimes the organisation will depend on seconded personnel from the countries which are sending observers.

### 6.1 *The core team*

The organisation sending the EOM establishes its offices in the capital of the respective host country approximately six to eight weeks before election day, sometimes longer, which is where the core team of any given election observation mission is based. The core team may include up to 12 or more people, depending on the size of the mission and the specific circumstances of the election. The head of mission will normally be assisted in his or her duties by a deputy head of mission; in very large missions, more than one deputy may be appointed. The other members of the core team may include an election analyst, a political analyst, a legal analyst, a media analyst, a statistical analyst, a coordinator of long-term observers, a logistics officer, a security officer, a finance officer, and a parliamentary liaison officer when relevant. Sometimes, a gender or national minorities expert may be assigned to the core team to strengthen the analysis on these particular issues in the election context. The duties typically performed by these personnel are set out below.

*The head of mission* is responsible for the day-to-day work of the observation mission. He or she leads the mission in its ongoing assessment of the extent to which all aspects of the election process are in line with domestic law, international commitments, and other universal principles for democratic elections.

The head of mission is responsible, in close coordination and cooperation with the organisation sending the EOM, for the work of the mission, including:

- Preparation of interim reports outlining the main pre-election issues and developments;
- Establishing and maintaining contact with the authorities, election administration, main political parties, candidates, civil society, other observer groups, the resident diplomatic community, and international organisations;
- Overseeing the work of the core team, LTOs, and STOs;

- Relations with the media, including preparation of EOM public statements;
- Briefing and working closely with parliamentary delegations (when applicable);
- Developing a statement of preliminary findings and conclusions and a press release, sometimes in conjunction with leaders of other delegations;
- Preparing a final report to be issued approximately four to six weeks after the completion of the electoral process.

Upon arrival in the host country, the EOM either issues a short press statement announcing the opening of the mission or the head of mission holds a press conference to introduce the mission and its work. A press conference provides an opportunity to explain the mission's purpose and the election observation methodology, as well as to express the mission's willingness to meet with all interested parties and receive information about the electoral process.

*The deputy head of mission* generally serves as a chief of staff, ensuring effective overall coordination of the EOM, assisting the head of mission in his or her operational and administrative duties, and representing the head of mission in his or her absence. Among other duties, the deputy head oversees all aspects of LTO and STO operations, including preparation of briefings, a balanced and representative deployment plan, and debriefing. In smaller EOMs, the deputy head may also serve concurrently in one of the expert/analyst positions set out below.

*The election analyst* assesses the performance of the host country's election administration in line with international commitments and other universal principles. He or she is the EOM's principal point of contact with the election administration and attends all meetings of the central election commission, or equivalent body. The election analyst assesses that body's effectiveness, independence from executive authorities, transparency, and impartiality. The election analyst is responsible for monitoring voter registration, candidate registration, election regulations and procedures, the design and printing of ballot papers, the effectiveness of lower-level election commissions, and other issues within the purview of the election administration. The election analyst also reviews the counting and tabulation procedures and analyses the production of the final aggregated results for conformity with legal regulations and administrative procedures. The election analyst works closely with the legal analyst on election-related complaints and appeals.

*The legal analyst* develops expertise on election legislation and regulations. He or she assesses the extent to which the legislation and its implementation comply with international commitments and other universal principles and whether domestic law is applied fully and impartially. The legal analyst also follows all election-related disputes, complaints, court cases, and appeals. This permits an assessment of the extent to which effective remedies are available for complainants and the impartiality of the judiciary in dealing with election-related cases.

*The political analyst* serves as the EOM's principal liaison with candidates and political parties and monitors and assesses the political campaign in line with international com-

mitments and other universal principles. He or she establishes contacts with political parties, civil society groups, and non-governmental organisations relevant to the political process. In many cases, the political analyst may be tasked with specific issues of concern, such as women's participation, minority issues, and overall human rights issues. The political analyst may also be tasked as the main point of contact with domestic election observers.

*The media analyst* leads a team responsible for preparing a qualitative and quantitative analysis of the performance and content of the electronic and print media during the election process. He or she assesses the extent to which parties and candidates have equal access to the media in accordance with international commitments and other universal principles. The media analyst monitors whether the media, and in particular the state or public media, meet their responsibilities to provide balanced and neutral coverage of the electoral process. Ultimately, the media analyst must assess whether the media provide sufficient, balanced, and varied information to enable voters to make a well-informed choice. The media analyst becomes familiar with media legislation and assesses whether the media and the authorities comply with media laws and regulations. The media analyst also follows the election-related work of any media regulatory bodies and any election-related disputes concerning the media. The media analyst may also be assigned to prepare a daily news summary.

*The statistical analyst* is responsible for preparing a statistical analysis of key election-day findings based on forms completed by STOs that are designed to assess procedures at polling stations and counting centres. The statistical analyst provides advice in the development of the forms for the respective election and oversees a team responsible for data input. Preliminary data must be analysed and available early in the morning immediately following election day in order to incorporate findings into the preliminary statement. The statistical analyst arrives in country several days before the election and departs after all STO forms are processed and fully analysed.

*The coordinator of long-term observers*, or LTO coordinator, is the principal point of contact within the core team for the LTOs. The LTO coordinator devises a draft deployment plan for LTOs, in coordination with the deputy head of mission, to ensure that election developments throughout the country are adequately covered. He or she organises a briefing for LTOs when they arrive in the host country and subsequent debriefings during the course of the observation. The LTO coordinator provides instructions to LTOs, ensures that they are fulfilling their responsibilities and receiving the mission support they require, maintains regular contact with them, and receives and analyses their reports. He or she also advises on the appropriate distribution of STOs to regions of the country to achieve a balanced and representative deployment plan and may be responsible for coordinating the deployment of locally recruited STOs. The LTO coordinator plays a principal role in organising and scheduling election day and election night reporting by LTOs and STOs to ensure that full and timely reports are available for the preliminary statement.

*The logistics officer* is tasked with all issues related to the logistical operations of an EOM. He or she normally arrives in country a few days before the rest of the core team and locates and leases suitable office premises, equipment, communications facilities, and also identifies options for accommodation. The logistics officer also facilitates the recruitment

of national support staff. As election day approaches, the logistics officer implements the STO deployment plan (in consultation with the LTO coordinator and deputy head of mission) and makes arrangements for interpreters, drivers, and accommodations for STOs. He or she may also have responsibility for EOM security issues in the event that a security officer has not been appointed. The logistics officer remains in country for a few days after the rest of the core team has departed to assist with the closure of the EOM.

*The parliamentary liaison officer* serves as an EOM's principal liaison with parliamentary delegations observing any given election. This may include members of the OSCE Parliamentary Assembly (OSCE PA), the Parliamentary Assembly of the Council of Europe (PACE), the European Parliament, or, occasionally, other parliamentary groups. Depending on particular circumstances, the parliamentary liaison officer may be responsible for arranging briefings, logistical support, deployment plans, and other arrangements for parliamentarians. The parliamentary liaison officer maintains close contact with the secretariats of the respective parliamentary groups. He or she normally arrives in country two to three weeks before the election and remains until the parliamentarians have departed.

## **6.2 Long-term observers**

*Long-term observers* (LTOs) should be persons with relevant election administration and/or comparative observation experience to serve as LTOs. LTOs must be capable of maintaining objective relationships with municipal or regional officials, election officials, political party and candidate representatives, and relevant non-governmental organisations over an extended period of time. They must be able to contribute an independent analysis of the pre-election environment, throughout the host country, for inclusion in overall reporting.

LTOs usually arrive in country approximately one week after an election observation mission has been established and remain for approximately one week after election day. They are usually deployed in teams of two throughout the host country, according to a deployment plan that enables balanced geographical coverage. LTOs are expected to work at the municipal, district, or provincial levels, remaining in their regions during the entire election process, unless otherwise instructed. They are normally required to attend periodic debriefings at the central level. The number of LTOs may vary depending on the size of the country and other particular circumstances.

Before deployment to their areas of responsibility, LTOs should receive a comprehensive briefing by the core team, including:

- An overview of the organisation sending the EOM and the role of LTOs within an EOM;
- A review of the election observation methodology and Observer Code of Conduct;
- An analysis of the election system, election law and regulations, and the structure of the election administration;
- A political overview;
- A description of any key issues to observe and any specific tasks to fulfil;
- An overview of gender and minority issues as relevant;
- A review of security issues as relevant;
- Logistical, financial, and deployment information; and
- Instruction on reporting and other tasks.

The EOM logistics officer assists LTOs in hiring interpreters and drivers, arranging transportation to their areas of responsibility, and identifying initial accommodation there, as well as providing each LTO team with basic equipment such as a notebook computer and a mobile telephone. LTOs are normally expected to work from their accommodations, since EOM budgets generally do not include funds for LTO office space. (This is not fully applicable for EU EOMs.)

The presence of LTOs ensures that an EOM can effectively extend its reach throughout the country. Each LTO team undertakes observation and reporting activities in the regions, just as the core team undertakes these activities at the national level. Each LTO team divides its time between monitoring the substantive issues surrounding an election and making logistical and deployment preparations for the STOs who will be deployed to their area and work under their immediate supervision.

The substantive role of the LTO is to observe and assess the effectiveness and impartiality of the election administration, the implementation of the election law and regulations, the nature of the campaign, and the political environment. For this purpose, LTOs establish and maintain contacts with regional and local election administrations and government authorities, political parties and candidates, leaders of minority groups, and civil society organisations relevant to the elections. This includes human rights groups, domestic election observer groups, women's organisations, other NGOs, and media representatives. In coordination with the EOM media analyst, LTOs may be asked to follow coverage of an election in the regional media.

LTOs are normally required to submit weekly reports to the head of mission through the LTO coordinator. These reports should summarise the main findings from the LTOs' observation of the process during the preceding week, and they should also indicate the various meetings held. Particularly important or urgent information should be reported separately in spot reports. LTO findings will be consolidated into the EOM's overall reporting.

LTOs are also required to provide substantive briefings for STOs on aspects of the election process specific to their respective area of responsibility. These briefings highlight the main aspects of the electoral process in their region and the key political issues, and they also indicate any pertinent logistical and security information. LTOs are expected to attend periodic meetings that may be called by the head of mission during the course of the observation.

The role of LTOs in providing logistical support for STOs is crucial to the effective functioning of an EOM. All LTO teams must assist in determining the optimal number of STOs that will be required for election-day observation in their regions; actual numbers will be determined in consultation with the core team, based on the total number of STOs available. LTOs must draw up local deployment plans for STOs to ensure adequate and balanced coverage of polling stations and counting centres in their regions. They must also locate appropriate accommodation, interpreters, cars, and drivers for the STO teams assigned to their immediate responsibility. LTOs may need to assist with special regional arrangements for parliamentary observers.

On election day and election night, LTOs must coordinate reporting by STOs and ensure that the core team is fully informed of trends and developments in their respective regions. LTOs will usually be required to submit a report to the core team very early on the morning after the election to ensure that regional findings are reflected in the EOM's preliminary statement. LTOs are often required to arrange a regional debriefing for STOs early on the morning after the election.

### **6.3 Short-term observers**

*Short-term observers* (STOs) should be persons with relevant election administration and/or comparative observation experience to serve as STOs.

STOs usually stay in country for approximately one week. STOs are deployed in teams of two and observe voting and counting on election day. They are deployed according to a plan that provides a broad and balanced presence throughout the country on election day. Due to the complexity of deployment planning, it is not possible to consider STO requests to be deployed to particular locations or teamed with certain partners.

In most instances, an EOM also welcomes locally recruited internationals as STOs; these are usually diplomats or other citizens of participating states who are recommended by their embassies. The EOM, however, retains the right to accept or reject such nominees on a case-by-case basis.

STOs usually arrive in country approximately four days before an election; the precise schedule is established by the EOM based on local circumstances. Typically, the core team provides a one-day briefing session on the day after the scheduled arrival of STOs. The next day, STOs are deployed to their regions; they then normally have one day to familiarise themselves with their assigned areas of responsibility before election day.

STOs begin work very early on election day by observing the opening of polling stations. In the course of the day, STOs usually visit some ten polling stations. They then select one polling station at which to observe closing procedures and the vote count. In some cases, STOs may be required to remain at a single polling station, or they may be assigned to observe tabulation at a mid-level election commission and/or to perform other duties, such as observing military or prison voting or following a mobile ballot box.

Attendance at the pre-election briefing is mandatory for all STOs; individuals who cannot arrive in country in time for the briefing may not be accepted as members of the respective EOM. Even experienced observers need to be briefed on issues and procedures specific to a particular election. The briefing should cover:

- Election observation methodology and the Observer Code of Conduct;
- A political overview;
- The election system;
- The election law and its practical implementation;
- The election administration;
- Polling and counting procedures;
- Gender and minority issues;
- A media overview;

- How to respond to media enquiries;
- The pre-election period based on long-term observation;
- Any special issues or procedures to be observed;
- How to fill out and submit reporting forms;
- Logistical, deployment, and financial information; and
- Security issues.

STOs are provided with accreditation and with written briefing materials, typically including an STO briefing book designed specifically for each election, a translation of the national election law and relevant regulations, general logistical information and emergency contact numbers, a map of the country or area of responsibility, an election observation handbook from the relevant organisation, and reporting forms.

#### **6.4 National support staff**

A key component of every election observation mission is its national staff, which provides an EOM with invaluable domestic knowledge. In general, each member of the core team will have at least one national assistant. Some units – especially media and logistics – often require several national staff members.

Members of an EOM's national staff serve as interpreters and as administrative support staff for international personnel. National staff may include people with expertise in particular fields of interest to the observation mission. Each LTO team and each STO team will normally be assisted by a national interpreter and driver.

While national staff plays an essential support role for every election observation mission, they may not themselves be accredited as observers. These restrictions are necessary in order to ensure objective and impartial analysis, to prevent potential conflicts of interest, and to maintain a clear separation between international and domestic election observation.

## **7. Observing the pre-election period**

It is the responsibility of the core team and the LTOs to observe the long-term process and to assess it in line with international commitments and other universal principles. In particular, long-term observation should assess the implementation of the election legislation, the performance of the election administration, the conduct of the election campaign, and the role of the media. The following sections highlight a number of key issues and areas of enquiry within each of these fields.

### **7.1 The legal framework**

#### **a. Election-related legislation and its implementation**

*The election law:* Before an EOM is deployed in a particular country, the organisation sending the EOM arranges, whenever possible, for a review and analysis of the respective election law. This enables a comprehensive assessment of the extent to which the law reflects international commitments and universal principles. The members of the EOM, and in particular the legal analyst, should be thoroughly familiar with any such analysis. If there are clear shortcomings in the legislation, these should be noted, and recommendations for relevant amendments should subsequently be included in the EOM's final report.

An EOM considers not only the content of the legislation but also how it was drafted and adopted. Election legislation must enjoy broad support among the political factions in a given country. The legal framework should therefore be drafted in an open and inclusive manner in order to secure broad confidence among the competing political parties, candidates, and voters. Significant changes in the legislative framework should not be introduced shortly before an election, except under exceptional circumstances and when the needed amendments have broad support, as this can create confusion and lead to an unstable and unpredictable environment.

*Other legislation:* The legislative framework for an election includes not only the election law but also a range of legislation on related matters. Depending on the circumstances, the legal analyst, and possibly other members of an EOM, may also need to review constitutional provisions and other legislation relevant to the election, including the law on political parties, citizenship laws, voter registration laws, campaign financing laws, media laws, and possibly elements of the criminal code and administrative code. Laws relating to human rights and non-discrimination may also be important to the electoral process. Reviewing regulations and decrees, as well as laws, is often necessary.

*Implementation:* The impartial and consistent implementation of the legislative framework is critically important and deserves the careful attention of an EOM. There are usually many different bodies responsible for implementation and enforcement: election commissions, the police, prosecutors' offices, central and local government authorities, media regulatory bodies, and other government offices. An EOM observes the extent to which each of these bodies complies with its obligations under the law and in line with international commitments and other universal principles. Experience demonstrates that a key factor in any election is the authorities' political will to implement the process in an impartial, transparent, and accountable manner. Even if the legislation complies fully with international standards, this will be of little value unless it is implemented fully and fairly.

***Possible problems to be aware of:***

- Legislation that does not meet international commitments and other universal principles;
- Laws that do not enjoy the confidence of major election stakeholders;
- Legislation that is vague, subject to varying interpretations, and lacking sufficient guarantees for respect of civil and political rights;
- Laws or administrative regulations that do not adequately protect human rights;
- Failure to implement legislation in a nonpartisan, consistent, and transparent manner;
- Regulations that may violate the spirit of the law.

**b. Complaints and appeals**

Another important element of the legislative framework is the complaints and appeals process, which must provide effective and timely remedies in the event of violations of law. Complaints concerning the election process must be dealt with equitably, transparently, and according to due process of law. Procedures and deadlines should be clearly

set out in the election law. Time frames must be sufficiently short to ensure a meaningful remedy. There must be accessible and adequate facilities for filing complaints.

The right to appeal to election bodies and courts must be established to enable a clear, understandable, singular, hierarchical complaint process that defines the roles of each level of election commission and each level of the courts. This will avoid the potential for a complainant to appeal to the body considered likely to offer the most favourable consideration of the complaint, and it can ensure that all complaints are addressed in a consistent manner. If complainants are required to appeal first to election bodies, the law should nevertheless always provide the right to appeal to an independent court of law as a second and/or third instance. Observers should pay careful attention to the independence and impartiality of the courts. Responses to complaints should be provided in a timely manner, and all hearings and rulings should be public.

The legal analyst should keep track of complaints registered during the campaign and how they were resolved. A listing of complaints can serve as an indicator of issues that may require further EOM attention.

***Possible problems to be aware of:***

- Failure to hold accountable those who violated laws;
- An unclear or ambiguous process for filing complaints;
- A judiciary that is not independent;
- Lack of due process in court proceedings;
- Postponing rulings on complaints until after the elections; and
- Lack of transparency in the implementation of the appeals process.

## ***7.2 The election administration***

### **a. Composition of the election administration**

*Election commissions:* A national election administration, such as a central election commission or equivalent body, is usually responsible for administering an election. Occasionally, the judiciary may oversee the election process. Whichever body is constituted to administer a particular election, its work should be collegial, nonpartisan, transparent, and independent from the authorities and other political influences.

The independence of a central election commission is enhanced if it is composed of respected and suitably qualified individuals and nominated by a balance of interests. It should be able to implement the election legislation and regulations without interference, intimidation, or impediments to its duty. Alternatively, the administering body could be made up of a balance of representatives nominated by political parties. The balance of party representatives can serve as a check on potential misadministration or abuse of office, particularly if parties are represented at all levels of the election administration. If political party nominees constitute election commissions, they should be prohibited from campaigning and should be able to act independently without fear of retribution or recall.

If a judicial body is charged with administering the elections, its independence from executive authorities and political forces must be ensured, including through transparent proceedings. Judicial appointees should be immune from the authority of those standing for office.

A central administering body may be a permanent body, or at least have a standing executive committee. If it is not a permanent body, its independence should be guaranteed by fixed tenures of its members and the right of return to their previous employment.

When all meetings of the election administration are open, transparency is greatly enhanced, thereby contributing to public confidence in the system. Alternatively, election administration bodies should publish their decisions immediately upon delivery and provide regular and timely briefings for the media.

Election administrations enjoy the most public confidence when they are able to work on the basis of consensus or collegiality. All meetings should be announced in a timely manner, with all relevant documents equally conveyed to all members of the commission in sufficient time to be considered prior to the session. There should be recorded minutes of each meeting.

An EOM, and in particular the election analyst, should attend all meetings of the central election administration in order to follow and assess its work. LTOs should attend meetings of regional and local election administrations. Domestic observers should also be permitted to attend and follow the proceedings of election commission meetings.

*Other bodies involved in election administration:* In addition to election commissions, various government ministries and regional and local officials may be required to carry out administrative and logistical operations of preparing for, and conducting, elections. They may have responsibility for preparing voter registers and distributing voter lists, ballot papers, ballot boxes, polling booths, official stamps, and all other required material, as well as determining the arrangements for storage, distribution, and security. Local authorities are often required to provide premises for polling stations.

Any bodies involved in electoral preparations should conduct their tasks transparently and accountably. Observers should become acquainted with the roles of ministries and local authorities in organising the election process and the extent to which these contribute to an effective administration of the elections.

***Possible problems to be aware of:***

- Election commissions that do not enjoy the confidence of major election stakeholders;
- Commissions that are under political pressure or lack independence from the executive;
- Commissions that tend to make decisions by voting along political lines rather than by broad agreement;
- Commissions that do not hold their meetings in public or do not fully publicise their decisions;
- Any difficulties posed for major election stakeholders to take their seats on commissions;
- Last-minute changes in election commission membership or unfounded recalls of members; and
- Lack of effective coordination between election commissions and regional or local officials responsible for supporting elections.

**b. Resources**

*Material resources:* Whatever the particular characteristics of the respective national system for funding various election processes, the election administration should be provided, in a transparent manner, with funds from the state or municipal budget sufficient to meet its responsibilities. The independence of the election administration can be enhanced if it has its own public budget, at established levels, rather than allocated through an *ad hoc* budgetary procedure.

Observers should establish whether the election administration has a realistic understanding of, and adequate means to meet, the resource requirements for an efficient election process. This includes funds for the reimbursement of the members of election commissions, a sufficient number of suitable polling station facilities, polling station equipment (ballot papers, secure and adequate ballot boxes, adequate polling booths), and communications and computer capacity.

*Personnel resources:* Adequate human resources and specialised knowledge are also required to implement an election effectively. Observers should ascertain whether a sufficient number of election officials have been appointed, whether clear guidance and instructions have been issued to election officials, and whether election officials are familiar with the tasks to be carried out on election day.

Observers should assess whether election commission members, including members nominated by political parties, have received standardised training at all levels of the election administration. LTOs should observe such training sessions for regional and local election officials whenever possible.

***Possible problems to be aware of:***

- Election commissions that have no public budget;
- Lack of clarity over whether state or local authorities are responsible for providing various kinds of funding or assistance;
- Lack of funding for unexpected elections;
- Inadequate equipment or lack of uniformity in equipment;
- Polling stations in facilities that are too small or are not accessible to disabled voters;
- Inexperienced polling station officials;
- Inadequate training for polling station officials;
- Lack of clear written instructions on polling procedures; and
- Polling station personnel being appointed too late to receive adequate training.

**c. Registration of candidates and political parties**

The election administration is usually responsible for registering candidates for an election. The same general principles underlying the right to vote apply to the right to be a candidate. All political forces and movements should be able to nominate and field candidates freely and on equal terms. Any arbitrary or discriminatory practices for the purpose of disqualifying or undermining certain candidates or political forces contravene international commitments.

There should be no restrictions on candidates for reasons such as race, sex, religion, political affiliation, ethnic origin, or economic status. However, best practices do not exclude reasonable quotas or preferences designed to ensure more equitable representation of women or minority groups.

There are certain reasonable restrictions that may be applied to individuals wishing to run for office. For example, it may be reasonable to exclude any person currently serving a prison sentence for having committed a serious crime. However, loss of candidate rights should be proportional to the crime committed, and candidate rights should be reinstated once the sentence has been served. Another example pertains to residency, whereby it is reasonable to require a person to have been a resident of a particular country for a certain period of time before running for office. Other restrictions may pertain to a demonstration of minimum support among voters, or a reasonable age requirement. Any language thresholds should not present an unreasonable limitation on candidacies, and language tests should be transparent, objective, non-discriminatory, and administered in a rational manner. Civil servants, military or security personnel, or judges may reasonably be restricted from running for office unless they resign from their positions.

The provisions regarding candidate registration must be applied equally to all candidates and parties. The registration requirements for candidates and parties should be clear and predictable and should not involve potentially discriminatory demands such as excessive deposits, mandatory regional support or party representation, or an unreasonable number of names on registration petitions.

With regard to the principle of proportionality, parties or candidates should not be disqualified from standing for election except for the most serious reasons. They should be given an opportunity to correct any technical deficiencies on their applications for registration; they should not be disqualified or refused registration on technical grounds. A right of judicial appeal must exist for the refusal of registration to a party or candidate, and appeals must be heard within a reasonable time frame prior to the election.

Since the registration of candidates and political parties is a key part of any election process that has a direct impact on the competitive nature and quality of the process, it should be monitored by an EOM. If an EOM does not arrive in country until after all or part of the candidate registration process is complete, it should nevertheless try to assess the fairness and effectiveness of the process through discussions with officials, party representatives, and candidates, including any candidates denied registration.

***Possible problems to be aware of:***

- Banning or suspension of parties or candidates;
- Restrictive policies with regard to the formation or operation of political parties;
- Selective implementation of the law with respect to the registration of parties or candidates;
- Requirements for excessive deposits, mandatory regional representation, or excessive numbers of signatures to qualify for registration;
- Discrimination against certain groups;
- Excessive language requirements;
- Disqualification of candidates for previous violations of the administrative code or administrative regulations;
- Disqualification of candidates or parties due to technical problems with their applications; and
- Undue delays or administrative obstacles to the registration of political parties.

**d. Voter registration**

*General criteria for registration:* All citizens of a country must have the right to vote, provided they have reached a qualifying age and have not been declared mentally incapable by a court of law. Voter registration is intended to ensure that all citizens can exercise this right within a system that also facilitates the administration of elections and guards against multiple voting. Establishing and maintaining accurate voter registers at the national level, or voter lists at the regional or local level, can be one of the most difficult elements of an election process. Assessing the adequacy of the voter register can be one of the greatest challenges facing observers.

Fundamental decisions have to be made with regard to whether voters vote in their place of permanent residence only or whether voters have the right to vote in their place of temporary residence, or anywhere. If the second approach is adopted, then a system of checks needs to be put in place to prevent the possibility of double entries and ultimately the possibility of double voting.

There should be clear legal provisions governing the method of registration; the registration timetable; qualification and disqualification with respect to citizenship, age, and residence; temporary absence; means of identification (evidence of eligibility); the registration form; the format of the register; publication of a draft register; availability and right to inspect registers; the procedure for claims and appeals; and publication of a final register.

An efficient voter registration system requires the population to be active in reporting changes of permanent residence and other aspects of their civil status. Registration procedures and facilities should be as simple as possible and should be readily accessible to the electorate. The voter lists (as extracted from the national voter register where applicable) should be posted well in advance of the election to permit complaints about incorrect inclusions or exclusions or other inaccuracies. Voter lists should either not include, or should carefully protect, personal data beyond that required to identify voters and establish their eligibility.

An accurate voter registration process can be best assured by a permanent, well-maintained, and regularly updated central statewide voter register. One comprehensive, computerised list can assist the authorities in checking individual citizen registration and avoiding duplications, thereby enhancing the integrity of the voter register. However, some countries may not have the capacity to generate a computerised voter register. In federal systems, regional and local authorities may be responsible for sub-national voter lists. Methods of registration, therefore, vary from country to country depending on local circumstances.

*Systems of voter registration:* Countries have adopted a variety of means for registering voters. *Active*, or *affirmative*, registration systems require voters themselves to apply for registration at each election. In *passive* systems, the authorities compile the voter register automatically on the basis of residency, citizen registry, or other records. Either type of system is acceptable if it produces a comprehensive, transparent, and accurate voter register. At times, both types of registration systems may be employed.

In exceptional cases, there may be no formal registration at all, with voters being required to establish their identity and eligibility at the polling station on polling day. In such cases, special arrangements should be considered to guard against multiple voting, such as the application of indelible ink to each voter's finger.

In some countries, the authorities responsible for the maintenance of the voter registers may be tasked to issue special certificates, including on election day, to enable eligible voters whose names do not appear on the local voter lists to vote. While this certainly broadens the possibility of voters to cast their ballots, such systems can be open to abuse. When certificates are used, observers should thoroughly assess how the system is implemented.

*Ensuring the accuracy of the voter register:* The national voter register (where applicable), or regional and local lists, require constant updating to remain accurate. Emigration and internal migration or displacement can cause significant population shifts between elections. Identifying and registering or re-registering large numbers of voters who have

moved is a substantial technical undertaking, requiring voters to be crossed off lists according to their previous residence and added to lists in their new place of residence.

Safeguards should exist to avoid multiple registrations. If voters receive special voter cards, there must be adequate security to avoid duplication of the cards. In all countries, there should be systems in place to ensure that deceased persons are removed from the lists and that those who have recently reached voting age are added to the lists. In countries where women may change their names upon marrying, it is important to ensure that the lists are updated so that newly married women do not lose their right to vote. Ideally, there should be provisions for citizens abroad to register and to vote.

Observers should carefully assess the effectiveness and inclusiveness of the voter registration process. In particular, they should ensure that no unreasonable restrictions are placed on voter registration. Unreasonable restrictions are those based on race, sex, religion, ethnic origin, past political affiliations, language, literacy, property, or ability to pay a registration fee. Reasonable restrictions may include factors such as residence, citizenship, current incarceration for having been convicted of a serious crime, and mental incapacitation as determined by a court.

***Possible problems to be aware of:***

- Lack of a central voter register;
- Registers and/or lists not open to public inspection or not easily accessible;
- Lack of clear rules for registration or for contesting mistakes on registers and/or lists;
- Ineffectiveness of the appeals process;
- Discriminatory practices;
- Non-registration of internally displaced persons;
- Registration processes that are not easily accessible for all citizens;
- Lack of voter education on registration;
- Widespread inaccuracies in the register and/or lists;
- Registers and/or lists containing unnecessary data such as ethnicity; and
- Voting rights not being restored after having served a prison sentence.

**e. The ballot**

*Ballot design:* The complexity or simplicity of the ballot directly affects the efficiency of the voting process. Ballots should be designed as simply as possible and should be easy for voters to understand and fill out. Unduly long or complex ballots can cause confusion among voters and slow the voting and counting procedures. In multilingual societies, ballots should be available in all languages. In societies with a significant level of illiteracy, it is a good practice to include easily identifiable symbols next to the names of candidates or parties. The order of candidates on the ballot should be determined by lot or in another fair manner. Some countries continue to use coloured ballots for the different contestants in order to diminish the number of invalid votes.

*Ballot security:* Ballots and other sensitive election material should be properly supervised and secured at all times. To assess these processes, observers should look into where

and how the ballots were printed, where and how they were stored and distributed, and when this was done prior to the elections. Interested parties should be granted the right to observe the printing, distribution, and storage of ballots. In some countries, the ‘protocol of results’ form or other materials may be as sensitive as a ballot and should also be subject to security measures. A system of receipts helps ensure accountability during the transport, handover, and storage of ballots and other election material.

As an additional security measure and safeguard against fraud, a number of countries use voting procedures that require that ballots be placed in special envelopes before being placed in the ballot box. In such cases, it is particularly important to understand that the vote is identified with the contents of the envelope, rather than with the ballot itself.

A number of other safeguards may also be built into voting systems to help protect the security and secrecy of ballots, for example:

- Stamping ballots with an official stamp specific to the polling station when they are given to voters or before they are placed in the ballot box;
- Having one or more polling station officials sign the back of the blank ballot when it is given to the voter;
- Use of numbered ballot stubs to monitor the number of votes in a ballot box;
- Use of a stamp rather than a pen to mark ballots;
- Use of heavy paper for ballots so that marks cannot be seen through the back of the ballot paper;
- Printing ballots with watermarks or other devices to make them harder to counterfeit.

Observers should assess whether such safeguards are in place and their effectiveness. If mechanical or electronic voting is used, observers should also assess the security and efficiency of these systems. In the case of electronic voting, it is essential that there be a paper copy of the vote or some form of manual audit capacity of the voting record. (See Section 8 on electronic voting.)

***Possible problems to be aware of:***

- Unduly long or complex ballots that may confuse voters;
- Inadequate safeguards or accountability at any stage of the ballot production or distribution process;
- Ballots circulating outside of polling stations on or before election day;
- Polling station procedures that may compromise the secrecy of the ballot;
- Electronic voting systems with no manual audit capacity.

**f. Voter information**

Sufficient voter and civic information and education may be needed to ensure that participants in the electoral process are fully informed of their rights and responsibilities as voters. These efforts can also generate knowledge about and interest in the election process and build a climate for open debate. Observers should assess the extent and effectiveness of voter and civic information and education.

Voter education should inform voters of when, how, and where to register to vote or to check that they are already properly registered. It should also explain when, how, and where to vote on election day. It is essential that this information be provided in a timely manner, allowing voters sufficient opportunity to make use of the information. Domestic voter and civic education efforts may also focus on the choices available to the voter and the significance of these choices within the respective political system.

Information should be freely available to all voters. While political parties and civic organisations may contribute to voter and civic education efforts, it is ultimately the responsibility of the government and the election authorities to ensure that voters receive objective, impartial, and timely information. Publicly funded or state media also have a special responsibility to ensure that voters receive sufficient, balanced information on the candidates and issues in order to enable them to make a well-informed choice.

Special voter education efforts may reasonably be directed at segments of the population with a traditionally low voter turnout; in some countries, these might include minority groups, women, or youth. It is good practice to provide voter education in major minority languages, as well as in the country's predominant language.

***Possible problems to be aware of:***

- Information about the election process may be received too late;
- Information issued by central or local authorities could be biased, e.g., showing a ballot paper filled in favour of a certain contestant;
- Certain groups may not receive or understand information;
- Changes in election procedures may not be adequately publicised;
- Citizens reaching voting age for the first time may not be aware of procedures;
- Citizens outside of the country, refugees, or displaced persons may not understand the required procedures.

**7.3 The election campaign****a. The political campaign**

*Freedom to campaign:* International commitments require that law and public policy work to permit political campaigning to be conducted in a fair and free atmosphere in which neither administrative action, violence, nor intimidation bars parties and candidates from freely presenting their views and qualifications. Fundamental freedoms such as the rights to freedom of expression, assembly, and association must be respected at all times. There should be no arbitrary or unreasonable restrictions on campaign activities,

meetings, or rallies. If permits are required for public rallies or demonstrations, these should be freely and equally available to all contestants. The government is responsible for ensuring respect for these rights.

It is particularly important that campaigning should be free from violence or intimidation. There should be no disruptions of campaign meetings. Citizens should not fear retribution, such as loss of employment, for their campaign activities. All persons should be free from coercion by the authorities; special attention in this regard may be focused on such groups as students, soldiers, or local leaders. There should be no harassment of political activists, e.g., administrative detentions or sudden tax audits.

While the authorities are responsible for providing a safe and secure environment for campaign activities, security concerns should not be misused as a reason to abridge fundamental freedoms. Throughout the campaign and voting processes, security forces have a duty to refrain from intimidation and to prevent intimidation by others. Intimidation by members of the security forces can have a particularly insidious effect on voters and candidates. While intimidation may be difficult to quantify, or in some cases to prove, trends of widespread intimidation, particularly by security forces, become readily apparent.

There must be timely and effective judicial remedies available in case candidate or party rights are violated during a campaign, or in case unreasonable restrictions are imposed on campaigning. However, if hate speech or speech that advocates violence is introduced into the campaign, such rhetoric should be censured and the perpetrators held accountable.

*The political context:* While the primary focus of observers is on the election process, this necessitates a basic knowledge of the political context and issues surrounding a particular election. Observers should therefore meet with candidates and parties, observe rallies, and review campaign material in order to gain an understanding of the political processes and issues dominating the campaign. Observers should assess the extent to which the population – including minority groups and women – are active in the political process and seek to understand any reasons for a lack of active involvement. In addition to political parties and candidates, other good sources of information on the campaign can be non-governmental organisations, domestic observer groups, academic specialists, and media representatives.

***Possible problems to be aware of:***

- Forms of campaign violence;
- Detentions of candidates or activists;
- Disruption of, or placing restrictions on, campaign meetings or rallies, including refusals to grant permits;
- Reports of intimidation or harassment;
- Exclusion of women or minority groups from the political process;
- Systematic efforts to remove or deface campaign posters; and
- Placing of unattributed campaign material.

## **b. Campaign resources**

*Campaign financing:* Campaign financing should be transparent, and there should be clear legislation or rules governing campaign financing. These should apply equally to all candidates and parties. It is a good practice to require both pre- and post-election disclosure of campaign spending, where funds were raised and how they were spent. Where the government may provide funds for campaigning, this should be done on a fair and equitable basis.

Any limits on fundraising and campaign spending should not be so stringent that candidates are unable to pay for basic campaign costs such as salaries, transportation, office expenses, purchase of space in the media and printing and distribution of campaign materials. Reasonable restrictions may include, for example, prohibitions on funding of campaign expenses from foreign sources, public corporations, or anonymous sources.

*Use of public resources:* It is the responsibility of the government to ensure that public and administrative resources, both material and human, are not abused in support of any particular candidates or parties. For example, government office space, vehicles, and telecommunications equipment should not be used for partisan purposes unless equal access is provided to all contestants. If public buildings or other public facilities are available for campaign offices or campaign meetings, they should be available to all parties on the same basis.

The law should make clear the extent to which civil servants or other public employees may be involved in a campaign. At a minimum, public employees should strictly separate their roles as public servants from any campaign activities they may be involved in. Public employees should not be required to attend campaign events or be coerced to vote for a particular party or candidate.

*Time as a resource:* Time is also an important resource for a meaningful election campaign. All contestants should have an equal period of time in which to campaign. The duration of the campaign must be long enough to enable the contestants to effectively organise and convey their policies to the electorate.

### ***Possible problems to be aware of:***

- Unclear or ambiguous rules on campaign financing;
- Public campaign funds that are not received in a timely manner;
- Fundraising or spending limits that are too low to allow for effective campaigning;
- Lack of transparency in campaign funding or spending;
- Unequal use of public resources by incumbents;
- Campaigning by civil servants or military leaders;
- A campaign too short to enable parties to organise and to convey their message;
- Lack of a clear commencement date for the campaign and/or staggered registration of candidates, resulting in unequal periods of time available to campaign.

## 7.4 *The media*

*Media freedom:* Free and independent media are a vital element in a genuine and democratic election process. The authorities should ensure that the media have the right to gather and report information freely, without intimidation or obstruction, and that there is no censorship of either the media or candidates. International commitments call for unimpeded access to the media on a non-discriminatory basis for all political groupings and individuals wishing to participate in the electoral process.

The media, taken as a whole, have a responsibility to provide sufficient and balanced information to enable voters to make a well-informed choice. If paid political advertising is permitted in the public or private media, then the costs and conditions should be reasonable and should be equally applied to all candidates.

*Public media:* State-owned media, or public media, have a special responsibility to provide balanced and neutral information on the election and the contestants. All contesting points of view should be fairly and equitably communicated. It is a good practice for the public media, at least, to provide free airtime or print space to the candidates or parties. While the incumbents may get media coverage concerning their official duties, this should not be misused as a means to give them an unfair advantage, and campaign events should not be confused with issues of state.

*Private media:* Depending on national regulations and laws, private media do not necessarily have the same responsibility as public media for neutrality and balance. For example, a political party newspaper may be expected to serve as a platform for a particular party, and it is not unreasonable for a private newspaper to endorse a candidate in its editorial policy. However, an EOM monitors both private and public media to assess their impact on the campaign and whether, through all sources, the electorate receives sufficient, balanced information to make an informed decision.

*Media monitoring:* An EOM employs a specific methodology for assessing the quantitative and qualitative media coverage of election campaigns. The media analyst leads a team that monitors the major television stations and newspapers and assesses both the amount of time and space devoted to each contestant and whether this coverage is positive, negative, or neutral. This analysis forms the principal basis for assessing the role of the media in the election. An EOM also assesses whether the media laws permit freedom of the media during the campaign, how well this freedom is upheld, how and whether any media regulatory bodies are fulfilling their responsibilities, and whether complaints are handled in a fair and efficient manner and any consequent sanctions implemented.

***Possible problems to be aware of:***

- Defamation of candidates or distortion of candidate messages by the media;
- Unequal treatment of parties or candidates by public media;
- Closure of electronic or print media outlets;
- Intimidation or harassment of media;
- Detention or harassment of journalists;
- Large libel judgements against media outlets;
- Manipulation of paper and ink supplies;
- Interference with distribution networks for print media;
- Unreasonably high charges for paid advertising;
- Free airtime broadcast at times of low viewer ratings;
- Ineffective media regulatory bodies that do not take appropriate remedial action.

## **8. Electronic voting**

Information Technology (IT) is being used in support of all electoral processes. Not least modern voter registers are electronically based. The voting process is still paper based in most countries even though voting machines have a long history in some countries. The main challenge of electronic voting as opposed to other IT supported processes is that the need for secrecy of the vote limits the transparency of the same. With paper based voting only the choice of (in multiple ballot systems) or marking of (in single ballot systems) the ballot is done in secrecy whereas the ballot itself is kept as evidence of the vote and the personal casting of a single ballot can be observed. With electronic voting the ballot is represented electronically and one may not directly observe the safeguarding of the ballots until they are counted unless a paper trail of the ballot is kept as well. For other IT applications such as voter registers or results tabulation, prints of the databases may at any time and for every step be produced to verify the data.

This section will only cover observation of electronic voting, but part of it would be valid even for other IT supported processes.

### ***8.1 Forms of electronic voting***

Electronic voting may be used in a controlled environment which would mean in a polling station or a place controlled by officials for advance voting, or it could be used in an uncontrolled environment such as voting via the Internet or by SMS from mobile telephones. Internet voting has been introduced in a few countries as an official means of voting in political elections.

The purpose of introducing electronic voting is mainly to provide faster and more reliable results and to save costs. Voting via the Internet is introduced in order to make it simpler for voters to exercise their right to vote and thus increase participation.

The challenges are mainly connected to limited transparency, the security of the system and the secrecy of the vote. Secrecy is a particular challenge for voting in an uncontrolled environment.

## **8.2 *Electronic voting – does it work?***

One key question for all systems is whether they provide an accurate result. Could it happen that the software has been tampered with in such a way that certain parties are given extra votes?

It may be fruitful to differentiate between manipulation from outside and manipulation from inside. Manipulation from outside would involve hacking, changing the system to give incorrect results without having direct control of the machines. Voting machines used in polling stations may have effective protection against such threats to an extent that at least will surpass paper based voting. Internet voting represents a bigger challenge and some countries have concluded that the technology is not safe enough yet, even though there is reason to believe that even the Internet will eventually reach a sufficient level of protection to cover this aspect of the voting.

However, manipulation from inside is much more difficult, some would say impossible, to protect against. Any thorough testing and validation of code will be performed on prototypes, whereas it is very difficult to validate that the software tested is identical to that which is used in the machines. It is therefore of utmost importance that the introduction of electronic voting comes with a high degree of confidence in the Election Management Body (EMB). If the EMB is not trusted, it is impossible to establish confidence in electronic voting by validating the IT system by use of independent experts. Paper based voting may gain confidence even with an EMB not fully trusted by all parties since every step from the start of the vote to the signing of the protocols can be observed. With electronic voting this is only the case if voting machines produce a paper trail.

Even if observer missions may have IT expertise available a full validation of the system is not possible. Partly this is due to the complexity of any IT system and all the possibilities for mistakes that may occur and partly since the validation may be carried out on a prototype without a secure way of controlling the replication and distribution of the software. In particular, if the introduction of electronic voting is controversial due to lack of confidence in the EMB, observers should be careful not to be seen to try to validate the system since their conclusions may be used to create unfounded confidence in the system.

Another approach for observers may be to assess the acquisition process for the system. If there is an external vendor, has this vendor been chosen after a process where the EMB has defined clear criteria for quality and security? Has there been a clear requirements specification and are choices made in a transparent manner?

If the system is developed in-house, experts on IT development processes may be able to audit the organisation and assess the full process, rather than the end product. In addition the overall design may be assessed against relevant criteria, without actually validating the details of the system.

IT development organisations may be certified against internationally accepted standards for quality assurance (such as ISO 9001:2000, with particular guidelines for software development) and security (ISO 27001:2005). Observers may look for such certificates, which must not be confused with product certificates; they cover the organisation, not the product.

***Possible issues to be aware of:***

- The overall design including protection against outside manipulation, safe shutdown and restarts in case of failures, continuous operations (redundancies), checks and reconciliation whenever possible etc.;
- Possibilities for return to paper based voting if the system fails;
- User friendliness;
- The process of selecting supplier based upon predefined and sound criteria; the processes of development if in-house developed;
- Possible certification by reputed independent certification bodies against standards for quality assurance and security;
- Possible independent product certification if such exist covering voting systems in the country, in which case the quality and independence of such certification need to be assessed as well;
- Validation and acceptance tests performed by the EMB;
- If a national arrangement for product certification of electronic voting systems exists, has it been properly applied by an independent body?

***8.3 Electronic voting in a controlled environment***

Voting machines may be based on standardised PC technology or they may be special purpose machines made for voting only. The challenges are that the machines may have to work under difficult circumstances and sustain heat, cold, rough treatment and power shortages. The systems should not be accessible other than through the voters' and the polling officials' user interfaces, and they should provide a reliable result.

One way of enhancing the transparency of the vote by voting machines is for the machine to print a confirmation of the vote which the voter will review before it is dropped into a box. These paper trails may then be used to check the results if a technical error occurs or if doubt is raised by any stakeholder. Printing paper trails adds to the complexity of the machines and makes them more vulnerable to faults. The possibility for paper trails needs therefore to be balanced against the simplicity and robustness of the equipment.

Furthermore, it is crucial that reconciliation against the number of voters voting according to the marks in the voter registers and other checks are made as transparent as possible.

For voting machines the following comes in addition to the points already listed.

***Possible issues to be aware of:***

- The possibility to check the results against paper trails;
- Immediate print of results in the polling stations after the vote;
- Any fall back possibilities should the system fail;
- Extra power supply should the main source fail;
- Protection against outside manipulation, for example by precluding any possibilities for networking or external outlets which are not specially made for the voting purpose (USB, discs, CDs, network cards, etc);
- Further protection against exchanging any cards, firmware, etc. without breaking seals or in any other way leaving a trace.

***8.4 Electronic voting in an uncontrolled environment***

A common feature of voting in an uncontrolled environment, whether by post, SMS or Internet, is that there is no guarantee that the voter cast his or her vote alone and without any influence or intimidation by others. Voting via the Internet has some advantages over postal voting in that the identification of the voter may be more reliable and it opens for a number of re-votes so that a vote cast under undue influence may be overridden by later votes. There is, however, no guarantee of a secret voting act, and proxy voting, even without consent of the real voter, is also difficult to avoid with the technology widely used today. This is the reason that most countries still only allow voting in uncontrolled environments for special groups which would otherwise be disenfranchised (e.g. being abroad, bedridden, etc.).

Voting in an uncontrolled environment also presents the challenge of protecting the secrecy of the vote after it is cast. The system needs to have a link to the person's identity to make sure that the person is a genuine voter who is voting only once. If the regret possibility is implemented for electronic voting, a link between the ballot and the voter must be maintained up to the deadline for such voting.

Technically the protection of the secrecy of a ballot after it has been cast may be implemented by a system of double electronic envelopes similar to the double envelopes used in postal voting, where one envelope carries the name of the voter and one neutral secrecy envelope contains the ballot. The latter is opened only after having been separated from the outer envelope.

The technical challenges are much greater for electronic voting in an uncontrolled environment because it is a totally distributed system, it is implemented on public networks and there is a link to the voter registries.

***Possible problem areas to be aware of:***

- Absence of a general consensus on introducing a system which cannot guarantee secrecy during the vote cast;
- The manner in which the authorities have assessed the remote voting against international obligations to implement a system of secret voting;
- The possibility for regretting the vote and casting a new vote to avoid intimidation and corruption;
- The provision of real alternatives for voting in a controlled environment both on election day as well as during the period when voting in an uncontrolled environment is available (provided such voting is available to all voters);
- The overall design and technology to secure the integrity of the vote, using all possible measures to protect against unauthorised access or manipulation from outside;
- The means of identification of the voter by double keys, biometrics, etc.

## 9. Observing election day

Responsibilities for observing election-day activities are shared among the core team, LTOs, and STOs. Among these, however, STOs are the mission's primary resource for observing and assessing election-day procedures at polling stations and at intermediate levels of the election administration. STOs are deployed around the country on election day, in international teams of two, to observe polling stations and counting centres.

Election-day observation can be a very individual experience, depending on the area of deployment and the set of circumstances confronted by each observer team in the polling stations they visit. Some observers may encounter significant problems, others may find no problems, and still others may see a mixed picture. The election observation methodology outlined in this handbook provides for a contribution by each observer team, and is designed to achieve an overall picture of election-day proceedings. Observers fill in forms at each polling station and counting centre visited, which provides detailed information on the voting and counting process, and which in turn provides the election observation mission with an overall profile of polling station activity throughout the country, upon which it can draw conclusions based on a collective experience.

The methodology for election-day observation is therefore both qualitative and quantitative. Completing the forms in polling stations provides a basis for a countrywide statistical analysis of the implementation of key election-day procedures. While there is a standard form designed as a checklist for procedures in polling stations and counting centres, forms may vary somewhat depending on country-specific procedures. The forms ensure that all important aspects of the election-day process are properly focused on and reported and that key tendencies are identified correctly. The EOM statistical analyst prepares a quantitative analysis of the results of observation.

In addition to filling out forms, STOs are asked to provide comments on noteworthy observations or impressions, both on their forms and in oral debriefings. They may some-

times be asked to prepare separate written reports on particular incidents or observations. Careful commentary from STOs can be particularly important in establishing whether specific election-day violations took place and in discerning trends within the country or in particular regions. It is extremely important for STOs to specify in their forms and reports whether they themselves witnessed any reported irregularities or whether these were reported to them by others, such as proxies, polling station officials, or domestic observers.

Observers should exhibit the highest levels of personal discretion and professional behaviour at all times during the conduct of their observation duties. They should remember that they have been invited to observe the national election proceedings of the respective host country and that, in this process, they are representing neither themselves individually nor their country of origin but an intergovernmental organisation. As such, their conduct will reflect upon the organisation sending the EOM. Observers should wear their identification and present their accreditation upon request.

While observers should refrain from giving advice or instructions to election officials, they may draw problems or irregularities to their attention and observe if and how these officials address any problem themselves. Observers should record all violations and irregularities. The observer forms and debriefings will eventually disclose the extent and seriousness of such problems.

### ***9.1 Deployment***

The core team and LTOs prepare an STO deployment plan intended to ensure that teams of observers cover a balanced sample of the country on election day and that observer teams do not duplicate each other's work. In order for election observation to be effective, an element of unexpected visits to polling stations and counting centres is necessary; thus, deployment plans should not be made public prior to deployment.

The deployment plan should cover both urban and rural areas and take into account a country's social diversity. The deployment plan should also ensure that some observers are designated to visit regional election commissions. In instances where voting is conducted in military barracks, prisons or hospitals, or by mobile ballot box, the deployment plan should also take into account these types of special voting procedures.

Observers should be deployed in teams of two. Diversity of experience within an observer team, which includes citizens of different participating states, helps to ensure a broader and more balanced view of operations at each polling station. Each team should fill out only one form per polling station; this requires the STOs on each team to reach an agreement on their findings. This requirement provides an extra check on the accuracy of the particular observer team's findings.

Normally, STOs are deployed to their area of responsibility at least one full day before election day. This is done to ensure that STOs have time to familiarise themselves with their areas of observation and to receive local briefings before election day.

Depending on geographic conditions and circumstances encountered at polling stations, a team of observers may visit approximately ten polling stations during the day. Each

team of STOs is assigned a specific list of polling stations, and the observers themselves determine the order in which they will visit the polling stations. However, they may not have time to visit all of these in the course of the day. They should stay for at least half an hour at each station they visit. They may choose to return to the same station more than once, particularly if they believe there are problems that merit close attention. In such cases, the team should fill in a separate form for each visit. Observers should keep in mind that election observation is not a race to visit the greatest number of polling stations, and sometimes it can be more beneficial to visit fewer polling stations for a longer period of time.

It is important for STOs to abide by the deployment plan and any instructions on when and how to submit their forms and to attend debriefings. Failure to visit the assigned polling stations or visiting polling stations not on their list may result in duplication with other observers and in disrupting the balance built into the countrywide deployment plan. Failure to report according to the instructed timetable may result in forms being received too late to be taken into account when the EOM preliminary statement is prepared.

## ***9.2 Polling station activities***

The basic aim of observing elections at the polling station level is to assess whether voting and counting is implemented in a correct and orderly manner and in accordance with electoral regulations, international commitments, and other universal principles. Observers should be aware that some mistakes made by election officials may be due to inexperience or lack of training rather than due to any deliberate intention to compromise the integrity of the process. On the other hand, wilful and systematic irregularities do have the potential to distort the process, and the sum total of STO reports will readily reveal such systematic irregularities.

In the event of irregularities, observers should bring them to the attention of election officials, but they should not give their advice or instructions or attempt to countermand decisions of election officials. They should, however, observe how and whether election officials address any reported irregularities and include this information in their reporting. In the event of serious irregularities, such as ballot box stuffing or tampering with results protocols at any level of election administration, observers should bring them promptly to the attention of the LTOs responsible for the respective area of deployment.

In the event of violence or serious threats of violence, STOs should leave the area immediately. They should not risk putting themselves, their interpreter, or their driver in danger. Such incidents should also be reported immediately to their LTOs.

Customarily, observers should arrive at their first polling station in time to observe opening procedures. Important points to observe at the opening are whether polling stations open on schedule, whether the polling station commission is familiar with procedures, and whether voting in the respective polling station commences efficiently and according to regulations. It is important to note whether ballot boxes are empty at the start of the process; whether they are properly sealed; and whether the polling station has received, and can account for, blank ballots and all other necessary materials. STOs are provided with a special form to complete to note their impressions and comments on polling station opening procedures.

**a. Observations outside and upon entering polling stations**

STOs should observe the general conditions outside and around the polling station. A number of issues are relevant:

- Is there any sign of campaign materials or campaign activity in, on, or around the polling station?
- Are there crowds around the polling station? If voters are waiting outside for their turn to vote, are they doing so in an orderly manner? If the crowds are not voters, is there any indication of who they are?
- Is there any evidence of intimidation or disturbance?
- Are voters being offered any inducements to vote in a particular manner?
- Are security personnel present, and, if so, are they behaving in an appropriate manner?
- Is access to the polling station difficult? Could a disabled person enter the station unassisted?

Observers should be aware of any unusual tension that appears to exist when they enter the polling station, either because of their presence or for other reasons. It may be those first few minutes that are crucial for an immediate and realistic impression of the situation in a polling station. However, more time may be required to assess the situation in detail, and observers should spend as long as necessary to form an accurate impression.

**b. Questions for polling station officials**

Once inside a polling station, STOs should first introduce themselves as accredited observers to the chief polling station official and then briefly explain the nature of their visit. If the official objects to their presence or their activities, they should calmly explain that they have been invited by the government and that they are officially accredited to observe. However, they should not argue with the official in charge and should abide by his or her instructions. If the instructions make it impossible for the STOs to fulfil their responsibilities, the circumstances should be noted in detail in the comments section of the form and reported as soon as possible to the responsible LTO.

Whenever possible, observers should speak with a number of different polling station officials, particularly when they represent different political parties. There are a number of questions STOs may usefully pose to polling station officials. Many of these will appear on the observer forms. Other questions may not appear on the forms but will enable STOs to gain a clearer impression and understanding of election procedures. Possible questions for polling station officials include:

- How were polling station officials selected? Do they represent political parties? What is their usual employment?
- Are all appointed members present? Have any members been prevented from serving on the polling station commission?

- How are the duties of the polling station commission divided to provide for efficient and secure distribution of ballots and processing of voters?
- Did polling station officials receive formal training?
- When were the ballots and other voting materials received, and how were they secured prior to election day?
- How many ballots were initially received by the polling station in question?
- Are there sufficient ballots and other polling materials?
- What is the total number of voters on the voter list at the polling station, and how many voters have actually voted? (This should give the observers some idea of the turnout trends.)
- Is there a supplementary voter list for sick and elderly voters voting at home by mobile ballot box and, if so, is there an unusually high number of names on the supplementary voter list?
- Have any voters been turned away because their name did not appear on the list for this polling station? If some voters did not have the appropriate identification, how was this problem addressed?
- Did any disturbances, irregularities, or complaints occur, and how were they addressed?

Observers should also try to assess whether polling station officials appear to be well trained and familiar with voting procedures. They should assess whether officials appear to be free to talk about their duties. Most importantly, observers should be alert to whether officials appear to be performing their duties impartially.

### **c. Observation of polling station procedures**

Beyond their conversations with polling station officials, STOs should carefully observe all procedures at the polling station. They should be guided by the form provided to them, which will include the questions most relevant to a particular election. However, STOs should use their judgement to assess whether any other issues or procedures not mentioned on their forms are a cause for concern, and they should note these on the comments section of their forms. Issues and procedures to observe include:

- Are there indications of disorganisation, such as unusually long lines of people or excessive delays?
- Is there any sign of partisan campaign materials or campaign activity in the polling station?
- Is there any attempt to solicit people to vote in a particular manner, or is any pressure being applied to voters? Is there any sign of intimidation?
- Are there police, security forces, or government officials in polling stations?

- Are there other persons in the polling station with no apparent official function?
- Is anyone other than a polling station official administering the polling process or giving directions to polling station officials?
- How are voters identified, and do they produce the correct documents?
- How are voters processed, e.g., by crossing names off the voter list, by signing the list, or by stamping identity cards? Is indelible ink used?
- If voters sign the voter list, are there any apparently identical signatures?
- Are voters being turned away because they are not on the voter list?
- Does the voter list appear to be accurate?
- Do ballot papers bear an official stamp specific to the polling station and/or the signature of a polling station official(s)?
- Are voters given more ballot papers than they are entitled to, or are there any other indications of multiple voting?
- Is there any evidence of ballot stuffing?
- Do voters appear to understand the process, or do large numbers of voters require assistance? Are the ballots simple and easy to use?
- Could the layout of a polling station potentially breach the secrecy of a person's vote?
- Are voters being allowed to enter the voting booth together?
- Are any voters voting outside the booth?
- Are the facilities suitable for disabled persons to use independently?
- Are voters who need assistance provided with appropriate help?
- Are ballot boxes located in full view of election officials and observers?
- Are the boxes properly sealed?
- Are all required voting procedures being properly and efficiently followed?

**d. Other contacts at polling stations**

In addition to discussions with polling station officials and independent observations, STOs should try to speak with domestic observers. This may include party-affiliated observers, candidate representatives, and nonpartisan civic observers. Domestic observers, both partisan and nonpartisan, should be permitted in polling stations.

STOs should note whether domestic observers are present at polling stations and whether they have been restricted or hindered in any way from carrying out their observation duties. STOs should speak to a cross-section of people from each respective category of domestic observers wherever possible. Their comments may offer additional information with regard to the voting environment at the polling station and the performance of election officials.

While international observers can greatly benefit from the insight of domestic observer networks, it is important to note that international election observation missions remain entirely separate from any domestic observation effort. STOs should make clear in their conversations that they have no authority to remedy violations or irregularities, only to report the complaints to their headquarters. STOs should inform those who have witnessed violations or irregularities that it is their right to pursue complaints through official domestic procedures.

STOs should also attempt to engage some voters in discussion in order to assess their understanding of, and confidence in, the process. For example, when voting procedures may appear to STOs to compromise the secrecy of the ballot, do the voters believe that their votes are secret? Were voters well informed about their choices and familiar with the voting procedures? If there were multiple ballots or new election procedures, did the voters find these confusing? If a voter was turned away from a polling station, was it done for a valid reason? However, STOs should never ask voters for whom they voted, and they should not question voters within the polling station or as people are approaching the polling station to vote, as this may be misconstrued.

In all their conversations, observers should remember that some people may try to manipulate information shared with STOs for their own purposes and interests. STOs should therefore use their judgement in making a balanced assessment. When reporting, therefore, STOs should always distinguish between information based on their own observations and information reported to them by others. If STOs report information provided by others, they should attempt to explain the extent to which they consider the information to be accurate.

#### **e. Special voting procedures**

In many countries, there are provisions for special voting procedures that are intended to facilitate voting or to make voting available to citizens who, for whatever reason, may not be able to visit the polls. Special voting procedures may include the use of mobile ballot boxes intended for the sick and elderly, voting in hospitals and prisons, early voting, voting by post, voting in embassies, and special provisions for military voting.

Special voting has the advantage of extending the franchise to voters who might not otherwise be able to vote. However, special voting procedures may also be much more difficult to regulate securely without appropriate safeguards and are therefore open to potential abuse. Ensuring the secrecy of the ballot can also be more problematic. Therefore, an assessment of the advantages of special voting provisions must be weighed against the ability to regulate them properly, securely, and transparently, as well as the degree of confidence in the overall election process.

STOs may be instructed to observe some forms of special voting as part of their duties. If

so, they should try to assess the extent to which such voting is sufficiently regulated, secure, and transparent. If supplementary voter lists are used for sick and elderly voters voting at home, for example, is there an unusually high number of names on these lists? Has sufficient campaign material been provided to soldiers, prisoners, hospital patients, or other voters using special voting procedures in order for them to make an informed choice?

*Military voting:* While there are distinct advantages with regard to confidence and transparency for the military to be able to vote with the civilian population, military personnel may be required, in some countries, to vote in their barracks or on their bases. In such circumstances, the military voting process should be observed by some STOs, as soldiers can be especially vulnerable to intimidation. For example, troops may be ordered to vote in front of their officers, and, in some cases, officers may even instruct their troops on how to vote.

*Hospitals and prisons:* When special polling facilities are established in hospitals or prisons and other places of detention, some observers should be assigned to visit these special polling stations. In a number of countries, convicts are disqualified from voting, but detained individuals who have not been convicted retain the right to vote. Hospital patients and prisoners also constitute a segment of the electorate that may be particularly vulnerable to intimidation.

*Mobile ballot boxes:* Many countries provide mobile boxes at the request of voters who may be elderly, ill, or otherwise unable to visit a polling station. Usually, the mobile boxes are taken on their rounds by at least two polling officials, ideally representing different political interests where applicable. Applying all polling station controls to mobile ballot boxes is not possible. Voters using mobile ballot boxes may also not have all the privacy afforded by a polling booth. Some STOs should seek to follow mobile ballot boxes on their rounds and to assess the process.

*Early voting and postal voting:* In general, STOs will not always be able to monitor early voting or postal voting, where these are permitted. It is useful, however, for observers to ascertain how early and postal ballots have been secured prior to election day, to attend the opening and counting of these ballots, and to form a general impression of the process. In the case of early voting, it is also important for observers to ascertain how the daily records of voter turnout are accounted for in the polling station results protocol.

*Voting abroad:* A number of countries permit their citizens to cast ballots in embassies or specially designated voting centres outside of the country. In general, only a very small portion of the population votes in this manner. Only under exceptional circumstances, e.g., in the case of large numbers of displaced persons, are special arrangements made for STOs to observe such voting.

### **9.3 *Contacts with the media***

Media representatives often approach observers on election day for a comment on the election process. The Observer Code of Conduct prohibits observers from making personal comments about their observations to the media. Observers are strictly forbidden from speaking to the media regarding the substance of their observations and findings. In the event that any observers were to discuss the substance of their findings with the

media, their respective sending states would be notified, and their observer accreditations could be immediately withdrawn.

If, however, an observer is the subject of an unsolicited media enquiry, he or she may give some general background information about his or her role as an observer but may not discuss any substantive issues or individual findings. Observers should also refrain from comparing the election publicly to any other elections they may have observed in the same country or elsewhere. General comments to the media may include:

- That it would be inappropriate to comment on their impressions or findings because they are witnessing only a very small part of the overall national voting picture; their reports will be factored in with a great many others, so that the EOM can draw overall conclusions based on a large number of observer reports;
- The total number of STOs who are observing and the number of different countries they come from (this information is supplied at the STO briefing);
- How many polling stations they expect to visit;
- That a press conference will be held in the capital after the election to announce the EOM's preliminary conclusions and that all media representatives are welcome to attend.

If a media representative persists in requesting information or comments beyond the types of points listed above, they should be referred to the head of mission. Normally, only the head of mission or responsible EOM officials may make substantive comments to the media. If an observer does give any general comments to the media, he or she should make a record of who conducted the interview and what media outlet or outlets they represented.

***Possible problems to be aware of:***

- Violence or disturbances;
- Intimidation of voters;
- Confusion or disorganisation at polling stations;
- Presence of unauthorised persons at polling stations;
- Presence of uniformed police or local government officials inside the voting area of polling stations or close to it;
- Other inappropriate activities by police and/or security forces, such as taking notes and reporting turnout figures or results by telephone;
- Campaigning during an electoral silence period;
- Campaign material in polling stations;
- Delayed opening of polling stations;
- Failure by polling officials to follow required procedures;
- Restricting the right of eligible voters to cast a ballot;
- Failure to check voters' identity;
- Failure to ensure the secrecy of the vote by inappropriate booths, screens, or supply of light;
- Inaccuracies in the voter lists;
- Group voting;
- Proxy voting (unless specified by law);
- Multiple voting;
- Ballot box stuffing;
- Unscreened voting booths;
- Unsealed ballot box;
- Presence of pre-marked ballots;
- Unregulated use of mobile ballot boxes;
- Absence of necessary voting materials;
- Excessive delays in administering the voting;
- Inappropriate activity by political party or candidate representatives; and
- Interference with the work of election commissions or observers.

**10. Observing the vote count**

The vote count is obviously an extremely important stage in the election process, and it should be closely followed and thoroughly observed. As the voting draws to a close and the vote count commences, all STOs are required to observe the counting process. The vote count normally takes place at polling station level, and STOs should select one of their assigned polling stations at which to observe the closing procedures and then remain there for the vote count. In most countries, the vote count takes place in individual polling stations. When ballots are not counted in the polling station but are instead transported to a central counting location, this produces extra problems of visibility and verification. An observer team should accompany any transportation of ballot boxes to the counting centre and assess the procedures for ballot security and prevention of fraud during the period when ballots are being moved. In some instances, STOs may be asked to attend the count at a particular

polling station. STOs are provided with special forms to complete that contain a number of specific questions about polling station closing procedures and counting procedures.

Observing the count provides an opportunity to assess whether ballots are counted accurately, reflecting the choices expressed by the voters. Experience demonstrates that electoral fraud is more likely to take place during the vote count or the tabulation of results than during the actual balloting. STOs should therefore be particularly vigilant during the vote count and tabulation of results.

In general, there is a detailed standard procedure for closing a polling station and counting the ballots. The counting process usually begins with the sealing of the ballot box slot once voting has ended; it should remain sealed while polling officials complete forms accounting for all ballot papers and other polling materials and verify that the number of ballots distributed to voters matches the number of voters recorded as having voted. This material should be sealed separately. Often, unused ballot papers are invalidated before the opening of the ballot box. The ballot box is then opened and the ballots counted according to the designated procedure.

Should there be a mobile ballot box in the same polling station, however, the counting of the votes should start only after determining separately the number of ballots in the mobile box and the number in the stationary box. After this calculation has been made, the mobile box ballots should be mixed with the rest of the ballots that were cast, and only then should the vote count commence. These precautionary steps are needed in order to prevent a violation of the secrecy of the votes in the mobile box.

The results of voting should be made publicly available at the polling station level. It is good practice for the results to be posted outside of each polling station. The transparency and integrity of the process is enhanced when all party and candidate representatives sign and are given official copies of the result sheets, or protocol, for the polling station. Nonpartisan domestic observers and international observers should also be able to receive a copy of the results in polling stations. If provided, the official protocol or copy of the results should be forwarded promptly to the core team, together with the completed observer form for the count. If it is not possible to obtain an official protocol of polling station results, STOs should nevertheless carefully note the full results of the polling station at which they observed the count.

### ***10.1 Issues for the vote count***

STOs should observe how the following procedures are implemented. Questions concerning these issues are likely to appear on the forms STOs are required to complete.

- Is the count performed by polling station officials, or are other persons involved?
- Do election officials appear to understand and adhere to the required procedures?
- Are ballots counted in an orderly and secure manner?
- Is the count conducted in a transparent environment, with adequate arrangements for domestic observers?

- Does the number of registered voters recorded as having voted correspond with the number of ballots cast?
- Are unused ballots secured, cancelled, or destroyed after being counted?
- Are invalid ballots properly identified in a uniform manner? Are invalid ballots appropriately segregated and preserved for review?
- Do the ballots contain any unusual markings intended to violate the principle of the secrecy of the vote?
- Does the number of invalid ballots seem inordinately high?
- Does the counting adhere to the principle that the ballot is accepted if the will of the voter is clear?
- Are ballots for each party or candidate separated correctly and counted individually?
- Are any disputes or complaints resolved in a satisfactory manner?
- Are official counting records correctly completed at the end of the count and signed by all authorised persons?
- Are domestic observers and poll watchers from political parties able to obtain official copies of the protocol for the polling station?
- Are the results publicly posted at the polling station?
- Are there inappropriate activities by police and/or security forces, such as taking notes and reporting figures or results by telephone?

### ***10.2 Tabulation***

Ultimately, it is necessary to assess whether the results were tabulated accurately. After the ballots are counted, the results of the polling station count are usually transmitted to a regional election commission, where the regional results are tabulated and transmitted to the national level. The tabulation process is another important step in the election process that should be observed. STOs are often asked to accompany the official results and other polling material as they are transported from the polling station to the tabulation centre and then to observe that the results from their polling station are properly included in the tabulation. STOs should assess whether the transport of ballots and other voting material is direct, secure, and transparent (i.e., are STOs and others allowed to accompany the results during transport?).

In other cases, special teams of STOs may be assigned to observe procedures at tabulation centres. The goal is for observers to monitor each level of the tabulation process and to be able to follow the results of individual polling stations up to the national level as a spot check that the tabulation process has been properly administered. The EOM may organise its work in shifts or deploy special teams to ensure that this goal is met. If STOs are

assigned to special teams to observe the tabulation of results, they will be given specific instructions on how to conduct the observation.

In some cases, electoral authorities may use computer networks to transmit preliminary results. In order to ensure transparency of the tabulation exercise, observers should become familiar with the technical procedures to be followed. If the election observation mission has the requisite expertise available, it should request access to the software so that its correctness may be verified. In addition, in such cases, observers should monitor the process and, if possible, receive copies of a printout signed and stamped by the relevant authority as the information is sent.

The tabulation of results should be verifiable and transparent at all levels of the election administration. In the interest of transparency and promoting confidence in the electoral process, results for each level of the tabulation should be made publicly available immediately, at each stage of the tabulation process. The results from particular polling stations constitute a sample of verified results that can be checked against results at the district or regional level and later checked one by one against the overall published results. This task is normally carried out by the core team.

***Possible problems to be aware of:***

- Ballot box stuffing;
- Ballot box switching;
- Adding marked ballots after the opening of the box;
- Disorderly counting procedures;
- Involvement of unauthorised persons, such as local government officials, uniformed or plain-clothes security personnel or other unidentified individuals, in the count;
- Inadequate number of counting staff and supervisors;
- Exclusion of polling station officials or observers;
- Arbitrary or inconsistent invalidation of ballots cast;
- Loss of ballot papers or ballot boxes;
- Dishonest counting or reporting of the ballots;
- Insecure storage of unused ballots;
- Failure to post official results at the polling station;
- Refusal to supply official copies of results to candidate representatives or observers;
- Insecure transport of polling materials to tabulation centres;
- Falsifying or switching result protocols; and
- Lack of transparency or irregular procedures at tabulation centres.

## 11. Reporting, debriefing and statements

### *11.1 STO reporting*

STOs report throughout election day and election night by completing forms at each polling station. The forms should be returned at designated drop-off points during election day or faxed back to the EOM headquarters, depending on the specific instructions provided by the core team. It is important for STOs to adhere to their assigned schedule in order to ensure that their reports can be processed in time for their assessments to be included in the EOM's statement of preliminary findings and conclusions.

In addition to forms, STOs should report immediately to their LTOs any significant problems or major irregularities that occur on election day, such as incidents of violence, ballot box stuffing or other election fraud, or refusal to admit observers to polling stations. LTOs will convey this information immediately to the core team. During some elections, STOs are asked to meet personally with their LTOs at some point during the day.

STOs are also usually required to participate in a debriefing. These debriefings are normally organised on a regional basis by each LTO team. Because of the short time available to assemble information for the public statement, the debriefings are likely to be held very early in the morning following election day. Although STOs will have been following the counting and tabulation process very late into the night, the debriefing is an important opportunity for all observers to share and compare their findings on the election process. These findings will contribute to the EOM's conclusion on how the elections were conducted in relation to international commitments. The debriefings should be closed to the press and to the general public.

### *11.2 Activities of the core team*

The core team must be well organised to support observers and to receive and process STO reports throughout election day and election night. A schedule is prepared to ensure that sufficient and appropriate staff is on duty all day and all night. This should take the following points into account:

- The statistics unit must have sufficient staff and equipment on hand to process all STO forms in a timely manner. (A preliminary statistical report should be prepared by very early on the morning following the elections);
- A number or members of the core team are designated to read all comments on STO forms and provide a summary of trends and highlights by very early on the morning following the elections;
- The LTO coordinator or another member of the core team designated to liaise with LTOs must remain on duty at all times throughout election day and election night. The LTO coordinator should prepare a brief summary report by very early on the morning following the elections, outlining key trends and any problems reported by LTOs;

- The media monitoring team must be staffed at all times throughout election day and election night to ensure that the EOM is aware of any major developments or trends reported by the media. The media monitoring team should be prepared to report any findings by very early on the morning following the elections;
- The election analyst will need to spend as much of the night as appropriate at the central election commission and should report any developments early on the morning following the elections;
- A mission telephone operator and receptionist have to be on duty at all times and need to be instructed on how to direct enquiries, information, and complaints;
- A record of all complaints reported to the EOM must be maintained by a duty officer from the opening of the polls until the issuance of the preliminary statement;
- A car, driver, and interpreter must be available at all times to accompany core team staff to emergencies that may arise; and
- The mission should consider having some reserve teams of observers available on election day and election night to respond immediately to reports of problems or serious irregularities. Such reserve teams of observers might include members of the core team who are not otherwise assigned, supported by designated interpreters and drivers.

### ***11.3 The statement of preliminary findings and conclusions***

The election observation mission usually releases its statement of preliminary findings and conclusions at a press conference held in the afternoon following election day. The statement is based on all of the work of the EOM, including both the long-term observation and analysis and the election-day reports provided by STOs; this reflects the reality that elections are a process, not a one-day event.

The statement is a summary of key findings and conclusions on the legal framework, the election administration, the campaign and the media, as well as the election-day voting and counting processes. The statement provides a preliminary assessment of the degree to which international commitments and other universal principles were upheld and how well the domestic election law and regulations were implemented.

The statement is called *preliminary* because it is issued before the entire election process has been completed. In some cases, the vote count and tabulation may not be complete when the preliminary statement is issued. In almost all cases, the statement is issued before the election results are final and official and before election-day complaints and appeals have been resolved. On occasion, the EOM may need to issue a subsequent statement covering post-election developments prior to the release of the final report.

Recommendations are normally reserved for the EOM final report. However, in cases of a second round of voting or other special circumstances, issuing recommendations in the preliminary statement may help improve the quality of the remaining stage of the process.

## 12. Post-election observation

As noted earlier, an EOM has a mandate to observe before, during, and after election day, in recognition that elections are not a one-day event but a process. Depending on the circumstances in a particular country, most election procedures may be virtually over by the day following election day, or there may be any number of outstanding issues still to be resolved. A decision on how to observe post-election developments will therefore depend to a large degree on the specific situation and conditions.

Many countries also have a two-stage election process, under which a second round of voting may be held a week or two (or possibly later) after the first round if no candidate receives the legally required number of votes in the first round. In such cases, an EOM should establish contingency plans well in advance for whether and how it will observe the second round.

### ***12.1 Announcement of results***

Election observation is mandated to assess the degree to which an election process is conducted in line with international commitments. It does not validate, invalidate, or certify the results of an election. Since an EOM is conducted according to an independent methodology and is nonpartisan and objective in nature, the EOM never comments on the political ramifications of an election result. The EOM is interested in the election results only to the degree that they are reported accurately and honestly.

An election observation mission's preliminary statement is virtually always issued before the final official results of the election are known or, in some instances, even before the preliminary results are known. Nevertheless, the announcement of final results is clearly an important part of any election process and, to the extent possible, it should be observed by the election observation mission. If the results are to be issued within days of the election, then part of the core team should remain in place. If the announcement of final results is not expected until well after the election, then it may not be possible for EOM members to remain. Any comments concerning the final stages of the election process, including the announcement of the final results, should be included in the EOM's final report.

If there are significant elements of the process still to be completed, or if there are unresolved issues of controversy, then the EOM should make arrangements for at least some members of the core team and LTOs to remain in country for post-election observation. The tasks of any such extended post-election team must be very clear.

***Possible problems to be aware of:***

- Unreasonably delayed results;
- Unbalanced or insufficient supervision of the final result tabulation;
- Denial of access to observers to this process;
- Denial of access to other authorised persons;
- Failure to publish detailed results down to district and polling station level;
- Discrepancies between election-day records of results and the final results at any level of the election administration.

***12.2 Post-election day complaints and appeals process***

Complaints and appeals are an extremely important component of an election process. Complaints may relate to any aspect of an election process, from before the election campaign begins (e.g., complaints about voter registration or candidate registration) to complaints about the election results, which may continue until well after election day. If important complaints remain unresolved by an EOM's scheduled departure date from the country, the mission should consider whether it is useful or possible for the legal analyst or some other observers to remain in country to observe court cases or other complaint proceedings relating to the elections.

The EOM should make a judgement on the importance of the cases under appeal, on whether the appeals process to date has proved to be effective and reliable, and whether the presence of observers might have a beneficial effect on the implementation of the process. For example, if a pending recount might affect the overall outcome of the election, or if a significant case is before the constitutional court, the EOM should try to arrange to have observers stay and monitor these processes.

***Possible problems to be aware of:***

- Complex procedures may make it unclear which body complainants should appeal to;
- Bodies may refuse to accept complaints or may not be open to accept complaints;
- Extremely short deadlines might make complaints difficult to file;
- Complaints may be ruled inadmissible or dismissed on technical grounds;
- The competence of the review board or judicial body may be limited;
- The process of reaching a decision may be so prolonged that it becomes meaningless;
- Public offices may refuse to make evidence available;
- Election commissions may refuse to undertake recounts;
- Court proceedings may not provide all guarantees of due process; and
- Court decisions may not be enforced.

### **12.3 Implementation of election results**

A final element of an election process is the installation in office of the persons elected. International commitments require that candidates who obtain the necessary number of votes be duly installed in office and be permitted to remain in office until their term expires. In most countries, however, there is a certain lapse of time between election day and the installation of newly elected officials. This makes it impractical for the EOM to remain in country until the entire election process is over. Nevertheless, an EOM keeps up to date on this final stage of the election process. If any problems arise in this regard, they will be reflected in the final report on the election.

#### ***Possible problems to be aware of:***

- Disqualification of winning candidates;
- Irregularities or confusion in selecting which persons on party lists will be awarded seats (e.g., when there are quotas for women or minorities);
- Replacement of winning candidates by political parties before or after they take office; and
- Potential for early termination of mandates of elected officials or duly appointed members of the election administration.

## **13. Closing down the mission**

There are a number of logistical and substantive steps that must be taken to close down an EOM. Following election day, all STOs will return as soon as possible to the capital and complete any necessary debriefing processes before their departure. STOs usually depart on the second day following the election. LTOs should remain in their regions for a few days longer, depending on local circumstances, to observe any remaining elements of the election process before returning to the capital for a final debriefing with the core team and subsequent departure. All significant EOM documents should be copied onto a compact disc and sent to the headquarters of the organising institution.

## **14. Partnerships**

It is often the policy of an organisation observing an election to cooperate closely with other groups of observers from relevant governmental and non-governmental organisations, depending on the credibility of their approach and methodology. This enables the EOM to have a dialogue with other organisations and to discuss their respective findings. This also minimises the possibility that different international organisations may reach different conclusions on an election process. Often, in particular within the OSCE region, several organisations will issue a common statement after election day.

## **15. The final report**

The final report sets out an EOM's overall assessment of the electoral process. In particular, the report provides the EOM's conclusions on the extent to which the process was conducted in accordance with international commitments and universal principles for

democratic elections and the extent to which it complied with domestic law. It also provides recommendations for the host government on how the process might be improved or brought more closely into line with international commitments. The report should be released approximately six weeks after the end of the election process and should be distributed to actors in the electoral process.

The final report draws on findings of the entire EOM, including the work of the core team, LTOs, and STOs, and it includes sections describing the election's political context; legislative framework; the performance of the election administration; voter and candidate registration; the election campaign; the media; and the voting, counting, and tabulation processes. The final report also takes into consideration whether any reported irregularities or violations of law are isolated incidents or whether they form a systematic pattern that could pose a threat to the integrity of the election process. It reflects the extent to which the electoral process was carried out in a manner that enjoyed the confidence of the candidates and the electorate, as well as the degree of political will demonstrated by the authorities to conduct a genuine democratic election process. Ultimately, all elections should be assessed in line with international commitments, universal standards, and other international obligations.

### **Notes**

- 1 This chapter is merely a slightly modified and edited version of corresponding sections in the OSCE/ODIHR Election Observation Handbook (Warsaw 2005). The first edition of the OSCE/ODIHR Handbook (1996) took as its point of departure the Manual for Election Observation (Oslo 1994) developed by the Norwegian Institute of Human Rights and the Norwegian Helsinki Committee.
- 2 More detailed and specialised guidance for members of election observation missions is available in a number of ODIHR publications, including the *Handbook for Monitoring Women's Participation in Elections*, *Guidelines for Reviewing a Legal Framework for Elections*, *Guidelines to Assist National Minority Participation in the Electoral Process*, and the *Handbook on Resolving Election Disputes in the OSCE Area*, as well as *Existing Commitments for Democratic Elections in OSCE Participating States*. All of these publications are available either in hardcopy from the ODIHR or electronically on the ODIHR's website at [www.osce.org/odihhr](http://www.osce.org/odihhr).
- 3 Universal principles are those that are enshrined in the Universal Declaration of Human Rights and the International Covenant on Civil and Political Rights. The full texts of these and other United Nations documents can be found on the website of the UN High Commissioner for Human Rights at [www.ohchr.org](http://www.ohchr.org).
- 4 The Network of Europeans for Electoral and Democracy Support (NEEDS) and the European Commission have published a useful *Compendium on International Standards for Elections* available at [http://www.needs-network.org/pdfs/Needs\\_Comp\\_2007\\_\(web\).pdf](http://www.needs-network.org/pdfs/Needs_Comp_2007_(web).pdf).



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The first edition of the Manual on Human Rights Monitoring was developed at the request of the United Nations High Commissioner for Human Rights and published in 1997. The Manual is integral to the generic training provided to members of the NORDEM Stand-by Force in order to prepare them for human rights field operations. This is the third, revised edition (2008). The new edition includes one new chapter (Chapter 10) and three rewritten chapters (Chapters 2, 5 and 11). The remaining chapters are updated according to events and new developments in the field of human rights since the second edition in 2001.

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